

# ONGOING SERVICES STANDARDS

## INTRODUCTION

The ~~Child Welfare~~ Ongoing Services Standards provide a framework for the ongoing case ~~management~~ process and ~~focus~~~~focuses~~ on safety, permanence, and well-being for children and their families served under Wisconsin Statute Chapters 48 and 938. Practice expectations set by the Standards ensure families statewide receive consistent, effective, and responsive intervention that supports the change process. Practice requirements are contained within the boxes, and additional information is included ~~in the Standards~~ outside of the boxes to provide further guidance about ~~case~~~~best~~ practice. Child welfare agencies must ensure that all actions of either agency or contracted staff comply with Standards. While the Standards establish requirements throughout the ongoing case process, county agencies and the Division of Milwaukee Child Protective Services (DMCPS) may develop more prescriptive policies and procedures.

When conditions exist to warrant the opening of a family ~~case~~ for Ongoing Services, on a voluntary basis or by a court order, the purpose of agency intervention must be clearly communicated to all ~~involved parties~~~~parties involved~~ (~~parents/guardians~~<sup>1</sup>, ~~youth, and any legal parties~~). The purpose of agency intervention directs the case planning process and clarifies the child welfare professional's role with the household, as well as formal and informal providers. Service provision decisions are based on inclusive assessments and planning with the family to establish goals that achieve measurable outcomes. Throughout the provision of Ongoing Services, the primary role of the agency child welfare professional is to engage families in a positive working relationship to achieve ~~a safe, stable home~~~~safety~~ and permanence for children.

### Safety

Safety intervention ~~for Child Protective Services cases~~ is a continual process ~~concluding with case closure. The safety process that~~ focuses on assessing for, and controlling, impending danger while collaborating with parents ~~or caregivers/guardians~~ to establish a capacity to minimize risk factors, protect children from harm, ~~and provide a safe and nurturing environment.~~

Child Protective Services (CPS) implements and manages sufficient, feasible, and sustainable safety plans to control ~~for~~ impending danger. Implementing a safety plan does not mean a child is safe; rather, impending danger is controlled through an in-home safety plan or an out-of-home placement until protective capacities are established, and ~~identified~~~~the family is able to manage~~ safety ~~threats are eliminated~~. When out-of-home placement is required, agencies must determine whether the placement environment is safe for the duration of the placement.

---

<sup>1</sup> Parent/guardian as used throughout these Standards refers to any individual with legal guardianship or legal custody of a child including an Indian custodian as defined in s. 48.02(8p).

The safety intervention process uses a family centered approach where parents ~~or caregivers/guardians~~ are viewed as the experts in their family and, as such, are the focus of the intervention. This requires agencies to continually engage families in a change process while simultaneously recognizing that only the family can decide when or if they are ready to change. Support of a ~~parent's or caregiver's~~ parent/guardian's right to self-determination is significant in achieving sustainable change and ensuring safety for children in the household.

## Permanence

When a child is placed in out-of-home care, the child welfare professional must begin planning for the child's permanence. Legal permanency options include reunification, guardianship and adoption.

~~Permanency planning occurs simultaneously must reflect the voices and insights of parents and their informal supports. If the child is not able to be placed with the family's involvement with a relative or like-kin, the child welfare agency. Prompt actions to maintain a child safely in the home or permanently place the child in a safe, alternate family setting positively influences the quality of a child's permanent relationships, cultural identity, and sense of self.~~

~~Planning for permanence includes establishing lifelong connections for the child by fostering relationships with extended family and caregivers. Partnerships should help facilitate partnerships between the family and the out-of-home care providers foster examination of the specific conditions required provider to achieve permanency. These conditions must be included in the goals specified in the family plan or court order.~~

~~Permanency planning consultation is available to plan for a and maintain the child's permanence in a timely manner. Permanency consultation assists agency staff in evaluating whether a particular goal is appropriate and how to address barriers to achieving permanence. The Department of Children and Families' permanency consultants serve as resources for consideration of all permanency options: familial relationships and cultural identities.~~

## Well-Being

A child's well-being is dependent upon the caretaker's ability to meet their physical health, mental health, behavioral health, educational and cultural needs. Agencies should make efforts to assess children's and adult's needs in these areas throughout the case process and address identified needs as part of case planning activities. Children and families should be meaningfully engaged in all aspects of the service process to build and maintain a trusting, supportive working relationship.

## Safe Case Closure

Safe case closure occurs when a child is safe, protected, and in a permanent ~~and stable~~ home. ~~The~~ Before ending involvement, the agency ~~does not automatically close a case upon reaching permanence, but works with a should assist the~~ family ~~to establish in establishing~~ supports ~~before ending involvement that will remain in place after case closure.~~ These supports may include ~~arrangements and~~ connections within the family network or community that can be

created, facilitated, or reinforced to provide the parent ~~or caregiver/~~guardian ongoing resources and assistance ~~once agency involvement ends.~~

## REQUIREMENTS FOR ALL ~~CASES~~CASE TYPES

### The Case Transition Process

Transitioning occurs when the agency explains the purpose of continued agency intervention while introducing the family to a new child welfare professional.

#### The ~~Case~~ Transition Process includes:

- Sharing and understanding information collected and decisions made during the initial assessment process, ongoing case management services, or other points in the case process.
- Ensuring a clear understanding of roles and responsibilities of child welfare professionals and formal and informal family supports.
- Identifying additional agency and community resources, services, and supports to the family.
- Preparing the newly assigned child welfare professional for the initial meeting with the family.

#### Applicability

This Standard applies to all ~~cases~~families, except youth justice in-home families, when there is a case transition from one child welfare professional to another child welfare professional. -This includes, but is not limited to:

- Internal agency ~~case~~ transitions.
- Changes of venue from one county to another county.
- Transitions from a county to an Indian Child Welfare Agency.
- Joint supervision ~~cases~~situations.
- Transitions from a county child welfare professional to a contracted public adoption child welfare professional.
- Transitions from a contracted public adoption child welfare professional to a county child welfare professional.

#### ~~Case Management~~Supporting Families and Agency Requirements during the Transition Process

The child welfare professional initiating the ~~case~~ transition maintains responsibility for ~~managing the~~ case management until the conclusion of the ~~case~~ transition staffing. - This includes:

- Managing and overseeing the safety plan, as applicable.
- Managing and overseeing the ~~family interaction plan~~Family Interaction Plan, as applicable.
- Communicating with ~~children~~ a child and their parents/~~caregivers~~caregiver/legal custodian/Indian custodian/state guardian.

- Communicating with assigned tribal workers, formal and informal service providers, and out-of-home care providers.

When there is more than one child welfare professional assigned ~~to a case~~, those child welfare professionals shall determine who has the responsibility for the items listed above.

## Preparing for Transition

The newly assigned child welfare professional reviews ~~case~~ documentation to prepare for the transition staffing. -Full disclosure of ~~case~~ information and determinations [about the family](#) assists the child welfare professional in assuming safety and case management responsibilities. -The following documentation will be reviewed prior to the transition staffing [as applicable](#):

- All assessments
- Case plan, ~~permanency plan~~[Permanency Plan](#) and ~~court report~~[Court Report](#) and any other court related documentation, ~~if available~~
- Safety ~~analysis, if applicable~~[Analysis](#)
- ~~In-home safety plan, if applicable~~
- [In-Home Safety Plan](#)
- Confirming Safe Environments, ~~if applicable~~
- Family Interaction Plan, ~~if applicable~~
- Child and Adolescent Needs and Strengths tool (CANS) ~~results, if applicable~~
- Out-of-Home Care ~~support plan, if applicable~~[Support Plan](#)

## Case Transition Staffing [Requirements](#)

### Requirements for All ~~Cases~~[Families](#)

In ~~cases~~[situations](#) where the Initial Assessment process requires a ~~case opening~~[family to be opened](#) for ~~Ongoing Services~~[ongoing services](#), the ~~case~~ transition staffing must occur within seven ~~business~~[working](#) days from the ~~Ongoing Services supervisor~~[ongoing services supervisor's](#) receipt of an approved Initial Assessment in eWiSACWIS. -The ~~case~~ transition staffing must include both the ~~Initial Assessment~~[initial assessment](#) and the ~~Ongoing Services caseworker~~[ongoing child welfare professional](#).

For all other types of ~~case~~ transition, the two agency ~~workers~~[child welfare professionals](#) must schedule a ~~case~~ transition staffing.

The following must be discussed at the ~~case~~ transition staffing:

- ~~Case documentation~~[Documentation](#), gaps in information, and decisions made.
- Child needs, including a summary of medical, mental health, and school information, as available.
- Efforts to confirm whether the child is a member or eligible for membership in a federally recognized tribe.
- If the child has been found to be an Indian child in accordance with the [Indian Child Welfare Act/](#) Wisconsin Indian Child Welfare Act ([ICWA/WICWA](#)); the steps taken to notify and involve the [Indian child's](#) tribe in the assessment and case plan development.
- Any existing court orders, upcoming court obligations, and timeframes for the completion of court reports.

- Status of involvement of any non-~~custodial or absent~~household parent and the ~~caseworker's~~child welfare professional's due diligence to locate and involve ~~them~~.
- Status of the Birth-to-Three referral or services when maltreatment has been substantiated involving a child under the age of three.

### **Additional Requirements When a Child Is Unsafe (CPS ~~Cases~~Case Type)**

Safety management is the primary responsibility of the agency when a CPS case ~~type~~ is transitioned. The ~~case~~ transition process communicates the status of impending danger to the ~~worker~~ receiving the ~~case~~child welfare professional, who ~~examines~~will examine the safety plan to ensure it is sufficient, feasible, and sustainable.

In addition to sharing ~~case~~ documentation, a face-to-face discussion must occur between the current and receiving ~~caseworkers, with caregivers~~child welfare professional and ~~family members; and with providers in the safety plan.~~ This interactionparent(s)/guardian(s). These ~~conversations~~ must be timely to ensure the oversight of the safety plan continues during case transition to ensure ~~children are~~the child is safe and protected.

When a child is unsafe, the ~~case~~ transition staffing includes the disclosure of:

- Identified impending danger.
- The safety analysis and whether it resulted in the least intrusive, sufficient, feasible, and sustainable safety plan.
- The identified safety services/actions and whether they continue to be available at the needed frequency to control each impending danger threat.
- The continued suitability, role, and commitment of safety service providers.
- The presence of existing parent/~~caregiver~~guardian protective capacities and general family strengths.
- The status of parent/~~caregiver~~guardian involvement in the safety plan.

### **Additional Requirements When a Child is Placed in Out-of-Home Care**

When a child is placed in out-of-home care on a Child in Need of Protection or Services (CHIPS) order or a through a Voluntary Placement Agreement, (~~VPA~~), the ~~case~~ transition staffing must also include the ~~family interaction plan~~Family Interaction Plan, including sibling contact, and whether it is sufficient to meet the developmental needs of the child. (For additional information, refer to the "Family Interaction for Child Protective Services ~~Cases~~Case Type When a Child is in Out-of-Home Care" section, located on page ~~173~~157).

For all children placed in out-of-home care on a ~~Child in Need of Protection or Services~~ (CHIPS) order, Juvenile in Need of Protection or Services (JIPS) order, or Delinquency order, the ~~case~~ transition staffing must focus on the status of the child's current placement. The following must be discussed:

- Information about the safety of the placement setting (Confirming Safe Environments).
- The most recent face-to-face contacts with the child, parent(~~s~~)/~~guardian~~, and ~~placement~~out-of-home care provider.

- Efforts to locate and place the child with relatives, [like-kin](#), siblings, or other adults identified by the parent/[guardian](#).
- The results of the Child and Adolescent Needs and Strengths tool (CANS) and any implications for service needs for the child or [placementout-of-home care](#) provider.
- The status of the placement and licensing process for any relative [caregiversor like-kin out-of-home care providers](#), as applicable.
- Efforts to ensure that the child has regular opportunities to engage in age or developmentally appropriate activities following the Reasonable and Prudent Parent Standard.
- The child's eligibility for independent living (IL) services, as applicable.
- Compliance with placement requirements if the child is placed in a facility certified as a Qualified Residential Treatment Program (QRTP).
- Efforts made to comply with the [Indian Child Welfare Act](#)/Wisconsin Indian Child Welfare Act ([ICWA](#)/[WICWA](#)) placement preferences under [§Wis. Stat. s. 48.028\(7\)](#) for Indian children.
- Compliance with Notice requirements under [Wis. Stat. s. 48.028\(4\)\(a\)](#).
- Efforts to provide natural and unsupervised family interaction in the most natural setting that can ensure the Indian child's safety, as required by [ICWA](#)/[WICWA](#).

For additional WICWA information and requirements, refer to the [WICWA Online Resource](#).[WICWA Online Resource](#).

### **[Additional Requirements When Permanency is Not Achieved Within Two Years of Termination of Parental Rights \(TPR\)](#)**

[If permanency is not achieved through the public adoption program within two years of TPR, the department may, in accordance with Wis. Stat. s. 48.43\(7\)\(b\), petition the court to transfer legal custody of the child back to the county department. The public adoption child welfare professional and county child welfare professional shall follow all transition requirements to transition ongoing case management services back to the county. The department shall remain the child's guardian and the child welfare professional shall consult with the DCF state guardian regarding any guardianship needs.](#)

~~SupervisorsCurrent and tribal or private agency workers, as applicable, should participate in the case transition staffing to assist in understanding and clarifying case outcomes and decisions. Early Supervisorsprevious supervisors and tribal or private agency child welfare professionals, as applicable, should participate in the case transition staffing to assist in understanding and clarifying case outcomes and decisions. Early collaboration shouldmust occur with the tribal social service agency according to Active Effortschild welfare agency with focus on ensuring that WICWA and ICWA requirements of WICWAare met. In some easessituations, tribal child welfare agencies will not assign a worker at the onset of Ongoing Servicesongoing services but will ask that information regarding the child's case be shared to inform future decisions.~~

~~Case transitionTransition to a child welfare professional may occur during or following the completion of the initial assessment. In some easessituations, the casefamily will transition to Ongoing Services,ongoing services but will not transfer to a new child welfare professional. In~~

these situations, the child welfare professional and supervisor will need to focus on changing roles and responsibilities to provide necessary services and supports to the child and family.

### **Readiness for Case Transition**

Situations may exist where child welfare professionals or supervisors disagree about readiness of the case for transition to a new child welfare professional or agency. Each county agency must develop a policy to address these situations for internal case transitions.

### **Modifying the Safety Plan**

#### **Child Transition Staffing Decisions**

When results of the transition staffing determine the safety plan is not sufficient, feasible, or sustainable, the ongoing child welfare professional meets with the family, including the parent/guardian, child (when age appropriate), and the family's team to modify the safety plan to effectively control impending danger. Changes must be made with and communicated to all participants and all providers involved in the safety plan.

Modifications to the Safety Analysis and Plan must be approved by a supervisor and documented on a new safety plan in eWISACWIS.

The Department of Children and Families has current policy for accepting cases from county agencies as children transition to permanence. County agencies should reference the "Wisconsin Inter-County Agreement on Venue, Jurisdiction, Placement, and Funding Responsibility in CHIPS, JIPS, and Delinquency Cases" to support transitions between county agencies. This agreement is located at [http://www.wehsa.org/Wisconsin County Human Service Association - Resources](http://www.wehsa.org/Wisconsin%20County%20Human%20Service%20Association%20-%20Resources).

### **New Information on Cases in Received While Open to Ongoing Services**

#### **Documentation**

The content, date, and time of the case transition staffing must be documented as a case note in the eWISACWIS case record. Agencies must determine which child welfare professional is responsible for documenting this information.

At times, county agencies receive new reports of alleged maltreatment about cases/families open with Ongoing Services. In other circumstances, the assigned child welfare professional may observe or receive new information about a family or out-of-home caregiver/care provider and must determine if the information requires a CPS response, a modification to an existing safety plan, or a change in services or supports. In some cases/situations, reported information

does not contain any new allegations of maltreatment, but is simply ~~case~~ information already being addressed in the case or safety plan. In ~~all of~~ these situations, the child welfare professional must seek supervisory consultation to formulate the appropriate response.

**CPS Reports ~~on~~ While Open to Ongoing Services Cases or Placements While a Child is Placed in Out-of-Home Care.**

When a report of alleged maltreatment ~~is received by the child welfare professional~~ that involves a child ~~in a case that is~~ currently open for Ongoing Services or regarding an out-of-home care provider ~~is received~~, the report must be screened and responded to, ~~as necessary~~, in ~~compliance~~ accordance with the ~~“Child Protective Services Access and Initial Assessment Standards.”~~ “Child Protective Services Access and Initial Assessment Standards.”

**When a Client Parent or Family Moves**

When families involved in the child welfare system relocate to another county or state, the agency may need to request a home study, supervision, or other services for the family at their new location.

**Requirements to Notify Agency When a Client Parent or Family Moves to a New County**

When a county ~~department~~ agency learns a family currently receiving services has moved to a new county, the original county must notify the new county of residence or Division of Milwaukee Child Protective Services of the family’s change in residence. ~~Notice must be provided to the new county of residence even if the original county of residence is not seeking any assistance, involvement, or change of venue from the new county agency.~~ ~~The notice must include:~~

- A brief written description of the services offered or provided ~~to the person~~ by the previous county.
- The name, telephone number, and email address of a person in the previous county to contact for any additional information.

The original county agency must determine whether to:

- Make a CPS report, or
- Submit a Services Intake referral (with a description of services offered or provided) to the new county.
- If either a CPS report or Services Intake is made, the agency is in compliance with s. 48.57(2m), Stats.
  - This applies to many families under a court order.
- If the original county does not make a CPS report or Services Intake referral:
  - The agency must still notify the new county of the family’s relocation.
- Notification requirements include:

- [Use of the Change of County of Residence form \(or an alternative form with the same information\).](#)
- [Call the new county agency and ask to speak with Access staff.](#)
  - [Inform Access staff that:](#)
    - [The family has moved to their county.](#)
    - [A Change of County of Residence form will be emailed or faxed.](#)
- [Email or fax the form to the new county's Access unit.](#)

[This step serves as documentation for both agencies that the notification was completed.](#)

For [cases situations](#) involving court orders, a change in venue can be pursued once the [client parent or family](#) has established residency in a new county for six months.

[For additional information, refer to Department of Children and Families \(DCF\) Memo Series 2007-20, "Requirement to Notify Agency When a Client Moves to a New County"](#)

## Interstate Compact on the Placement of Children

Wisconsin's Interstate Compact on the Placement of Children (ICPC) ([s. 48.988 \(Wis. Stat. s. 48.988, Stats.\)](#)) ensures children in need of out-of-home [placement care](#) in and from other states receive the same protections guaranteed to children placed in [out-of-home](#) care within Wisconsin. The law offers states uniform guidelines and procedures to ensure these placements promote the best interests of each child.

When a child's case is under court jurisdiction, the ICPC process is the mechanism public and private child placing agencies use to obtain a home study of a proposed placement resource in another state prior to moving the child. The ICPC also provides for supervision of a Wisconsin court order for a child's placement or residence when a family moves to another state.

The full ICPC [policy standard](#) can be found on page [244219](#).

## Exceptions

### Exceptions

An exception occurs when the intent of the specific requirement within the entirety of the Ongoing Services Standards must be met in an alternative manner. -An exception is not the same as a waiver. -A waiver means that the requirement need not be followed.

Exceptions must be made only when the justification and alternative provision is documented in the [case](#)-record following supervisory approval. - Exceptions will not be granted for requirements of state statutes, federal law, or administrative rules.

| IN-HOME

## CHILD PROTECTIVE SERVICES ~~CASES~~IN-HOME CASE TYPES

### General Information

In-home child protective services (CPS) ~~cases~~case types involve an unsafe child where impending danger is controlled and managed through an in-home safety plan. ~~A thorough understanding of child safety decisions and actions is essential for child welfare professionals since safety assessment, analysis, planning, and the management of child safety occurs in every aspect of CPS involvement with a family.~~

### Fundamental Intervention Responsibilities of ~~Ongoing Services~~the Child Welfare Professional:

- Evaluating the existing safety plan developed during initial assessment/investigation.
- Ensuring child safety through continuous assessment, oversight, and adjustment of safety plans.
- Engaging families in the ~~case~~case-planning process that identify underlying needs and directs services to address threats to child safety.
- Measuring progress related to establishing parent/~~caregiver~~guardian protective capacities and eliminating safety related issues.
- Achieving ~~stability~~child safety for all in-home child protective services cases.

### Assessment and Planning Process

#### Applicability – In-Home Child Protective Services ~~Cases~~Case Types

This ~~Standard~~standard applies when the ~~initial assessment~~Initial Assessment process concludes a child is unsafe, and ~~ongoing services~~Ongoing Services are required to control impending danger through an in-home safety plan.

Agencies must ensure all actions of agency ~~staff~~staff or contracted ~~provider staff~~providers ~~complies~~comply with this ~~Standard~~standard.

The assessment and planning process supports an integrated child protective services (CPS) system by building on information gathered during the initial assessment. -The assessment and ~~case~~case plan ~~is an intervention service~~are completed in partnership with the child and ~~the~~their family to empower parents ~~or~~/caregivers to protect and care for ~~their children~~the child. The ~~case~~case plan may identify several types of goals including establishing ~~parent or caregiver~~parental

protective capacities, improving the child's educational, physical, or behavioral health ~~needs, and achieving stability.~~

### **Determining What Must Change**

The four components of the assessment and planning process include:

1. Preparing for ~~Assessment~~assessment
2. Introducing the ~~Change Process~~change process
3. ~~Determining what must change~~
- 2.4. \_\_\_\_\_ Developing the ~~Plan~~plan

Please refer to Family Teaming on page 15 for further guidance in engaging the family in the case planning process.

### **Preparing for Assessment**

Preparing for the assessment process begins prior to the ~~case~~transition staffing. -Being familiar with ~~case~~ information assists the child welfare professional in fully understanding impending danger, diminished parent or caregiver protective capacities, and supports the child welfare professional during intervention with the family. -A review of ~~case~~ information includes, but is not limited to:

- All assessments and evaluations
- Any current or pertinent historical planning documentation
- Any court related documentation, if available
- Safety Analysis and Plan
- ~~In-home Safety~~

### **Introducing the Change Process**

Throughout ~~CPS~~ Ongoing ~~CPS services~~Services, the child welfare professional must engage the family in a change process, which ultimately results in safe case closure. -Families should be actively involved in ~~case~~planning and implementation. -Child welfare professionals must fully disclose the family's rights and responsibilities in ~~case~~planning, implementation, and evaluation.

### **Timeframe for Initial Contacts**

The child welfare professional must have face-to-face contact within seven [business\(7\) working](#) days of the ~~case~~-transition staffing with the parents ~~or caregivers/guardians~~ and ~~children~~child unless the in-home safety plan dictates more immediate contact ~~with the family~~. Within this timeframe the child welfare professional must communicate with in-home safety plan participants and providers to:

- Provide the child welfare professional's name and contact information.
- Elicit understanding regarding the reason for the safety plan.
- Clarify each individual's role in the safety plan with respect to ensuring child safety.
- Confirm continued commitment and ability to remain actively involved in meeting the expectations of the safety plan.

The initial contact with the family is to introduce the child welfare professional and explain both the changing role of the agency and the assessment and planning process. Whenever possible, the first face-to-face contact with the family should occur in the family's home and include the entire household. In families where domestic violence has been identified or is suspected, the agency should assess whether scheduling family meetings will jeopardize the safety of a family member or any other participant, ~~including agency staff or child welfare professionals~~. [More information can be found in the Domestic Violence Handbook for Child Welfare Professionals.](#)

## Engagement ~~during~~**During** the Change Process

~~During the initial contacts, the~~**The** child welfare professional must engage the family and child, in a culturally sensitive and developmentally appropriate manner, around key decisions involving safety, stability, and well-being for the child. ~~-~~Engagement includes providing the child and family the opportunity to actively participate and influence the change process. Child welfare professionals must discuss the following:

- The differences between the Initial Assessment and Ongoing Services processes including the roles and responsibilities of the Ongoing Services child welfare professional.
- The reason for agency involvement.
- The assessed level of intervention required to maintain child safety and the possible outcomes should the parents ~~or caregivers/guardians~~ not cooperate with the safety plan.
- The Ongoing Services process and collaboration needed from parents ~~or caregivers/guardians~~.
- The status of the court process, as applicable.
- The purpose for involvement of non-~~custodial~~**household** parents, relatives, **like-kin**, and informal supports as potential resources for the child and family. ~~-~~For additional information, refer to [Chapter VII in the Child Welfare Ongoing Services Standards manual; the “Locating and Involving Non-CustodialHousehold Parents, Alleged Fathers and Other Relatives” policy, and Like-kin” on page 164.](#)
- The child’s possible membership or eligibility in a tribe.

~~For additional WICWA information and requirements, refer to the DCF Wisconsin Indian Child Welfare Act Desk Aid located in Appendix I, page 291.~~

[For additional ICWA/WICWA information and requirements, refer to the DCF Wisconsin Indian Child ~~and~~ Welfare Act Desk Resources located in Appendix 1, page 261.](#)

### **Family ~~Team Meetings~~**Teaming****

[Family Teaming is a collaborative, culturally responsive and engagement-driven process. This process brings together the family team meetings engage and their supports to actively create, review and work toward goals of the Family Case Plan. Through a strengths-based lens, Family Teaming empowers families in-to voice concerns, request support, and take an active role in guiding the direction of their Family Case Plan and services. This approach promotes shared decision-making and accountability, builds natural supports that can sustain beyond system involvement, and also supports parents in increasing protective capacities. Regular Family Teaming should be used as a tool to monitor progress on the Family Case Plan, which essentially functions as the family’s guide, while also helping define a realistic path towards](#)

achieving the plan's goals and a lasting support system for families. Ultimately, consistent and meaningful Family Teaming supports the family's ability to achieve Family Case Plan goals and safe case planning. Child and closure.

Bringing together the support system identified by the parents/guardian is a style of engagement critical to empowering the family team meetings use a strengths and to achieve goals that address the needs based, solution focused approach that incorporates the values and principles of of the family centeredness, respectful interaction, cultural responsiveness, and partnership to exit the system.

The size, composition, function, and goals of the family team must be driven by the underlying needs and safety concerns of the family should identify who makes up their support network which can include natural supports such as family. The team must be identified by the, like-kin, friends, community members or tribal representatives. This network will support the needs of the family and consist of extended family members, during involvement with the child welfare professional, informal/formal supports and service providers. agency as well as post safe case closure. Ideally, all of the identified team/network members are committed to the family's goals and invested in change.

The core function of Family Teaming is to have the family's support system participate in family driven discussions related to case planning. While there are prescriptive models of family teaming, it is not necessary to adhere to any formal model. Rather the guiding principle should be to meaningfully engage the family's support system with a specific focus on reviewing the Family Case Plan, making necessary updates, and assessing progress and achievement toward goals. Family team meetings should be responsive to the unique needs of the family to support collaborative planning, relationship building, and timely case closure. The frequency, cadence, and composition of family teaming will likely look different for each family.

### **Family Teaming**

When children are served in the home, Family Teaming must begin during the assessment and planning phase of initial engagement with the family and continue while there is a Family Case Plan in place. Individual and family readiness may change over time, which necessitates ongoing efforts to engage the family in Family Teaming. The following efforts must be documented in eWiSACWIS case notes and reflected in the Family Case Plan:

- Engage the family in the case planning process by:
  - Working with the family to identify their support system which could include formal supports and/or natural supports to participate in the planning process (this can include relatives, like-kin, community members, tribal representatives).
  - Collaboratively developing the content for the Family Case Plan document. Once the content is developed, the child welfare professional will document it in the Family Case Plan via eWiSACWIS and then confirm with the family that the content reflects what was agreed upon.

Child welfare professionals must engage in the following ongoing Family Teaming activities:

- Review the progress of goals identified in the Family Case Plan with the family. Progress shall be documented in eWiSACWIS case notes; goals and services should be adjusted when Family Case Plan conditions have been achieved.
- Dialogue with the family and support network about the effectiveness of services and work together to adjust any necessary services. Keep in mind that not all services will work for each family.
- Identify, with the family and support network, progress towards change. Find ways to celebrate successes the family achieves to motivate future change and cultivate resiliency.

### **Initial Child and Family Team Meetings**

Initial child and family team meetings should occur during the assessment and planning phase of the case process. The purpose of the initial team meeting is to:

- ~~Engage the family in the case planning process.~~
- ~~Discuss information contained in the assessments and safety analysis and plan. Discuss services provided.~~
- ~~Identify the family's strengths and underlying needs.~~
- ~~Identify the family's goal(s).~~
- ~~Establish appropriate timeframes for the achievement of goals.~~
- ~~Identify the plan for meeting the family's underlying needs.~~
- ~~Identify services needed to address underlying needs.~~
- ~~Identify the roles and responsibilities of the team members.~~

### **Subsequent Meetings**

The frequency of subsequent child and family team meetings must be determined by the family team along with the child welfare professional and should remain consistent. The purpose of subsequent team meetings is to:

- ~~Continue engaging the family in the case planning process.~~
- ~~Track and adjust the case plan and the in-home safety plan.~~
- ~~Clarify team member roles and responsibilities.~~
- ~~Evaluate the effectiveness of services.~~
- ~~Evaluate progress towards change.~~
- ~~Inform and update team members on progress and changes to the goals or plans.~~

## Determining What Must Change

### Determining What Must Change

An essential safety intervention responsibility at this stage is to evaluate ~~caregiver~~parental protective ~~capacity~~capacities since impending danger is controlled by the safety plan. Information from the initial assessment provides the foundation for determining ~~caregiver~~parental protective capacities. Throughout the assessment process, the child welfare professional clarifies and gathers additional information, and collaborates with parents/guardians, the child, relatives, like-kin, and informal and formal supports to gain consensus regarding the changes necessary to achieve a safe, ~~stable~~, and permanent home, thereby allowing for safe case closure.

#### **The Assessment Process with the Family**

Based on the information discovered throughout the assessment process, the child welfare professional and parents ~~or caregivers continue with discussions about/guardians will collaboratively develop a Family Case Plan that includes services necessary to create a change strategy that will result in a plan that leads to safety in and keep the household children safely in the home.~~

This process includes:

#### **Gathering and assessing information in the following areas:**

- Whether a child is an Indian child in accordance with the Indian Child Welfare Act/Wisconsin Indian Child Welfare Act (ICWA/WICWA) and if/what steps have been taken to notify and involve the Indian child's tribe.
- ~~Child functioning and well-being (school/childcare setting: learning and development, medical/dental/mental health needs, physical/emotional/behavioral functioning, familial relationships, social skills, impact of trauma on the child, risk behavior, strengths, the effects of the culture of the child and family on service provision).~~
- Child functioning and well-being
- Adult functioning (physical/emotional/behavioral functioning, etc.).
- Parenting practices (discipline/approach to parenting/expectations, etc.).
- Family functioning (current service provision,
- Determine with the family the information contained in the assessments and, as applicable, safety analysis and plan. Allow for updates to be made as necessary.

#### **Work collaboratively with the child and family**

Child welfare professionals work in partnership with the child and family to understand their circumstances, identify strengths and needs, and support meaningful change. The following areas of focus guide this collaborative process:

#### **Identify Strengths and Needs:**

- Identify family strengths, supports, and existing parent/guardian protective capacities and identify ways in which the parent/guardian can be involved in meeting the needs of their child or how their needs will otherwise be met.
- Understand what parents/guardians identify as strengths about themselves as individuals ~~the child and family identifies as supports and resources, social activities~~ and in their caregiving role.
- Determine whether any professional evaluations (i.e. mental health, medical, and educational) are needed for the child or parents/guardians to inform the Family Case Plan.

**Explore and Address Diminished Protective Capacities:**

- Examine the relationship between diminished parent/guardian protective capacities and impending danger.
- Determine the family's perception and level of agreement with the child welfare professional regarding diminished protective capacities and impending danger.
- Assess if parents/guardians are ready, willing, and able to consider necessary change related to diminished protective capacities.

**Plan for Change and Safety:**

- Determine with the family the most logical place to begin focusing on change, setting goals and identifying potential service options.
- Confirm that impending danger is controlled and managed with a sufficient, feasible, and sustainable safety plan.
- Determine with the family the need for any remedial services and rehabilitation programs required under ICWA/WICWA in an effort to prevent the breakup of the Indian family.

### ~~–Sharing information with children and families in order to:~~

- ~~• Identify family strengths, supports, and existing parent/caregiver protective capacities that contribute to child protection. Understand what parents/caregivers identify as strengths about themselves as individuals and in their caregiving role.~~
- ~~• Examine the relationship between diminished parent/caregiver protective capacities and impending danger.~~
- ~~• Determine the family's perception and level of agreement with the child welfare professional regarding diminished protective capacities and impending danger.~~
- ~~• Assess if parents/caregivers are ready, willing, and able to consider necessary change related to diminished protective capacities.~~
- ~~• Identify the needs and strengths of children and parents/caregivers and identify ways in which parents/caregivers can be involved in meeting the needs of their children or how the needs will otherwise be met.~~
- ~~• Determine whether any professional evaluations (i.e. mental health, medical, educational) are needed for the child or parents/caregivers to inform case plan services.~~
- ~~• Determine with the family the most logical place to begin focusing on change, setting goals and identifying potential service options.~~
- ~~• Confirm that impending danger is controlled and managed with a sufficient, feasible, and sustainable safety plan.~~
- ~~• Determine with the family the need for any remedial services and rehabilitation programs offered under s. 48.028(4)(d)2, Stats. in an effort to prevent the breakup of the Indian family.~~

### Use of the Child and Adolescent Needs and Strengths

### Developing the Family Case Plan

#### Assessment

~~In addition to the information above~~When working with families in-home, agencies may want to consider other resources such as the~~utilize an informal or formal assessment to inform the Family Case Plan, particularly in identifying specific services to meet parent and child's identified needs and strengths. The~~ Child and Adolescent Needs and Strengths (CANS) tool.~~The CANS may be used to:for assessment purposes but a CANS case plan for families being served in-home is not required; only the Family Case Plan is required.~~

- ~~• Identify the~~targeted interventions.
- ~~• Prioritize needs and strengths of the child. that are more urgent to address.~~
- ~~• Determine the ability of the parent/caregiver to meet the child's needs.~~
- ~~• Evaluate the stability of the home.~~
  
- Guide Family Teaming

When a [casefamily](#) is opened ~~for~~ Ongoing Services, goals focus on enhancing parent/~~caregiver~~[guardian](#) protective capacities to eliminate impending danger so the parents/~~caregivers~~[guardians](#) can adequately manage child ~~protection~~[safety](#) without intervention. The ~~case plan organizes case activity~~[Family Case Plan maps out family involvement with child welfare](#) and is a tool for communicating with parents/~~caregivers, children, family members, court parties, and other individuals involved in providing supports and services to the family~~[guardians and their identified support network](#).

The child welfare professional is responsible for overseeing the implementation of the ~~plan~~[Family Case Plan](#) and working with parents/~~caregivers~~[guardians](#) to facilitate change. Managing the plan and change strategies involves ensuring the plan targets goals associated with enhancing diminished caregiver protective capacities and achieving stability. The purpose of the plan is to identify steps toward establishing a safe environment for the child.

[When a family is under both a CHIPS and JIPS jurisdiction, both the primary and secondary assignment workers shall work collaboratively on the Family Case Plan. The child welfare professional overseeing whichever jurisdiction is established first should initiate the Family Case Plan and must reassess and update the case plan when a second jurisdiction is established. If multiple agency child welfare professionals are assigned to the child, youth, and family, they must collaborate and team as necessary to create one cohesive Family Case Plan for that child, youth, and family.](#)

### **Planning and Developing Goals with the Child and Family**

[The use of Family Teaming in the case planning process promotes a collaborative approach to developing the Family Case Plan. If a family is under both a CHIPS and JIPS jurisdiction, both the primary and secondary assignment workers shall work collaboratively on the Family Case Plan.](#)

The priority in the planning process is to ~~determine the order in which diminished~~[work with the family to develop goals that enhance](#) parent/~~caregiver~~[guardian](#) protective capacities ~~are addressed in the plan.~~[order to reach safe case closure](#). This process with the family includes:

- ~~Identifying~~[Ask the family:](#)
  - [To identify any specific needs and strengths for the child, and parents/guardians and how the family believes those needs could be addressed and strengths built upon.](#)
  - [To identify natural supports who may assist the family in reaching culturally responsive goals and safe case closure.](#)
- [Empower the family to identify](#) household behaviors that need to change and the behaviors that need to be demonstrated and sustained. [Learn from the family what services or supports they can access to reach their goals and providing information on additional community resources.](#)
  - [Developing](#) Collaborate with the family support network to identify resources and change strategies to assist the family in reaching safe case closure.
- [Partner with the family to create one to three behaviorally stated, focused, mutually](#)

understood, and measurable goals related to enhancing parents/caregivers, parents'/guardians' or Indian custodians' protective capacity that are phrased in the family's own terminology.

- ~~Confirming any specific needs and strengths capacities. Collaborate with the family to determine realistic timeframes for children and parents or caregivers and how those needs will be addressed.~~
- ~~Identifying supports and change strategies to assist the family in achieving stability and safe case closure.~~
- ~~Identifying services and activities that are acceptable, accessible and appropriately matched with what must change.~~
- Ensuring the achievement of goals establish a sufficient behavioral benchmark for evaluating change.
- Developing an Develop the child's out-of-home care prevention plan to ensure the child remains safely living in-at home with their parent, caregiver, or Indian Custodian/guardian.
- Planning Plan to identify, locate, and involve non-custodial or absent household parents and, relatives, and like-kin as resources for children the child. (For additional information, refer to "Locating Non-Custodial Parent /Household Parents, Relatives, , and Like-kin" page 180.)164)
- ICWA Requirements
  - When the child is an Indian child, making make active efforts to prevent the breakup of the Indian family through the use of remedial services and rehabilitation programs as provided required in ICWA/WICWA.
  - Engaging Engage the tribal worker child, family, and Indian child's tribe in the assessment and case plan Family Case Plan development.
  - ~~Assessing eligibility for independent living services for those ages 14 or older; if eligible, completing and revising the youth's IL assessment and plan~~
  - ~~Assessing eligibility for independent living services for those ages 14 and older; if eligible, completing and updating the youth's independent living assessment and plan~~
    - ~~Independent living eligibility criteria can be found here:~~  
<https://def.wisconsin.gov/files/cwportal/il/pdf/il-eligibility.pdf>
- Maintain Confidentiality

Child welfare professionals should be aware of confidentiality restrictions on the use of information in a case record, either on paper or in eWiSACWIS and in KIDS. Please review DCF Numbered Memo 2004-13B and Information Memo 2006-19 for additional information, as reflected in applicable state and federal confidentiality laws.

When seeking information from people or resources outside the case, child welfare professionals must continue to maintain confidentiality as required by law about the identity and circumstances of the children child and families family with whom they are working.

## Case Assessment and Plan Documentation

The child welfare professional must complete and document the ~~case plan~~Family Case Plan, including the child's out-of-home care prevention plan section no later than 60 days from the case transition staffing when there is ~~an in-home~~ safety plan. -The child's prevention plan describes the services and programs that will be provided to the child, or on their behalf, to support the in-home placement. All case assessment and plan requirements must be documented in the ~~family case record in the~~ eWiSACWIS ~~case plan~~Family Case Plan (DCF-F-CFS2132-E).

After supervisory approval, the child welfare professional must obtain parent/caregiver or Indian custodian signature, in a timely manner, and a copy of the Family Case Plan must be provided to the parent/guardian and, as appropriate, tribal child welfare professionals, and child once they have reached the age of 12. If unable to obtain signatures document efforts made to obtain signatures.

The ~~case plan~~Family Case Plan must include:

- General person management and case maintenance information to ensure the case record is up-to-datecurrent (family demographics, tribal membership status, agency and legal).
- ~~Child functioning, adult functioning, parent functioning and parenting practices, and family functioning information.~~
- ~~Criteria-based~~One to three behavioral focused goals (focused on ~~diminished~~enhancing caregiver protective capacities that are behaviorally stated, understandable to the family, specific and measurable).
- Services for the child and family.
- The child's out-of-home care prevention strategy (i.e. mental health, substance abuse, in-home skills development) for the child to ensure the child remains safely in home.
- Safety assessments, plans, and conclusions.  
~~For an Indian child, efforts made to prevent the break-up of the Indian family and efforts to engage the tribal child welfare professional in the development of the case plan.~~

## Additional Requirements When the Child is an Indian Child

The following must also be documented in the ~~case plan~~[Family Case Plan](#) when the child is an Indian child:

- [Description of the active efforts made to prevent the break-up of the Indian family and efforts to engage the child, family, and Indian child's tribe in the development of the Family Case Plan.](#)
- The name, address, and telephone number of the Indian child's parent, Indian custodian, and [Indian child's](#) tribe.
- A description of the remedial services and rehabilitation programs offered under s. 48.028(4)(d)2, Stats. in an effort to prevent the breakup of the Indian family as provided in [ICWA/WICWA](#).

For additional [ICWA/WICWA](#) information and requirements, refer to [the DCF Appendix 1: Wisconsin Indian Child Welfare Act Desk Aid in Appendix I Resources](#), page [289261](#).

After supervisory approval, a copy of the [plan](#)[Family Case Plan](#) must be provided to parents/[caregivers/guardians, the Indian child's](#) tribes and, as appropriate, [children](#)[the child](#).

## Reaching Consensus on the [Family Case Plan](#)

~~If agreement or~~

~~At times, reaching consensus cannot may be reached with challenging due to where the family is at in the conclusion of the planning change process. To reach consensus on a Family Case Plan, the child welfare professional develops case plan must actively engage with the family with the goal to develop a collaborative working relationship that supports plan development. Efforts should be made to engage non-household parents/guardians in case planning as well. Clear communication about goals and services, which have the most impact on related to enhancing parent/caregiver/guardian protective capacities. The supervisor or other necessary to manage child safety is imperative to gain investment in the change process.~~

~~Proceeding without a clear understanding and consensus on goals identified in a Family Case Plan may reduce the likelihood of the family reaching safe case closure. Family Teaming and involvement of natural supports may assist in clarity and improved collaboration with the family during this process. Child welfare professionals are encouraged to consult with supervisors, colleagues, and team members should be consulted to assist or offer advice about developing goals to identify additional engagement strategies when necessary. Every effort should be made to address barriers to participation in the Family Case Plan development.~~

~~The child welfare professional then informs parents/caregivers of the case plan decisions made as well as of the agency's continuing responsibility for child safety. Additionally, the child~~[Evaluating the Family Case Plan](#)

~~While safety assessment remains a continuous process throughout child welfare professional will need to inform the parents/caregivers of the alternatives or outcomes of not cooperating with the plan.~~

involvement with a family.

If a previously uninvolved parent/caregiver becomes engaged following the completion of the case plan, consideration should be given to revising the case plan to accurately reflect that parent's perceptions and feedback.

### **Managing Safety During Ongoing Services**

The essential safety intervention responsibility during service provision is oversight of the safety plan. Safety management requires consistent interaction with parents/caregivers, family members, and people involved in the safety plan. The purpose of this contact is Family Case Plan must also be evaluated to ensure the safety plan is implemented as planned and that nothing is hindering its effectiveness.

~~Safety management includes being vigilant about the need to adjust the safety plan. This responsibility includes being alert to changes in a family or individuals that influence impending danger. Safety management is provisional or dynamic. It is subject to change or adjustment based on what is happening with parents/caregivers and families. Safety management needs to be flexible so that safety activities, actions, and tasks can be increased or decreased based on the status of impending danger and changes in parent/it measures enhancement of caregiver protective capacities. Revising safety plans is a high priority in order to ensure only the necessary level of intrusion occurs in the family.~~

Effective management of safety plans includes:

- ~~Coordinating safety interventions and guiding tasks, activities and actions.~~
  - ~~Are the details of the safety plan well understood by everyone involved? Are activities occurring as planned without disruption? Are providers and participants where they are supposed to be at designated times? Are necessary resources available? Are resources implemented appropriately?~~
- ~~Evaluating the provision of safety services.~~
  - ~~Are safety services still working? Are participants/providers continuing to carry out their defined role in the safety plan? Are children safe? Are services still available and accessible at the required level to have an immediate impact on child safety?~~

### Monitoring Safety

- ~~Reassessing parent/caregiver commitment and willingness.~~
  - ~~Are the parents/caregivers still willing to accept the safety plan? Are they cooperative with providers? Do they understand the need for the safety plan?~~
- ~~Facilitating communication.~~
  - ~~Is everyone involved in the safety plan well informed about expectations, progress, barriers, etc.? Is there open communication between CPS, the family, and safety service providers? Do safety plan participants and providers keep CPS informed? Does CPS have to mediate and resolve any problems about participant roles or expectations?~~
- ~~Continuing to assess safety.~~
  - ~~Is impending danger still apparent? Are threats changing? What affects them? Are there new threats? Can intrusion be reduced? Should different services or providers be installed? Can the family assume more responsibility?~~
- ~~Revising the safety plan.~~
  - ~~Do changes regarding impending danger or parent/caregiver protective capacities prompt revisions to the safety plan? Do these changes require more intrusion? Do they require less intrusion? Are services and providers available and accessible to have an immediate impact?~~

## **In-Home Safety Management**

The CPS professional must continuously review and evaluate the adequacy of an in-home safety plan. Information gathered from the parents/caregivers, child, and service providers is used to evaluate and confirm child safety by:

- Ensuring that the services put in place continue to control identified impending danger threats.
- Ensuring that the commitments by the family and providers remain intact.
- Determining whether previously identified impending danger threats have been eliminated or if the severity has been reduced or increased.
- Determining if new safety threats have emerged.
- Modifying the safety plan (impending danger threats examples in Appendix II, page 296) or case plan (protective capacities), when new safety threats have emerged. This may require a new safety analysis and plan.
- The safety plan is revised and documented in eWiSACWIS when contacts, observations, and gathered information indicate positive or negative changes related to parent/caregiver protective capacities or impending danger threats to child safety.

### **Documentation**

Information related to the requirements of safety management must be documented monthly at a minimum in a case note and if impending dangers emerge, in the Safety Analysis and Plan in eWiSACWIS.

### **Contacts during Ongoing Services**

Establishing a relationship with the family is fundamental to developing a better understanding of the dynamics of the family that led to agency intervention and engaging the family in a change process. Accomplishing this necessitates a high level of contact by the child welfare professional to collaborate with the family in working toward reducing or eliminating impending danger and reaching permanence at the earliest point possible.

The frequency of face-to-face contact is based on the needs of the family as identified in the safety or case plan. During ongoing services, face-to-face contact is important as a means to continuously assess safety and achieve permanence for children. To achieve this, it may be necessary to occasionally conduct unannounced face-to-face contacts or, when appropriate, visits with the child should be alternated between the placement location and another community setting (e.g. daycare, school, counseling appointment). In these instances, the face-to-face contact should occur in a manner consistent with the purpose of the home visit and is respectful of the child and parents or caregivers involved in the contact. Transparency is fundamental to respect and engagement of the family particularly when unscheduled face-to-face contact is used. Variations of face-to-face contacts should be discussed at the onset of the case to be upfront and honest with the family about the process.

Caseworker face-to-face contacts focus on the safety, permanence, and well-being needs of the child and must be sufficient to address the requirements of safety planning and goals of the case plan. The agency ensures that child(ren) and individuals in a caretaking role have monthly face-to-face contact with the child welfare professional (or designee) unless there is an in-home safety plan.

### **Documentation**

The Ongoing Services child welfare professional must document both completed and attempted face-to-face contacts with parents/caregivers and children in eWiSACWIS as a case note. The case note must include, at a minimum, the following information:

- Date, time, and duration of the visit.
- Participants involved.
- Location of the visit.
- Type of contact.
- Purpose and summary of the results of the contact.

In addition, at least one case note a month must include the following information:

- The status of impending danger; the sufficiency, feasibility, and sustainability of the safety plan and any needed revisions. The case note must also include an evaluation of impending danger; a review of safety service actions and timeframes; a discussion of issues requiring resolution or clarification with safety service providers; the commitment of providers to remain involved in the plan; and, whether family members understand and agree with their role in the safety plan.
- The progress towards meeting goals of the case plan, including information about whether family members understand their role in the change process; the parent's engagement and involvement in the change process; and any increase/enhancement in protective capacities that would mitigate identified threats.

Effective use of child welfare professional contacts supports monthly in-person contact to move the family forward in achieving a safe, permanent, and stable home. Progress and change related to enhancing parent/caregiver protective capacities are the essential concern along with achieving timely permanence for the child. The child welfare professional is the most powerful

### **Locating & Involving Non-Custodial or Absent Parents and Relatives**

tool for  
gathering

safety-related information during contact with the family and providers. Documentation of the contact should reflect the child welfare professional's actions in working with the family, child, and providers to achieve timely permanence, safety, and stability for the child.

assesses

~~Locating and involving non-custodial or absent parents and relatives is valuable when a child remains in the family home with a Child in Need of Protection or Services (CHIPS) order or on a voluntary basis. Diligent efforts to search for non-custodial or absent parents should be ongoing for children who remain in the home under a CHIPS order as they have the potential to be a valuable resource throughout the child's life. Parents have specific rights regarding their children that must be protected when intervention occurs. Relatives have the ability to be a less formal resource for the child and a permanent connection that will last beyond the child's involvement in the child welfare system. Therefore, relative searches should continue until the child welfare professional believes that the child's needs have been met or could be met by the relatives who have been located.~~

~~When one or both of the child's parent(s)'s whereabouts are unknown, the agency must make both continuous and diligent efforts to locate and engage the non-custodial or absent parent in the case planning process when it is likely the child will be placed in out-of-home care.~~

~~In the above circumstances, if a parent continues to refuse to provide any information about a non-custodial parent or other relatives, the child welfare professional must consult with the corporation counsel or district attorney to determine the appropriateness of having the court order the parent or legal guardian to provide the information.~~

~~For additional information, refer to Appendix III "Locating Non-Custodial Parents / Relatives – Search tools" on page 297.~~

~~Child welfare professionals should be aware of confidentiality restrictions on the use of information in a case record, either on paper or in eWiSACWIS and in KIDS. Please review DCF Numbered Memo 2004-13B and Information Memo 2006-19 for additional information. When seeking information from people or resources outside the case, child welfare professionals must continue to maintain confidentiality as required by law about the identity and circumstances of the children and families with whom they are working.~~

Non-custodial or absent parent and relative searches should include, but are not limited to the following actions:

- If the parent or caregiver(s) of the child can be identified and is present, ask him or her to identify and provide the whereabouts of the non-custodial or absent parent and relatives.
- Ask the child, if appropriate, to identify and provide the whereabouts of the non-custodial or absent parent and relatives.

### Documentation

The agency must document all continued efforts to locate and engage non-custodial or absent parents and relatives in the eWiSACWIS case record.

As the case progresses, as part of continuing efforts to search:

- Check the family's agency record, including eWiSACWIS, for non-custodial or absent parent identification and whereabouts.
- Check the Department of Children and Families, Bureau of Child Support's KIDS system for identification or location of a non-custodial parent or alleged father. (See Appendix III, "Locating Non-Custodial Parents / Relatives – Search Tools" on page 297)
- Consult the identified tribe of an Indian child for information on non-custodial parents and alleged fathers.
- Ask the reporter of a child abuse and neglect referral received by Access.
- Ask the school the child attends or previously attended to see if there are additional emergency contacts listed of which the agency is unaware.
- Check the CARES system records if your agency has an information sharing agreement with your local CARES agency. CARES issues Wisconsin Works (W-2), Food Share, Medicaid, and child care benefits.
- Contact neighbors at a last known address to see if they have current location information.
- Ask at county jails.
- Research CCAP (Consolidated Court Automation Project): <http://wcca.wicourts.gov/index.xsl>.
- Submit an inquiry to the Prison Inmate Locator System through the Department of Corrections (DOC): <http://www.vinelink.com>.

There are three main intervention responsibilities when evaluating the case plan. First, it is to measure enhancement of caregiver protective capacities. This includes tracking whether goals, plans, and service providers are providing what is needed for the family and are adjusted accordingly. Second, Child Protective Services (CPS) makes conclusions about the suitability of the in-home safety plan. This includes determining whether intrusiveness of the plan and intensity of services should be adjusted while also considering whether caregiver responsibility and involvement must be increased or decreased. Finally, CPS continually assesses all plans and the child welfare professional maintains focus on the importance of safe and stable living

arrangements for the child. Safety assessment is a continuous process throughout the life of the case. Case plan evaluations safety plan, and ensures a safe living arrangement for the child. The evaluation of the Family Case Plan provides the basis for the child welfare professional to know when conditions exist that allow for support safety, stability, and permanence.

Family engagement is necessary to measure and achieve case progress. Child welfare professionals are obligated to involve family members in decision-making and ensure full disclosure is maintained with families throughout the process. Engagement strategies build mutually beneficial partnerships that sustain the family's interests in, and commitment to, the case plan. Engagement is necessary for effective decision-making regarding safety, case progress, and planning transitions. Engaging with a family requires skill to ask difficult questions and provide honest, clear, and upfront information.

To measure and evaluate progress, child welfare professionals are responsible for meaningful face-to-face contact as well as other forms of contact with the child, parents/caregivers, and informal and formal service providers. Regular and consistent contact between the child welfare professional and family is necessary to continue to build a working partnership and develop strong relationships focused on the safety and permanency of children.

### Content of the Family Case Plan

When evaluating the case plan Family Case Plan, the child welfare professional uses the goals in the case plan as the basis for measuring progress and change related to enhancing parent/caregiver/guardian protective capacities and achieving permanence and stability safe case closure. The child welfare professional gathers information from parents/caregivers/guardians, children, family team members, and informal and formal service providers to make decisions about:

- The family's progress toward achieving change and permanence safe case closure.
- The effectiveness of service delivery related to achieving goals.
- The sufficiency of the safety plan and whether a less intrusive CPS intervention can be implemented.

### Content in Evaluating and Updating the Family Case Plan

The content in evaluating the case plan must include:

Updated The child welfare professional should continuously evaluate the Family Case Plan using information gathered during monthly contacts to measure progress towards goals. The Family Case Plan must be formally evaluated and documented within six months of a case transition staffing and every 6 months thereafter. Pertinent updates should include:

- Ensuring that general person management case information to assure in the case record is up-to-date (current (education, health, mental health, family demographics, and tribal membership status, agency and legal).

## Managing Safety

- A current assessment of impending danger, the confirming sufficiency, feasibility, and sustainability of the safety plan, and any needed revisions and identifying whether a less intrusive CPS intervention can be implemented.
  - A If a second jurisdiction is established (i.e., JIPS), the child welfare professional should:
    - consider whether safety needs to be reassessed
    - collaborate with all assigned child welfare professionals and update the Family Case Plan
- Gathering information learned about child functioning, adult functioning, parenting practices or family functioning to reevaluate family's strengths and needs, review of goal progress in enhancing parent/caregiver, and identify enhanced protective capacities as demonstrated by specific, observable, measurable behavioral changes.
- Updated information related to the parent/caregiver readiness for change and their participation in case plan services and activities (identifying and understanding where a parent is in terms of their acknowledgement/acceptance of problems and willingness to change).
  - Consider how the parent/guardian describes the steps needed to achieve goals within the Family Case Plan while addressing the parent's concerns, and barriers.
  - A review and confirmation of the effectiveness of providers service interventions, informal supports, services or other plan Family Case Plan strategies related to achieving the identified goals.
- A current assessment of child functioning and well-being (education, health, mental health, and, when applicable, independent living plan).
  - A review of the child's current out-of-home care prevention plan and assessment of identified prevention strategies.
- Any additional needed changes to the plan.
  - For an Indian child, efforts made to prevent the break-up of the Indian family and efforts to engage the tribal worker, child, family, and Indian child's tribe in the development of the case plan Family Case Plan.
  - Following completion of the evaluation of the Family Case Plan, review and obtain signatures from youth, parent(s), and guardian(s), in a timely manner.

During service provision, it is the responsibility of the child welfare professional to oversee and manage the safety plan. Safety management requires consistent interaction with parents/guardians, family members, like-kin and people involved in the safety plan. The purpose of this contact is to ensure the safety plan is implemented as planned and that nothing hinders its effectiveness.

Safety management includes being vigilant about the need to adjust the safety plan. This responsibility includes being alert to changes in a family or individual that influence impending danger. Safety management needs to be flexible so that safety activities, actions, and tasks can be increased or decreased based on the status of impending danger and changes in parent/guardian protective capacities. Revising safety plans is a high priority to ensure only the necessary level of intrusion occurs in the family.

Effective management of safety plans includes:

- Coordinating safety interventions and guiding tasks, activities and actions.
  - Are the details of the safety plan well understood by everyone involved? Are activities occurring as planned without disruption? Are providers and participants where they are supposed to be at designated times? Are necessary resources available? Are resources implemented appropriately?
- Evaluating the provision of safety services.
  - Are safety services still working? Are participants/providers continuing to carry out their defined role in the safety plan? Is the child safe? Are services still available and accessible at the required level to have an immediate impact on child safety?
- Reassessing parent/guardians' commitment and willingness.
  - Are the parents/guardians still willing to accept the safety plan? Are they cooperative with providers? Do they understand the need for the safety plan?
- Facilitating communication.
  - Is everyone involved in the safety plan well informed about expectations, progress, barriers, etc.? Is there open communication between CPS, the family, and safety service providers? Do safety plan participants and providers keep CPS informed? Does CPS have to mediate and resolve any problems about participant roles or expectations?
- Continuing to assess safety.
  - Is impending danger still apparent? Are threats changing? What affects them? Are there new threats? Can intrusion be reduced? Should different services or providers be installed? Can the family assume more responsibility?
- Revising the safety plan.
  - Do changes regarding impending danger or parent/guardian protective capacities prompt revisions to the safety plan? Do these changes require more intrusion? Do they require less intrusion? Are services and providers available and accessible to have an immediate impact?

## In-Home Safety Management

The CPS professional must continuously review and evaluate the adequacy of an in-home safety plan. Information gathered from the parents/guardians, child, relatives, like-kin, and service providers are used to evaluate and confirm child safety by:

- Ensuring that the services put in place continue to control identified impending danger threats.
- Ensuring that the commitments by the family and providers remain intact.
- Determining whether previously identified impending danger threats have been eliminated or if the severity has been reduced or increased.
- Determining if new safety threats have emerged.
- The safety plan is revised and documented in eWiSACWIS when contacts, observations, and gathered information indicate positive or negative changes related to parent/guardian protective capacities or impending danger threats to child safety. New safety threats may require a new safety analysis and modifications to the safety plan.

## Documentation

Information related to the requirements of safety management must be documented monthly at a minimum in a case note and if impending dangers emerge, in the Safety Analysis and Plan in eWiSACWIS.

Establishing a relationship with the family is fundamental to developing a better understanding of the dynamics of the family that led to agency intervention and engaging the family in a change process. Accomplishing this necessitates a high level of contact by the child welfare professional to collaborate with the family in working toward reducing or eliminating impending danger at the earliest point possible.

## Contact Requirements

The frequency of face-to-face contact is based on the needs of the family as identified in the safety or Family Case Plan. During Ongoing Services, face-to-face contact is important to continuously assess safety for the child. To achieve this, it may be necessary to occasionally conduct unannounced face-to-face contacts or, when appropriate, visits with the child should be alternated between the child's home and another community setting (e.g. daycare, school, counseling appointment). In these instances, the face-to-face contact should occur in a manner consistent with the purpose of the home visit and respectful of the child and parents/guardians involved in the contact. Transparency is fundamental to respect and engagement of the family particularly when unscheduled face-to-face contact is used.

~~Evaluating progress of goals established in written agreements is a continual process of tracking and adjusting by the child welfare professional.~~ Variations of face-to-face contacts should be discussed with the family.

Effective use of child welfare professional contacts supports the family to move forward in achieving safety. Progress and change related to enhancing parent/guardian protective capacities are the essential concern. Documentation of the contact should reflect the child welfare professional's actions in working with the family, child, and providers to ensure safety.

### **Frequency of Face-to-Face Contact**

Face-to-face contacts must focus on the safety, permanence, and well-being needs of the child and be sufficient to address the requirements of safety planning and goals of the Family Case Plan. The agency ensures that the child welfare professional (or designee) have twice per month contact with the parent/guardian and children, at a minimum, due a safety plan being in place, unless the plan indicates the need for more frequent contact.

### **Documentation**

The child welfare professional must document both completed and attempted face-to-face contacts with parents/guardians and the child in eWiSACWIS as a case note. The note must include, at a minimum, the following information:

- Date, time, and duration of the visit.
- Participants involved.
- Location of the visit.
- Type of contact.
- Purpose and summary of the results of the contact.

In addition, at least one case note a month must include the following information:

- The status and an evaluation of impending danger; the sufficiency, feasibility, and sustainability of the safety plan and any needed revisions.
- A review of safety service actions and timeframes; a discussion of issues requiring resolution or clarification with safety service providers; the commitment of providers to remain involved in the safety plan; and, whether family members understand and agree with their role in the safety plan.

The progress towards meeting goals of the Family Case Plan, including information about whether family members understand their role in the change process; the parents/guardians' engagement and involvement in the change process; and any increase/enhancement in protective capacities that would mitigate identified safety threats.

## Locating and Involving Non-Household Parents, Relatives, and Like-kin

Locating and involving non-To understand changes and needs of the family, the child welfare professional uses information obtained from monthly contacts with children, parents/caregivers, out-of-home care providers, collateral contacts, and the family team.

Evaluating safety is a continuous process of tracking and adjusting throughout the CPS process. Assessing safety must be routine in all contacts with children, families, and providers. Child welfare professional contacts are one consistent avenue where a child welfare

### Evaluating the Child's Current Safety Plan

When specifically evaluating the case plan in the child welfare professional's current family safety plan and involving the case providers. The safety plan is revised and documented in eWiSACWIS when contacts, observations, and gathered information indicate positive or negative changes related to the child's safety. The child welfare professional is responsible for monitoring and evaluating the safety plan, to allow for a more or less restrictive plan. Modification to the safety plan is only if it must be approved by the supervisor of the case and documented in eWiSACWIS that necessitates a change to the case plan to assist the parents/caregivers in achieving safety.

Requirements must be documented on the case plan in the family's eWiSACWIS case record and approved by a supervisor or her/his designee

professional is evaluating the information gathered to inform the safety analysis and plan at every contact with a family.

Documenting the case planning updates can be an ongoing process. This can be done in the eWiSACWIS case plan (DCF-F-2828-E) as an informal process throughout the life of a case.

household parents, relatives, and like-kin is valuable when a child remains in the family home. Diligent efforts to search for non-household parents should be ongoing for a child who remains in the home as they have the potential to be a valuable resource throughout the child's life. Parents/guardians have specific rights regarding their child that must be protected when intervention occurs. Relatives and like-kin have the ability to be a less formal resource for the child and a permanent connection that will last beyond the child's involvement in the child welfare system. Therefore, relative searches should continue until the child welfare professional believes that the child's needs have been met or could be met by the relatives and like-kin who have been located.

Non-household parent, relative, and like-kin searches should include, but are not limited to the following actions:

- If the parents/guardians of the child can be identified and is available, ask them to identify and provide the whereabouts of the non-household parent, relatives and like-kin connections.
- When appropriate, ask the child to identify and provide information about their relatives and like-kin connections.

As family involvement progresses continuing efforts to search may consist of:

### **Requirements**

When one or both of the child's parents' whereabouts are unknown, the agency must make both continuous and diligent efforts to locate and engage the non-household parent in the case planning process when it is likely the child will be placed in out-of-home care.

In the above circumstances, if a parent/guardian continues to refuse to provide any information about a non-household parent or other relatives, the child welfare professional must consult with the agency's legal counsel to determine the appropriateness of seeking a court order to obtain the information.

For additional information, refer to "Locating Non-Household Parents, Relatives, and Like-kin" on page 164.

Child welfare professionals must continue to maintain confidentiality as required by law about the identity and circumstances of the child and family with whom they are working.

- Continuing to ask the parents/guardians and child about relatives and like-kin.
- Referencing Appendix II, "Identification and Engagement Tools for Locating Non-Household Parents, Relatives and Like-kin" on page 262.
- Using tools such as a connectedness map or mobility map with the child to illicit additional names of relatives and like-kin.
- Checking the family's agency record, including eWiSACWIS, for non-household, relative, and like-kin parent identification and whereabouts.
- Checking the Department of Children and Families, Bureau of Child Support's KIDS system for identification or location of a non-custodial parent or alleged father.
- Consulting the identified Indian child's tribe for information on non-household parents and alleged fathers.
- Asking the reporter of a child abuse and neglect referral received by Access.
- Asking the school the child attends or previously attended to see if there are additional emergency contacts listed.
- Checking the CARES system records if your agency has an information sharing agreement with your local CARES agency. CARES issues Wisconsin Works (W-2), Food Share, Medicaid, and childcare benefits.

- Contacting neighbors at a last known address to see if they have current location information.
- Websites that provide criminal history information or incarceration status can be helpful to identify addresses or contact information for individuals if they have been justice-involved. The focus when using these websites for relative searches should be promoting relationships, connections, and gathering information about a child's family network and support system. A list of search websites is in Appendix 2, "Identification and Engagement Tools for Locating Non-Household Parents, Relatives, and Like-kin."

### Evaluating and Revising the Safety Plan

The Safety Analysis and Plan must be evaluated in collaboration with the parents/guardians and safety service providers. The safety plan is revised and documented in eWiSACWIS when contacts, observations, and gathered information indicate positive or negative changes related to parent/guardian protective capacities or

impending danger threats to child safety.

The agency must document all contacts and efforts to locate and engage non-household parents, relatives and like kin in the eWiSACWIS case record.

Evaluating safety is a continuous process of tracking and adjusting. Assessing safety must be routine in all contacts with children, families, and providers.

### Evaluating the Safety Plan

## Achieving Safety, Stability, and Permanence

~~Safety, stability, and permanence are entitlements for all children involved with the child protective service system no matter the circumstances or type of case. Every child is expected to have a safe, stable, and permanent home prior to case closure. When working with families, the agency is equally responsible for permanence by ensuring a safe and stable home for children.~~

For ~~children~~ a child who ~~remain~~remains in their home with an in-home safety plan, the agency ensures permanence by assisting the family to enhance ~~parental~~parent/guardian protective capacities and eliminate or diminish threats to child safety. ~~Additionally, while the child welfare professional assists families in making sustainable changes, the child welfare professional works with the family to establish lasting resources and a support network consisting of formal and informal supports. Additionally, while the child welfare professional assists families in making sustainable changes, the child welfare professional works with the family to establish lasting resources and a support network consisting of formal and informal supports.~~ Once ~~parental~~parent/guardian protective capacities are enhanced or there is an absence of threats to a child's safety, the family can safely exit the child protective services system.

~~Safety intervention responsibilities are not complete until all required assessments and conclusions are completed. No case will be recommended for closure if a child is not safe.~~

Prior to ~~case~~ closure, the agency must facilitate a process to engage family members, service providers, and informal supports in developing a plan for identifying and meeting child and family needs after agency involvement has ended.

~~The first safety intervention responsibility at case closure is the~~An updated safety assessment. ~~The assessment~~ must include information concerning the absence or presence of impending danger threats.

~~The second responsibility assesses caregiver~~Parent/guardian protective capacities, ~~which~~ must be sufficient to protect against threats that continue to exist or might emerge. The ~~caregiver~~parent/guardian must understand ~~his/her~~their role and act effectively in ~~his/her~~their protective capacity.

~~The final safety intervention includes reviewing the need for a "safety net" followed by establishing one as appropriate. A safety net refers to arrangements, connections, and supports within the family network or community that can be created, facilitated, and reinforced to reassure the caregiver and provide resources and assistance.~~

~~To assist a family in achieving sustainable change, and ultimately safe case closure, the child welfare professional must have the ability to apply safety and permanency related concepts and criteria as part of the intervention responsibilities. This includes:~~

- ~~• Continually reassessing impending danger; evaluating and confirming the sufficiency, feasibility, and sustainability of safety plans and when necessary, making immediate adjustments to assure that safety interventions are the most appropriate and least intrusive for the family.~~

- Engaging parents/caregivers and children in the assessment and planning process in order to:
  - Identify behavioral change strategies that address impending danger by enhancing caregiver protective capacities.
  - Identify lasting and permanent connections for the child and family.
- Evaluating progress related to the parent/caregiver establishing and maintaining a safe and permanent home for their children.



The child welfare professional should work with the family to ensure informal or formal supports are in place prior to case closure, including arrangements and connections within the family network or community that can be created, facilitated, or reinforced to provide the parent/caregiver resources and assistance once CPS involvement ends.

### **Documentation**

Case closure and the termination of all plans must be documented in the family eWiSACWIS case record and approved by a supervisor or his/her designee within 30 days from the date the case closure decision was made by the supervisor and child welfare professional.

Documentation at planned case closure must include:

- A reassessment of child safety.
- The rationale for the decision to close the case.
- A description of the closure process with the family and service providers, including the family's plan for meeting future service needs.

Additional requirements when a family will no longer accept services:

- A reassessment of child safety.
- Any agency efforts to continue to provide services. If the safety assessment indicates a child in the family is not safe, this must include efforts to request a petition to the court to order services.
- The reason for closure.
- A copy of a letter to the family indicating what actions the agency has taken or will take and other resources available to the family.

A case may not be closed if there is an active CHIPS order.

In all cases when a child is an Indian child, a letter must be sent to the tribe indicating the case has been closed and a copy of the letter must be maintained in the family's case record.

For placements ending/cases closing when the youth reaches age of majority, the placement should be ended on the youth's 18<sup>th</sup> birthday rather than the night before. This is due to IL-eligibility, the youth has to still be recorded as in a qualifying placement on (or after) their 18<sup>th</sup> birthday to be eligible for IL services due to "aging out."

## Documentation

Closure and the termination of all plans (family interaction, safety, family case plan) must be documented in the eWiSACWIS case record and approved by a supervisor or their designee within 30 working days from the date the case closure decision was made by the supervisor and child welfare professional. Documentation must include:

- A reassessment of child safety.
- The rationale for the decision to close.
- A description of the closure process with the family and service providers, including the family's plan for meeting future service needs.

Additional requirements when a family will no longer accept services:

- A reassessment of child safety.
- Agency efforts to continue to provide services. If the safety assessment indicates a child in the family is not safe, this must include efforts to request a petition to the court to order services.
- The reason for closure.
- A copy of a letter to the parent/guardian indicating what actions the agency has taken or will take and other resources available to the family.

When a child is an Indian child, a letter must be sent to the Indian child's tribe indicating the family's case has been closed, and a copy of the letter must be maintained in the family's record.

## Safety at Case Closure

CPS must determine that a home is safe at closure. Making a determination of safety includes:

- A formal safety assessment of impending danger threats.
- Reassessing parent/guardian protective capacities.

### **Early Dismissal of Dispositional Order**

It is the responsibility of the child welfare professional to initiate additional court actions throughout the case process unless the family is receiving in-home services voluntarily. When a determination is made that a family is no longer in need of court ordered CPS services, a request must be submitted to the court for early dismissal of the dispositional order. A dismissal order must be signed by the judge before a family can be closed by the agency.

A family may not be closed if there is an active CHIPS order. Any decision regarding early dismissal or case closure shall be made in consultation with the agency's legal counsel.

### **Case Closure Orders under Wis Stats. ss. 48.355(4g) & 938.355(4g)**

Chapter 48 or 938 court orders can allow the juvenile court to enter or modify a family court order and terminate the juvenile court order. The juvenile court only has the authority to enter or modify the family court order after the dispositional order is entered and if the child is or will be placed with a parent via the orders. The juvenile court may determine paternity, legal custody, periods of physical placement, visitation rights, or child support and parental obligation for health care expenses. Subsequent modifications to the court order would occur in family court.

## CHILD WELFARE IN-HOME CASES CASE TYPES

### General Information

#### Introduction

Information from an ~~initial assessment~~ Initial Assessment or the child welfare assessment process guides decision-making about whether an agency will open a ~~case~~ family for ~~ongoing services~~ Ongoing Services. When ~~children-area child is~~ safe, but the agency determines that ~~at~~ the child requires specific services, ~~and formal ongoing child welfare case management by~~ the agency ~~opens~~, the agency may open a child welfare case. ~~Agencies are not required to open these cases unless a child is in need of an out-of-home placement, but if~~ When a decision is made to serve the family, ~~in~~ this ~~Standard~~ situation, this standard applies. ~~This Standard is not required for Youth Justice (YJ) and Juvenile in Need of Protection or Services (JIPS) cases served in-home. However, agencies serving these populations are not prohibited from using this content.~~

Child welfare cases ~~involve providing~~ provide support and services to a family. The child welfare professional focuses on assessing the ~~family for~~ family's strengths and needs, ~~managing safety, achieving permanence, stability, connecting the family to resources~~ and ~~well-being~~ services, and attaining safe case closure. The primary focus of agency intervention is the provision of child and family support and services rather than safety intervention focused on enhancement of parent/~~caregiver~~ guardian protective capacities. These ~~cases~~ families may be court ordered or voluntary.

Safety intervention for in-home child welfare ~~cases focuses~~ case types focus on confirming ~~that children remain~~ the child remains safe and protected from abuse and neglect. Although child safety is not the reason for agency intervention, it is important to understand there may be times ~~during the life of a case~~ when family dynamics and functioning change resulting in an unsafe child. At this point, ~~a case becomes~~ the family would transition to a child protective services case type and cannot be served under this ~~Standard~~ standard.

Ongoing case management for in-home child welfare ~~cases addresses case types address~~ family needs by providing services, supports, and treatment or by linking the family with ~~external~~ community services. The goal of intervention is to increase the likelihood that the child will ~~continue to~~ remain in the home ~~without further agency involvement.~~ Agency involvement ~~with in-home child welfare cases~~ is purposeful, and outcome focused. ~~Case outcomes~~Goals should be identified and agreed upon by both ~~the child welfare professional and family.~~ Discussion ~~about case closure between~~ the child welfare professional and family ~~begins and discussion about closure should begin~~ at ~~the~~ first contact ~~with the family.~~

### **Applicability**

This standard applies when an Initial Assessment or a child welfare assessment concludes that a child is safe, and the parent/guardian is unable or needs assistance to care for or provide necessary treatment or services for the child. The agency may provide Ongoing Services for the following reasons:

- A family needs child welfare services.
- An agency and family agree to the provision of in-home services.

This standard cannot be used when the agency determines a child is unsafe. The agency must use the Child Protective Services Out-of-home Case Types standards (page 37) when there is an impending danger and insufficient caregiver protective capacities to protect a child from threats. Additionally, if the agency becomes aware of alleged maltreatment or present or impending danger threats to child safety, immediate action to control for child safety must be taken including a report to Access, if warranted.

Agencies must ensure all actions of agency staff or contracted providers comply with this standard.

## Requirements

### Documentation of Face-to-Face Contacts

#### Case Plan

The child welfare professional or designee must document both completed and attempted face-to-face contacts with parents/caregivers and children in each case. Each case must have a written agreement or plan developed with the family and described as a case note. The case note must include, at a minimum, the following information describing the face-to-face contact:

- Strengths and needs of the family.
- The date, time, and duration of the visit.
- Strategies, supports, and actions to address identified needs in order to achieve case closure.
- The participants involved.
- The location of the visit.
- Roles of the agency, family, and providers.
- The type of contact.

**Timeframe** The purpose and summary of the results of the contact including:

- Review and evaluate the child's safety to ensure conditions

have not changed in the household that would make the child unsafe. The child welfare professional must complete and document a plan no later than 60 days from the case transition staffing or no later than 60 days from direct assignment to the child welfare professional without significant assessment. Progress in the case plan (if any) are parents engaged and involved in the process).

- Understanding of the case plan (are parents clear as to what is

expected of them in terms of meeting the case plan and what After supervisory approval, a copy of the plan must be provided to parents/caregivers and, as appropriate, tribal workers, and through their responsibility in relation to following through with their part of the case plan).

### Evaluation of the Case Plan

As part of evaluating the case plan, the child welfare professional must formally evaluate plans no later than six months from case transition staffing or no later than six months from the case assignment to the Ongoing Services child welfare professional. Subsequent case plan evaluations must be completed within six months of the last formal review.

There are times when significant circumstances in the case have occurred and the plan may need to be updated.

### Early Dismissal of Dispositional Order

One responsibility of the child welfare professional is to initiate additional court actions throughout the case process. When a determination is made that a family is no longer in need of court ordered services, a request must be submitted to the court for early dismissal of dispositional order and signed by the judge before a case with court jurisdiction can be closed by the agency.

Any decision that is made shall be done in consultation with the agency's district attorney or cooperation counsel.

### Case Closure

Case closure for in-home child welfare cases is appropriate when child welfare services are no longer needed, the family declines further intervention, or the family is not engaged in services provided there is no court order.

## **Documentation**

Requirements of the In-Home Child Welfare case must be documented in the Case Plan (DCF-F-2828 E) in the family eWiSACWIS case record and approved by a supervisor or her/his designee.

## **All Requirements**

### **Requirements**

#### **Family Case Plan**

Each family formally served must have a Family Case Plan developed in accordance with the CPS In-Home standards, except for the standards related to safety planning, which do not apply. Please refer to page 20 for requirements of a Family Case Plan. This includes:

- Planning and developing goals with the Child and Family
- Case assessment
- Plan documentation in the Family Case Plan (DCF-F-2828 E)
- Additional requirements when the child is an Indian child
- Content in evaluating the Family Case Plan
- Evaluating and updating the Family Case Plan
- Required timelines for document completion
- Obtaining required signatures following supervisor approval

The use of Family Teaming can promote a collaborative approach to developing the Family Case Plan.

#### **Documentation**

Requirements of the in-home child welfare case type must be documented in the Family Case Plan (DCF-F-2828 E) in the family eWiSACWIS record and approved by a supervisor or their designee.

#### **Documentation of Face-to-Face Contacts**

The child welfare professional or designee must document both completed and attempted face-to-face contacts with parents/guardians and the child in eWiSACWIS as a case note. The note must include, at a minimum, the following information:

- The date, time, and duration of the visit or attempted visit.
- The participant(s) involved.
- The location of the visit.
- The type of contact.
- The purpose and summary of the results of the contact including:
  - Review and evaluate the child's safety to ensure conditions have not changed in the household that would make the child unsafe.
  - Progress in the Family Case Plan parent/guardian.

- Understanding of the Family Case Plan (parent knows what is expected in terms of following through with their part of the Family Case Plan).

### **Early Dismissal of Dispositional Order**

When there is a CHIPS court order, the child welfare professional is responsible for initiating additional court actions throughout involvement with the family. When a determination is made that a family is no longer in need of court-ordered services, a request must be submitted to the court for early dismissal of the dispositional order and signed by the judge before a family can be closed by the agency.

A request to file for early dismissal shall be done in consultation with the agency's legal counsel.

### **Case Closure**

Closure for in-home child welfare case types is appropriate when there is no court ordered and child welfare services are no longer needed, the family declines further intervention, or the family is not engaged in services, provided there is no court order.

## **CHILD PROTECTIVE SERVICES OUT-OF-HOME CASES CASE TYPES**

### **General Information**

Out-of-Home Child Protective Services cases home CPS case types involve an unsafe child where impending danger is controlled through an out-of-home placement. A thorough understanding of child safety decisions and actions is essential for child welfare professionals since safety assessment, analysis, planning, and the management of child safety occurs in every aspect of CPS involvement with a family.

### **Fundamental Intervention Responsibilities of the Child Welfare Professional:**

- Evaluating the existing safety plan developed during initial assessment/investigation.
- Managing child safety through continuous assessment, oversight, and adjustment of safety plans that ensure child safety and are the least intrusive to the family.

Ongoing Services has the following fundamental intervention responsibilities:

- ~~Evaluating the existing safety plan developed during initial assessment/investigation.~~
- ~~Managing child safety through continuous assessment, oversight, and adjustment of safety plans that ensure child safety and are the least intrusive to the family.~~
- Engaging ~~families~~ the family in the ~~case~~ planning process that identifies underlying needs which directs services to address threats to child safety.
- Measuring progress related to enhancing parent/~~caregiver~~ guardian protective capacities and eliminating safety related issues.
- Achieving timely permanence ~~for all cases.~~

## The Assessment and Planning Process

### Applicability – Out-of-Home Child Protective Services Cases

~~This Standard applies when the initial assessment process concludes that a child is unsafe and ongoing services are needed to control impending danger through an out-of-home placement.~~

~~Agencies must ensure that all actions of either the agency or contracted provider staff comply with this Standard.~~

### Applicability – Out-of-home Child Protective Services Case Types

~~This standard applies when the Initial Assessment process concludes that a child is unsafe and ongoing services are needed to control impending danger through an out-of-home placement.~~

~~Agencies must ensure all actions of agency staff or contracted providers comply with this standard.~~

This assessment and planning process adheres to the requirements set forth in the Federal Adoption Safe Families Act (ASFA) for addressing threats to child safety, permanence, and well-being in plans. The process supports an integrated child protective services system by building on information gathered during the

~~This assessment and planning process adheres to the requirements set forth in the Federal Adoption Safe Families Act (ASFA) for addressing threats to child safety, permanence, and well-being in plans. The process supports an integrated child protective services system by building on information gathered during the initial assessment.~~ Initial Assessment. The assessment and plan is/are an intervention service completed in partnership with a child and the family to empower parents ~~or caregivers/guardians~~ in protecting and caring for their ~~children~~child in the

future without agency involvement. The plan may identify several types of goals including enhancing parent/[guardian](#) protective capacities, improving child educational, physical, or behavioral health needs, and achieving permanence. More importantly, plans include long-term planning for the family and providers.

~~or caregiver protective capacities, improving child educational, physical, or behavioral health needs, and achieving permanence. More importantly, plans include long-term planning for the family and providers.~~

The four distinct components of the assessment and planning process include:

- 0.1. ~~\_\_\_\_\_~~ Preparing for ~~Assessment~~assessment
- 0.2. ~~\_\_\_\_\_~~ Introducing the ~~Change Process~~change process
3. ~~Determining what must change~~
- 0.4. ~~\_\_\_\_\_~~ Developing the Permanency Plan

## Preparing for Assessment

Preparing for the assessment process begins prior to the ~~case~~transition staffing. Being familiar with ~~case~~information assists the child welfare professional in fully understanding impending danger, diminished parent ~~or caregiver/guardian~~ protective capacities, and supports the child welfare professional during intervention with the family. A review of ~~case~~information includes, but is not limited to:

- All assessments and evaluations.
- Any current or pertinent historical planning documentation.
- Any court related documentation, if available.
- Safety Analysis and Plan.
- Confirming Safe Environments documentation.

## Introducing the Change Process

Throughout ~~ongoing CPS Services~~involvement with the family, the child welfare professional ~~attempts to engage~~engages the family in a change process that ultimately leads to safe case closure. -This means ~~families~~the family will have the opportunity to reflect on their experience with the agency and ask questions ~~as well as to~~ understand what to expect next in the process.

## Determining What Must Change

### **Timeframe for Initial Contacts**

The child welfare professional must have face-to-face contact within seven business days of the case transition staffing with the parents/caregivers and children unless a safety plan dictates more immediate contact. Within this timeframe the child welfare professional must communicate with safety plan participants and providers to:

- Provide the child welfare professional's name and contact information.
- Elicit understanding regarding the reason for the safety plan.
- Clarify each individual's role in the safety plan with respect to ensuring child safety.
- Confirm the initial family interaction plan is working.
- Confirm continued commitment and ability to remain actively involved in meeting the expectations of the safety plan.

### **Timeframe for Initial Contacts**

The child welfare professional must have face-to-face contact within seven (7) working days of the transition staffing with the parent/guardian and child, unless a safety plan dictates more immediate contact. Within this timeframe the child welfare professional must communicate with safety plan participants and providers to:

- Provide the child welfare professional's name and contact information.
- Elicit understanding regarding the reason for the safety plan.
- Clarify everyone's role in the safety plan with respect to ensuring child safety.
- Confirm the initial Family Interaction Plan is working.
- Confirm continued commitment and ability to remain actively involved in meeting the expectations of the safety plan.

The initial contact with the family is to introduce the child welfare professional, explain both the changing role of the agency and the assessment and planning process. Whenever possible, the first face-to-face contact with the family should occur in the family's home and include the entire household. In families where domestic violence has been identified or is suspected, the agency should assess whether scheduling family meetings will jeopardize the safety of a family member or any other participant including agency staff.

---

### **Family Interaction during Ongoing Services**

When [children-area child is](#) in out-of-home care, family interaction is an opportunity to maintain, establish, and promote parent-child and sibling relationships and should occur as frequently as possible. It is also an opportunity for [parents or caregivers](#) [the parent/guardian](#) to evaluate their own parenting capacities and gain knowledge of new practices and views about parenting.

### **Family Interaction during Ongoing Services**

## Requirements for the Family Interaction Plan

The agency is responsible for ensuring initial face-to-face family interaction occurs within five (5) working days of the ~~child(ren)~~child's placement in out-of-home care.

The agency shall, no later than 60 calendar days after placement, establish and document a ~~family interaction plan~~Family Interaction Plan that outlines the anticipated interaction for the child with parents/guardians, siblings, and other identified participants.

### Frequency

Facilitating face-to-face family interaction is the responsibility of the agency and must occur weekly, at a minimum.

When siblings are not placed together, sibling face-to-face interaction must occur monthly, at minimum. Additionally, ~~children~~a child shall have other family interaction (e.g., telephone calls, letters, etc.) with their ~~parents~~parent/guardian weekly.

### Additional Requirements

- Family interaction can only be prohibited by the agency if a court finds continued contact is not in child's best interests.
- Family interaction can be decreased or suspended if there is evidence that the contact is contrary to the safety of the child~~(ren)~~ and this information is documented in the case record.
- Family interaction cannot be used as a punishment, reward, or threat for a child.
- The agency cannot restrict or suspend family interaction as a means to control or punish a parent/guardian for failure to work with the agency or community providers or to comply with conditions of the case or Permanency Plan.
- The out-of-home care provider cannot prohibit family interaction.

### Documentation

The ~~family interaction plan~~Family Interaction Plan and content must be documented in the eWiSACWIS Family Interaction section.

For additional information, refer page ~~173157~~, "Family Interaction for Child Protective Services Cases When a Child is in Out-of-~~Home~~home Care."

|

When a child is in out-of-home care, engagement and assessment should enhance the family's understanding of the impact of placement on the child and the need for timely permanence.

|

## **Engagement During the Change Process**

## Engagement ~~During the Change Process~~ Requirements

The child welfare professional begins to discuss permanence with ~~families~~ [the child and family](#) prior to filing the initial Permanency Plan. ~~These discussions with the child and family~~ must incorporate the following topics:

- Full disclosure of the parents' ~~or caregivers'/guardians'~~ rights and responsibilities throughout ~~the Ongoing Services~~ [agency involvement](#) and court processes with an emphasis on the temporary state of out-of-home care and the emotional and developmental impact of out-of-home care on ~~children~~ [a child](#).
- The value of maintaining family interaction.
- The purpose for involvement of the non-~~custodial~~ [household](#) parent, relatives, [like-kin](#), and informal supports as resources for the child and family. For ~~Additional~~ [additional](#) information, refer to page [182164](#), "Locating Non-~~Custodial Parent /Household Parents, Relatives, and Like-kin.~~"
- ~~AA full disclosure~~ review of ASFA timelines and possible outcomes ~~or consequences,~~ [full disclosure](#).
- The role of [an](#) out-of-home care provider.
  - Including, but not limited to reasonable and prudent parenting decisions to ensure the child has regular opportunities to engage in age and developmentally appropriate activities.
- If applicable, the need for compliance with ~~Active Efforts~~ [active efforts](#) for eligible Indian children as defined in [ICWA/WICWA](#). This includes:
  - Requesting the tribal agency to assist in evaluating the case, inviting representatives of [the Indian](#) child's tribe to participate in custody proceedings at [the](#) earliest point, notifying and consulting extended family members to provide structure ~~and~~ support to the child and [parents/caregivers](#) [parent/guardian](#).
  - Providing family interaction.
  - Offering and employing all available family preservation strategies.
  - Offering and actively assisting ~~families~~ [the family](#) in accessing community resources.
  - Monitoring progress and ~~client~~ participation in services provided.
  - Seeking alternative ways of addressing identified needs when services are unavailable ~~or nonexistent~~.

For additional [ICWA/WICWA](#) information and requirements, refer to ~~the DCF~~ [Appendix 1: Wisconsin Indian Child Welfare Act Desk Aid in Appendix I, Resources on](#) page [289261](#).

## Child and Family Team Meetings

Child and family team meetings are tools used to engage the family in the case planning process. Child and family team meetings use strengths and needs based, solution focused approach that incorporates the values and principals of family centeredness, respectful interaction, cultural responsiveness, and partnership.

The size, composition, function, and goals of the family team should be driven by the underlying needs and safety concerns of the family. The group of individuals that comprise the team should be identified by the family and usually consist of extended family members, the child welfare professional, informal/formal supports, out-of-home caregivers, and service providers. All identified team members should be committed to the family's goals and invested in change.

### **Initial Child and Family Team Meeting**

Initial child and family team meetings should occur during the assessment and planning phase of the case process. The purpose of the initial team meeting is to:

- Engage the family in the case planning process.
- Discuss information contained in the assessments and safety analysis and plan.
- Discuss services provided to the family.
- Establish appropriate time frames for achievement of goals.
- Identify the family's strengths and underlying needs.
- Identify the family goal(s).
- Identify the plan for meeting the family's underlying needs.
- Identify services needed to address underlying needs.
- Identify the roles and responsibilities of the team members.
- Discuss the Reasonable and Prudent Parent Standard as it applies to the child to ensure the child has regular opportunities to engage in age and developmentally appropriate activities.

### **Subsequent Meetings**

The frequency of subsequent child and family team meetings are determined by the family team along with the child welfare professional and should be used throughout the life of the case. The purpose of subsequent team meetings is to:

- Continue engaging the family in the case planning process.
- Track and adjust the Permanency Plan.
- Clarify team member roles and responsibilities.
- Evaluate the effectiveness of services.
- Evaluate progress towards change.
- Inform and update team members on progress and changes to the goals or plans.
- Discuss the Reasonable and Prudent Parent Standard as it applies to the child to ensure the child has regular opportunities to engage in age and developmentally appropriate activities.

#### **Determining What Must Change**

## Determining What Must Change

An important safety intervention responsibility is the evaluation of ~~caregiver~~parent/guardian protective ~~capacity~~capacities since impending danger is controlled by the safety plan. Information from ~~the~~ initial assessment lays the foundation for considering ~~caregiver~~parent/guardian protective capacities that are enhanced and those that are diminished. Throughout the assessment process, the child welfare professional clarifies and gathers additional information and collaborates with ~~parents~~parent/guardians, relatives, ~~like-kin,~~ informal ~~supports,~~ and formal supports to understand and gain consensus about the changes necessary to achieve a safe, ~~stable,~~ and permanent home.

## The Assessment Process

Based on information discovered throughout the assessment process, the child welfare professional and parents ~~or caregivers continue with discussions about a/~~guardians continually ~~discuss the~~ change strategy ~~to~~which will result in a safe household.

This process includes:

- Gathering and assessing information in the following areas:
  - Whether a child has Indian heritage in accordance with the [Indian Child Act](#)/WI Indian Child Welfare Act ([ICWA](#)/[WICWA](#)) and if steps have been taken to notify and involve the [Indian child's](#) tribe.
  - ~~Child functioning and well-being (school/child care setting; learning and development, medical/dental/mental health needs, physical/emotional/behavioral functioning, familial relationships, social skills, impact of trauma on the child, risk behavior, strengths, considerations for prudent parenting decisions, the effects of the culture of the child and family on service provision).~~
  - [Child functioning and well-being](#)
  - Adult functioning (~~physical/emotional/behavioral functioning, etc.~~).
  - Parenting practices (~~discipline/approach to parenting/expectations, etc.~~).
  - [Family functioning](#) (~~current~~
  - [Current](#) service provision, ~~individuals~~
  - [Individuals](#) the child and family ~~identifies~~identify as supports and resources, ~~social~~
  - [Social](#) activities).
- Sharing information with ~~children~~the child and ~~families~~family to:
  - Identify family strengths, supports, and existing parent/~~caregiver~~guardian protective capacities that contribute to child protection. Understand what ~~parents/caregivers~~parent/guardian identify as strengths about themselves as individuals and in their caregiving role.
  - Examine the relationship between diminished parent/~~caregiver~~guardian protective capacities and impending danger.
  - Determine the family's perception and level of agreement with the child welfare professional regarding diminished protective capacities and impending danger.
  - Assess if ~~parents/caregivers are~~parent/guardian is ready, willing, and able to consider necessary change related to diminished protective capacities.
  - Identify the needs and strengths of ~~children~~the child and ~~parents/caregivers~~parent/guardian and identify ways in which

[parents/caregiversparent/guardian](#) can be involved in meeting the needs of their [childrenchild](#) or how the needs will otherwise be met.

- Determine whether any professional evaluations ([i.e. mental health; medical; educational](#)) are needed for the child or [parents/caregiversparent/guardian](#) to inform [case plan serviceservice needs](#).
- Determine with the family the most logical place to begin focusing on change, setting goals and identifying potential service options.
- Confirm impending danger is controlled and managed with a sufficient, feasible, and sustainable safety plan.
- Ensure the child has opportunities to engage in age and developmentally appropriate activities following the Reasonable and Prudent Parent Standard.
- If applicable, determine with the family the need for any remedial services and rehabilitation programs required under s. 48.028(4)(d)2, Stats. in an effort to prevent the breakup of the Indian family.
- [Gathering and assessing information about the functioning of the out-of-home care provider in relation to the specific child placed in their care through the CANS tool under the “Current Caregiver” in the following areas:](#)
  - [Supervisions](#)
  - [Problem Solving](#)
  - [Involvement with the child’s care](#)
  - [Parenting knowledge](#)
  - [Empathy with the child](#)
  - [Organization](#)
  - [Social resources](#)
  - [Physical health, mental health, substance use, or other possible disability](#)
  - [Family stress](#)
  - [Cultural congruence](#)
- [The child welfare professional must use information from the assessment of the child, the child’s family, and the child’s out-of-home care provider to:](#)
  - [Evaluate the match between the knowledge, skills, and abilities of an out-of-home care provider and the needs and strengths of the child.](#)
- [Assist in the development of services and supports needed for a specific child and the out-of-home care provider to promote the stability of the placement.](#)

- ~~[Gathering and assessing information about the functioning of the Out-of-Home Caregiver in relation to the specific child placed in their care through the CANS tool under the “Current Caregiver” in the following areas:](#)~~
  - ~~[Supervision](#)~~
  - ~~[Problem-solving](#)~~
  - ~~[Involvement with the child’s care](#)~~
  - ~~[Parenting knowledge](#)~~
  - ~~[Empathy with the child](#)~~
  - ~~[Organization](#)~~
  - ~~[Social resources](#)~~
  - ~~[Physical health, mental health, substance use, or other possible disability](#)~~
  - ~~[Family stress](#)~~
  - ~~[Cultural congruence](#)~~

- ~~Use the Child and Adolescent Needs and Strengths Assessment tool: The placing agency child welfare professional must use information from the assessment of the child, the child's family, and the child's out-of-home care provider to:~~
    - ~~Evaluate the match between the knowledge, skills, and abilities of a foster parent or out-of-home care provider and the needs and strengths of the child.~~
- ~~Assist in the development of services and supports needed for a specific child and the out-of-home care provider to promote the stability of the placement.~~

## Developing the Permanency Plan

When a ~~casefamily~~ is opened ~~for ongoing services, case in Ongoing Services~~, goals focus on enhancing parent/~~caregiver~~guardian protective capacities to eliminate impending danger so the family can adequately manage child ~~protections~~safety without intervention. The Permanency Plan serves as a tool for communicating with ~~parents/caregivers, children~~the parent/guardian, ~~child~~, their family members, ~~like-kin~~, court parties, and other individuals involved in providing supports and services to the family.

The child welfare professional is responsible for overseeing the implementation of the Permanency Plan and working with parents/~~caregivers~~guardians to facilitate change ~~and identify steps toward establishing a safe and permanent home~~. Managing the Permanency Plan and change strategies involves ensuring the plan targets goals associated with enhancing diminished caregiver protective capacities and achieving permanence. ~~The Permanency Plan identifies steps toward establishing a safe and permanent home.~~

## Planning and Developing Goals with the Child and Family

The team must determine the order in which diminished parent/~~caregiver~~guardian protective capacities are addressed in the plan. - If the child is 14 years of age or over and has been in out-of-home care for six months, the Permanency Plan must be developed in consultation with the [youthchild](#) and two other individuals selected by the [youthchild](#) who are not the [youth'schild's](#) child welfare professional or ~~foster parent.~~ [out-of-home care provider](#). The agency may ~~reject a person selected by the youth if the agency has decide,~~ [based upon](#) good cause ~~to believe,~~ that ~~thea~~ person ~~wouldidentified by the child may~~ not act in the best ~~interests~~[interest](#) of the youth. ~~This and therefore ask the youth to select an alternative person.~~

### [The planning process](#) ~~with the family~~ includes:

- Identifying behaviors needing change and the behaviors to be demonstrated and sustained to [achieve](#)[maintain](#) safety without agency involvement.
- Developing behaviorally stated, measurable goals related to enhancing [parents/caregivers](#)[parent/guardian](#) protective ~~capacity~~[capacities](#) that are phrased in the family's own terminology.
- Confirming specific needs and strengths for [children](#)~~the child~~ and [parents or](#) ~~caregivers~~[parent/guardian](#) and how those needs will be addressed.
- Identifying supports and change strategies to assist the family in achieving stability and safe case closure.
- Ensure the child has opportunities to engage in age and developmentally appropriate activities following the Reasonable and Prudent Parent Standard.
- Identifying services and activities that are acceptable, accessible, and appropriately matched ~~with~~[to](#) what must change.
- Ensuring goals establish a sufficient behavioral benchmark for evaluating change including determining permanence goals, need for concurrent goals, and establishing a plan to achieve permanence for the child.
- ~~Child welfare professionals must rate the legal permanency status within 60 days if: a concurrent plan is required and the Permanency Plan is anything other than reunification or guardianship (See Appendix IV, Legal Permanency Status indicators, page 300).~~
- Child welfare professionals must also identify, locate, and involve [absent](#)[non-household](#) parents and relatives as resources for permanency options for children. For additional information, refer to "Locating Non-[Custodial Parent /Household Parents, Relatives, and Like-kin,](#)" page ~~182~~[164](#).
- Child welfare professionals must also use, if applicable, planning to ensure continued ~~Active Efforts~~[active efforts](#) as defined in [ICWA/WICWA](#) for [an](#) eligible Indian ~~children~~[child](#).

## **Case Assessment and Permanency Plan Documentation**

All ~~case~~ assessment and plan requirements must be documented ~~in the Permanency Plan~~ no later than 60 days from the date of removal in the eWiSACWIS Permanency Plan (DCF-F-CFS2132-E). ~~After~~Within the same 60-day timeline the Permanency Plan must receive supervisory approval, a copy of the plan must be filed with the court ~~in out-of-home care cases. It will also~~and be provided to parents/~~caregivers, guardians, the Indian child's~~ tribe(s), ~~Indian custodians, and children at least twelve years~~and the child if 12 and older.

### **The following requirements must be documented in the Permanency Plan:**

- General person management ~~case~~ information to ensure ~~case~~ record is current (~~family demographics, tribal membership status, agency and legal~~).
- Child functioning, adult functioning, parent functioning, parenting practices, and family functioning information.
- Criteria based goals (focused on diminished caregiver protective capacities that are behaviorally stated, understandable to the family, specific, and measurable).
- Services for the child and family.
- Safety assessments, plans, and conclusions.
- Removal information and circumstances including reasonable efforts to prevent removal.
- For an Indian child, active efforts made to prevent the break-up of the Indian family and efforts to engage the tribal child welfare professional in the assessment and development of the ~~case~~ plan.
- Placement information, location and placement history.
- Efforts made to comply with the Indian Child Welfare Act/Wisconsin Indian Child Welfare Act (ICWA/WICWA) placement preferences under §Wis. Stat. s. 48.028(7) for Indian children.
- The results of the CANS tool.
- Determination of appropriateness of placement in a facility certified as a Qualified Residential Treatment Program (QRTP) as required in the Out-of-Home Care Placement in Settings Certified as ~~Qualified Residential Treatment Programs~~ (~~QRTP~~)QRTP policy, when applicable.
- Permanence goals with supporting information.
- The child's health summary.
- The child's educational summary.
- The child's ongoing opportunities to engage in age or developmentally appropriate activities following the Reasonable and Prudent Parent Standard.
- The ~~family interaction plan~~Family Interaction Plan (For additional information, refer to page ~~175157~~ "Family Interaction ~~for Child Protective Services Cases~~ When a Child is in Out-of-~~Home~~home Care").
- For an Indian child, active efforts made to provide ~~natural and~~ unsupervised family interaction in the most natural setting that can ensure the Indian child's safety, as appropriate to the goals of the Indian child's ~~permanency plan~~Permanency Plan, including arrangements for transportation and other assistance to enable family members to participate in that interaction.
- Compliance with Notice requirements under Wis. Stat. s. 48.028(4)(a).

- Independent living services, when applicable.

### **Considerations for Expectant or Parenting Youth Who Are Placed in Out-of-Home Care**

Expecting or parenting youth is defined as any child under age 21 who is placed in out-of-home care and is expecting a child or currently parenting a child. This includes both mothers and fathers.

For all expectant or parenting youth who are placed in out-of-home care, a [permanency plan](#) ~~Permanency Plan~~ must:

- Include a list of the services to be provided to or on behalf of the youth to ensure that the youth is prepared ~~(in the case of a pregnant youth) or and~~ able ~~(in the case of a parenting youth)~~ to be a parent; ~~and~~.
- Describe the [child's](#) out-of-home care prevention strategy for any child born to the expecting or parenting youth in out-of-home care.
- ~~Describe the active efforts made to prevent to prevent the break-up of the Indian family.~~

### **Additional Requirements When the Child is an Indian Child**

The following must also be documented in the Permanency Plan when the child is an Indian child:

- The name, address, and telephone number of the Indian child's parent, Indian custodian, and [Indian child's](#) tribe.
- A description of the [active efforts offered under Wis. Stat. s. 48.028\(4\)\(g\). To provide remedial services and rehabilitation programs offered under s. 48.028\(4\)\(2\) Stats.](#) in an effort to prevent the breakup of the Indian family.
- A statement as to whether the Indian child's placement is in compliance with the order of placement preferences under [Wis. Stat. s. 48.028\(7\)\(b\) Stats.](#) or, if applicable, [Wis. Stat. s. 48.028\(7\)\(c\) Stats.](#) and, if the placement is not in compliance with that order, a statement as to whether there is good cause, as described in [Wis. Stat. s. 48.028\(7\)\(e\) Stats.](#), for departing from that order.

For additional [ICWA/WICWA](#) information and requirements, refer to the [DCF Wisconsin Indian Child Welfare Act Desk Aid Resources](#) in Appendix [1](#), page [289264](#).

### **Reaching Consensus on the Permanency Plan**

If agreement or consensus cannot be reached with the family at the conclusion of the planning process, the child welfare professional develops Permanency Plan goals and services to have the most impact on enhancing parent/[caregiver/guardian](#) protective capacities. The supervisor and [child and family](#) team members must be consulted [to assist or offer advice about](#) in developing goals.

[The child](#) welfare [professional/professional](#) then [inform/informs the](#) parents/[caregivers/guardians](#) of the Permanency Plan decisions [made as a result of the failure to reach agreement](#), as well as of the agency's continuing responsibility for child safety. Additionally, [the child](#) welfare [professional/professional](#) must inform the [parents/caregivers-parent/caregiver](#) of the consequences of not cooperating with the [plan](#).

~~If a previously uninvolved parent/caregiver becomes engaged following completion of the Permanency Plan, consideration should be given to revising the Permanency Plan to accurately reflect that parent's perceptions and feedback.~~

[The child welfare professional should make every effort to engage non-household parents/guardians in case planning. Update the Permanency Plan to reflect the non-household parent/guardian's perspective. For more information on the requirements when revising the Permanency Plan, see page 65.](#)

## Managing Safety During Ongoing Services

The essential safety intervention responsibility during service provision is oversight of the safety plan. Safety management requires consistent interaction with the child, [parents/caregiversparent/guardian](#), family members, and people involved in the safety plan. The purpose of this contact is to ensure the safety plan is being implemented as planned and that nothing ~~is hindering~~[hinders](#) its effectiveness.

Safety management requires vigilance regarding changes in a household or the presence of individuals that influence impending danger. Safety management activities are subject to change or adjustment based on [parents/caregiverparent/guardian](#) actions.- Safety management ensures safety activities, actions, and tasks are increased or decreased based on the status of impending danger and changes in parent/[caregiverguardian](#) protective capacities. Revising safety plans is a high priority to ensure child safety.

Effective management of safety plans include:

- Coordinating safety interventions and guiding tasks, activities, and actions.
  - Are the details of the safety plan well understood by everyone involved? -Are activities occurring as planned without disruption? Are providers and participants where they are supposed to be at designated times? Are necessary resources available? Are resources implemented appropriately?
- Evaluating the provision of safety services.
  - Are safety services effective? Are participants/providers fulfilling their defined role in the safety plan? [Are childrens the child](#) safe? Are services ~~still~~ available and accessible at the required level to have an immediate impact on child safety?
- Reassessing parent/[caregiverguardian](#) commitment and willingness.
  - [Arels](#) the [parents/caregiversparent/caregiver](#) willing to accept the safety plan? Are they cooperative with providers? Do they understand the reason for safety plan implementation?
- Facilitating communication.
  - Is everyone involved in the safety plan well informed about expectations, progress, barriers, etc.? [Is there open communication between the child welfare professional, the family, and safety service providers? Do safety plan participants and providers keep the child welfare professional informed? Does the child welfare professional have to mediate and resolve any problems about participant roles or expectations?](#)
  - ~~Continuing to assess safety~~[Is there open communication between CPS, the family, and safety service providers? Do safety plan participants and providers keep CPS informed? Does CPS have to mediate and resolve any problems about participant roles or expectations?](#)
- ~~Continuing to assess safety~~

- Is impending danger still apparent? Are threats changing? What affects them? Are there new threats? Can intrusion be reduced? Should different services or providers be installed? Can the family assume more responsibility?
- Revising safety plan.
  - Do changes regarding impending danger or parent/[caregiver/guardian](#) protective capacities prompt revisions to the safety plan? Do these changes require more intrusion? Do they require less intrusion? Are services and providers available and accessible to have an immediate impact?

### ~~Out-of-Home~~ **Safety Management Plan Requirements**

The child welfare professional must continuously review and evaluate the [adequacy/appropriateness](#) of using an out-of-home placement to control for a child's safety. - The safety plan is revised and documented in eWiSACWIS when contacts, observations, and gathered information indicate positive or negative changes related to parent/[caregiver/guardian](#) protective capacities or impending danger threats to child safety. Information gathered from the [parents/caregivers/parent/provider](#), child, and out-of-home care provider is used to:

- Assess if impending danger threats (~~Appendix II, page 296~~) in the parental home are in effect.
- Determine [if/whether](#) conditions have changed or can be controlled with the provision of services to allow the child to return home with a sufficient, feasible, and sustainable in-home safety plan.

### **Documentation**

Information related to the requirements of safety management must be documented monthly at a minimum in a case note and if impending dangers emerge, in the Safety Analysis and Plan in eWiSACWIS.

## Confirming a Safe Environment when Children are ~~placed~~Placed in Out-of-~~Home~~home Care

A child welfare professional places a child in out-of-home care when 1) threats to child safety cannot be controlled in the child's home or 2) a child requires either specific services or sanctions that cannot be met in the child's home or community. ~~One responsibility~~The child welfare professional is responsible, prior to placing a child ~~is~~, to assess and confirm the placement setting is safe for the child. This obligation exists for all placement settings ~~whether the care is provided by family members, friends, neighbors, or professional providers such as foster families.~~

Assessing for a safe environment is distinctly different from licensing the placement home. Licensing occurs bi-annually and focuses on specific requirements for the provider and environment rather than the safety of a specific child in the placement. Therefore, assessing and confirming a safe environment in placement settings occurs every time a new placement is considered.

### Applicability

This procedure applies when a child is placed in an unlicensed home<sup>2</sup>, licensed home, group home, or residential care center.

This procedure does not apply when a child is on a trial reunification, is missing from out-of-home care, or is placed in the following settings:

- Voluntary kinship care home
- Juvenile correctional institution
- Shelter care facility
- Adult correctional facility
- Secure detention facility
- Hospital
- Supervised independent living placement

---

<sup>2</sup> Unlicensed home as used throughout these Standards includes relatives and like-kin that are not licensed.

## **Applicability**

~~This procedure applies when a child is placed in an unlicensed home, foster care home, group home, or residential care center.~~

~~This procedure does not apply when a child is on a trial reunification, is missing from out-of-home care, or is placed in the following settings:~~

- ~~• Voluntary kinship care home~~
- ~~• Juvenile correctional institution~~
- ~~• Shelter care facility~~
- ~~• Adult correctional facility~~
- ~~• Secure detention facility~~
- ~~• Hospital~~

## **Supervised independent living placement Confirming Safe Environments at the Initiation of a Child's Placement in an Unlicensed Home**

Prior to placement, the child welfare professional or designee must:

- Conduct a home visit to assess and evaluate the safety of the placement setting and assist the out-of-home care provider in obtaining provisions needed for the care of the child. This includes discussing expectations and clarifying the role of the out-of-home care provider and providing information on any issues related to the care of the child.
- Complete a check of law enforcement records or conduct a CCAP check on all individuals seventeen years of age and older residing in the identified placement home.
- Conduct a reverse address Sex Offender Registry check.
- Conduct a check of eWISACWIS records on all individuals seventeen (17) years of age and older residing in the identified placement home.

If a home visit cannot be made prior to placement the child welfare professional or designee must have verbal contact at the time the child is placed to assess and evaluate the safety of the placement setting and assist the out-of-home care provider in obtaining provisions needed for the care of the child. In this circumstance, an initial home visit must occur within 24 hours (one (1) working day) of the child's placement.

During the first encounter with a potential out-of-home care provider, the child welfare professional or designee gathers information to identify and understand placement danger threats. During initial and subsequent home visits, the child welfare professional interviews and observes household members and collects data from other sources to make determinations about placement danger threats and the appropriateness of the placement.

Within five (5) working days following the initial home visit, the child welfare professional or designee must:

- Conduct a subsequent home visit (a second weekend cannot pass prior to the subsequent home visit).
- Continue to assess and evaluate safety in the placement setting.

- Confirm with the out-of-home care provider expectations and their role in the protective plan, as applicable.
- Discuss any concerns and/or needs related to the care of the child.

Additionally, the child welfare professional or designee must:

- Consider placement danger threats at first encounter and on an ongoing basis with out-of-home care providers to determine the safety of the placement home (See Placement Danger Threats, Appendix 3 page 263. If a placement danger threat is confirmed, the child welfare professional must locate and transition the child to a new placement immediately.
- Assess the out-of-home care provider's motivation to provide care for the child, view of the child, and an understanding of the need for the child to be placed in out-of-home care.
- Assess the child's reaction to the placement home and the out-of-home care provider.

All potential out-of-home care providers or other household members must be included in the assessment.

After the determination is made that the placement setting is safe for the child, the child welfare professional should inform the out-of-home care provider about programs that can help support the family like kinship care or foster care licensing.

## Confirming Safe Environments at the Initiation of a Child's Placement in an ~~Unlicensed~~ Licensed Foster Home

Prior to placement the child welfare professional or designee must:

~~Conduct a home visit~~ have verbal contact with the out-of-home care provider to assess and evaluate ~~the safety of~~ in the placement setting ~~and assist the caregiver in obtaining provisions needed for the care of the~~ The child. ~~This includes discussing welfare professional or designee must discuss~~ expectations and ~~clarifying~~ clarify the role of the out-of-home care provider and ~~providing~~ provide information on any issues related to the care of the child. ~~Complete a check of law enforcement records or conduct~~ Within 24 hours (one (1) working day) of placement the child welfare professional or designee must:

- Conduct a CCAP check on all individuals seventeen years of age and older residing in the identified placement home.
- Conduct a reverse address Sex Offender Registry check.
- Conduct a check of eWISACWIS records on all individuals seventeen years of age and older residing in the identified placement home.
- ~~If a~~ Assist the out-of-home care provider in setting up whatever provisions are needed for the care of the child.

~~A home visit cannot~~ must be made ~~prior to~~ within three (3) working days, not to exceed five (5) calendar days of the initial placement ~~(e.g., an emergency), the child welfare professional or designee must have verbal contact at the time the child is placed.~~ The purpose of the home visit is to assess and evaluate the safety of the placement setting and assist the ~~caregiver~~ out-of-home care provider in obtaining provisions needed for the care of the child. ~~In this circumstance, an~~ A second weekend may not pass prior to the initial home visit ~~must occur~~ with the licensed provider.

If a foster home has a Level 3 to 5 certification and has not had placement of a foster child for 3 or more months and the licensing agency, supervising agency, or placing agency has not seen the foster parent in the foster home during that time, the licensing agency, supervising agency, or placing agency shall have an in-person contact with the foster parent in the foster home before a foster child is placed in the home or within 24 hours ~~or~~ after the foster child's placement in the foster home.

During the first encounter with an out-of-home care provider ~~(considered for placement),~~ the child welfare professional or designee gathers information to identify and understand placement danger threats. During the initial and subsequent home visits and monthly face-to-face contacts, the child welfare professional ~~interviews and observes family members~~ meets with the out-of-home care provider and collects data from other sources to make ~~determinations~~ a determination about placement danger threats and the appropriateness of the placement.

Within ~~five~~ seven (7) working days following the initial home visit, the child welfare professional or designee must:

- ~~Conduct a subsequent~~ an additional home visit ~~(a second weekend cannot pass prior to the subsequent home visit).~~

- ~~Continue~~ to assess and evaluate safety for a safe environment in the placement setting.
- Confirm ~~with~~ the out-of-home care provider/provider's expectations and his/her/their role in the protective plan, ~~as applicable~~.
- ~~Discuss any issues related to the care of the child.~~

~~Additionally, the child welfare professional or designee must:~~

- ~~Consider placement danger threats at first encounter and on an ongoing basis with out-of-home care providers to determine the safety of the placement home (See Placement Danger threats, Appendix V page 302). If a placement danger threat(s) is confirmed, the child welfare professional must locate and transition the child to a new placement immediately.~~
- ~~Assess the out-of-home care provider's motivation to provide care for the child, view of the child, and when a relationship currently exists between the out-of-home care provider and the child, an understanding of the need as well as continue to assist the out-of-home care provider in setting up whatever provisions are needed for the child to be placed in out-of-home care.~~  
Assess of the child's reaction to the placement home and the out-of-home care provider in cases where a relationship currently exists between the out-of-home care provider and the child.
- ~~All potential out-of-home care providers or other household members must be included in the assessment.~~

~~In unlicensed placement settings, "household member" means all individuals living together in the same dwelling. This includes individuals who live in the home full-time or part-time. Any adult who lives in the home regularly (full-time or part-time) is considered a household member. For additional information, refer to the "Primary Assessment Standard" of the "Child Protective Services Access and Initial Assessment Standards."~~

## **Confirming Safe Environments in Placement Settings When Respite and Pre-Placement Visits Have Previously Been Approved in an Unlicensed Home**

Wisconsin law requires that prior to making the decision to begin respite or pre-placement visits with an unlicensed provider. Additionally, the child welfare professional or designee must:

- ~~Conduct a CCAP check, reverse address Sex Offender Registry check and a CPS records check. Consider placement danger threats at first encounter and on all individuals seventeen years of age and older residing in the identified placement home.~~
- ~~Conduct a home visit on an ongoing basis with the identified placement out-of-home care providers to assess and evaluate determine the safety of the placement setting.~~
- ~~Assist the caregiver in setting up whatever provisions are needed for the care of the child.~~
- ~~home. If the agency then decides to use the home for an out-of-home placement for the child a placement danger threat(s) is confirmed, the child welfare professional or designee must: immediately pursue an alternative placement for the child.~~
- ~~Conduct a home visit within three working days following Assess the initiation of placement (a second weekend may not pass prior foster parent's ability to the home visit).~~
- ~~Continue to assess and evaluate safety in the placement environment.~~
- ~~Confirm with the provide care for the child, view of the child; and an understanding of the need for the child to be placed in out-of-home care provider expectations and their role in the protective plan.~~
- ~~Discuss any issues related to the care of the child. Assess the child's reaction to the foster home and the foster parent~~

All potential foster parents and other household members in a care giving role must be included in the assessment. "Household member" means any person living in a foster home, whether they are/are not related to the foster parent as defined in Ch. DCF 56 Administrative Code.

Other records such as police reports may be useful in determining whether placement danger threats exist. The child welfare professional should analyze information from all available sources to help evaluate the environment of the placement home, and subsequently decide if the child can be placed in the home safely. To assist with this decision, the child welfare professional may consider the criteria in DCF 12.06, of the Administrative Code.

If a child is safe from immediate harm in an unlicensed placement home, the child welfare professional continues to collect information from the out-of-home care provider through additional contacts to confirm a safe placement. This assessment includes the out-of-home care provider's ability to care for the longer-term needs, emotional development, and well-being of the child.

## **Confirming Safe Environments at the Initiation of a Child's Placement in a Licensed Foster Home**

Prior to placement the child welfare professional or designee must have verbal contact with the placement provider to assess and evaluate safety in the placement environment. The child welfare professional or designee must discuss expectations and clarify the role of the out-of-home care provider and provide information on any issues related to the care of the child.

Within 24 hours of placement the child welfare professional or designee must:

- Conduct a CCAP check on all individuals seventeen years of age and older residing in the identified placement home.
- Conduct a reverse address Sex Offender Registry check.
- Conduct a check of eWISACWIS records on all individuals seventeen years of age and older residing in the identified placement home.
- Assist the caregiver in setting up whatever provisions are needed for the care of the child.

A home visit must be made within three business days, not to exceed five calendar days. The purpose of the home visit is to assess and evaluate the safety of the placement setting and assist the caregiver in obtaining provisions needed for the care of the child. A second weekend may not pass prior to the initial home visit with the licensed provider.

During the first encounter with an out-of-home care provider, the child welfare professional or designee gathers information to identify and understand placement danger threats. During the initial and subsequent home visits and face-to-face monthly contacts, the child welfare professional interviews and observes household members and collects data from other sources to make determination about placement danger threats and the appropriateness of the placement.

Within seven business days following the initial home visit the child welfare professional or designee must:

- Conduct a home visit to assess and evaluate for a safe environment in the placement setting.
- Confirm with the out-of-home care provider expectations and his or her role in the protective plan.
- Discuss any issues related to the care of the child as well as continue to assist the out-of-home care provider in setting up whatever provisions are needed for the care of the child.

Additionally, the child welfare professional or designee must:

- Consider placement danger threats at first encounter and on an ongoing basis with out-of-home care providers to determine the safety of the placement home. If a placement danger threat(s) is confirmed, the child welfare professional must locate and transition the child to a new placement home immediately.
- Assess the out-of-home care provider's ability to provide care for the child, view of the child; and when a relationship currently exists between the out-of-home care provider and the child, an understanding of the need for the child to be placed in out-of-home care.
- Assess the child's reaction to the placement home and the out-of-home care provider in cases where a relationship currently exists between the out-of-home care provider and the child

All potential out-of-home care providers and other household members in a care giving role must be included in the assessment. "Household member" means any person living in a foster home, whether or not related to the licensee as defined in Ch. DCF 56 Administrative Code

When initiating a placement of the child in foster care, the child welfare professional must~~should~~ make face-to-face contact with the foster parent. ~~This early face-to-face contact assists the child in transitioning to the foster home and supports the provider in caring for the child. If a child is safe from immediate harm in the foster care placement, the child welfare professional continues to collect information from the out-of-home care provider through continued contact to confirm a safe placement. This assessment includes the out-of-home care provider's ability to care for the child's long-term needs, emotional development, and well-being.~~

Assessing for a safe environment in a foster home is a shared responsibility between the licensing worker and the placing agency child welfare professional. Both child welfare professionals should work together and share information accordingly to ensure the child is safe in the placement setting.

## Placement Danger Threats and Placement Decisions

Placement danger threats ~~are severe in nature and~~ indicate the ~~unlicensed or foster care~~ placement is an unsafe environment for the child (Appendix ~~V3~~, page ~~302263~~).

- When a placement danger threat~~(s)~~ is confirmed at the first encounter with the out-of-home care provider, the child welfare professional must immediately pursue an alternative placement for the child.
- When a placement danger threat~~(s)~~ is confirmed for a child currently in placement, the child welfare professional must immediately begin the process of transitioning the child to an alternative placement.
- When a placement danger threat is confirmed for a specific child, the child welfare professional must immediately assess the safety of ~~all children any other child~~ in the home.

To accomplish this, the child welfare professional collaborates with ~~any~~ other child welfare ~~professionals~~professional with ~~children a child~~ placed in the home as well as the foster care coordinator ~~assigned to the out-of-home care provider~~. If a determination is made that the placement home is unsafe, the child welfare professional for each child must immediately transition the child to an alternative placement.

At times, the court may continue a placement despite a confirmed placement danger threat. -In these situations, a plan should be made to ensure a safe environment for the child and should be recorded in the Confirming Safe Environments document in eWiSACWIS and the child's Permanency Plan.

## Use of the Child and Adolescent Needs and Strengths Assessment

The Child and Adolescent Needs and Strengths (CANS) assessment process and tool is used to:

### ~~Use of the Child and Adolescent Needs and Strengths Assessment~~

~~The Child and Adolescent Needs and Strengths (CANS) assessment process and tool is used to:~~

- Identify the needs and strengths of the child.
- Determine the ability of the out-of-home care provider to meet the child's needs.
- Evaluate the stability of the placement.

### **Current ~~Caregiver~~Out-of-home Care Provider Child and Adolescent Needs and Strengths (CANS) Rating of “3”**

The child welfare professional uses the Child and Adolescent Needs and Strengths (CANS) tool to assist in identifying a child’s needs and strengths to meet [his/her/their](#) needs and make the best possible match with a [placement/foster](#) home. -This assessment process also identifies the current [earegiver’sout-of-home care provider’s](#) needs to support [him/her/them](#) in providing care for the child placed in [the/their](#) home.

- When the child welfare professional rates any area a “3” on the CANS tool for the “Current Caregiver,” the child welfare professional must reassess placement danger threats for the child.
- ~~If a placement danger threat(s) is confirmed, the child welfare professional must immediately transition the child to an alternative placement. When a placement danger threat is identified for a specific child, the child welfare professional must assess the safety of all children placed in the home. If an unsafe determination is made for other children in the home, the child welfare professional must immediately transition the child(ren) to an alternative placement.~~

### **Confirming Safe Environments in Group Homes or Residential Care Centers**

One of the primary purposes of a group [home](#) or residential care [center](#) placement is to address the unique needs of children who require more intensive services than a family setting can provide. These placement settings offer specialized services in a structured environment for children and youth with special developmental, therapeutic, physical, or emotional needs. Services and supervision are provided by staff employed by the group [home](#) or residential care [setting/center](#). Therefore, evaluating safety of the environment in these settings is different from in [placement/foster](#) homes where specific caregivers are licensed to provide care.

#### **Confirming Safe Environments in Group Homes or Residential Care Centers**

##### **Requirements**

Prior to placement, the child welfare professional or designee must evaluate the safety of the group [homeshome](#) or residential care center by:

- Ensuring the facility has the capacity to meet the child’s needs based on their [Child and Adolescent Needs and Strengths \(CANS\)CANS](#) score.
- Making a determination with the facility representative that the behaviors of other children, youth, or adults in the placement setting do not present a concern for the child’s safety.
- Addressing any additional needs to ensure the child is safe in the placement setting. Examples include additional or special training for agency staff, rearranging the living environment, etc.



At a minimum, the child welfare professional or designee must evaluate and confirm the safety of the environment in the group home or residential [facility-settingcare center](#) every six [\(6\)](#) months while a child remains in this placement setting.- The child welfare professional or designee must:

- Confirm the facility has the continued capacity to meet the child’s needs based on the current CANS score.
- Evaluate changes in the child’s CANS assessment to determine if this has any implications for the current facility to meet the child’s needs or the stability of the placement.
- Confirm with the facility representative that the behaviors of other children, youth, or adults in the placement setting do not present a concern for the child’s safety.
- Evaluate the child’s adjustment to and views about the current placement.

When a safety concern is identified for the placed child that involves or may impact the safety of other children in the placement setting, the child welfare professional must address it by reporting the information to the appropriate authority (e.g., CPS, child welfare licensing, law enforcement, etc.).

## **Risk Management in All Placement [Setting-TypesSettings](#)**

At times, the [behaviorsbehavior](#) of other [minorschildren](#) in the placement setting (e.g. birth or adoptive children of the [placement-out-of-home care](#) providers, other children [placed](#) in the [placementhome](#), children receiving [child](#) day care services, etc.) or conditions of the physical environment may present risk to the child.

The child welfare professional or designee should assess and evaluate the behaviors of other [minorschildren](#) within the home to determine the needs of the child and to assist the [placementout-of-home care](#) provider in meeting identified needs.

## Risk Management Planning

The child welfare professional or designee collaborates with other child welfare professionals or facility staff to understand the behaviors of other children in the placement setting. -The following behaviors must be considered to determine if there is a risk to the child:

- Aggressive behaviors - especially children known to have a history of violence.
- Sexually abusive behaviors, including children within the placement setting who [victimize/have harmed](#) other children physically or sexually.
- Other [behavior issues/needs](#), including [support for](#) mental health, [AOD/substance abuse recovery](#), or [other concerning/risk related](#) behaviors ~~such as fire setting, etc.~~

When risk is identified, a risk management plan must be created to mitigate the risk and ensure the environment is safe for the child. -Considerations for a risk management plan include, but are not limited to, the following:

- Additional or special training for [placement/out-of-home care](#) providers.
- Additional contact by agency or other providers.
- Re-arranging the living environment (changing sleeping arrangements, moving children to other units in [aan](#) RCC, etc.).

~~The "Confirming Safe Environments" template in eWiSACWIS must be used to guide and document risk management.~~

## Documentation

The child welfare professional must use the "Confirming Safe Environments" template in eWiSACWIS to guide and document decision-making related to assessing, evaluating, and confirming safety in all unlicensed and [foster care/licensed out-of-home](#) placements, and in all group home and residential placements. -Information regarding a safe environment must be documented in the family eWiSACWIS [case](#)-record and approved by a supervisor or [his/her/their](#) designee fourteen (14) calendar days from the date the placement was made ~~by the supervisor and child welfare professional.~~

Establishing a relationship with the family is fundamental to developing a better understanding of the family dynamics leading to agency intervention and engaging the family in the change process. Accomplishing this necessitates a high level of contact by the child welfare professional to collaborate with the family to eliminate impending danger [threats](#) and achieve permanence.

[Face-to-face contacts focus on the assessment of safety, permanence, and well-being needs of the child and family, and must be sufficient to address the requirements of safety plan and goals of the Permanency Plan. The child welfare agency ensures that the child and parents/guardians \(excluding out-of-home care providers\) have monthly face-to-face contact with the child welfare professional or designee unless the safety plan or licensing requirements require more frequent contact.](#)

### **[Frequency of Face-to-Face Contact](#)**

The frequency of face-to-face contact is based on the needs of the family as identified in the safety or Permanency Plan. While a child is in out-of-home care, face-to-face contact is important to continuously assess safety and achieve permanence. It may be necessary to conduct unannounced or unscheduled face-to-face contact or, when appropriate, visits with the child should be alternated between the placement location and another community setting [\(e.g. daycare, school, counseling appointment\)](#). In these instances, the face-to-face contact should occur in a manner consistent with the purpose of the home visit and is respectful of the child and parents [or caregivers/guardians](#) involved. Full disclosure regarding announced and unannounced contacts should be discussed at the onset of [the case agency involvement](#).

**[Frequency of Face-to-Face Contact](#)** [Child welfare professional face-to-face contacts focus on the assessment of safety, permanence, and well-being needs of the child and must be sufficient to address the requirements of safety plan and goals of the](#)

**[Contacts during Ongoing Services Contact Requirements](#)** [the](#)  
[Permanency Plan. The agency ensures that child\(ren\) and individuals in a parenting role \(excluding out-of-home care providers\) have monthly face-to-face contact with an individual \(child welfare professional, contract agency, or tribal social worker\) unless the safety plan or licensing requirements require more frequent contact.](#)

## **Contact with Parents/~~Caregivers~~Guardians**

When a child is placed in out-of-home care ~~is sought to control impending danger~~, the child welfare professional or designee must have:

Monthly a minimum of monthly face-to-face contact, ~~at a minimum~~, with the child's parents-/guardians.

### **Documentation**

The child welfare professional must document both completed and attempted face-to-face contacts with parents/~~caregivers~~guardians and ~~children~~the child in eWISACWIS as a case note. ~~The case~~ note must include, at a minimum, the following information:

- Date, time, and duration of the visit.
- Participants involved.
- Location of the visit.
- Type of contact.
- Purpose and summary of the results of the contact.

In addition, at least one (1) case note per month must include the following information:

- The status of impending danger (see Safety Intervention Standards for more information on impending danger); the sufficiency, feasibility, and sustainability of the safety plan; and, any needed revisions including an evaluation of impending danger; a review of safety service actions and timeframes; a discussion of any issues to be resolved or clarified with safety service providers; the commitment of providers to remain involved in the plan; and whether family members understand and agree with their role in the safety plan.
- The progress towards meeting goals of the Permanency Plan including information about whether family members understand the reason for behavioral change and understand their role in the change process; the parent/guardian's engagement and involvement in the change process; and any increase/enhancement in protective capacities that would mitigate identified threats.

Effective use of child welfare professional contacts supports the work that is done monthly to move the family forward in achieving a safe and permanent home. Progress and change related to enhancing parent/guardian protective capacities is the essential concern along with achieving timely permanence for the child. Documentation of contact must reflect the child welfare professional's actions in supporting the family, child, and providers to achieve timely permanence and safety for the child.

### **Contacts with the Child**

Private, face-to-face contact with a child in out-of-home care is essential because it provides opportunities for the child to openly discuss adjustment to the placement setting and express thoughts and feelings about their out-of-home care experience. It also provides the child welfare professional with opportunities to confirm the safety of the placement setting.

Unlicensed and Level 1 or 2 Foster Home Placements:

- The child welfare professional or designees must have at least one face-to-face contact with the child per month.
- More than 50% of these contacts must occur in the child's out-of-home placement.
  - The in-placement visits must occur at least every other month.

Level 3 or 4 Foster Home Placement:

- The child welfare professional or designee must have at least one face-to-face contact with the child every other week.
- At least one contact per month must occur in the child's out-of-home placement.

When a child is placed more than 60 miles from their parent/guardian, the assigned agency's child welfare professional may reduce face-to-face contact to quarterly, if another agency or facility staff (e.g. licensing worker, residential staff, treatment foster care worker) maintains monthly face-to-face contact.

If courtesy supervision is requested from another county or DMCPs and that agency provides monthly face-to-face contact, the requesting agency is not required to complete face-to-face contact.

**Documentation**

The child welfare professional or designee must document both completed and attempted face-to-face contacts with the child in eWiSACWIS as a case note within 20 working days after contact or attempted contact.

The note must include, at a minimum, the following information:

- Date, time, and duration of the visit.
- Participants involved.
- Location of the visit.
- Type of contact.
- Purpose and summary of the results of the contact.

In addition, at least one note per month must include the below information:

- **Safety:** This includes the ongoing assessment of child safety and, if applicable, community or a child's behavioral risk(s), including risk to self and risk to others. Include whether or not the child has had an opportunity to engage in private communications with the child welfare professional regarding the out-of-home placement and any other concerns. For parenting youth in out-of-home care, this section should include a statement regarding the safety of that youth's child(ren).
- **Permanency:** This includes a discussion of tracking progress on achieving outcomes, adjustment of strategies/intervention(s) when needed, transition planning, family interaction, life skills development, and for youth aged 14 or older, independent living needs and goals

- Status of child's well-being: A description of the child's physical health, learning and development (educational program attendance, progress, and IEP), mental health needs (emotional development and behavioral functioning), and the child's ongoing opportunities to engage in age or developmentally appropriate activities. Describe how the child is adjusting to the current out-of-home placement, educational setting, and to service providers.

### **Contacts with Out-of-home Care Provider**

At a minimum the child welfare professional must have monthly face-to-face contact with the out-of-home care provider.

Contact with the out-of-home care provider focuses on the safety, permanence, and well-being of the child. This includes:

- Evaluating the compatibility of the child with the out-of-home provider and other household members.
- Evaluating the ability of the out-of-home care provider to meet the needs of the child in a safe manner.
- Evaluating the experiences the child has had to regularly engage in age or developmentally appropriate activities following the Reasonable and Prudent Parent Standard.
- Discussing any additional support needed by the out-of-home care provider to safely maintain any child living with the out-of-home provider.

### **Documentation**

The Ongoing Services child welfare professional or designee must document contacts with the out-of-home care provider in eWiSACWIS as a case note.

## Locating & Involving Non-Household Parents, Relatives, and Like-kin

In addition, at least one case note per month must include the following information:

- The status of impending danger (see Appendix II, page 296); the sufficiency, feasibility, and sustainability of the safety plan; and, any needed revisions including an evaluation of impending danger; a review of safety service actions and timeframes; a discussion of any issues to be resolved or clarified with safety service providers; the commitment of providers to remain involved in the plan; and whether family members understand and agree with their role in the safety plan.
- The progress towards meeting goals of the Permanency Plan including information about whether family members understand the reason for behavioral change and understand their role in the change process; the parent's engagement and involvement in the change process; and, any increase/enhancement in protective capacities that would mitigate identified threats.

Effective use of child welfare professional contacts supports the work that is done on a monthly basis to move the family forward in achieving a safe, permanent, and stable home. Progress and change related to enhancing parent/caregiver protective capacities is the essential concern along with achieving timely permanency for the child. Documentation of contact must reflect the child welfare professional's actions in supporting the family, child, and providers to achieve timely permanency, safety, and stability for the child.

### **Contacts with the Child**

Private, face-to-face contact with children in out-of-home care is essential because it provides opportunities for the child to openly discuss adjustment to the placement setting and express thoughts and feelings about their out-of-home care experience. It also provides the child welfare professional with opportunities to confirm the safety of the placement setting.

The child welfare professional must have monthly face-to-face contact with the child, at a minimum. The majority (greater than 50%) of the face-to-face contacts must be in the child's out-of-home placement.

When the child resides in a placement more than 60 miles from their residence, face-to-face contact may be quarterly by the assigned agency child welfare professional if the placement facility or another agency or contract worker (licensing worker, residential staff, treatment foster care worker, etc.) maintains at least monthly face-to-face contact with the child. When courtesy supervision has been requested of another county or DMCP and the other agency is providing courtesy supervision on a monthly basis, the requested county is not required to have face-to-face contact with the child. The worker providing courtesy supervision is a child welfare professional under these standards. **Requirements**

When a child is placed in out-of-home care and one or both of the child's parents/guardians whereabouts are unknown to the agency, the agency must make continuous efforts to locate and engage them in the planning process. Continued efforts

[to locate and engage non-household parents, caregivers, and relatives must occur throughout agency involvement with the family.](#)

**[Documentation](#)**

[The agency must document all continued efforts to locate and engage non-household parents, and relatives in a note in the family's eWISACWIS record.](#)

[For additional information, refer to "Locating Non-Household Parents, Relatives, and Like-kin," page 164.](#)

When a child is assessed at a Level 3 or higher on the CANS and placed with an out-of-home care provider with a certification of 3 or higher, the supervising agency (county or CPA) must have bi-weekly, face-to-face contact with the child.

### **Documentation**

The Ongoing Services child welfare professional or designee must document both completed and attempted face-to-face contacts with the child in eWiSACWIS as a case note. The case note must include, at a minimum, the following information:

- Date, time, and duration of the visit.
- Participants involved.
- Location of the visit.
- Type of contact.
- Purpose and summary of the results of the contact.

In addition, at least one case note per month must include the following information:

### **Safety**

This includes the ongoing assessment of child safety and, if applicable, community or a child or youth's behavioral risk(s), including risk to self and risk to others. Describe how the child is adjusting to the current living arrangement (e.g., foster home, group home, RGC, etc.), educational setting, or alternative setting (e.g., non-custodial parent, respite care). Include whether or not the child has had an opportunity to engage in private communications with the child welfare professional regarding the out-of-home placement and any other concerns. For parenting youth in out-of-home care, this section should include a statement regarding the safety of that youth's child(ren).

### **Permanency**

This includes a discussion of tracking progress on achieving outcomes, adjustment of strategies/intervention(s) when needed, transitional planning, family interaction, life skills development, and independent living needs and goals for youth age 14 or older.

### **Status of child's well-being**

A description of the child's physical health, learning and development (educational program attendance, progress, and IEP), mental health needs (emotional development and behavioral functioning), and the child's ongoing opportunities to engage in age or developmentally appropriate activities.

The Department or county department must document the information listed above in eWiSACWIS within 20 working days after face-to-face contact with the child regardless of whether the visits were conducted by the child welfare professional or a designee.

For additional information, refer to page 200 “Caseworker Contact Face-to-Face Requirements for Children and Juveniles in an Out-of-Home Placement” policy. Additional information regarding child welfare professional contact with children in Level 3, 4, and 5 foster homes is found in Ch. DCF 56.19(1)(b) Admin. Rule <http://dcf.wisconsin.gov/files/publications/pdf/0131a.pdf>

### **Contacts with Out-of-Home Care Provider**

At a minimum the child welfare professional must have monthly face-to-face contact with the out-of-home care provider.

Contact with the out-of-home care provider focuses on the safety, permanence, and well-being of the child. This includes:

- Evaluating the compatibility of the child with the out-of-home provider and other household members.
- Evaluating the ability of the out-of-home care provider to meet the needs of the child in a safe manner.
- Evaluating the experiences the child has had to regularly engage in age or developmentally appropriate activities following the Reasonable and Prudent Parent Standard.
- Discussing any additional support needed by the out-of-home care provider to safely maintain any child living with the out-of-home provider.

### **Documentation**

The Ongoing Services child welfare professional or designee must document contacts with the out-of-home care provider in eWiSACWIS as a case note.

~~Non-custodial parent and Non-household parent, relative, and like-kin~~ searches should include, but are not limited to the following actions:

- If the ~~parent or caregiver(s)~~ parents/guardians of the child can be identified and is present/available, ask him or her/them to identify and provide the whereabouts of the ~~absent/non-household~~ parent ~~and~~, relatives and like-kin connections.
- ~~If/When~~ appropriate, ask the child to identify and provide ~~the whereabouts of the absent/information about their non-household~~ parent ~~and~~, relatives and like-kin

### **Locating & Involving Non-Custodial Parents and Other Relatives**

~~When a child is placed in out-of-home care and one or both of the child's parent(s)/caregiver(s) whereabouts are unknown, the agency must make continuous efforts to locate and include them in the case planning process. Continued efforts to locate and engage non-custodial parents and relatives must occur throughout the case process.~~

#### **Requirements:**

~~The agency must document all continued efforts to locate and engage non-custodial parents and relatives in the family's eWiSACWIS family search portion of the case record.~~

~~For additional information, refer to page 182, "Locating Non-Custodial Parent / Relatives."~~

connections.

As ~~the case/family involvement~~ progresses, ~~as part of~~ continuing efforts to search may consist of:

#### Continue

- to ask the parents/guardians and child about relatives and like-kin.
- Reference Appendix 2, "Identification and Engagement Tools for Locating Non-Household Parents, Relatives and Like-kin" on page 262.
- Use tools such as a connectedness map or mobility map with the child to illicit additional names of relatives and like-kin.
- Check the family's agency record, including eWiSACWIS, for non-~~custodial/household~~ parent, relative, and like-kin identification and whereabouts.
- Check the Department of Children and Families, Bureau of Child Support's KIDS system for identification or location of a non-custodial parent or alleged father. ~~(See Appendix III, Locating Non-custodial Parents and Relatives – Search tools, page 284)~~
- Consult the identified tribe of an Indian child/child's tribe for information on non-custodial parents and alleged fathers.
- Ask the reporter of a child abuse and neglect referral received by Access.
- Ask the school the child attends or previously attended to see if there are additional/the emergency contacts listed ~~of which the agency is unaware.~~

- Check the CARES system records, if your agency has an information sharing agreement with your local CARES agency. (CARES issues Wisconsin Works (W-2), Food Share, Medicaid, and Child Care benefits.)
- Contact neighbors at a last known address to see if they have current location information.
- ~~Inquire at county jails for the absent relative.~~
- ~~Research/Utilize~~ CCAP (Consolidated Court Automation Project) at: <http://wcca.wicourts.gov/index.xsl>
- ~~Submit an inquiry to the Prison Inmate Locator System through the Department of Corrections (DOC):~~ <http://www.vinelink.com>

### Children Missing from Out-of-home Care

Child  
welfare

~~professionals should be aware of confidentiality restrictions regarding use of information in a case record, either on paper or in eWiSACWIS and in KIDS. Please review DCFS Numbered Memo 2004-13B and Information Memo 2006-19 for additional information.~~

- ~~When seeking information from people or resources outside the case, child welfare professionals must continue to maintain confidentiality about the identity and circumstances of the children and families with whom they are working. Websites that provide criminal history information or incarceration status can be helpful to identify addresses or contact information for individuals if they have been justice-involved. The focus when using these websites for relative searches should be promoting relationships, connections, and gathering information about a child's family network and support system. A list of search websites is located in Appendix 2, "Identification and Engagement Tools for Locating Non-Household Parents, Relatives, and Like-kin."~~

#### **Documentation**

~~The agency must document all continued efforts to locate and engage non-custodial parents and relatives in the eWiSACWIS case record.~~

#### **Requirements**

When the whereabouts of a child placed in an out-of-home care setting is unknown, the safety and well-being of that child cannot be ensured, and they are vulnerable to and at risk of additional emotional and physical trauma (e.g., sexual exploitation, sex trafficking, drug abuse, or criminal activity). Thus, diligent measures to locate the child, communicate with critical individuals and agencies involved with the child, and plan for the child's safe return must be made

For additional information, refer to page 187, "Children Missing from Out-of-Home Care."

When a child is considered missing from out-of-home care, the case shall not be closed solely due to the child's missing status. Any decision to close a case with an open court order for a child who has not yet attained 18 years of age, or who has attained 18 years of

age with an open court order, should be done in consultation with the agency's legal counsel.

## Evaluating the Permanency Plan

Three main intervention responsibilities exist when evaluating the Permanency Plan. First, child welfare professionals must measure enhancement of ~~caregiver~~parent/guardian protective capacities. ~~This is especially important in cases where children are placed in out-of-home care.~~ Decisions about whether to pursue reunification or another permanence goal within ASFA timeframes depends on existence of ~~parents/caregivers~~parent/guardian progress toward

### ~~Children or Youths Missing from Out-of-Home Care~~

~~When the whereabouts of children or youths living in out-of-home care settings are unknown, the safety and well-being of those children or youths cannot be ensured. When children or youths are missing from care, they are vulnerable to and at risk of additional emotional and physical trauma (e.g., sexual exploitation, sex trafficking, drug abuse, or criminal activity). Thus, measures to locate the child or youth, communicate with critical individuals and agencies involved with the child or youth, and plan for the child's or youth's safe return must be made.~~

### ~~Requirements~~

~~For additional information, refer to page 205, "Children and Juveniles Missing from Out-of-Home Care."~~

~~When a child or youth is considered missing from out-of-home care, the case shall not be closed just because the child or youth is missing from care. Any decision to close a case with an open court order for a child or youth who has not yet attained 18 years of age, or who has attained 18 years of age with an open court order, should be done in consultation with the agency's legal counsel.~~

resuming their protective parental role. ~~Evidence of achievement of~~Documentation should reflect the family's progress towards established goals ~~and proof that, as well as how~~ service providers are ~~providing for the family must occur.~~actively supporting the family's growth and needs. Second, ~~CPS the child welfare professional~~ must determine the suitability of ~~the safety~~a plan, including determining whether intrusiveness of the plan and intensity of services should be adjusted while also considering whether caregiver responsibility and involvement must be increased or decreased. Finally, ~~CPS continually assesses all plans while~~ the child welfare professional ~~maintains focus~~focuses on the importance of a safe and permanent living ~~arrangements~~arrangement for the child. The results of Permanency Plan evaluations ~~provide evidence for the child welfare professional in order to establish~~document whether conditions exist that support safety, ~~stability~~, and permanence.

Family engagement is necessary to measure and achieve case progress. ~~Child~~It is best practice for child welfare professionals ~~are obligated~~ to involve the family ~~members and natural supports~~ in decision-making and ensure full disclosure is maintained with families throughout the process. Engagement strategies build mutually beneficial partnerships that build and sustain the family's interests in, and commitment to, the Permanency Plan. Engagement is necessary for effective decision-making regarding establishing or changing a permanence goal, evaluating

progress, and planning transitions. ~~Engaging with a family requires skill to ask difficult questions and provide honest, clear, and upfront information.~~

To measure and evaluate progress, child welfare professionals are responsible for

### **Content**

~~meaningful quality~~ face-to-face contact as well as other forms of contact with the child, ~~parents/caregivers~~parent/guardian, and informal and formal service providers. -Regular and consistent contact between the child welfare professional and family is necessary to continue to build a working partnership and develop strong relationships focused on ~~the~~ safety and permanency ~~of children~~.

When evaluating the Permanency Plan, the child welfare professional uses the goals in the Permanency Plan as the basis for measuring progress and change related to enhancing parent/~~caregiver~~guardian protective capacities and achieving permanence. -The child welfare professional gathers information from ~~parents/caregivers, children~~parent/guardian, child, family team members, and informal and formal service providers to make decisions about:

- The family's progress toward achieving change and permanence.
- The effectiveness of service delivery related to achieving goals.
- The sufficiency of the safety plan and whether a less intrusive ~~CPS~~ intervention can be implemented.

### **Content in Evaluating the Permanency Plan**

The content of the Permanency Plan evaluation must include:

- Updated general person management ~~case~~ information to ensure the ~~case~~ record is up-to-date (~~family demographics, tribal membership status, agency and legal~~).
- A current assessment of impending danger, the sufficiency, feasibility, and sustainability of the safety plan, and any needed revisions.
- For an Indian child, the efforts made to engage the tribal child welfare professional in the evaluation of the Permanency Plan.
- An evaluation of the out-of-home care prevention plan for any child born to an expectant or parenting youth and any updates, as necessary.
- If the child born to ~~an expectant ora~~ parenting youth is an Indian child, the active efforts made to prevent the break-up of the Indian family.
- A review of progress in enhancing parent/~~caregiver~~guardian protective capacities as demonstrated by specific, observable, measurable behavioral changes.
- Updated information related to the parent/~~caregiver~~guardian's readiness for change and their participation in Permanency Plan services and activities; (identifying and understanding where a parent/~~guardian~~ is in terms of their acknowledgement/acceptance of problems and willingness to change).
- A review and confirmation of the effectiveness of providers, informal supports, services or other plan strategies.
- A current assessment of child functioning and well-being (education, health, mental health, and, when applicable, independent living plan).

- A review of the child's participation in regular opportunities to engage in age and developmentally appropriate activities following the Reasonable and Prudent Parent Standard.
- Any additional needed changes to the plan.
- A review of progress in locating and engaging [absent/non-household](#) parents, and other relatives.
- An evaluation and confirmation of the continued safety, stability, and appropriateness of the placement setting.
- ~~A review of and continued determination of the appropriateness of placement in a facility certified as a Qualified Residential Treatment Program (QRTP), when applicable.~~
- ~~A rating of the child's legal permanency status (See Appendix IV, Permanency Status Indicators, page 300).~~

### **Additional Requirements When a Child is an Indian Child**

The Permanency Plan evaluation must ensure compliance with ~~Active Efforts~~[active efforts](#) as defined by [ICWA/WICWA](#). This includes documentation of the agency's efforts in the following areas:

- ~~Requesting~~[Involving](#) the tribal agency ~~to assist~~ in ~~evaluating~~[evaluation](#).
- ~~Including~~ the ~~case~~.
- ~~Inviting representatives of Indian~~ child's tribe ~~to participate~~ in custody proceedings at the earliest point.
- Notifying and consulting extended family members to provide structure and support to the child and ~~parents/caregivers~~[parent/guardian](#).
- Providing family interaction, ~~which includes sibling visitation if not placed together~~.
- Offering and employing all available family preservation strategies.
- Offering and actively assisting ~~families~~[the family](#) in accessing community resources.
- Monitoring progress and client participation in services provided.
- Seeking alternative ways of addressing identified needs when services do not exist or are not available to the family.

The Permanency Plan evaluation must also ensure that the Indian child's placement complies with the order of placement preferences under ~~sWis. Stats. 48.028(7)(b) Stats.~~ or, if applicable, ~~sWis. Stats. 48.028(7)(c) Stats.~~. If the placement is not in compliance with ~~that~~[the order of placement preferences](#), a statement as to whether there is good cause, as described in s. 48.028(7)(e) Stats., for departing from that order, must be a part of the evaluation process.

### **[Revising the Permanency Plan](#)**

## **Revising the Permanency Plan**

The Permanency Plan must be revised and documented in eWiSACWIS when an evaluation indicates or reveals:

- Family conditions or dynamics related to protective capacities or impending danger change to allow for a more or less restrictive plan.
- More information is learned about child functioning, adult functioning, parenting practices or family functioning that necessitates a change to the plan to assist the family in making the needed behavioral changes.
- A change on the CANS identifies additional service needs for the child.
- A change on the CANS identifies that another placement type is more appropriate to meet the needs of the child, and the current placement is too restrictive.
- The court orders a disposition not consistent with the child's Permanency Plan.
- An administrative review panel makes a recommendation to change the existing Permanency Plan and court order.
- When the permanency goal for the child is changed.
- An expecting youth placed in out-of-home care becomes a parenting youth.

The agency must revise the Permanency Plan so that it is consistent with any of the above circumstances and file it with the court, though a court hearing would not be required. These court-ordered changes are considered a part of the dispositional order and thus included in the Permanency Plan. A copy of each revised plan that is filed with the court must be provided to the child's parent/guardian, to the child or the child's counsel, (i.e. guardian ad litem or public defender), and to the agency's legal counsel.

## **Subsequent Permanency Plan**

Subsequent Permanency Plans must be reviewed, updated, and provided to all parties, as required in Wis. Stats. ss. 48.38(5)(d), (5m)(d), 938.38(5)(d) & (5m)(d), five (5) days prior to the next permanency review or hearing.

The subsequent Permanency Plan must include information about the child and parent/guardian's progress from the previous six months and goals for the next six months.

## **Timeframe and Documentation**

As part of evaluating the Permanency Plan, the child welfare professional must formally evaluate and document the Permanency Plan no later than six (6) months from the date of the last Permanency Plan.

Subsequent reviews of the Permanency Plan must be completed within six (6) months of the last permanency hearing or review. The results of the permanency hearing or review shall be documented on the eWiSACWIS Permanency Review/Hearing Page.

Requirements must be documented on the Permanency Plan in the eWiSACWIS record and approved by a supervisor or designee.

~~Evaluating progress of goals established in written agreements is a continual process of tracking and adjusting by the child welfare professional.~~

Evaluating progress of goals established in written agreements is a continual process of tracking and adjusting by the child welfare professional. In order to understand changes and needs of the family, the child welfare professional uses information obtained from monthly contacts with children, parents/caregivers the child, parent/guardian, out-of-home care providers provider, collateral contacts, and the child and family team.

### **Evaluating the Safety Plan**

Evaluating safety is a continuous process of tracking and adjusting throughout the

change process. Assessing safety should be routine in all contacts with the child, family, out-of-home care and service providers.

### **Evaluating and Revising the Permanency Safety Plan**

The Permanency Safety Analysis and Plan must be evaluated in collaboration with the parent/guardian and safety service providers. The safety plan is revised and documented in eWISACWIS when an evaluation indicates or reveals:

Family conditions or dynamics related to contacts, observations, and gathered information indicate changes related to parent/guardian protective capacities or impending danger change to allow for a more or less restrictive plan threats.

More information is learned about

- When a child functioning, adult functioning, parenting practices or family functioning that necessitates a change to the case plan to assist the family in making the needed behavioral changes.
- A change on the CANS identifies additional service needs for the child.
- A change on the CANS identifies that another placement type is more appropriate to meet the needs of the child and the placement is more restrictive (e.g. from a residential care center to foster care).
- The court orders a disposition not consistent with the child's Permanency Plan;
- An administrative review panel makes a recommendation to change the existing Permanency Plan and court order.
- When the permanency goal for the child is changed.

An expecting youth placed in out-of-home care becomes a parenting youth., information gathered from the parent/guardian, child and out-of-home care provider is used to:

- The agency must create or revise a Permanency Plan that is consistent with any of the above circumstances and file it with the court. Copies of the revised, filed plan must be provided to the child's parent, guardian, or Indian custodian, to the child or the child's counsel [i.e. Guardian ad Litem (GAL) or Court Appointed Special Advocate (CASA)], and to the district attorney or the corporation counsel. Assess if impending danger threats in the parental home are active.
- Determine whether conditions have changed or can be controlled with services to allow the child to return home with a sufficient, feasible, and sustainable in-home safety plan.

Modifications to the Safety Analysis and Plan must be approved by a supervisor and documented in eWiSACWIS.

~~The filed Permanency Plan is part of the dispositional order. For any of the court-ordered changes listed above, the child welfare professional does not have to go back to court at that time for an additional revision to the Permanency Plan. These court-ordered changes are considered a part of the dispositional order and thus included in the Permanency Plan.~~

~~An example of when the court orders a disposition that is not consistent with the Permanency Plan is if the current Permanency Plan has been filed within 60 days of the child's entry into out-of-home care with a placement in foster care and the court subsequently orders a dispositional order placing the child into residential care. This means the child's Permanency Plan would need to be updated to reflect the dispositional order.~~



Evaluating safety is a continuous process of tracking and adjusting throughout the CPS process. Assessing safety should be routine in all contacts with children, families, placement homes and providers. Caseworker contacts are one consistent avenue where a child welfare professional is evaluating the information gathered to inform the safety analysis and plan at every contact with a family.

## Evaluating Reconfirming Safe Environments of Unlicensed and Revising Licensed Homes

While the Safety Plan child resides in out-of-home care, the child welfare professional must, at a minimum, evaluate and confirm the safety of a specific placement every six months or at the review of the Permanency Plan, whichever comes first.

The safety analysis and plan must be evaluated in collaboration with the parents/caregiver and safety service providers. The safety plan is revised and documented in eWiSACWIS when contacts, observations, and gathered information indicate positive or negative changes related to parent/caregiver protective capacities or impending danger threats to child safety.

When children are placed in out-The child welfare professional or designee must:

- Conduct a CCAP records check on all individuals seventeen years of age and older residing in the identified placement home-care, information gathered from.
- Conduct a reverse address Sex Offender Registry check and a CPS records check on any individual seventeen years of age and older that has moved into the parents/caregivers, identified placement home since the previous confirmation or reconfirmation of safety in the placement environment.

Additionally, the child and-welfare professional or designee must:

- Have face-to-face contact with out-of-home care provider is used to:(s) to judge the safety of the placement home by assessing placement danger threats (See Appendix 3, page 263). If a placement danger threat(s) is confirmed, the child welfare professional must immediately begin the process of transitioning the child to an alternative placement.
- Assess if impending danger threats (Appendix II, page 296) in the parental the out-of-home are in effect.
  - Determine if conditions have changed or can be controlled with services care provider's ability to allow meet the combined needs of the child to return and any other individuals requiring care in the home with a sufficient, feasible, and sustainable in-home safety plan.
  - Modifications to the safety analysis and plan must be approved by a supervisor and documented in eWiSACWIS. Evaluate changes in the child's most recent CANS assessment to determine if there are implications regarding the current out-of-home care provider's ability to meet the child's needs or the stability of the placement.
  - Evaluate changes in the current out-of-home care provider's CANS assessment to determine if there are implications regarding the provider's ability to meet the child's needs or the stability of the placement.
  - Evaluate the child's adjustment to and attitude about the current placement as well as the child's overall integration into the placement family.

- [Evaluate the current out-of-home care provider regarding the provider's ability to support the permanency goal for the child, establish a relationship with the identified permanent placement for the child, and establish a relationship with the child welfare professional/agency.](#)

## Reconfirming Safe Environments When Children are Placed in Out-of-home Care

### Reconfirming Safe Environments of Unlicensed Homes and Foster Care

While the child resides in out-of-home care the child welfare professional must, at a minimum, evaluate and confirm the safety of a specific placement every six months or at the review of the Permanency Plan, whichever comes first.

The child welfare professional, designee, or other individual identified by agency policy (e.g. foster care coordinator, paraprofessional staff, etc.) must:

- Conduct a CCAP records check on all individuals seventeen years of age and older residing in the identified placement home.
- Conduct a reverse address Sex Offender Registry check and a CPS records check on any individual seventeen years of age and older that has moved into the identified placement home since the previous confirmation or reconfirmation of safety in the placement environment.

Additionally, the child welfare professional or designee must:

- Have face-to-face contact with out-of-home care provider(s) to judge the safety of the placement home by assessing placement danger threats (See Appendix V, page 302). If a placement danger threat(s) is confirmed, the child welfare professional must locate another placement home for the child immediately.
- Assess the out-of-home care provider's ability to meet the combined needs of all the children and any other individuals requiring care in the home.
- Evaluate changes in the child's most recent CANS assessment to determine if there are implications regarding the current out-of-home care provider's ability to meet the child's needs or the stability of the placement.
- Evaluate changes in the current out-of-home care provider's CANS assessment to determine if there are implications regarding provider's ability to meet the child's needs or the stability of the placement.
- Evaluate the child's adjustment to and attitude about the current placement as well as the child's overall integration into the placement family.
- Evaluate the current out-of-home care provider regarding the provider's ability to support the permanency goal for the child, establish a relationship with the identified permanent placement for the child (unless the current out-of-home care provider is also the identified permanent placement), and establish a relationship with the child welfare professional/agency.

Agencies may designate the background check [function requirements](#) to other individuals based on [their local](#) agency policy. It is the responsibility of the child welfare professional or designee to utilize the background information to confirm safety in the placement environment for the child(ren).

### **Additional Situations When Reconfirming a Safe Environment is Required**

The child welfare professional or designee must review and, if necessary, document changes to the Confirming Safe Environments in an ~~Unlicensed or Foster Care Placement~~unlicensed or licensed out-of-home placement at each of the following points in the case:

- When conditions in the placement home that might affect a child's safety change ~~either positively or negatively (e.g., an adult moves in or out of the home);~~
- When the physical address of the placement changes ~~(e.g., when a caregiver moves to a new home);~~
- When an expecting youth placed in out-of-home care becomes a parent;
- When a report of alleged maltreatment is received; or
- When there is concern of a possible ~~Placement Danger Threat (Appendix V, page 302)~~placement danger threat.

### **Placement Danger Threats and Placement Decisions**

Placement danger threats ~~(Appendix V, page 302) are severe in nature and~~ indicate the ~~unlicensed or foster care~~ placement ~~is~~may be an unsafe environment for the child.

- When a placement danger threat is confirmed for a specific child, the child welfare professional must immediately assess the safety of all children placed in the home. To accomplish this, the child welfare professional collaborates with other child welfare professionals that have children placed in the home as well as the foster care coordinator ~~that licensed the home~~. If a determination is made that the placement home is an unsafe environment for other children in the home, the child welfare professional for each child must immediately begin the process of transitioning the child to an alternative placement.

At times the court may continue a placement despite a confirmed ~~Placement Danger Threat (Appendix V, page 302)~~placement danger threat. In these situations, a plan should be made to ensure a safe environment for the child and be recorded in the Confirming Safe Environments document in eWiSACWIS.

### **Current Caregiver CANS Rating of “3”**

The child welfare professional uses the CANS tool to assist in identifying a child’s needs and strengths ~~in order~~ to meet [his/hert heir](#) needs and make the best possible match with a placement home. ~~This assessment process also identifies the current caregiver’s needs in order~~ to support [him/hert hem](#) in providing care for the child placed in the home.

- When the child welfare professional rates any area a “3” on the CANS tool for the “Current Caregiver,” the child welfare professional must reassess placement danger threats for the child.
- If a placement danger threat(s) is confirmed, the child welfare professional must immediately begin the process of transitioning the child to an alternative placement.
- When a placement danger threat is identified for a specific child, the child welfare professional must assess the safety of all children placed in the home. ~~If a determination is made that this is an unsafe environment for other children in the home, the child welfare professional must immediately begin the process of transitioning the child(ren) to an alternative placement.~~

### **Documentation**

The child welfare professional must use the “Reconfirming Safe Environments” page in eWiSACWIS to guide and document decision-making related to assessing, evaluating, and confirming safety in all unlicensed, [foster care homes](#), [licensed homes](#), group [homehomes](#), and residential care center placements. ~~Information regarding a safe environment must be documented in the [family](#) eWiSACWIS [case](#)-record and approved by a supervisor or designee.~~

### **Subsequent Permanency Plan**

Subsequent Permanency Plans must be reviewed, updated, and provided to all parties, as required in s. 48.38(5)(b) and 938.38(5)(b) Wis. Stats., in the case ten days prior to the next permanency review or hearing.

The subsequent Permanency Plan must include information about the child and parent/caregiver progress from the previous six months and goals for the next six months.

### **Timeframe and Documentation**

As part of evaluating the Permanency Plan, the child welfare professional must formally evaluate and document the Permanency Plan no later than six months from the day of removal when the child is placed in out-of-home care.

Subsequent reviews of the Permanency Plan must be completed within six months of the last formal review. The results of the Permanency Hearing or review shall be documented in the eWiSACWIS Permanency Review Page.

Requirements must be documented on the Permanency Plan in the family eWiSACWIS case record and approved by a supervisor or designee.

## ACHIEVING SAFETY AND PERMANENCE

### Permanence Determination and Achievement

and permanence are essential for all children involved with the child protective service system no matter the circumstances or type of case.

Safety,  
stability,

Every child ~~is expected to~~ must have a safe, ~~stable,~~ and permanent home prior to ~~case~~ closure. ~~When working with families, the agency is responsible for permanence by ensuring a safe and stable home for children that remain with parents/caregivers, are reunified with parents/caregivers, or are placed in an alternative permanent living situation.~~

### Permanence

The prompt and decisive actions that are made to maintain a child safely in his/her/their own home or to permanently place him/her/them in a safe alternate family setting can have a lasting impact on the quality of a child's permanent relationships, cultural identity, and sense of self.

~~Effective practice requires that planning for a child's permanence begin with the end in mind.~~ It is important to develop a partnership with the family in understanding the specific conditions required before child permanence can be achieved. These conditions should be related to the goals specified in the Permanency Plan or and court order. ~~It should be clear to the child and family when the Permanency Planning process is completed.~~ Planning for permanence also includes establishing lifelong connections for the child.

~~Permanency consultation is available to plan for a child's permanence in a timely manner. Permanency consultation can assist agency staff in evaluating whether a particular goal is appropriate and how to address barriers in achieving permanence.~~

~~The Department of Children and Families has permanency consultants who are resources for professional consultation regarding permanency for children in out-of-home care (see Appendix VI, Permanency Consultation roles and Responsibilities, page 296).~~

~~Professional Consultation may include:~~

- ~~• Case consultation~~
- ~~• Concurrent planning meetings~~
- ~~• Family meetings~~
- ~~• Legal consultation and planning~~
- ~~• Permanency Plan reviews~~
- ~~• Permanency roundtables~~
- ~~• Tribal review and consultation~~

## Permanency Planning

Permanency ~~Planning~~ requirements continue until permanence is achieved for a child or the child ~~reaches the age of majority and~~ ages out of care. Permanence should bring physical, legal, and emotional safety and security within the context of a family relationship and allow lifelong relationships with a variety of caring adults. Permanence can be achieved in a variety of ways. The Adoption and Safe Families Act (ASFA) recognizes the following permanence goals:

~~Permanence can be achieved in a variety of ways. The Adoption and Safe Families Act (ASFA) recognizes the following permanence goals:~~

- Reunification
- ~~Adoption~~
- ~~Transfer of~~ Guardianship
- Adoption
- Placement with a Fit and Willing Relative
- ~~Other Permanent Living Arrangements (OPPLA) (i.e., sustaining care or long-term foster care)~~
- Other Planned Permanent Living Arrangements (OPPLA) (i.e., sustaining care or long-term foster care)

Reunification is typically the desired permanence goal. However, there are times when reunification may not be appropriate or cannot occur. For these children, it is important to consider other permanence goals.

~~For children if reunification cannot be achieved with the child and their parent, a permanence goal of "Other Planned Permanent Living Arrangement" (OPPLA) continued planning efforts to achieve the goals of adoption, transfer of guardianship, permanent or placement with a fit and willing relative, would allow for children to remain connected with their family without permanently severing ties between children and their biological and/or legal family.~~

A permanence goal of adoption may be appropriate if reunification are required cannot be achieved with the parent/guardian and there is no other relative or like-kin available to assume guardianship of the child.

In each ~~casesituation, for OPPLA to be the appropriate goal,~~ one or more of these basic sets of circumstances ~~apply: must be present:~~

- The child is 16 years of age or older
- The child cannot be safely reunited with ~~his or her~~ their birth family.
- Recruitment of a guardian or an adoptive ~~or guardian~~ family ~~have~~ has not been successful.
- The agency has been unable to place the child with a fit and willing relative.
- There is an identified appropriate planned permanent living arrangement ~~in which that~~ the child wishes to continue living elect.

- A decision ~~is~~has been made ~~that at the time the goal is selected that reunification, guardianship, or adoption or guardianship is~~are incompatible with ~~at~~the youth's age, special ~~need~~needs, or complex circumstances ~~at the time~~.
- The ~~youth~~child is being provided an opportunity to be a part of the decisions related to ~~his or her~~their permanency.

~~Children placed under a tribal court order (i.e. ICWA) who are under age 16, may continue with a permanency goal of OPPLA until September 29, 1997.~~

~~For children with a goal of "Other Planned Permanent Living Arrangement" (OPPLA), continued planning efforts to achieve the goals of reunification, guardianship, adoption, or permanent placement with a fit and willing relative are required~~

In all cases choosing the most appropriate goal(s) for a child involves considerations of the child, the family, the Indian child's tribe, and the relationships of the child with others and the progress of the Permanency Plan. ~~(See Appendix VII, Permanency Options, page 272 which has been developed to assist child welfare professionals in considerations for each of the allowable permanency options).~~

Permanence has been reached once ~~a judge states an identified goal~~the court order (e.g., Child in Need of Protection or Services case (CHIPS)/Juvenile in Need of Protection or Services (JIPS)/Temporary Physical Custody (TPC) has been achieved, however, the transition to ~~permanence includes families living free of CPS agency intervention. terminated or dismissed.~~

Agencies have the responsibility to ensure ~~families are~~the family is aware of resources and supports necessary to sustain the child on their own, whether permanency is achieved through reunification, guardianship or adoption.

~~Under changes to WI Stats. Act 128, sustaining care contracts for children under the age of 16 are voided and no new sustaining care contracts may be entered into as of February 5, 1996.~~

## **-Concurrent Planning**

Concurrent planning is a process of working on one permanence goal while at the same time establishing and implementing an alternative permanence goal that involves simultaneous activities to move a child more quickly to permanence-, [pursuant to Wis. Stat. s. 48.355\(2b\)](#). It involves a mix of meaningful family engagement, targeted case [practiceplanning](#), and legal strategies aimed at achieving timely permanence.- Concurrent planning must include the following core components:

- Assessment/Determination
- Full [Disclosure](#)[disclosure](#)
- Family [Search](#)[search](#) and [Engagement](#)[engagement](#)
- Teaming
- Family [Interaction](#)[interaction](#)
- Clear [time-line](#)[timelines](#)
- Transparency
- [Collaboration with stakeholders](#)[agency and community partners](#)

## **Assessing the Need for Concurrent Planning**

Assessing the need for concurrent planning involves early assessment of the conditions that led to the child's placement into out-of-home care, the strengths of the family, and the likelihood of reunification within 12 to 15 months that is culturally respectful and based on the family's history and current functioning. -The assessment is based on a review of factors that make timely reunification more or less likely. -This allows the child welfare professional and [child'schild and family](#) team to make determinations about the family's capacity to benefit from reunification services and the need for alternative planning. -By no means should the presence of such conditions be construed to mean reasonable efforts to reunify the child are not required, unless they meet the statutory criteria, for instances where reasonable efforts are not required as stated in [Wis. Stats. s.ss. 48.38\(4m\) and 938.38\(4m\)](#)-[Wis.](#)-[State](#).

## Determination of Appropriateness for Concurrent Planning

When one of the following circumstances exists, a concurrent permanence goal and plan must be established for the child. Certain indications have been shown to be related to factors that can delay or decrease the likelihood of reunification. ~~When one of the following circumstances exists, a concurrent permanence goal and plan must be established for a child:~~ Child welfare professionals must consider the following indicators:

- The child has been the victim of more than one form of abuse.
- There have been three or more CPS interventions for serious separate incidents, indicating a chronic pattern of abuse, severe neglect, or there is a pattern of intergenerational abuse with a lack of historical change in family dynamics.
- A parent/guardian has a history of substance abuse or is chemically dependent and/or has a history of treatment failures or the child was drug-exposed at the time of birth.
- The child has been abandoned with friends, relatives, out-of-home care providers, hospital, or after being placed in care, parents/guardians do not visit on their own accord. ~~Parents/guardians disappear or appear rarely.~~
- A parent/guardian is intellectually impaired or has shown significant deficits in care for the child and has no support system of relatives able to share parenting.
- ~~Parents or caretakers have~~Parent/guardian has a pattern of at least one year of documented history of domestic violence between caretakers and they refuse to separate.
- A parent's/guardian's rights to another child have been involuntarily terminated or the parent has asked to relinquish the child on more than one occasion.
- A parent/guardian has significant, protracted, and untreated mental health issues.
- The child or siblingsibling(s) have been placed in out-of-home care or with relatives/like-kin for periods of over six months duration or have had repeated placements with CPS intervention and previous attempts at reunification have failed.
- A parent's/guardian's only visible support system is a drug culture, with no significant effort to change over time.
- A parent/guardian has repeatedly and with premeditation harmed a child or the child experienced extreme physical or sexual abuse by a parent/guardian, or the parent/guardian has allowed someone else to abuse the child.
- A parent/guardian has previously killed or seriously harmed another child.

The above list shall not be considered the only instances when a concurrent plan may be established.

The establishment of a concurrent plan must be documented in the child's eWiSACWIS Permanency Plan.

Concurrent planning involves the practice of engaging parentsa parent(s) in a discussion about all the permanence options, including the steps necessary for reunification, the possibility of a voluntary TPR, and the likelihood of an or involuntary TPRTermination of Parental Rights (TPR), if reunification goals are not accomplished within specified time limits. ~~It is not a fast track to adoption, but to permanence.~~—Effective concurrent planning assuresensures that the parents

recognizeparent recognizes that they chooseimpact outcomes for their child through their actions.

Family teamingTeaming is a critical component of concurrent planning practice. Concurrent planning and family teamingFamily Teaming are approaches that happen at the same time. Family teams support the concurrent planning process by providing a format to share knowledge, planning, and decision making with the family and providers regarding goals, timelines, and options for permanence.

### Full Disclosure

Full disclosure means the parent/guardian is provided information, both verbally and in writing related to agency involvement and permanence. Full disclosure includes:

- Explaining that out-of-home care is temporary, and the importance of establishing permanency.
- Providing information about the parent/guardian's rights and responsibilities, including: the need to share information about the child's needs, a search for and consideration of relatives and like-kin who may be able to care for the child, participation in the planning process and the involvement of the court system.
- Discussing the support services available to help the child's parents.

### Providing information about the goals of concurrent planning, time frames and permanency options. Legal Permanency Status Ratings

- Child welfare professionals must rate the legal permanency status within 60 days and every six months if: a concurrent plan is required and the Permanency Plan is anything other than reunification or guardianship (See Appendix IV, Legal Permanency Status Indicators, page 300). The child welfare professional must explain to the parent/guardian that developmental and emotional harm can result from a child being placed in out-of-home care and the urgency to establish permanence.
- Informing the parent/guardian about the consequences of not following through with the Permanency Plan.

## **Full Disclosure**

Full disclosure involves the **Reasonable Efforts and Active Efforts**

### **Reasonable Efforts to Achieve Permanence**

Child welfare agencies are required to provide reasonable efforts, or active efforts in the case of an Indian child, to achieve permanence for a child in out-of-home care.

Considerations for reasonable efforts may include:

- Providing family interaction.
- Offering of services consistent with the Permanency Plan goals.
- Providing case management services through an assigned child welfare professional providing information, both verbally and in writing to the parents/caregivers so that they fully understand.

### **Active Efforts to Prevent the Breakup of the Indian Child's Family and/or Reunify**

If the child is an Indian child, the child welfare agencies are required to provide active efforts to prevent the breakup of the Indian child's family. If the Indian child is removed from their family, child welfare agencies are required to provide active efforts to reunify the family. Active efforts as defined by ICWA/WICWA requires an ongoing, vigorous, and concerted level of case work that must include:

- Engaging the tribal child welfare professional:— in any evaluation and case plan development.
- Explaining that foster care is temporary, and it is not good for children to grow up without permanent parent(s).
- Providing information about the parents' rights and responsibilities, including: the need to share information about the child's needs, a search for and consideration of relatives who may be able to care for the child, participation in the case planning process and the involvement of the court system.
- Comprehensively assess the family and explore in-home safety options.
- Identifying the tribal child welfare professional at the earliest point possible. Actively seek their advice and invite them to participate in all aspects of the proceedings.
- Notifying and consulting extended family members to provide structure and support to the Indian child, parents/guardians, and Indian custodian.
- Providing natural and unsupervised family interaction.
- Utilizing all family preservation strategies and seek the assistance of tribal child welfare professionals to determine if the strategies are culturally appropriate.
- Actively assisting the family in accessing community resources.
- Monitoring progress and aiding the family's participation in services.

**Achieving Permanence** Alternative ways of addressing the needs of the Indian Child's family was provided. Discussing the support services available to help the child's parents.

- Providing information about the goals of concurrent planning, time frames and permanency options. The social worker must explain to the parents that developmental and emotional harm can result from a child placed in foster care and the urgency to get the child out of foster care, either through reunification with the parent(s) or into a legally permanent home.
- Informing the parents about the consequences of not following through with the case plan.

## ~~Reasonable and Active Efforts to Achieve Permanence~~ ~~Permanency Goals~~

~~Child welfare agencies are required to provide reasonable or Active Efforts in the case of an Indian child, to achieve permanence for children in out-of-home care.~~

~~Considerations for reasonable efforts may include:~~

- ~~• Providing family interaction.~~
- ~~• Offering of services consistent with the Permanency Plan goals.~~
- ~~• Providing case management services through an assigned child welfare professional.~~

~~Active Efforts as defined by WICWA must include:~~

- ~~• Request tribal agency to assist in evaluation of the case.~~
- ~~• Representatives of child's tribe were invited to participate in custody proceeding at earliest point.~~
- ~~• Extended family members notified and consulted to provide structure and support~~
- ~~• Provide family interaction.~~
- ~~• All available family preservation strategies were offered or employed.~~
- ~~• Community resources were offered and actively assisted in accessing those resources.~~
- ~~• Monitoring progress and client participation in services was provided.~~
- ~~• Alternative ways of addressing the needs were provided if services did not exist or were not available to the family.~~

For each permanency option there are specific criteria that need to be considered for appropriateness when choosing that goal and identifiable [achievement in order progress](#) to consider the child to have obtained permanence.

Reunification represents a specific event within ongoing case management. -It is possible to reunify after [parents/caregivers have the parent/caregiver has](#) made progress related to issues associated with safety threats and parent/[caregiver guardian](#) protective capacities. The

essential question is, “Can the child be kept safe within the home if ~~he or she is~~they are returned home?” The answer to this question is based on the determination that there has been sufficient change related to parent/caregiver/guardian behavior or ~~adjustment or~~ change in circumstances ~~associated with conditions for return~~ which justify returning the child home. The safety assessment results will assist the ~~ongoing services worker~~child welfare professional in determining if reunification can occur with or without an in-home safety plan.

## **Trial Reunification**

Child ~~Welfare~~welfare professionals shall consider the use of trial reunification ~~as a way~~ to provide a structured ~~way~~approach to ~~work~~progress towards reunification with the child's ~~parents or home of removal~~parent/guardian. When an in-home safety plan can be implemented, a trial reunification may be appropriate.

Wis. "Trial reunification"Stat. s. 48.358(1)(a) states, "'trial reunification' means a period of ~~seven~~7 consecutive days or longer, but not exceeding 150 days, during which a child who is placed in an out-of-home placement under ~~s. 48.355 or 48.357~~ Wis. Stat. s. 48.355 or Wis. Stat. s. 48.357~~State~~ resides in the home of a relative of the child from which the child was removed or in the home of either of the ~~child's~~child's parents for the purpose of determining the appropriateness of changing the placement of the child to that home."

Note: Open cases with dispositions of Trial Reunification at age 18 or older ~~still~~qualify for independent living (IL) services.

For additional information, refer to page ~~190~~173, "Trial Reunification" and Wis. Stat. s. 48.358 or Wis. Stat. s. 938.358 ~~Wis. Stats.~~

## Reunification Criteria and Process

Reunification is defined as a child returning to the child's parents or the home from which ~~he or she was~~they were removed.

Prior to the decision to reunify ~~for a Child Protective Services case~~, the child welfare professional must re-assess safety. Reunification can occur when the safety assessment and analysis of impending danger indicates one of the following:

- Child safety can be controlled through an in-home safety plan.
- Parent/~~caregiver~~guardian protective capacities are sufficiently enhanced to manage threats to child safety.
- It is in the ~~child or Indian~~ child's best interest to reunify.

When reunification ~~is~~occurs with a non-~~custodial~~household parent, the agency shall continue to work with the non-~~custodial~~household parent to obtain a family court order that supports the current situation. Until the family court order is modified the custody/placement with that parent. The agency shall not close ~~its~~the family's case until this process is completed. a family court order is in place that supports the reunification arrangement.

Prior to reunification for all case types the:

- ~~Worker~~Child welfare professionals must consult with ~~his/her~~their supervisor, or designee.
- Agency must ensure court approval.
- ~~Worker~~Child welfare professionals must develop a plan that addresses how changes in family dynamics will be managed.

## Documentation Requirement in the Permanency Plan for Choosing the Goal of Reunification

[When reunification is selected as the goal the following information must be documented to support and justify this decision.](#)

- The conditions, if any, upon which the child will be returned safely to [his or her/their](#) home, including any changes required to the [parents'parent's/guardian's](#) conduct, the child's conduct, or the nature of the home, must be documented in the plan.
- Agency efforts to achieve this goal.

Reunification does not equal case closure. -When threats to child safety can be controlled through an in-home safety plan, trial reunification, or both, the child should be returned home.

Once the child is reunified, the child welfare professional will continue to work with the [parents/caregiversparent/guardian](#) on behavioral changes that will result in sufficient [caregiver](#) protective capacities to protect the child from the identified impending dangers and ensure safety, [and](#) permanence, ~~and stability through the CPS in-home standards.~~

## Termination of Parental Rights (TPR)

The federal Adoption and Safe Families Act (ASFA) ~~(D)~~, 42 USC 675-(5)(E) and 45 CFR 1356.21(i)~~),~~ specifies that a TPR petition must be filed for a child who has been in out-of-home care for 15 of the last 22 months ~~-, unless certain exceptions apply (see below).~~ The timeframes do not consider whether or not an adoptive resource has been located for the child.

~~Exception to~~ [For specific statutory requirements, refer to Wis. Stat. s. 48.417.](#)

### [Documentation Requirement](#)

When an agency does not file a TPR petition within the ASFA timelines, one or more compelling reasons must be documented [as an exception.](#) ~~For additional information, refer to DCFS Memo Series 2007-18, "in the eWISACWIS document Permanency Plan ASFA ExceptionAddendum.~~

### [ASFA Exceptions to Filing a TPR Petition](#)":

- [Child is placed with a fit and willing relative.](#)
- [Compelling reason\(s\) why termination of parental rights is not in the child's best interest.](#)
- [Reasonable efforts to safely return the child to their home have not been made.](#)
- [Grounds for involuntary TPR do not exist.](#)

## Adoption Criteria and Process

Adoption is intended to provide ~~the~~ legal ~~guarantee of~~ permanence for a child.- Any decision to pursue an adoption should minimally include the following:

- The proposed adoptive resource demonstrates protective capacities, stability, nurturing care, and the ability to provide a lifelong commitment and relationship with the child.
- The child welfare professional has explained to the proposed adoptive resource the eligibility of ~~the child for~~ continued financial assistance through Adoption Assistance and for continued Medical Assistance through Title XIX for the child.

When adoption is identified as the permanence goal for a child ~~in out-of-home care~~ the following ~~needs steps need~~ to be completed by the child welfare professional ~~and submitted to the Public Adoption Agency: the Adoption Readiness form (DCF-F-CFS2370) and a legal permanency status rating (See Appendix IV, page 300):~~:

~~If Make a referral to the child is assessed to be ready for assigned public adoption and the legal permanency status is "good" or better, then:~~

- ~~The child welfare professional shall make a Permanency agency using form Adoption Readiness referral and Referral (DCF-F-CFS2370-E) to the regional adoption contract supervisor.)~~.
- ~~Participate in case collaboration with the public adoption agency if indicated in Part II of the Adoption Readiness and Referral (DCF-F-CFS2370-E).~~
- ~~Complete the Public Adoption Case Transition Checklist (DCF-F-5056-E) within 30 days of TPR disposition. It is recommended that the checklist be started as early as TPR filing.~~

Adoption may occur when all three ~~occur~~ of the following conditions are met:

- The child is legally free for adoption
- There is an identified and approved adoptive resource.
- The court finalizes the adoption in a court hearing.

## Documentation Requirement in the Permanency Plan for Choosing the Goal of Adoption

~~If adoption is the goal, the plan must include the following to support that decision:~~

- The rationale for choosing the goal of adoption.
- The efforts of the agency to achieve the goal of adoption.

Note: A child who is adopted after age 16 is eligible for independent living services via the contracted Transition Resource Agencies (TRAs) starting at age 18. The child welfare professional should inform the child and their family of their IL eligibility and collaborate with the TRA as they would for other IL-eligible youth transitioning from care. ▸



## **Transfer of Guardianship Criteria and Process**

~~When reunification is not possible and an individual will assume the legal and financial responsibilities associated with guardianship as specified in s. 48.977 Wis. Stats, or Ch. 54 Wis. Stats., a transfer of guardianship is appropriate. With a transfer of guardianship, the birth parent(s) retain their parental rights, but with limitations placed on them by the courts or guardians.~~

### **Transfer of Guardianship may occur when**

Guardianship is a long-term permanency option for children when reunification cannot occur. Guardianship transfers the duty and authority to make important legal decisions for the child to an individual without severing the child's legal relationship with their parents and other family members.

Guardianship can be transferred pursuant to Wis. Stats. ss. 48.977, 48.9795 or under a substantially similar tribal court order. The child welfare professional assesses the relationship between the child and their proposed guardian(s) demonstrates protective capacities, stability, nurturing care, and the ability to provide a lifelong commitment and relationship with confirms that the child.

The proposed guardian(s) demonstrates the capacity to manage the relationship with the child's birth parents including any contact is willing and able to care for the child long-term. This includes maintaining the parent's right to reasonable visitation with their child after permanence is achieved. The child welfare professional should consult with the child after permanence has been achieved.

The agency child welfare professional has explained to , their parents, and the proposed guardian(s) to discuss the supports and services available to them under adoption and the eligibility (see Permanency Options, Appendix VI, page 309) of continued financial assistance through: guardianship.

### **Subsidized Guardianship**

Applies to guardianships established under s. 48.977 Wis. Stats., or under a substantially similar tribal law in Wisconsin and to children and proposed guardians that meet the eligibility criteria established by this policy, regardless of whether the child is placed in Wisconsin or out-of-state.

If the child and caregiver are eligible for a subsidized guardianship an eligibility determination must be made.

Subsidized guardianship supports the legal permanence option of guardianship and provides financial support to the guardian to offset the costs of caring for the child after permanency is achieved. Pursuant to Wis. Stat. s. 48.623 and Wis. Admin. Code s. DCF 55., the child and their prospective guardian(s) must meet specific eligibility criteria prior to the appointment of guardian. This program only applies to guardianships established under Wis. Stat. s. 48.977 or under a substantially similar tribal court order. The prospective guardian enters into a subsidized guardianship agreement with the child welfare agency prior to the guardianship

being established. After guardianship is established under Wis. Stat. s. 48.977 or under a substantially similar, the underlying court order placing the child or continuing the placement of the child outside their home must be dismissed or terminated.

Note: A child entering ~~a guardianship established under s. 48.977 Wis. Stat. s. 48.977~~ guardianship, Wis. Stat. s. 48.9795 guardianship, or guardianship under substantially similar tribal law on or after their 16<sup>th</sup> birthday following time in court-ordered OHC ~~Stats.~~ after age 16 is eligible for independent living (IL) services via the contracted Transition Resource Agencies (TRAs) starting at age 18. The child welfare professional should inform the child and guardian of their IL eligibility and collaborate with the TRA as they would for other IL-eligible youth transitioning from care.

### **Eligibility for Subsidized Guardianship Child**

- ~~A prospective child as defined by s. 48.02(2) Wis. Stats., is eligible to receive subsidized guardianship if the agency determines that all of the following apply:~~
- The child must meet the following eligibility criteria: Child has been removed from his or her~~their~~ home pursuant to a~~under:~~
  - o A voluntary placement agreement under Wis. Stat. s. 48.63 Wis. Stats., or under~~or~~ a substantially similar tribal law ~~or under a of a tribe located in Wisconsin, or~~
  - o A Wisconsin court order or a substantially similar tribal court order containing a finding that continued placement of the child in his or her~~their~~ home would be contrary to the welfare of the child.
- The child is~~Child has been~~ placed within the prospective relative or “like kin” ~~guardian’s home~~ for at least six consecutive months immediately preceding the establishment of the~~before~~ guardianship is established.
  - o ~~It has been determined that reunification and~~ If the child is an Indian child and subject to the jurisdiction of a circuit court, placement preferences under Wis. Stat. s. 48.028 (7) (b) or, if applicable, Wis. Stat. s. 48.028 (7) (c) must be followed, unless the court found good cause, as described in Wis. Stat. s. 48.028 (7) (e), for departing from that order. ~~adoption are not appropriate permanency options for the child. Placement preferences as required under WICWA shall be followed with any proposed permanent option for an Indian child and notice shall be sent to the tribe as required. (s. 48.977(4)(g)4. Wis. Stats.)~~
- Reunification or adoption/customary adoption are determined to not be in the child’s best interest.

If

- ~~Tribal traditions shall be considered when choosing permanency options in the best interests of an Indian child.~~
- The child demonstrates a strong attachment to the prospective guardian; and if the child is age 14 years old or older, he or she~~the child~~ has been consulted regarding the guardianship agreement.
- The guardianship is pursuant to~~Child has a strong attachment to the caregiver.~~

- ~~The s. 48.977 Wis. Stats., or a substantially similar tribal law in Wisconsin.~~

### Prospective Guardian

A prospective guardian must meet the following eligibility criteria:

- Prospective guardian is a relative or fictive kin to the child.
  - o Fictive kin is defined as a person who meets all of the following criteria may receive subsidized guardianship payments on behalf of an eligible child: had a significant relationship with the child or child's family before the child's placement in out-of-home care, OR
- The individual is a prospective guardian as defined by s. 48.977 Wis. Stats.
  - o The prospective guardian is the eligible child's relative as defined by s. 48.02(15) Wis. Stats. or has a "like-kin" relationship with the child. A "like-kin" relationship is an individual who has an existing or the child's family-like relationship with during the child or child's family prior to the child's entry into placement in out-of-home care placement, and all the following apply:
    - The person is a foster parent who has a significant emotional connection to the had a relationship with the child for at least two years.
    - The child and has been placed in out-of-home care for 15 out of the individual does not meet the relative definition under s. 48.02(15) Wis. last 22 months; and State.
- The prospective Prospective guardian is a licensed foster parent and approved for subsidized guardianship by the department or county agency and all adults residing in the guardian's home meet the requirements specified in s. 48.685 Wis. for State.
- The eligible child has resided with the prospective guardian in the prospective guardian's residence for at least six (6) consecutive months immediately preceding the establishment of the before guardianship- is established.
- The Prospective guardian has a strong commitment to permanently caring care for the child. long term.
- Prior to being named guardian of the child, the guardian entered into a subsidized guardianship agreement with the agency.
- The guardian has obtained legal guardianship under s. 48.977 Wis. Stats. or a similar tribal law after entering into a subsidized guardianship agreement or a substantially similar tribal law in Wisconsin and the underlying CHIPS, JIPS, or tribal order has been vacated after the subsidized guardianship agreement has been negotiated and finalized with the department or county agency.

For more information about Subsidized Guardianship go to:

<https://dcf.wisconsin.gov/guardian/subsidized> <https://dcf.wisconsin.gov/cwportal/sg>

### Documentation Requirement in the Permanency Plan for Choosing the Goal of Guardianship

If Guardianship is the goal, the plan must include the following to support that decision:

- The rationale for choosing the goal of guardianship.
- ~~The~~Indicate whether the child's parent(s)/guardian(s) agree with the goal.
- Describe what ~~efforts of~~have not been made by the family to enhance any diminished protective capacities associated with the identified impending danger threat(s).
- Articulate what efforts have been made by the agency to connect the family to all necessary services to address the identified impending danger threat(s) and achieve the chosen goal.
- Identify if the child is with an out-of-transfer-of-home provider that will become guardian.
- Identify if an eligibility determination has been made for subsidized guardianship.

Guardianships can be ~~vacated~~terminated if a parent or guardian petitions the court to have the guardianship ~~vacated~~terminated. Prior to ~~vacating~~terminating a Chapter 48 guardianship, the court ~~will~~should notify the child welfare agency of any petition to ~~vacate~~terminate the guardianship. -If a guardianship is ~~vacated~~terminated, another person may be ~~named as an interim caretaker, or in the event of the guardian's death or incapacitation another person may be named~~appointed as a successor guardian in accordance with ~~Chapter DCF 55 and Wis. Stat. s. 48.62348.9795(8) or Wis. Stat. s. 48.977623 and 48.977~~Wis. Stats. (5m).

Permanence ~~has~~is not ~~been~~considered achieved if the agency is unable to achieve safe case closure, keeps the out-of-home care placement open ~~for reimbursement purposes~~ to continue to make foster care payments, or the court continues the out-of-home care placement. In this case all permanency-planning requirements are still in effect, including family interaction planning.

### **Permanent Placement with a Fit and Willing Relative**

Permanent Placement with a fit and willing relative may occur when:

- The relative demonstrates to the agency the capacity and ability to ~~cooperate~~work with the ~~birth~~child's parent(s)/guardian(s) to manage conflict and obtain the necessary ~~signatures from the birth parent~~consent to maintain the child's health and well-being needs.
- The relative must also demonstrate the ability, capacity, and commitment to provide long-term for the child's safety, permanence, and well-being needs.
- The relative must meet placement criteria for a relative as defined by Wis. Stat. s. 48.02(15)~~Wis. Stats.~~.
- The ~~agency~~ child welfare professional has explained to the relative the supports and services available to them under other more permanent options such as ~~adoption guardianship with either Subsidized Guardianship payments or Kinship Care payments for the child and the eligibility requirements for voluntary Kinship Care under Ch. DCF 58~~guardianship or adoption.

### **Documentation Requirements in the Child's Permanency Plan**

#### **Documentation Requirements in the Child's Permanency Plan**

If placement with a fit and willing relative is the goal, the plan must include the following to support the decision:

- ~~• The rationale for choosing the goal of permanent placement with a fit and willing relative.~~
- ~~• The efforts of the agency to achieve permanent placement with a fit and willing relative.~~
- ~~• The rationale for choosing the goal of permanent placement with a fit and willing relative.~~
- The efforts of the agency to achieve permanent placement with a fit and willing relative.
- ~~Admin. Rule for continued financial assistance.~~

## Other Planned Permanent Living Arrangements

Other Planned Permanent Living Arrangement (OPPLA) is the least preferred option for a child and lacks legal permanence for the child. OPPLA, which includes long-term foster care and sustaining care, is an arrangement that is planned and intended to establish permanency for a child through a supportive relationship with a significant adult(s) that will endure over time, minimally until the child reaches the age of 18 years old. OPPLA ~~may~~ can only be a permanency goal for children age 16 and over. ~~Children placed under a tribal court order (i.e. ICWA) who are under age 16, may continue with a permanency goal of OPPLA until September 29, 1997. Caution should be used when choosing OPPLA for any child.~~ OPPLA is not intended ~~to be used for as a short-term option or intended~~ for a temporary placement ~~plan~~ arrangement and should not be confused with ~~Independent Living~~ independent living services.

This ~~shall be the goal of choice~~ may only ~~be used~~ when there is a finding by the court that the other four goals are not in the ~~child or Indian~~ child's best interests.

The child welfare professional must continue the following efforts:

- Continue diligent efforts to locate and engage non-~~custodial~~ household parents, ~~fathers~~, and ~~other~~ relatives as resources for the child.
- ~~Review the case file in detail and talk with those familiar with the child to locate~~ Locate and identify relationships or significant connections that may have been missed or that may be developing, i.e., teachers, medical caregivers, ~~volunteers~~ volunteers, etc. to see if a permanent resource can be made.
- Talk to the child about the important people in their lives, who they look up to and who they feel they can count on to "be there" for them.
- Exploration of the child's relationships as they develop and change over time.
- For relationships that have been identified, evaluate and screen, support and nurture such relationships through interaction, information sharing, and activities that build on the foundation that has been established.
- Continue intensive and ongoing efforts to return the child to the child's home or to place the child for adoption, with a guardian, or with a fit and willing relative. -This should include searches of social media.
- Continue to ensure the child has regular, ongoing opportunities to engage in age or developmentally appropriate activities and to ensure that the child's ~~caregiver~~ out-of-home care provider is applying the Reasonable and Prudent Parent Standard to decisions concerning the child's participation in those activities.

## Documentation Requirements

The following must be documented in the child's Permanency Plan in eWISACWIS:

- The rationale for choosing the goal of OPPLA.
- The continued efforts of the agency to achieve the other permanence options for the child, unless there is a Sustaining Care Contract (~~s. 48.428, Wis. Stat.~~ s. 48.428) with the ~~caregiver~~ out-of-home care provider.
- The intensive, ongoing, and unsuccessful efforts made by the agency to return the child home or place the child for adoption, with a guardian, or with a fit and willing

relative, including through efforts that utilize technology, such as social media, to find the child's biological or adoptive family members.

The following must be documented on the permanency review or hearing results template in eWiSACWIS:

- Confirmation that the court or administrative body discussed with the child his/ her/their desired permanency outcome.
  - A finding by the court or administrative body that OPPLA is the best permanency plan for the child.
- ~~Under changes to WI Stats. Act 128, sustaining care contracts for children under the age of 16 are voided and no new sustaining care contracts may be entered into as of February 5, 1996.~~

~~If resources are established for the child, but there are barriers to legal permanence for the child through adoption or guardianship, agencies may want to consider using a permanency pact with the child and committed adult(s) to establish a more formal commitment to an enduring relationship with the child. A permanency pact that has been developed by FosterClub, a national organization, can be found at: <https://www.fosterclub.com/foster-parent-training/course/fosterclubs-permanency-pact>~~

### Transitioning a Child to Permanence

## Transitioning a Child to Permanence

### Requirements

The agency must assist and prepare the child for the transition to permanence. - Transition preparation must identify and address long-term needs consistent with the child's age and development. -The ~~agency~~ child welfare professional shall ensure that the transition is known and agreed to with others involved in implementing the transition to permanence.

A child's readiness to proceed with permanence is aided by conscientious preparation by child welfare professionals before, during, and after transitions to:

- Prepare the child and family.
- Assess any current or ongoing needs.
- Develop a process for the transition that is in the best interests of the child considering ~~his/her~~their emotional, behavioral, and psychological needs.

Child welfare professionals must assess the steps taken earlier to prepare the child and permanent caregiver(s) to determine any additional and on-going services needed to plan for the child's safety, emotional readiness, and overall functioning, and the family's readiness ~~for~~to provide permanent ~~placement~~care.

When multiple children of the same family are involved in achieving permanence ~~from their out-of-home care settings~~, the plans to transition to permanence should be child-specific with efforts made to prevent re-entry. -For reunification, consideration should be given to the timing of each child's reunification and the ~~parents'~~parent(s)/guardian(s) capacity to manage the reintegration of each family member into the family unit and each child's specific needs for transitioning. -The use of a ~~Trial Reunification (see page 190)~~trial reunification may also be warranted.

Safety, ~~and~~ permanence, ~~and stability~~ are achieved within a family relationship that offers safe, ~~stable~~, and committed parenting, unconditional love and lifelong support, and legal family membership status.

Child welfare professionals need to recognize that older adolescents are in a crucial transition phase toward self-sufficiency. -Therefore, healthy relationships and supportive individuals, including foster parents, friends and other adults in the community are extremely important to youth exiting out-of-home care, as well as opportunities to practice life-skills; mechanisms for assuring the involvement in decisions affecting their lives; assuring youth's familiarity with community resources and the establishment of transitional living resources; ~~;~~ Lifelong connections to caring adults are paramount to the success of older youth exiting out-of-home care.

### Independent Living Planning

## Independent Living Planning Requirements

If the child is 14 years of age or over and has been in out-of-home care for at least six months, the child becomes eligible for independent living (IL) supports and services. At that time, an independent living plan is required to specify the programs and services that will be, or are being, provided to assist the child in developing life-skills while in care and preparing for the transition from out-of-home care to stability and self-sufficiency as a young adult. This plan must be informed by an independent living skill assessment (e.g. Daniel Memorial or Casey Life Skills Assessment) and shall be integrated into the child's permanency and safety planning. **So long as the child remains in a qualifying out-of-home care placement, their child welfare professional and/or IL Coordinator is responsible for coordinating IL supports and services and fulfilling independent living plan and documentation requirements.**

The Permanency Plan must be developed in consultation with the youth and two other individuals selected by the youth who are not the youth's child welfare professional or foster parent. The agency may reject a person selected by the youth if the agency has good cause to believe that the person would not act in the best interests of the youth. -The Permanency Plan must include all of the following:

- The anticipated age at which the child will be discharged from out-of-home care.
- The anticipated amount of time available in which to prepare the child for the transition from out-of-home care to stability and self-sufficiency as a young adult.
- The anticipated location and living situation of the child on discharge from out-of-home care.
- A description of the assessment process, tools, and methods that have been or will be used to determine the services that are, or will be, provided to assist the child in preparing for the transition from out-of-home care to stability and self-sufficiency as a young adult.
- The date the child received the Handbook for Youth in Foster Care, which describes the rights of the child with respect to education, health, visitation, and participation in court proceedings, ~~and~~.
- The rationale for each program or service that is or will be provided to assist the child in preparing for the transition from out-of-home care to stability and self-sufficiency as a young adult.
- ~~the~~The time frames for delivering those programs or services, and the intended outcome of those programs or services. -Programs and services include but are not limited to:
  - Successful high school education, postsecondary education, or training.
  - Career planning.
  - Employment.
  - Safe, stable, and affordable housing.
  - Home maintenance.
  - Transportation.
  - Health and medical.
  - Cultural competency.
  - Knowledge and use of community resources and support systems.
  - Financial self-sufficiency.
  - Other life skills development goals as identified by the youth.

If the youth is age 14 or older, the agency must provide the youth with a copy of ~~his or her~~their credit report or a letter from the agency verifying a credit check was conducted and contained no evidence of credit abuse. The report copy or letter must be provided annually. If there are any inaccuracies in the credit report, the agency shall make efforts to amend these errors.

If a youth has been in care for six (6) months or longer and reaches the age of majority, the agency responsible for providing services to the youth must ensure the child is in possession of the following:

- Certified copy of their birth certificate

|

## **National Youth in Transition Database (NYTD)**

NYTD is a federal initiative to collect survey responses directly from youth with out-of-home care experience as an adolescent. Survey results are used to inform national and state policies. The NYTD survey asks youth questions about their financial self-sufficiency, any experience with homelessness, educational attainment, positive adult connections, high-risk behavior, and access to health care and insurance.

The child welfare professional or designee is required to ensure the NYTD requirement is met for youth in an out-of-home placement. At no time should anyone other than the identified youth complete the survey.

DCF's NYTD website (<https://dcf.wisconsin.gov/ys/nytd>) provides background information about NYTD, including youth eligibility, FAQs, tip sheets to help child welfare professionals and other supportive adults discuss NYTD with youth, and more resources.

### **Youth at age 17**

Any youth in out-of-home care on their 17<sup>th</sup> birthday or any of the 45 days that follow is a part of the baseline population for the NYTD outcomes survey process.

Youth in the baseline population must complete their survey within 45 days of their 17<sup>th</sup> birthday.

While DCF and the UW Survey Center (UWSC) play a primary role in the management, outreach and survey completion functions, county agencies also have a role in the youth successfully completing their survey, as outlined below. Youth may be more able and willing to complete the survey with the support and encouragement of their child welfare professional – whether because the child welfare professional reminds them of the importance of their survey responses, provides them the technology on which to complete the survey, or helps the youth understand the survey questions.

The process is as follows:

- On or near the youth's 17<sup>th</sup> birthday, UWSC mails an initial letter to the youth containing a customized web link and passcode to access the web-based survey. UWSC includes a \$5 bill in the initial letter as a token of appreciation for the youth's time.
- At the same time, UWSC sends the youth's child welfare professional an e-mail with the same web link. An eWiSACWIS tickler will notify child welfare professionals that the NYTD Outcomes Survey for the 17-year-old must be completed within 45 days after the youth's 17<sup>th</sup> birthday. Upon receiving the e-mail, child welfare professionals should contact the youth to make sure the youth received UWSC's letter and the \$5 bill. If the youth did not receive the letter, or if the youth requires additional encouragement, child welfare professionals can send the youth the link in their e-mail, which provides direct access to the survey.

*NOTE: If the youth has internet access, the youth is encouraged to take the survey right away. If the youth does not have internet access and/or needs assistance, the child welfare professional should arrange a time with the youth to take the survey.*

- In addition to the initial letter to the youth, UWSC will send additional reminder letters; UWSC will suspend this effort once the youth completes the survey, if the youth informs UWSC that they do not plan to complete the survey, or when 45 days have passed since the youth's 17<sup>th</sup> birthday, whichever comes first.
- If a youth does not complete the survey after repeated letters, UWSC staff attempt to survey the youth via telephone.
- In addition to direct outreach to the youth, UWSC will also continue outreach to the identified child welfare professionals and other collateral contacts in the youth's life.
- Once the youth completes the survey within the 45-day timeframe, UWSC sends the youth \$20. Except in extenuating circumstances, youth who complete the survey late (outside of the 45-day timeframe) will not receive the \$20.

Survey results, when authorized by the youth, will be downloaded onto the youth's IL page in eWiSACWIS.

To ensure information is collected in a timely manner, it is recommended that workers arrange their monthly visit to take place immediately following the youth's 17<sup>th</sup> birthday to provide opportunity for the youth to complete and submit the survey within the required 45 days.

In addition to understanding the NYTD process and assisting qualifying youth as appropriate, child welfare professionals can improve the success of DCF and UWSC's outreach to youth by keeping youth contact information current in eWiSACWIS. This includes while they are in out-of-home care and in anticipation of their exit from care. Because youth are asked to complete NYTD again at ages 19 and 21, it is crucial to have correct and current contact information. This information must be entered on the Contacts Tab on the IL page in eWiSACWIS.

### **Youth at Ages 19 and 21**

Each youth who participated in the NYTD Outcomes survey as part of the baseline population at age 17 becomes part of the follow-up populations at ages 19 and 21. Those who participated in the data collection at age 17, but not 19 for a reason other than being deceased, remain a part of the follow-up population at age 21. These youth must complete the survey within the federal reporting period in which a youth's 19<sup>th</sup> and 21<sup>st</sup> birthdate falls. While youth eligible to complete the survey at age 17 must do so within 45 days of their 17<sup>th</sup> birthday, youth eligible at age 19 or 21 do so within the 6-month window in which their birthday falls. For example, a youth who participated at age 17, whose 19<sup>th</sup> or 21<sup>st</sup> birthday falls between the reporting period of October 1<sup>st</sup> through March 31<sup>st</sup>, must complete the survey anytime between October and March. Likewise, a youth whose 19<sup>th</sup> or 21<sup>st</sup> birthday falls between April 1<sup>st</sup> through September 31<sup>st</sup> must complete the survey between April and September.

Even though many [youthyouths](#) are out of out-of-home prior to ages 19 and 21, the child welfare professional still has a role to play. For 19- and 21-year-olds still in care, the child

welfare professional can encourage the youth to complete the survey and assist them as needed. For those 19- and 21-year-olds no longer in care but for whom the child welfare professional still has contact information or with whom the child welfare professional is still in touch, the child welfare professional can play a crucial role in encouraging the young person to complete the NYTD survey.

The process is as follows:

- For 19-year-olds and 21-year-olds, UWSC mails an initial letter at the beginning of the federal reporting period. For example, if a youth's birthday falls between October 1<sup>st</sup> and March 31<sup>st</sup>, UWSC will send the youth a letter on or near October 1<sup>st</sup>. The initial letter will contain a customized web link and passcode to access the web-based survey. UWSC includes a \$5 bill in the initial letter as a token of appreciation for the youth's time.

*NOTE: In order to assist the UWSC with its outreach efforts, child welfare ~~professional~~[professionals](#) should update contact information in eWiSACWIS for youth who have aged out of care as frequently as possible.*

- UWSC sends frequent reminder letters to the youth until the survey is completed.
- If a youth does not complete the survey after repeated letters, UWSC staff attempt to survey the youth via telephone.
- In addition to direct outreach to the youth, UWSC will also continue outreach to the identified child welfare professionals and other collateral contacts in the youth's life.
- Once the youth completes the survey within the 45-day timeframe, UWSC sends the youth \$20. Except in extenuating circumstances, youth who complete the survey late (outside of the 45-day timeframe) will not receive \$20.

As with the NYTD survey at age 17, survey results, when authorized by the youth, will be downloaded onto the youth's IL page in eWiSACWIS.

## Independent Living Transition to Discharge Plan

If the child is 17.5 or older while in out-of-home care, the focus of a youth's independent living plan changes from one of life-skills development while in out-of-home care to transitioning from care as a self-sufficient young adult. The child welfare professional must create an Independent Living Transition to Discharge (ILTD) plan for each youth who will exit care on or after turning 18. The ILTD must be started no later than when the youth turns 17.5 and be finalized no later than 90 [days](#) prior to the youth's 18<sup>th</sup> birthday.

The [Child Welfare](#) [child welfare](#) agency must identify any services, persons, and other entities that will support the youth through the transition and beyond and must assist the youth to establish contact with such individuals, agencies, and service providers prior to discharge from out-of-home care. -This includes (but is not limited to) efforts to assist the youth in reestablishing contacts with parents/[guardians](#), former foster parents, or other [persons/people](#) significant to the youth.

Appropriate support and services should complement the youth's efforts to achieve self-sufficiency both prior to and upon discharge up to age 23. The ILTD, completed via the ILTD tab on the youth's IL page in eWiSACWIS, must contain provisions to ensure that specific and well-developed resources are identified, and plans are in place for a youth who is transitioning to adulthood. These include, but are not limited to:

- The youth's anticipated date of and age at discharge from out-of-home care.
- Obtaining and securing housing.
- Managing health care needs, including education about the importance of designating another individual to make health care treatment decisions on their behalf if the youth becomes unable to make such decisions and does not already have someone identified.
- Continuing education.
- Building a relationship or attachment to a supportive adult(s)/mentor(s).
- Employment services.
- Workforce support.
- Continuing necessary supportive services after leaving out-of-home care.

Obtaining required essential documents including but not limited to an original birth certificate, state identification card, social security card and health and education records (refer to DCF Memo Series 2007 – 14).

While the child welfare professional is responsible for documentation and completing the plan in eWiSACWIS, the youth should be encouraged to lead ILTD conversations related to each of these identified areas. The plan should be thorough and detailed, specifically referencing when a goal will be achieved, how, and with assistance from whom (if applicable). Supportive adults, as identified by the youth, should be part of the planning process.

The ILTD is required even if a youth is missing from care at 17 ½ or later; the child welfare professional and other supportive adults should do their best to complete the plan on the youth's behalf and engage the young person in discussion and plan development when they are no longer missing from care.

The ILTD is also required even if the youth remains in care after age 18. It should be started no later than 17 ½ and updated on a regular basis to reflect the evolution of the youth's independent living needs and goals and transition planning, leading up the termination of their court order or Voluntary Transition to Independent Living Agreement. This applies to youth in extended care.

Even if an ILTD is not completed for youth adopted or in [ChWis. Stat. s. 48.977](#) guardianship, [Wis. Stat. s. 48.9597](#) guardianship, or guardianship under substantially similar tribal law on or after ~~age 16, the~~ [their 16<sup>th</sup> birthday following time in court-ordered out-of-home care](#), the child welfare professional and/or IL Coordinator shall make the youth aware of their eligibility [for independent living services and supports](#) prior to case closure.

An ILTD training video is available here:

<https://www.youtube.com/watch?v=a0DNPd6lojA&feature=youtu.be>. For more information see page [212194](#), "Independent Living Transition to Discharge Plan" and Appendix [X4](#) Independent Living Transition to Discharge Plan (Additional Information) on page [320271](#).

### **Division of Milwaukee Child Protective Services Permanency Support**

The ongoing case management agency provides a customized set of supports and services for children and families. These supports and services help resolve problems before they escalate and decrease the need for prolonged involvement in the CPS system. They also help ensure that newly reunified families receive the assistance they need to continue providing a safe home for their children after CPS exit their lives.

#### **Permanency Support Requirements**

The ongoing case management agency continues to work with families after reunification for a twelve-month period. During this time, the family legal status will fall into one of two categories:

1. Court order remains in effect. This means the child remains in the legal custody of the DMCPD during the permanency support period and the ongoing case management agency remains responsible for case plan completion.
2. Court order is dismissed or allowed to expire. This means family participation is voluntary and ongoing case management remains available until the permanency support period has ended.

Based on family need, the ongoing case management agency must provide all of the following:

- Services and supports for 12 months following the achievement of reunification.
- Periodic contact with family based on court requirements and family need.
- Services that are developed and mutually agreed upon with the family.

### **Case Closure for Child Protective Services Cases**

Safety intervention responsibilities are incomplete until certain assessments and conclusions are reached. It is important to emphasize that in no instance should a case be recommended for case closure if a child is not safe.

Prior to case closure, the agency should arrange and facilitate a process to engage family members, service providers, and informal supports in developing a plan for identifying and meeting child and family needs after agency involvement has ended.

The first safety intervention responsibility at case closure is safety assessment. -The assessment must include information concerning the absence or presence of impending danger threats.

The second responsibility is concerned with assessing [caregiverparent/guardian](#) protective capacities. -The [caregiver'sparent/guardian's](#) protective capacities should be sufficient to protect against threats that continue to exist or might emerge. -The [caregiverparent/guardian](#) should fully embrace and act effectively in their protective role.

The final safety intervention responsibility is to review the need for a "safety net" followed by establishing one as appropriate. -A safety net refers to arrangements, connections, and supports within the family network or community that can be created, facilitated, and reinforced that reassure the caregiver, provide resources, and assistance.

To assist a family in achieving sustainable change and, ultimately, safe case closure, the child welfare professional must apply safety and permanency related concepts and criteria as part of their intervention responsibilities. -This includes:

- Continually reassessing impending danger; evaluating and confirming the sufficiency, feasibility, and sustainability of safety plans and when necessary, making immediate adjustments to ensure safety interventions are the most appropriate and least intrusive for the family.
- Engaging parents/[caregiversguardians](#) and children in the assessment and planning process to:
  - Identify behavioral change strategies that address impending danger by enhancing [caregiverparent/guardian](#) protective capacities.
  - Identify lasting and permanent connections for the child and family.
- Evaluating progress related to the parent/[caregiverguardian](#) establishing and maintaining a safe and permanent home for their children.

Prior to case closure, the child welfare professional must have face-to-face contact with family members and the family team, if involved, to:

- Support the family in determining how their needs will be met after agency involvement ends.
- Inform the family of the date that ongoing child protective services will end.

Other reasons a case may close include when a child reaches the age of majority or a court

### **Safety at Case Closure**

~~Safety intervention at case closure relates to confirming there exist no impending danger threats and that sufficient parent/caregiver protective capacities exist to protect the child from impending danger threats.~~

### **Planning for Safe Case Closure**

The agency child welfare professional must ensure the transition to case closure is communicated to others involved with the case.

Stability and safe case closure is achieved by:

- ~~A formal safety assessment confirms the absence of impending danger threats (Appendix II page 295).~~
- ~~Parent/caregiver protective capacities are sufficient.~~
- Preparing the child and family.
- Assessing any current or ongoing needs.
- Developing a process for the transition in the best interests of the child considering their emotional, behavioral, and psychological needs.

The child welfare professional uses the following criteria to determine if a safe home exists and permanence has been achieved:

- Parents/~~caregivers~~guardians have made sufficient progress in addressing case goals (enhanced protective capacities).
- Formal or informal supports are available and accessible to the family, as needed, after the case is closed with the agency.

A case may not be closed if there is an active CHIPS order.

Prior to case closure, the child welfare professional must have face-to-face contact with family members and the family team, if involved, to:

- Support the family in determining how their needs will be met after agency involvement ends.

Inform the family of the date that ongoing child protective services will end.

refuses to extend an order. -Please see page 9186 and page 153136, Independent Living Planning, regarding the requirements when a child reaches the age of majority.

The child welfare professional must work with the family to ensure informal or formal supports are in place prior to case closure. -These supports include arrangements and connections within the family network or community that can be created, facilitated, or reinforced to provide the parent/[caregiver/guardian](#) resources and assistance once CPS involvement ends.

### **Safety at Case Closure**

Safety intervention at case closure relates to confirming there exist no impending danger threats and that sufficient protective capacities exist to protect the child from impending danger threats.

The CPS responsibilities in determination that a safe home exists include both:

- A formal safety assessment confirms the absence of impending danger threats.
- Parent/guardian protective capacities are sufficient.

### **Documentation**

Case closure information must be documented in the family eWiSACWIS case record and approved by a supervisor or designee within 30 [calendar](#) days from the date the case closure decision was made by the supervisor and child welfare professional.

Documentation at planned case closure must include:

- A reassessment of child safety.
- The rationale for the decision to close the case.
- A description of the closure process with the family and service providers, including the family's plan for meeting future service needs.

Additional requirements when a family no longer accepts services:

- A reassessment of child safety.
- Any agency efforts to continue to provide services. If the safety assessment indicates that a child in the family is not safe, this must include efforts to request a petition to the court to order services.
- The reason for closure.
- A copy of a letter to the family indicating what actions the agency has taken or will take and other resources available to the family.

### **Early Dismissal of Dispositional Order**

The CPS child welfare professional is responsible for initiating, as appropriate, additional court actions.

When a determination is made that a family is no longer in need of court ordered CPS services, a request must be submitted to the court for early dismissal of the dispositional order and signed by the judge before a case with court jurisdiction can be closed by the agency.

### **Case Closure Orders under Wis. Stats. ss. 48.355(4g) & 938.355(4g)**

Case closure court orders can allow the juvenile court to enter or modify a family court order and terminate the juvenile court order. The juvenile court only has the authority to enter or modify the family court order after the dispositional order is entered and if the child is or will be placed with a parent via the orders. The juvenile court may determine paternity, legal custody, periods of physical placement, visitation rights, or child support and parental obligation for health care expenses. Subsequent modifications to the court order would occur in family court.

Any decision that is made shall be done in consultation with the agency's legal counsel. ~~A case may not be closed if there is an active CHIPS order.~~

In all cases when a child is an Indian child, a letter must be sent to the tribe indicating that the case has been closed and a copy of the letter must be maintained in the family's case record.

### **Early Dismissal of Dispositional Order**

One responsibility of the CPS child welfare professional is to initiate as appropriate, additional court actions.

When a determination is made that a family is no longer in need of court ordered CPS services, a request must be submitted to the court for early dismissal of the dispositional order and signed by the judge before a case with court jurisdiction can be closed by the agency.

### **Case Closure Orders under ss. 48.355(4g) & 938.355(4g)**

Case closure court orders can allow the juvenile court to enter or modify a family court order and terminate the juvenile court order. The juvenile court only has the authority to enter or modify the family court order after the dispositional order is entered and if the child is or will be placed with a parent via the orders. The juvenile court may determine paternity, legal custody, periods of physical placement, visitation rights, or child support and parental obligation for health care expenses. Subsequent modifications to the court order would occur in family court.

Any decision that is made shall be done in consultation with the agency's district attorney or cooperation counsel.

## CHILD WELFARE OUT-OF-HOME CARE CASES

### Introduction

Information from an initial assessment, a child welfare assessment, or the juvenile court intake process guides decision-making about whether an agency will open a case for ongoing services. When children are safe, but the agency determines that a child requires either specific services or sanctions in the community or in a placement setting, the agency opens a child welfare case. Agencies are not required to open these cases unless a child [is in need of needs](#) an out-of-home placement, but if a decision is made to serve the family, this [Standardstandard](#) applies.

Child welfare cases involve providing support and services to a family. The child welfare professional focuses on assessing the family for strengths and needs, managing safety of placement setting, achieving permanence and well-being, and attaining safe case closure. The primary focus of agency intervention is the provision of child and family support and services rather than safety intervention focused on enhancement of [parent/caregiver](#) protective capacities. -These cases may be court ordered or voluntary.- These cases include Youth Justice (YJ) and Juveniles in Need of Protection or Services (JIPS) cases.

Safety intervention for child welfare cases, whether in-home or out-of-home, focuses on confirming that children remain safe and protected from abuse and neglect. Although child safety is not the reason for agency intervention, it is important to understand there may be times during the life of a case when family dynamics and functioning change, resulting in an unsafe child. At this point, a case becomes a child protective services case and cannot be served under this [Standardstandard](#).

## Applicability

~~This Standard applies when an initial assessment, a child welfare assessment, or the juvenile court intake process concludes that a child is safe but the parent or guardian is unable, needs assistance to care for or provide necessary treatment, or services for the child or youth, the agency provides ongoing services for the following reasons:~~

This standard applies when:

- A child ~~or youth~~ is in need of an out-of-home placement.
- A family is in need of child welfare services.
- A case transitions from the state to the county where permanence is not achieved after a termination of parental rights (TPR).

This ~~Standard~~standard cannot be used when the agency determines a child to be unsafe. ~~The agency must use the Child Protective Services Chapters when there is impending danger (See Appendix II, page 295) and insufficient caregiver protective capacities to protect a child from threats.~~ Additionally, if during monitoring of the family's case the agency becomes aware of alleged maltreatment or present or impending danger threats to child safety, immediate action to control for child safety must be taken including a report to Access, if warranted. Agencies must assure~~ensure~~ that all actions of either the agency or contracted provider staff comply with this standard.

Examples of child welfare cases can include, but are not limited to, children with disabilities and their families are unable to meet their treatment needs without agency assistance; ~~youth/children~~ with challenging behaviors or mental health ~~conditions/needs~~ and their families are unable to meet their treatment needs without agency assistance; children whose case has been returned to the county from the state adoption program; and family court transfers of jurisdiction.

This section applies to all child welfare cases where a child ~~or youth~~ is in an out-of-home care setting, including those placed through via a CHIPS, JIPS or delinquency order. The intent of case management for out-of-home care child welfare cases is to support families in achieving permanence.

Although child safety is not the reason for agency involvement, the focus of whether the child ~~or youth~~ is safe in ~~his/her/their~~ placement is a critical agency responsibility when children ~~or youth~~ are in out-of-home care. When children ~~or youths~~ are in out-of-home care, agencies remain responsible to confirm whether a child ~~or youth~~ is safe at the time of placement, as well as, reconfirm to ensure the placement remains safe through case closure.

No matter the reason for agency involvement, it is critical for children ~~and youth~~ to have permanence and stability in their living situations including continuity of family relationships and connections. ~~Effective case practice requires that planning for permanence begin with the end in mind.~~ The prompt and decisive actions that are made to maintain a child ~~or youth~~ safely in ~~his/her/their~~ own home or to permanently place ~~him/her/them~~ in a safe alternate family setting can have a lasting impact on the quality of a child's ~~youth's~~ permanent relationships, cultural identity, and sense of self.

## **Timeframe for Initial Contact**

### **Child Welfare Cases (CHIPS ~~only~~, JIPS, and YJ)**

Within seven (7) working days of an approved case transition staffing, the ~~ongoing services~~ child welfare professional must have face-to-face contact with parents/~~caregivers/guardians~~ and ~~children/child~~. Within this timeframe, the child welfare professional must communicate with case participants and providers to:

- Provide the child welfare professional's name and contact information.
- Elicit their understanding regarding the reason for their involvement.
- Confirm the initial ~~family interaction plan~~ **Family Interaction Plan** is working.
- Confirm their continued commitment and ability to remain actively involved in the Permanency Plan.

### **Family Interaction Plan**

When children are in ~~home~~ out-of-home care, family interaction is an opportunity to maintain, establish, and promote parent-child and sibling relationships. It is also an opportunity for parents/~~caregivers/guardians~~ to evaluate their own parenting practices and gain knowledge of new practices and views about parenting. The initial ~~family interaction plan~~ **Family Interaction**

[Plan](#) is implemented until a more thorough understanding of family dynamics is understood by the child welfare professional.

## **Family Interaction Plan**

### **Child Welfare Cases (CHIPS only)**

#### **Basic Requirements**

The agency or its designee is responsible for assuring the initial face-to-face family interaction contact occurs within five [\(5\)](#) working days of the ~~child(ren)~~[child's](#) placement in out-of-home care.

The agency shall, no later than 60 calendar days after placement, establish and document a ~~family interaction plan~~[Family Interaction Plan](#) that outlines the anticipated interaction for the child with their parents/[guardians](#), siblings, and other identified participants.

#### **Frequency**

Face-to-face family interaction is the responsibility of the agency and must occur weekly, at a minimum.

When siblings are not placed together, sibling face-to-face interaction must occur monthly, at minimum.

#### **Additional Requirements**

- Children must have other family interaction (e.g., telephone calls, letters, etc.) with their parents/[guardians](#) and siblings as much as possible.
- Family interaction can only be prohibited by the agency if a court finds that continued contact is not in child's best interests.
- Family interaction can be decreased or suspended if there is evidence that the contact is contrary to the safety of the child~~(ren)~~ and this information is documented in the case record.
- Family interaction cannot be used as a punishment, reward, or threat for a child.
- The agency cannot restrict or suspend family interaction as a means to control or punish a parent/[guardian](#) for failure to work with agency or community providers or to comply with conditions of the case or Permanency Plan.
- The out-of-home care provider cannot prohibit family interaction.

#### **Documentation**

[The Family Interaction Plan and content must be documented in the eWiSACWIS case record and Permanency Plan.](#)

**Documentation**

The family interaction plan and content must be documented in the eWiSACWIS case record.

**Family Interaction (JIPS/Youth Justice only)**

Face-to-face family interaction is the responsibility of the agency and must occur on a regular basis.

When siblings are not placed together, sibling face-to-face interaction must occur as frequently as possible, when appropriate.

**Documentation**

The family interaction plan and content must be documented in the youth's Permanency Plan.

## Case Planning

### Case Planning (CHIPS, JIPS, and Youth Justice)

The child welfare professional begins to discuss permanence with families prior to filing the initial Permanency Plan. These discussions with the child and family must incorporate the following topics:

- The roles and responsibilities of both the child welfare professional and family.
- The reason for agency involvement.
- A review of family's permanence goal, the court process, ASFA timelines, and possible outcomes or consequences.
- The ~~parents' or caregivers'~~parents/guardians' rights and responsibilities throughout the ~~ongoing services~~Ongoing Services and court processes with an emphasis on the temporary state of out-of-home care and the emotional and developmental impact of out-of-home care on children.
- The value of maintaining family interaction.
- The purpose of the non-~~custodial~~household parent, relatives, and informal supports as resources for the child and family (see page 182164 "Locating Non-~~Custodial Parent~~ /Household Parents, Relatives, and Like-kin").
- The role of out-of-home care provider.
  - Including, but not limited to reasonable and prudent parenting decisions to ensure the child has regular opportunities to engage in age and developmentally appropriate activities.
- The need for compliance with Active Efforts~~active efforts~~ for eligible Indian children as defined in ICWA/WICWA. This includes:
  - Requesting the tribal agency to assist in evaluating the case;;
  - Inviting representatives of Indian child's tribe to participate in custody proceedings at the earliest point;;
  - Notifying and consulting extended family members to provide structure and support to the child and parents/~~caregivers;~~guardians.
  - Providing family interaction;;
  - Offering and employing all available family preservation strategies;;
  - Offering and actively assisting families in accessing community resources;;
  - Monitoring progress and client participation in services provided;and ;
  - Seeking alternative ways of addressing identified needs when services ~~do not exist or~~ are not available to the family.

ICWA/WICWA also applies to certain JIPS cases under Wisconsin statute §.Wis. Stat. s. 938.13. Specifically, WICWA applies to juvenile custody proceedings for youths~~youth~~ who are uncontrollable (Wis. Stat. s. 938.13(4)), habitually truant (~~§.(Wis. Stat. s. 938.13(6))~~), school dropouts (~~§.(Wis. Stat. s. 938.13(6m))~~), or habitual runaways (~~§.(Wis. Stat. s. 938.13(7))~~).

For additional ICWA/WICWA information and requirements, refer to the Wisconsin Indian Child Welfare Act Desk Aid Resources, Appendix 1, page 288261.

The family and the out-of-home care provider should be encouraged to collaborate in order to meet the needs of the child and to support one another. -This can be accomplished through shared parenting, teaming, and joint decision making about the child.

### **Determining Change**

Information from initial assessment, child welfare assessment, or juvenile court intake process lays the foundation for considering what must change ~~in order~~ for the child to be reunified. Throughout the ~~ongoing services~~[Ongoing Services](#) process, the child welfare professional clarifies and gathers additional information and works with the family to understand and gain consensus about the changes necessary for a safe, ~~stable~~, and permanent home allowing for case closure.

#### Identifying With the Family Necessary Changes- (CHIPS, JIPS, & Youth Justice)

Based on the information discovered throughout the assessment process, the child welfare professional and parents/[caregivers/guardians](#) and child, as age and developmentally appropriate, continue with purposeful discussions about a change strategy that will result in a Permanency Plan as required in [§-Wis. Stats. ss. 48.38](#) and [§-938.38](#).

This process includes using the Child and Adolescent Needs and Strengths (CANS) tool to:

- Gather and assess information in the following areas:
  - Child functioning and well-being (school/[child-care/childcare](#) setting; learning and development, medical/dental/mental health needs).
  - Physical/emotional/behavioral functioning, familial relationships, social skills, impact of trauma on the child, risk behavior, strengths, the effects of the culture of the child and family on service provision).
  - Adult functioning (physical/emotional/behavioral functioning, parenting practices).
  - Family functioning (current service provision, individuals the child and family identifies as supports and resources, social activities).
- Share information with the family in order to:
  - Identify family strengths, supports, and existing [parent/caregiver/parenting](#) capacities.
  - Understand what parents/[caregivers/guardians](#) identify as strengths about themselves as individuals and in their [care-giving/caregiving](#) role.
  - Identify the needs of children and parents/[caregivers/guardians](#) and identifying ways in which parents/[caregivers/guardians](#) can be involved in meeting the needs of their children.
  - Determine whether any professional evaluations (i.e. mental health; medical; educational) are indicated for the child or parents/[caregivers/guardians](#) to inform Permanency Plan treatment services.
  - Determine with the family the most logical place to begin focusing on change, setting goals, and identifying potential service options.

## Developing the Permanency Plan

The Permanency Plan serves as an organizer of case activity and a tool for communicating with parents/[caregivers/guardians](#), children, their family members, court parties, and other individuals involved in providing supports and services to the family. -The child welfare professional is responsible for overseeing the implementation of the Permanency Plan and working with parents/[caregivers/guardians](#) to facilitate change.- Managing the Permanency Plan and change strategies primarily involves assuring that the Permanency Plan is targeting goals associated with enhancing stability and achieving permanence. -Ultimately, the purpose of the Permanency Plan is to identify steps toward establishing a safe and permanent home.

### Planning and Developing Goals with the Family (CHIPS, JIPS, and Youth Justice)

This process with the family includes:

- Identifying the behaviors that need to change, be demonstrated, and sustained.
- Developing behaviorally stated, measurable goals related to support of the family and stability of the child that are phrased in the family's own terminology.
- Confirming any specific needs the children or youths may have, including any community safety needs and how any identified needs will be addressed.
- Ensure the child has opportunities to engage in age and developmentally appropriate activities following the Reasonable and Prudent Parent Standard.
- Identifying supports and change strategies to assist the family in achieving permanence and safe case closure (i.e., long-term view).
- Identifying services and activities that are acceptable, accessible, and appropriately matched with what must change.
- Assuring goals establish a sufficient behavioral benchmark for evaluating change;
- Determining permanence goals as required and establishing a plan to achieve permanence for the child. Permanence options are: reunification, adoption, transfer of guardianship, placement with a fit and willing relative, or other planned permanent living arrangement.
- Child welfare professionals must rate the legal permanency status if a concurrent plan is required and the Permanency Plan is anything other than reunification or guardianship (see Appendix IV, page 299, Legal Permanency Status Indicators).
- Planning to identify, locate, and involve non-custodial parents, alleged fathers, and relatives as resources for permanency options for children (see page 182, "Locating Non-Custodial Parent / Relatives").
- Planning to ensure continued Active Efforts as defined in WICWA for eligible Indian children.

### **The Assessment Process with the Out-of-Home Caregiver**

The child welfare professional will gather and assess information using the Child and Adolescent Needs and Strengths (CANS) tool about the functioning of the Out-of-Home Caregiver in relation to the specific child placed in their care in the following areas:

- Supervision
- Problem solving
- Involvement with the child's care
- Parenting knowledge
- Empathy with the child
- Organization
- Social resources
- Physical health, mental health, substance use, or possible other disability
- Family stress
- Cultural congruence

The placing agency shall use information from the assessment of the child, the child's family, and the child or youth's out-of-home caregivers for all of the following to:

- Communicate information about the needs and strengths of the child or youth and their family.
- Assist with determining the child or youth's service needs and developing the Permanency Plan of care.
- Determine a level of need for the child or youth.
- Inform decisions regarding a placement at a level of care that is appropriate to meet the child or youth's level of need.
- Evaluate the match between the knowledge, skills and abilities of an out-of-home care provider and the needs and strengths of the child or youth.
- Assist in the development of services and supports needed for a specific child or youth and out-of-home care provider to promote the stability of the placement.
- Provide a mental health screen to all children or youth entering out-of-home care.
- Determine any supplemental payments under DCF 56.23 (2).

## Case Assessment and Permanency Plan Documentation

All case assessment and Permanency Plan requirements must be documented in the family case record in eWisACWIS on the Permanency Plan form DCF-F-CFS2132-E and include:

- General person management case information to ensure the case record is up-to-date (family demographics, tribal membership status, agency and legal).
- Child or youth functioning, adult functioning, parent functioning and parenting practices, and family functioning information.
- Criteria based goals that are behaviorally stated, understandable to the family, specific and measurable.
- Services for the child or youth and family.
- Removal information and circumstances including reasonable efforts to prevent removal.
- For an Indian child, active efforts made to prevent the break-up of the Indian family and efforts to engage the tribal child welfare professional in the development of the case plan.
- Placement information, location and placement history.
- Efforts made to comply with the Wisconsin Indian Child Welfare Act (WICWA) placement preferences under §48.028(7) for Indian children.
- The results of the CANS tool.
- Determination of appropriateness of placement in a facility certified as a Qualified Residential Treatment Program (QRTP), when applicable.
- Permanence goals with supporting information.
- The child's Health Summary.
- The child's Educational Summary.
- The child's ongoing opportunities to engage in age or developmentally appropriate activities following reasonable and prudent parenting.
- The family interaction plan.
- For an Indian child, active efforts made to provide natural and unsupervised family interaction in the most natural setting that can ensure the Indian child's safety, as appropriate to the goals of the Indian child's permanency plan, including arrangements for transportation and other assistance to enable family members to participate in that interaction.
- For an Indian child, Compliance with Notice requirements under 48.028(4)(a).
- Independent living services, when applicable.

## Additional Requirements When a Child is an Indian Child

The following must also be documented in the case plan when the child is an Indian child:

- The name, address, and telephone number of the Indian child's parent, Indian custodian, and tribe.
- A description of the remedial services and rehabilitation programs offered under Wisconsin statutes §. 48.028(4)(2) in an effort to prevent the breakup of the Indian family.
- A statement as to whether the Indian child's placement is in compliance with the order of placement preferences under §. 48.028(7)(b) or, if applicable, §. 48.028(7)(c) and, if the placement is not in compliance with that order, a statement as to whether there is good cause, as described in §. 48.028(7)(e), for departing from that order.

### **Considerations for Expectant or Parenting Youth Who Are Placed in Out-of-Home Care**

Expecting or parenting youth is defined as any child under age 21 who is placed in out-of-home care and is expecting a child or currently parenting a child. This includes both mothers and fathers.

For all expectant or parenting youth who are placed in out-of-home care, a permanency plan must:

- Include a list of the services to be provided to or on behalf of the youth to ensure that the youth is prepared (in the case of a pregnant youth) or able (in the case of a parenting youth) to be a parent; and
- Describe the out-of-home care prevention strategy for any child born to the expecting or parenting youth in out-of-home care.
- If the child born to the expecting or parenting youth is an Indian child, describe the active efforts made to prevent the break-up of the Indian family.

All goals should be consistent with the dynamics of the case given each child or youth and family's specific needs. Objectives to meet the goals in the Permanency Plan should be measurable and consistent with any existing court orders.

**Timeframe**

The child welfare professionals must complete and document the Permanency Plan no later than 60 days from the day the child or youth was placed in out-of-home care.

After supervisory approval, a copy of the Permanency Plan must be filed with the court and provided to parents/caregivers, tribes and, as appropriate, children or youth.

### **Planning and Developing Goals with the Family (CHIPS, JIPS, and Youth Justice)**

This process with the family includes:

- Identifying the behaviors that need to change, be demonstrated, and sustained.
- Developing behaviorally stated, measurable goals related to support of the family and stability of the child that are phrased in the family's own terminology.
- Confirming any specific needs the children may have, including any community safety needs and how any identified needs will be addressed.
- Ensure the child has opportunities to engage in age and developmentally appropriate activities following the Reasonable and Prudent Parent Standard.
- Identifying supports and change strategies to assist the family in achieving permanence and safe case closure (i.e., long-term view).
- Identifying services and activities that are acceptable, accessible, and appropriately matched with what must change.
- Assuring goals establish a sufficient behavioral benchmark for evaluating change.
- Determining permanence goals as required and establishing a plan to achieve permanence for the child. Permanence options are reunification, transfer of guardianship, adoption, placement with a fit and willing relative, or other planned permanent living arrangement.
- Planning to identify, locate, and involve non-household parents and relatives as resources for permanency options for children (see page 164, "Locating Non-Household Parents, Relatives, and Like-kin").
- Planning to ensure continued active efforts as defined in ICWA/WICWA for eligible Indian children.

### **The Assessment Process with the Out-of-home Provider**

The child welfare professional will gather and assess information using the Child and Adolescent Needs and Strengths (CANS) tool about the functioning of the out-of-home provider in relation to the specific child placed in their care in the following areas:

- Supervision
- Problem solving
- Involvement with the child's care
- Parenting knowledge
- Empathy with the child
- Organization
- Social resources
- Physical health, mental health, substance use, or possible other disability
- Family stress
- Cultural congruence

The placing agency shall use information from the assessment of the child, the child's family, and the child's out-of-home care provider to:

- Communicate information about the needs and strengths of the child and their family.
- Assist with determining the child's service needs and developing the Permanency Plan.
- Determine a level of need for the child.
- Inform decisions regarding a placement at a level of care that is appropriate to meet the child's level of need.
- Evaluate the match between the knowledge, skills and abilities of an out-of-home care provider and the needs and strengths of the child.
- Assist in the development of services and supports needed for a specific child and out-of-home care provider to promote the stability of the placement.
- Provide a mental health screen to all children entering out-of-home care.
- Determine any supplemental payments under DCF 56.23 (2).

### **Assessment and Permanency Plan Documentation**

All assessment and Permanency Plan requirements must be documented in the family record in eWiSACWIS on the Permanency Plan form DCF-F-CFS2132-E and include:

- General person management information to ensure the record is up to date (family demographics, tribal membership status, agency and legal).
- Child functioning, adult functioning, parent functioning and parenting practices, and family functioning information.
- Criteria based goals that are behaviorally stated, understandable to the family, specific and measurable.
- Services for the child and family.

- [Removal information and circumstances including reasonable efforts to prevent removal.](#)
- [For an Indian child, active efforts made to prevent the break-up of the Indian family and efforts to engage the tribal child welfare professional in the development of the plan.](#)
- [Placement information, location and placement history.](#)
- [Efforts made to comply with the Indian Child Welfare Act/Wisconsin Indian Child Welfare Act \(ICWA/WICWA\) placement preferences under Wis. Stat. s. 48.028\(7\) for Indian children.](#)
- [The results of the CANS tool.](#)
- [Determination of appropriateness of placement in a facility certified as a Qualified Residential Treatment Program \(Q RTP\), when applicable.](#)
- [Permanence goals with supporting information.](#)
- [The child's health summary.](#)
- [The child's educational summary.](#)
- [The child's ongoing opportunities to engage in age or developmentally appropriate activities following reasonable and prudent parenting.](#)
- [The Family Interaction Plan.](#)
- [For an Indian child, active efforts made to provide natural and unsupervised family interaction in the most natural setting that can ensure the Indian child's safety, as appropriate to the goals of the Indian child's Permanency Plan, including arrangements for transportation and other assistance to enable family members to participate in that interaction.](#)
- [For an Indian child, Compliance with Notice requirements under Wis. Stat. s. 48.028\(4\)\(a\).](#)
- [Independent living services, when applicable.](#)

### **[Additional Requirements When a Child is an Indian Child](#)**

[The following must also be documented in the case plan when the child is an Indian child:](#)

- [The name, address, and telephone number of the Indian child's parent/guardian and Indian child's tribe.](#)
- [A description of the remedial services and rehabilitation programs offered under Wisconsin statutes §. 48.028\(4\)\(2\). in an effort to prevent the breakup of the Indian family.](#)
- [A statement as to whether the Indian child's placement is in compliance with the order of placement preferences under Wis. Stat. s. 48.028\(7\)\(b\) or, if applicable, Wis. Stat. s. 48.028\(7\)\(c\) and, if the placement is not in compliance with that order, a statement as to whether there is good cause, as described in Wis. Stat. s. 48.028\(7\)\(e\), for departing from that order.](#)

[For additional ICWA/WICWA information and requirements, refer to Wisconsin Indian Child Welfare Act Resources, Appendix 1, page 261.](#)

### **[Timeframe](#)**

The child welfare professionals must complete and document the Permanency Plan no later than 60 days from the day the child was placed in out-of-home care.

After supervisory approval, a copy of the Permanency Plan must be filed with the court and provided to parents/guardians, Indian child's tribe and, as appropriate, children.

### **Considerations for Expectant or Parenting Youth Who Are Placed in Out-of-home Care**

Expecting or parenting youth is defined as any child under age 21 who is placed in out-of-home care and is expecting a child or currently parenting a child. This includes both mothers and fathers.

For all expectant or parenting youth who are placed in out-of-home care, a Permanency Plan must:

- Include a list of the services to be provided to or on behalf of the youth to ensure that the youth is prepared (in the case of a pregnant youth) or able (in the case of a parenting youth) to be a parent.
- Describe the out-of-home care prevention strategy for any child born to the expecting or parenting youth in out-of-home care.
- If the child born to the expecting or parenting youth is an Indian child, describe the active efforts made to prevent the break-up of the Indian family.

### **Confirming a Safe Environment ~~in~~ When Children ~~or Youth~~ are Placed in Out-of-~~Home~~ Care**

A child welfare professional places a child ~~or youth~~ in out-of-home care when:

- Threats to child ~~or youth~~ ~~community~~ safety cannot be controlled in the home, or
- A child ~~or youth~~ requires ~~either~~ specific services ~~or sanctions~~ to address their needs that cannot be met in the ~~child or youth's~~ child's home or community.

~~One responsibility prior~~ Prior to placing a child ~~or youth~~, the child welfare professional is ~~to assess~~ responsible for assessing and ~~confirm~~ confirming the placement is safe for the child ~~or youth~~. This obligation exists for all placement settings whether the care is provided by family members, friends, neighbors, or licensed providers ~~(i.e. foster families)~~.

Assessing for a safe environment is distinctly different from licensing the placement home. Licensing occurs at least ~~bi-annually~~ every two years and focuses on specific requirements for the provider and environment rather than the safety of a specific child ~~or youth~~ in the placement. ~~Therefore, assessing~~ Assessing and confirming a safe environment in placement settings ~~occurs~~ is required to occur every time a new placement is considered and throughout the placement.

## **Applicability**

This procedure applies when a child ~~or youth~~ is placed in an unlicensed home, ~~foster care~~licensed home, group home, or residential care center.

This procedure does not apply when a child ~~or youth~~ is on a trial reunification, is missing from out-of-home care, or is placed in any of the following settings:

- Voluntary kinship care home
- Juvenile correctional institutionfacility
- Shelter care facility
- Adult correctional facility
- Secure detention facility
- Hospital
- Supervised Independent Living placement

## Confirming Safe Environments at the Initiation of a Child's Placement in an Unlicensed Home

Prior to placement, the child welfare professional or designee must:

- Conduct a home visit to assess and evaluate the safety of the placement setting and assist the caregiver in obtaining provisions needed for the care of the child. -This includes discussing expectations and clarifying the role of the out-of-home care provider, and providing information on issues related to the care of the child.
- Complete a check of law enforcement records or conduct a CCAP check on all individuals seventeen years of age and older residing in the identified placement home;\_
- Conduct a reverse address Sex Offender Registry check.
- Conduct a check of eWiSACWIS records on all individuals seventeen years of age and older residing in the identified placement home.

If a home visit cannot be made prior to placement (~~e.g., an emergency~~), the child welfare professional or designee must have verbal contact at the time the child ~~or youth~~ is placed to assess and evaluate the safety of the placement setting and assist the caregiver in obtaining provisions needed for the care of the child. In this circumstance, an initial home visit must occur within 24 hours of the child's placement.

During the first encounter with an out-of-home care provider (considered for placement) the child welfare professional or designee gathers information to identify and understand placement danger threats (see Appendix ~~V3~~, page ~~301-263~~). During initial and subsequent home visits, the child welfare professional interviews and observes household members and collects data from other sources to make determinations about placement danger threats and the appropriateness of the placement.

Within five (5) working days following the initial home visit, the child welfare professional or designee must:

- Conduct a subsequent home visit (a second weekend cannot pass prior to the subsequent home visit),
- Continue to assess and evaluate safety in the placement setting,
- Confirm with the out-of-home care provider expectations and his/her/their role in the protective plan, as applicable, ~~and~~.
- Discuss any issues related to the care of the child.

Additionally, the child welfare professional or designee must:

- Consider placement danger threats at the first encounter and on an ongoing basis out-of-home to determine the safety of the placement home. If a placement danger threat(s) is confirmed, the child welfare professional must locate and transition the child to a new placement immediately.
- Assess the out-of-home care provider's motivation to provide care for the child, view of the child, and understands the need for the child to be placed in out-of-home care.
- Assess the child's reaction to the placement home.

All potential out-of-home care providers or other household members must be included in the assessment.

Additionally, the child welfare professional or designee must:

- Consider placement danger threats at first encounter and on an ongoing basis with out-of-home care providers to determine the safety of the placement home (see Appendix V, page 301. If a placement danger threat(s) is confirmed, the child welfare professional must locate and transition the child to a new placement immediately.
- Assess the out-of-home care provider's motivation to provide care for the child, view of the child, and when a relationship currently exists between the out-of-home care provider and the child, an understanding of the need for the child to be placed in out-of-home care.
- Assess the child or youth's reaction to the placement home and the out-of-home care provider in cases where a relationship currently exists between the out-of-home care provider and the child or youth.

All potential out-of-home care providers or other household members must be included in the assessment.

In unlicensed placement settings, "household member" means all individuals living together in the same dwelling. This includes individuals who live in the home full-time or part-time. Any adult who lives in the home regularly (full-time or part-time) is considered a household member. For additional information, refer to the "Primary Assessment Standard" of the "Child Protective Services Access and Initial Assessment Standards."

~~Other records such as police reports may be useful in determining whether placement danger threats exist (see Appendix V, page 301).~~

The child welfare professional should analyze information from all available sources to help evaluate the environment of the placement home, and subsequently decide if the child can be placed in the home safely. To assist with this decision, the child welfare professional may consider the criteria in Administrative Code DCF 12.06, in determining if a charge or conviction substantially relates to caring for children.

If a child is safe from immediate harm in an unlicensed placement home, the child welfare

#### ~~Confirming Safe Environments in Placement Settings When Respite and Pre-Placement Visits Have Previously Been Approved in an Unlicensed Home~~

~~Wisconsin law requires that prior to making the decision to begin respite or pre-placement visits with an unlicensed provider, the child welfare professional or designee must:~~

- ~~• Conduct a CCAP check, reverse address Sex Offender Registry check and a CPS records check on all individuals seventeen years of age and older residing in the identified placement home.~~
- ~~• Conduct a home visit with the identified placement providers to assess and evaluate safety of the placement setting.~~
- ~~• Assist the caregiver in setting up whatever provisions are needed for the care of the child.~~

~~If the Agency then decides to use the home for an out-of-home placement for the child or youth, the child welfare professional or designee must:~~

- ~~• Conduct a home visit within 3 working days following the initiation of placement (a second weekend may not pass prior to the home visit).~~
- ~~• Continue to assess and evaluate safety in the placement environment.~~
- ~~• Confirm with the out-of-home care provider expectations and their role in the protective plan.~~
- ~~• Discuss any issues related to the care of the child.~~

professional continues to collect information from the out-of-home care provider through additional contacts to confirm a safe placement. This assessment includes the out-of-home care provider's ability to care for the longer-term needs, emotional development, and well-being of the child.

## Confirming Safe Environments at the Initiation of a Child's Placement in a Licensed Foster Home

Prior to placement the child welfare professional or designee must have verbal contact with the [placement out-of-home care](#) provider to assess and evaluate safety in the placement environment. - The child welfare professional or designee must discuss expectations and clarify the role of the out-of-home care provider and provide information on any issues related to the care of the child

Within 24 hours of placement the child welfare professional or designee must:

- Conduct a CCAP check on all individuals seventeen years of age and older residing in the identified placement home.
- Conduct a reverse address Sex Offender Registry check.
- Conduct a check of eWISACWIS records on all individuals seventeen years of age and older residing in the identified placement home; ~~and~~.
- Assist the caregiver in setting up whatever provisions are needed for the care of the child.

A home visit must be made within three [business\(3\) working](#) days, not to exceed five calendar days. - The purpose of the home visit is to assess and evaluate the safety of the placement setting and assist the caregiver in obtaining provisions needed for the care of the child. A second weekend may not pass prior to the initial home visit with a licensed provider.

During the first encounter with an out-of-home care provider, the child welfare professional or designee gathers information to identify and understand placement danger threats. -During the initial and subsequent home visits and face-to-face monthly contacts, the child welfare professional interviews and observes household members and collects data from other sources to make [a](#) determination about placement danger threats and the appropriateness of the placement.

Within seven [business\(7\) working](#) days following the initial home visit the child welfare professional or designee must:

- Conduct a home visit to assess and evaluate for a safe environment in the placement setting.
- Confirm with the out-of-home care provider expectations and [his or her/their](#) role in the protective plan.
- Discuss any issues related to the care of the child as well as continue to assist the out-of-home care provider in setting up whatever provisions are needed for the care of the child.

Additionally, the child welfare professional or designee must:

- Consider placement danger threats at [the](#) first encounter and on an ongoing basis with out-of-home care providers to determine the safety of the placement home ~~(see [Appendix V page 288](#)).~~ If a placement danger threat(s) is confirmed, the child welfare professional must locate and transition the child to a new placement home immediately.
- Assess the out-of-home care provider's:
  1. Ability to provide care for the child;~~;~~
  2. View of the child; ~~and~~
  3. When a relationship currently exists between the out-of-home care provider and the child, an understanding of the need for the child to be placed in out-of-home care.
- Assess the child's reaction to the placement home and the out-of-home care provider in cases where a relationship currently exists between the out-of-home care provider and the child.

All potential out-of-home care providers and other household members who may be in a care giving role must be included in the assessment. "Household member" means any person living in a foster home, ~~whether or not related to the licensee as defined in DCF 56 of the~~ [Administrative Code](#).

~~When initiating a placement of a child in foster care, the child welfare professional should make~~[Early](#) face-to-face contact with the ~~foster care~~[out-of-home](#) provider. ~~This early face-to-face contact~~ assists the child in transitioning to the foster home and ~~also~~ supports the provider with caring for the child. ~~If a child is safe from immediate harm in the foster care placement, the child welfare professional continues to collect information from the out-of-home care provider through continued contact to confirm a safe placement. This assessment includes the out-of-home care provider's ability to care for the child's long-term needs, emotional development, and well-being.~~

Assessing for a safe environment in a foster home is a shared responsibility between the licensing child welfare professional and the [placing](#) agency child welfare professional. ~~Both child welfare professionals should work together and share information~~ [accordingly](#) to ensure the child is safe in the placement setting.

## Placement Danger Threats and Placement Decisions

Placement danger threats (see Appendix 3, page 263) indicate the unlicensed or foster care placement is an unsafe environment for the child.

- When a placement danger threat is confirmed at the first encounter with the out-of-home care provider, the child welfare professional must immediately pursue an alternative placement for the child.
- When a placement danger threat is confirmed for a child currently in placement, the child welfare professional must immediately begin the process of transitioning the child to an alternative placement.

## ~~Use of the Child and Adolescent Needs and Strengths Assessment~~

~~When a placement danger threat is confirmed for a specific child, the child welfare professional must immediately assess the safety of all children in the home. To accomplish this, the child welfare professional collaborates with other child welfare professionals with children placed in the home, as well as the foster care coordinator.~~

~~Placement danger threats (see Appendix V, page 301) are severe in nature and indicate the unlicensed or foster care placement is an unsafe environment for the child.~~

- ~~When a placement danger threat(s) is confirmed at the first encounter with the out-of-home care provider, the child welfare professional must immediately pursue an alternative placement for the child.~~
- ~~When a placement danger threat(s) is confirmed for a child currently in placement, the child welfare professional must immediately begin the process of transitioning the child to an alternative placement.~~
- ~~When a placement danger threat is confirmed for a specific child, the child welfare professional must immediately assess the safety of all children in the home. To accomplish this, the child welfare professional collaborates with other child welfare professionals with children placed in the home, as well as the foster care coordinator. If a determination is made that the placement home is unsafe, the child welfare professional for each child must immediately transition the child to an alternative placement.~~

At times, the court may continue a placement despite a confirmed placement danger threat. In these situations, a plan should be made to ensure a safe environment for the child and should be recorded in the "Confirming Safe Environments" document in eWiSACWIS and the child's Permanency Plan.

## Use of the Child and Adolescent Needs and Strengths Assessment

The Child and Adolescent Needs and Strengths (CANS) assessment process and tool is used to:

~~The Child and Adolescent Needs and Strengths (CANS) assessment process and tool is used to:~~

- Identify the needs and strengths of the child.
- Determine the ability of the provider to meet the child's needs.
- Evaluate the stability of the placement.

### **Current Caregiver CANS Rating of “3”**

The child welfare professional uses the Child and Adolescent Needs and Strengths (CANS) assessment process and tool to assist in identifying a child’s needs and strengths to meet [his/her/their](#) needs and make the best possible match with a placement home. -This assessment process also identifies the current caregiver’s needs to support [him/her/them](#) in providing care for the child placed in the home.

- When the child welfare professional rates any area a “3” on the CANS tool for the “Current Caregiver,” the child welfare professional must reassess placement danger threats for the child.
- If a placement danger threat(s) is confirmed, the child welfare professional must immediately transition the child to an alternative placement.
- When a placement danger threat is identified for a specific child, the child welfare professional must assess the safety of all children placed in the home. -If an unsafe

determination is made for other children in the home, the child welfare professional must immediately transition the child(ren) to an alternative placement.

## Confirming Safe Environments in Group Homes or Residential Care Centers

One of the primary purposes of a group or residential care placement is to address the unique needs of children who require more intensive services than a family setting can provide. -These placement settings offer specialized services in a structured environment for children and youth with special developmental, therapeutic, physical, or emotional needs. -Services and supervision are provided by staff employed by the group or residential care setting. -Therefore, evaluating safety of the environment in these settings is different than in ~~placement homes where specific caregivers are licensed to provide care~~ family settings.

### Confirming Safe Environments in Group Homes or Residential Care Centers

Prior to placement, the child welfare professional or designee must evaluate the safety of the group ~~home~~ or residential care center by:

- Ensuring the facility has the capacity to meet the child's needs based on their CANS score.
- Making a determination with the facility representative that the behaviors of other children, youth, or adults in the placement setting do not present a concern for the child's safety.
- Addressing any additional needs to ensure the child is safe in the placement setting. -Examples include additional or special training for agency staff, rearranging the living environment, etc.

At a minimum, the child welfare professional or designee must evaluate and confirm the safety of the environment in the group home or residential care center every six months while a child remains in this setting. The child welfare professional or designee must:

- Confirm the facility has the continued capacity to meet the child's needs based on the current CANS score.
- Evaluate changes in the child's CANS assessment to determine if this has any implications for the current facility to meet the child's needs or the stability of the placement.
- Confirm with the facility representative that the behaviors of other children, youth, or adults in the placement setting do not present a concern for the child's safety.
- Evaluate the child's adjustment to and views about the current placement.

When a safety concern is identified for the placed child that involves or may impact the safety of other children in the placement setting, the worker must address it by reporting the information to the appropriate authority (e.g., CPS, Child Welfare licensing, law enforcement, etc.).

### **Documentation**

The child welfare professional must use the “Confirming Safe Environments” template in eWiSACWIS to guide and document decision-making related to assessing, evaluating, and confirming safety in all unlicensed and licensed placements, and in all group home and residential placements. Information regarding a safe environment must be documented in the family eWiSACWIS record and approved by a supervisor or their designee fourteen (14) calendar days from the date the placement was made.

At a minimum, the child welfare professional or designee must evaluate and confirm the safety of the environment in the group home or residential facility setting every six months while a child remains in this placement setting. The child welfare professional or designee must:

- Confirm the facility has the continued capacity to meet the child's needs based on the current CANS score.
- Evaluate changes in the child's CANS assessment to determine if this has any implications for the current facility to meet the child's needs or the stability of the placement.
- Confirm with the facility representative that the behaviors of other children, youth, or adults in the placement setting do not present a concern for the child's safety.
- Evaluate the child's adjustment to and views about the current placement.

When a safety concern is identified for the placed child that involves or may impact the safety of other children in the placement setting, the worker must address it by reporting the information to the appropriate authority (e.g., CPS, Child Welfare licensing, law enforcement, etc.).

## Risk Management in All Placement Setting Types

At times, the behaviors of other minors in the placement setting (e.g. birth or adoptive children of the placement providers, other children in the placement, children receiving day care services, etc.)out or conditions of the physical environment may present risk to the child.

The child welfare professional or designee should assess and evaluate the behaviors of other minors within the home to determine the needs of the child and to assist the placement out-of-home care provider in meeting identified needs.

### Risk Management Planning

The child welfare professional or designee collaborates with other child welfare professionals or facility staff to understand the behaviors of other children in the placement setting. -The following behaviors must be considered to determine if there is a risk to the child:

- Aggressive behaviors - especially children known to have a history of violence.
- Sexually abusive behaviors, including children within the placement setting who victimize other children physically or sexually.
- Other behavior issues behavioral concerns, including mental health, AODA, or other concerning behaviors such as fire setting, etc.

When there is an identified risk, a risk management plan must be created to mitigate the risk and ensure the environment is safe for the child. Considerations for a risk management plan include, but are not limited to, the following:

- Additional or special training for out-of-home care providers.
- Additional contact by agency or other providers.

### Contacts During Out-of-Home Child Welfare Cases

- Re-arranging the living environment (changing sleeping arrangements, moving children to other units in an RCC, etc.).

The “Confirming Safe Environments” template in eWiSACWIS must be used to guide and document risk management.

When there is an identified risk, a risk management plan must be created to mitigate the risk and ensure the environment is safe for the child. Considerations for a risk management plan include, but are not limited to, the following:

- Additional or special training for placement providers.
- Additional contact by agency or other providers.
- Re-arranging the living environment (changing sleeping arrangements, moving children to other units in a RCC, etc.).

The “Confirming Safe Environments” template in eWiSACWIS must be used to guide and document risk management.

### Documentation

The child welfare professional must use the “Confirming Safe Environments” template in eWiSACWIS to guide and document decision-making related to assessing, evaluating, and confirming safety in all unlicensed and foster care placements, and in all group home and residential placements. Information regarding a safe environment must be documented in the family eWiSACWIS case record and approved by a supervisor or his/her designee fourteen calendar days from the date the placement was made by the supervisor and child welfare professional.

### Contact Requirements

Fundamental to engaging the family in a change process is establishing a relationship and developing a more thorough understanding of the dynamics that led to agency intervention.

## **Contact with Parents/Caregivers**

### **When a Documentation**

The child or youth is placed in out-of-home care, the caseworker/welfare professional or designee must have documented both completed and attempted face-to-face contacts with parents/guardians, children, and the out-of-home care provider in eWiSACWIS as a case note.

The note must include, at a minimum, the following information describing the face-to-face contact monthly, at a minimum, with parents:

- Date, time, and duration of the visit.
- Participants involved.
- Location of the visit.
- Type of contact.
- Purpose and summary of the results of the contact that includes:
  - Progress towards meeting goals of the plan and
  - Family's understanding of the plan.

Accomplishing this necessitates a high level of contact by the caseworker/child welfare professional to collaborate with the family in working toward reducing or eliminating safety threats and reaching permanence at the earliest point possible.

## **Frequency of Caseworker Contacts**

Caseworker face-to-face contacts must be focused on the safety, permanence, and well-being needs of the child and must be sufficient to address the requirements of goals of the case plan.- The agency must assure/ensure that child(ren) and individuals in a parenting role (excluding out-of-home care providers)parents/guardians have monthly face-to-face contact with an individual (ongoing services caseworker, contract agency or tribal social worker a child welfare professional) unless the case plan requires more frequent contact.

### **Documentation**

#### **Contact with Parents/Guardians**

When a child is placed in out-of-home care, the child welfare professional or designee must document both completed and attempted face-to-face contacts with parents/caregivers, children, and the out-of-home care provider in eWiSACWIS as a case note.

The case note must include, have at a minimum, the following information describing the monthly face-to-face contact:

- Date, time, and duration of the visit.
- Participants involved.
- Location of the visit.
- Type of contact.

- Purpose and summary of the results of the contact that includes:
  - Progress towards meeting goals of the plan (i.e., Are parents engaged and involved in the change process) and Family's understanding of the plan (i.e., Are parents clear as to what is expected of them in terms of meeting the case goals; what the behavioral change will look like compared to how it is now, what their responsibility is in relation to following through with their part of the case plan.) with parents/guardians.

## Contact with the Child/Youth

Private, face-to-face contact with children and youth in out-of-home care is important because it provides opportunities for them to openly discuss their adjustment to the placement setting and express their thoughts and feelings about their out-of-home care experience. It also provides the child welfare professional with opportunities to confirm the safety of the placement setting. If the licensing agency, placing agency, and supervisory agency are different agencies, those agencies shall determine a contact plan.

~~The ongoing services child welfare professional~~ licensing agency, supervising agency, or designee must ~~placing agency shall~~ have monthly face-to-face contact with the foster child/youth, at least once a ~~minimum~~.

~~The majority (greater~~ month in-person. More than 50%)% of the face-to-face contacts must be in the child's/youth's out-of-home placement, occurring no less than every other month.

When the child/youth resides in a placement more than 60 miles from their residence, face-to-face contact may be quarterly by the assigned ~~agency~~ child welfare professional if the placement facility or another agency or contract worker (licensing worker, residential staff, treatment foster care worker, etc.) maintains at least monthly face-to-face contact with the child/youth.

When a child/youth is assessed at a ~~Level~~ level of ~~three~~ need of 3 or ~~higher~~ 4 on the CANS assessment and is placed with an out-of-home care provider with a certification of ~~three~~ 3 or higher, the licensing agency, supervising agency (county, or Child Placement Agency) placing agency must have bi-weekly, face-to-face at least one in-person contact every other week with the child.

A licensing agency, placing agency, or supervisory agency representative other than the foster parent shall have an in-person contact with a foster child placed in a Level 5 foster home at least every other week. At least one contact per month shall be in the foster home.

For additional information, refer to page 199, "Caseworker Contact 182, "Child Welfare Professional Face-to-Face Contact Requirements for Children and Juveniles in an Out-of-Home Placement."

Additional information regarding ~~caseworker~~ contact requirements with children in Level 3, 4, and 5 foster homes is the child can be found in Administrative Rule DCF 56.185.

## Documentation

The Ongoing Services child welfare professional or designee must document both completed and attempted face-to-face contacts with the child in eWiSACWIS as a case note. The note must include, at a minimum, the following information:

- Date, time, and duration of the visit.
- Participants involved.
- Location of the visit.

- [Type of contact.](#)
- [Purpose and summary of the results of the contact.](#)

[In addition, at least one note a month must include the following information \(continues on next page\):](#)

### **Safety**

[This includes the ongoing assessment of safety of the child and, if applicable, community or a child's behavioral risk\(s\), including risk to self and risk to others. Describe how the child is adjusting to the current living arrangement and educational setting. Include whether or not the child has had an opportunity to engage in private communications with the child welfare professional regarding the out-of-home placement and any other concerns. For parenting youth in out-of-home care, this section should include a statement regarding the safety of that youth's child\(ren\).](#)

### **Permanency**

[This includes a discussion of tracking progress on achieving outcomes; adjustment of strategies/intervention\(s\) when needed, transition planning, family interaction, life skills development and independent living needs and goals for youth aged 14 or older.](#)

### **Status of Child's Well-Being**

[19\(1\)\(b\). This includes a description of the child's physical health, learning and development, mental health needs \(emotional development and behavioral functioning\), and the child's ongoing opportunities to engage in age or developmentally appropriate activities following the Reasonable and Prudent Parent Standard.](#)

[The above listed information must be documented in eWiSACWIS within 20 business days after the face-to-face contact with the child occurred, regardless of whether the visits were conducted by the child welfare professional or their designee.](#)

## Contact with the Out-of-home Care Provider

The child welfare professional or designee must have at a minimum, monthly contact with the foster parent of a level 1 or 2 foster home. The contact may be in person, by phone, or by an interactive electronic format.

The licensing agency, supervising agency, or placing agency shall have contact with a Level 3 or 4 foster parent at least 2 in-person contacts per month. At least one of these contacts shall be in the foster home.

Contact with the out-of-home care provider focuses on the safety, permanence, and well-being of the child. This includes:

- Evaluating the compatibility of the child with the out-of-home care provider and other household members.
- Evaluating the ability of the out-of-home care provider to meet the needs of the child in a safe manner.
- Evaluating the experiences the child has had to regularly engage in age or developmentally appropriate activities following the Reasonable and Prudent Parent Standard.
- Discussing any additional support needed by the out-of-home care provider to safely maintain any child living with the out-of-home provider.

## **Documentation**

~~The ongoing services~~ child welfare professional or designee must document ~~both completed and attempted face-to-face~~ contacts with the ~~child~~ out-of-home care provider in eWISACWIS as a case note. ~~The case note must include, at a minimum, the following information:~~

- ~~• Date, time, and duration of the visit.~~
- ~~• Participants involved.~~
- ~~• Location of the visit.~~
- ~~• Type of contact.~~
- ~~• Purpose and summary of the results of the contact.~~

~~In addition, at least one case note a month must include the following information:~~

## Locating & Involving Non-Household Parents, Relatives, and Like-kin

## **Safety**

~~This includes the ongoing assessment of safety of the child and, if applicable, community or a child or youth's behavioral risk(s), including risk to self and risk to others. Describe~~

how the child is adjusting to the currently living arrangement (e.g., foster home, group home, residential care center, etc.), educational setting, or alternative setting (e.g., non-custodial parent, respite care). **Requirements**

When a child is placed in out-of-home care and one or both of the child's parents/guardians whereabouts are unknown to the agency, the agency must make continuous efforts to locate and engage them in the planning process. Continued efforts to locate and engage non-household parents, caregivers, and relatives must occur throughout agency involvement with the family.

### **Documentation**

~~The agency include whether or not the child has had an opportunity to engage in private communications with the child welfare professional regarding the out-of-home placement and any other concerns. For parenting youth in out-of-home care, this section should include a statement regarding the safety of that youth's child(ren).~~

### **Permanency**

~~This includes a discussion of tracking progress on achieving outcomes; adjustment of strategies/intervention(s) when needed, transition planning, family interaction, life skills development and independent living needs and goals for youth aged 14 or older.~~

### **Status of Child's Well-Being**

~~This includes a description of the child's physical health, learning and development (educational program attendance, progress, and Individualized Education Plan (IEP)), mental health needs (emotional development and behavioral functioning), and the child's ongoing opportunities to engage in age or developmentally appropriate activities following the Reasonable and Prudent Parent Standard.~~

~~DCF or the county department must document the information listed above all continued efforts to locate and engage non-household parents, and relatives in a note in the family's eWISACWIS within 20 working days after the face-to-face contact with the child regardless of whether the visits were conducted by the child welfare professional or his or her designee. record.~~

~~For additional information, refer to "Locating Non-Household Parents, Relatives, and Like-kin," page 164.~~

---

---

Locating and involving non-~~custodial household~~ parents, ~~alleged fathers, and~~ relatives, ~~and like-kin~~ is also valuable when a child remains in the family home under a ~~children~~child in need of protective services (CHIPS) order or on a voluntary basis. -Extended family and parents/~~guardians~~ can be a positive support or resource for a family well beyond the agency's involvement with the family.

### Children Missing from Out-of-home Care

#### Children or Youth Missing from Out-of-Home Care

##### Requirements

When the whereabouts of children ~~or youth living~~placed in out-of-home care ~~settings~~ are unknown, the safety and well-being of those children ~~or youths~~ cannot be ~~assured-ensured~~. When children ~~or youth~~ are missing from care, they are vulnerable to and at risk of additional emotional and physical trauma ~~(e.g., sexual exploitation, sex trafficking, drug abuse, or criminal activity)~~. Thus, measures to locate the child ~~or youth~~, communicate with critical individuals and agencies involved with the child ~~or youth~~, and plan for the child's ~~or youth~~ safe return must be made by the agency.

##### Requirements

~~For additional information, refer to page 203, "Children or Youth Missing from Out-of-Home Care."~~

When a child ~~or youth~~ is considered missing from out-of-home care, the case ~~shall~~should not be closed ~~just because for the reason, "the child or youth is missing from care. Any decision to close a case with an open court order for a child or youth who has not yet attained 18 years of age, or who has attained 18 years of age with an open court order, should be done in consultation with the agency's legal counsel."~~.

Note: Open cases with dispositions of Missing from Care at age 18 or older still qualify for independent living services.

~~For additional information, refer to page 187, "Children Missing from Out-of-home Care."~~

## **Permanency Plan Evaluation**

Evaluating progress is a continual process of tracking and adjusting by the child welfare professional along with the child, family, and team, if applicable. ~~In order to understand changes and needs of the family, the child welfare professional uses information obtained from monthly contacts with children, parents/caregivers, out-of-home care providers, collateral contacts, and if applicable, the family team.~~

The Permanency Plan Evaluation uses the goals in the plan as the basis for measuring progress and change related to enhancing stability and achieving permanence. The child welfare professional gathers information from parents/caregivers, children, family team members, and providers to make decisions about:

- The family's progress toward achieving change and permanence.
- The effectiveness of service delivery related to achieving goals.

## **Permanency Plan Evaluation Content**

The content of the Permanency Plan Evaluation must include:

- Updated general person management case information to assure the case record is up-to-date (family demographics, tribal membership status, agency and legal).
- Current assessment of parent and family functioning.
- Current assessment of child functioning and well-being; (education, health, mental health, and, when applicable, independent living plan).
- For an Indian child, the efforts made to engage the tribal child welfare professional in the evaluation of the Permanency Plan.
- A review of the child's participation in regular opportunities to engage in age and developmentally appropriate activities following the Reasonable and Prudent Parent Standard.
- An evaluation of the out-of-home care prevention plan for any child born to an expectant or parenting youth and any updates, as necessary.
- If the child born to the expecting or parenting youth is an Indian child, describe the active efforts made to prevent the break-up of the Indian family.
- Updated information related to the parent/caregiver readiness for change and their participation in Permanency Plan services and activities (identifying and understanding where a parent is in terms of their acknowledgement/acceptance of problems and willingness to change).
- Review and confirmation of the effectiveness of providers, informal supports, services, or other plan strategies.
- Review of progress in locating and engaging non-custodial parents, alleged fathers, and other relatives.
- Additional needed changes to the plan.
- Evaluation and confirmation of the continued safety, stability, and appropriateness of the placement setting.
- A review of and continued determination of the appropriateness of placement in a facility certified as a Qualified Residential Treatment Program (Q RTP), when applicable.

Child welfare professionals must rate the legal permanency status if a concurrent plan is required and the Permanency Plan is anything other than reunification or guardianship (See Appendix IV, Page 299, Legal Permanency Status Indicators).

### **When the Child is an Indian Child**

The Permanency Plan must ensure the need for compliance with Active Efforts for eligible Indian children as defined by the Wisconsin Indian Child Welfare Act (WICWA). This includes documentation of the Agency's efforts in the following areas:

- Requesting the tribal agency to assist in evaluating the case.
- Inviting representatives of child's tribe to participate in custody proceedings at earliest point.
- Notifying and consulting extended family members to provide structure and support to the child and parents/caregivers.
- Providing family interaction.

The Permanency Plan Evaluation must also ensure the Indian child's placement is in compliance with the order of placement preferences under §. 48.028(7)(b) or, if applicable, s. 48.028(7)(c). If the placement is not in compliance with that order, a statement as to whether there is good cause, as described in §. 48.028(7)(e), for departing from that order must be part of the evaluation process.

For additional WICWA information and requirements, refer to the Wisconsin Indian Child Welfare Act Desk Aid, Appendix I, page 288.

Evaluating progress of goals established in written agreements through a continual process of tracking and adjusting by the child welfare professional along with the child, family, and team, if applicable. To understand changes and needs of the family, the child welfare professional uses information obtained from monthly contacts with children, parents/caregivers/guardians, out-of-home care providers, collateral contacts, and the family team.

The Permanency Plan Evaluation uses the goals in the plan as the basis for measuring progress and change related to establishing safety and achieving permanence. The child welfare professional gathers information from parents/guardians, children, family team members, and providers to make decisions about:

- The family's progress toward achieving change and permanence.
- The effectiveness of service delivery related to achieving goals.

### Permanency Plan Evaluation Content

The content of the Permanency Plan Evaluation must include:

- Updated general person management information to ensure the record is up to date (family demographics, tribal membership status, agency and legal).
- Current assessment of parent/guardian and family functioning.
- Current assessment of child functioning and well-being; (education, health, mental health, and, when applicable, independent living plan).
- For an Indian child, the efforts made to engage the tribal child welfare professional in the evaluation of the Permanency Plan.
- A review of the child's participation in regular opportunities to engage in age and developmentally appropriate activities following the Reasonable and Prudent Parent Standard.
- An evaluation of the out-of-home care prevention plan for any child born to an expectant or parenting youth and any updates, as necessary.
- If the child born to the expecting or parenting youth is an Indian child, describe the active efforts made to prevent the break-up of the Indian family.
- Updated information related to the parent/guardian readiness for change and their participation in Permanency Plan services and activities (identifying and

understanding where a parent/guardian is in terms of their acknowledgement/acceptance of problems and willingness to change).

- Review and confirmation of the effectiveness of providers, informal supports, services, or other plan strategies.
- Review of progress in locating and engaging non-household parents, and -relatives.
- Additional needed changes to the plan.
- Evaluation and confirmation of the continued safety, stability, and appropriateness of the placement setting.
- A review of and continued determination of the appropriateness of placement in a facility certified as a Qualified Residential Treatment Program (QRTP), when applicable.

### **When the Child is an Indian Child**

The Permanency Plan must ensure the need for compliance with active efforts for eligible Indian children as defined by the Indian Child Welfare Act/Wisconsin Indian Child Welfare Act (ICWA/WICWA). This includes documentation of the Agency's efforts in the following areas:

- Requesting the tribal agency to assist in evaluating the case.
- Including representatives of the Indian child's tribe in custody proceedings at the earliest point.
- Notifying and consulting extended family members to provide structure and support to the child and parents/guardians.
- Providing family interaction.
- Offering and employing all available family preservation strategies.
- Offering and actively assisting families in accessing community resources.
- Monitoring progress and participation in services provided.
- Seeking alternative ways of addressing identified needs when services are not available to the family.

The Permanency Plan Evaluation must also ensure the Indian child's placement is in compliance with the order of placement preferences under Wis. Stat. s. 48.028(7)(b) or, if applicable, Wis. Stat. s. 48.028(7)(c). If the placement is not in compliance with that order, a statement as to whether there is good cause, as described in Wis. Stat. s. 48.028(7)(e), for departing from that order must be part of the evaluation process.

For additional ICWA/WICWA information and requirements, refer to the Wisconsin Indian Child Welfare Act Resources, Appendix 1, page 261.

Evaluating progress of goals established in written agreements if applicable, through a continual process of tracking and adjusting by the child welfare professional along with the child, family, and team. To understand changes and needs of the family, the child welfare professional uses information obtained from monthly contacts with children, parents/guardians, out-of-home care providers, collateral contacts, and the family team.

## Evaluating and Revising the Permanency Plan

The Permanency Plan must be revised and documented in eWiSACWIS when an evaluation indicates or reveals:

- More information is learned about child functioning, adult functioning, parenting practices or family functioning that necessitates a change to the case plan ~~in order~~ to assist the family to make the needed behavioral changes.
- A change on the CANS assessment identifies a change in service needs for the child, or another placement type is more appropriate to meet the needs of the child based on a change on the CANS assessment (e.g. from a residential care center to foster care).
- The court orders a disposition that is not consistent with the child's Permanency Plan.
- An administrative review panel makes a recommendation to change the existing Permanency Plan and court order.
- The permanence goal for the child is changed.
- An expecting youth placed in out-of-home care becomes a parent.

The agency must ~~create or~~ revise a Permanency Plan so that it is consistent with any of the above circumstances and file it with the court. ~~-, though a court hearing would not be required. These court-ordered changes are considered a part of the dispositional order and thus included in the Permanency Plan.~~ A copy of each revised plan that is filed with the court must be provided to the child's 'parent, /guardian, ~~or Indian custodian,~~ to the child or the child's counsel, (i.e. guardian ad litem or public defender), and to the ~~district attorney or the corporation agency's legal~~ counsel.

~~The filed Permanency Plan is part of the dispositional order. For any of the court-ordered changes listed above, the child welfare professional does not have to go back to court at that time for an additional revision to the Permanency Plan. These court-ordered changes are considered a part of the dispositional order and thus included in the Permanency Plan.~~

~~An example of when the court orders a disposition that is not consistent with the Permanency Plan is that if the current Permanency Plan has been filed within 60 days of the child's entry into out-of-home care with a placement in foster care and the court subsequently orders a dispositional order placing the child into residential care. This means the child's Permanency Plan would need to be updated to reflect the dispositional order.~~

Currently the timeframe for filing a revised ~~subsequent~~ Permanency Plans is not stated in statute; however, best practice indicates that a request for a revision should be submitted to the ~~district attorney or the corporation counsel that represents the agency agency's legal counsel~~ within 30 days after the event that instigated the need for the revision.

## Reconfirming Safe Environments of Unlicensed Homes and Foster Care

### While the Subsequent Permanency Plan

Subsequent Permanency Plans must be reviewed, updated, and provided to all parties in the case at least 5 days prior to the next permanency review or hearing.

The subsequent Permanency Plan must include information about the ~~child resides in out-of-home care~~ and parents/caregivers progress from the previous six months and goals for the next six months.

### Timeframe and Documentation

As part of evaluating the Permanency Plan, the child welfare professional must, ~~at~~ formally evaluate and document the Permanency Plan:

- No later than six (6) months from the date of the last Permanency Plan when the child is placed in out-of-home care.
- Subsequent reviews of the Permanency Plan must be completed within six (6) months of the last permanency review or hearing.

Requirements must be documented on the Permanency Plan in the family eWiSACWIS case record and approved by a minimum, evaluate and confirm the safety of a specific placement every six months or at the review of the case plan, whichever comes first.

The child welfare professional, designee, or other individual identified by agency policy (e.g. foster care coordinator, paraprofessional staff, etc.) must:

- ~~• Conduct a CCAP records check on all individuals seventeen years of age and older residing in the identified placement home.~~
- ~~• Conduct a reverse address Sex Offender Registry check and a CPS records check on any individual seventeen years of age and older that has moved into the identified placement home since the previous confirmation or reconfirmation of safety in the placement environment.~~

Additionally, the child welfare professional or designee must:

- ~~• Have face-to-face contact with out-of-home care provider(s) to judge the safety of the placement home by assessing placement danger threats (see Appendix V, page 301, "Placement Danger Threats"). If a placement danger threat(s) supervisor or her/his designee is confirmed, the child welfare professional must locate another placement home for the child.~~
- ~~• Assess the out-of-home care provider's ability to meet the combined needs of all the children and any other individuals requiring care in the home.~~
- ~~• Evaluate changes in the child's CANS assessment to determine if there are implications regarding the current out-of-home care provider's ability to meet the child's needs or the stability of the placement.~~

- Evaluate changes in the current out-of-home care provider's CANS assessment to determine if there are implications regarding provider's ability to meet the child's needs or the stability of the placement.
- Evaluate the child's adjustment to and attitude about the current placement as well as the child's overall integration into the placement family.

**Evaluate the current out-of-home care provider regarding the provider's ability to support the permanence goal for the child; relationship with the identified permanent placement for the child (unless the current out-of-home care provider is also the identified permanent placement) and relationship with the child welfare professional/agency.**

Agencies may designate the background check function to other individuals based on their agency policy. It is the responsibility of the child welfare professional or designee to utilize the background information to confirm safety in the placement environment for the child(ren).

## Additional Situations When Reconfirming Safe Environments of Unlicensed Homes and Licensed Homes

While the child resides in out-of-home care, the child welfare professional must, at a Safe Environment is Required minimum, evaluate and confirm the safety of a specific placement every six (6) months or at the review of the permanency plan, whichever comes first.

The child welfare professional or, designee, or other individual identified by agency policy (e.g. foster care coordinator, paraprofessional staff, etc.) must:

- Conduct a CCAP records check on all individuals seventeen years of age and older residing in the identified placement home.
- Conduct a reverse address Sex Offender Registry check and a CPS records check on any individual seventeen years of age and older that has moved into the identified placement home since the previous confirmation or reconfirmation of safety in the placement environment.

Additionally, the child welfare professional or designee must:

- Have face-to-face contact with out-of-home care providers to judge the safety of the placement home by assessing placement danger threats. If a placement danger threat is confirmed, the child welfare professional must locate another placement home for the child.
- Assess the out-of-home care provider's ability to meet the combined needs of all the children and any other individuals requiring care in the home.
- Evaluate must review and, if necessary, document changes to the Confirming Safe Environments in an Unlicensed or Foster Care Placement at each of the following points in the case: in the child's CANS assessment to determine if there are implications regarding the current out-of-home care provider's ability to meet the child's needs or the stability of the placement.
- When Evaluate changes in the current out-of-home care provider's CANS assessment to determine if there are conditions in the placement home that might affect a implications regarding provider's ability to meet the child's safety change either positively needs or negatively (e.g., an adult moves in or out of the home);
  - When the physical address stability of the placement changes (e.g., when a caregiver moves to a new home);
- An expecting youth placed in out-of-home care becomes a parent.
- When a report of alleged maltreatment is received; or
  - When there is concern of a possible Placement Danger Threat (Appendix V, page 301). Evaluate the child's adjustment to and attitude about the current placement as well as the child's overall integration into the placement family.
  - Evaluate the current out-of-home care provider regarding the provider's ability to support the permanence goal for the child; relationship with the identified permanent placement for the child (unless the current out-of-home care provider is

also the identified permanent placement) and relationship with the child welfare professional/agency.

At times the court may continue a placement despite a confirmed placement danger threat. In these situations, a plan should be made to ensure a safe environment for the child and recorded in the Confirming Safe Environments document in eWiSACWIS and the child's Permanency Plan.

## **Placement Danger Threats and Placement Decisions**

Placement danger threats (see Appendix V, page 301 “Placement Danger Threats”) are severe in nature and indicate that the unlicensed or foster care placement is an unsafe environment for the child.

### **Current Caregiver CANS Rating of “3”**

The child welfare professional uses the CANS tool to assist in identifying a child’s needs and strengths to meet their needs and make the best possible match with a placement home. This assessment process also identifies the current caregiver’s needs to support them in providing care for the child placed in the home.

- When the child welfare professional rates any area a “3” on the CANS tool for the “Current Caregiver”, the child welfare professional must reassess placement danger threats for the child.
- If a placement danger threat is confirmed, the child welfare professional must immediately begin the process of transitioning the child to an alternative placement.
- When a placement danger threat is ~~confirmed~~ identified for a specific child, the child welfare professional must immediately assess the safety of all children placed in the home. ~~In order to accomplish this, the child welfare professional collaborates with other child welfare professionals that have children placed in the home as well as the foster care coordinator.~~ If a determination is made that ~~the placement home~~ this is an unsafe environment for other children in the home, the ~~case manager for each child~~ welfare professional must immediately begin the process of transitioning the child ~~(ren)~~ to an alternative placement.

~~At times the court may continue a placement despite a confirmed placement danger threat. In these situations a plan should be made to ensure a safe environment for the child and recorded in the Confirming Safe Environments document in eWiSACWIS and the child’s Permanency Plan.~~

## **Current Caregiver CANS Rating of “Placement Danger Threats and Placement Decisions**

### **Placement danger threats (see Appendix 3”**

The child welfare professional uses, page 263 “Placement Danger Threats”) indicate that the CANS tool to assist in identifying a child’s needs and strengths in order to meet his/her needs and make the best possible match with a unlicensed or foster care placement home. This assessment process also identifies the current caregiver’s needs in order to support him/her in providing care is an unsafe environment for the child placed in the home.

- When the child welfare professional rates any area a “3” on the CANS tool for the “Current Caregiver”, the child welfare professional must reassess placement danger threats for the child.
- If a placement danger threat(s) is confirmed, the child welfare professional must immediately begin the process of transitioning the child to an alternative placement.

When a placement danger threat is [identified/confirmed](#) for a specific child, the child welfare professional must [immediately](#) assess the safety of all children placed in the home. [To accomplish this, the child welfare professional collaborates with other child welfare professionals that have children placed in the home as well as the foster care coordinator.](#) If a determination is made that ~~this~~[the placement home](#) is an unsafe environment for other children in the home, the child welfare professional [for each child](#) must immediately begin the process of transitioning the child~~(ren)~~ to an alternative placement.

### **Documentation**

The child welfare professional must use the “Reconfirming Safe Environments” template in eWiSACWIS to guide and document decision-making related to assessing, evaluating, and confirming safety in all unlicensed and [foster-care/licensed](#) placements and in all group home and residential [placements/care centers](#). Information regarding a safe environment must be documented in the family eWiSACWIS [case](#)-record and approved by a supervisor or [his/her/their](#) designee.

~~Safety, stability,~~ and permanence are applicable for all children involved with the child protective service system no matter the circumstances or type of case. -Every child is expected to have a

**~~Achieving Safety, Stability, and Permanence~~**

safe,  
stable,

and permanent home prior to ~~case~~-closure. -When working with families the agency is responsible for permanence by ensuring a safe ~~and stable~~ home for children that remain with the parents/~~caregivers~~guardians, are reunified with their parents/~~caregivers~~guardians, or are placed in an alternative permanent living situation.

**~~Subsequent Permanency Plan~~**

~~Subsequent Permanency Plans must be reviewed, updated, and provided to all parties in the case 10 days prior to the next permanency review or hearing.~~

~~The subsequent Permanency Plan must include information about the child and parents/caregivers progress from the previous six months and goals for the next six months.~~

**~~Timeframe and Documentation~~**

~~As part of evaluating the Permanency Plan, the child welfare professional must formally evaluate and document the Permanency Plan:~~

- ~~• No later than six months from the day of removal when the child is placed in out-of-home care and~~
- ~~• Subsequent reviews of the Permanency Plan must be completed within six months of the last permanency review or hearing.~~

~~Requirements must be documented on the Permanency Plan in the family eWiSACWIS case record and approved by a supervisor or her/his designee.~~

## PERMANENCE DETERMINATION AND ACHIEVEMENT

### Permanence Determination and Achievement

#### Permanence

The prompt and decisive actions that are made to maintain a child safely in [his/her/their](#) own home or to permanently place [him/her/them](#) in a safe alternate family setting can have a lasting impact on the quality of a child's permanent relationships, cultural identity, and sense of self.

Effective practice requires that planning for a child's permanence begin with the end in mind. -It is important to develop a partnership with the family in understanding the specific conditions required before child permanence can be achieved. -These conditions should be related to the goals specified in the Permanency Plan or court order. -It should be clear to the child and family when the [Permanency Planning](#) process is completed. -Planning for permanence includes establishing lifelong connections for the child. [Case consultation can assist agency staff in evaluating whether a particular goal is appropriate and how to address barriers in achieving permanence.](#)

~~Permanency consultation is available to plan for a child's permanence in a timely manner. Permanency consultation can assist agency staff in evaluating whether a particular goal is appropriate and how to address barriers in achieving permanence.~~

~~The Department of Children and Families has permanency consultants who are resources for professional consultation regarding permanency for children in out-of-home care (see Appendix VI, "Permanency Consultation Roles and Responsibilities", page 296).~~

~~Professional Consultation may include:~~

- ~~• Case consultation~~
- ~~• Concurrent planning meetings~~
- ~~• Family meetings~~
- ~~• Legal consultation and planning~~
- ~~• Permanency Plan reviews~~
- ~~• Permanency roundtables~~
- ~~• Tribal review and consultation~~

#### Permanency Planning

Permanency [Planning](#) requirements continue until permanence is achieved for a child or the child reaches the age of majority and ages out of care.- Permanence should bring physical, legal, and emotional safety and security within the context of a family relationship and allow lifelong relationships with a variety of caring adults. [Permanence can be achieved in a variety of ways.](#)

~~Permanence can be achieved in a variety of ways.~~ The Adoption and Safe Families Act (ASFA) recognizes the following permanence goals:

- Reunification
  - ~~Adoption~~
- ~~Transfer of~~ Guardianship
- ~~Adoption~~
- Placement with a ~~fit~~Fit and ~~willing relative~~Willing Relative
- ~~Other Permanent Living Arrangements (OPPLA) (i.e., sustaining care or long-term foster care)~~
- ~~Other Permanent Living Arrangements (i.e., Sustaining Care or Long-Term Foster Care)~~

~~Reunification is typically the desired permanence goal. However, there are times when reunification may not be appropriate or cannot occur. For these children, it is important to consider other permanence goals.~~

For children with a goal of “Other Planned Permanent Living Arrangement” (OPPLA), continued planning efforts to achieve the goals of ~~adoption~~reunification, transfer of guardianship, ~~adoption, or~~ permanent placement with a fit and willing relative, ~~or reunification~~ are required.

Reunification is the desired permanence goal. However, there are times when reunification may not be appropriate or cannot occur. For these children, it is important to consider other permanence goals.

If reunification cannot be achieved with the child and their parent, a permanence goal of guardianship or placement with a fit and willing relative, would allow for children to remain connected with their family without permanently severing ties between children and their biological and/or legal family.

A permanence goal of adoption may be appropriate if reunification cannot be achieved with the parent/guardian and there is no other relative or like-kin available to assume guardianship of the child.

In each case one or more of these basic sets of circumstances apply:

- The child is 16 years of age or older
- The child cannot be safely reunited with ~~his or her~~their birth family.
- Recruitment of ~~a guardian or~~ an adoptive ~~or guardian~~ family ~~has~~have not been successful.
- The agency has been unable to place the child with a fit and willing relative.
- There is an identified appropriate planned permanent living arrangement in which the child wishes to continue living.
- ~~A~~At the time the goal is selected, the decision ~~is~~has been made that ~~adoption or~~ reunification, guardianship or adoption is incompatible with a youth’s age, special need or complex circumstances: ~~at the time.~~
- The youth is being provided an opportunity to be a part of the decisions related to ~~his or her~~their permanency.

~~Children placed under a tribal court order (i.e. ICWA) who are under age 16, may continue with a permanency goal of OPPLA until September 29, 1997.~~

In all cases choosing the most appropriate goal(s) for a child involves considerations of the child, the family, the [Indian child's](#) tribe, and the relationships of the child with others and the progress of the Permanency Plan ~~(see Appendix VI, page 309, "Permanency Options," which has been developed to assist child welfare professionals in considerations for each of the allowable permanency options).~~

Permanence has been reached once ~~a judge states an identified goal~~[the court order \(e.g., Child in Need of Protection or Services case \(CHIPS\)/Juvenile in Need of Protection or Services \(JIPS\)/Temporary Physical Custody \(TPC\) has been achieved, however, the transition to permanence includes families living free of CPS agency intervention. terminated or dismissed.](#)

Agencies have the responsibility to ensure ~~families are~~[the family is](#) aware of resources and supports necessary to sustain the child on their own, [whether permanency is achieved through reunification, guardianship or adoption.](#)

~~Under changes to WI Stats. Act 128, sustaining care contracts for children under the age of 16 are voided and no new sustaining care contracts may be entered into as of February 5, 1996.~~

## Concurrent Planning

Concurrent planning is [the](#) process of working on one permanency goal while at the same time establishing and implementing an alternative permanency goal that involves simultaneous activities to move a child more quickly to permanency. [- Pursuant to Wis. Stat. s. 48.355\(2b\)](#). It involves a mix of meaningful family engagement, targeted case practice, and legal strategies aimed at achieving timely permanency. [- Concurrent planning must include the following core components:](#)

- Assessment/Determination
- Full Disclosure
- Family Search and Engagement
- Teaming
- Family Interaction
- Clear [time lines](#)[Timelines](#)
- Transparency
- Collaboration with [stakeholders](#)[Community Partners](#)

## Assessing the Need for Concurrent Planning

Assessing the need for concurrent planning involves early assessment of the conditions that led to the child's placement into out-of-home care, the strengths of the family, and the likelihood of reunification within 12 to 15 months, that is culturally respectful and based on the family's history and current functioning. [- The assessment is based on a review of factors that make timely reunification more or less likely.](#) [- This allows the child welfare professional and child's team to make determinations about the family's capacity to benefit from reunification services and the need for alternative planning.](#) [- By no means should the presence of such conditions be construed to mean reasonable efforts to reunify the child are not required, unless they meet the statutory criteria,](#) for instances where reasonable efforts are not required as stated in [Wis. Stats. Ch. ss. 48.38\(4m\) and 938.38\(4m\)](#).

## Determination of Appropriateness for Concurrent Planning

Certain indications have been shown to be related to factors that can delay or decrease the likelihood of reunification. -When one of the following circumstances exists, a concurrent permanence goal and plan must be established for a child:

- The child has been the victim of more than one form of abuse.
- There have been three or more CPS interventions for serious separate incidents, indicating a chronic pattern of abuse or severe neglect or there is a pattern of intergenerational abuse with a lack of historical change in family dynamics.
- A parent/[guardian](#) has a history of substance abuse or is chemically dependent and/or has a history of treatment failures or the child was drug-exposed at the time of birth.
- The child has been abandoned with friends, relatives, out-of-home care providers, [at the hospital](#), or after being placed in care, parents/[guardians](#) do not visit on their own accord.- Parents disappear or appear rarely.
- A parent/[guardian](#) is intellectually impaired, or has shown significant deficits in care for the child and has no support system of relatives able to share parenting.
- Parents ~~or caretakers~~/[guardians](#) have a pattern of at least one year of documented history of domestic violence between caretakers and they refuse to separate.
- A parent's rights to another child have been involuntarily terminated or the parent has asked to relinquish the child on more than one occasion.
- A parent/[guardian](#) has significant, protracted, and untreated mental health issues.
- The child or siblings have been placed in out-of-home care or with relatives for periods of over six months duration or have had repeated placements with CPS intervention and previous attempts at reunification have failed.
- ~~A parent's~~A parents/[guardian's](#) only visible support system is a drug culture, with no significant effort to change over time.
- A parent/[guardian](#) has repeatedly, and with premeditation, harmed a child or the child experienced extreme physical or sexual abuse by a parent, or the parent/[guardians](#) has allowed someone else to abuse the child.
- A parent/[guardian](#) has previously killed or seriously harmed another child.

The above list shall not be considered the only instances when a concurrent plan is established. -The establishment of a concurrent plan must be documented in the child's eWiSACWIS Permanency Plan.

Concurrent planning involves the practice of engaging parents/[guardians](#) in a discussion about all the permanence options, including the steps necessary for reunification, the possibility of a voluntary termination of parental rights (TPR),) [or transfer of guardianship](#), and the likelihood of an involuntary TPR if reunification goals are not accomplished within specified time limits. ~~It is not a fast track to adoption, but to permanence.~~ Effective concurrent planning [assuresensures](#) that the parents/[guardians](#) recognize that they [chooseimpact](#) outcomes for their child through their actions.

Family [teamingTeaming](#) is a critical component of concurrent planning practice. -Concurrent planning and [family teamingFamily Teaming](#) are approaches that happen at the same time. Family teams support the concurrent planning process by providing a format to share

knowledge, planning, and decision making with the family and providers regarding goals, timelines, and options for permanence.

### Full Disclosure

Full disclosure involves the child welfare professional providing information, both verbally and in writing, to the parents/guardians so that they fully understand the need for timely permanence for their child full disclosure includes the child welfare professional:

- Explaining that out-of-home care is temporary, and it is better for children to be cared for by their parents/guardians and/or others who they know and love them.
- Providing information about the parents' rights and responsibilities, including: the need to share information about the child's needs, a search for and consideration of relatives who may be able to care for the child, participation in the case planning process and the involvement of the court system.
- Discussing the support services available to help the parents/guardians.
- Providing information about the goals of concurrent planning, time frames, and permanency options. Child welfare professionals must rate the legal permanency status within 60 days if: a concurrent plan is required and the Permanency Plan is anything other than reunification or guardianship (See Appendix IV, Page 299, "Legal Permanency Status Indicators"). The child welfare professional must explain to the parents/guardians that developmental and emotional harm can result from a child placed in out-of-home care and the urgency to establish permanence.
- Explaining the timelines for permanency required through the Adoptions and Safe Families Act of 1997.

### Achieving Permanence

## **Full Disclosure**

Full disclosure involves the social worker providing information, both verbally **Reasonable and** in writing **Active Efforts**

**Reasonable Efforts** to the parents/caregivers so that they fully understand the need for timely **Achieve Permanence**

Child welfare agencies are required to provide reasonable efforts, or active efforts in the case of an Indian child, to achieve permanence for their child. Full disclosure includes in out-of-home care.

Considerations for reasonable efforts may include:

- Providing family interaction.
- Offering of services consistent with the Permanency Plan goals.
- Providing case management services through an assigned child welfare professional:
  - Explaining that foster care is temporary and it is not good for children to grow up without permanent parent(s).

## **Active Efforts to Prevent the Breakup of the Indian Child's Family and/or Reunify**

If the child is an Indian child, the child welfare agencies are required to provide active efforts to prevent the breakup of the Indian child's family. If the Indian child is removed from their family, child welfare agencies are required to provide active efforts to reunify the family. Active efforts as defined by ICWA/WICWA requires an ongoing, vigorous, and concerted level of case work that must include:

- Engaging the tribal child welfare professional in any evaluation and case plan development.
- Comprehensively assess the family and explore in-home safety options.
- Identifying the tribal child welfare professional at the earliest point possible. Actively seek their advice and invite them to participate in all aspects of the proceeding.
- Notifying and consulting extended family members to provide structure and support to the Indian child, parents/guardians and Indian custodian.
- Providing natural and unsupervised family interaction.
- Utilizing all family preservation strategies and seek the assistance of tribal child welfare professionals to determine if the strategies are culturally appropriate.
- Actively assisting the family in accessing community resources.
- ~~Monitoring progress and aiding the family's participation in Providing information about the parents' rights and responsibilities, including: the need to share information about the child's needs, a search for and consideration of relatives who may be able to care for the child, participation in the case planning process and the involvement of the court system.~~
- Discussing the support services available to help the
  - Considering alternative ways of addressing the needs of the Indian child's parents.
  - family was provided. Providing information about the goals of concurrent planning, time frames, and permanency options. The social worker must explain to the parents that developmental and emotional harm can result from a child placed in foster care and the urgency to get the child out of foster care, either through reunification with the parent(s) or into a legally permanent home.

Informing the parents about the consequences of not following through with the case plan.

## Reasonable and Active Efforts to Achieve Permanence

Child welfare agencies are required to provide reasonable or Active Efforts in the case of an Indian child, to achieve permanence for children in out-of-home care.

Considerations for Reasonable Efforts may include:

- Providing family interaction.
- Offering of services consistent with the Permanency Plan goals.
- Providing case management services through an assigned child welfare professional.

Active Efforts as defined by the Wisconsin Indian Child Welfare Act (WICWA) must include:

- Request tribal agency to assist in evaluating the case.
- Representatives of child's tribe were invited to participate in custody proceeding at earliest point.
- Extended family members notified and consulted to provide structure and support.
- Provide family interaction.
- All available family preservation strategies were offered or employed.
- Community resources were offered and actively assisted in accessing those resources.
- Monitoring progress and client participation in services was provided.
- Alternative ways of addressing the needs were provided if services did not exist or were not available to the family.

For each permanency option there are specific criteria that needs to be considered for appropriateness when choosing that goal and identifiable achievement in order to consider the child to have obtained permanence.

## Permanency Goals

Reunification represents a specific event within ongoing case management services. It is possible to reunify after parents/caregivers/guardians have made progress related to issues associated with safety threats and parent/caregiver/guardian protective capacities. -The essential question is, "Can the child be kept safe within the home if he or she is/they are returned home?"- The answer to this question is based on the determination that there has been sufficient change related to parent/caregiver/guardian's behavior or adjustment or change in circumstances associated with

conditions for return which justify returning the child home.- The safety assessment results will assist the child welfare professional in determining if reunification can occur with or without an in-home safety plan.

### Trial Reunification Criteria and Process

~~Child welfare professionals shall consider the use of trial reunification as a way to provide a structured way to work towards reunification with~~ Reunification is defined as a child returning to the child's parents/guardians or the home of removal from which they were removed.

~~When For child welfare cases the decision to reunify shall be based on whether sufficient progress has been made to ameliorate on goals of the reasons for removal Permanency Plan, and it is in the child/youth's or Indian child's best interests a trial reunification may be appropriate.~~

~~"Trial reunification" means a period of seven consecutive days or longer, but not exceeding 150 days, during which a child who is placed in an out-of-home placement under s. 48.355, 938.355, 48.357, or 938.357 Wis. Stats., resides in the home of a relative of the child from which the child was removed or in the home of either of the child's parents for the purpose of determining the appropriateness of changing the placement of the child to that home.~~

When reunification is with a non-household parent, the agency shall continue to work with the non-household parent to obtain a family court order that supports custody/placement with that parent. The agency shall not close the family's case until a family court order is in place that supports the reunification arrangement.

#### Prior to reunification for all case types:

- Child welfare professional must consult with their supervisor, or designee.
- Agency must ensure court approval, and

Child welfare professional must develop a plan that addresses how changes in family dynamics will be managed. ~~Note: Open cases with dispositions of Trial Reunification at age 18 or older still qualify for independent living (IL) services.~~

- ~~For additional information, refer to page 190 “Trial Reunification” and s. 48.358 or 938.358 Wis. Stats.~~

### **Trial Reunification** ~~Criteria and Process~~

~~Reunification is defined as a child returning~~ Child welfare professionals shall consider the use of trial reunification to provide a structured approach to work towards reunification with the child’s parents/guardians’ or the home from which he or she was removed of removal.

~~For child welfare cases the decision to reunify shall be based on whether~~ When sufficient progress has been made on goals of to ameliorate the case plan reasons for removal, and it is in the child’s or Indian child’s best interests, a trial reunification may be appropriate.

Note: Open cases with dispositions of Trial Reunification at age 18 or older still qualify for independent living (IL) services.

For additional information, refer to page 173 “Trial Reunification” and Wis. Stats. When reunification is with a non-custodial parent, the agency shall continue to work with the non-custodial parent to obtain a family court order that supports the current situation. Until the family court order is modified the agency shall not close its case.

#### **Prior to reunification for all case types:**

- ~~The worker must consult with his/her supervisor, or designee,~~
- ~~The agency must ensure court approval, and~~

~~The worker must develop a plan that addresses how changes in family dynamics will be managed. ss. 48.358 or 938.358.~~

## Documentation Requirement in the Permanency Plan for Choosing the Goal of Reunification

When reunification is selected as the goal, the following information must be documented to support and justify this decision:

- The conditions, if any, upon which the child will be returned safely to ~~his or her~~their home, including any changes required to the ~~parents'~~parents/guardian's conduct, the child's conduct, or the nature of the home must be documented in the plan.
- Agency efforts to achieve this goal.

## Termination of Parental Rights (TPR)

The federal Adoption and Safe Families Act (ASFA) ~~(d)~~, 42 USC 675-(5)-(E) and 45 CFR 1356.21(i) ~~(j)~~, specifies that a TPR petition must be filed for a child who has been in out-of-home care for 15 of the last 22 months ~~-, unless certain exceptions apply (see below).~~ The timeframes do not consider whether or not an adoptive resource has been located for the child ~~or not~~.

ExceptionFor specific statutory requirements, refer to Wis. Stat. s. 48.417.

### Documentation Requirement

When an agency does not file a TPR petition within the ASFA timelines, one or more compelling reasons must be documented ~~as an exception. For additional information, refer to DCF Memo Series 2007-18, "in the eWISACWIS document Permanency Plan ASFA Exception~~Addendum.

### ASFA Exceptions to Filing a TPR Petition":

- Child is placed with a fit and willing relative.
- Compelling reason(s) why termination of parental rights is not in the child's best interest.
- Reasonable efforts to safely return the child to their home have not been made.
- Grounds for involuntary TPR do not exist.

## Adoption Criteria and Process

Adoption is intended to provide ~~the legal~~ guarantee of permanence for a child.- Any decision to pursue an adoption should minimally include the following:

- The proposed adoptive resource demonstrates protective capacities, stability, nurturing care, and the ability to provide a lifelong commitment and relationship with the child.
- The child welfare professional has explained to the proposed adoptive resource the eligibility of the child for continued financial assistance through Adoption Assistance and for continued Medical Assistance through Title XIX for the child.

When adoption is identified as the permanence goal for a child in out-of-home care the following needs steps need to be completed by the child welfare professional ~~and submitted to the Public Adoption Agency: the Adoption Readiness form (DCF-F-CFS2370) and a legal permanency status rating (See Appendix IV, page 300):~~:

- If Make a referral to the assigned public adoption agency using form Adoption Readiness and Referral (DCF-F-CFS2370-E).
- Participate in case collaboration with the public adoption agency if indicated in Part II of the Adoption Readiness and Referral (DCF-F-CFS2370-E).
- Complete the Public Adoption Case Transition Checklist (DCF-F-5056-E) within 30 days of TPR disposition. It is recommended that the checklist be started as early as TPR filing.

Adoption may occur when:

- The child is assessed to be ready legally free for adoption,
- There is an identified and approved adoptive resource, and
- The court finalizes the permanency status is "good" or better, then adoption in a court hearing.

**Documentation Requirement in the** ~~child welfare professional shall make a Permanency Readiness referral (DCF-F-CFS2370-E)~~ **Plan for Choosing the Goal of Adoption**

When adoption is selected as the goal the following information must be documented to support and justify this decision:

- The rationale for choosing the regional goal of adoption-contract supervisor.
- The efforts of the agency to achieve the goal of adoption.

## **Guardianship Criteria and Process**

Guardianship is a long-term permanency option for children when reunification cannot occur. Guardianship transfers the duty and authority to make important legal decisions for the child to an individual without severing the child's legal relationship with their parents and other family members.

Guardianship can be transferred pursuant to Wis. Stat. s. 48.977, Wis. Stat. s. 48.9795, or under a tribal court order that is substantially similar. The child welfare professional assesses the relationship between the child and their proposed guardian(s), and that the proposed guardian(s) is willing and able to care for the child long-term. This includes maintaining the child's parent(s) right to reasonable visitation with their child after permanency is achieved. The agency child welfare professional should consult with the child, their parents, and the proposed guardian(s) the supports and services available to them under guardianship.

### **Subsidized Guardianship**

Subsidized guardianship supports the legal permanency option of guardianship and provides financial support to the guardian to offset the costs of caring for the child after permanency is achieved. Pursuant to Wis. Stat. s. 48.623 and Wis. Admin. Code s. DCF 55, the child and their prospective guardian(s) must meet specific eligibility criteria prior to the appointment of guardian. This program only applies to guardianships established under Wis. Stat. s. 48.977, or under a tribal court order that is substantially similar.

Note: A child entering a guardianship established under Wis Stat. s. 48.977 or under a tribal court order that is substantially similar after age 16 is eligible for independent living services via the contracted Transition Resource Agencies (TRAs) starting at age 18. The child welfare professional should inform the child and guardian of their IL eligibility and collaborate with the TRA as they would for other IL-eligible youth transitioning from care.

### **Child Eligibility**

- Has been removed from their home under:
  - A voluntary placement agreement under Wis. Stat. s. 48.63 or a substantially similar tribal law of a tribe located in Wisconsin, or
  - A Wisconsin court order or a substantially similar tribal court order containing a finding that continued placement of the child in their home would be contrary to the welfare of the child.
- Has been placed in the prospective guardian's home for at least six consecutive months before guardianship is established.
  - If the child is an Indian child and subject to the jurisdiction of a circuit court, placement preferences under Wis. Stats. s. 48.028 (7) (b), or, if applicable, Wis. Stat. s. 48.028 (7) (c) must be followed, unless the court found good cause, as described in Wis. Stats. s. 48.028 (7) (e), for departing from that order.
- Reunification or adoption/customary adoption are determined to not be in the child's best interest.

- If 14 years old or older, the child has been consulted regarding the guardianship arrangement.
- Has a strong attachment to the caregiver.

#### Prospective Guardian Eligibility

- Is a relative or fictive kin to the child.
  - o Fictive kin is defined as a person who had a significant relationship with the child or child's family before the child's placement in out-of-home care, OR
  - o A person who developed a significant relationship with the child or the child's family during the child's placement in out-of-home care and all the following apply:
    - The person is a foster parent who has had a relationship with the child for at least two years.
    - The child is 14 years of age or older.
    - The child has been placed in out-of-home care for 15 out of the last 22 months.
    - The agency or court determines that placement with a fit and willing relative is not in the child's best interest.
- Is a licensed foster parent for at least six consecutive months before guardianship is established.
- Has a strong commitment to permanently care for the child long term.

#### Additional Eligibility

- Caregiver enters into a subsidized guardianship agreement with the child welfare agency prior to the guardianship being established.
- After guardianship is established under Wis. Stat. s. 48.977 or under a tribal court order that is substantially similar, the underlying court order placing the child or continuing the placement of the child outside their home must be dismissed or terminated.

For more information about Subsidized Guardianship go to:  
<https://dcf.wisconsin.gov/cwportal/sg>.

#### ~~Adoption may occur when:~~

- ~~• The child is legally free for adoption,~~
- ~~• There is an identified and approved adoptive resource, and~~
- ~~• The court finalizes the adoption in a court hearing.~~

#### **Documentation Requirement in the Permanency Plan for Choosing the Goal of Adoption**Guardianship

When guardianship is selected as the goal the following information must be documented to support and justify this decision:

- The rationale for choosing the goal of [adoption guardianship](#).
- The efforts of the agency to achieve the goal of [adoption transfer of guardianship](#).

### Transfer of Guardianship Criteria and Process

When reunification is not possible and an individual will assume the legal and financial responsibilities associated with guardianship as specified in s. 48.977 Wis. Stats., or Ch. 54 Wis. Stats., a transfer of guardianship is appropriate. With a transfer of guardianship, the birth parent(s) retain their parental rights, but with limitations placed on them by the courts or guardians.

#### **Transfer of Guardianship may occur when:**

- The proposed guardian(s) demonstrates protective capacities, stability, nurturing care, and the ability to provide a lifelong commitment and relationship with the child.
- The proposed guardian(s) demonstrates the capacity to manage the relationship with the child's birth parents including any contact with the child after permanence has been achieved.

The agency child welfare professional has explained to the proposed guardian the supports and services available to them under adoption and the eligibility (see Permanency Options, Appendix VI, page 309) of continued financial assistance through:

#### **Subsidized Guardianship**

Applies to guardianships established under § 48.977 Wis. Stats., or under a substantially similar tribal law in Wisconsin and to children and proposed guardians that meet the eligibility criteria established by this policy, regardless of whether the child is placed in Wisconsin or out-of-state.

If the child and caregiver are eligible for a subsidized guardianship an eligibility determination must be made.

## Eligibility for Subsidized Guardianship

### Child

A child as defined by §. 48.02 (2) Wis. Stats., is eligible to receive subsidized guardianship if the agency determines that all of the following apply:

The child has been removed from his or her home pursuant to a voluntary placement agreement under §. 48.63 Wis. Stats., or under a substantially similar tribal law or under a court order containing a finding that continued placement of the child in his or her home would be contrary to the welfare of the child.

- The child is placed with the prospective relative or “like kin” guardian for at least six consecutive months immediately preceding the establishment of the guardianship.
- It has been determined that reunification and adoption are not appropriate permanency options for the child.
- Placement preferences as required under WICWA shall be followed with any proposed permanent option for an Indian child and notice shall be sent to the tribe as required. (§. 48.977(4)(g)4. Wis. Stats.)
- Tribal traditions shall be considered when choosing permanency options in the best interests of an Indian child.
- The child demonstrates a strong attachment to the prospective guardian; and if the child is age 14 or older, he or she has been consulted regarding the guardianship agreement.
- The guardianship is pursuant to §. 48.977 Wis. Stats., or a substantially similar tribal law in Wisconsin.

### Prospective Guardian

A prospective guardian who meets all of the following criteria may receive subsidized guardianship payments on behalf of an eligible child.

- The individual is a prospective guardian as defined by §. 48.977
- The prospective guardian is the eligible child’s relative as defined by §. 48.02 (15), or has a “like-kin” relationship with the child. A “like-kin” relationship is an individual who has an existing family-like relationship with the child or child’s family prior to the child’s entry into out-of-home care placement, who has a significant emotional connection to the child and the individual does not meet the relative definition under §. 48.02 (15).
- The prospective guardian is a licensed foster parent and approved for subsidized guardianship by the department or county agency and all adults residing in the guardian’s home meet the requirements specified in §§. 48.685.

- The eligible child has resided with the prospective guardian in the prospective guardian's residence for at least six consecutive months immediately preceding the establishment of the guardianship.
- The guardian has a strong commitment to permanently caring for the child.
- Prior to being named guardian of the child, the guardian entered into a subsidized guardianship agreement with the agency.
- The guardian has obtained legal guardianship under §. 48.977 or a similar tribal law after entering into a subsidized guardianship agreement or a substantially similar tribal law in Wisconsin and the underlying CHIPS, JIPS, or tribal order has been vacated after the subsidized guardianship agreement has been negotiated and finalized with the department or county agency.

### **Documentation Requirement in the Permanency Plan for Choosing the Goal of Guardianship**

- The rationale for choosing the goal of guardianship.
- The efforts of the agency to achieve the goal of transfer of guardianship.

Guardianships can be ~~vacated~~terminated if a parent or guardian petitions the court to have the guardianship ~~vacated~~terminated. Prior to ~~vacating~~terminating a Chapter 48 guardianship, the court ~~will~~should notify the child welfare agency of any petition to ~~vacate~~terminate the guardianship. -If a guardianship is ~~vacated~~terminated, another person may be ~~named as an interim caretaker, or in the event of the guardian's death or incapacitation another person may be named~~appointed as a successor guardian in accordance with ~~Chapter DCF 55 and Wis. Stat. s. 48.623~~48.9795(8) or Wis. Stats. ss. 48.977623 and ~~48.977~~Wis. Stats.(5m).

Permanence has not been achieved if the agency is unable to achieve safe ~~case~~ closure, keeps the out-of-home care placement open for ~~reimbursement~~financial purposes ~~to continue to make foster care payments~~, or the court continues the out-of-home care placement. -In this case all permanency-planning requirements are still in effect, including family interaction planning.

## Permanent Placement with a Fit and Willing Relative

Permanent placement with a fit and willing relative may occur when:

- The relative demonstrates to the agency the capacity and ability to ~~cooperate~~work with the ~~birth parent(s)~~child's parents/guardians to manage conflict and obtain the necessary ~~signatures from the birth parent~~consent to maintain the child's health and well-being needs.
- The relative must also demonstrate the ability, capacity, and commitment to provide long-term for the child's safety, permanence, and well-being needs.
- The relative must ~~meet fall within the definition of relative for~~ placement ~~criteria for a relative as defined by § purposes under Wis. Stat. s. 48.02-(15).~~
- The agency child welfare professional has explained to the relative the supports and services available to them under other more permanent options such as ~~adoption guardianship with either Subsidized Guardianship payments or Kinship Care payments for the child and the eligibility requirements for voluntary Kinship Care under Ch. DCF 58 Administrative Rule for continued financial assistance~~guardianship or adoption.

### Documentation Requirements in the ~~child's~~Child's Permanency Plan

When permanent placement with a fit and willing relative is selected as the goal the following information must be documented to support and justify this decision:

- The rationale for choosing the goal of permanent placement with a ~~Fit~~fit and ~~Willing Relative~~willing relative.
- The efforts of the agency to achieve permanent placement with a fit and willing relative.

### Other Planned Permanent Living ~~Arrangements~~Arrangement

Other Planned Permanent Living Arrangement (OPPLA) is the least preferred option for a child and lacks legal permanence for the child. ~~OPPLA, which includes long-term foster care and sustaining care, OPPLA~~ is an arrangement that is planned and intended to establish permanency for a child through a supportive relationship with a significant adult(s) that will endure over time, minimally until the child reaches the age of 18 years old. ~~Caution should~~OPPLA can only be used ~~when choosing OPPLA as a goal for any child, especially those who are young, children age 16 or older.~~ OPPLA is not intended for a temporary placement plan and should not be confused with Independent Living services.

This ~~shall be the goal of choice~~may only be used when there is a finding by the court that the other four goals are not in the ~~child or Indian~~ child's best interests.

The child welfare professional must continue the following efforts:

- Continue diligent efforts to locate and engage non-~~custodial~~household parents, ~~fathers,~~ and ~~other~~ relatives as resources for the child.

- Review the file in detail and talk with those familiar with the child to locate and identify relationships or significant connections that may have been missed or that may be developing, i.e., teachers, medical caregivers, volunteers, etc. to see if a permanent resource can be made.
- Talk to the child about the important people in their lives, who they look up to and who they feel they can count on to “be there” for them.
- Exploration of the child’s relationships as they develop and change over time.
- For relationships that have been identified, evaluate and screen, support and nurture such relationships through interaction, information sharing, and activities that build on the foundation that has been established.

### **Documentation Requirements**

The following must be documented in the child’s Permanency Plan in eWiSACWIS:

- The rationale for choosing the goal of OPPLA.
- The continued efforts of the agency to achieve the other permanence options for the child, unless there is a Sustaining Care Contract (Wis. Stat. s. 48.428) with the caregiver.
- The intensive, ongoing, and unsuccessful efforts made by the agency to return the child home or place the child for adoption, with a guardian, or with a fit and willing relative, including through efforts that utilize technology, such as social media, to find the child’s biological family members.

The following must be documented on the permanency review or hearing results template in eWiSACWIS:

- Confirmation that the court or administrative body discussed with the child their desired permanency outcome.
- A finding by the court or administrative body that OPPLA is the best Permanency Plan for the child.

- ~~Review the case file in detail and talk with those familiar with the child to locate and identify relationships or significant connections that may have been missed or that may be developing, i.e., teachers, medical caregivers, volunteers, etc. to see if a permanent resource can be made.~~
- ~~Talk to the child about the important people in their lives, who they look up to and who they feel they can count on to “be there” for them.~~
- ~~Exploration of the child’s relationships as they develop and change over time.~~
- ~~For relationships that have been identified, evaluate and screen, support and nurture such relationships through interaction, information sharing, and activities that build on the foundation that has been established.~~

### **Documentation Requirements**

The following must be documented in the child’s Permanency Plan in eWiSACWIS:

- The rationale for choosing the goal of OPPLA.
- The continued efforts of the agency to achieve the other permanence options for the child, unless there is a Sustaining Care Contract (s. 48.428) with the caregiver.
- The intensive, ongoing, and unsuccessful efforts made by the agency to return the child home or place the child for adoption, with a guardian, or with a fit and willing relative, including through efforts that utilize technology, such as social media, to find the child's biological family members.

The following must be documented on the permanency review or hearing results template in eWisACWIS:

- Confirmation that the court or administrative body discussed with the child his / her desired permanency outcome.
- A finding by the court or administrative body that OPPLA is the best permanency plan for the child.

Under changes to WI Stats. Act 128, sustaining care contracts for children under the age of 16 are voided and no new sustaining care contracts may be entered into as of February 5, 1996.

If resources are established for the child, but there are barriers to legal permanence for the child through adoption or guardianship, agencies may want to consider using a permanency pact with the child and committed adult(s) to establish a more formal commitment to an enduring relationship with the child. A permanency pact that has been developed by FosterClub, a national organization, can be found at: <https://www.fosterclub.com/foster-parent-training/course/fosterclubs-permanency-pact>.

## Transitioning a Child to Permanence

The agency must assist and prepare the child for the transition to permanence. Transition preparation must identify and address long-term needs consistent with the child's age and development. -The agency child welfare professional shall ensure that the transition is known and agreed to with others involved in implementing the transition to permanence.

A child's readiness to proceed with permanence is aided by conscientious preparation by child welfare professionals before, during, and after transitions to:

- Prepare the child and family.
- Assess any current or ongoing needs.
- Develop a process for the transition that is in the best interests of the child considering his/her emotional, behavioral, and psychological needs.

Child welfare professionals must assess the steps taken earlier to prepare the child and permanent caregiver(s) to determine any additional and on-going services needed to plan for the child's safety, emotional readiness, overall functioning, and the family's readiness for permanent placement.

When multiple children of the same family are involved ~~in achieving permanence from their out-of-home care settings~~, the plans to transition to permanence should be child-specific with efforts made to prevent re-entry. -For reunification, consideration should be given to the timing of each child's reunification and the ~~parents'parents/guardians'~~ capacity to manage the reintegration of each family member into the family unit and each child's specific needs for transitioning. -The use of a trial reunification may also be warranted.

~~Safety, permanence, and stability are achieved within a family relationship that offers safe, stable, and committed parenting, unconditional love and lifelong support, and legal family membership status.~~

Reunification does not ~~always~~ equal case closure. -Once the child is reunified, the child welfare professional ~~will~~may continue to work with the parents/~~caregivers~~guardians on behavioral changes to improve family functioning ensure safety, permanence, and stability for their children. -When a child cannot return home and another permanent living arrangement is identified for the child, the agency should ensure safety, ~~and~~ permanence ~~and stability~~ is achieved for the child prior to closing the case.

Safety, ~~and~~ permanence, ~~and stability~~ are achieved within a family relationship that offers safe, ~~stable~~, and committed parenting, unconditional love and lifelong support, and legal family membership status.

~~Child welfare professionals need to recognize that older~~Older adolescents are in a crucial transition phase toward self-sufficiency.- Therefore, healthy relationships and supportive individuals, including foster parents, friends, and other adults in the community are extremely important to youth exiting out-of-home care, as well as opportunities to practice life-skills; mechanisms for assuring the involvement in decisions affecting their lives; assuring youth's

## Independent Living Planning

familiarity with community resources and the establishment of transitional living resources. Lifelong connections to caring adults isare paramount to the success of older youth exiting out-of-home care.

### **Independent Living Planning**

If thea child is 14 years of age or over and has been in out-of-home care for at least six (6) months, the child becomes eligible for independent living (IL) supports and services. At that time, an independent living plan is required to specify the programs and services that will be, or are being, provided to assist the child in developing life- skills while in care and preparing for the transition from out-of-home care to stability and self-sufficiency as a young adult. This plan must be informed by an independent living skill assessment (e.g. Daniel Memorial or Casey Life Skills Assessment) and shall be integrated into the child's permanency and safety planning. So long as the child remains in a qualifying out-of-home care placement, their child welfare professional and/or IL Coordinator is responsible for coordinating IL supports and services and fulfilling independent living plan and documentation requirements.

The Permanency Plan and IL Plan must be developed in consultation with the youth and two other individuals selected by the youth who are not the youth's child welfare professional or foster parent. -The agency may reject a person selected by the youth if the agency has good cause to believe that the person would not act in the best interests of the youth. -The Permanency Plan and IL Plan must include all of the following:

- The anticipated age at which the child will be discharged from out-of-home care,.
- The anticipated amount of time available in which to prepare the child for the transition from out-of-home care to stability and self-sufficiency as a young adult,.
- The anticipated location and living situation of the child enupon discharge from out-of-home care,.
- A description of the assessment process, tools, and methods that have been or will be used to determine the services that are or will be provided to assist the child in preparing for the transition from out-of-home care to stability and self-sufficiency as a young adult,.
- The date the child received the Handbook for Youth in Foster Care, which describes the rights of the child with respect to education, health, visitation, and participation in court proceedings, and.
- The rationale for each program or service that is or will be provided to assist the child in preparing for the transition from out-of-home care to stability and self-sufficiency as a young adult,.
- The time frames for delivering those programs or services, and the intended outcome of those programs or services. -Programs and services include but are not limited to:
  - Successful high school education, postsecondarypost-secondary education, or training
  - Career planning
  - Employment
  - Safe, stable, and affordable housing
  - Home maintenance

- Transportation
  - Health and medical
  - Cultural competency
  - Knowledge and use of community resources and support systems
  - Financial self-sufficiency
  - Other life skills development goals as identified by the youth.
- If the youth is age 14 or older, the agency must provide the youth with a copy of ~~his or her~~their credit report or a letter from the agency verifying a credit check was conducted and contained no evidence of credit abuse. The report copy or letter must be provided annually. If there are any inaccuracies in the credit report, the agency shall make efforts to amend these errors.

If a youth has been in care for six (6) months or longer and reaches the age of majority, the agency responsible for providing services to the youth must ensure the child is in possession of the following:

- Certified copy of their birth certificate,
- ~~social security~~Social Security card,
- ~~information~~Information on maintaining health care coverage, and
- ~~either~~Either a driver's license or a state-issued identification card

The agency must update and provide the following to the youth 90 days prior to the youth's 18<sup>th</sup> birthday:

- Copy of the youth's health care records.

These documents must be provided to the youth 90 days prior to when the youth reaches age 18. -If the youth remains in care after age 18, the agency must continue to update these documents and provide them to the youth 90 days prior to the termination of the court order or Voluntary Transition to Independent Living Agreement. -This must be documented on the child's Permanency Plan.

Resources and guidance related to independent living are available at <https://dcf.wisconsin.gov/cwportal/il> (under "Resources, Training, & Reports").

## National Youth in Transition Database (NYTD)

### Youth at age 17

Any youth in out-of-home care who reaches [his or her](#)their 17<sup>th</sup> birthday is a part of the baseline population for the NYTD outcomes survey process.

The survey asks youth questions about their financial self-sufficiency, any experience with homelessness, educational attainment, positive adult connections, high-risk behavior, and access to health care and insurance.

Outcomes survey for 17-year-olds must be completed within 45 days after the youth's 17<sup>th</sup> birthday.

County agencies have a role in the successful survey gathering, as outlined below. However, in the NYTD survey process, UW Survey Center (UWSC) will play a more prominent role in the management, outreach and survey completion functions.

The process is as follows:

- On or near the youth's 17<sup>th</sup> birthday, the UWSC will mail an initial letter to the youth containing a customized web link and passcode to access the web-based survey. A \$5 bill will be included in the initial letter as a token of appreciation for the youth's time.
- At the same time, the youth's child welfare professional will be sent an e-mail from the UWSC with the same web link. An eWiSACWIS tickler will continue to be activated to notify child welfare professionals that the NYTD Outcomes Survey for the 17-year-old must be completed within 45 days after the 17<sup>th</sup> birthday. Upon receiving the e-mail, child welfare professionals should contact the youth to make sure the youth received the letter and the \$5 bill. If the youth did not receive the letter, child welfare professionals can use the link in their e-mail, which provide access to the survey.

**NOTE:** If the youth has internet access, the youth is encouraged to take the survey right away. If the youth does not have internet access and/or needs assistance, the child welfare professional should arrange a time with the youth to take the survey.

- Frequent reminder letters will be sent from the UWSC to the youth until the survey is completed.
- If a youth has not completed the survey after repeated letters, the UWSC telephone-interviewing staff will begin calling the youth.
- Once the survey is complete and taken within ~~the~~ 45 days, the UWSC will send the youth a \$20 bill. Late responders (after 45 days) will not receive \$20.

To improve the likelihood of completion of the surveys for youth at ages 19 and 21, workers must obtain information from the youth about how to contact them after they leave out-of-home care ~~in order~~ to follow-up with them at age 19 and 21.- This information must be entered on the Contacts Tab on the IL page in eWiSACWIS.

In order to ensure information is collected timely, it is recommended that child welfare professionals arrange their monthly visit to take place immediately following the youth's 17<sup>th</sup> birthday in order to complete and submit the survey within the required 45 days.

### **Youth at Ages 19 and 21**

Each youth who participated in the NYTD Outcomes survey as part of the baseline population at age 17, becomes the follow-up population at ages 19 and 21. -Those who participated in the data collection at age 17, but not 19 for a reason other than being deceased, remain a part of the follow-up population at age 21. -These youth must complete the survey within the federal reporting period in which a youth's 19<sup>th</sup> and 21<sup>st</sup> birthdate falls. For example, a youth who participated at age 17, whose 19<sup>th</sup> or 21<sup>st</sup> birthday falls between the reporting period of October 1<sup>st</sup> through March 31<sup>st</sup>, must complete the survey anytime between October and March. Likewise, a youth whose 19<sup>th</sup> or 21<sup>st</sup> birthday falls between April 1<sup>st</sup> through September 31<sup>st</sup> must complete the survey between April and September.

The process is as follows:

- Initial letters for 19-year-olds and 21-year-olds will be sent out by the UWSC at the beginning of the federal reporting period. For example, if a youth's birthday falls between October 1<sup>st</sup> and March 31<sup>st</sup>, the youth will be sent a letter on or near October 1<sup>st</sup>. The initial letter will contain a customized web link and passcode to access the web-based survey. A \$5 bill will be included in the initial letter as a token of appreciation for the youth's time.

NOTE: In order to assist the UWSC with its outreach efforts, contact information in eWiSACWIS for youth who have aged out of care on a semi-annual basis.

- Frequent reminder letters will be sent from the UWSC to the youth until the survey is completed.
- If a youth has not completed the survey after repeated letters, the UWSC telephone-interviewing staff will begin calling the youth.
- Once the survey is complete and taken within the federal reporting period, the UWSC will send the youth a \$20 bill. All compliant youth receive a total of \$25.

As with the NYTD survey at age 17, survey results, when authorized by the youth, will be downloaded onto the youth's IL page in eWiSACWIS.

The Wisconsin NYTD Tip sheet provides ideas on preparing for, administering, and maximizing response rates to the NYTD survey.

The child welfare professional or designee is required to ensure this requirement is met for youth in an out-of-home placement.

## Independent Living Transition to Discharge Plan

If the child is 17.5 [years](#) or older while in out-of-home care, the focus of a youth's independent living plan changes from one of life-skills development ~~while in out-of-home care to transitioning from care~~ [to establishing](#) a self-sufficient young adult. The child welfare professional must create an Independent Living Transition to Discharge (ILTD) plan for each youth who will exit care on or after turning 18. The ILTD must be started no later than when the youth turns 17.5 [years](#) and be finalized no later than 90 [days](#) prior to the youth's 18<sup>th</sup> birthday.

The ~~Child Welfare~~ [child welfare](#) agency must identify any services, persons, and other entities that will support the youth through the transition and beyond and must assist the youth to establish contact with such individuals, agencies, and service providers prior to discharge from out-of-home care. -This includes (but is not limited to) efforts to assist the youth in reestablishing contacts with parents/[guardians](#), former foster parents, or other persons significant to the youth.

Appropriate support and services should complement the youth's efforts to achieve self-sufficiency both prior to and upon discharge up to age 23. The ILTD, completed via the ILTD tab on the youth's IL page in eWiSACWIS, must contain provisions to ensure that specific and well-developed resources are identified, and plans are in place for a youth who is transitioning to adulthood. These include, but are not limited to:

- The youth's anticipated date of and age at discharge from out-of-home care.
- Obtaining and securing housing.
- Managing health care needs, including education about the importance of designating another individual to make health care treatment decisions on their behalf if the youth becomes unable to make such decisions and does not already have someone identified.
- Continuing education.
- Building a relationship or attachment to a supportive adult(s)/mentor(s).
- Employment services.
- Workforce support.
- Continuing necessary supportive services after leaving out-of-home care.

Obtaining required essential documents including but ~~not~~ limited to an original birth certificate, state identification card, social security ~~card~~ [card](#) and health and education records (refer to DCF Memo Series 2007—~~13~~14).

While the child welfare professional is responsible for documentation and completing the plan in eWiSACWIS, the youth should be encouraged to lead ILTD conversations related to each of these identified areas. The plan should be thorough and detailed, specifically referencing when a goal will be achieved, how, and with assistance from whom (if applicable). Supportive adults, as identified by the youth, should be part of the planning process.

The ILTD is required even if a youth is missing from care at 17-~~1/2~~ [5 years](#) or later; the child welfare professional and other supportive adults should do their best to complete the plan

on the youth's behalf and engage the young person in discussion and plan development when they are no longer missing from care.

The ILTD is **also** required **even-if/when** the youth remains in care after age 18. It should be started no later than 17-~~1/2~~.5 and updated on a regular basis to reflect the evolution of the youth's independent living needs and goals and transition planning, leading up the termination of their court order or Voluntary Transition to Independent Living Agreement. This applies to youth in extended care.

Even if an ILTD is not completed for youth adopted or in ~~Ch. 48.977 guardianship after age 16~~ Wis. Stat. s. 48.977 guardianship, Wis. Stat. s. 48.9597 guardianship, or guardianship under substantially similar tribal law on or after their 16<sup>th</sup> birthday following time in court-ordered out-of-home care, the child welfare professional and/or IL Coordinator shall make the youth aware of their eligibility for independent living services and supports prior to case closure.

An ILTD training video is available here:

<https://www.youtube.com/watch?v=a0DNPd6lojA&feature=youtu.be>. For more information see Appendix ~~X-4~~, Independent Living Transition to Discharge Planning (additional Information) page ~~320271~~.

## Case closure

Prior to case closure, the agency should arrange and facilitate a process to engage family members, service providers, and informal supports in developing a plan for identifying and meeting child and family needs after agency involvement has ended.

### Division of Milwaukee **Case Closure**

#### **Child Protective Welfare Case Types (Child in Need of Protection and Services Permanency Support**

~~The ongoing case management agency provides a customized set(CHIPS), Juvenile in Need of supports and services for childrenProtection and families. These supports and services help resolve problems before they escalate and decrease the need for prolonged involvement in the CPS system. They also help ensure that newly reunified families receive the assistance they need to continue providing a safe home for their children after CPS exits their lives.~~

#### **Permanency Support Requirements**

~~The ongoing case management agency continues to work with families after reunification has been achieved for a twelve-month period. During this time the family legal status will fall into one of two categories:~~

- ~~1. Court order remains in effect. This means the child remains in the legal custody of the Division of Milwaukee Child Protective Services (DMCPS) during the permanency support period and the remains responsible for case plan completion. JIPS), and Youth Justice)~~
- ~~2. Court order is dismissed or has been allowed to expire. This means family participation is voluntary and ongoing case management remains available until the Permanency Support period has ended.~~

~~Based on family need, the ongoing case management agency must provide: Services and supports for 12 months Closure is appropriate when permanence and goals for the child and family have been achieved, and child welfare services are no longer needed.~~

~~This determination is based on the following the achievement of reunification,;~~

- ~~• Family and child has made sufficient progress in addressing permanency and case goals or conditions.~~
- ~~• Formal or -informal supports are available and accessible to the family, as needed, after the case is closed with the agency.~~

#### **Periodic**

~~The child welfare professional must have face-to-face contact with family members and family team prior to closure to:~~

- ~~• Support the family in determining how their needs will be met after agency involvement ends.~~

- Identify the date that services will end.

Permanence has not been achieved if the agency keeps the out-of-home care placement open for ~~based on court~~ financial purposes. In this situation all ~~planning~~ requirements ~~and~~ are still in effect, including ~~family need, and~~ interaction planning.

Services that are developed and mutually agreed upon with the family. The plan must flexible and meet the family's needs and strengths and include detailed information about roles and expectations as well as frequency and duration of services.

The Ongoing Services child welfare professional should work with the family to ensure informal or formal supports are in place prior to closure. These supports include arrangements and connections within the family network or community that can be created, facilitated, or reinforced to provide the parent/guardians resources and assistance once agency involvement ends.

Case Closure for Out-of-Home Child Welfare Cases

## Case ~~Documentation~~

### Closure

~~Child Welfare Cases (Child information must be documented in Need of Protection the Permanency Plan and Services (CHIPS), Juvenile in Need of Protection the family eWISACWIS record and Services (JIPS), and Youth Justice)~~

~~Case approved by a supervisor or his/her designee within 30 days from the date the closure is appropriate when permanence and goals for the child and family have been achieved decision was made by the supervisor and child welfare services are no longer needed. professional. Documentation at closure must include:~~

~~This determination is based on The rationale for the following:~~

- ~~• Family, child or youth has made sufficient progress in addressing permanency and case goals or conditions.~~
  - ~~• Formal or informal supports are available and accessible decision to the family, as needed, after the case is closed close.~~
- ~~• A description of the closure process with the Agency.~~

~~In all cases, prior to case closure, the child welfare professional must have face-to-face contact with family members and family team, if involved, to: family and service providers~~

- ~~• Support the family in determining how their needs will be met after agency involvement ends.~~
- ~~• Identify the date that services will end.~~
- ~~• Permanence has not been achieved if the agency keeps the out-of-home care placement open for reimbursement purposes through a foster care rate. In this case all planning requirements are still in effect, including family interaction planning the family's plan for meeting future service needs.~~

~~The ongoing services child welfare professional should work with the family to assure informal or formal supports are in place prior to case closure. These supports include arrangements and connections within the family network or community that can be created, facilitated, or reinforced to provide the parent/caregiver resources and assistance once agency involvement ends. A case may not be closed if there is an active CHIPS, JIPS, or Delinquency order.~~

~~When a child is an Indian child, a letter must be sent to the Indian child's tribe indicating that the family's case has been closed, and a copy of the letter must be maintained in the family's case record.~~

~~Prior to case closure, the agency should arrange and facilitate a process to engage family members, service providers, and informal supports in developing a plan for identifying and meeting child or youth and family needs after agency involvement has ended.~~

|

## **Documentation**

Case closure information must be documented in the Permanency Plan and the family eWiSACWIS case record and approved by a supervisor or his/her designee within 30 days from the date the case closure decision was made by the supervisor and child welfare professional. Documentation at case closure must include:

- The rationale for the decision to close the case.
- A description of the closure process with the family and service providers, including the family's plan for meeting future service needs.

A case may not be closed if there is an active CHIPS, JIPS, or Delinquency order. In all cases when a child is an Indian child, a letter must be sent to the tribe indicating that the case has been closed and a copy of the letter must be maintained in the family's case record.

### **Early Dismissal of Dispositional Order**

One responsibility of the child welfare professional is to initiate additional court actions throughout the case process. When a determination is made a family is no longer in need of court ordered services, a request to terminate the dispositional order (JD-1776) must be submitted to the court for early dismissal of dispositional order and the order terminating the dispositional order (JD-1775) must be signed by the judge before a case with court jurisdiction can be closed by the agency.

Any decision that is made shall be made in consultation with the agency's legal counsel.

## **Requirements for All Children Placed in Out-of-home Care**

Requirements begin on the following page.

## Early Dismissal of Dispositional Order

### One responsibility **REQUIREMENTS WHEN CHILDREN ARE PLACED IN OUT-OF-HOME CARE**

This section applies to all children placed into out-of-home care under Ch. 48 or 938 Wis. Stats.

#### **Choosing a Placement for a Child**

There are many considerations when determining an appropriate placement for a child. At a minimum, the agency must consider placements that are in the child's best interests and document in the record that a placement is either unavailable or inappropriate if the following are not met with the child's placement. These considerations must be made at initial placement and at any time there is a change of placement for the child:

- Placement proximity to the child's parents/guardians within 60 miles.
- Placement with siblings.
- Placement with relative or like-kin.
- Placement that allows the child to remain in the school the child currently attends.
- Placement with a provider that meets or exceeds the child's assessed Level of Need, unless the agency documents an exception that includes supports and services to the out-of-home care provider to meet the child's identified needs and to promote the stability of the child's placement.
- Placement with a provider that follows the Reasonable and Prudent Parent Standard as it applies to the child to ensure the child has regular opportunities to engage in age and developmentally appropriate activities.

All placements shall be made on a case-by-case basis in the child's best interests.

To ensure a placement is in the child's best interests the out-of-home provider must be able to meet the specific needs of the child that have been identified.

#### **Educational Considerations**

Students placed in out-of-home care often experience educational disruptions that can impact their academic experiences and outcomes. The Every Student Succeeds Act (ESSA) requires that Local Education Agencies (LEAs) and Child Welfare Agencies (CWAs) collaborate to implement policies and practices that minimize those disruptions and preserve students' opportunities for improved well-being and success in school.

The following should be considered when locating an out-of-home care provider:

- Consideration of a placement that does not require the child's school to change, if it is safe and appropriate to do so.
- If the new placement of the child would require the child to change schools, efforts should be made for the child to attend the school of origin or to promptly enroll in the new school district.
- Agencies should also consider early educational settings and preschools when trying to create educational stability.

For licensed out-of-home care placements, exceptional payments may be made to support transporting the child to the school of origin (see Ch. DCF 56.23 Admin. Rule). Under Wis. Stat. s. 121.84(1)(a), there are provisions to allow a child to continue to attend a school when they are no longer a resident of the district.

A child's right to education is established under Article X, Section 3, of the Wisconsin Constitution. A child may not be denied enrollment in school, no matter the length of their placement. When a student must transfer schools, the child welfare professional ~~is to initiate~~ shall assist the school with the following information to ensure the child is promptly enrolled in an educational setting as required by law:

- The child's new address and the responsible party for educational matters.
- Educational information documenting what school services the child needs. This is typically provided by the previous school district, however, if the agency has information at the time of enrollment that shall be shared with the school.
- Information pertaining to that child's safety and the safety of others, including if there are any no contact orders or restrictions on family interaction.

### **ESSA Requirements for Students in Out-of-home Care**

- **Collaboration:** LEAs and CWAs must work in partnership to facilitate the educational stability of students placed in out-of-home care. Ongoing communication and joint decision-making are key to helping ensure educational stability and school success. Collaboration begins with the Points of Contact. These liaison positions work to cultivate knowledge and communication between agencies. Visit the Points of Contact page to find a LEA or CWA Point of Contact
- **School of Origin:** To ensure educational stability, children placed in out-of-home care are presumed to remain in their school of origin (the school they were enrolled or most recently enrolled in at the time of placement). A child's right to continue in their school of origin remains in effect during the entire time they are placed in out-of-home care. These rights apply to all public-school students placed in out-of-home care, including children attending public preschools or public charter schools.
- **Transportation:** Once a child is placed, transportation must be immediately provided, arranged, and funded to the school of origin for the duration of the student's placement. CWAs should collaborate with the LEAs to develop agreed upon procedures to ensure transportation. The Department of Public Instruction and the Department of Children and Families have created joint guidance to address issues such as funding and sharing of ~~additional court actions throughout the case process.~~ ~~When a costs between local agencies.~~ Also provided are model procedures and a transportation plan template. Use of these forms is not required but might assist agencies as they develop procedures unique to their localities.
- **Best Interest Determination:** If there is consideration that it is not in the student's best interest to remain in the school of origin, the LEAs and CWA must conduct a best interest ~~determination is made a family is no longer in need of court ordered services, a review.~~ All factors relating to the child's best interest must be considered. CWAs and LEAs should establish a well-informed determination process that takes into consideration student-centered factors including: the preferences of the child; the number of previous transitions; proximity of the school to the child's current

residence; specialized services that are available to the child at either school; or any special relationships with staff that the child has formed at their current school.

- **Immediate Enrollment:** If it is determined to be in the best interest of a child placed in out-of-home care to enroll in their resident school, the LEA will immediately enroll the child even without documents normally required for enrollment.
- **Transfer of Records:** If the child changes to the school of residence, that school must immediately request must be submitted to the court for early dismissal of dispositional order and signed by the judge before a case with court jurisdiction can be closed by the agency. the transfer of academic and other records from the school of origin.

Any decision that is made shall be done in consultation with the agency's district attorney or corporate counsel. Additional information related to education for children in out-of-home care can be found on the DCF site Supporting Students in Out-of-home Care and on the Department of Public Instruction (DPI) site Educational Stability for Students in Out-of-home Care.

### **Documentation**

Agencies must document in the Permanency Plan whether a child remained in their school of origin following placement in out-of-home care, and if not, the reason why. One of the following statements must be selected in eWISACWIS to reflect the child's educational status and decision-making at the time of placement:

- Current child welfare professional did not place the child, and the record does not document the information.
- Placement that would maintain the child in the same school was unavailable.
- The original placement resource was considered to be in the child's best interest even though it required a change in the child's school placement.
- Child continued to attend the same school.
- Child is not of school age.

## REQUIREMENTS FOR PLACEMENTS IN OUT-OF-HOME CARE

This section applies to all children placed into out-of-home care under ch. 48 or 938 Wis. Stats.

### Choosing a Placement for a Child

There are many considerations when determining an appropriate placement for a child. At a minimum, the agency must consider placements that are in the child's best interests and document in the case record that a placement is either unavailable or inappropriate if the following are not met with the child's placement. These considerations must be made at initial placement and any time there is a change of placement for the child:

- Placement proximity to the child's parents within 60 miles.
- Placement with siblings.
- Placement with a fit and willing relative.
- Placement that allows the child to remain in the school the child currently attends.
- Placement with a provider that meets or exceeds the child's assessed Level of Need, unless the agency documents an exception that includes supports and services to the out-of-home care provider to meet the child's identified needs and to promote the stability of the child's placement.
- Placement with a provider that follows the Reasonable and Prudent Parent Standard as it applies to the child to ensure the child has regular opportunities to engage in age and developmentally appropriate activities.

Of the above-mentioned considerations there is no one consideration that is more important than another when making decisions. All placements shall be made on a case-by-case basis in the child's best interests.

In order to ensure a placement is in the child's or Indian child's best interests the out-of-home caregiver must be able to meet the specific needs of the child that have been identified.

### Educational Considerations at Placement School of Origin

- Consideration of a placement that does not require the child's school to change, if it is safe and appropriate to do so.
- If the new placement of the child would require the child to attend a different school, efforts should be made, when reasonable and appropriate, for the child to attend the school of origin or to promptly enroll in the new school district.
- Agencies should also consider early educational settings and preschools when trying to create educational stability.

For foster care placements, exceptional payments may be made to support transporting the child back to the school of origin (see Ch. DCF 56.23 Admin. Rule).

Under §121.84(1) (a), there are provisions to allow a child to continue to attend a school when they are no longer a resident of the district.

~~A child's right to education is established under Article X, Section 3, of the Wisconsin Constitution. A child may not be denied enrollment in school, no matter the length of their placement.~~

- ~~● When a student must transfer schools, the agency worker shall assist the school with the following information to ensure the child is promptly enrolled in an educational setting as required by law:
  - ~~○ The child's new address and the responsible party for educational matters.~~
  - ~~○ Educational information documenting what school services the child needs. This is typically provided by the previous school district, however if the agency has information at the time of enrollment that shall be shared with the school.~~
  - ~~○ Information pertaining to that child's safety and the safety of others, including if there are any no contact orders or restrictions on family interaction.~~~~

~~Additional information related to education for children in out-of-home care can be found in the joint Department of Children and Families and Department of Public Instruction publication "Every Student Succeeds Act (ESSA) Guidance – Ensuring Educational Stability", 2017-08i <https://dcf.wisconsin.gov/files/cwportal/policy/pdf/memos/2017-08i.pdf>.~~

### **Documentation**

~~Agencies must document this consideration in the Permanency Plan for the child for each placement that occurred after October 2008, in the following manner:~~

- ~~● Current worker did not place the child and the record does not document the information.~~
- ~~● Placement that would maintain the child in the same school was unavailable or inappropriate.~~
- ~~● The original placement resource was considered to be in the child's best interest even though it required a change in the child's school placement.~~
- ~~● Child continued to attend the same school.~~
- ~~● Child is not of school age.~~

To aid child welfare professionals in making a placement for a child, [in a placement setting not licensed by the Geographic county agency, the out-of-home care Placement Resource System Referral](#) is available for agency staff with current [in eWiSACWIS access](#) to improve placement matching, ~~disaster preparedness~~, and targeted recruitment for out-of-home care placement resources. [Child welfare professionals with full eWiSACWIS access can securely transmit information to out-of-home care providers and child placing agencies via SYNC \(Supporting Youth and Children\).](#)

[SYNC is a secure website that allows out-of-home care providers and child placing agencies to access and respond to referrals of youth in need of a placement. The Geographic Placement Resource System has been incorporated into the out-of-home care Placement Referral.](#) The Geographic Placement Resource System uses child-specific information already entered into eWiSACWIS to generate visual displays of placement related information using mapping software. Data from eWiSACWIS is loaded nightly into the system to provide an updated

resource for agency staff seeking to find appropriate placements for children, ~~respond to disasters,~~ and to target ~~foster care~~ replacement recruitment efforts. [More information on SYNC can be found at https://dcf.wisconsin.gov/sync.](https://dcf.wisconsin.gov/sync)

When ~~it is determined that~~ an agency places an Indian child ~~will remain in custody~~ out-of-home care, the agency must follow placement preferences of [ICWA/WICWA](#).

**In order to prioritize the child's connection to their family, Indian child's tribe, and culture, agencies must follow the placement preferences of ICWA/WICWA for out-of-home care placements:**

- Home of an extended family member.
- A foster home licensed, approved, or specified by the Indian child's tribe.
- Indian foster home licensed or approved by the department, a county department, or a child ~~welfare~~ replacing agency.
- A group home or residential care center for children and youth approved by an Indian ~~child's~~ tribe or operated by an Indian organization that has a program suitable to meet the needs of the Indian child.

If the Indian child's tribe has established an order of preference, the order of preference established by that tribe ~~shall~~ generally must be followed, as provided under Wis. Stat. s. 48.028(7)(e).

For additional [ICWA/WICWA](#) information and requirements, refer to the DCF Wisconsin Indian Child Welfare Act [Desk Aid Resources](#) in Appendix [41](#), page [288261](#).

As part of providing ~~Active Efforts~~ active efforts, child welfare professionals ~~should~~ must collaborate with the Indian child's ~~Indian~~ tribe regarding placement preferences and the appropriateness of placement resources.

## Sleeping Arrangements

### Sleeping Arrangements Requirements

Children under 12 months of age must sleep alone in a crib, bassinet, bedside sleeper, play yard, or sleeping device determined by tribal custom.

Children over age one should have a safe sleeping space as appropriate for their needs and age.

- A child over age one may not regularly share a bedroom with an adult unless one of the following applies: The child and the adult are siblings, or the adult is the child's parent.
- The child and the adult were sharing a bedroom prior to one of them turning 18 years of age.
- The agency approves based on the child's needs; the child has a sleeping space in another bedroom to return to when the needs subside; and if the child is six years old or older consents to sharing a bedroom.

**Note: this does not apply to children placed with relatives or like-kin.**

A child may share a bedroom with another child with the approval of the agency and the consent of any child who is six years old or older.

**Note: this does not apply to children placed with relatives or like-kin.**

A foster parent and a child placed in out-of-home care may not share a bed.

**Note: this does not apply to children placed with relatives or like-kin.**

Related children placed in out-of-home care that are one year old or over may share a bed with approval of the agency and the consent of any child who is six years old or over. Children placed in out-of-home care that are not related may not regularly share a bed.

**Note: this does not apply to children placed with relatives or like-kin.**

No child in out-of-home care may regularly sleep in any building, apartment, or other structure on the premises that is separate from the foster home, unless the child is of appropriate developmental maturity and consents to this arrangement and the agency approves.

## Minor Parent with Child in ~~OHC~~Out-of-home Care Placement

A child placed in out-of-home care (~~OHC~~) is required to receive services, including ~~Permanency Planning~~permanency planning, under ~~Federal~~federal and state law. Safety of the placement for the child is continually assessed. In ~~cases~~situations where the placed child is a minor parent and the young parent's child also resides in the ~~OHC~~out-of-home placement, ~~Federal~~federal and state law does not clearly specify court involvement. However, existing state law requires ~~Permanency Planning for this type of case.~~permanency planning. The planning may be an individual plan for the child or addressed in the minor parent's Permanency Plan.

~~Regardless of an agency's practice to actively pursue placement for or jurisdiction of the minor parent's child or not, there are minimal practice expectations that must be met in all cases where a minor parent placed in OHC is living with and responsible for his or her child in a foster or treatment foster home. Without clear practice expectations, case management staff and CPS agencies may not recognize the need for safety intervention, continuing to rely on the watchful eyes of foster parents or service providers such as in-home parent aides who have not received formal safety training. In fact, there may be presenting issues that must be addressed with CPS intervention and support.~~

Minor children born to youth who are placed in out-of-home care are considered to be at imminent risk of out-of-home care ~~placements~~placement themselves. The ~~permanency plan~~Permanency Plan for ~~an~~ expecting or parenting youth ~~will~~must include a prevention plan that includes strategies to prevent removal of the minor child. The prevention plan identifies the specific prevention services to be provided to the expecting or parenting youth to best ensure the minor child may be parented by the youth without removal from their care.

### Placements of Expecting and Parenting Youth

~~In cases where~~When an agency has placed an expecting or parenting youth into out-of-home care (~~OHC~~) or where a youth in ~~OHC~~out-of-home care becomes a parent during the placement and the youth's child is living with them, the agency is responsible for services, out-of-home care prevention planning, ~~Permanency Planning~~and permanency planning for the child of the parenting youth. Prior to the child residing in ~~OHC~~out-of-home care with the parenting youth, the agency must determine appropriateness of the living arrangement for the child.

The agency must assess the feasibility of maintaining the minor parent and child together in the ~~OHC residence.~~out-of-home setting. If it is not feasible, the agency must consider what, if any, grounds exist to separate the parent and child. The role of the other parent in the child's life must be identified.

For an Indian child, the agency must ~~invite~~include the tribal ~~worker~~child welfare professional to assist with any assessing and planning.

The agency must:

- Assess the minor parent's family and personal history preceding placement into [OHC out-of-home care](#), including:
  - Circumstances that brought the child into the child welfare system
  - History of violence, alcohol or drug abuse
  - Depression, post-partum depression, or other mental health issues.
  - Input from other services providers for the minor parent and [his/her/their](#) family
  - The relationship or role of the other biological parent of the child
- Continually assess the parent's ability to safely parent, including
  - Prenatal care, feelings about pregnancy
  - Interaction with siblings or other children
  - Observation of the minor parent caring for and interacting with the child
- Develop an out-of-home care prevention plan for the child that:
  - Includes a list of the services to be provided to or on behalf of the youth to ensure that the youth is prepared (in the case of an expecting youth) or able ([int eh in the](#) case of a parenting youth) to be a parent; [and](#).
  - Describes the out-of-home care prevention strategy for any child born to the youth.
  - If the child born to the expecting or parenting youth is an Indian child, describe the active efforts made to prevent the break-up of the Indian family.
- Develop a plan of care for the child that identifies:
  - The caregiver primarily providing basic care for the child; [.](#)
  - Any additional needs of the child and the assigned caregiver for each need; [.](#)
  - Sleeping arrangement for the child; [.](#)
  - Medical, dental, [and](#) mental health needs; [.](#)
  - Person(s) responsible for supervision of the parent and child; [.](#)
  - Person(s) to assist the parent with the child; [.](#)
  - Who will monitor the parent's progress in attaching to and parenting the child; [and](#).
  - [A Family interaction plan Interaction Plan](#), including noncustodial parent and child's siblings, where applicable.
- Develop a plan for the child at [case closure; i.e., transitioning the parent from OHC. At this point in the case, it is possible that or transition out of out-of-home care if](#) the minor parent has never independently cared for [his or her/their](#) child. -The following areas must be assessed in [regards regard](#) to the child's safety with the young parent.
  - [Parent's The parent's](#) plan and demonstrated ability to provide care for the child; [.](#)
  - [Did the parent meet his or her The parent's progress on their own plan](#) goals and requirements [prior to leaving OHC?.](#)
  - [Under what The conditions under which the parent is exiting care](#) (e.g., aging out, court order expired, reunification, etc.) [is the parent exiting care?](#)
  - Where [is](#) the parent [going upon exiting care? will live.](#)
  - [If the parent exits placement with the child, are there any Any identified safety concerns for the safety of the child?.](#)
  - [Should the agency maintain jurisdiction of the child? If yes, what will the plan be to return the child to his/her parent?](#)
  - [Conditions of supervision – what, if any, supervision does the parent need when with the child? Required agency involvement to ensure child safety.](#)

All of the above information and planning on behalf of the child must be documented and maintained in a case record for the child that is linked to the minor parent's case record.

### Placing a Child in Out-of-home Care

#### **Placing a Child in Out-of-~~Home~~home Care**

When a child is placed in out-of-home care under ~~chs. Chapters~~ 48 or § 938, the agency ~~having "with~~ placement and care responsibility" must ensure that all laws and policies related to children in out-of-home care are adhered to.

At the time of placement, the child welfare professional is responsible to ensure that all ~~necessary legal documents required paperwork~~ and notifications are ~~made completed~~ pursuant to ~~the child, their parents, Indian custodian, the Indian child's tribe, the out-of-home provider, relatives, law~~ and ~~the legal community standards~~. This includes:

- A Temporary Physical Custody Request, ~~Voluntary Placement Agreement,~~ ~~Voluntary Placement Agreement, and/or~~ ~~athe~~ court order placing the child in out-

of-home care, including the date and time of any subsequent court hearings. Prior to the first hearing in a child custody proceeding involving an Indian child, the agency shall ~~notify~~follow the ~~tribe through:~~ Notice requirements for notification of Involuntary Child Custody Proceeding of an the Indian Child-child's tribe provided in ICWA/WICWA using the following forms:

- Voluntary Placement Agreement:  
<http://dcf.wisconsin.gov/files/forms/doc/1590.docx>Notice of Involuntary Child Custody Proceeding of an Indian Child  
<https://dcf.wisconsin.gov/files/forms/pdf/2017.pdf>
- Voluntary Placement Agreement for an Indian Child:  
<http://dcf.wisconsin.gov/files/forms/doc/2425.docx>
- ~~Enter~~Entering into a Placement Agreement with the ~~out~~Out-of-home care provider:
  - Foster Home Agreement Child Placed in Out-of-~~Home~~Carehome care by Agency:  
<http://dcf.wisconsin.gov/files/forms/doc/0107.docx><http://dcf.wisconsin.gov/files/forms/doc/0107.docx>
  - Relative Caregiver Agreement Child Placed in Out-of-~~Home~~home care by Agency: <https://dcf.wisconsin.gov/files/forms/doc/2539.docx>
- ~~Provide~~Providing information to the child's ~~out~~Out-of-home care provider as required under §-Wis. Stat. s. 48.371, Stats. and DCF 37 upon placement, but no later than 48 hours after placement if unknown to the agency at the time of placement:
  - ~~Information for Out-of-Home Care Providers Part A:~~  
<http://dcf.wisconsin.gov/files/cwportal/policy/pdf/memos/2016-07.pdf>
  - Information for Out-of-~~Home~~home Care Providers Part A & Part B:  
<http://dcf.wisconsin.gov/files/cwportal/policy/pdf/memos/2016-07.pdf>  
<https://dcf.wisconsin.gov/files/cwportal/policy/pdf/memos/2016-07.pdf>
- ~~Provide~~Providing information to the child's out-of-home care provider regarding specific reasonable and prudent parenting considerations to ensure the child has regular opportunities to engage in age and developmentally appropriate activities.
  - This information is included in Information for Out-of-Home Care Providers Part A.
  - Child specific considerations should also be discussed when providing the Reasonable and Prudent Parent Standard brochure:  
<http://dcf.wisconsin.gov/files/publications/pdf/5105.pdf>.
- ~~Obtain~~Obtaining signed consents for:
  - Medical Services Consent  
(<http://dcf.wisconsin.gov/files/forms/pdf/0997.pdf>)
  - ~~Relatives and other informal supports.~~
  - Other service providers the child may be utilizing including, but not limited to school, childcare facility, therapists, physicians, private agencies involved, etc.
- ~~Obtain~~Obtaining medical services coverage either through the health insurance of the child's parent/guardians or Medicaid.
  - EnsureEnsuring that parents/guardians and relative caregivers are aware of eligibility changes to Medicaid when a child is removed from or enters their care: <http://dcf.wisconsin.gov/files/cwportal/policy/pdf/memos/2008->

[03.pdf](http://dcf.wisconsin.gov/files/cwportal/policy/pdf/memos/2008-03.pdf)  
<http://dcf.wisconsin.gov/files/cwportal/policy/pdf/memos/2008-03.pdf>

- If a child is identified as an Indian child, the agency must comply with all [ICWA/WICWA](#) requirements, including placement preferences and active efforts. See the [WICWA Online Resource](https://media.wcwpds.wisc.edu/foundation/WICWA_Online_Resource/) for additional information.  
[https://media.wcwpds.wisc.edu/foundation/WICWA\\_Online\\_Resource/](https://media.wcwpds.wisc.edu/foundation/WICWA_Online_Resource/)
- ~~Notify~~[Notifying](#) all adult relatives that the child ~~or youth~~ has been placed into out-of-home care. Anytime that a child ~~or youth~~ is removed from their ~~parent(s)' parents/guardians'~~ home under a court order and is not returned within 30 days, the notice must be sent.  
<http://dcf.wisconsin.gov/files/forms/doc/2473.docx>
- ~~Notify the clerk of~~[Notifying](#) the school district in which ~~a foster an out-of-home provider~~ is located, ~~and the school which the child will enroll~~, when a school-age child is placed in that foster home, as required under [§ Wis. Stat. s. 48.64\(1r\), Stats.](#). ~~If the child remains enrolled in their school and school district of origin, the agency shall give notification of the out-of-home care placement to the child's school district and school of origin.~~ The notification shall include all of the following:
  - The name, address, and phone number of the ~~foster parent~~[out-of-home providers](#).
  - The name of the ~~foster~~ child.
  - ~~Information about the child required by the school, as allowed under any applicable confidentiality laws.~~
- ~~Ensure~~[Ensuring](#) the child is properly enrolled in an educational setting as required by law.
- ~~Comply~~[Complying](#) with placement and court finding requirements if the child is placed in a facility certified as a Qualified Residential Treatment Program (Q RTP).
- ~~Document~~[Documenting](#) the child's ~~placements into~~[placement in](#) out-of-home care ~~into~~[in](#) eWiSACWIS within five ~~(5)~~ days.
- ~~Provide~~[Providing](#) the child, ~~if the child is 14 years old or older~~, with a copy of [Handbook for Youth in Foster Care. A Guide for Youth in Out-of-home Care Placements in Wisconsin](#). Document the date the ~~child~~[youth](#) received the [Handbook for Youth in Foster Care in the child's Permanency Plan, which describes](#) ~~guide in~~ the ~~rights of the child with respect to education, health, visitation, and participation in court proceedings~~[youth's permanency plan](#).
- ~~Document~~[Documenting](#) the child's current photograph in eWiSACWIS within 30 days.
  - The child's photograph shall be updated in eWiSACWIS every 6 months while the child remains in out-of-home care.
  - The photograph ~~shall~~[should](#) be a picture of the child ~~which does not have~~[without](#) any item obstructing the child's face, such as a mask or a hat.
    - If the child regularly wears eyeglasses, these should be captured in the image.
  - The photograph shall be taken close enough to the child as to be able to identify the child.
    - It is important to capture an image of the child's full body if the child has missing limbs, uses a wheelchair or other assistive device, etc.

- The child shall be the only person in the photograph.
- The photograph may be taken by someone other than an employee of the agency with placement and care responsibility, but must be uploaded into eWiSACWIS every 6 months.
- Agencies shall develop their own agency policy pertaining to capturing child photographs (i.e. using an agency-issued phone or camera).

The reason for sending the notice to all adult relatives and like-kin is not solely for finding an appropriate placement. -Research shows that children who are removed from the caregiverstheir family and placed into out-of-home care often experience loss and trauma resulting from the separation from their family- and other people they know and love. When children are able to stay connected to their families and other identified kin, they experience more placement stability and shorter stays in out-of-home care. -In addition, by including the natural support systems, families are provided with more lasting supports and children have better long-term outcomes when the child welfare system is no longer involved.

### [Child and Adolescent Needs and Strengths \(CANS\) Tool](#)

## Assessing Needs and Strengths of Children Placed in Out-of-~~Home~~home Care through the Child and Adolescent Needs and Strengths (CANS) tool

### Applicability

This ~~policy standard~~ applies to children and youth whom an agency has “~~Placement~~placement and ~~Care Responsibility~~care responsibility for and who is placed with a:

- Unlicensed provider (~~court ordered kinship with relative/like-kin or unlicensed unpaid provider~~)
- ~~Foster home~~
- ~~Licensed out-of-home provider (relative/like kin or non-relative)~~
- Group home
- Residential care center

~~The agency refers to either a county agency or the department.~~

This does not apply to a child ~~or youth~~ placed or to be placed into:

- Shelter Care
- Detention
- Corrections
- Hospitals
- Missing from Out-of-~~Home~~home Care
- Trial Reunification
- Foster Homes solely for the purpose of a domestic or international adoption
- An unlicensed placement, group home or residential care center from agencies outside of Wisconsin’s jurisdiction

Agencies must ensure all actions of either agency or contracted provider staff comply with this ~~policy standard~~.

### Timeframes to Complete CANS: Initial Determination and Re-Determinations

#### Initial Determination

Unlicensed Provider (Court ordered kinship with relative/like-kin or unlicensed unpaid provider) and Licensed Provider (relative/like kin or non-relative).

The initial determination of the child’s Level of Need shall be made prior to placement or within 30 days after the child’s placement.

#### Group homes and residential care centers

The initial determination of the child’s Level of Need shall be made no more than 30 days after the placement in a group home or residential care center.

#### Re-determinations

The agency shall reassess each child and the child's out-of-home care provider within six (6) months after the child's last determination or re-determination.

The agency, out-of-home care provider, or licensing agency may request a reassessment more frequently.

The initial and any re-determination shall be placed in the child's record and shared with the placement provider.

### **Documentation Requirements**

~~**Timeframes to Complete CANS: Initial Determination and Re-Determinations.**  
The initial determination, re-determination(s), and exceptions allowed by this Standard shall be documented in the child's electronic record.~~

#### ~~Unlicensed Provider~~

~~The initial determination of the child's Level of Need shall be made prior to or within 30 days after the child's placement with an unlicensed provider.~~

#### ~~Foster Care~~

~~The initial determination of the child's Level of Need shall be made prior to or within 30 days after the placement with a foster parent.~~

#### ~~Group Homes and Residential Care Centers~~

~~The initial determination of the child's Level of Need shall be made no more than 30 days prior to placement in a group home or residential care center, unless the placement is completed on an emergency basis. If the placement is made on an emergency basis the assessment shall be completed within 30 days of the child's placement in a group home or residential care center.~~

### ~~**Re-determinations**~~

~~The agency shall reassess each child or youth and the child's out-of-home care provider within six months after the child or youth's last determination or re-determination.~~

~~The agency, out-of-home care provider, or licensing agency may request a reassessment more frequently.~~

~~The initial and any re-determination shall be placed in the child or youth's case record and shared with the placement resource. Documentation in eWisACWIS of the information shall be considered documented in the child's record.~~

### ~~**Documentation Requirements**~~

~~The initial determination, re-determination(s), and exceptions allowed by this policy shall be documented in the child or youth's electronic case record.~~

## Change of Placement

A change of placement may occur at any time for a variety of reasons after a [TPC, CHIPS, JIPS delinquency or TPR court order is issued.](#)

[Changes of placement that occur after a](#) temporary physical custody (TPC), CHIPS, JIPS, delinquency, or [a](#) termination of parental rights (TPR) [court](#) order is issued.

[Changes of placement](#) must follow the procedures and notice requirements set forth in [statutes.](#) ~~statute.~~ This permits case participants, if [they are](#) allowed by statute, to object to the change of placement in a timely manner and to request a hearing. It also minimizes disruption [to the child](#) if the court determines the proposed change is not in the [child's/youth's or Indian](#) child's best interests.

Note: If a request is being made to remove the child [or youth](#) from in-home while under a TPC order to out-of-home care, the change of placement is not done according to these procedures and must be done by amending the TPC order under [§Wis. Stat. s. 48.21\(6\)](#).

[There are additional procedures that must be followed when a change of placement is done on an emergency basis as described below.](#)

### **Emergency Change of Placement [Wis. Stats. §§. 48.217\(2\), 48.357\(2\), 48.437\(2\), 938.357\(2\), 938.217\(2\), 48.32\(1\)\(am\), or 938.32\(1\)\(bm\)](#)**

[An emergency change of placement may be done when the child/youth is no longer safe, as determined by any of the following:](#)

- [Confirming Safe Environments.](#)
- [If the out-of-home care provider is no longer willing or able to care for the child.](#)
- [If community \*\*357\(2\)\*\* safety requires immediate removal of the child from the placement.](#)
- [A safety assessment indicates that controls put into place on the safety plan are no longer keeping the child safe in the home.](#)

[Other emergency conditions necessitate an immediate change in placement.](#)

If emergency conditions necessitate an immediate change of placement, a child may be moved without first requesting a change of placement. But proper notice of the change of placement must be sent within 48 hours after the change of placement. A hearing may also be required if there is an objection by parties or in some cases if the court decides to hold a hearing.

[Examples of when an emergency change of placement would be appropriate include:](#)

- [Confirming Safe Environments reflects that the child is no longer safe in their placement.](#)
- [The out-of-home care provider is no longer willing or able to care for the child.](#)
- [Community safety requires immediate removal of the child from the placement.](#)
- [A safety assessment indicates that controls put into place on the safety plan are no longer keeping the child safe in the home.](#)
- [Other emergency conditions necessitate an immediate change in placement.](#)

If a placement is changed on an emergency basis from in-home to out-of-home under a CHIPS, JIPS, or delinquency order, the hearing must be held within 48 hours after the emergency placement is made, excluding Saturdays, Sundays, and legal holidays.

As required in statute, the court, specified participants, and the physical custodian/~~out-of-home care provider~~ of the child shall be provided notice of the change of placement and may have a right to object within 10 days of receipt of the notice and to request a hearing—~~If a child/youth has been placed with a foster parent or relative caregiver for more than six months, the foster parent or relative caregiver also may have the ability to appeal the change of placement pursuant to § 48.64.~~—

~~Note: If a request is being made to remove the child or youth from in-home while under a TPC order to An out-of-home care, provider may also have the ability to appeal the change of placement is not done according to these procedures and must be done by amending the TPC order under § pursuant to Wis. Stat. s. 48.21(6)-64.~~

### **Non-Emergency Change of Placement ~~§Wis. Stats. ss. 48.217, 48.357, 48.437, 938.217938.357, 938.217, 48.32(1)(am), or 938.32(1)(bm)~~**

When emergency conditions do not exist, a child's/~~youth's or Indian child's~~ placement may not be changed before following required procedures. ~~Non-emergency situations include the following:~~

- ~~• A change from one out-of-home care placement to another.~~
- ~~• When the child is reunified with a parent.~~
- ~~• When the child and/or family are receiving services in-home, but the child can no longer be maintained in the home and, therefore, the child is placed in out-of-home care.~~
- ~~• Note: If a request is being made to remove the child or youth from in-home while under a TPC order to out-of-home care, the change of placement is not done according to these procedures and must be done by amending the TPC order under § 48.21(6).~~

A change of placement may not occur until either a hearing is held or ten **(10) business** days after the notice of change of placement ~~is was filed and~~ sent to the ~~court, individuals~~ specified ~~participants, and the physical custodian, except under the circumstances explained below.~~ ~~in statute~~ Individuals entitled to receive notice of the change of placement may have a right to object within ten **(10) business** days of receipt of the notice and request a hearing on the matter.

The child's placement ~~can~~**may only** be changed immediately **outside of the emergency change of placement process outlined above**, without waiting the ten **(10) business** days, if written waivers of objection have been signed by all the necessary participants ~~or~~, the Dispositional Order authorizes the change of placement, and the required notice is given.

However, notice of the change of placement would still have to be provided to the court, specified participants, and the physical custodian.

~~If a child/youth has been placed with a foster parent or relative caregiver for more than six months, the foster parent or relative caregiver~~An out-of-home care provider may also be able ~~have the ability~~ to appeal the change of placement pursuant to [§Wis. Stat. s. 48.64](#).

## ADDITIONAL OUT-OF-HOME CARE POLICIES

### Family Interaction ~~for Child Protective Services Cases~~ When a Child is in Out-of-Home Care

#### Applicability, Purpose, and Definition of Family Interaction

##### Applicability

This standard applies to child protective services ~~cases~~ case types in which at least one child is placed in out-of-home care.

The agency must ~~assure~~ ensure all actions of either agency or contracted provider staff ~~members~~ comply with this standard.

In some agencies, the requirements related to initiating and maintaining family ~~interactions~~ interaction will not be performed by the same individual. ~~The case may, for example, be assigned to another agency worker after the initial assessment worker has performed some of the functions described in this standard.~~

##### Purpose of Family Interaction

The primary purpose of family interaction is to preserve and strengthen family relationships, whenever possible. Additional purposes of family interaction include:

- Facilitating timely reunification of children to their families
- Assessing and addressing safety ~~issues~~ during family interaction
- Assessing and working with the family to enhance parental protective capacities
- Minimizing placement induced trauma for the child/-family caused by separation
- Establishing, enhancing, and maintaining child, sibling, ~~and family,~~ and like-kin attachments
- Establishing and facilitating other permanency options, when appropriate

Family interaction is an opportunity to maintain, establish, and promote ~~parent~~ caregiver-child relationships. In addition, family interaction is an opportunity for parents/guardians to evaluate their own parenting capacities and gain knowledge of new practices and views about parenting.

Children, their ~~parent(s),~~ parents/guardians, and their sibling(s) have a right to family interaction whenever possible ~~in order~~ to maintain and enhance their attachment to each other. ~~Areas to assess during family interaction may include, but are not limited to: the child's health, safety, developmental, emotional, and attachment needs, as well as the presence of domestic violence.~~

The agency should also evaluate the child's substantial relationships to determine the need to maintain those connections to reduce trauma and loss for the child. These substantial relationships may include, ~~but are not limited to~~ like-kin individuals: friends, neighbors, local community and support groups, extended family members as defined by culture, and spiritual communities.

## Family Interaction Defined

Family interaction is the interpersonal dynamics of the members of a family in a variety of environments and activities.

A ~~family interaction plan~~ [Family Interaction Plan](#) must include the immediate family which includes, but is not limited to: both parents, [\(adoptive or biological\)](#), legal guardians, Indian custodian, or others in a parenting role, and siblings.

Family interaction includes:

- Face-to-face contact
- Telephone calls
- Letters
- Email
- Attendance at routine activities such as counseling sessions, medical appointments, school events ~~and~~, faith-related activities, ~~and~~ [cultural activities](#).

Whenever possible, face-to-face family interaction is ~~the desirable professional~~ [best](#) practice. Face-to-face family interaction between parents ~~or those in parenting roles/guardians~~ and their children in placement is critical. Seeing the parent/[caregivers](#) during family interaction, for example, reduces the child's fantasies and fears of "bad things" happening to the parent/[guardian](#), and can often help older children eliminate self-blame for the placement. Additionally, face-to-face family interaction communicates the agency's belief in the family as important to the child and to the ~~worker~~ [child welfare professional](#), which further supports family involvement and timely reunification.

[Similarly, maintaining face-to-face contact with siblings during placement helps preserve vital family bonds, reduces feelings of isolation, and supports the child's emotional well-being.](#)

Although face-to-face family interaction is preferred, there may be times when it is not in the child's best interest or is not feasible.

|

| **Initiating and Maintaining Family Interaction**

## Initial Family Interaction

~~The initial family interaction plan is necessary until a more thorough interaction plan is developed.~~

Face-to-face family interaction must occur within five working(5) business days of the child(ren)'s placement in out-of-home care. -The agency is responsible for assuring that family interaction occurs.

The initial ~~family interaction plan~~Family Interaction Plan shall be developed by the agency worker after consultation with the immediate family and, as appropriate, relatives and the out-of-home care provider. -The plan shall include:

- Frequency and location of the face-to-face family interaction
- Transportation
- Who will be present
- Arrangements for monitoring or supervision, if needed

Before face-to-face family interaction is implemented, the ~~agency worker~~child welfare professional must assess if there are present or impending danger threats to child safety. -The ~~agency worker~~child welfare professional must also assess for current or prior domestic violence in the relationships of the adults involved in the case.

Safety considerations to assist in determining whether face-to-face family interaction needs to be supervised include:

- There is a lack of information about the parent's/guardian's ability to ensure the child's safety.
- The parent/guardian exhibits behaviors or attitudes that might place the child's safety in jeopardy.
- The parent/guardian continues to deny or fails to accept responsibility for the actions which placed the child's safety in jeopardy or caused serious physical or emotional harm.
- The parent/guardian has a current or recent history of committing domestic violence.
- The child shows serious emotional effects (trauma, threatens suicide, etc.) which has immediate implications for intervention.
- There is reason to believe that the parent/guardian or other persons are likely to flee with the child.

In the absence of a court order or documented concerns for child safety or the safety of other family members, the agency must consider a plan for unsupervised family interaction.

## Considerations in ~~Cases with~~Situations That Involve Domestic Violence

Domestic violence cases are complex and can affect children on a deep emotional level even if they are not physically harmed. Risks to a victim of domestic violence and his/her/their children increase when there is a major change in family circumstances, such as separation or out-of-home placement of children, and the ~~batterer~~harm-doer (person who causes harm) attempts to regain control over the family.- When domestic violence is present in combination with other forms of abuse, the impact on the child can be severe. ~~Batterers~~A harm-doer may use a variety of controlling

Separate family interaction schedules allow a victim of domestic violence to have uninterrupted parenting time with the children.

and manipulative tactics, such as using children as a vehicle to harm or control the victim, interfering with the relationship between the child and the adult victim, or deliberately creating or feeding family tensions. In addition to safety considerations, family interaction plans, family interaction plans should take into account whether a batterer/harm-doer is likely, based on past behavior, to use these tactics. The following considerations can help promote the safety and well-being of the child, as well as protect the safety of all family members.:

Relatives should be used to supervise family interaction only when:

- Check on possible restraining orders, no-contact orders or conditions of probation/parole that would have an impact on family interaction, and plan for safety accordingly. the relative is able to identify and resist coercion or manipulation by the batterer.

- Assure that family interaction plans take into account. Ensure that Family Interaction Plans consider the safety of all family members. When necessary, safety measures can include, but are not limited to: supervised family interaction, arranging different schedules, using a safe drop off/pick up location, developing a safety plan for situations in which the batterer/harm-doer appears unexpectedly, and arranging for a signal that ends the interaction if necessary. - Consult with the domestic violence victim to learn about safety strategies that work and the propensity of the batterer/harm-doer to inflict further violence. supervised include:

- Separate family interaction schedules allow a victim of domestic violence to have uninterrupted parenting time with the children.
- The parent exhibits behaviors or attitudes that might place the child's safety in jeopardy. Understands and acknowledges the risks presented by the perpetrator, the child(ren)'s safety in jeopardy or caused serious physical or emotional harm. Does not blame the victim for the violence, and is able to identify and resist coercion or manipulation by the harm-doer. The child shows serious emotional effects (trauma, threatens suicide, etc.) which has immediate implications for intervention.

In some cases of domestic violence, even supervised family interaction may not be sufficient to ensure physical and emotional safety for the child. If needed, the agency shall consider a plan for supervised family interaction.

In the absence of a court order or documented concerns for child safety or the safety of other family members, the agency must consider a plan for unsupervised family interaction.

In some cases of domestic violence, even supervised family interaction may not be sufficient to ensure physical and emotional safety for the child. If needed, the agency shall consider a plan for supervised family interaction.

In the absence of a court order or documented concerns for child safety or the safety of other family members, the agency must consider a plan for unsupervised family interaction.

In casessituations where biological parents/guardians reside in separate households, biological fathers have historically been left out or minimized. Efforts should be made to include both the child's mother and fatherparents/guardians in family interaction planning. In some cases, this may require the development of separate plans due to issues of safety, confidentiality, domestic violence, etc.

## The Family Interaction Plan

When a child is in out-of-home care, the agency shall, no later than 60 calendar days after placement, establish and document a ~~family interaction plan~~Family Interaction Plan that outlines the anticipated interaction for the child with their parents, siblings, and other identified participants. ~~The interaction plan shall be developed by agency staff with the involvement of family members, including children who are able to contribute to the process, as well as the out-of-home care provider and other participants identified by the family and/or agency.~~

The interaction plan shall be documented in the ~~case~~ record and shall, at a minimum, address the following information:

- A description of the ~~parent's~~parent/guardian's responsibilities to arrange/confirm visits with the ~~agency worker~~child welfare professional, plan and prepare activities for family interaction, and assist their child with the transition at the conclusion of family interaction.
- How any necessary transportation will take place and who is responsible for the transportation.
- Any barriers that must be addressed by the agency to ~~assure~~ensure that family interactions occur on a regular basis.

Family ~~interaction plans~~Interaction Plans should change over time depending on considerations of safety, ~~permanency~~permanence, and well-being. ~~When reunification is the goal, face-to-face family interaction should become less restrictive (supervised, if appropriate; to decreasing levels of supervision; to unsupervised contact), increase in length, and support parents/guardians in enhancing their protective capacities. When reunification is no longer the permanence goal, family interaction does not end.~~ Unless parental rights are terminated, or family interaction has been prohibited by court order, parents/guardians and children have the right to interact. ~~However, consideration should be given to the impact of less frequent or discontinued contact between the child and family on the child's emotional well-being, needs for attachment, stability, and sense of security.~~

When consistent family interaction does not occur, it is imperative that the ~~agency worker~~child welfare professional meet with the parent/guardians to identify any barriers and in consultation with their supervisor, make necessary revisions to the plan. ~~If a parent continues to fail to interact with his/her child after revisions are made, parents should be advised that repeated failure to interact with their child according to the family interaction plan could be considered a demonstration of a lack of parental concern for the child. This would be an opportunity to discuss the parent's/guardian's identified diminished protective capacities and make a plan to enhance these areas.~~

## Frequency of Family Interaction

The agency shall make reasonable/~~Active Efforts~~ [efforts or active efforts](#) to facilitate face-to-face family interaction based upon the child's developmental needs; however, it must occur no less than weekly.

Additionally, children shall have other family interaction (e.g., telephone calls, letters, etc.) with their ~~parents~~[parent/guardians](#) at least weekly.

**Frequency and Location** Weekly interaction should be viewed as the minimum standard. However, best practice standards indicate the following:

If an attachment bond is to be maintained between parents/[guardians](#) and their children in out-of-home care, family interaction needs to be frequent. -Children between the ages of 0-5, for example, should have contact with their parents/[guardians](#) 3-5 times a week, if the plan is reunification. -As a best practice guideline, the frequency of family interaction between parents/[guardians](#) and their children in out-of-home care should correspond with the child's wishes, age, developmental level, and should be consistent with the child's case plan and permanence goals.

The optimum environment for face-to-face family interaction is in the home of the child's parent/[guardians](#), if it is a safe environment for all participants. When this cannot occur, interaction should occur in the most natural setting as possible such as the home of the out-of-home care provider.

## Location of Face-to-Face Family Interaction

Primary consideration must be given to face-to-face family interaction occurring in settings that encourage the most natural interaction between family members while minimizing any threats to safety that may exist to the children or other participants.

Guidelines to assist with making the determination about location of family interaction include:

- Suitability for developmentally related activities; (e.g., does the location allow —for positive interaction relative to the child's development?)
- ~~Parents'~~[Parent/guardians'](#) attitudes and feelings about the [out-of-home](#) care providers (~~foster and relative placements~~) and their ability to have contact with the [out-of-home](#) care providers.
- ~~Foster parents' or~~[Out-of-home](#) care providers' interest, willingness, and ability to be involved in the family interaction process and their perceptions and feelings related to the ~~legal parents-~~[parent/guardians](#).
- Factors that might determine whether family interaction takes place in the out-of-home care providers' home.
- Consideration for the child's physical safety and emotional stability.

## Family Interaction with Siblings

### Maintaining Sibling Relationships

Every effort must be made to place siblings together; ~~however, sometimes this is.~~ Pursuant to [Wis. Stat. s. 48.355\(2\)\(b\)6p](#), if siblings are not possible placed together frequent sibling interactions must occur. Sibling interactions provide an opportunity for siblings to build or maintain family relationships. ~~When siblings are not seeing each other as a part of the family interaction plan, the following apply~~ The following applies to sibling interaction:

- ~~Sibling face~~ Face-to-face sibling interaction must occur monthly, at a minimum, ~~once per month~~.
- Facilitation of sibling face-to-face interaction is the responsibility of the [agency worker/child welfare professional](#).
- Additional family interactions between siblings must be encouraged, such as contact by telephone, letters, ~~and~~ email, ~~and~~ virtual calls.

When siblings are placed apart, each sibling, or ~~his/her caregiver, when appropriate~~ their [parent/guardian](#), should know where the other sibling is and how to reach [him/her/them](#).

### Modifying Family Interaction

#### Decreasing or Suspending Family Interaction

[The following outlines circumstances under which family interaction may be limited and safeguards to ensure any reduction or suspension of contact is appropriate:](#)

- Family interaction can only be prohibited by the agency if a court finds that continued contact is not in the child's best interests.
- Family interaction can be decreased or suspended if there is evidence that the contact is contrary to the safety of the child(ren) and this information is documented in the [ease](#) record.
- Family interaction cannot be used as a punishment, reward, or threat for a child.
- The agency cannot restrict or suspend family interaction as a means to control or punish a parent/[guardian](#) for failure to work with agency or community providers or to comply with conditions of the [case/court order](#) or Permanency Plan.
- The out-of-home care provider cannot prohibit family interaction
- [Being incarcerated or institutionalized does not within itself constitute a ground for prohibiting or canceling face-to-face family interaction.](#)

~~Note: Being incarcerated or institutionalized, does not within itself constitute a ground for prohibiting or canceling face-to-face family interaction.~~

|

## Documenting Family Interaction

## Documentation Requirements

~~• The initial family interaction plan shall be documented in the family case record.~~  
The following ~~family interaction plan~~ must be documented in the ~~case~~family's electronic record:

- The initial Family Interaction Plan.
- As a part of formal safety reassessment throughout the provision of CPS ~~ongoing services~~Ongoing Services, the plan for continuing family interaction must be addressed and documented in the comments section of the Safety Assessment.
- The occurrence of both supervised and unsupervised face-to-face family interactions ~~must be documented in the family case record.~~
- The occurrence of both supervised and unsupervised sibling face-to-face interactions ~~must be documented in the family case record.~~
- Any changes in the ~~family interaction plan shall be documented in the family case record~~Family Interaction Plan.
- ~~If~~The circumstances involved if the agency is unable to fulfill these responsibilities due to ~~client~~parent/guardian unavailability, lack of cooperation, or refusal, ~~the circumstances must be documented in the family case record.~~

Any exceptions to the requirements of this ~~policy~~standard must be approved by a supervisor and documented in the family ~~case~~record.

Wisconsin law requires that when children are placed in out-of-home care, placement with a relative must be considered, and, if a child is not placed with a relative, the reason(s) for non-placement must be documented in the Permanency Plan. -When a child is being removed from ~~his or her~~their home, child welfare professionals have a statutory responsibility to search out and locate relatives and make attempts to involve them in the child's life either as a placement or as a resource and potential future placement.

This ~~policy~~standard provides minimum standards, guidance, and tools which will assist agencies in identifying, locating, and involving non-~~custodial~~household parents, alleged fathers, ~~and~~relatives, and like-kin as resources for children, especially children who have been removed from their homes.

## Concurrent Permanency Planning

Concurrent Permanency Planningpermanency planning allows child welfare professionals to simultaneously plan to achieve a permanence goal (e.g., reunify the family) while implementing an alternative permanent goal for a child. -Identifying, locating, and involving family members is consistent with and supports concurrent Permanency Planningpermanency planning for a child. When non-~~custodial~~household parents, alleged fathers, ~~and~~relatives, and like-kin are located

early ~~in a case~~, subsequent moves for children ~~can be reduced~~, in the event reunification ~~is ruled out as a permanency goal~~, ~~can be reduced~~ does not occur.

~~This policy applies to cases in which a child has been recommended for out-of-home placement or placed in out-of-home care by an agency or the court.~~ The purpose of this ~~policy standard~~ is to assist agencies in determining if there are non-~~custodial household~~ parents, alleged fathers, ~~or other~~ relatives, or like-kin who could be appropriately involved ~~in the child's case~~ either as resources or placement options for the child and family. -Particular attention must be made to

#### **Applicability**

~~Agencies must assure that the actions of their staff and contracted provider staff complies with this policy.~~

identify and involve individuals who may ~~assert parental claims regarding~~ identify themselves as a legal parent to a child so that they are afforded due process in cases involving their children ~~and so placements and Permanency Plans are not disrupted for children in care if a parent or other relative is subsequently identified.~~

In addition, this ~~policy standard~~ may be useful when a child remains in the family home under a Child in Need of Protection or Services (CHIPS) order. -Relatives, like-kin and parents/guardians can be a resource for a family, such as providing respite care ~~while the case is open and when the agency is no longer involved with the family~~ and ongoing support for a family.

### **Locating Non-Custodial Parent / Relatives Household Parents, Relative, and Like-kin**

#### **Diligent Efforts to Search for Non-Custodial Household Parents, Alleged Fathers or Relatives, and Like-kin**

A diligent search for non-~~custodial household~~ parents, ~~alleged fathers, and~~ relatives, and like-kin includes the identification, consideration, and determination of non-~~custodial household~~ parents, ~~alleged fathers, and~~ relatives, and like-kin either as resources or placement options for children and families. -The identification of relatives and like-kin should begin at access and continue through initial assessment and ongoing case management. -Identifying and locating relatives and like-kin should begin when a child welfare professional is considering or recommending out-of-home care for the child, which will allow better planning for the child's transition. ~~For example, in cases where it is likely that~~ As part of the ~~parent will be incarcerated, when a voluntary placement agreement appears to be ineffective, or when based on the family's history with child protective services removal seems likely~~ planning process, the child welfare professional should speak with the parent or legal guardian about relatives and like-kin who might be a resource for the child. -Talking with parents/guardian regarding their preference for placement of their child, should that become necessary, is often more effective than waiting until the child is removed.

### **Non-Custodial Household Parents and Alleged Fathers**

## When Diligent Efforts to Search for Non-Custodial Household Parents and Alleged Fathers Are Required

Diligent efforts to search for non-custodial household parents and alleged fathers must be initiated or continue at the following points in a case when:

- It is likely that a child will be placed in out-of-home care.
- The child is placed in out-of-home ~~care on either an emergency basis or with planning.~~
- It is likely that the child's placement will change.
- A concurrent permanency goal is ~~established.~~ added or changed
- ~~Reunification is no longer the primary goal.~~
- A child is determined to be subject to the Indian Child Welfare Act/Wisconsin Indian Child Welfare Act (ICWA/WICWA), ~~Active Efforts~~ active efforts to locate and involve relatives must be made.

Diligent efforts to search for non-custodial household parents and alleged fathers should be ongoing for children who are in out-of-home care.

## Diligent Efforts to Search for Non-Custodial Household Parents and Alleged Fathers—Best Practice

Non-custodial household parents and alleged father searches should include, but are not limited to the following actions.

In all situations, including emergency situations:

- If the parent, ~~legal /guardian, or caretaker~~ of the child can be identified and is present, ask ~~him or her~~ them to identify and provide the whereabouts of the non-~~custodial~~ household parent or alleged father.
- ~~Ask the child, if~~ When appropriate, ~~ask the child~~ to identify and provide the whereabouts of the non-~~custodial~~ household parent or alleged father.

As the case progresses, as part of continuing efforts to search:

- ~~Check the family's agency record, including eWiSACWIS, for non-custodial~~ household parent and alleged father identification and whereabouts.
- ~~Reference Appendix 2, "Identification and Engagement Tools for Locating Non-Household Parents, Relatives and Like-kin" on page 262.~~
- Check the Department of Children and Families, Bureau of Child Support's KIDS system for identification or location of a non-custodial parent or alleged father.
- Consult the identified ~~tribe of an~~ Indian ~~child-child's~~ tribe for information on non-~~custodial~~ household parents and alleged fathers.
- Ask the reporter ~~at time~~ of a child ~~abuse and neglect~~ maltreatment referral received by Access.
- Ask the school the child attends or previously attended to see ~~if there are additional~~ ~~which~~ emergency contacts listed ~~of which the agency is unaware.~~
- Check the CARES system records if your agency has an information sharing agreement with your local CARES agency. CARES issues Wisconsin Works (W-2), Food Share, Medicaid, and Child Care benefits.
- Contact neighbors at a last known address to see if they have current location information.
- ~~Ask at county jail visits.~~
- ~~Research~~ Utilize CCAP (Consolidated Court Automation Project): <http://wcca.wicourts.gov>
- ~~Submit an inquiry to the Prison Inmate Locator System through the Department of Corrections (DOC):~~ <http://www.vinelink.com>

~~Child welfare professionals should be aware that there are confidentiality restrictions on the use of information in a case record, either on paper or in eWiSACWIS and in KIDS. Please review DCF Numbered Memo 2003-13B and Information Memo 2006-19 for additional information.~~

- ~~Websites that provide criminal history information or incarceration status can be helpful to identify addresses or contact information for individuals if they have been justice-involved. The focus when using these websites for relative searches should be promoting relationships, connections, and gathering information about a child's family network and support system. A list of search websites is in Appendix 2, "Identification and Engagement Tools for Locating Non-Household Parents, Relatives, and Like-kin."~~

When seeking information ~~from people or resources outside their case~~, child welfare professionals must continue to maintain confidentiality about the identity and circumstances of the children and families with whom they are working. ~~This may make it more difficult to obtain~~

information, because the other person is reluctant to share information unless ~~he or she~~ knows they know how it will be used. Nevertheless, confidentiality requirements must be followed.

## Relatives

### When Diligent Efforts to Search for Relatives ~~Are~~ Required

Diligent efforts to search for relatives must be initiated or continue at the following points in a case when:

- It is likely that a child will be placed in out-of-home care with someone other than a ~~fit and willing~~ relative.
- The child is placed in out-of-home care with someone other than a ~~fit and willing~~ relative ~~on either an emergency basis or with planning~~.
- It is likely that the child's placement will change to a non-relative placement.
- Paternity is adjudicated or acknowledged.
- A concurrent ~~permanence~~permanency goal is ~~established~~added or changed.
- ~~Reunification is no longer the primary goal.~~
- A child is determined to be subject to ICWA, ~~Active Efforts~~active efforts to locate and involve relatives must be made.

Relatives/~~like-kin~~ may not be able to act as a placement, ~~temporary or permanent~~ resource, but they may have the ability to be a less formal resource for the child and be a connection that will last beyond the child's involvement in the child welfare system. -Therefore, relative/~~like-kin~~ searches should continue until the child welfare professional believes that the child's needs have been met or could be met by the ~~relatives~~relative/~~like-kin~~ who have been located.

When evaluating a relative/~~like-kin~~ as a placement for a child or sibling group, the child's best interest should be of paramount concern. -Child welfare professionals should consider ~~whether~~how the relative/~~like-kin~~ could keep the children ~~near the other parent if reunification is the goal~~connected with their parents/guardians; whether the child has a relationship with the relative/~~like-kin~~; whether placement with the relative/~~like-kin~~ would keep the child in ~~his or her~~their community or school system; whether the relative/~~like-kin~~ has the capacity to meet the child's needs; if this is a sibling group, the capacity of the relative/~~like-kin~~ to accept all of them and meet their needs; if this is not the child's first placement, ~~whether~~the emotional needs the child ~~has a bonded relationship with his or her foster family, may experience having to move~~placements again.

If a child remains in out-of-home care, the agency and court should review the appropriateness of renewing the relative/~~like-kin~~ search during a change of placement, the Permanency Plan hearing or the Permanency Plan administrative review. -When reviewing decisions about placing with a relative/~~like-kin~~, child welfare professionals should focus on the best interests of the child and determine whether any circumstances have changed that would now make placement with a relative an appropriate option for the child.

~~Child welfare professionals should also ask relatives whether they would like to be contacted if there is a change in circumstances for a child. To assist in that discussion, Appendix VII, page 311, contains the form, "Relative Notification Acknowledgement", which gathers information about why the relative cannot be a placement option at the time he or she is contacted and~~

~~whether he or she wants to be contacted in the future regarding either out-of-home placement or adoption. It also informs the relative that the agency is not obligated to move a child if a relative requests placement, and that foster parents, after six months, may have an independent interest in the child's placement. This form could assist in documenting situations such as an out-of-state relative who is willing to accept the child, but because the permanence goal is reunification an out-of-state placement would not be appropriate, or a relative who is recovering from an illness, but is willing to be a placement resource when he or she recovers.~~

Child welfare professionals should also ask relatives/like-kin whether they would like to be contacted if there is a change in circumstances for a child.

When evaluating placement alternatives, relatives/like-kin should be prioritized in consideration. Additional consideration should be given to how long the child has been in his or her~~their~~ current placement, ~~whether the number of placement moves~~ the child has ~~bonded with the foster family~~experienced, whether the child has an established relationship with an interested and appropriate relative, and whether the relative has shown some commitment to the child while the child is in out-of-home care, even if ~~he or she~~they could not accept the child in their home.

### **Diligent Efforts to Search for Relatives/Like-kin – Best Practice**

Relative/like-kin searches should include, but are not limited to the following actions:

Immediately and in all cases:

- If the parent, ~~legal~~/guardian, or caretaker of the child can be identified and is present, ask ~~him or her, them~~ to identify and provide the whereabouts of relatives/like-kin.
- ~~Ask the child, if~~When appropriate, ask the child to identify and provide the whereabouts of other relatives/like-kin.

As the case progresses, as part of continuing efforts to search:

- Continue to ask the parent/guardian and child about relatives and like-kin.
- Check the family's agency record, including eWiSACWIS, for relative/like-kin identification and whereabouts.
- Consult the identified ~~tribe of an~~-Indian ~~child~~child's tribe for information on relatives/like-kin.
- Reference Appendix 2, "Identification and Engagement Tools for Locating Non-Household Parents, Relatives and Like-kin" on page 262.
- Use search engines approved by the agency.
- Ask the reporter at the time of a child ~~abuse and neglect~~maltreatment referral received by Access.
- Ask the school the child attends or previously attended to see ~~if there are additional~~ which emergency contacts are listed ~~of which the agency is unaware.~~
- Check the CARES system records if your agency has an information sharing agreement with your local CARES agency. Check the CARES system records if your agency has an information sharing agreement with your local CARES agency. CARES issues Wisconsin Works (W-2), Food Share, Medicaid, and Child Care benefits.

- Contact neighbors of a last known address to see if they have current location information.
- CCAP (Consolidated Court Automation Project): <http://wcca.wicourts.gov>

~~Child welfare professionals should be aware that there are confidentiality restrictions on the use of certain information in a case record. Please review DCF Numbered Memo 03-13B for additional information.~~

~~When seeking information from people or resources outside their case, child welfare professionals must continue to maintain confidentiality about the identity and circumstances of the children and families with whom they are working. This may make it more difficult to obtain information, because the other person is reluctant to share information unless he or she knows how it will be used. Nevertheless, confidentiality requirements must be followed. Please also review the section below, "When Agencies Identify or Locate Relatives Without the Assistance of the Parent."~~

- ~~Appendix VIII, page 312, contains a form, "Relative Search Record," which is a tool to be used in the child's paper file as a quick summary of relatives who have been identified and contacted, whether the Indian Child Welfare Act (ICWA) applies to the child. Since relative searches may occur over many months, this brief reference tool may be helpful. Websites that provide criminal history information or incarceration status can be helpful to identify addresses or contact information for individuals if they have been justice-involved. The focus when using these websites for relative searches should be promoting relationships, connections, and gathering information about a child's family network and support system. A list of search websites is in Appendix 2, "Identification and Engagement Tools for Locating Non-Household Parents, Relatives, and Like-kin."~~

## **Support of Relative [and Like-kin](#) Caretakers**

Once the agency has succeeded in locating and involving relatives [or like-kin](#) as either temporary or permanent placements, agency support for these caretakers is important. Services such as counseling or other mental health services for the child, transportation, respite care for the child, targeted funding to meet the needs of the child, etc., should be explored as a means of supporting and encouraging the involvement of relatives as out-of-home care providers.

## **Identifying, Locating, and Involving Fathers**

Fathers may be overlooked if efforts are not taken to establish paternity or involve them in the child's case. It is critical to identify and locate fathers early in the process of providing services to a family for the following reasons:

- Fathers have the right to be involved with their children, to receive services, and to make decisions about their children.
- Fathers have rights and responsibilities related to the care of their children, including financial responsibilities.

- Identification and location of a father may increase the relative [/like-kin](#) placement options and resources for the child.
- It enables the agency to gather information, such as physical or mental health histories or social history about the paternal relatives.
- To avoid disruption of foster or adoptive placements when fathers or [Indian child's](#) tribes are not notified early.

Fathers can be classified into two categories: fathers who are known or thought to be known, and fathers who are unknown. ~~The category, fathers~~ [Fathers](#) who are known or thought to be known, includes fathers who are presumed, acknowledged, adjudicated, and some alleged. Fathers who are unknown include unnamed individuals and may include some alleged fathers when there are multiple possible fathers.

### ~~Father's~~ **Paternity Has Not Been Established**

When the identity and whereabouts of the father are unknown, diligent efforts to identify and locate the father must include:

- Checking the child's birth certificate to see if there is a person listed as the father and follow up with location efforts if a father is listed on the birth certificate.
- Checking the Paternal Interest Registry in the Department of Children and Families. ~~(See DCFS Info Memo 2006-10)~~ [\(See DCFS Info Memo 2006-17\)](#) on deadlines for registration and notice to registered or unregistered fathers.
- As directed by local agency policy, checking the KIDS system using the child's name, Social Security Number, or other specific identifying information that will most effectively select the correct child. ~~(See DCFS Information Memo 2006-19.)~~
- Asking the mother, child, if appropriate, and relatives who the father is believed to be and any known information including location of conception or any identifying characteristics.
- Following up with efforts to locate individuals identified.

It may also include requesting paternity testing through the child support agency, if a father is identified and located.

The agency should continue trying to locate fathers even if the ~~case reaches the point where the~~ permanence goal becomes adoption, and a petition for termination of parental rights is being filed. ~~If the child welfare professional learns new information about the child's father or possible father, that information must be pursued.~~

### **When a Parent or Legal Guardian Objects to a Relative ~~or Parent Search~~ [/Like-kin Placement](#)**

Parents ~~or legal~~ guardians may object to the placement of a child with a relative ~~or~~ [/like-kin](#). After evaluation of the parent's [guardian's](#) objections, the child welfare professional may still place the child with the relative [/like-kin](#) after the safety of the home has been assessed and confirmed and required background checks have been completed. The ~~parent~~ [parents/guardians](#) should be informed that they may express their objections to the juvenile court judge at either the temporary custody or change in placement hearing.

## When a Parent Refuses to Provide Information about a Parent ~~or~~, Relatives, or Like-kin

### Search Requirements

If a parent/guardian refuses to provide any information about the non-custodialhousehold parent or relatives, the child welfare professional must conduct the activities required under Diligent Efforts to Search for Non-CustodialHousehold Parents and, Alleged Fathers, or Relatives.

If the court agrees, it may be most effective to have the judge question the parent ~~or legal~~ /guardian during the temporary physical custody hearing, or when the parent/guardian first appears in court. The child welfare professional may want to involve the Guardian ad Litem in seeking information.

### Search Requirements

If a parent/guardian continues to refuse to provide any information about a non-custodialhousehold parent or other relatives, the child welfare professional must consult with the corporation agency's legal counsel ~~or district attorney~~ to determine the appropriateness of having the court order the parent or legal guardian parents/guardians to provide the information.

## When Search Is Not Required

Wisconsin law allows parents to anonymously relinquish custody of a newborn. -The statute §-Wis. Stat. s. 48.195, Stats., is often referred to as the Safe Haven law. -A parent must meet the following statutory requirements in order to relinquish ~~his or her~~their child under the Safe Haven law: the infant must be less than 72 hours old, must be left in a newborn infant safety device at a hospital, fire station, or law enforcement agency or turned over to a law enforcement officer, an emergency medical technician, ~~or~~ a hospital staff member, who subsequently must turn the child over to a court intake worker. -A parent who chooses to anonymously relinquish ~~his or her~~their infant under §-Wis. Stat. s. 48.195, Stats. may refuse to provide any identifying information unless the person accepting the infant believes that the infant was abused or neglected, or the parent is being coerced or induced into relinquishing ~~his or her~~their infant. -If an agency is working with an infant who was anonymously relinquished under §-Wis. Stat. s. 48.195, Stats., the agency will not be able to search for or locate the non-custodialhousehold parents or relatives/like-kin.

However, if there is reason to believe that the infant is an Indian child, agency staff should identify and contact the tribe with which the child is, or may be, affiliated. -The Indian Child Welfare Act, 25 U.S.C. 1913(a)-), provides that any consent to an out-of-home placement or termination of parental rights by a parent or Indian custodian that occurs before the birth of the child or within ten (10) days of the birth of the child is not a valid consent. - The United States Supreme Court in, Mississippi Choctaw Indian Tribe v. Holyfield, 490 U.S. 30 (1989), states:

Nor can the result be any different simply because the twins were “voluntarily surrendered” by their mother. -Tribal jurisdiction under 1911(a) was not meant to be

defeated by the actions of individual members of the tribe, for Congress was concerned not solely about the interest of Indian children and families, but also about the impact on the tribes themselves of the large numbers of Indian children adopted by non-Indians. —

In addition, it is clear that Congress' concern over the placement of Indian children in non-Indian homes was based in part on evidence of the detrimental impact on the children themselves of such placements outside their culture. Congress determined to subject such placements to the ICWA's jurisdictional and other provisions, even in cases where the parent consented to an adoption, because of concerns going beyond the wishes of individual parents.  
(Holyfield, pp. 49-50)

### **When Agencies Identify or Locate Relatives/Like-kin Without the Assistance of the Parent**

Agencies may learn about relatives/like-kin or fathersnon-household parents from a source other than the parent/guardians. Additionally, agencies may identify relatives/like-kin or legal guardian-non-household parents through the required diligent search efforts. Agencies are sometimes contacted by individuals who identify themselves as a relative and ask that the child be placed with them, or ask to have contact with the child-relatives. Schools, churches, or others with knowledge about the family may provide names of relatives/like-kin, and the child may offer the name of someone that he or she identifies they identify as a relative/like-kin.

#### Requirements

When an agency identifies or locates a relative/like-kin without the assistance or knowledge of a parent-or legal-/guardian, the agency must:

- Document whatever information is offered regarding the identification and location of the non-custodialhousehold parent or relative/like-kin.
- NotOnly disclose confidential information about the child or family to the extent necessary to facilitate the establishment of a relationship between the child and the relative, including whether there is an open child welfare case.
- Notify the parent/guardian that the information has been received and consult with the parent/guardians regarding involvement of the non-custodialhousehold parent or relative/like-kin.
- Verify independently that the individual is a non-custodialhousehold parent or relative/like-kin before considering the relative/like-kin or non-custodialhousehold parent as a placement option.

Though diligent efforts to locate like-kin are not required by statute, agencies should make continued efforts to locate like-kin individuals.

### **KIDS Family Violence Indicator**

The ~~Department~~department recommends that child welfare agencies enter into agreements with local child support agencies to allow access to systems and information within the parameters of the state agencies' agreement.

Within the Agreement is a provision regarding the KIDS Family Violence Indicator, which is placed on a KIDS participant record when a claim or finding of good cause for noncooperation with child support is entered in the KIDS system, or if a temporary restraining order or injunction has been entered to protect the participant, or if the child support agency has reason to believe that releasing the information might result in physical or emotional harm to the participant. -The indicator will appear on all case screens.- If the indicator is on the case record, information about the protected individuals may not be published, used, transmitted, or otherwise shared without first removing all information about location, employment, or other information identifying the whereabouts of the protected individuals.

Therefore, information about parents and, by extension, relatives/~~like-kin~~ of those parents that is obtained from a KIDS record containing a Family Violence Indicator, cannot be used if it violates ~~the~~privacy protections. -If the information about a parent or relative/~~like-kin~~ is obtained from an independent source, then the child welfare professional should determine and consider the reasons a "Family Violence Indicator" is present in the KIDS case record and how that may impact the safety and well-being of the child and family.

### **Documenting Diligent Efforts to Search**

Under Wisconsin law, certain information regarding placement of a child with a relative or with ~~the family of~~ a sibling must be documented in the Permanency Plan. -Those items are noted below. -Other information identified below must be documented ~~somewhere~~in the child's case record. Compiling ~~it~~information and updating ~~it~~ within the Permanency Plan is acceptable.

## Documentation Requirements

The following actions must be documented in the case record when conducting a non-~~custodialhousehold~~ parent, ~~alleged father~~, and relative search for children placed in out-of-home care:

- Identification of non-~~custodialhousehold~~ parents and maternal and paternal relatives. (~~Required to comply with §. 48.38(4)(bm)~~)
- Efforts to locate, contact, and involve relatives, including their response to involvement as a resource or placement option.
- Statement as to the availability and suitability of each relative as ~~a placement resource~~ an out-of-home care provider for the child and, if the child is not placed with the relative, the reasons why the placement with the relative is not safe or appropriate. (~~§. (Wis. Stat. s. 48.38(4)(bm)~~)
- Statement as to the availability and suitability of ~~the families of siblings~~ a placement with the child's sibling(s) as a placement resource for the child, and, if the child is not placed with the sibling ~~family,(s)~~, the reasons why ~~thesuch~~ placement is not safe or appropriate. (~~§. (Wis. Stat. s. 48.38(4)(br)))~~).
- Efforts to establish paternity.
- Refusal of parents ~~or legal/~~ guardians to provide information regarding relatives or to give consent for relative searches to be conducted.
- The justification for choosing a relative /like-kin placement over the objections of a parent or legal guardian must be documented in a case note in the agency electronic record for the child.
- ~~Documentation of~~ if applicable, documentation of compliance with ICWA placement preferences or the good cause showing made to support the agency's failure to follow the placement preferences set forth by the Indian Child Welfare Act (ICWA).

Documentation of ~~diligent and Active Efforts to~~ the search for non-~~custodialhousehold~~ parents, alleged fathers, and relatives /like-kin may be critical in an action to terminate parental rights to demonstrate that the agency made diligent ~~and/or Active Efforts~~ active efforts to locate, involve, and place a child with a non-custodial ~~father/parent~~, an alleged father, or a relative /like-kin.

## Trial Reunification

In Child Protective Services (CPS) cases, placing a child in out-of-home care is a temporary action used to control and manage threats to child safety and ~~assure~~ ensure that a child is protected. - An out-of-home safety plan clearly outlines what is needed for the child to return home with an in-home safety plan while the agency continues to work with parents ~~or~~ caregivers/guardians in consistently providing a safe environment.

A trial reunification is a continuation of the out-of-home placement episode, so return to out-of-home care as a result of ending a trial reunification is not considered a re-entry into out-of-home care if it does not exceed time limits for a trial reunification. Trial reunification should only be used when it is anticipated that the child will remain with ~~his or her~~ their parent(s)/guardian and a return to out-of-home care is unlikely, except for short-term or respite ~~placements~~ services with the out-of-home care provider. - Trial reunification is defined under ~~§. Wis. Stat. s.~~ 48.358(1)(a) and in federal law under 45 CFR 1356.21(e).

A trial reunification may be appropriate when:

- Child Protective Services [Cases/Case Types](#)
  - An in-home safety plan can be implemented and the permanence goal for the child is reunification. -Using a trial reunification affirms that returning a child is not predicated on parents [or caregivers/guardians](#) fully changing their lives, but rather that reunification is possible as treatment services continue. - Since it is difficult to predict with certainty the impact on the family when a child returns home, a trial reunification is an opportunity to [assure/ensure](#) that behavioral change is sustained over a period of time and to confirm that reunification remains the appropriate permanence goal.
- Child Welfare [Cases/Case Types](#)
  - The conditions leading to the removal of the child can be managed in the home of either parent [/guardians](#) or the relative [/like-kin](#) caregiver from whom the child was removed.

Note: Open cases with dispositions of Trial Reunification at age 18 or older still qualify for independent living (IL) services.

#### Applicability

This Standard applies to when the agency requests and the court orders the use of a trial reunification as part of a court order.

#### Prohibition

#### [Wis. Stat. s. 48.358\(6\)\(a\) Prohibition](#)

Except as provided in the exception, the court may not order a trial reunification in the home of a person who has been convicted under [§.Wis. Stat. s. 940.01/940.01](#) of the first-degree intentional homicide, or under [§.Wis. Stat. s. 940.05/940.05](#) of the 2nd-degree intentional homicide, of a parent of the child, if the conviction has not been reversed, set aside, or vacated.

The prohibition does not apply if the court determines by clear and convincing evidence that the placement would be in the best interests of the child. The court shall consider the wishes of the child in making that determination.

Agencies must [assure/ensure](#) all actions of either agency or contracted provider staff complies with this [policy/standard](#).

### Initiating a Trial Reunification

It is important to assess the progression of the [family interaction plan/Family Interaction Plan](#) when considering if a trial reunification is appropriate. - Face-to-face family interaction should become less restrictive (from supervised, if necessary, to decreasing levels of supervision, to

unsupervised contact) and increase in length over time before a trial reunification is considered. [Agency staff](#) [The child welfare professional](#) should consult the “Family Interaction for Child Protective Services (CPS) Cases When a Child is in Out-of-~~Home~~home Care” section on page [173157](#) for further guidance on CPS [cases](#) [case types](#).

#### Determinations Prior to Initiating a Trial Reunification

The agency must determine:

- If any existing court orders (juvenile, criminal, tribal, family, civil) specifically limit family interaction in a manner that prevents the use of a trial reunification and [determinedetermines](#):
  - Whether an in-home safety plan can be implemented to control impending danger threats and [assureensure](#) child safety or
  - Whether the conditions leading to the removal of the child can be managed in the trial reunification home.

[Agency staff](#) [The child welfare professional](#) should discuss the trial reunification with the child when age and developmentally appropriate. - The child welfare professional, therapist, or other adult close to the child may assist the child in identifying [his or hertheir](#) hopes, fears, and attitudes about the trial reunification and provide support to the child as needed.

#### Request for Trial Reunification

The child welfare professional shall complete a “Request for Trial Reunification” (JD-1801) form to request the court to order a trial reunification. -A trial reunification may not occur without a court order.- The request shall include:

- The name and address of the requested trial reunification home.
- A statement describing why the trial reunification is in the best interests of the child.
- A statement describing how the trial reunification satisfies the objectives of the child's Permanency Plan.

A request for a trial reunification may not be made on the sole grounds that an emergency condition necessitates an immediate removal of the child from [his or hertheir](#) out-of-home placement. If an emergency condition necessitates such an immediate removal, the person or agency primarily responsible for implementing the dispositional order shall proceed as provided in [§. 48.357 \(2\) or s. 938.357 \(2\).- the change of placement provisions of statute. See, Wis. Stats. ss. 48.357 \(2\) and 938.357 \(2\).](#)

## -Notice of Trial Reunification

The ~~person or agency requesting the trial reunification shall submit the request~~ shall be submitted to the court and ~~shall cause~~ written notice of the requested trial reunification ~~to~~shall be sentprovided to:

- The child.
- The parent, guardian, and legal custodian of the child.
- Any foster parent or other physical custodian of the child, ~~described in §. 48.62 (2) and 938.62(2).~~
- The child's court-appointed special advocate.
- All parties who are bound by the dispositional order.
- If the child is an Indian child who has been removed from the home of ~~his or her parent or Indian custodian, the Indian child's~~their Indian custodian and the Indian child's tribe.

The notice shall contain the information that is required to be included in the request. The Notice and Request for Trial Reunification (JD-1801) meets these requirements if provided to the required individuals.

### **Objection to Trial Reunification**

Any person who is entitled to receive notice of a requested trial reunification under §-Wis. Stats. ss. 48.358-(2)(b) or 938.358-(2)(b)., other than a court-appointed special advocate, may obtain a hearing on the matter by filing an objection with the court within 10 working days after the request was filed with the court.

If an objection is filed, a hearing shall be held within 30 days after the request was filed with the court.

Not less than three (3) working days before the hearing, the person or agency requesting the trial reunification or the court shall provide notice of the hearing to all persons who are entitled to receive notice under ~~§-Wis. Stats. ss. 48.358(2)-(b))(b)~~ or 938.358-(2)(b). A copy of the request for the trial reunification shall be attached to the notice.

Prior to Implementing a Trial Reunification

### **Child Protective Services [Cases](#) [Case Types](#) Only**

Prior to implementing a Trial Reunification, the child welfare professional must:

- [Re-assess](#) [Reassess](#) child safety
- Develop an in-home safety plan that includes what will happen if threats to child safety can no longer be managed.

Additionally in all case types, a description of the following must be documented in the family [case](#)-record:

- How the agency will communicate the child's status and facilitate services to the out-of-home care provider, as appropriate.
- The nature and frequency of any contact the out-of-home care provider will have with the child.

If the order authorizing the trial reunification is obtained at the same time the trial reunification is implemented, that order serves as notification to all parties.

### **Managing a Trial Reunification**

Information gathered from the parents/[caregivers](#)[guardians](#), child, and service providers is used to evaluate the impact of the trial reunification and confirm that the child is safe by:

- Assuring that the services put in place continue to adequately control identified safety threats.
- Assuring that the commitments by the family and providers remain in effect.
- Determining whether previously identified safety threats have been eliminated or reduced.
- Determining if new safety threats to the child have emerged.
- Modifying the safety plan (related to impending danger threats) or Permanency Plan (related to protective capacities).

## Implementation of Trial Reunification

The agency child welfare professional must:

- Continuously review and evaluate the adequacy of the in-home safety plan.
- Have monthly contact ~~by the child welfare professional~~, at a minimum, with service providers involved in the safety plan, if applicable.

For all case types implementation includes:

- Face-to-face contact by the child welfare professional or designee with parent/~~caregiver~~guardian(s) and the child on the day the trial reunification begins.
- Twice a month face-to-face contact by the child welfare professional or designee with parents/~~caregivers~~guardians and the child unless a need for more immediate or frequent contact is indicated by the information obtained about the family.

### Timeframes for a Trial Reunification

A trial reunification means a period of seven (7) consecutive days or longer but not exceeding 150 days. If a trial reunification is ordered, it shall terminate 90 days after the date of the order, unless the court specifies a shorter period in the order, extends the trial reunification or it is revoked.

~~It is essential that the agency have face-to-face contact with the parent/caregiver(s) and the child on the day the trial reunification begins. The worker's focus is on assessing the family's understanding, agreement, and commitment to the safety plan and plan for trial reunification. It also provides an opportunity for the family to ask any questions they may have.~~

### Timeframes for a Trial Reunification

~~A trial reunification means a period of seven consecutive days or longer, but not exceeding 150 days. If a trial reunification is ordered it shall terminate after 90 days after the date of the order, unless the court specifies a shorter period in the order, extends the trial reunification or it is revoked.~~

~~Prior to the conclusion of the trial reunification, the agency must make a decision as to whether reunification has been successfully achieved.~~

As provided in 45 CFR 1356.21(i) ~~(a)(1)(i)(c)~~, any time a child spends on a trial reunification is not included in the statutory timeline that requires an agency to request a petition for termination of parental rights when a child has been in out-of-home care for 15 of the most recent 22 months absent documentation of an exception under §.Wis. Stat. s. 48.417(2), Stats.

Information about a trial reunification should be incorporated into the case progress evaluation of the child's Permanency Plan.

Note: Open cases with dispositions of Trial Reunification at age 18 or older still qualify for independent living (IL) services.

## Ending a Trial Reunification

Prior to a trial reunification ending the agency must determine whether:

- ~~Reunification is appropriate.~~
- ~~The trial reunification needs to be extended.~~
- ~~The child is to be returned to an out-of-home care setting.~~

### Ending a Trial Reunification

Prior to a trial reunification ending the agency must determine whether:

- Reunification is appropriate.
- The trial reunification needs to be extended.
- The child is to be returned to an out-of-home care setting.

When Reunification Can be Achieved

Prior to reunification, the agency must:

- ~~Assure~~Ensure that child safety can be maintained within the child's home.
- Request a Change of Placement under Wis. Stats. §-ss. 48.357 or ~~§-~~§ 938.357 with the court no later than 10 business days prior to the end of the trial reunification to the trial reunification home; and
- Allow a minimum of 10 business days for parties to file an objection to the "Notice of Change in Placement," as required in Wis. Stats. §-ss. 48.357(1)-(am) 2. or § 938.357(1)(am)2. ~~Stats.~~

If a party files an objection to the "Notice of Change in Placement," the trial reunification shall continue until further order of the court unless circumstances necessitate a revocation of the trial reunification.

Reunification may occur when the agency can conclude that impending danger threats have been eliminated or can be managed with an in-home safety plan or the conditions leading to the need for out-of-home care placement can now be managed in the trial reunification home. ~~The~~ decision to reunify does not always mean case closure. ~~Agencies~~ should continue to work with the family to ~~assure~~ensure that there is sustainable behavioral change and/or that informal and formal supports are in place that can manage the safety of the child(ren).

Depending on family circumstances, there may be times when reunification criteria are not met within the initial court-ordered timeframe of 90 days, but safety can continue to be managed with an in-home safety plan.

In these instances, a trial reunification may be extended by order of the court.

## Extending a Trial Reunification

The agency child welfare professional responsible for implementing the dispositional order may request an extension of a trial reunification using the "Notification of Request/Extension/Revocation of the Trial Reunification" (Form JD-1801).

The request shall contain a statement describing how the trial reunification continues to be in the best interests of the child. No later than ten [business \(10\)](#) days prior to the expiration of the trial reunification, the agency child welfare professional that requests the extension shall submit the request to the court that ordered the trial reunification and shall provide notice of the request to all [persons/individuals](#) who are entitled to receive notice.

## Revocation of ~~trial reunification~~ [Trial Reunification](#)

If the person or agency primarily responsible for implementing the dispositional order determines based on current circumstances that a trial reunification is no longer in the best interests of the child, that person or agency may, without prior court order, remove the child from the trial reunification home and place the child in the child's previous out-of-home placement or place the child in a new out-of-home placement. -The agency does not need to take the child into custody under Temporary Physical Custody because under the trial reunification, the child has remained in out-of-home care placement.

- If the person or agency primarily responsible for implementing the dispositional order places the child in the child's previous out-of-home placement, within three [\(3\)](#) days after ~~removing~~[moving](#) the child from the trial reunification home, that person or agency shall submit a request for revocation of the trial reunification to the court that ordered the trial reunification and notify all persons who are entitled to receive notice of the trial reunification.
  - The request shall contain:
    - The date on which the child was removed from the trial reunification home.
    - The address of the child's current placement.
    - The reasons for the proposed revocation.
- If the person or agency primarily responsible for implementing the dispositional order places the child in a new out-of-home placement, within three [\(3\)](#) days after removing the child from the trial reunification home, that person or agency shall request a change in placement.
  - The request shall include:
    - ~~the~~[The](#) date on which the child was removed from the trial reunification home,
    - The information required under [Wis. Stats. §-ss. 48.357 \(1\) \(am\) 1-48.357 \(1\)\(am\)1.](#) or 938.357 (1)(am)-1.

The trial reunification is revoked when the change in placement order is granted.

## Concluding a Trial Reunification

At the end of a trial reunification, the person or agency primarily responsible for implementing the dispositional order ~~shall~~ is required to do one of the following:

~~1. 1.~~ Return the child to ~~his or her~~ their previous out-of-home placement. The person or agency may do so without further order of the court, but within five (5) days after the return the person or agency shall provide notice of the date of the return and the address of that placement to all persons who are entitled to receive notice under ~~par. (b).~~ Wis. Stat. s. 48.358(2)(b).

A trial reunification is the continuation of an out-of-home placement episode; therefore, ending the trial reunification and continuing the child's placement with the same out-of-home care provider avoids a re-entry into out-of-home care.

2. Request a change in placement under Wis. Stats. s. 48.357 or 938.357 ~~Wis. Stats., ss. 48.357 or 938.357,~~ to place the child in a new out-of-home placement.

3. Request a change in placement under Wis. Stats. s. ss. 48.357 ~~48.357 or 938.357~~ Wis. Stats., to place the child in the trial reunification home. ~~If, if~~ a determination is made that a trial reunification will end with achieving the permanence goal of reunification.

When it is determined that safety cannot be managed with an ~~in~~ in-home safety plan, it is important to avoid moving a child back and forth between out-of-home care placements and ~~his or her~~ their home. The agency should make diligent efforts to return the child to the out-of-home care provider with whom the child was placed when the trial reunification was initiated, unless that placement is no longer available or not in the child's best interest.

## Documenting Decisions Regarding a Trial Reunification

Documentation of a trial reunification is critical in later determining whether the agency has made reasonable efforts or ~~Active Efforts~~ active efforts to reunify a child.

### Documentation Requirements

The following decisions and justification for the decisions must be approved by a supervisor or ~~his/her~~ their designee and documented in the family ~~case~~ record:

- The decision to initiate a trial reunification and the related Safety Analysis and Plan.
- The decision to end a trial reunification.
- The decision to reunify the child with ~~his/her~~ their family.

The placement into the trial reunification and the conclusion shall be documented in eWisACWIS within five (5) days of the order by the court initiating or terminating the trial reunification.

## **Child Welfare Professional Face-to-Face Contact Requirements for Children and Youth in Out-of-Home Placement**

Caseworker

Regular and consistent face-to-face contact by a child's child welfare professionals that are focused on the goals established in the ~~case~~-plan directly impact positive outcomes for children and youth, including the management of safety, timely achievement of permanence, and improved well-being.

### **Purpose**

This ~~policy~~standard establishes the requirement for child welfare professionals to have face-to-face contact at least once each and every full calendar month with children and youth who are living in ~~an~~ out-of-home ~~care~~. More than 50 percent of the in-person contacts with a child in out-of-home care are required to be in the child's out-of-home care placement-, occurring no less than every other month. Additionally, this ~~policy~~standard directs agencies how to document information about the child welfare professional's face-to-face contact in eWiSACWIS.

There are no exceptions to this ~~policy~~standard since it is enacting a federal ~~law~~requirement.

Agencies must ~~assure~~ensure all actions of either agency or contract provider staff comply with this ~~policy~~standard.

-Agencies may use other professional staff as designees to complete the face-to-face contacts. The professional staff includes those who are trained to assess safety, facilitate permanence, ensure a child's well-being, and evaluate the progress of a child and family's case. Examples of child welfare ~~workers~~professionals that do not qualify as appropriate designees are Guardian ad Litem or foster parent.

### **Court Ordered Out-of-~~Home~~home Placements of Indian Children**

~~Section 46.261, Wis. Stats., s. 48.645(2)(a)4,~~ allows a county to fund an out-of-home placement ordered by a tribal court, providing that the county and tribe enter into a 161 Agreement. Those tribal court-ordered placements under a 161 Agreement are subject to the face-to-face contact requirement and must be performed by the county agency unless the ~~tribe~~Tribe and county include alternative language in a 161 Agreement, MOU or contract delineating responsibilities for the contacts. ~~(Note: On and after July 1, 2008, the appropriate citation for such agreements is s. 48.645(2)(a)4., Stats.)~~

Wisconsin Act 161 creates a mechanism for county agencies to make payments for costs of out-of-home placements of Indian children when placement is ordered by a tribal court and the county, and the tribe have entered into a written agreement regarding the circumstances under which such payments will be made. For more information, please read Memo Series DCFS 2008-11 Guidelines for Implementation of Act 161 Agreements (Out-of-home Placements of Indian Children by Tribal Courts).

Tribes have been given access and have the technical capacity to enter case notes in eWISACWIS. It is recommended that child welfare agencies and tribes continue to work together to ensure monthly contact information is updated in a timely manner. It is recommended that this information be included in the 161 Agreement. While tribes have the capability to enter contact notes in eWISACWIS, they are not required to.

## **Applicability**

### **I.**

The child welfare professional face-to-face contact requirement applies to all children in out-of-home placement, including those placed through a Voluntary Placement Agreement (Wis. Stat. s. 48.63) and youth who are over 18 years of age if the agency maintains placement and care responsibility under a court order and the child is in an out-of-home setting listed below:

- Court-ordered kinship care.
- Foster family home (relative/like-kin or non-relative).
- Pre-adoptive home.
- Receiving home.
- Unlicensed relative/like-kin or non-relative placement.
- Group home.
- Shelter care (including Reception Center and Reception Center – Shelter).
- Residential care center.
- Trial reunification.
- Supervised independent living.
- Missing from out-of-home care.

### **II.**

Children who are in the out-of-home care settings listed below are not subject to the face-to-face contact requirement in this standard except as described in the paragraph below:

- Juvenile correctional institutions.
- Adult corrections.
- Secure detention (including Reception Center – Detention).
- Hospitals.

If a child is placed in an out-of-home care setting listed in Section I and is subsequently moved to an out-of-home setting listed in Section II without discharge between those out-of-home care settings, the child welfare professional must continue to conduct monthly face-to-face contacts with the child.

For additional guidance regarding face-to-face contact for counties and tribes who are jointly serving a child, refer to Appendix IX, page 313.

|

## Applicability

### I.

The child welfare professional face-to-face contact requirement applies to all children and youths in out-of-home placement including those placed through a Voluntary Placement Agreement (s. 48.63, Stats.) and children and youths who are over 18 years of age if the agency maintains placement and care responsibility under a court order and the child or youth is in an out-of-home setting listed below:

- Court-ordered kinship care.
- Foster family home (relative or non-relative).
- Pre-adoptive home.
- Receiving home.
- Unlicensed relative or non-relative placement.
- Group home.
- Shelter care (including Reception Center and Reception Center – Shelter).
- Residential care centers for children and youth.
- Trial reunification.
- Supervised independent living.
- Missing from out-of-home care.

### II.

Children who are in the out-of-home placements listed below are not subject to the face-to-face contact requirement in this policy except as described in the paragraph below:

- Voluntary kinship care.
- Juvenile correctional institutions.
- Adult corrections.
- Secure detention (including Reception Center – Detention).
- Hospitals.

If a child or youth is placed in an out-of-home care setting listed in Section I and is subsequently moved to an out-of-home setting listed in Section II without discharge between those out-of-home settings, the child welfare professional must continue to conduct monthly face-to-face contacts with the child or youth. **Child Welfare**

### **Professional Face-to-Face Contact Requirements**

Each child in an out-of-home placement must have at least one face-to-face contact with their child welfare professional in every full calendar month the child is in out-of-home care. The majority (greater than 50%) of the face-to-face contacts must be in the child's out-of-home placement, occurring no less than every other month.

Teleconferencing and videoconferencing do not constitute face-to-face contact.

Child welfare professional face-to-face contacts must be focused on the safety, permanence, and well-being of the child and must be of substance and duration sufficient to address the goals of the case plan or Permanency Plan. Content of the contacts must be documented in accordance with the documentation requirement below.

|

Child welfare professionals should continue to make efforts to locate a child or youth missing from care and have contact with the child or youth upon their return according to the “Children Missing From Out-of-Home Care” policy and should document these in the child’s case record. This policy is located at <http://dcf.wisconsin.gov/files/cwportal/policy/pdf/memos/2008-12.pdf>

If the ~~Department~~department or a county ~~department~~agency designates other child welfare professionals (~~residential staff, treatment foster care child welfare professional, out-of-state~~

#### ~~Children Missing from Care~~ Contact Requirement

~~Each child or youth in an out-of-home placement must have at least one face-to-face contact with his or her child welfare professional in each and every full calendar month the child or youth is in out-of-home care. The majority (greater than 50%) of the face-to-face contacts must be in the child or youth’s out-of-home placement.~~

~~Caseworker face-to-face contacts must be focused on the safety, permanence, and well-being of the child and must be of substance and duration sufficient to address the goals of the case plan or Permanency Plan. Content of the contacts must be documented in accordance with the documentation requirement below.~~

~~agency child welfare professionals for Wisconsin children placed in other states)~~ to be responsible for visits with the child ~~or youth~~, the county or ~~Department~~department child welfare professional primarily responsible for the child ~~or youth~~ should have face-to-face contact with the child ~~or youth~~ on at least a quarterly basis.

For cases involving the interstate placement of children ~~or youth~~, visits must occur ~~each and every month~~monthly and should be conducted by the agency responsible for supervision under the Interstate Compact on the Placement of Children (ICPC) agreement for that child ~~or youth~~, generally the receiving state or a private agency child welfare professional under contract with the receiving state. The first face-to-face contact must occur no later than 30 days from the date on which the child is placed, or 30 days from the date on which the receiving state is notified of the child’s placement, if notification occurs after placement. The sending state is responsible for documenting the visits in eWiSACWIS. Under the ICPC, the ~~visiting~~supervising agency is required to submit a supervision report every ~~six~~three (3) months; ~~however, in practice, supervision reports are generally received every three months.~~ following the date of receipt of the 100B form by the receiving state’s ICPC office. Agencies may want to request a report about any visits during the final quarter of the Federal Fiscal Year (July, August, September) by the last week of October in order for those visits to be entered in eWiSACWIS and counted in the data submitted to the federal Administration for Children and Families (ACF) database. If the sending agency is not receiving the documentation from the receiving state, the agency should contact the assigned ~~Deputy Compact Administrator~~ICPC specialist at DCF as soon as a problem is detected. The ~~Deputy Compact Administrator~~assigned ICPC specialist will work with the receiving state to address the issue.

## Quality of Face-to-Face Contacts

The federal Child and Family Services Improvement Act of 2006 requires [that, in order for a state to be eligible for federal funding](#), monthly contacts ~~to~~ be well-planned and focused on issues pertinent to ~~case~~ planning and service delivery to ensure safety, permanence, and well-being of children. It is important to make face-to-face contacts purposeful and meaningful in order to promote positive outcomes for children. The ultimate intent of face-to-face contacts is to monitor safety and to provide services to promote permanency and the well-being of the child, the child's family, and the child's caregivers. For this reason, it is critical that documentation reflects and supports the content of monthly contacts.

In the monthly contact a child welfare professional's face-to-face contact with a child ~~or youth~~ may include or address the following topics:

- Safety:
  - Ongoing assessment of safety of the child and, if applicable, community
  - ~~Child or youth's~~ Child's behavioral risk, including risk to self and risk to others
- Stability/Adjustment of child ~~or youth~~ in:
  - Current living arrangement (biological home, foster home, group home, RCC, incarceration)
  - Educational setting
  - Alternative setting (non-custodial parent, respite care)
- Status of child's well-being:
  - Physical health
  - Learning and development: educational program attendance, progress, and IEP (if applicable)
  - Mental health needs (emotional development and behavioral functioning)
- Progress towards planning goals/outcomes, permanence goals, and court orders:
  - Tracking progress on achieving outcomes.
  - Adjustment of strategies/intervention(s) when needed.
  - Life ~~Skills Development~~ skills development and independent living needs and goals for youth aged 14 or older.
  - Opportunities to engage in age or developmentally appropriate activities following the Reasonable and Prudent Parent Standard.
- Family interactions and relationships:
  - Frequency of contact/communication
  - Type of contact/communication and with whom
  - Quality of contact/communication and with whom
- An opportunity to engage in private communications with the child welfare professional regarding the out-of-home placement and any other concerns.

## Documentation

The child welfare professional's monthly face-to-face contacts with a child ~~or youth~~ must be documented in eWiSACWIS as a case note. ~~The case~~ note must include, at a minimum, the following information describing the face-to-face contact:

- Date, time, and duration of the visit
- Participants involved
- Location of the visit
- Type of contact
- Purpose of the contact
- Summary of the results of the contact

The ~~Department or county department must document the~~ information listed above must be documented in eWiSACWIS within 20 calendar days after the face-to-face contact with the child ~~or youth, regardless of whether the visits were conducted by the Department or county department child welfare professional or his or her designee.~~

The "Quick Reference Guide" that provides direction about how to enter a case note to meet the ~~Federal~~federal mandate on monthly ~~case worker~~ contacts with children and youth in out-of-home care in eWiSACWIS can be accessed electronically at the following link:

<https://dcf.wisconsin.gov/knowledgeweb/training/ewisacwis-user-guides/case-work>

Specific information about ~~caseworker contact~~ documentation is found under the "Documenting Monthly ~~Caseworker~~Case Worker Contacts" link in the Narrative Section.

For additional explanation and guidance regarding documentation ~~of the use of~~ shelter and secure detention settings, refer to the "Secure Detention and Shelter Care" sections of the Out-of-Home Placement Manual, located at:

<http://dcf.wisconsin.gov/knowledgeweb/training/user-guides-and-manuals/placement-documentation-manual>

Agencies using contracted staff to conduct face-to-face contacts with children and youth in out-of-home care should develop a process with those agencies to ~~assure~~ensure that the primary agency receives the information necessary to document the contacts as required above.

The CM06x100 Caseworker Contacts Report has been created to assist child welfare agencies in monitoring performance related to this requirement. This report allows CW agencies to identify their missing child welfare professional contacts and assess their agency's performance on a month-by-month and cumulative basis. This report can be accessed via eWReports. If you do not have the ability to access this report, work with your eWiSACWIS security delegate to obtain access to the report. In addition, the CM06x102 Caseworker Contacts Monitoring Report is available to monitor contacts that have or have not occurred in a given time period. This report is run weekly but is also available for On-Demand use for a requested time period.

[This report does not provide the compliance with the Federal Fiscal Year percentage requirement.](#)

[There is also a child welfare professional contacts dashboard located on the DCF website which provides interactive data for each county's performance on this measure. The dashboard is located at: <http://dcf.wisconsin.gov/pbm>.](#)

## **Children ~~or Youth~~ Missing from Out-of-~~Home~~ Home Care**

When the whereabouts of children ~~or youth~~ living in out-of-home care settings are unknown, the safety and well-being of those children ~~or youth~~ cannot be ~~assured~~-ensured. When children ~~or youth~~ are missing from care, they are vulnerable to and at risk of additional emotional and physical trauma (e.g., sexual exploitation, sex trafficking, ~~drug abuse, or criminal activity~~)-[and other high-risk situations or activities](#)). Thus, measures to locate the child ~~or youth~~, communicate with critical individuals and agencies involved with the child ~~or youth~~, and plan for the child's ~~or youth's~~ safe return must be made.

A child ~~or youth~~ is considered to be in "out-of-home care" if the agency has placement and care responsibility for the child ~~or youth~~ whether placed under a Voluntary Placement Agreement (under [§ Wis. Stat. s. 48.63](#) ~~or 938.63~~) or through a court order. -This includes a child ~~or youth~~ who is placed by the agency with relatives/[like-kin](#) or in court-ordered [Kinship Care](#)[kinship care](#) placements, whether or not payments are being made but the agency maintains placement and care responsibility. -It does not include a child ~~or youth~~ who is living with relatives/[like-kin](#) (or caregivers other than parents) but ~~who~~ is not under the placement and care responsibility of the agency. -The placement types ~~would~~[included in this standard](#) include:

- Foster care [\(relative/like-kin or non-relative\)](#)
- Court-ordered [Kinship Care](#)[kinship care](#)
- Unlicensed relatives/[like-kin](#)
- Unlicensed non-relatives
- Group home care
- ~~Residential care~~
- ~~Supervised independent living~~
- ~~Secure detention~~
- ~~Shelter care when a Permanency Plan is required.~~
  
- [Out-of-home care also includes the period of time when a child is on a center](#)
- [Trial Reunification](#)
- [Supervised independent living](#)
- [Secure detention](#)
- [Shelter care when a Permanency Plan is required.](#)

-This does not include care provided in a [secured juvenile](#) correctional facility as defined under [§ Wis. Stat. s. 938.02\(15m\)](#), ~~Stats.-~~) It also does not include [youth children](#) who are receiving an in-home service of a 72-hour hold or a sanction at a shelter care facility.

**Note:** ~~Open cases with dispositions of Missing Children on a dispositional order determined to be missing from Care at care~~ age 18 or older still qualify for independent living services.

### ~~Missing from Out-of-Home Care Defined~~

~~A child or youth is considered “missing from out-of-home care” when he or she is under the placement and care responsibility of the Department or a county agency, is living in an out-of-home care setting, and any of the following criteria are met:~~

- ~~county • The child or youth is unaccounted for a period of time that cannot reasonably be justified by the child’s or youth’s age, maturity, or emotional capacity which shall not exceed eight hours.~~
- ~~Agene with thi • When efforts to locate the child or youth have been unsuccessful.~~
- ~~• When it is known or suspected that a child or youth has been taken by force or coercion.~~
- ~~• When the child or youth is in the company of an unauthorized person or located in an unauthorized place.~~

### ~~Applicability~~

~~This standard applies to all cases in which a child is living in an out-of-home care setting and the whereabouts of the child are either unknown or the child does not have permission to be away from the out-of-home care setting. This standard applies beginning at the point a child is removed from their home and the department, or a county agency, has placement and care responsibility.~~

~~Agencies must ensure that all actions of either the agency or contracted provider staff comply with this standard.~~

An agency is considered to have the placement and care responsibility of a child ~~or youth~~ when the child ~~or youth~~ is removed from ~~his or her~~their home by the ~~Department~~department, an agency, or when a court enters an order placing a child ~~or youth~~ in out-of-home care, whichever occurs first.

## Purpose

The purpose of this standard is to:

- Define when a child is missing from out-of-home care.
- Establish requirements for agency response when a child is missing from out-of-home care.
- Establish requirements for documenting a child's missing status in eWiSACWIS.

## Confidentiality

~~Agencies must continue to abide by existing confidentiality standards when implementing this policy (Ref. §. 48.78, 938.78, 48.981(7), Stats.). Agency staff must assure that an out-of-home caregiver or respite provider understands confidentiality requirements as they pertain to children or youth missing from care.~~

~~Agencies may want to consult with their legal counsel when questions arise regarding confidentiality.~~

## Missing from Out-of-home Care Defined

A child is considered missing from out-of-home care when they are under the placement and care responsibility of the department or a county agency, is living in an out-of-home care setting, and **any** of the following criteria are met:

- The child is unaccounted for a period of time that cannot reasonably be justified by the child's age, maturity, or emotional capacity **which shall not exceed eight (8) hours.**
- When efforts to locate the child have been unsuccessful.
- When it is known or suspected that a child has been taken by force or coercion.
- When the child is in the company of an unauthorized person or located in an unauthorized place.

An out-of-home care provider does not have to wait eight (8) hours to report a child ~~or youth~~ missing from out-of-home care. For young, disabled, or vulnerable children ~~or youth~~, an unexplained absence for even a short period of time can be an alarming situation and might present significant child, ~~youth~~, or community safety concerns.

The agency responsible for a child ~~or youth~~ placed in out-of-home care must provide to the out-of-home care provider, upon placement, information relating to a child's ~~or youth's~~ history of being missing. The information must be updated to reflect any changes.

~~The information must be updated to reflect any changes.~~

## Confidentiality

Agencies must continue to abide by existing confidentiality standards when implementing this standard (Ref. Wis. Stats. ss. 48.78(2m) and 938.78). Agency staff must ensure that an out-of-home or respite provider understands confidentiality requirements as they pertain to children missing from care.

Agencies may want to consult with their legal counsel when questions arise regarding confidentiality.

## ~~Determining Whether a Child Out of Home is Missing~~ Providers and Other Caregivers

~~The agency child welfare professional or representative must assess the situation by gathering information from the out-of-home care provider and other people involved with the case to determine if a child or youth is missing.~~

~~to be missing.~~

## Agency Coordination with Out-of-home Care Providers and Other Caregivers

The agency must ensure that the parent/guardian, out-of-home care provider or respite provider when a child is on a home visit or trial reunification understands their responsibility to contact an agency representative when a child in their care is determined to be missing.

## National Child Search Assistance Act Law and Legal Definition

The National Child Search Assistance Act (NCSA) is U.S. federal legislation enacted in 1990. This Act requires each federal, state, and local law enforcement agency to report each case of a missing child below the age of 21 to the National Crime Information Center (NCIC). Further, the NCSA states that no agency should maintain any policy establishing a waiting period before accepting a missing child report. When implementing this policy, the confidentiality of the child or youth can be protected by obtaining necessary consents to release information.

## ~~National Child Search Assistance Act Law and Legal Definition~~

~~The National Child Search Assistance Act (NCSA) is a U.S. federal legislation enacted in 1990. This Act requires each federal, state, and local law enforcement agency to report each case of a missing child below the age of 21 to the National Crime Information Center (NCIC). Further, the NCSA states that no agency should maintain any policy establishing a waiting period before accepting a missing child report. The provisions relating to the Act are found under 42 USCS §§ 5779 and 5780.~~

~~Some provision of the NCSA was amended by the Adam Walsh Child Protection and Safety Act of 2006. These provisions are currently codified in 34 USCS §§ 41307 and 41308.~~

Pursuant to ~~the amendment, the NCSA is to require~~[federal law](#), law enforcement to enter information about missing and abducted children in the NCIC database within two ~~(2)~~ hours of receiving a report.

~~Additionally, any child welfare professional who is having difficulty working with their local law enforcement when making reports of children missing from their care, may contact the Wisconsin Clearinghouse for Missing and Exploited Children and Adults which is operated by the Department of Justice.~~

~~The Wisconsin Clearinghouse for Missing and Exploited Children and Adults actively assists law enforcement, victim families, the National Center for Missing and Exploited Children and other missing children organizations in~~

~~Additionally, any child welfare professional who is having difficulty working with their local law enforcement when making reports of children missing from their care, may contact the Wisconsin Clearinghouse for Missing and Exploited Children and Adults which is operated by the Department of Justice.~~

~~The Wisconsin Clearinghouse for Missing and Exploited Children and Adults actively assists law enforcement, victim families, the National Center for Missing and Exploited Children and other missing children organizations in~~[cases/situations](#) involving missing children, children who have experienced sex trafficking and children who are victims of enticement via the Internet. ~~Wisconsin's Clearinghouse provides technical investigative assistance, referrals and advocacy in navigating the criminal justice system, along with other resources, services and information, to victim families of children and adults who are missing and considered endangered in the state of Wisconsin, nationwide and internationally.~~

~~The following is the contact information for the Wisconsin Clearinghouse for Missing & Exploited Children and Adults:~~

~~17 West Main Street~~

~~Madison, WI Wisconsin's Clearinghouse provides technical investigative assistance, referrals and advocacy in navigating the criminal justice system, along with other resources, services and information, to victim families of children and adults who are missing and considered endangered in the state of Wisconsin, nationwide and internationally.~~

~~The following is the contact information for the Wisconsin Clearinghouse for Missing & Exploited Children and Adults:~~

~~17 West Main Street~~

~~Madison, WI 53703~~

~~Office: -608-266-1671~~

~~1-800-THE HOPE (1-800-843-4673)~~

~~1-800-THE HOPE (1-800-843-4673)~~

~~[www.missingpersons.doj.wi.gov](http://www.missingpersons.doj.wi.gov)~~

## **Responsibilities When a Child or Youth is Missing from Out-of-Home Care**

Once the agency has determined that a child or youth is missing from out-of-home care, the agency must:

- ~~Make efforts to immediately inform the following:~~
  - ~~The parent/caregiver, legal custodian, and guardian.~~
  - ~~The out-of-home care provider, if the child or youth was not with the provider when he or she went missing.~~
  - ~~The Indian child's tribe, if applicable.~~
  - ~~The appropriate Interstate Compact on the Placement of Children (ICPC) or Interstate Compact for Juveniles (ICJ) contact if a child or youth is placed in Wisconsin through the ICPC or ICJ.~~
- ~~Assure that law enforcement has been notified that a child or youth is missing.~~
  - ~~In that notification include whether the child or youth is at-risk or has experienced sex trafficking.~~
  - ~~Within 24 hours, notify the National Center for Missing and Exploited Children (NCMEC).~~
    - ~~Inform NCMEC if the child or youth is at-risk or has experienced sex trafficking.~~
    - ~~See Appendix XIII: Information to be provided to the National Center for Missing and Exploited Children for additional guidance about the requirements for making missing reports to NCMEC on page 330.~~
- ~~Conduct and continue efforts to find the child or youth until the child or youth no longer meets the definition of missing in care including maintaining regular communication with law enforcement and NCMEC and sharing information pertaining to the child's or youth's recovery and circumstances related to the recovery.~~
- ~~Continue to do Permanency Planning activities according to §. 48.38 and 938.38, Stats.~~
- ~~Manage bed holds and provider payments.~~

~~Within 24 hours, the agency must document the child's or youth's missing episode in the child's or youth's Placement Status in eWisACWIS once the child or youth has been determined missing. Note: Documenting the child missing placement will send this information directly to NCMEC through the portal when the missing placement is documented in eWisACWIS.~~

~~Agencies must:~~

- ~~Consult with their court officials (e.g., judges, district attorney, corporation counsel, state public defenders, Guardian ad Litem, etc.) to determine what information on children or youth who are missing from care should be shared and the timeframe for doing so.~~
- ~~Establish policies regarding what actions will occur for ongoing efforts to find the child or youth.~~

## **Responsibilities When a Child is Missing from Out-of-home Care**

Once the agency has determined that a child is missing from out-of-home care, the agency must:

- Make efforts to immediately inform the following:
  - The parent/guardian.
  - The out-of-home care provider, if the child was not with the provider when they went missing.
  - The Indian child's tribe, if applicable.
  - The appropriate Interstate Compact on the Placement of Children (ICPC) or Interstate Compact for Juveniles (ICJ) contact if a child is placed in Wisconsin through the ICPC or ICJ.
- Within 8 hours, ensure that law enforcement has been notified that a child is missing.
  - Include in that notification include whether the child is at-risk or has experienced sex trafficking.
- Within 24 hours, notify the National Center for Missing and Exploited Children (NCMEC).
  - Inform NCMEC if the child is at-risk or has experienced sex trafficking.
  - See Appendix 6: Information to be provided to the National Center for Missing and Exploited Children for additional guidance about the requirements for making missing reports to NCMEC on page 281.
- Conduct and continue efforts to find the child until the child no longer meets the definition of missing from care including maintaining regular communication with law enforcement and NCMEC and sharing information pertaining to the child's recovery and circumstances related to the recovery
- Continue to do permanency planning activities according to Wis. Stats. ss. 48.38 and 938.38.
- Manage bed holds and provider payments.

Within 24 hours, the agency must document the child's missing episode in the child's Placement Status in eWiSACWIS once the child has been determined missing.

**Note:** Documenting the child's missing from out-of-home care placement will send this information directly to NCMEC through the portal.

Agencies must:

- Establish policies outlining the information and level of detail to be shared with parties (e.g., judges, district attorney, corporation counsel, state public defenders, Guardian ad Litem, etc.) when a child is missing from out-of-home care, including the timeframe for providing such information.
- Establish policies regarding what actions will occur for ongoing efforts to find the child.

An agency may also want to inform the child's ~~or youth's~~ school, mental health providers, legal representative, and other service providers working with the child ~~or youth~~ and family to coordinate efforts to locate the child ~~or youth~~.

When agencies consult with court officials, agencies may wish to work with judges to include Children ~~or Youth~~ Missing from Care policies in the court's policies under [Wis. Stats. ~~§.ss.~~ 48.06\(1\)\(a\)2. and \(2\)\(a\) and 938.06\(1\)\(a\)2. and \(2\)\(a\), Stats.](#)

Agencies have the ability to determine the continued efforts to search, as this will vary depending on the circumstances of the missing episode, the individual child ~~or youth, and case plan.~~ An agency should consider the following activities in searching for a child ~~or youth~~ who has been determined [to be](#) missing:

- Contact with the child's ~~or youth's~~ friends, relatives/[like-kin](#), or significant others for possible information about [his or her/their](#) whereabouts.
- Contact with the child's ~~or youth's~~ school if school is in session.
- If the child ~~or youth~~ has been missing before, contact any person the child ~~or youth~~ was found with or in the location the child ~~or youth~~ was located previously.
- Determine whether any of the child's ~~or youth's~~ friends or significant others are also missing; if so, whether their families or friends have additional information.
- Determine whether the child or ~~youth or~~ anyone taking the child ~~or youth~~ left any written information which may indicate where the child ~~or youth~~ has gone or been taken.

## Responsibilities When a Child or Youth is No Longer Missing

Once the agency has determined the child or youth has been found and is again under the care and supervision of the agency, the agency must:

- Make efforts to immediately inform the following:
  - the parent/caregiver, legal custodian, and guardian,
  - the out-of-home care provider,
  - the Indian child's tribe, if applicable, and
  - the appropriate Interstate Compact on the Placement of Children (ICPC) or Interstate Compact for Juveniles (ICJ) contact if a child is placed in Wisconsin through the ICPC or ICJ.
- Verify that law enforcement has been notified of the child's or youth's return if the child or youth was listed as a missing person.
- Within 24 hours, the agency must document that the child or youth is no longer missing in eWiSACWIS, which will notify NCEMC of the child or youth's return to out-of-home care.
- Notify the National Center for Missing and Exploited Children of the child or youth's return.
- Manage bed holds and provider payments.
- Inform the court and court officials as specified in inter-agency policies or agreements. Revise the Family Interaction Plan to consider any new safety concerns.
- Obtain any appropriate court restrictions to maintain the child or youth safely in out-of-home care.
- Seek any necessary follow-up medical care or counseling for the child or youth.
- Assist the child or youth in obtaining any educational materials necessary to catch the child up from the time he or she was considered missing if school was missed.

Agencies must evaluate the child's or youth's need for treatment and services within one business day following an episode of missing from care, by:

- Interview the child or youth about the missing episode to determine the primary factors that contributed to the child's or youth's missing episode and follow-up on any safety or well-being concerns raised by the child or youth or his or her caregivers.
  - Assess the child or youth to determine if the child or youth experienced sex trafficking during the missing episode. According to federal law, any minor under the age of 18 engaging in commercial sex is a victim of sex trafficking, regardless of the presence of force, fraud, or coercion. "Commercial sex" is defined as any sex act on account of which anything of value is given to or received by any person. The sex act can be for money, food, shelter, drugs or alcohol, or safety."
  - Seek any necessary medical attention for the child or youth.
  - Discuss planning for the prevention of future missing in care episodes with the child or youth and family team to ensure child or youth safety, community safety, permanency, and well-being.
  - Note: Child welfare professionals should be aware of mandatory reporting requirements if a child or youth discloses any abuse or victimization that may have occurred while they were missing from out-of-home care during the assessment.

Within 5 business days, the agency must document the primary factors that contributed to the child's or youth's missing episode in eWiSACWIS. Documentation of this information will be prompted in eWiSACWIS in the Assessment when a Child or youth is No Longer Missing group box once the child or youth's placement status is updated to reflect the child or youth is no longer missing.

## Responsibilities When a Child is No Longer Missing

Once the agency has determined the child has been found and is again under the care and supervision of the agency, the agency must:

- Make efforts to immediately inform the following:
  - the parent/guardian
  - the out-of-home care provider
  - the Indian child's tribe, if applicable, and
  - the appropriate Interstate Compact on the Placement of Children (ICPC) or Interstate Compact for Juveniles (ICJ) contact if a child is placed in Wisconsin through the ICPC or ICJ.
- Verify that law enforcement has been notified of the child's return if the child was listed as a missing person.
- Within 24 hours, the agency must document that the child is no longer missing in eWiSACWIS, which will notify NCEMC of the child's return to out-of-home care.
- Notify the National Center for Missing and Exploited Children of the child's return.
- Manage bed holds and provider payments.
- Inform the court and court officials as specified in inter-agency policies or agreements. Revise the Family Interaction Plan to consider any new safety concerns.
- Obtain any appropriate court restrictions to maintain the child safely in out-of-home care.
- Seek any necessary follow-up medical care or counseling for the child.
- Assist the child in obtaining any educational materials necessary to catch the child up from the time they were considered missing, if school was missed.

Agencies must evaluate the child's need for treatment and services within one working day following an episode of missing from care, by:

- Interviewing the child about the missing episode to determine the primary factors that contributed to the child's missing episode and follow-up on any safety or well-being concerns raised by the child, their parent/guardian or their out-of-home care provider.
  - Assess the child to determine if the child experienced trafficking during the missing episode. According to federal law, any minor under the age of 18 engaging in commercial sex is a victim of sex trafficking, regardless of the presence of force, fraud, or coercion. "Commercial sex" is defined as any sex act on account of which anything of value is given to or received by any person. The sex act can be for money, food, shelter, drugs or alcohol, or safety.
  - Seek any necessary medical attention for the child.
  - Discuss planning for the prevention of future missing from care episodes with the child and family team to ensure child safety, community safety, permanency, and well-being.
  - **Note:** Child welfare professionals should be aware of mandatory reporting requirements if a child discloses any abuse or victimization that may have occurred while they were missing from out-of-home care during the assessment.

Within 5 working days, the agency must document the primary factors that contributed to the child's missing episode in eWiSACWIS. Documentation of this information will be prompted in

eWiSACWIS in the "Assessment when a Child is No Longer Missing" group box once the child's placement status is updated to reflect the child is no longer missing.

## Documentation

The following must be documented in the child's or youth's case record:

- The efforts to locate the child or youth, based upon information gathered.
- Notifications and efforts to notify the required individuals and entities that a child or youth is missing from out-of-home care.
- Continued efforts to search for a child or youth who is considered missing from out-of-home care.
- Notifications and efforts to notify the required individuals and entities that a child or youth is no longer considered missing from out-of-home care.
- Document the primary factors that contributed to the child's or youth's missing episode and the child's or youth's experience(s) while missing. See Appendix XII: Assessment when a Child or Youth is No Longer Missing for a detailed description of this assessment on page 332.

When a child or youth is considered missing from out-of-home care, the case shall not be closed just because the child or youth is missing from care. Any decision to close a case with an open court order for a child or youth who has not yet attained 18 years of age, or who has attained 18 years of age with an open court order, should be done in consultation with the agency's legal counsel.

The child's or youth's missing status must be updated within 24 hours, excluding holidays and weekends, when:

- 
- The child or youth has been missing for 24 hours.
  - The child or youth returns to out-of-home care.

Note: Open cases with dispositions of Missing from Care at age 18 or older still qualify for independent living services.

## Documentation

The following must be documented in the child's record:

- The efforts to locate the child, based upon information gathered.
- Notifications and efforts to notify the required individuals and entities that a child is missing from out-of-home care.
- Continued efforts to search for a child who is considered missing from out-of-home care.
- Notifications and efforts to notify the required individuals and entities that a child is no longer considered missing from out-of-home care.
- Document the primary factors that contributed to the child's missing episode and the child's experience(s) while missing. See Appendix 7: Assessment when a Child is No Longer Missing for a detailed description of this assessment on page 283.

When a child is considered missing from out-of-home care, the case shall not be closed. Any decision to close a case with an open court order for a child who has not yet attained 18 years of age, or who has attained 18 years of age with an open court order, should be done in consultation with the agency's legal counsel.

The child's missing status must be updated within 24 hours, excluding holidays and weekends, when:

- The child has been missing for 24 hours.
- The child returns to out-of-home care.

**Note:** Open cases with dispositions of Missing from Care at age 18 or older still qualify for independent living services.

## Independent Living Transition to Discharge Plan

This [policy standard](#) establishes the requirements for child welfare professionals to create [an Independent Living Transition to Discharge \(ILTD\) plans Plan](#) for all youth who are in an out-of-home care placement ~~and who~~, have attained the age of 17 ½, ~~thus and who are~~ expected to exit ~~OHC~~[out-of-home](#) on their 18<sup>th</sup> birthday or after.

### **Applicability**

~~The requirement for an ILTD plan is required for all youth who are in an OHC placement and who have attained the age of 17 ½, and thus are expected to exit from out-of-home care at age 18 or later. Planning for a youth's transition to discharge and independent living must begin no later than six months prior to a youth's 18<sup>th</sup> birthday (at age 17 ½).~~

~~Child welfare agencies must assure all actions of either agency or contracted providers comply with this policy.~~

### **Applicability**

The requirement for an ILTD Plan is required for all youth who are in an out-of-home placement, who have attained the age of 17 ½, and who are expected to exit from out-of-home care at age 18 or later. Planning for a youth's transition to discharge and independent living must begin no later than six months prior to a youth's 18<sup>th</sup> birthday (at age 17 ½).

Child welfare agencies must ensure all actions of either agency or contracted providers comply with this standard.

## **Independent Living Transition to Discharge Plan Requirement**

If the child is 17.5 or older while in out-of-home care, the focus of a youth's independent living plan changes from one of life-skills development while in out-of-home care to transitioning from care as a self-sufficient young adult. The child welfare professional must create an Independent Living Transition to Discharge (ILTD) plan for each youth who will exit care on or after turning 18. The ILTD must be started no later than when the youth turns 17.5 and be finalized no later than 90 prior to the youth's 18<sup>th</sup> birthday.

The Child Welfare agency must identify any services, persons, and other entities that will support the youth through the transition and beyond and must assist the youth to establish contact with such individuals, agencies, and service providers prior to discharge from out-of-home care. This includes (but is not limited to) efforts to assist the youth in reestablishing contacts with parents, former foster parents, or other persons significant to the youth.

Appropriate support and services should complement the youth's efforts to achieve self-sufficiency both prior to and upon discharge up to age 23. The ILTD, completed via the ILTD tab on the youth's IL page in eWiSACWIS, must contain provisions to ensure that specific and well-developed resources are identified and plans are in place for a youth who is transitioning to adulthood. These include, but are not limited to:

- The youth's anticipated date of and age at discharge from out-of-home care.
- Obtaining and securing housing.
- Managing health care needs, including education about the importance of designating another individual to make health care treatment decisions on their behalf if the youth becomes unable to make such decisions and does not already have someone identified.
- Continuing education.
- Building a relationship or attachment to a supportive adult(s)/mentor(s).
- Employment services.
- Workforce support.
- Continuing necessary supportive services after leaving out-of-home care.

Obtaining required essential documents including but not limited to an original birth certificate, state identification card, social security card and health and education records (refer to DCF Memo Series 2007 – 14).

While the child welfare professional is responsible for documentation and completing the plan in eWiSACWIS, the youth should be encouraged to lead ILTD conversations related to each of these identified areas. The plan should be thorough and detailed, specifically referencing when a goal will be achieved, how, and with assistance from whom (if applicable). Supportive adults, as identified by the youth, should be part of the planning process.

**The ILTD is required even if a youth is missing from care at 17 ½ or later and/or if the youth may be in care beyond age 18; the child welfare professional and other supportive adults should do their best to complete the plan on the youth's behalf and engage the young person in discussion and plan development when they are no longer missing from care.**

**The ILTD is also required even if the youth remains in care after age 18. It should be started no later than 17 ½ and updated on a regular basis during the youth's time in care to reflect the evolution of the youth's independent living needs and goals and transition planning, leading up to the termination of their court order or Voluntary Transition to Independent Living Agreement. This applies to youth in extended care.**

Even if an ILTD is not completed for youth adopted or in Ch. 48.977 guardianship after age 18, the child welfare professional and/or IL Coordinator shall make the youth aware of their eligibility prior to case closure.

An ILTD training video is available here:

<https://www.youtube.com/watch?v=a0DNpD6loiA&feature=youtu.be> For more information

An ILTD training video is available here:

<https://www.youtube.com/watch?v=a0DNPd6lojA&feature=youtu.be>. See Appendix X, page 320 for information to consider when addressing each of the required topics listed above.

### **Independent Living Transition to Discharge Plan Requirement**

If the child is 17.5 or older while in out-of-home care, the focus of a youth's independent living plan changes from one of life-skills development while in out-of-home care to transitioning from care as a self-sufficient young adult. The child welfare professional must create an Independent Living Transition to Discharge (ILTD) Plan for each youth who will discharge from care on or after turning 18. The ILTD must be started no later than when the youth turns 17.5 and be finalized no later than 90 days prior to the youth's 18<sup>th</sup> birthday.

For more guidance, consult the [ILTD Writing Guide](#) and [ILTD Desk Guide](#).

- The ILTD Plan is required even if a youth is missing from care at 17.5 or later; the child welfare professional **and other supportive adults should do their best to complete the plan on the youth's behalf and engage the young person in discussion and plan development when they are no longer missing from care.**

- The ILTD Plan is also required even if the youth remains in care after age 18. It should be started no later than 17.5 and updated on a regular basis to reflect the evolution of the youth's independent living needs and goals and transition planning, leading up to the termination of their court order or Voluntary Transition to Independent Living Agreement. This applies to youth in extended care.

The child welfare professional shall work with the young person to define the youth's wants, needs, and goals following discharge and identify any services, resources, programs, and/or persons that will support the youth during discharge and beyond. The child welfare professional, in partnership with others on the youth's discharge planning team, must help the youth be familiar with and, as appropriate, connect with the individuals, agencies, and service providers who will help them leading up to and following discharge prior to the youth's discharge from out-of-home care.

- Appropriate supports and services should complement the youth's efforts to achieve self-sufficiency both prior to and upon discharge. The ILTD Plan, completed via the ILTD tab on the youth's IL page in eWiSACWIS, must be detailed and kept current to ensure that goals and tasks reflect the youth's wants, needs, and goals, and identified resources, helpers, and timeframes are specific, realistic, and relevant to the need. It includes numerous opportunities for the youth to provide direct input for their plan.

ILTD Plan areas of focus are many of the ones relevant throughout a youth's IL eligibility while in care, revisited in the context of the youth approaching discharge. These areas of focus include, but are not limited to:

- • Youth concurrent planning, such as when a youth will discharge to adult services
- • Youth eligibility for extended out-of-home care

- Youth knowledge of community resources, supports, and benefits, including eligibility and how to access them
- Housing, with emphasis on securing safe, stable, and sustainable housing, in addition to learning about home maintenance and healthy living situations with others
- Employment, including learning about job and career options, soft and hard skill development, and opportunities for increased earnings
- Income and finances, including how to budget and make bill payments, financial literacy, savings and aid, and the importance of credit
- Education, including access to academic supports like tutoring, high school completion, and learning about or enrolling in postsecondary education, certification program, or vocational training
- Health and well-being, including physical and mental wellness, sexual education, family planning, and healthy friendships/relationships
- Transportation, with emphasis on safe and reliable transportation options
- Community and support network, including fostering prosocial activities and relationships, fostering cultural connections, and affirming a youth's gender identity, gender expression, and/or sexual orientation

In addition to completing the ILTD Plan with the youth and others in their support network, the child welfare professional must also provide required documents to the young person prior to discharge. Once provided, they should check these off on the IL page>Referral tab; that list then pre-fills to the ILTD Plan print out. The required documents are:

- Original certified birth certificate (federally required).
- State identification card or driver's license (federally required).
- Social Security card (federally required).
- Health insurance information, including any cards needed to access medical care (federally required).
- Education records
- Documentation of immigration, citizenship, or naturalization, if appropriate
- Death certificate if parent is deceased
- Proof of tribal registration and membership, if appropriate
- Copy of ILTD plan
- Selective Service card, if appropriate
- Annual credit report and efforts made by the agency to amend any inaccuracies

Other important documents include:

- Placement history, if appropriate
- Copy of permanency plan, if appropriate
- Change of address card
- Employment information

While the child welfare professional is responsible for coordinating and facilitating ILTD meetings and conversations, and documenting and completing the ILTD tab in eWiSACWIS, they shall collaborate with the youth and other participants in the youth's discharge planning.

### **ILTD Planning Meetings**

ILTD planning meetings must begin at age 17 ½ and be directed by the youth as much as possible (unless developmentally unable to participate). Prior to the meeting the youth must be encouraged to identify individuals who could play a central role in the meeting. The focus of meeting is to identify and implement specific action steps in order to achieve the requirements of the ILTD plan.

The child welfare professional should encourage the youth to lead their ILTD planning. Supportive adults, as identified by the youth, should be part of the planning process.

Even if an ILTD is not completed for youth adopted or in Wis. Stat. s. 48.977 guardianship, Wis. Stat. s. 48.9597 guardianship, or guardianship under substantially similar tribal law on or after their 16<sup>th</sup> birthday following time in court-ordered out-of-home care, the child welfare professional and/or IL Coordinator shall make the youth aware of their eligibility for independent living services and supports prior to case closure.

See page 194, "Independent Living Transition to Discharge Plan"; page 271, "Appendix 4: Independent Living Transition to Discharge Plan (Additional Information)"; and the [ILTD Writing Guide](#) and [ILTD Desk Guide](#) for more guidance.

Also note that a previous ILTD training video is available at <https://www.youtube.com/watch?v=a0DNPd6lojA&feature=youtu.be>. Though referencing an older version of the ILTD, the video still includes good practice considerations.

### **ILTD Planning Meetings**

ILTD planning meetings must begin at age 17 ½ and be directed by the youth as much as possible (unless developmentally unable to participate). Prior to the meeting the youth must be encouraged to identify individuals who could play a central role in the meeting. The focus of meeting is to identify and implement specific action steps to achieve the requirements of the ILTD Plan.

The child welfare professional should consider including individuals such as the [child's/youth's](#) parent or legal guardian, substitute caregiver, Court Appointed Special Advocate (CASA),

attorney, service providers, and others the [childyouth](#) determines are important individuals who can assist in the transition to independence. \_\_\_\_\_



## Transition Requirements for Foster Care Independence Program for Youth Who Age Out of Care: [Collaboration with Regional IL Partners](#)

It is imperative that youth ~~who have a relationship with their worker or agency's Independent Living Coordinator~~ be transitioned to the regional Transition Resource Agency (TRA) [serving their area](#), in a way that is meaningful to them and supports/encourages future engagement with the TRA moving forward.

The list of contracted TRAs, their service areas, and contact information is available via <https://dcf.wisconsin.gov/map/il-r>.

~~The case transition requirements apply to youth aging out of care as well as those eligible youth who are no longer in out-of-home care and are under the age of 23 as follows:~~

~~The case transition requirements apply to youth aging out of care as well as those eligible youth who are no longer in out-of-home care and are under the age of 23 as follows:~~

### ~~The case transition process for youth aging out of care takes place at age 17 ½ with development of the ILTD and includes:~~

- Preparing the TRA [worker/professional](#) for the initial meeting with the youth by providing:
  - Name, date of birth, address and anticipated date of discharge.
- Sharing and understanding information and decisions related to ongoing case management services, particularly related to life skills development, independent living assessment and planning.
- Ensuring a clear understanding of formal and informal family supports.
- Identifying additional agency and community resources, services, and supports the youth has been involved in or would like to be involved in.
- Collaboration on the Independent Living to Transition to Discharge (ILTD) plan with TRA beginning at age 17 ½.
- TRA must become familiar with the youth, youth goals and accomplishments through discussions with the youth before the case can be fully transitioned.
- Once the case has been transitioned, and the youth ages out of care, the TRA will document (check box) on the youth's IL page in eWiSACWIS confirming transition of the case and full responsibility for providing services.

### ~~The case transition process for eligible youth not in care and under the age of 23 includes:~~

- Preparing the TRA [worker/professional](#) for the initial meeting with the youth by providing:
  - Name, date of birth, address
- Sharing and understanding information and decisions related to ongoing case management services, particularly related to life skills development, independent living assessment and planning.
- Ensuring a clear understanding of formal and informal family supports.
- Identifying additional agency and community resources, services, and supports the youth has been involved in or would like to be involved in.
- TRA must become familiar with the youth, youth goals and accomplishments through discussions before the case can be fully transitioned.

- Conduct at least one in-person case transition staffing for each youth as outlined above (or more as needed).
- Once the case has been transitioned, the TRA will document (via check box) on the youth's IL page in eWiSACWIS confirming transition of the case and full responsibility for providing services.

## Preparing for Case Transition

The agency child welfare professional maintains responsibility for managing the case until the conclusion of the case transition staffing. This includes:

- Managing and overseeing creation and completion of the Independent Living Plan and ILTD plan.
- Ensuring all documentation of services and documents provided are completed and up-to-date on the youth's Independent Living page in eWiSACWIS.
- Facilitation of multiple opportunities for face-to-face staffing in order for youth to meet with the TRA during the months of December and January for the purpose of exchanging information, understanding of services available, and how to access them through the TRA.

The TRA [workerprofessional](#) should review the following prior to the case transition staffing:

- Most recent Independent Living Assessment
- Most recent Independent Living Transition plan and ILTD

## Case Transition Staffing

For youth in out-of-home care, the case transition staffing should occur during the time of the development of the ILTD [Plan](#) and no less than 90 days prior to a youth's aging out of care. At minimum, the case transition staffing must include both the [agency workerchild welfare professional](#) (or Independent Living Coordinator), the TRA [workerprofessional](#) and the youth. For all youth (those in out-of-home care as well as eligible youth no longer in out-of-home care) the following must occur:

- The two [agency workerschild welfare professionals](#) must schedule a case transition staffing with the youth in a location comfortable and convenient for the youth.
- The following must be discussed at the case transition staffing:
  - Independent Living Transition plan and gaps in information, and decisions made.
  - Youth's needs, including a summary of medical, mental health, and school information, as available.
  - Whether a youth [has been found to beis](#) an Indian child in accordance with the [Indian Child Welfare Act/Wisconsin Indian Child Welfare Act \(ICWA/WICWA\)](#).
  - Review of Independent Living Assessment and Independent Living Plan (form DCF-F-CFS2256) and Independent Living Transition to Discharge Plan, if applicable, including discussion of the youth's future goals and services as well as how to access them provided by the TRA.

## Applicability for youth in ~~Extended Out-of-Home Care~~

For youth in extended out-of-home care ~~Placement~~, the child welfare agency has the primary responsibility for ensuring permanency planning and life skills development opportunities ~~continue~~ as long as the youth remains in care. Agencies shall involve the TRA in development of Independent Living ~~Transition to Discharge (ILTD)~~ plans and activities along with the youth so that a relationship with the TRA is developed in the event that the youth decides to leave care earlier than anticipated and to increase the likelihood the youth will participate in TRA services following discharge from care.

### Documentation

#### ILTD Plan

At age 17 ~~½-1½~~, the primary child welfare professional will receive an eWiSACWIS tickler indicating that an Independent Living Transition to Discharge (ILTD) plan must be completed at the direction of the youth. ~~The child welfare professional then coordinates~~ ILTD planning meetings ~~will then be arranged to work with the youth and other supportive adults~~ to develop a comprehensive ~~ILTD~~ plan that focuses on goals and activities ~~to support~~ the youth's successful transition ~~of the youth~~ from ~~out-of-home care to independence~~. ~~The agency will have OHC to living on their own as a young adult. The child welfare professional has 90 days to complete develop the plan and enter with the young person, defining goals and activities that will be accomplished with to support the 90 days prior to the youth's transition and discharge date. The child welfare professional must document complete the ILTD tab, should provide copies to the determinations made during young person throughout its development and once complete, and have the ILTD meetings, which must be signed by the child (when the child is developmentally able to do so), the child welfare professional, and other involved individuals. youth and members of their transition team sign it.~~

#### eWiSACWIS

The child welfare professional's supervisor should review the ~~ILTD~~ plan prior to ~~documentation in the date field for the ILTD Plan in eWiSACWIS. Once the plan is approved (within 90 days of age 17 ½), the date should be entered under Independent Living Transition to Discharge Plan date field on the youth's IL page and documented in the services section of the Independent Living plan in eWiSACWIS. The child welfare professional entering an ILTD plan completion date. Once the supervisor approves the plan (at least 90 days prior to when the child turns 18) the child welfare professional shall record the completion date on the ILTD tab of the youth's IL page. ILTD goals and activities must be attached populate to the youth's Permanency Plan for review at the next scheduled Permanency Hearing, scheduled at such a time when the youth can attend.~~

~~In the 90 days prior to discharge, completion of the activities identified in the plan must be documented in the services section of the independent living plan in eWiSACWIS, and be attached to the Permanency Plan for review at the next scheduled Permanency Hearing. In addition to developing the ILTD plan with the youth and their supportive adults, the child welfare professional shall also ensure that all IL services are recorded on the Services tab of the youth's IL page prior to discharge. Services should be timely, accurate, and thorough, and~~

include an end date prior to the youth's transition from care. IL services also populate to the youth's Permanency Plan.

## Introduction

Many youth who age out of the child welfare system are ill-prepared to meet the demands of adulthood successfully. One factor that increases the probability of success is the attainment of a high school diploma. Due to these factors, extension of out-of-home care to assist youth in completion of their high school or equivalent is seen as an avenue in which child welfare can improve the current outcomes for youth in care.

It is important to recognize that if extension of out-of-home care is merely a continuation of existing practices, these youth are likely to reach the end of their time in care still ill-prepared for life on their own. Therefore, consideration must be given to how placement and services will serve the youth in a different and effective way after age 18. Supports and services should be structured in a way that is appealing and appropriate for a youth; providing the greatest amount of developmentally appropriate freedom that makes it possible to prepare them for adult decision making and responsibilities. Allowing them to learn from experiences and mistakes while providing a home that lends support and encouragement is a key principle during this period.

## Extension of Out-of-Home Care

### Applicability

This standard applies to all cases in which a child ~~or youth~~ (youth from here forward) is under the placement and care responsibility of a county agency or the ~~Department~~ and placed in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent/~~guardian~~, or in a supervised independent living arrangement and for whom an Independent Living Transition to Discharge Plan is required. The agency or the ~~Department~~ must review the eligibility for the extension of out-of-home care for the youth.

The requirements under this ~~policy~~ standard are contained in the boxes.

Agencies must assure that all actions of either the agency or contracted provider staff comply with this ~~policy~~ standard.

An agency is considered to have the placement and care responsibility of a youth when the youth is removed from ~~his or her~~their home by the ~~Department~~department or an agency or when a court enters an order placing a youth in out-of-home care, whichever occurs first.

### Eligibility for Extension of Out-of-Home Care Determination

Not less than 120 days before an out-of-home care order terminates, during the development of the Independent Living Transition to Discharge (ILTD) ~~plan~~Plan, the agency must determine and document ~~if~~whether a youth meets the extension of out-of-home care eligibility requirements under ~~s.~~Wis. Stats. ss. 48.366 or 938.366 ~~Wis. Stats.~~. To meet the initial eligibility the youth must be:

- Expected to be in out-of-home care on their 18<sup>th</sup> birthday;
- A full-time student at a secondary school or its technical or vocational equivalent; ~~and~~
- ~~An~~Have an individualized education program under ~~W~~Wis. Stat. s. 115.787 ~~that~~ is in effect for the youth.

### When a Youth is Determined to be Eligible

When it has been determined that the youth is eligible the agency must:

Conduct a face-to-face meeting with the youth to discuss:

- ~~the~~The options to remain in care along with the implications of each option,
- ~~how~~How to opt in and out,
- ~~explain~~Explain an extended order versus the voluntary-transition-to-independent-living agreement, and
- ~~the~~The requirements and expectations of remaining in care, the court process and the process to return should they choose to leave.

The youth may decide to:

- Continue under the out-of-home care order,
- Continue in out-of-home care under a voluntary-transition-to-independent-living agreement, or
- Request to be discharged from out-of-home care on termination of the order.

## **Youth Would Like to Extend on a Court Order**

If a youth wishes to continue in out-of-home care, the child welfare professional must request an extension of the court order under [sWis. Stats. ss. 48.365 or 938.365](#) ~~Wis. Stats.~~.

## **Youth Would Like to Extend on a Voluntary Transition to Independent Living Agreement**

[If a youth wishes to continue under a voluntary transition to independent living agreement the agency and the youth shall enter into such an agreement on the form created by the department \(DCF-F-5030-E\).](#)

## **Voluntary Transition to Independent Living Agreement**

[Once it has been determined that a youth qualifies for and wants to enter into an extension of out-of-home care through a voluntary transition to independent living the agency must enter into a written agreement with the youth or guardian if applicable.](#)

[The agency must provide a copy of the agreement to the youth and guardian if appropriate.](#)

[The voluntary transition to independent living gives the agency placement and care responsibility for the youth and shall be documented on the form \(DCF-F-5030-E\) created by the department and shall include all of the following conditions:](#)

- [The youth is 18 years of age or over but under 21 years of age.](#)
- [The youth is a full-time student at a secondary school or its technical or vocational equivalent.](#)
- [There is an individualized education program under Wis. Stat. s. 115.787, in effect for the youth.](#)
- [The youth will participate in activities assigned by the agency to prepare the youth for independent living.](#)
- [The youth will comply with school attendance requirements in the youth's individualized education program under Wis. Stat. s. 115.787, school district policies, and truancy laws and ordinances.](#)
- [The youth will not be missing from their out-of-home care placement for more than 2 weeks without contact with the agency.](#)
- [When there is any change in the youth's circumstances that affects a provision of the voluntary transition to independent living the youth must notify the agency within 10 calendar days.](#)
- [A description of the terms upon which the agreement may terminate.](#)

[The agency may not add additional parameters to the agreement.](#)

## **Documentation**

[The signed voluntary transition to independent living shall be scanned into eWiSACWIS under the legal documents.](#)

|

|

### **~~Youth Would Like to Extend on a Voluntary Transition to Independent Living Agreement~~**

~~If a youth wishes to continue under a voluntary transition to independent living agreement the agency and the youth shall enter into such an agreement on the form created by the Department (DCF-F-5030-E).~~

### **~~Voluntary Transition to Independent Living Agreement~~**

~~Once it has been determined that a youth qualifies for and wants to enter into an extension of out-of-home care through a voluntary transition to independent living agreement the agency must enter into a written agreement with the youth or guardian if applicable.~~

~~The agency must provide a copy of the agreement to the youth and guardian if appropriate.~~

~~The voluntary transition to independent living agreement gives the agency placement and care responsibility for the youth and shall be documented on the form (DCF-F-5030-E) created by the department and shall include all of the following conditions:~~

- ~~• The youth is 18 years of age or over but under 21 years of age.~~
- ~~• The youth is a full-time student at a secondary school or its technical or vocational equivalent.~~
- ~~• There is an individualized education program under s. 115.787, Stats., in effect for the youth.~~
- ~~• The youth will participate in activities assigned by the agency to prepare the youth for independent living.~~
- ~~• The youth will comply with school attendance requirements in the youth's individualized education program under s. 115.787, Stats., school district policies, and truancy laws and ordinances.~~
- ~~• The youth will not be missing from his or her out-of-home care placement for more than 2 weeks without contact with the agency.~~
- ~~• When there is any change in the youth's circumstances that affects a provision of the voluntary transition to independent living agreement the youth must notify the agency within 10 calendar days.~~
- ~~• A description of the terms upon which the agreement may terminate.~~

~~The agency may not add additional parameters to the agreement.~~

### **~~Documentation~~**

~~The signed voluntary transition to independent living agreement shall be scanned into eWiSACWIS under the legal documents.~~

~~The voluntary transition to independent living agreement can remain~~

The voluntary transition to independent living remains effective as long as the youth remains eligible for extension of out-of-home care. If the youth or the youth's guardian on behalf of the youth wishes to terminate the agreement at any time during the term of the agreement, they may do so by notifying the agency in writing that ~~he or she wishes they wish~~ to terminate the agreement.

### **Youth Would Like to Discharge from Out-of-~~Home~~home Care ~~At~~at the Time of Initial Determination**

If the youth indicates that he or she wishes to be discharged from out-of-home care on termination of the order, the agency shall request a ~~Transition-to~~ Discharge hearing as soon as possible but no later than 30 days before the youth is expected to exit care.

#### **Transition to Discharge Hearing**

Within 30 days after receipt of the request, the court will hold the ~~Transition-to~~ Discharge hearing. Not less than 3 days before the hearing, the agency requesting the hearing shall provide notice of the hearing to the youth, the parent, /guardian, and legal custodian of that person, any foster parent or other physical custodian described in Wis. Stat. s. 48.62 (2) or 938.62 (2) of that person, that person's court-appointed special advocate, all parties who are bound by the dispositional order, and, if that person is an Indian child who has been removed from the home of ~~his or her~~their parent ~~or Indian custodian/guardian~~, that person's Indian custodian and Indian child's tribe.

At the hearing the court will review with the youth the options available through extending care.

- If the court determines that the person wishes to continue in out-of-home care under an extension of the order under Wis. Stats. s.ss. 48.365 or 938.365 ~~Wis. Stats~~, the court should order the extension in the hearing.
- If the court determines that the person wishes to continue in out-of-home care under a voluntary agreement under sub. (3), the court shall order the agency primarily responsible for providing placement and services to the youth under the order to enter into a voluntary independent living transition agreement.
- If the court determines that the youth understands that ~~he or she~~they may continue in out-of-home care, but wishes to be discharged from that care on termination of the order, the court shall advise the youth that ~~he or she~~they may enter into a voluntary agreement at any time before ~~he or she is~~they are granted a high school or high school equivalency diploma or reaches 21 years of age, whichever occurs first, so long as ~~he or she is~~they are a full-time student at a secondary school or its vocational or technical equivalent and an individualized education program is in effect for ~~him or her~~them.

The child welfare professional shall continue with Independent Living Transition~~independent living transition~~ to Discharge~~discharge~~ planning and must provide the youth contact information and a written process for returning to care under a voluntary transition to independent living agreement under DCF Ch. 21 Re-Entry into Out-of-Home Care for Youth 18 to 21 Admin. Code.

## Documentation

The agency shall document the eligibility determination and the youth's decision in eWiSACWIS in the Independent Living Transition to Discharge Plan ([DCF-F-2549-E](#))-[DCF-F-2549-E](#)).

Any youth who exited care at age 18 ~~or over on or after 8/1/1994~~, who has not yet graduated high school, is in school full-time, has an active IEP and is under the age of 21 may be eligible to re-enter care under a voluntary-independent-living agreement under [Ch. DCF 21 Re-Entry into Out-of-Homehome Care for Youth 18 to 21 Admin. Code](#).

Sometimes youth change their minds or plans do not work out and a youth may need to re-enter out-of-home care after aging out.

## Re-entry Process

Any youth who exited out-of-home care at age 18 ~~or over on or after 8/1/1994~~, who has not yet graduated from high school, is in a secondary school or its vocational or technical equivalent program full-time, has an active IEP and is under the age of 21 may be eligible to re-enter care under a voluntary-independent-living agreement [under Ch. DCF 21 Re-Entry into Out-of-Homehome Care for Youth 18 to 21 Admin. Code](#).

The process by which eligibility for re-entry is determined and agency responsibilities are set forth in [Ch. DCF 21 Re-Entry into Out- of- Care for Youth 18 to 21 Admin. Code](#).

## Documentation

All decisions related to a determination of eligibility for re-entry shall be documented in eWiSACWIS in the youth's Independent Living Transition to Discharge Plan form ([DCF-F-2549-E](#))([DCF-F-2549-E](#)).

Extending care and court jurisdiction beyond age 18 is a continuation of all components of placement and care responsibilities including maintaining safe and appropriate placements, permanency planning, ~~permanency plan~~[Permanency Plan](#) reviews and hearings, and life skills development and activities that will lead to a successful transition to adulthood.

Youth placed under a court order or voluntary ~~transition to~~ independent living ~~agreements~~ will have the opportunity to remain in their current placement setting when feasible and appropriate as they plan for a gradual transition to a more independent living setting while completing their secondary education. Agencies should consider providing a graduated progression of structure and supervision to greater levels of freedom and independence and making placement decisions in partnership with the youth and based on their interests and desires. This allows the youth to move from a higher level of supervision to expanded independence while supporting placement stability.

## Placement Options for Youth in Extended Out-of-Home Care

Youth placed under a court order or voluntary transition to independent living agreement shall be placed in the following settings: the home of a relative or like-kin, a Kinship Care/kinship care provider, a foster home, a group home, a residential care center, a trial reunification, or in a supervised independent living placement.

### Documentation

As required in the Ongoing Standards, all out-of-home care placements must be documented in eWiSACWIS within 5 days.

~~A Supervised Independent Living placement is defined in an additional policy.~~

## Permanency Planning

All Permanency Planning/permanency planning requirements in ~~DSP Memo Series 2013-02: Ongoing Standards for a Child Welfare Out-of-Home Care Case~~ ~~the child welfare out-of-Home Care Case~~ ~~cases section~~ apply to these cases, except, the parent/guardian assessment and service planning requirements of the ~~permanency plan are no longer required for permanency planning.~~ ~~Permanency Plan.~~

For permanency, the focus intensifies on helping the youth find or re-establish family connections and supporting the youth in identifying other life-long connections to caring adults ~~that they will need as adults.~~ Intensive services designed to prepare youth for transitioning from out-of-home care to successful adulthood are continued through the Permanency Plan, Independent Living Plan, and the Independent Living Transition to Discharge Plan 90 days prior to leaving care.

## Services

Extended care allows youth to continue in placement ~~in order~~ to facilitate a meaningful transition to independence while under supervision. Assessment and planning should be guided by the principle that youth in extension of out-of-home care are adults in many respects under the law with different needs and legal rights than younger children.

Services must have a positive youth development approach; allowing youth to make their own decisions and learn from their mistakes. Similar to foster care for youth under the age of 18, for youth over 18, placement should not be contingent on good behavior, but should help guide the youth to make appropriate decisions.

~~Case management activities~~ ~~Activities~~ must ensure life skill development, self-advocacy ~~(empowering youth as the leaders and key decision makers regarding their future),~~ fostering supportive relationships, and connecting youth to multiple community supports. Child welfare professionals and agencies must consider that the youth are now legal adults and their own guardian. The independent living services plan remains a significant aspect of the youth's ~~permanency plan;~~ ~~Permanency Plan~~ as it is imperative that a continuum of services leads to preparing youth for a healthy and productive adulthood upon discharge from care.

## Components of Independent Living Programming

Extended care placements must include specific components to mindfully plan for the youth's transition to independence. -The [Components](#) of [Independent Living](#) programming (Appendix [X14](#)) that must be included are:

- Development of basic self-sufficiency skills;
- [housing](#) stability;
- [supports](#) and resources to promote financial stability; and
- [a](#) cultivation of a sense of self-worth and understanding of healthy relationships.

For youth in extended out-of-home care [placement](#), the child welfare agency has the primary responsibility for ensuring permanency planning and life skills development opportunities. Agencies are encouraged to involve the TRA in development of Independent Living [plans](#) and activities along with the youth so that a relationship with the TRA is developed in the event that the youth decides to leave care earlier than anticipated.

### Documentation

All independent living activities and accomplishments shall be documented on the services tab on the youth's Independent Living page in eWiSACWIS.

**Note:** Independent living assessment and plan development requirements remain in place even for youth in extended care.

## Independent Living Transition to Discharge Plan

- If the youth does not extend care the ILTD [plan](#) commences [as outlined in DSP Memo Series 2010-14.](#)
- If the youth remains in [OHC](#) through a court order or voluntary agreement, the ILTD [Plan](#) must be completed indicating general goals, activities and timelines in the event that the youth decides to leave care prior to graduating or turning 21 years of age. Certain aspects do not apply such as signing up for Badger Care plus, while others, such as designating a health care power of attorney may.

### Documentation

The child welfare professional must complete the activities of the ILTD as outlined in [DSP Memo Series 2010-14](#) [the Independent Living Transition to Discharge Plan Requirements section on page 194](#), and document in eWiSACWIS within 90 days of graduation or the youth's 21<sup>st</sup> birthday, whichever occurs first.

## Termination

### Court Orders

Youth who are placed under a court order under the extension of out-of-home care exit out-of-home care under the following circumstances:

- The conclusion of the terms of the court order.
- The youth attains the age of 21.
- The youth is no longer a full-time student at a secondary school or its technical or vocational equivalent.
- The youth is no longer the subject of an individualized education plan under [Wis. Stat. s. 115.787](#) ~~Wis. Stats.~~
- The youth ~~may also request~~[requests](#) the order be terminated sooner if they no longer wish to remain in out-of-home care.

In the last instance, the agency will need to make a request to the court to vacate the court order. ~~The agency shall~~[is required to](#) provide the youth with the process to re-enter care if they have not yet graduated or attained the age of 21 should they decide they want to re-enter care at a later date under a Voluntary Transition to Independent Living Agreement.

### Voluntary Transition to Independent Living Agreements ([VTILA](#))

A VTILA ~~may terminate~~[terminates](#) under the following circumstances ~~as described in Ch. DCF 21.07 Admin. Code:~~

- The conclusion of the terms of the agreement.
- The youth attains the age of 21.
- The youth is no longer a full-time student at a secondary school or its technical or vocational equivalent.
- The youth is no longer the subject of an individualized education plan under s. 115.787 Wis. Stats.
- The youth is missing from out-of-home care for more than two weeks.
- The youth ~~may also request~~[requests](#) the agreement be terminated sooner if they no longer wish to remain in out-of-home care.
- Upon the death, marriage, or entry into military service if any of these occur before the other terms of the agreement are reached.

[See Ch. DCF 21.07 Admin. Code.](#)

If the termination is based on the issue of noncompliance by the youth, the youth shall be provided an opportunity to actively participate in the development of a plan to address the concerns and if they demonstrate a willingness to comply with the plan that is developed the agreement shall not be terminated.

The agency shall provide the youth with the process to re-enter care if they have not yet graduated or attained the age of 21 should they decide they want to re-enter care at a later date under a new Voluntary Transition to Independent Living Agreement.

### Appeals

The youth or their guardian may appeal the agency or department's decision to terminate the ~~320~~[320](#) agreement as stated in Ch. DCF 21.08 Admin. Code. ~~The request shall be sent to the director of the agency or~~ ~~his or her~~[their](#) designee within 10 days after the date of the agency's notice of termination under s. DCF 21.07(3) Admin. Code.

**Documentation**

The decision to terminate the VTILA shall be documented in eWiSACWIS on a form created by the ~~Department (DCF-F- 5033).~~ [department \(DCF-F- 5033\)](#). As required in the Ongoing Standards, all out-of-home care placements or discharges from out-of-home care must be documented in eWiSACWIS within 5 days.

*A. Help youth develop basic self-sufficiency skills, so that they will transition to independence with the ability to access resources and services without the assistance of a child welfare professional at the completion of the program.*

The focus of this component is to cultivate:

1. A vision of a positive future within youth;
2. Self-advocacy, through an internal locus of control, an increased sense of personal responsibility, and confidence; and
3. Positive values-based decision-making.

### **Components of Independent Living Programming**    **Methods**

1. Partner with youth in developing and updating his/her independent living plan; covering the major life domains such as education, employment, housing, finances, family, and community. Effective planning is created at the direction of the youth in order to reinforce responsibility for success and a sense of ownership in the future. Planning includes goal setting, identification of action steps, check-in meetings, celebration ceremonies (for accomplishments), and everyday opportunities to interact with caring adults. Youth also determine how discharge or transition from the program should take place.
2. Partner with youth to help him/her identify needs and how to access services, facilitating connections and access to community resources as appropriate. Focus areas include:
  - a. Knowledge of Health Care: Includes general physical health, medication management, wellness planning (e.g., immunizations, nutrition, obesity, exercise, etc.), dental health, vision and hearing screening and care, mental health care, and violence prevention (e.g., healthy relationships, domestic violence prevention, gang violence prevention, etc.); and sexual and reproductive health. Work with the youth to document health history of parents, secure access to health insurance coverage and identify a health care proxy.
  - b. Knowledge of Life Skills: Life-skills training includes the basics of self-sufficiency and responsible living within the community. Skills include soft skills such as time and stress management, decision-making, coping, multitasking, and prioritizing; as well as hard skills such as: cooking, budgeting, banking, employment search, parenting, laundry, and grocery shopping.
  - c. Provide peer learning opportunities and support that recognizes the youth as an individual, incorporating her/his developmental needs. Allow youth opportunities to “fail safely” by providing allowances for youth to make mistakes and learn from those experiences, with natural and logical consequences that enable them to correct mistakes while remaining in the placement.

- d. ~~Well-being: Facilitate access to education and employment supports, affordable transportation, socialization, community endeavors and access to spiritual resources as desired.~~

~~B. Housing Stability: Facilitate attainment of safe, stable and affordable housing support and resources that promote continued housing stability and independent living upon completion of the program.~~

**To accomplish this for Supervised Independent Living placements need to facilitate:**

- 1. ~~Exploration of safe and affordable housing.~~
  - a. ~~Creating a budget for future housing.~~
  - b. ~~Decision making: Listing pros and cons of different living environments, of having roommates, location, etc.~~
  - c. ~~Practice looking for housing in the newspaper and completing rental applications.~~
  - d. ~~Practice looking at apartments and meeting with landlord.~~
- a. ~~Financial support and/or access to financial support (e.g., assistance, vouchers, etc.).~~
- b. ~~Housing navigation to locate safe, appropriate housing; providing a variety of options (e.g., group homes, scattered sites, etc.) to meet the needs of individual youth;~~
- c. ~~Varied levels of supervision and structure to facilitate the experience of living independently while still in contact with caring, supportive adults;~~
- d. ~~Assistance with moving, setting up and maintaining utilities, and access to and/or provision of basic supplies, furnishings, and supplies for children;~~
- e. ~~Education and advocacy regarding landlord/tenant rights and laws;~~
- f. ~~Communication and conflict resolution with landlord when needed to prevent eviction;~~
- g. ~~Education on leasing options and legal rights when roommates are involved;~~
- h. ~~Tenant lease compliance (including on time rental payment), safe housing maintenance, and cleanliness;~~
- i. ~~Access to education and employment supports that are critical for maintaining safe and stable housing (i.e.: safe, affordable and reliable transportation);~~
- j. ~~Uninterrupted, continued housing stability at completion of program by:~~
  - i. ~~Offering youth the opportunity to keep all furnishings and to stay in current housing or~~
  - ii. ~~Transitioning youth to a new stable housing situation, and provide assistance with securing furnishings and moving;~~
    - i. ~~Providing access to emergency funds (i.e., first/ last month's rent, utility deposits, utilities ) if needed; and~~
    - ii. ~~Helping to set housing goals and educate about the possibility of home ownership; and first time home buyer programs.~~

~~C. Supports and Resources to Promote Financial Stability:~~

Help youth to work toward financial stability by facilitating financial literacy, educational attainment and employment at a livable wage by:

- 1.—Facilitating access to education supports:
  - a.—Work with youth to develop education and career plan with long-term and short-term goals and track progress toward attainment of those goals;
  - b.—Provide exposure to a range of postsecondary education options and career paths, resources, services, access and support cultivating a positive attitude toward education;
  - c.—Help youth complete high school or earn a GED;
  - d.—Facilitate access to tutors or a structured learning program; and/or contact person for vulnerable youth, on campus;
  - e.—Facilitate access to job training, technical internships, and/or voluntary services;
  - f.—Help youth develop a financial plan for education and access financial support.
  
- 2.—Facilitate access to employment supports in order to help youth attain and maintain sustainable employment, with a steady income at a livable wage.
  - a.—Facilitate access to an employment liaison, job coach, and/or connections to employers and/or mentors to cultivate development of hard and soft skills (e.g., interviewing skills, professional attire, resume writing, time management, etc.).
  - b.—Assist youth in maintaining employment obtained by providing mentoring mediation when needed, thus trouble-shooting prior to issues developing.
  - c.—Facilitate access to publicly funded programs, including food stamps, WIC, and support for health care, etc.
  
- 3.—Money Management:
  - a.—Provide education to increase knowledge and skills related to financial literacy through educating youth on credit cards, opening/maintaining savings and checking account;
  - b.—Take field trips with the youth to a local bank;
  - c.—Practice budgeting and shopping for groceries, household goods and clothing and paying bills;
  - d.—Review pay stubs;
  - e.—Develop short-term and long-term financial goals with youth;
  - f.—Help youth secure needed documents; conduct a credit check;
  - g.—For youth who are parents, facilitate access to legal assistance;
  - h.—Educate youth on child support laws and how to access child support when necessary;
  - a.—If needed, provide information on expunging juvenile records.
  
- 4.—Facilitate access to education and employment supports; safe, stable, and affordable child care and transportation, as these services play a role in being able to maintain healthy relationships and stability.

*D.—Cultivate a sense of self-worth and right to healthy relationships*

1. ~~The spectrum of relationships include: peers, family, partners, neighbors, community, professionals, landlords, their child's other parent, etc.~~

- a. ~~Provide education to develop an understanding of healthy relationships and educate youth to~~

### **Supervised Independent Living**

~~identify abuse, neglect, and trauma;~~

- b. ~~Help youth develop communication, and conflict resolution skills; provide anger and stress management counseling and mental health services as appropriate, negotiate healthy relationships;~~

- c. ~~For those with children, facilitate access to couples' counseling and co-parenting classes to keep the other parent engaged;~~

- d. ~~Help youth to develop an understanding of the importance of setting boundaries with her/his family.~~

1. ~~Facilitate development of a positive social network; cultivating supportive relationships with family or family-like individuals; establish relationships with a healthy peer network, mentors, caring adults, family connection with appropriate boundaries; social resources to call upon when needed.~~

2. ~~Continue to consider opportunities for legal permanence.~~

### **Introduction**

Supervised Independent Living (SIL) is a highly integrated system of living arrangements and professional services that provides youth ages 17-21 a safe place to live, 24-hour access to supportive adults, and connections to community resources. SIL helps youth develop necessary skills and secure resources needed to maintain housing throughout adulthood. SIL is a combination of independent placements and programming.

Child welfare professionals play a critical role in SIL programs, assessing youth as individuals so that their unique needs may be met most effectively. Flexibility, individualization, nurturing, guidance through positive role modeling, and consistent coordination by a professional are key elements.

SIL programming should facilitate collaborative partnerships in the community in order to support youth's access to needed services and resources as they learn to live on their own. Listed below are critical components that provide a skill-building foundation to help youth develop self-sufficiency, so they become successful and productive adults. The [Components](#) include: self-sufficiency, housing stability, financial stability, self-worth, and healthy relationships. Programs that incorporate these components are more likely to achieve desired outcomes. Components are complementary and together make up the foundation of an SIL program that promotes successful transitions.

### **Applicability**

This ~~Standard~~[standard](#) applies ~~to~~ when a county or the ~~Department~~[department](#) places a youth into a ~~Supervised Independent Living~~[supervised independent living](#) placement and the programmatic requirements of this placement setting.

Agencies must ~~assure~~[ensure](#) all actions of either agency or contracted provider staff ~~complies~~[comply](#) with this ~~policy~~[standard](#).

### Supervised Independent Living Placements

#### Definition of a Supervised Independent Living Placement

~~A Supervised Independent Living~~[A supervised independent living](#) placement offers 17- to 21-year-olds, who are placed through a court ordered or Voluntary Transition to Independent Living Agreement into out-of-home care with “~~Placement~~[placement](#) and ~~Care Responsibility~~[care responsibility](#)” through a county or the ~~Department~~[department](#) which provides the youth the ability to live in their own (or shared) apartment, flat or room with supervision, support and monitoring from a child welfare professional and/or provider from a contracted agency.

[A judge may order independent living as a dispositional alternative only upon a showing that the youth is of sufficient maturity and judgment to live independently and only upon proof of a reasonable plan for supervision by an appropriate person or agency \(Wis. Stat. s. 48.345\(10\)\(c\)\).](#)

The agency with placement and care responsibility is responsible for supervision of the youth, maintains case management, and any associated ongoing services for the duration of the court order or Voluntary Transition to Independent Living Agreement. In addition, the agency provides financial assistance when needed.

Supervisory contact with the youth can range from moderate (2-3 times a week based on stability of the youth and the length of time the youth has been involved in Supervised Independent Living) to intense (where daily contact with the youth is necessary for a successful placement).

### Acceptable Arrangements for Supervised Independent Living Placements

	Apartment, Shared Housing	Apartment, Scattered Site Housing	Tenant, Room in a <del>house</del> <a href="#">House</a>
Service Description	A supervised apartment program in which the contractor owns/operates the apartment complex and provides supervision	An independent apartment program in which the youth or the provider leases the apartment, the youth lives independently with	An independent apartment program in which the youth leases a room in a house from a landlord/homeowner.

	and support to youth living semi-independently. -Youth may live with a roommate approved by the agency (another youth in the program, a sibling, their minor child or an approved adult by the agency).	decreasing levels of supervision and support from the provider. -Youth may live with a roommate approved by the agency (another youth in the program, a sibling, their minor child or an approved adult by the agency).	The youth lives independently with decreasing levels of supervision and support. -A tenant is defined as a person who <a href="#">rents or</a> owns their home and leases to the youth <del>and is not a parent or a relative.</del>
<b>Facility Type</b>	Apartment building/block(s) of apartments in single building(s) or dorm-like  The youth must have their own bedroom with a lock, access to kitchen and bathroom facilities 24/7, and access to the home 24/7.	Scattered-site apartments.  The youth must have their own bedroom with a lock, access to kitchen and bathroom facilities 24/7, and access to the home 24/7.	Room in a house.  The youth must have their own bedroom with a lock, access to kitchen and bathroom facilities 24/7, and access to the home 24/7.
<b>Age Range</b>	17 - 21		
<b>Number of Beds in unit &amp; Requirements for Placement(s)</b>	Standard: 1  Optional: 2 or more, depending on youth circumstances; requires provider, agency, and supervisor approval prior to placement. -Age differential not to exceed 4 years without written approval of the placing agency.	Standard: 1  Optional: 2 or more, depending on youth circumstances; requires provider, agency, and supervisor approval prior to placement. -Age differential not to exceed 4 years without written approval of the placing agency.	Standard: 1  Optional: 2-3, depending on youth circumstances; requires provider, agency, and supervisor approval prior to placement. Age differential not to exceed 4 years without written approval of the placing agency.
<b>Municipal Permit Requirements</b>	Provider must obtain and present all required municipal permits and licenses for each facility; requirements vary by location. -Home and bedroom must meet all building codes	Provider must obtain and present all required municipal permits and licenses for each apartment location; requirements vary by location. -Home and bedroom must meet all	Home and bedroom must meet all building codes and municipal ordinances.

	and municipal ordinances.	building codes and municipal ordinances.	
<b>Supervision &amp; Staffing Requirements</b>	On-site staff available 24 hours per day in person or by phone.	Off-site staff available 24 hours per day by phone.	Supervision and service requirements are the responsibility of the placing agency.
<b>Contact Requirements</b>	<p>The provider is required to have a written contact policy that specifies the number, type, frequency, and content of regularly scheduled and random announced and unannounced contacts with the youth and visits to the youth's apartment.</p> <p>The contact policy and procedure must require minimum contacts with the youth in a number, type, frequency, and content sufficient to support the core components of Supervised Independent Living listed below.</p>	<p>The provider is required to have a written contact policy that specifies the number, type, frequency, and content of regularly scheduled and random announced and unannounced contacts with the youth and visits to the youth's apartment.</p> <p>The contact policy and procedure must require minimum contacts with the youth in a number, type, frequency, and content sufficient to support the core components of Supervised Independent Living listed below.</p>	<p>The provider is required to have a written contact policy that specifies the number, type, frequency, and content of regularly scheduled contacts with the youth and visits to the youth's apartment.</p> <p>The contact policy and procedure must require minimum contacts with the youth in a number, type, frequency, and content sufficient to support the core components of Supervised Independent Living listed below.</p>

When determining if a youth can share a room or apartment with another individual, the agency [should](#) minimally ~~should~~ consider physically and sexually aggressive behaviors, the backgrounds of the individuals and whether or not the youth wishes to have a roommate.

Agencies placing youth into Supervised Independent Living are encouraged to develop agreements specific to this placement setting. -Sample agreements and guidelines are included in the Appendix [XII5](#), starting on page [315:273](#).

- ~~[Supervised Independent Living Client Agreement,](#)~~
- ~~[Personal Safety Agreement, and](#)~~
- ~~[Guidelines for a Shared Living Agreement.](#)~~

It is important for the youth, the agency, and any roommate to have a shared understanding of the expectations to avert issues before they arise.

### Components of Independent Living Programming

Extended care placements must include specific components to mindfully plan for the youth's transition to independence. The components of [Independent Living independent living](#) programming ([Appendix D](#)) that must be included are:

- [developmentDevelopment](#) of basic self-sufficiency skills;
- [housingHousing](#) stability;
- [supportsSupports](#) and resources to promote financial stability; and
- [aA](#) cultivation of a sense of self-worth and understanding of healthy relationships.

### **Documentation**

All independent living activities and accomplishments shall be documented on the services tab on the youth's Independent Living page in eWiSACWIS.

Note: Independent living assessment and plan development requirements remain in place even for youth in extended care.

### **Supervised Independent Living Placement Payment Structure**

Supervised [Independent Living independent living](#) (SIL) rates must be separated into two categories (maintenance and administrative), and determined separately.

#### Maintenance Payments

Title IV-E (section 475(4) of the Social Security Act) allows maintenance payments to "... cover the cost of (and the cost of providing) food, clothing, shelter, daily supervision, school supplies, a child's personal incidentals, liability insurance with respect to a child and reasonable travel to the child's home for visitation and reasonable travel for the child to remain in the school in which the child is enrolled at the time of placement."

When setting an appropriate monthly SIL maintenance rate for a child, the county or [Department department](#) shall complete the Supervised Independent Living Rate Setting form ([DCF-F-5031-E](#))([DCF-F-5031-E](#)), and may include the following cost categories:

- Rent
- Renter's Insurance

- Food Budget
- Furnishings
- Household Supplies
- Utilities (Electricity, Heat, Water and Sewer)
- Telephone
- Clothing
- School Supplies
- Travel to School
- Travel to Family Interaction
- Personal Incidentals
- Other

Daily ~~Supervisions~~supervision may be included if a private agency is providing supervision for the placing county, DMCPs or the ~~Department, this is~~department. This would be an administrative cost and cannot be included if the placing county, DMCPs or the ~~Department~~department is the one providing the supervision to the SIL placement.

The county or ~~Department~~department may enter costs into a category labeled "Other", but those costs will not be IV-E reimbursable.

The county or ~~Department are~~department is not to exceed a monthly maintenance rate of \$3,000 and rates are to be based on actual costs.- If a youth shares an apartment with another individual, the costs shall be distributed among the occupants commensurate with their portion of the total amount and must be re-determined if an additional occupant moves into a shared space if the costs are not already based on a proportion of the total amount.

- The manner in which the maintenance payment is distributed is at the discretion of the agency ~~or Department~~, on a case-by-case basis. -If ~~a county or Department~~the agency determines that a contracted ~~supervising agency should be paid the maintenance rate, that contracted supervising agency must act as a pass through and cannot keep any funding from a child's maintenance rate. The maintenance payment may be made as one payment to the child or as multiple payments to vendors and to the child.~~

Children ~~and youth~~ in out-of-home care have the right to have a ~~normal~~childhood ~~and adolescence, that is similar to children residing in their own home.~~ It is the responsibility of those involved in their lives to create as much normalcy as possible. -Normalcy is the ability to easily engage in healthy and developmentally appropriate activities that promote well-being such as social, scholastic, and enrichment activities. ~~Laws, policies, guidelines, and rules~~

### Reasonable and Prudent Parent Standard to Promote Normalcy

~~restrict normal and appropriate activities of children or youth~~Children in out-of-home care ~~or require difficult and lengthy approval processes.~~ ~~should be able to pursue their interests, do~~

should not  
act as  
barriers and

~~what their peers can do, build skills for their future, and maintain connections with their culture, family and friends. Age and developmentally appropriate activities, such as birthday parties, having a part-time job, or recreational activities, which should be considered normal for any child, should be decisions that an out-of-home care provider can make for a child in their care. The agency with placement and care responsibility shall ensure that out-of-home care providers are using the Reasonable and Prudent Parent Standard in order to work through decision making barriers to promote normalcy for the child.~~

~~A child or youth is considered to be in "out-of-home care" if the agency has placement and care responsibility is defined statutorily as "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 an age or age group," or in the case of a specific child, activities or items that are suitable for the child or youth whether placed under a voluntary placement agreement (under §. 48.63 or 938.63) or through a court order. This includes a child or youth who is placed based on the developmental stages attained by the agency child with relatives or in court-ordered Kinship Care placements, whether or not payments are being made but the agency maintains placement and care responsibility. It does not include a child or youth who is living with relatives (or caregivers other than parents) but who is not under respect to the placement and care responsibility cognitive, emotional, physical, and behavioral capacities of the agency. The placement types would include: child."~~

- ~~• Unlicensed relatives and non-relatives,~~
- ~~• Foster Homes,~~
- ~~• Court-ordered Kinship Care,~~
- ~~• Group Homes,~~
- ~~• Residential Care Centers,~~
- ~~• Shelter care.~~

~~This does not include care provided in a secured correctional facility as defined under § 938.02(15m), Stats. It also does not include youths who are receiving an in-home service of a 72-hour hold or a sanction at a shelter care facility.~~

## Applicability

~~This Standard applies to out-of-home care providers with whom a child is placed in their care.~~

For the purposes of ~~the Reasonable and Prudent Parent Standard,~~this standard, an out-of-home care provider includes: the following caregivers who have a child placed in their care:

- Unlicensed relatives and like-kin
- Unlicensed non-relatives
- Relatives/like-kin receiving court-ordered kinship care
- Foster parents,
- ~~Unlicensed relatives,~~
- ~~Unlicensed non-relatives,~~
- ~~The operator or designee of a group home~~Group homes, residential care center ~~for children,~~ and youth, and/or shelter care ~~facility.~~facilities.

For group homes, residential care centers, and shelter care facilities, the licensee or authorized representative, or a staff member of that home, center, or facility shall have designated authority to make reasonable and prudent parenting decisions concerning a child's participation in age or developmentally appropriate activities on site.

~~Foster care licensing~~Child placing agencies, the agency with placement and care responsibility, and group homes, residential care centers, and shelter care facilities must ensure that all applicable out-of-home care providers comply with this standard.

An agency is considered to have the placement and care responsibility of a youthchild when the youthchild is removed from his or her~~their~~ home by the ~~Department~~department or an agency or when a court enters an order placing a youthchild in out-of-home care, whichever occurs first.

## Purpose

The purpose of this ~~policy~~standard is to:

- Define the Reasonable and Prudent Parent Standard.
- Establish requirements and parameters for out-of-home care providers to use the Reasonable and Prudent Parent Standard.
- Establish requirements for child welfare professionals to ensure out-of-home care providers use the Reasonable and Prudent Parent Standard for children under their ~~"Placement~~placement and ~~Care Responsibility"~~care responsibility.
- Establish requirements for documenting the use of the Reasonable and Prudent Parent Standard in eWiSACWIS.

The intent of the Reasonable and Prudent Parent Standard is to establish normalcy for children in out-of-home care while ~~still~~ keeping the health, safety, and best interests of the child as the priority. - This standard allows children to:

- Pursue their interests,
- Participate in activities like their peers.

- Build skills for their future and transition to successful adulthood.

~~All children and youth test boundaries and break rules.~~—Caregiver oversight and guidance while allowing children and youth to participate in age and developmentally appropriate activities will allow them to learn natural consequences and how to make positive choices. Many children and youth in out-of-home care have experienced some form of trauma, and need additional support with emotional development, well-being, and understanding social cues. Some children and youth may need more support and guidance to engage in activities ~~similar to~~like their peers.

### Reasonable and Prudent Parent Standard Defined

The ~~“Reasonable and Prudent Parent Standard is”~~ is defined under Wis. Stat. s. 48.02(14r) as a standard for an out-of-home care provider to use in making decisions concerning a child’s participation in age or developmentally appropriate ~~extra-curricular~~extracurricular, enrichment, cultural, and social activities that is characterized by careful and sensible parental decisions that maintain the health, safety, best interests, and cultural, religious ~~or,~~ and tribal ~~considerations, and the best interests~~values of the child while at the same time encouraging the emotional and developmental growth of the child.

Age or developmentally appropriate activities; ~~means are~~ activities that are generally accepted as suitable for children of ~~a given~~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 ~~children of a given~~an age or age group, or 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 ~~that~~the child.

The application of the Reasonable and Prudent Parent Standard may include:

- Granting permission to participate in sports, field trips, overnight and other recreational activities.
- Signing of permission slips and the arrangement of transportation to and from these activities.
- Making decisions regarding a child’s choices with respect to transportation, employment, peer relationships, and personal expression.

Reasonable and ~~prudent parenting decisions may not~~Student Parent Standard prohibitions include, but are not limited to:

- Permit the foster child to participate in an activity that would violate existing a court ~~orders~~order or ~~rulings,~~any federal or ~~other services~~state statute, rule, or regulation.
- Make decisions that ~~are a part of~~conflict with the child’s permanency plan, Permanency Plan or Family Interaction Plan.
- Consent to the child’s marriage.
- Authorize the child’s enlistment in the U.S. armed forces.
- Authorize medical, psychiatric, or surgical treatment for the child beyond the terms of the consent for medical services authorized by the child’s parent/guardian.
- Represent the child in a legal action or make a decision of substantial legal significance.

- Determine which school the child attends or make a decision regarding the educational rights of the child. (including, but not limited to: Individualized Education Plans, Birth-to-Three decisions, school enrollment, etc.)
- ~~Court-ordered family interaction;~~
- ~~Medical approvals/other medical laws~~
- ~~Medication authorizations or approvals~~
- ~~Confidentiality laws~~
- Educational-related decisions based on statute. Require or prohibit a child's participation in an activity solely for the foster parent's own convenience or based solely on the foster parent's own values.
- Authorize any significant change to a child's hair, such as haircuts or style or color changes, without permission from the child's parent/guardian, unless the child is 12 years of age or older and has made their own hair care decision (DCF 56.09(3)(e)).

If an activity that promotes normalcy coincides with a scheduled family interaction, therapy, or related schedule, the out-of-home care provider shall consult with the child's child welfare professional about the activity and whether the activity can be accommodated.

~~In order to~~ To ensure the health, safety, and best interests of the child, out-of-home care providers may only make reasonable and prudent parenting decisions and provide permissions if they and the child have the necessary training and safety equipment to safely engage in that activity.

### **Reasonable and Prudent Parent Standard Requirements and Parameters**

All out-of-home care providers are required to encourage activities which promote normalcy by using the Reasonable and Prudent Parent Standard. ~~Decisions to allow a child to participate in an age and developmentally appropriate activity must be based on the individual child and the specific situation, and/or activity.~~

When making a decision using the Reasonable and Prudent Parent Standard, out-of-home care providers shall, at a minimum, consider the following:

- ~~Child specific considerations:~~
- The health, safety, and best interests of the child.
- The physical and emotional developmental growth of the child.
  - ~~The child's wishes~~
- ~~When, as gathered by engaging the foster child in age-appropriate, the out-of-home care provider shall discuss discussions about participation in age and developmentally appropriate activities with the child the activity.~~
  - ~~The age, maturity, and development of the child,~~
  - ~~Whether the activity is in the best interest of the child,~~
  - ~~The child's behavioral history,~~
  - ~~Court orders and other legal considerations for the child,~~
  - ~~Cultural, religious, and tribal considerations of the child and the child's family;~~
    - ~~There may be situations in which the child and parent/legal guardian have different cultural, religions, or tribal beliefs. In these situations, it~~

is ultimately up to the agency with placement and care responsibility to make decisions regarding the child's care.

- ~~Activity specific considerations:~~
- Any potential risk factors ~~The cultural, religious, and tribal values of a foster child and the child's family. If reasonably possible to do so, the out-of-home care provider shall consult with the child's parent/guardian about the child's participation in extracurricular, enrichment, cultural, and social activities and the child's cultural, religious, and tribal values, in making decisions concerning the child's participation in those activities, but is not required to consult with the parent/guardian about every decision affecting the child.~~
  - ~~Potential risks of the situation;~~
- How the activity will help the child grow; ~~under consideration.~~
  - ~~Whether participating in the activity will encourage a family-like living provide an experience;~~
- ~~Other considerations:~~
  - ~~Other information obtained from- that is similar to the parent/guardian;~~
    - ~~Outexperiences of the out-of-home care providers are not required to call or consult with the parent/guardian for every individual decision for a child. Information regarding a parent/guardian's wishes, input, provider's children and values should be gathered through shared parenting and child/family team meetings.~~
  - ~~The restrictiveness of the setting.~~
    - ~~Group homes, residential care centers, and shelter care facilities shall consider staffing ratios and the agency's ability to allow youth to participate in age and developmentally appropriate activities with the number of staff at the agency at any given time.~~
- ~~Additional safety concerns for the child, other residents/children in the home or facility, and community safety shall be taken into consideration.~~
- Developmental activities of peers.
- Details included on the Information for Out-of-home Care Providers Part A (DCF-F-CFS0872A-E) and B forms (DCF-F-CFS0872B-E)

Allowing the child to be involved in the decisions about their participation in normalcy activities allows the child to develop life skills and empowers children to be involved in their own planning. -Children may have a different opinion about whether an activity is appropriate or in their best interest. -Out-of-home care providers maintain the ability to say "no" to an activity a child would like to participate in, as long as it is a reasonable and prudent parenting decision.

Tribal considerations cannot be made if the out-of-home care provider does not have access to information about the values and beliefs of the Indian child's tribe.- This information and how it impacts an out-of-home care provider's decision making is often best understood by consulting directly with aan Indian child's tribe.- Agencies with placement and care responsibility should consider this when discussing tribal considerations with an out-of-home care provider, and incorporate normalcy into discussions when collaborating with tribes.

## Training Requirements

~~In order to apply the Reasonable and Prudent Parent Standard, out~~ Out-of-home care providers must be trained in the knowledge and skills related to the application of the Reasonable and Prudent Parent Standard, which includes:

- Knowledge and skills relating to the stages in the development of cognitive, emotional, physical, and behavioral capacities of children.
- Knowledge and skills relating to a child's age and developmentally appropriate participation in extracurricular, enrichment, cultural, or social activities such as:
  - Sports, field trips, overnight and other recreational activities.
  - Signing of permission slips and the arrangement of transportation to and from these activities.
  - A child's choices with respect to transportation, employment, peer relationships, and personal expression.

Out-of-home care providers shall receive this training prior to using the Reasonable and Prudent Parent Standard to make decisions to promote normalcy for the child. Licensed out-of-home care providers shall be trained in the Reasonable and Prudent Parent Standard prior to taking placements. Unlicensed providers shall be trained as soon as possible after taking placement of a child.

Agency responsibility for training:

- ~~Foster care licensing~~ Licensing agencies are responsible for ensuring that licensed foster homes are trained.
- Agencies with placement and care responsibility are responsible for ensuring that unlicensed providers are trained.
- Shelter ~~Care Facilities, Group Homes, and Residential Care Centers~~ care facilities, group homes, and residential care centers are responsible for ensuring that the licensees, authorized representatives, and/or designees are trained.

~~Agencies with placement and care responsibility should develop a processes and policies to set requirements regarding training unlicensed out-of-home care providers. This process should set timeframes for training these providers and who is responsible for ensuring that providers are trained timely.~~

## **Confidentiality**

Agencies and out-of-home care providers must continue to abide by existing confidentiality standards when implementing this ~~policy~~ standard (Ref. ~~§-Wis. Stats. ss. 48.78, 938.78, 48.981(7), Stats.)~~. Agency staff).

~~Child welfare professionals~~ shall ensure that an out-of-home care provider understands confidentiality requirements as they pertain to applying the Reasonable and Prudent Parent Standard.

Agencies may want to consult with their legal counsel when questions arise regarding confidentiality.

## **Agency Responsibilities**

The agency with placement and care responsibility shall gather and prepare child specific information to provide to the out-of-home care provider at the time of placement. -When preparing child specific information to provide to the out-of-home care provider, the agency with placement and care responsibility, if reasonable and appropriate, shall:

- Consult with the child's ~~biological~~ parents/~~guardian~~guardians regarding considerations related to the child's participation in age and developmentally appropriate activities. -This should include the child and family's religious, cultural, and tribal beliefs.
- Explain to the parent ~~or guardian/guardians~~ that their values will be considered in making reasonable and prudent parenting decisions, but will not necessarily be the deciding factor in making decisions on the child's participation in age and developmentally appropriate activities.
- Consult with the child ~~or youth~~ at the time of placement to understand and take into account, ~~when feasible and appropriate,~~ their wishes when applying the Reasonable and Prudent Parent Standard.

The agency with placement and care responsibility shall document the child specific information that was gathered on form [DCF-F-CFS0872, Information DCF-F-CFS0872, Information for Out-of-Home Care Providers, Part A.](#)

At the time of placement with an out-of-home care provider, ~~and~~ the agency with placement and care responsibility must discuss the Reasonable and Prudent Parent Standard and child specific considerations, documented on form DCF-F-CFS0872, Information for Out-of-Home Care Providers, Part A, with the out-of-home care provider. -The agency must discuss:

- That the out-of-home care provider shall apply the Reasonable and Prudent Parent Standard in making decisions concerning a child's participation in age or developmentally appropriate extracurricular, enrichment, cultural, and social activities.
- That the out-of-home care provider shall consider whether the child has the necessary training and safety equipment to safely participate in the activity under consideration.
- That the out-of-home care provider may not make any decision that is in violation of any court order or any state or federal law, rule, or regulation.
- That in the case of any disagreement over the application of the Reasonable and Prudent Parent Standard, the agency is ultimately responsible for decisions concerning the care of the child.
- Documentation on child specific information about the child that shall be considered when making reasonable and prudent parenting decisions to allow the child to engage in age and developmentally appropriate activities.

When discussing the Reasonable and Prudent Parent Standard with the out-of-home care provider, the agency with placement and care responsibility may use the [Reasonable and Prudent Parent Standard Brochure, DCF-P-5105, the Promoting Normalcy: Reasonable and Prudent Parent Standard Frequently Asked Questions handout, as well as the Promoting Normalcy: Applying the Reasonable and Prudent Parent Standard handout as discussion tools](#)Reasonable and Prudent Parent Standard: Promoting Normalcy for Children in Out-of-home Care handout as a discussion tool.

The agency with placement and care responsibility must continue to provide updated information regarding considerations for reasonable and prudent parenting decisions for the child throughout the child's placement through child and family team meetings.

In preparation or revision of the child's ~~permanency plan~~ Permanency Plan, the agency must:

- Consult with the child's ~~biological~~ parents/guardians and the child, if appropriate, regarding considerations related to the child's participation in age and developmentally appropriate activities. ~~This should include the child and family's religious, cultural, and tribal beliefs.~~
- Consult with the child ~~or youth~~ about their opportunities to participate in age or developmentally appropriate activities.
- Discuss the Reasonable and Prudent Parent Standard requirements with the out-of-home care provider.
- Evaluate if the child has regular, ongoing opportunities to engage in age and developmentally appropriate extracurricular, cultural, and social activities.

~~If there is a~~ In circumstances of disagreement ~~over~~ on the application of ~~the~~ Reasonable and Prudent Parent Standard, the agency with placement and care responsibility of the child is ultimately responsible for ~~the~~ decisions concerning ~~regarding~~ the child's care ~~of the child~~. Disagreements regarding the application of the Reasonable and Prudent Parent Standard to allow a child ~~or youth~~ to participate in age or developmentally appropriate activities shall not act as a barrier to normalcy. ~~The agency with placement and care responsibility shall work with any other agencies involved, such as the licensing agency, to gather information about the situation. The agency shall take all relevant information about the situation, including the out-of-home care provider's decision-making process, the out-of-home care provider's wishes, the~~ birth ~~parent/legal~~ parent/legal guardian's wishes, the child's wishes, cultural and tribal beliefs, and case details, into consideration to make a decision that is in the best interest of the child.

As a child grows and develops, activities that are age and developmentally appropriate for the child change. ~~Thus, as a case progresses,~~ reasonable and prudent parenting decisions for an individual child will need to be adjusted. ~~Agencies should regularly communicate with out-of-home care providers about changes in the considerations that should be taken when applying the Reasonable and Prudent Parent Standard for an individual child.~~

## **Documentation**

Child welfare professionals are required to document:

- Whether the agency provided information to the out-of-home care provider for consideration in making reasonable and prudent parenting ~~parent~~ decisions specific to the child.
- Efforts made by the agency to ensure that the child has regular, ongoing opportunities to engage in age or developmentally appropriate activities determined in accordance with the reasonable and prudent parent standard in the out-of-home care placement, which includes consulting with the child in an age-appropriate manner.

|

|

## Interstate Compact on the Placement of Children

The most appropriate home for a child may not be in Wisconsin, but with a family in another state. -Each child deserves the same rights and protections when they move to another state as they have in their home state. -The Interstate Compact on the Placement of Children (ICPC) ensures that these children have the same protections and services when they are placed across state lines. -The ICPC is a contract and uniform law among all 50 states, the District of Columbia, and the U.S. Virgin Islands that protects and enforces the jurisdictional, administrative, and human rights obligations of all the parties involved in a placement. -The law offers states uniform guidelines and procedures to ensure these placements promote the best interests of each child.

Wisconsin enacted Wisconsin's Interstate Compact on the Placement of Children (~~s. 48.988, Stats.~~)([Wis. Stat. s. 48.988](#)) to ensure children in need of out-of-home placement in and from other states receive the same protections guaranteed to children placed in out-of-home care within Wisconsin. -All interstate placements that fall within the ICPC shall be made through the Wisconsin state compact office.

Wisconsin's state ICPC office relies on other state ICPC offices. -Each state has different policy, structure, and consequences for compliance with the ICPC.

### Applicability

The Interstate Compact on the Placement of Children (ICPC) applies in certain situations when a child is being placed or moving across state lines. -The ICPC process shall be used when an agency explores a placement or residency option in another state. [This placement option is considered the placement resource, which is the person\(s\) or facility with whom the child has been or may be placed by a parent or legal custodian, placed by the court of jurisdiction in the sending state, or for whom placement is sought in the receiving state.](#) The ICPC process is used when there is a court order ~~in a case~~, including a consent decree or a voluntary placement agreement, and may include ~~such cases when situations in which~~ a parent requests placement in another state, or when a parent requests to move to another state with a child. -In these circumstances, the agency initiates the home study process through the state's ICPC office. -No Wisconsin child under the jurisdiction of an agency can be moved from one state to another state without the approval of the Wisconsin ICPC office as required under the ICPC.

The ICPC does not specify an age restriction at the time of placement, but uses the broad definition of "child", which permits jurisdiction up to age 21 per the sending state's laws and concurrence by the receiving state. -The ICPC process is used for ~~CPS~~, Child in Need of Protection or Services (CHIPS), ~~Juvenile in Need of Protective Services (JIPS)~~, Temporary Physical Custody (TPC) ~~cases~~, and consent decrees related to CPS. [Youth Justice \(YJ\) and Juvenile in Need of Protection or Services \(JIPS\) fall under ICPC only when the placement is an out-of-state residential care center or group home.](#)

The ~~Compact~~compact applies to four types of situations in which children may be sent to other states:

- Placements with parents ~~and~~, relatives [and like-kin](#) when a parent or relative is not making the placement.

- Licensed or approved foster homes, including relative [and like-kin](#) caregivers.
- Group homes and residential care centers, including adjudicated delinquents in institutions in other states.
- Public and private adoptions, including placements preliminary to adoption.

ICPC does not apply in the following circumstances:

- Placement into a medical facility.
- Placement into a boarding school.
- Placement into a mental health facility.
- Placement by the court with a parent from whom the child was not removed, if the court:
  - ~~has~~[Has](#) no evidence that the parent is unfit,
  - ~~does~~[Does](#) not seek evidence that the parent is fit or unfit, and
  - ~~relinquishes~~[Relinquishes](#) jurisdiction as soon as the child is placed.
- Home studies solely for the purpose of periodic assessment of a placement where there is no ongoing supervision.
- Certain placements made between certain relatives or non-agency guardians with legal rights to place.
- Placements handled by divorce, paternity, or probate courts.
- ~~Placements between Tribes if the state or county agency does not have any jurisdiction, planning responsibility, or financial responsibility for the child.~~
- Out-of-state visits (defined later in this [policy standard](#)).
- ~~Placements pursuant to another type of~~ [interstate compact](#).

[ICPC and Indian Child Welfare Act \(ICWA\)/Wisconsin Indian Child Welfare Act \(WICWA\)](#)  
[As established by federal law, federally recognized Indian tribes exercise powers of self-government over their members and territory. As a result, the Interstate Compact for Placement of Children \(ICPC\) does not apply to interstate placements of an Indian child, as defined in Wis. Stat. s. 48.02\(8g\), by a tribe if a tribal nation is receiving the placement except when:](#)

- [The Indian child's tribe requests ICPC services](#)
- [The Indian child's tribe has adopted the ICPC or incorporated its provisions into its own law](#)
- [The Indian child's tribe has an existing IV-E agreement with the state requiring compliance with the ICPC](#)
- [A Wisconsin county is making the out-of-home care payment for a child under the exclusive jurisdiction of a tribal court through a 161 agreement or other arrangement, and the placement is outside of Wisconsin](#)

[If an Indian child is being placed across state lines by a state or county agency or is being placed by a tribe across state lines, outside of tribal land, and under the supervision of a state or county, the ICPC applies. However, ICWA placement preferences and all other ICWA and WICWA requirements supersede any ICPC requirements that interfere or impede with ICWA and WICWA compliance.](#)

[In any ICPC placement involving an Indian child, if the placement resource is licensed by a federally recognized tribe, full faith and credit will be given to tribal documents, including the](#)

[foster care license and home study per Wis. Stat. s. 48.028\(3\)\(f\). Wisconsin agencies are required to respect the tribe's licensing process and cannot impose additional requirements.](#)

[If Wisconsin is the receiving state and receives an ICPC request from a tribe for a home study or supervision, the assigned agency shall cooperate with the tribe. During the home study process, the assigned child welfare professional should explore the placement resource's willingness and ability to ensure the child remains connected to their culture. If placement is made, the child welfare professional should gather information on the child's ongoing connection to their culture during monthly contacts and document this information in the quarterly supervision reports.](#)

#### [Tribal ICPC Placement Documentation \(DCF-F-CFS0100T\)](#)

[If the placement is from a Wisconsin title IV-E agency to an out-of-state tribal title IV-E agency or an Indian tribe with a title IV-E agreement, the sending agency shall submit the Tribal ICPC Placement Documentation \(DCF-F-CFS0100T\) form in addition to the 100A \(DCF-F-CFS100A\) form.](#)

#### [ICPC Roles](#)

The ICPC relies on an understanding that the two states, referred to as the sending and receiving states, are involved in any ICPC placement and have certain requirements applicable to the sending or receiving state. -There may be several agencies involved in both the sending and receiving state, such as private agencies contracting with the state. -Both the sending and receiving states and the respective agencies have different roles:

- Sending State
  - The sending state is “the state where the sending agency is located, or the state in which the court holds exclusive jurisdiction over a child, which causes, permits, or enables the child to be sent to another state.”. The sending state is the state making the request to place the child in the receiving state.
- Sending Agency
  - Within the sending state, there is a sending agency. [For child welfare cases](#)Typically, the sending agency is the county or state agency that has placement and care responsibility of the child.
  - The sending agency maintains planning and financial responsibility for the child, and is responsible for any payment for which the placement resource may be eligible, unless the responsibility is discharged as allowed by the ICPC.
- Receiving State
  - The receiving state is “the state to which a child is sent, brought or caused to be sent or brought whether by public authorities or private persons or agencies, and whether for placement with state or local public authorities or for placement with private agencies or persons.”.
  - The [Receiving State](#)receiving state ICPC [Office has the ability to](#)office can approve or deny the ICPC request.
- Receiving State Local Agency
  - [The receiving state](#) assigns a local agency in the state in which the child would reside with the proposed placement resource. -The local agency is responsible for completing a home study on the proposed placement resource to ensure the placement is safe and in the best interests of the child. -The local agency provides

a recommendation for approval or denial of the request to the receiving state, but cannot provide final approval or denial of a request.

If the placement resource is approved, the local agency in the receiving state is required to supervise the placement and provide supervision reports to the sending state.

### **Illegal Placement** **Placements in Violation of the ICPC**

For placements subject to the ICPC, a child cannot be placed in the receiving state without approval of the receiving state. If a child is placed prior to approval from the receiving state, the placement is in violation of ICPC and is considered an illegal placement. If a child is placed illegally in violation of the ICPC, the sending state bears full liability and responsibility for the safety of the child. The receiving state may request immediate removal of the child until the receiving state has made a decision per ICPC regulations. The receiving state is not required to proceed with the home study as long as or supervision of the placement if the child is placed in violation, and is not required to supervise the placement of the compact.

During the course of an out-of-state placement, the sending agency and receiving state may disagree about specific case decisions, such as how the case is being managed, what support is being provided to the resource, or what the plans for the child should be. Agency child welfare professionals should work with the Wisconsin ICPC Office on significant issues of disagreement with the sending agency if the child is placed in Wisconsin and the issue may affect the safety and well-being of the child. Ultimately, the sending agency maintains planning and financial responsibility and is the final decision maker for a child's case; unless the receiving state finds that the resource is no longer in the best interests of the child and requests the sending state to bring the child back.

### **Purpose**

The ICPC process is a mechanism that public and private child placing agencies shall use to obtain a home study of a proposed placement resource in another state prior to moving the child. The ICPC also provides for supervision of a Wisconsin court order for a child's placement or residence when a family moves to located in another state.

The ICPC offers various safeguards for the child and all parties involved in the placement. Without the ICPC, the following will not be guaranteed:

- An opportunity for the sending agency to obtain home studies and evaluate the proposed placement.
- An opportunity for the receiving state to ensure the placement is not contrary to the best interests of the child.
- An opportunity for the receiving state to ensure that all applicable laws and policies have been followed before the placement is approved.
- Legal and financial protection for the child by fixing these responsibilities with the sending agency or individual.
- Assurance that the sending agency does not lose jurisdiction over the child once the child is moved to the receiving state.

- An opportunity for the sending state to obtain supervision, services, and regular reports on the child's adjustment and progress in the placement.

This [policy standard](#) is not intended to supersede any compact regulations and individuals should refer to the articles and regulations of the ICPC on the Association of Administrators of the Interstate Compact on the Placement of Children's [website Website](#) for more details.

## ICPC Office Responsibilities

A state's Compact Administrator, [Deputy Compact Administrators](#), and ICPC [Specialists specialists](#) act as the central clearing points for all referrals for interstate placements. —A state's Compact Administrator, [Deputy Compact Administrator](#), and ICPC [Specialists specialists](#) have the authority and responsibility to [conduct reviews review and process all requests to place children out-of-state to ensure](#) the proposed placement [and determine whether or is](#) not [the placement is](#) contrary to the child's best interests [based on information provided to the ICPC. These individuals are also responsible to oversee an approved placement as required by the ICPC as long as the placement continues.](#)

~~The~~ ICPC Specialists:

- Review submitted requests and documentation for completeness and send to the receiving state/assign to a local agency for action.
- Communicate with the receiving state to address any questions during the home study and investigation process.
- ~~Review the home study reports, When Wisconsin is the sending state review final home studies study and receiving state recommendation and approve or deny the state's placement request.~~
- ~~Review decision. When Wisconsin is the receiving state review home study reports and completed home studies study and Wisconsin local agencies' recommendation to approve or deny a proposed resource, and make a decision to approve or deny placement and issue the resource. The Wisconsin ICPC Office will send the completed home study and final placement decision to the sending state's ICPC Specialist/Compact Administrator.~~
- ~~state.~~ Review and process quarterly supervision reports from the receiving state.
- Ensure the sending agency maintains responsibility for the child and acts appropriately to return the child to the sending state following a placement disruption.
- Keep track of children placed in facilities outside of the state and notify the sending agency of any significant change in [the child's](#) status.

The ICPC [Specialists specialists](#) communicate with other state ICPC [Specialists specialists](#), child welfare professionals, attorneys, and others across the nation to ensure applicable laws and regulations are followed by the sending state. -The ICPC [Specialists specialists](#) do not have the authority to order another state to act contrary to that state's own laws and regulations. -The ICPC [Specialists specialists](#) do not physically monitor placements, visit children, transport children, etc.

- Wisconsin child welfare professionals shall not directly contact other state ICPC ~~Offices directly, offices~~ but shall communicate with the Wisconsin ICPC ~~Officeoffice~~ for requests, ~~case~~ status changes, and other ICPC requirements.

Some states do not allow their local agency child welfare professionals to directly communicate with Wisconsin child welfare professionals for the purposes of case management, and require that all ~~case~~ communication be routed through the sending and receiving ICPC ~~Offices. offices.~~ This is per the state's local policy, and the Wisconsin ICPC ~~Officeoffice~~ cannot override that state's policy.

Wisconsin ~~ICPC~~ allows local agency child welfare professionals to communicate with receiving state child welfare professionals for the purposes of case management ~~from other states~~ as long as all required documentation or communication pertinent to the ~~child's casechild~~ is sent to the Wisconsin ICPC ~~Officeoffice~~.

For contact information for the ICPC ~~Specialistspecialist~~ assigned to a ~~child's casechild~~, visit ~~the Department's website at <http://www.dcf.wisconsin.gov/cwportal/icpc>.~~ [Wisconsin Interstate Compact on the Placement of Children \(ICPC\)](#)

## Wisconsin Local Agency Responsibilities

Wisconsin local agencies have different responsibilities based on whether Wisconsin is the sending or receiving state. The following steps and responsibilities are required of Wisconsin local agencies when submitting or receiving an ICPC request.

### Wisconsin as the Sending State

The sending agency must complete the following requirements:

1. Prior to submitting an ICPC request to the Wisconsin ICPC [Officeoffice](#), the sending agency shall discuss the possible placement with the proposed resource. The sending agency is responsible for investigating whether the [placement](#) resource is appropriate for placement as much as possible prior to submitting an ICPC request. This includes speaking directly with the proposed resource to gather information about their:
  - Home and others living in the home.
  - [abilityAbility](#) to [safely](#) care for and support the child.
  - [willingnessWillingness](#) to have the child placed in their home, [and](#).
  - [willingnessWillingness](#) to cooperate with the sending and receiving agencies.
2. After the sending agency completes the [initial investigationassessment](#) regarding the proposed resource and determines they may be an appropriate placement option, a request shall be submitted to the ICPC office.
3. If placement approval is granted by the receiving state ICPC [Officeoffice](#), the sending agency must:
  - Meet case management and planning requirements for the child.
    - The sending agency retains all case planning, legal, and financial responsibility for the child. The sending agency has the authority and responsibility to determine all matters in relation to the “custody, supervision, care, treatment, and disposition of the child.”
    - This also includes any required eWiSACWIS documentation [while managing the case](#).
  - Document the child’s out-of-state placement in eWiSACWIS.
  - Complete required Confirming Safe Environments documentation following the receiving state’s safety check of the child in the placement.
    - Each state is required to confirm the safety of the child once the child is placed, but may refer to this check as something other than Confirming Safe Environments, or have different requirements for this check.
    - [The Compact states the receiving state shall have face-to face contact with the child and placement resource no later than 30 calendar days after receiving notice of the placement via the 100b from the sending state. The receiving state is not required to follow Wisconsin’s timeframes for face-to-face contact during the initial days of placement, and Wisconsin cannot require the receiving state make additional contacts. When documenting Confirming Safe Environments, the Wisconsin child welfare professional may use dates from the completed home study if necessary.](#)
  - Complete the rate setting for the child if the proposed resource is receiving payment for the child’s placement.
  - Notify the Wisconsin ICPC [Officeoffice](#) of any status changes, including a termination of placement, new placement type, or transfer of legal custody.
  - Take action to ensure the ongoing safety of a child placed in the receiving [statstate](#), including returning the child to the sending state [as soon as](#)

~~possible~~ within five (5) business days as required by the Compact, when return is requested by the receiving state.

- Take timely action to relieve the receiving state of any financial burden incurred as a result of placing the child in ~~substitute~~ out-of-home care after removing the child from an unsafe home in which the child was previously placed by the sending agency.

### **Making an ICPC Request for Out-of-State Placement**

~~In order to explore~~ To pursue a placement option for a child outside of Wisconsin, a request shall be sent first to the Wisconsin ICPC ~~Office~~ office. Requests shall be made by submitting a referral through eWiSACWIS, and are not accepted from Wisconsin public child welfare agencies in any other format/manner.

Requests are made for specific children and specific placement resources. -Placement requests can be made for the following types of ~~care~~ caregivers:

- Parent
- Unlicensed ~~Relative~~ relative/like-kin
- Licensed ~~Relative~~ relative/like-kin
- ~~Foster care~~
- Licensed non-relative
- Group ~~Home care~~ home
- Residential ~~Care Center~~ care center

~~In addition to the types of care above, the~~ The following home study types can be requested for the appropriate type of ~~care~~ caregiver:

- Parent home study
- Relative /like-kin home study
- ~~Foster~~ Licensed relative home study /placement
- Licensed non-relative home study
- Adoptive home study /placement

Prior to making a request, the ~~child's~~ child welfare professional shall contact the potential resource for information about their home, willingness to accept placement of the child, and willingness to cooperate with the ICPC ~~and the agencies involved with the child's case.~~ process. The sending agency shall make its best effort to ~~investigate~~ assess whether placement with the proposed resource is in the best interests of the child, which may include assessing the proposed resource's history and relationship with the child, and completing background checks, including CPS checks, for the proposed resource ~~for when~~ if they ~~may have lived~~ ever resided in Wisconsin.

If the parent(s) of the child resides in the proposed home, the request shall be for a parent home study. ~~Thelf the parent resides in the home of a relative/like-kin, the~~ home may not be studied as a relative/like-kin home study unless ~~the~~ residing parent is incapacitated or otherwise unable to care for the child to be placed.

An adoptive home study/placement ~~request~~ may only be ~~requesteds~~submitted if a termination of parental rights (TPR) has been filed or granted. -If there is no TPR petition or order, the request must be for ~~a relative home study or foster~~another type of ICPC home study and a conversion request may be submitted once TPR has been filed or granted. ~~Some states will not accept a request for an adoption study unless TPR has been ordered (versus petitioned or filed). If the TPR petition has been filed but has not yet been ordered and the Wisconsin local agency wishes to submit a request for an adoption study, the Wisconsin child welfare professional should discuss the request with the Wisconsin ICPC specialist who will be assigned to the case, prior to submitting the referral through eWiSACWIS. The ICPC specialist will assist in determining what type of request to submit to the receiving state.~~

#### Required Documentation for ICPC Requests and Placements:

~~Under the ICPC, agencies can make a request under different ICPC regulations depending on the circumstances of the case.~~ Within each regulation, there are several pieces of work that shall be completed in eWiSACWIS ~~to be filled in on required forms~~, such as the 100A (~~DCF-F-CFS0100ADCF-F-CFS0100A~~), Worker Statement (~~DCF-F-5158-E~~), 100B (~~DCF-F-CFS0100B~~), and the Financial/Medical Plan (~~DCF-F-CFS2196-E~~). Every state is required to use the 100A and 100B forms.

#### *100A ICPC Placement Request* (~~DCF-F-CFS0100ADCF-F-CFS0100A~~),

This form is required for each placement request, and provides basic information about the request, such as the ~~Type~~type of ~~Care~~care requested, whether the placement is for the purposes of adoption, the ~~Legal Status~~legal status of the child, and what services are requested. -This form is also used ~~as the~~to provide an approval or denial from the receiving state. ~~When completing a 100A, agencies should choose from the following for the Legal Status of the child:~~

- ~~Sending Agency Custody/Guardianship: the child is currently in out-of-home care under the jurisdiction of the sending state.~~
- ~~Court Jurisdiction Only: the child is not currently in out-of-home care, but the sending state has an open abuse, neglect, or dependency case that establishes court jurisdiction with the authority to supervise, remove, and/or place the child. At the time of the placement, the court or agency would have legal custody or guardianship of the child This option is most often used when:~~
  - ~~Pursuing residential placement.~~
  - ~~Exploring relative options in another state.~~
  - ~~The parent/relative the child is currently with is relocating with the child and the court is maintaining jurisdiction.~~
- ~~Parental Rights Terminated-Right to Place for Adoption: the termination of parental rights has occurred and the child is legally free for adoption.~~
- ~~Unaccompanied Refugee~~

~~If the placement is from a Wisconsin title IV-E agency to an out-of-state Tribal title IV-E agency or an Indian Tribe with a title IV-E agreement, the sending agency shall submit the Tribal ICPC Placement Documentation (DCF-F-CFS0100T) form in addition to the ICPC Placement Request (DCF-F-CFS100A) form.~~

*ICPC Worker Statement Regarding Proposed Placement Resource (DCF-F-5158-E)*

The ~~Worker Statement~~[worker statement form](#) is required for most types of ICPC requests, and is crucial to ensure that the sending state agency has communicated with the proposed resource about their home and the plan for the placement. -The information on the form is required to be gathered prior to making the placement request.- The sending agency child welfare professional shall only make an ICPC request if the proposed resource is willing and able to accept placement, and the agency views the placement as an appropriate option for the child.

*ICPC Financial/Medical Plan (DCF-F-CFS2196-E)DCF-F-CFS2196-E)*

The Financial/Medical Plan provides the receiving state with information about the financial plan to support the child, as well as how medical care for the child will be funded. -The sending agency shall speak with the proposed placement resource to ensure that the proposed resource ~~has an understanding of~~[understands](#) how the placement will be supported. -Regardless of what plan is chosen, the sending agency remains ~~ultimately~~ financially responsible for the child and will retain jurisdiction of the child as mandated by Article 5 of ICPC ([Wis. Stat. s. 48.988\(5\)](#), ~~Wis. Stats.~~)).

The sending agency is responsible for determining what assistance the proposed resource is eligible for, including kinship and foster care payments. -If the child needs to return to Wisconsin, the sending agency is responsible for all transportation costs and will expect the full cooperation of the receiving state to accomplish this return.

If Wisconsin is paying kinship care to an out-of-state resource, the resource is required to ~~go through the licensing process in the receiving state~~ [complete an application for a license to operate a foster home](#) as per [Levels of Care requirements.Ch. DCF 58](#). The Wisconsin agency shall submit a conversion request to the Wisconsin ICPC ~~Office~~[office](#) as soon as possible to pursue licensure and foster ~~board~~[care](#) payments for the resource in the receiving state. [Some states require all relatives become licensed, so a foster home study request may be required depending on the rules in the receiving state.](#)

*Cover Letter*

The cover letter is an opportunity for the sending agency to summarize the request and emphasize any specific information or concerns relevant to the request. -The cover letter should identify the child to be placed as well as contact information for the proposed resource. -It should also provide a brief statement about the legal status of the child, the reason for the proposed placement, and the long ~~term plan for the child.~~ [term plan for the child. The cover letter should also include any information regarding the existing relationship the proposed resource has with the child\(ren\), including information on recent visits or contact.](#) Any special circumstances or considerations for placement should also be specified if that information is not included in other documents.

**100B ICPC Report on the Child's Placement Dates or Change of Placement ([DCF-F-CFS0100B](#))**

The 100B is a multipurpose form to provide information about the child's placement. -The 100B is required to be submitted to the state ICPC [Officeoffice](#) when:

- A child is initially placed in the receiving state and supervision shall be initiated.
- A child moves within the receiving state.
- The ICPC closes because a placement request is withdrawn, a placement ends, or jurisdiction of the child closes. [ICPC cases may not be closed until the sending state requests and obtains written concurrence to close from the receiving state, per ICPC regulations.](#)

The 100B shall be submitted by the sending agency to the sending state ICPC [Officeoffice](#) no later than 3 [businessworking](#) days of the occurrence of the ~~above~~-circumstances [above](#).

Additional information required for each request is based on the regulation for that type of request.

**Request Considerations:**

The sending state may request the receiving state complete home studies on multiple resources for the same child.- This may place a significant amount of work on the receiving state, and therefore the sending state should consider the potential resource carefully prior to submitting a request.

Sending states should not request a home study on a resource if there is no possibility or intention to place the child with that resource. -If the sending state court has ordered an ICPC [Requestrequest](#) to be submitted for a resource the sending agency would not otherwise have considered, the sending agency should include information about concerns and the reason for the request in the cover letter submitted with the request.

Agencies should note ~~that~~ some states do not accept requests for multiple home study types at the same time. -For example, the receiving state may not complete a foster home study and adoption home study at the same time; but may require that the foster home study is approved, and placement occurs before allowing the sending state to request that the resource be studied for the purposes of adoption.

**Kinship [Care Payments](#) and Licensing Requirements:**

Some states will not or cannot [pay-make kinship care payments to caregivers for](#) out-of-state ~~kinship for~~ children placed in Wisconsin. -The local Wisconsin agency may choose to [pay the resourceprovide](#) kinship ~~until the conversion occurs.~~ [care payments in these situations.](#) If the local Wisconsin agency chooses to do this, the kinship care provider must [go through the licensing process.complete the application for a license to operate a foster home.](#) For ~~eases~~ [situations](#) in which Wisconsin is providing ~~Kinship Care~~ [kinship care](#) for another state's placement, the payment is made as a service, not as a placement in eWiSACWIS. ~~If these families need financial assistance, it is recommended that the sending state submits a conversion request as soon as possible to have the resource licensed in order to receive foster board payments.~~

**Regulations**

Each ICPC request shall be submitted following the appropriate regulation requirements for that type of request. -There are five regulations under the ICPC that apply to specific types of ICPC requests.- The following regulations are required to be followed for interstate placements:

- Regulation 1: -Relocation of the Family Unit
- Regulation 2: -Public Court Jurisdiction Cases (parent, relative/[like-kin](#), foster care, and adoption)
- Regulation 4: -Residential Placement
- Regulation 7: -Expedited Placement Decision
- Regulation 12: -Private Adoptions

Each regulation has certain timeframe and documentation requirements. -All documentation [shall be completed in eWiSACWIS.](#)

~~requirements for the following regulations shall be completed in eWiSACWIS.~~

#### Regulation 1:- Relocation of the Family Unit

This regulation applies when the child is currently placed with an approved resource ([parent, relative, like-kin, foster or pre-adoptive family](#)) in the sending state, and that resource would like to move to the receiving state and supervision of the child's placement will continue in the receiving state.

If the child moves with the approved resource to the receiving state as a temporary relocation for less than 90 [calendar](#) days, an ICPC request and the approval of the receiving state is not required.- During this temporary relocation, the sending agency is responsible for monthly supervision of the child. -The receiving state is not required to provide supervision without ICPC approval.- If the sending agency wants to request supervision from the receiving state, the receiving state must be in agreement and the sending and receiving ICPC [Offices/offices](#) shall be notified of the placement through the submission of a completed 100B. -If the temporary relocation is recurring, the sending agency shall submit an ICPC request, and the receiving state shall give approval of the proposed resource.

When a family is relocating to another state with a child, the sending agency shall submit a request for a Regulation 1 to the sending state's ICPC office [no more than 10 businessworking](#) days prior to the relocation date.

When requesting a Regulation 1 through eWiSACWIS, the following documentation shall be included:

- Cover letter,
- ~~100A,~~
- [100A, which must include the address of the new residence in the receiving state.](#)
- 100 B, only if the child is already placed in the receiving state,
- [court/Court](#) order placing the child, or a statement specific to the agency's authority to place the child and documentation that supervision is ongoing,
- [case history/History](#) (can be documented in a court report, [permanency plan/Permanency Plan](#) or other existing documentation), including:

- ~~placement~~Placement and social history;
- ~~court~~Court involvement;
- ~~social~~Social dynamics;
- ~~special~~Special needs of the child;
- ~~other~~Other information relevant to the placement of the child
- ~~Worker Statement~~
- ~~any~~Worker statement form, which must list the address and information regarding the new residence in the receiving state.
- Any licensure, certification, or approvals from the sending state, including verification of completed training, if applicable,
- ~~existing~~Existing home study and any updates to that home study,
- ~~progress~~Progress reports for the last six (6) months and most recent judicial review court report and court order,
- ~~copy~~Copy of the child's case plan or ~~permanency plan~~Permanency Plan,
- IV-E Eligibility verification,
- Financial/Medical Plan,
- Social Security Number (SSN), if available, or documentation on the plan to obtain the SSN if not yet available.
- Birth certificate, if available, or documentation on the plan to obtain the birth certificate, if not yet available.
- ~~petition~~Petition or order for Termination of Parental Rights (TPR), if the request is for the purposes of adoption.

The sending state's ICPC office has 5 ~~business~~working days from the receipt of the request to process the request. -The request shall include notice of the intended placement date. -If the child is already in the receiving state, the receiving state's ICPC office has 5 ~~business~~working days to respond with provisional approval of the placement. - For Regulation 1 requests, a provisional approval allows the placement of the child in the receiving state. This provisional approval of the placement must be followed by a final approval or final denial. - A final denial will result in the return of the child to the sending state, if the child was placed during the provisional approval.

Within 60 calendar days of the receipt of the request, the receiving state local agency shall complete and return an initial home study report to the receiving state ICPC ~~Office~~-office. The report will include results of the study of the home environment for the purposes of assessing safety and suitability of the child to remain in the home. ~~The purpose of this report is to notify the sending agency of the progress being made with the home study, and allow the sending agency to prepare accordingly for the anticipated outcome for placement from the home study recommendation.~~ -This home study report is not considered a full home study and is not required to include a decision on the recommendation to approve or deny the home study, or provide a recommendation for placement. - The receiving state is not required to issue a decision to approve or deny if the home study is not complete at the time of the report. -If the receiving state local agency is unable to make a final decision to recommend approval or denial within the 60 calendar days, the agency shall provide a reason for the delay and an estimated time frame to complete the home study with a final recommendation to approve or deny the proposed resource.

~~If the home study report provides a favorable recommendation for the placement, but there is not a final approval for placement in the form of a signed 100A, the placement shall not be made. The placement shall not be made until a signed and approved 100A is received.~~

The receiving state shall provide final approval or denial of the placement resource in the form of a signed 100A after assessing whether the family can continue to meet the needs of the child no later than 180 calendar days of the receipt of the request. -The receiving state may have additional requirements to give approval of the home study such as the placement resource be licensed or meet education/training requirements of the receiving state. -The placement resource shall meet applicable laws and regulations of the receiving state as soon as reasonable, and as promptly as possible. -The receiving state may deny the placement resource if they determine ~~it~~ placement is not in the best interests of the child or ~~they determine that the child's needs cannot be met under the circumstances of the proposed relocation, or~~ there is not sufficient documentation about the resource. -If the receiving state denies the ~~resource~~placement, the sending state shall be responsible for the return of the child if the child was placed during the time of provisional approval.

The receiving state shall consider the sending state's license, certification, or approval effective unless there is evidence that it is expired or not valid. -If the receiving state requires licensure as a condition of placement approval, or determines it is not valid or expired, both the sending state and the placement resource shall state in writing that the placement resource will become licensed in the receiving state. -The receiving state shall recognize the required foster parent training, if ~~it~~ is substantially equivalent and there is evidence in the form of an official certificate or document identifying the training.

Within 30 ~~calendar~~ days of the receiving state being notified by the sending state or by the placement resource that the child has arrived, the receiving state shall visit the child and the placement resource in the home to ascertain conditions and progress toward compliance with the applicable federal and state laws of the receiving state.

#### Regulation 2: Public Court Jurisdiction Cases (~~parent~~parents, relative/~~like-kin~~, foster care, and adoption)

The most common regulation type requested by child welfare agencies are Regulation 2 requests. -A Regulation 2 is when a child is under court jurisdiction for abuse, neglect, or dependency as a result of action by a child welfare agency. -Regulation 2 requests are for children not yet placed with the proposed resource, or for requests to change the status of a placement already approved by ICPC (i.e. a placement with an unlicensed relative/~~like-kin~~ to a licensed foster home, or a licensed foster home transitioning to adoption).

When requesting a Regulation 2 through eWiSACWIS, the following documentation shall be included:

- Cover letter,
- 100A,
- 100 B, only if the child is already placed without prior approval in the receiving state,
- ~~court~~Court order placing the child, or a statement specific to the agency's authority to place the child and documentation that supervision is ongoing,
- ~~case history~~History (can be documented in a court report, ~~permanency plan~~,Permanency Plan, or other existing documentation), including:

- ~~placement~~Placement and social history;
- ~~court~~Court involvement;
- ~~social~~Social dynamics;
- ~~special~~Special needs of the child;
- ~~other~~Other information relevant to the placement of the child;
- Worker Statement; [form](#)
- ~~information~~Information about the child's placement history in the sending state;
- ~~information about~~If the placement resource [previously](#) had children placed with them in the sending state ~~previously~~, relevant information regarding the placement;
- ~~copy~~Copy of the child's case plan or [permanency plan](#),[Permanency Plan](#)
- IV-E Eligibility verification;
- Financial/Medical Plan;
- Social Security Number (SSN), if available, [or documentation of the plan to obtain the SSN if not yet available](#)
- [Birth certificate, if available, or documentation of the plan to obtain the birth certificate, if not yet available](#),
- [petition](#)Petition or order for Termination of Parental Rights (TPR), if the request is for the purposes of adoption;
- [Proof of paternity if the proposed resource is the father or a paternal relative and the request is for a parent home study or unlicensed relative home study.](#)

Within 60 calendar days of the receipt of the request, the receiving state local agency shall complete and return an initial home study report to the receiving state ICPC ~~Office~~office on the results of the study of the home environment for the purposes of assessing safety and suitability of the child to be placed in the home. ~~The purpose of this report is to notify the sending agency of the progress being made with the home study, and allow the sending agency to prepare accordingly for the anticipated outcome for placement from the home study recommendation.~~ This home study report is not considered a full home study and is not required to include a decision on the recommendation to approve or deny the home study, and may or may not provide a recommendation for placement. -The receiving state shall review the report and forward to the sending state ICPC ~~Office~~office. The receiving state is not required to issue a decision to approve or deny if the home study is not complete at the time of the report. -If the receiving state is unable to make a final decision to recommend approval or denial within the 60 calendar days, the agency shall provide a reason for the delay (i.e. licensure cannot be completed within the timeframe, waiting on documentation from the resource, required training must first be completed, etc.) and an estimated time frame to complete the home study and make a final recommendation to approve or deny the proposed resource for placement of the child.

If the home study report provides a favorable recommendation for the placement, but there is not a final approval for placement in the form of a signed 100A, the placement shall not be made until a signed and approved 100A is received.

The receiving state [ICPC office](#) shall provide final approval or denial of the placement resource in the form of a signed 100A after assessing whether the family can continue to meet the needs of the child no later than 180 calendar days of the receipt of the request. -The receiving state [ICPC office](#) may give approval of the home study with the condition that the placement resource be licensed or meet education/training requirements of the receiving

state. -The placement resource shall meet applicable laws and regulations of the receiving state as soon as reasonable, and as promptly as possible.

The receiving state can deny the [requestplacement](#), if the home study reveals the proposed resource would be unable to meet the individual needs of the child, including the child's safety, permanency, health, well-being, and mental, emotional, and physical development. [If the receiving state issues a denial, the placement shall not be made.](#)

#### Regulation 4: Residential Placement

A Regulation 4 is for the purposes of placing a child in a residential [facilitycare center](#) or group home. -Under the ICPC, a [Residential Placement](#) "[residential placement](#) provides 24 hour supervised care beyond what is needed for assessment or treatment of an acute condition". Residential placements do not include [institutionsprograms](#) that are primarily educational ~~in character, hospitals, or other~~ medical facilities. ~~Care in those institutions is not subject to the ICPC.~~ Whether a placement in a facility is subject to the ICPC is defined by the receiving state, and is determined by the services the facility provides, not the type of license it may hold or its source of funding. -For additional guidance on whether a facility is considered primarily educational, a hospital, or other medical facility, agencies should reference the ICPC regulations.

An ICPC request under Regulation 4 applies [whether or notwhen](#) the child is under jurisdiction of a court for delinquency, abuse, neglect, or dependency, or as a result of action taken by a child welfare agency, ~~or private placements made by parents or caregivers with the legal right to place.~~ Regulation 4 requests are for children not yet placed in a group home or residential care center in the receiving state, as well as for children who are moving to a new facility in the same or different state. ~~In these circumstances, the ICPC prevents a child from being abandoned in the receiving state.~~ For residential placements, the sending agency remains obligated to retain jurisdiction and responsibility for the child while the child remains in the receiving state.

A child who is adjudicated delinquent [whothat](#) is being placed in an out-of-state facility shall be given a court hearing on notice to the [parent or guardianparents/guardians](#) with the opportunity to be heard prior to being sent to the facility. - The court shall find that equivalent facilities for the child are not available in the sending state's jurisdiction and institutional care in the other jurisdiction is in the best interests of the child and will not produce undue hardship.

Prior to creating and submitting the request to the ICPC [Officeoffice](#), the sending agency shall communicate with the facility in the receiving state to obtain agreement to accept placement and required documentation from the facility.

When requesting a Regulation 4 in eWISACWIS, the following documentation shall be included:

- ~~100A~~ [100A](#) (signed by the facility in the receiving state),
- [100 B](#), only if the child is already placed in the receiving state,
- letter of acceptance from the residential [facility,care center](#)

- Financial/Medical Plan that includes the information regarding which agency/entity is paying for the child's placement in the facility, and who is responsible for medical costs that are incurred during the child's placement at the facility.
- ~~placement~~Placement disruption agreement:
  - ~~This shall indicating who will be a thorough agreement that sets out responsible for the responsibility return of each agency in the event of a placement disruption, including child if there is a request for the child's return to the sending state. This shall include who is responsible for costs and transportation. This agreement shall be signed by both the sending agency and the facility.~~
  - current~~Current~~ court order or other proper~~document~~ showing who has authority to place the child:
  - If the child to be placed is under a delinquency court order, the court order shall state that:
    - ~~the~~The child has been adjudicated delinquent,
    - equivalent~~Equivalent~~ facilities in the sending state are not available, ~~and~~
    - institutional~~Institutional~~ care is in the best interests of the child and will not produce undue hardship.
  - current~~Current~~ case history for the child, if the child is under a delinquency court order or is under the placement and care of a public child welfare agency.<sup>7c</sup>
  - service~~Service~~ plan for the child, if the child is under a delinquency court order or is under the placement and care of a public child welfare agency.<sup>7c</sup>
  - IV-E eligibility~~determination~~ verification.

The receiving state's ICPC Office~~office~~ will determine whether:

- It is contrary to the child's best interests to be placed in the facility.
- Ensure the facility is properly licensed and not under investigation by law enforcement, child protection, or licensing staff for unfit conditions or illegal activities that might place the child at risk of harm.
- Check to make sure the child is an appropriate match and that the request to place the child was fully reviewed and officially accepted before granting approval.

The receiving state shall provide final approval or denial of the placement resource within 3 business~~working~~ days of receiving a completed request, with understanding that receiving state's laws for approval may delay this timeframe.

~~In emergency circumstances, a sending agency may make emergency placements in an out-of-state facility under a Regulation 7 request. These placements may only be made under mutual agreement from the sending and receiving states. These emergency decisions shall be made within 1 business day of the receipt of the request by the receiving state. The receiving state may require only certain documents to make this decision and grant a temporary approval. A complete request and final approval is subsequently required.~~

#### Regulation 7: Expedited Placement Decision

A Regulation 7 request is intended to expedite ICPC placement approval or denial in certain circumstances. This regulation only applies if ~~the~~all of the following criteria is~~are~~ met:

- The child is involved in child welfare.
- The placement is with a:
  - ~~parent,~~

- ~~stepparent,~~
- ~~grandparent,~~
  - ~~adult~~Parent
  - ~~Stepparent~~
  - ~~Grandparent~~
  - ~~Adult~~ uncle,
  - ~~adult~~~~Adult~~ aunt,
  - ~~adult~~~~Adult~~ brother,
  - ~~adult~~~~Adult~~ sister, ~~or~~
  - ~~the child's~~Child's guardian.
- The child meets **one** of the following criteria:
  - Has an unexpected dependency due to a sudden or recent incarceration, incapacitation, or death of a parent or guardian. -Incapacitation means a parent or guardian is unable to care for a child due to a medical, mental, or physical condition of a parent or guardian.
  - The child is four years of age or younger.
  - The child has a sibling(s) four years of age or younger to be placed with the same resource.
  - The court finds that any child in the sibling group has a substantial relationship with the proposed placement resource. -Substantial relationship means the proposed placement has a familial or mentoring role with the child, has spent more than cursory time with the child, and has established more than a minimal bond with the child.
  - The child is currently in an emergency placement.

This regulation does not apply if:

- The child has already been placed in the receiving state in violation of the ICPC ~~(~~ (except in some cases if a visit has been approved in writing by the receiving state Compact Administrator and a subsequent order by the sending state authorizes the visit with a fixed return date). ~~-~~
- The intention of the sending state is for licensed or approved foster care or adoption, unless the placement is already licensed or approved at the time of the request.
- The resource is a parent, the court has no evidence the parent is unfit, does not seek any evidence from the receiving that the parent is either fit or unfit and the sending state will immediately close jurisdiction upon placement of the child.

Before a sending agency may submit a Regulation 7 request to the sending state ICPC ~~Office~~office, the sending agency shall obtain a Regulation 7 Court Order of Compliance. -The court order shall be on the Order for Expedited Placement Decision (~~JC-1648~~JC-1648) and shall include whether there is a request for provisional approval.- In order to obtain a Regulation 7 order of compliance, the sending agency shall provide a written statement to the court, which includes documentation of the following:

- The sending agency has spoken with the proposed placement resource and the resource:
  - Is interested in being a placement resource for the child and is willing to cooperate with the ICPC process.
  - Fits the definition for a Regulation 7 resource described above.

- Has provided ~~the resource's the~~their name and ~~correct address of the placement resource,~~ all available telephone numbers and other contact information ~~for the placement resource,~~ and the birthdate and Social Security Numbers (SSNs) of all adults in the home. ~~This information should be provided to the court.~~
- Has financial resources or will access resources to feed, clothe, and care for the child.
- Has a plan for ~~daytime care~~childcare for the child ~~and, including~~ how it will be paid.
- Acknowledges that a criminal and child abuse and neglect history check will be completed ~~knowledge,~~ and ~~that~~ to the best of ~~his or her~~their knowledge, no one residing in the home has a criminal or child abuse or neglect history that would prohibit the placement.
- The sending agency is unaware of any fact that would prohibit the child being placed with the resource.
- The sending agency has completed ICPC information and is prepared to send the information to the ICPC ~~Office~~office once the Regulation 7 Court Order is issued.

The court shall provide a copy of this order to the sending agency within 2 ~~business~~working days of entering the order.- The sending agency is required to send a copy of the order and the ICPC request to the sending state ICPC ~~Office~~office within 3 ~~business~~working days of receipt from the court.

After obtaining the Order for Expedited Placement Decision, the sending agency may submit an ICPC Request to the ICPC ~~Office~~office. When requesting a Regulation 7 request, the following documentation shall be included:

- Cover ~~Letter,~~letter
- ICPC Sending State Priority Home Study Request (~~DCF-F-CFS0101-E~~),~~DCF-F-CFS0101-E~~)
- ICPC Priority Placement Order (~~JC-1648~~),~~JC-1648~~)
- 100A,
- ~~100 B, only if the child is already placed in the receiving state,~~
- ~~court~~Court order ~~placingshowing who has jurisdiction of the child, or a statement specific in relation to the agency's authority to place the child and documentation that custody, placement, supervision is ongoing, care and disposition of the child.~~
- ~~case~~Case history (can be documented in a court report, ~~permanency plan~~,~~Permanency Plan~~, or other existing documentation), including:
  - ~~placement~~Placement and social history,
  - Court involvement,
  - Social dynamics,
  - Special needs of the child,
  - Other information relevant to the placement of the child,
- Worker Statement, ~~form~~
- ~~information~~Information about placement history in the sending state,
- ~~copy~~Copy of the child's case plan or ~~permanency plan~~,~~Permanency Plan~~
- IV-E ~~Eligibility determination~~ verification,
- Financial/Medical Plan,

- Social Security Number (SSN), if available, or documentation on the plan to obtain the SSN if not yet available
- ~~Birth certificate, if available or documentation on the plan to obtain the birth certificate, if available,~~
- ~~petition or order for Termination of Parental Rights (TPR), if the request is for the purposes of adoption not yet available~~
- Proof of paternity if the proposed resource is the father or paternal relative

The sending state's ICPC ~~Officeoffice~~ is required to send the Regulation 7 request to the receiving state's ICPC ~~Officeoffice~~ within 2 businessworking days of receipt from the sending agency. -The receiving state's ICPC ~~Officeoffice~~ is required to send to the local agency within 2 businessworking days of receipt of the request.

~~The~~ if requested from the sending state, the receiving state may, but is not required to, provide provisional approval or denial for the child to be placed with at the parent or relative, including a request for licensed placement, if the receiving state has a separate licensing process available to relatives that includes waivers of non-safety issues- identified in the regulation 7 request.

~~The~~ if the receiving state will expedite agrees to provide a provisional placement decision, they shall make this expedited determination of appropriateness of the proposed placement resource by:

- Performing a physical walk-through to assess the residence for risks and appropriateness for placement of the child.
- Searching the receiving state's child protective services database for prior reports/investigations as required by the receiving state for emergency placement of a child in its custody.
- Performing a local criminal background check on the prospective placement.
- Other determinations agreed upon by the sending and receiving states' ICPC ~~Officesoffices~~
- Providing a provisional written report to the receiving state's ICPC ~~Officeoffice~~ as to the appropriateness of the proposed placement.

~~Determination~~ The determination for provisional approval or denial shallis to be completedmade within 7 calendar days of receipt of the receiving state ICPC office receiving the completed request packet by the receiving ICPC Office. This provisional approval or denial shall be communicated in writing to the sending state's ICPC ~~Officeoffice~~ and may not include the signed 100A until the final approval or denial decision is made. If provisional approval is provided for a Regulation 7 request, the child may be placed. -If the receiving state completes the full assessment and issues a final denial, the child shall be brought back to the sending state.

If the request for information is insufficient, the sending or receiving ICPC ~~Officeoffice~~ can request more information.- The receiving state does not have to proceed with the full assessment until completed information is received, but can choose to proceed with provisional approval.

The receiving state may provide a provisional denial. -A provisional denial means that the receiving state is unable to approve a provisional placement pending the more

comprehensive home study or assessment process due to any issues that may need to be resolved.

Provisional approval shall be followed by a final approval or denial. -The local agency is required to review the request and investigate the proposed resource and send the results of the home study and recommendation to approve or deny placement to the receiving state's ICPC ~~Officeoffice~~ within 15 businessworking days of receipt of the request. -The receiving state's ICPC ~~Officeoffice~~ shall have an expedited decision for approval or denial within three (3-business) working days of receiving the report from the local agency, but no later than 20 businessworking days from the date the receiving state's ICPC ~~Officeoffice~~ received the request from the sending state's ICPC ~~Officeoffice~~.

If the receiving state ICPC ~~Officeoffice~~ determines it will not be possible to meet the timeframes for an expedited request, the receiving state ICPC ~~Officeoffice~~ shall notify the sending state ICPC ~~Officeoffice~~ as soon as practical. - The receiving state shall inform the sending state the estimated time for completion of the request as a regular ICPC request.

#### Regulation 12: -Private Adoptions

Regulation 12 is for children being placed by a private agency or by an Independent Adoption Entity. -For information about these requests, please see the Regulation Number 12: Private and Independent Adoptions policy on the DCF website-APHSA/AAICPC website: <https://aphsa.org/wp-content/uploads/2024/09/Regulation-12-2012.pdf>

#### **Out-of-State Visits for Children in Out-of-home Care**

An out-of-state visit is not a placement for ICPC purposes, and agencies are not required to request permission or notify the Wisconsin ICPC office if the child's out-of-state stay meets the definition of a visit for ICPC purposes- (unless there is a pending ICPC request for that home). Visits are distinguished from placements that require ICPC approval based on the purpose ~~and~~, duration, ~~as well as the and~~ intention of the person or agency with responsibility for the child.

The child's stay out-of-state may be considered a visit if all of the below apply:

- The purpose of the visit is to provide the child with a social or cultural experience of a short duration, such as a stay at a camp or visits with a friend or parent/guardian, relative/like-kin, friend, or potential community-based placement option who has not assumed legal responsibility to care for providingthe child care services.
- Visits must have a planned start and end date.
- The duration of the visit is no longer than 30 calendar days, or if longer than 30 calendar days, the visit begins and ends within the period of a child's vacation from school, such as summer or winter break.
- ~~The intention of the person or agency with responsibility for the child is not to have the child be placed in that home indefinitely. A series of visits with another purpose are considered placements.~~
- There is no intention for the visit to transition into a stay.

If a visit does not have an expressed end date or an unclear duration, it is considered a proposed placement and not a visit. A visit becomes a placement requiring ICPC approval if the visit exceeds 30 calendar days or the child's school vacation. A visit cannot be extended or renewed if it exceeds 30 calendar days or the child's school vacation. ~~If a visit becomes a placement, the Wisconsin ICPC office shall be notified immediately and a request for placement of the child shall be made. An ICPC request for a home study that is submitted or pending while the child is on a visit will establish a rebuttable presumption that the intent of the stay or proposed stay is not a visit. The sending state agency needs to notify the sending state ICPC if the child is on a visit at the time the ICPC is submitted. The sending state ICPC must then seek permission from the receiving state for the child to remain on the visit while the home study is pending.~~

~~Emergency placements~~ A placement made across state lines ~~are~~ without ICPC approval is not considered an out-of-state visit, and are subject to the ICPC because the intent was to place the child in the home. If an agency is unsure of whether a certain stay would be considered an out-of-state visit, the child welfare professional should contact the Wisconsin ICPC Office office.

### Conducting the Home Study

~~Home studies for interstate placements are conducted in accordance with the applicable requirements of the state in which the home is located. States may have different requirements based on the type of home study that is requested. For example, a state may not allow more than one home study type to be conducted at the same time, or may require all relatives to be licensed prior to approval of the request. Applicable laws of the receiving state shall be followed when completing the home study.~~

The local agency assigned to complete the home study is responsible for using all information gathered during the home study process to ~~make a decision to determine if they will~~ recommend approval or denial for placement of the child with the proposed resource. With each Regulation Type, the final decision to recommend approval or denial of the resource shall be made within ICPC timeframes.

When Wisconsin is the receiving state, the Wisconsin ICPC Office office will assign an agency to conduct the home study and recommend approval or denial of the proposed placement. Once the assigned Wisconsin agency has completed the home study of the proposed resource, the agency shall provide the home study and recommendation to the Wisconsin ICPC Office office. ~~The completed home study should NOT be sent directly to the agency in the sending state.~~

Wisconsin requires the following based on the type of home study requested by the receiving state:

Parent home study: -this home study is required to be documented on the ICPC Parent/Relative/Like-kin Unlicensed Home Study (DCF-F-CFS2335DCF-F-CFS2335).- As a part of this home study, the agency child welfare professional shall at a minimum document the following:

- Describe the home/neighborhood and the sleeping arrangements in the home.
- List the household members.
- Assess the social history, discipline techniques, health, financial abilities, educationstatus and ability to meet basic needs, strengths, and weakness of the proposed resource and how that will affectmay impact the parent's ability to care effor the child once placed in the home.

Background checks shall also be conducted on the proposed resource, and any findings shall be factored into the decision to approve or deny the home study. -The agency shall, at a minimum, complete the following and any other background checks required by law:

- Complete a check of local law enforcement records or conductComplete a Consolidated Court Automation Programs (CCAP) check on all individuals seventeen years of age and older residing in the identified placement home.
- Conduct a reverse address Sex Offender Registry check through the Department of Corrections: <http://offender.doc.state.wi.us/public/>.
- Conduct a check of child abuse and neglect records for all counties of residence past 5 years on all individuals seventeen years of age and older residing in the identified placement home.

The sending state may request that other additional background checks are completed. The agency completing the home study may conduct additional background checks than listed above.

Unlicensed Relative/Like-Kin home study (relative is not being licensed): : this home study is required to be documented on the ICPC Parent/Relative/Like-kin Unlicensed Home Study template (DCF-F-CFS2335DCF-F-CFS2335).- As a part of this home study, the agency child welfare professional shall at a minimum document the following:

- Describe the home/neighborhood and the sleeping arrangements in the home.
- List the household members.
- Assess the social history, discipline techniques, health, financial abilities, educationstatus and ability to meet basic needs, strengths, and weakness of the proposed resource and how that will affect themay impact their ability to care effor the child once placed in the home.

Background checks shall also be conducted on the proposed resource, and any findings shall be factored into the decision to approve or deny the home study, placement. The agency shall, at a minimum, complete the following and any other background checks required by law:

- Complete a check of local law enforcement records or conductComplete a Consolidated Court Automation Programs (CCAP) check on all individuals seventeen years of age and older residing in the identified placement home.

- Conduct a reverse address Sex Offender Registry check through the Department of Corrections:  
<http://offender.doc.state.wi.us/public/http://offender.doc.state.wi.us/public/>.
- Conduct a check of child abuse and neglect records for all counties of residence past 5 years on all individuals seventeen years of age and older residing in the identified placement home.

~~The sending state may request that additional background checks are completed. The agency completing the home study may conduct additional background checks than listed above.~~

Foster home study/placement (including relatives/like-kin being licensed):- All licensing requirements under Ch. DCF 56 Administrative Code apply for foster home licensure, including the requirement to use the ~~SAFE Home Study Tool and all background check requirements~~[department's assessment system](#).

Foster home study requests are often Regulation 2 requests.- Regulation 2 requests require that within 60 calendar days the receiving state completes and sends a home study report with an approval or denial of the proposed resource, but allows the receiving state to provide reason as to why they cannot complete the investigation within 60 calendar days. -The purpose of this report is to notify the sending agency of the progress being made with the home study, and allow the sending agency to prepare accordingly for the anticipated outcome for placement from the home study recommendation. -The assigned Wisconsin local agency shall complete this home study report within the 60-calendar day requirement, but is not required to give a recommendation for placement to the Wisconsin ICPC ~~Office~~[office](#) if the home study is not complete and the resource is not able to be licensed within that time frame. -The assigned Wisconsin agency must report why the home study was not able to be completed and an estimated date of completion.

The assigned Wisconsin local agency has 180 calendar days to complete the home study and issue a final decision to approve or deny the proposed resource, which allows for foster home licensing requirements to be met.

If a proposed resource is already licensed as a foster home at the time of the request for placement, the assigned Wisconsin agency shall complete a home study update by studying the family for the individual child to be placed. -If the resource is licensed by a private agency, the sending agency may enter a contract with the Wisconsin private agency to complete the home study and all supervision requirements for an ICPC placement.

The assigned Wisconsin agency is responsible for maintaining the placement resource's foster home license and ensuring that the resource meets and follows all applicable laws, codes, and policy for licensure in Wisconsin.

Adoptive home study/placement: -Only entities authorized to approve a home for adoption have the regulatory approval to complete an adoptive home study for a family. -If a sending state requests that Wisconsin study and approve a home for adoption of a child, the appropriate public adoption agency will be assigned to conduct the study. -All Wisconsin requirements to adopt shall be met prior to the finalization of the adoption in Wisconsin.

If the resource was approved for ICPC placement by a county child welfare agency prior to the request for an adoption home study, the adoption agency will work with the county agency that approved the resource to transition the case from the county.

#### Home Study Approvals and Denials:

The receiving state's ICPC ~~Officeoffice~~ is required to make a final decision to approve or deny the resource based on the local agency's home study, recommendation, and all applicable laws and regulations in the receiving state. -The receiving state ICPC ~~Officeoffice~~ is not required to concur with the receiving state local agency that gave the recommendation. -The receiving state ICPC ~~Officeoffice~~ shall approve or deny the request for placement by sending a signed 100A to the sending state's ICPC ~~Officeoffice~~. If the placement is denied, the sending agency shall submit a 100B to the sending state's ICPC ~~Office in orderoffice~~ to close the ICPC case.

Home studies for interstate placements are conducted in accordance with the applicable requirements of the state in which the home is located. States may have different requirements based on the type of home study that is requested. For example, a state may not allow more than one home study type to be conducted at the same time or may require all relatives/like-kin to be licensed prior to approval of the request. Applicable laws of the receiving state shall be followed when completing the home study. While it is not required to use the SAFE Home Study tool with a relative who is not being licensed prior to accepting placement of a child, agencies should be aware that if the sending state requests that the proposed resource be licensed in the future, a new home study using the SAFE Home Study format will be required.

When Wisconsin is the receiving state and is asked to complete a home study on a proposed resource, the agency completing the home study may have further questions for the sending state or sending agency. -In these circumstances, the child welfare professional from the local agency completing the home study should contact the Wisconsin ICPC ~~Specialistspecialist~~ assigned to the case to communicate concerns and process the request for more information from the sending state/sending agency.

If a home study report is received but no decision on placement is made through a signed 100A, the sending agency can use this information to prepare for the upcoming decision. -For example, if a home study report is favorable, but there is a delay in licensure of the resource and therefore approval, the sending agency can begin preparing a transition plan for the child's move. However, placement cannot be made until the sending state ICPC office receives the signed 100A containing a placement decision from the receiving state ICPC.

#### **Placement**

Once the placement request is approved by the receiving state, the sending state has the final authority to determine whether to use the placement resource. -If placement is made by the sending agency following an approval from the receiving state, the sending agency is required to submit a 100B reporting the placement to the sending state's ICPC ~~Office that placement has been madeoffice~~ within 3 businessworking days of the actual placement. -The sending

state's ICPC ~~Officeoffice~~ will send the 100B to the receiving state's ICPC ~~Officeoffice~~ as notification of the placement. -The receiving state's ICPC ~~Officeoffice~~ will notify the receiving state's local agency to initiate placement supervision.

If placement is made by the sending agency without approval from the receiving state, the placement is considered ~~an illegal placement made outside~~ a violation of the ICPC. -The receiving state can choose to ~~send~~ have the child ~~sent~~ back to the sending state immediately. If the Wisconsin ICPC ~~Office~~ is notified of a child ~~illegally~~ placed in ~~violation of the ICPC in~~ Wisconsin, an ICPC ~~Specialistspecialist~~ may contact the county in which the child is residing to complete an emergency assessment of the home to ensure the safety of the child. -The ICPC ~~Specialistspecialist~~ will then work with the local agency to determine whether to send the child back to the sending state or initiate a proper ICPC request from the sending state. -If a local Wisconsin agency learns that a child has been ~~illegally~~ placed in Wisconsin, ~~in violation of the ICPC,~~ the agency should notify the Wisconsin ICPC ~~Office-office~~. The Wisconsin ICPC ~~Officeoffice~~ will work with the sending state to submit an ICPC request or initiate the return of the child to the sending state.

When a Wisconsin agency is the sending agency making placement, the sending agency shall:

- Place the child in the receiving state only following an approval through a signed 100A from the receiving state ICPC ~~Officeoffice~~.
  - If a Wisconsin agency places a child in another state without the approval of the receiving state ~~ICPC office~~, the placement is considered ~~an illegal~~ placement violation and an ICPC request shall be initiated immediately. -The receiving state may require that the child ~~is~~ be brought back to Wisconsin, and the Wisconsin sending agency is fully responsible for the care, safety, and return of the child to Wisconsin.
  - A court order to place the child outside of Wisconsin without ICPC approval is still considered ~~an illegal~~ placement, ~~in violation of the ICPC~~ and the ICPC process shall be followed to bring the case into compliance with the ICPC as soon as possible.
- Arrange for the transportation of the child to the receiving state according to the plan agreed upon by both the sending agency and the receiving state local agency providing supervision for the child.

• ~~supervision for the child.~~

- Submit a 100B to the Wisconsin ICPC ~~Officeoffice~~ within three (3-business) working days of the placement of the child.
- Follow all applicable Wisconsin laws and standards for a child placed in out-of-home care.
- Follow all applicable documentation requirements in eWiSACWIS, including creating a placement, completing the Confirming Safe Environments based on information gathered from the receiving state local agency supervising the placement, and any rate setting for the child's placement.
  - The Compact requires the receiving state to have face-to-face contact with the child and placement resource no later than 30 calendar days after receiving notification of the placement. The receiving state is not required to follow Wisconsin's timelines for face-to-face contacts during the initial days of

placement, and WI cannot require the receiving state to make additional contacts. When documenting Confirming Safe Environments, the WI child welfare professional may use dates from the completed home study if necessary.

- The child's Foster Care Medicaid ~~Certification~~ will be ~~completed~~closed out by the ~~Department of Children and Families' (DCF)~~WI ICPC specialist, upon notification of the child's placement to another state. If the child is being placed in a border state and the WI placing agency would like WI Medicaid Specialist to continue, they must communicate this to WI ICPC when the placement is made, so that it is not closed out.
- When a child is placed in Wisconsin from out-of-state, the Wisconsin agency supervising the placement shall not document the placement in eWisACWIS through a placement strip.

Placement approvals that are provided through Regulations 1 (Relocation of Family Units), 2 (Public Court Jurisdiction Cases for Public Adoption, Foster Care, Family setting and/or with Parents, Relatives/Like-kin), and 7 (Expedited Placement Decision) ~~approvals for placement resources~~ expire 6 months from the date the 100A was signed by the receiving state. ~~If the Wisconsin sending agency wishes to place a child after the original approval expires, the sending agency shall submit contact Wisconsin ICPC, prior to the 100A expiration, to determine if it is possible to request an extension of the approval, or if a new ICPC request will need to be submitted. If a new request is required, updated documents will need to be included with the new referral.~~ The receiving state ~~may require updated documents but shall not require~~ will then determine if a new home study ~~unless the laws of the receiving state is required or if they can provide that and update/addendum to the previously submitted prior home study is no longer valid.~~ If Wisconsin receives a new request to place with a resource with an expired approval, Wisconsin requires an update to the home study be completed if the home study is less than one (1) year old. Requests for a resource with a family that has a home study over a year old will be assessed by the Wisconsin ICPC ~~Specialists~~specialists and they will ~~make a determination~~decide whether to have the local Wisconsin agency complete a new home study on the family.

Regulation 4 (Residential Placements) approvals expire 30 calendar days from the date the 100A was signed by the receiving state. ~~This 30-day timeframe can be extended upon mutual agreement between the sending and receiving states' ICPC~~ Offices~~offices~~.

If an approval for the home study request expires or the sending agency does not intend to place a child in an approved home, the sending agency is required to send a 100B to the sending state's ICPC Office~~office~~ as notification that they are withdrawing their request and that the ICPC case shall be closed.

The receiving state shall notify the sending state ICPC Office~~office~~ in writing of any unmet needs of a child placed in the receiving state. If the child's needs continue to be unmet after the notice to the sending state ICPC Office~~office~~, the receiving state may require the sending agency to return the child to the sending state. Before requiring the return of the child to the sending state, the receiving state shall take into consideration the ~~negative~~ impact on the child that may result from being removed from ~~his or her~~their home in the receiving state and shall weigh the potential for ~~such~~ negative impact against the potential benefits to the child of being returned to the sending state. Notwithstanding the requirement to consider the

~~potential for such negative impact, the~~The receiving state has sole discretion in determining whether ~~or not~~ to require return of a child to the sending state.

### Reconsideration of a Denial

If a home study is denied by the receiving state, the sending state can request a reconsideration of a denial. -The request for reconsideration shall be submitted to the sending state's ICPC office within 90 calendar days from the date the completed 100A was signed by the receiving state with the decision of denial. -If a request for reconsideration is not submitted within 90 calendar days, the sending state may submit a new ICPC request.

The sending state may request the reconsideration with a new home study if the reason for denial has been corrected (i.e. ~~new residence-the placement resource has completed a rehabilitation review and can now proceed with more bedrooms, etc.-~~licensure). The receiving state is not required to accept the new home study request, but can proceed if they believe the reason for the denial has been corrected.- The sending state may also request the reconsideration without a new home study if the sending state can provide evidence or new information that the resource should be approved.

The receiving state has 60 calendar days from the formal request date to reconsider the denial was received by the sending state's ICPC office to approve or deny the proposed resource for placement of the child. -A request for reconsideration of a denial cannot conflict with any appeal process in the receiving state.

A request for reconsideration is not a formal appeal process, and the receiving state does not have an obligation to reverse the decision to deny the home study of the proposed resource. Agency child welfare professionals should communicate with the assigned Wisconsin ICPC ~~Specialists~~specialists about any request for reconsiderations for additional information.

Wisconsin agencies may submit a formal request for a reconsideration of a receiving state's denial ~~to the Wisconsin ICPC office through eWiSACWIS~~by reaching out to the assigned ICPC specialist in Wisconsin. The Wisconsin ICPC specialist will ask for documentation of the changes that have occurred and reasons that the request should be reconsidered. The Wisconsin ICPC specialist will document the reconsideration request in eWiSACWIS and submit the request to the other state.

### Placement Supervision

The receiving state is required to provide supervision of the child during the child's placement if the proposed resource is approved. -Face-to-face visits shall be performed by a child welfare ~~child welfare~~professional in the receiving state. -The receiving state child welfare professional may be a private agency ~~worker~~professional under contract with the receiving state.

Supervision shall begin when the child is placed in the receiving state pursuant to an approved placement and the receiving state has received the 100B from the sending state. Supervision shall begin if the receiving state finds out about the placement in a way other

than through the 100B and the placement was approved. -Supervision shall begin no later than 30 [calendar](#) days from the date on which the child is placed, or 30 [calendar](#) days from the date on which the receiving state is notified of the child's placement, if notification occurs after placement.

ICPC regulations require that supervision shall include face-to-face visits with the child at least once each month, and that a majority of visits shall occur in the child's home.- When a child is placed from out-of-state into Wisconsin, the assigned Wisconsin agency shall follow all [caseworker/child welfare professional](#) contact requirements set forth in the Ongoing Services Standards, as well as contact requirements in DCF Ch. 56 Administrative Code for licensed foster parents.

### Supervision Reports

The child welfare [child welfare](#) professional assigned to supervise the child shall complete a Supervision Report ([DCF-F-CFS2336](#)~~DCF-F-CFS2336~~) at least once every 90 calendar days following the date of the receipt of the 100B by the receiving state's ICPC [Office-office](#). The ICPC offices will exchange the supervision reports.- These reports at a minimum shall contain:

- Date and location of each face-to-face contact with the child since the last supervision report was received.
- Summary of the child's current circumstances, including a statement regarding the ongoing safety, permanence, and well-being of the child.
- If the child is attending school, a summary of the child's academic performance along with copies of any available report cards, education-related evaluations, behavior support plans, and/or IEP documents.
- A summary of the child's current health status, including mental health, the dates of any health-related appointments that have occurred since the last supervision report was completed, the identity of any health providers seen, and copies of any available health-related evaluations, reports or other pertinent records.
- An assessment of the current placement and caregiver (e.g. physical conditions of the home; caregiver's commitment to the child current status of the caregiver and family any changes in family composition, health, financial situation, work, legal involvement, social relationships, and [child-care/childcare](#) arrangements).
- A description of any unmet needs and any recommendations for meeting identified needs.
- If applicable, the supervising child welfare professional's recommendation regarding continuation of placement, return of legal custody to a parent or parents with whom the child is residing and termination of the sending state's jurisdiction, finalization of adoption by the child's current caregiver or the granting of legal guardianship to the child's current caregiver.

Supervision shall continue until one of the following occurs:

- The child reaches the age of majority or is legally emancipated.
- The child's adoption is finalized.
- Legal custody of the child is granted to a caregiver or parent, and jurisdiction is terminated by the sending state.
- The child no longer resides at the home approved for placement of the child.
- Jurisdiction over the child is terminated by the sending state.

- Legal guardianship of the child is granted to the child's caregiver in the receiving state.
- The sending state requests in writing that supervision be discontinued, and the receiving state concurs.

Both states have the authority to agree to extend supervision after the occurrence of any of the above. -Supervision shall continue until supervision is terminated by the sending state (the receiving state shall also agree to end supervision).

Residential Placement Supervision:

Under the ICPC, a facility is defined as the agency responsible for the 24-hour care of a child. The facility is responsible for the supervision, protection, safety, and well-being of the child. The sending agency making the placement is expected to enter into an agreement with the facility as to the program plan or expected level of supervision, treatment, frequency, and nature of any written progress or treatment reports. -The Wisconsin sending agency may use monitoring and supervision performed by the facility to meet monthly [caseworkerchild welfare professional](#) contact requirements.

The receiving state child welfare [child welfare professionalsprofessional](#) and probation staff are not required to provide any monitoring or supervision of children placed in facility programs, unless an incident or allegation requires investigation by law enforcement, a child welfare agency, or the court. -The frequency and nature of monitoring visits by the sending agency or individual making the placement are determined by the sending agency in accordance with applicable laws. -Wisconsin sending agencies may contract with the receiving state child welfare agency to perform monthly face-to-face contacts, but the receiving state child welfare agency is not required to enter this contract under the ICPC.

If Wisconsin is the sending state, the sending agency is responsible to document [caseworker contacts for the child in eWiSACWIS](#). ~~The monthly report analysis by the Department of Children and Families (DCF) to monitor caseworker contacts will consider that caseworker contacts for ICPC cases may not be entered monthly, as agencies may only receive reports on a quarterly basis.~~ [the contacts for the child in eWiSACWIS](#). Once a supervision report is received the sending agency shall document the monthly contacts in eWiSACWIS for each month. Agencies may want to request a report about any visits during the final quarter of the Federal Fiscal Year (July, August, and September) by the last week of October in order for those visits to be documented in eWiSACWIS and counted in the data submitted to the federal Administration for Children and Families (ACF) database. If the sending agency is not receiving the documentation from the receiving state, the agency should contact the assigned ICPC [Specialistspecialist](#) as soon as a problem is detected. The ICPC [Specialistspecialist](#) will work with the receiving state to address the issue.

## Placement Purpose Changes

When a child is placed out-of-state and the resource moves, the move shall be reported to the receiving and sending states' ICPC ~~Offices-offices~~. A 100B shall be completed by the sending agency and submitted to the sending state's ICPC ~~Officeoffice~~ within 3 ~~businessworking~~ days of the change of address.

## Placement Ending

The sending agency's responsibility for the child continues until the interstate placement is legally terminated due to the child:

- Returning to their home state,
- ~~being~~Guardianship with the placement resource is established
- ~~Being~~ legally adopted,
- ~~reaching~~Reaching the age of majority,~~or~~
- ~~discharging~~Discharging with appropriate concurrence ~~offrom~~ the receiving state.

The sending agency shall submit a completed 100B form to the sending state's ICPC ~~Officeoffice~~ as soon as possible, but no later than 3 ~~businessworking~~ days, when a placement ends for any of the following reasons:

- The receiving state requested the return of the child.
- The sending state requested the return of the child.
- There is a placement disruption.
- The child was transferred to another state.
- The child reached the age of majority.
- The sending state terminated custody.
- The placement request was withdrawn.
- The child is missing from out-of-home care.
- Action/~~Treatment~~treatment was completed.
- Legal custody of the child was returned.
- Guardianship with the placement resource was established
- The 100A approval expired.
- Adoption was finalized.
- Death of the child.

## Regulation 1 and 7 Denial After Provisional Placement Approval

The receiving state may issue a final denial of a home study request following an initial or provisional approval of a proposed resource after the child has already been placed. ~~In this circumstance, the receiving state may order the sending state to arrange for the return of the child as soon as possible, or propose a new resource.~~ The sending agency is responsible for the planning and return of the child, including physical transportation of the child back to the sending state within 5 working days of the notification being given.

## Placement Disruption of an Approved Placement

If a placement disrupts following placement of the child in the receiving state and the receiving state orders the sending state to bring the child back to the sending state, the

sending state shall return the child within 5 businessworking days from the date of notice for removal, unless otherwise agreed upon between the sending and receiving states' ICPC offices. -The sending agency is responsible for the planning and return of the child, including physical transportation of the child back to the sending state. -The receiving state can withdraw the request for removal if the sending state employs services to resolve the reason and both ICPC offices agree to the plan.

An ICPC easeplacement cannot be closed until the sending state ICPC Officeoffice receives a 100B from the sending agency. The receiving state agency must continue supervision until the receiving state ICPC office receives the 100b from the sending state ICPC office.

~~The sending agency should proactively make plans if the disruption of the placement were to occur, including how the child will be physically returned to Wisconsin in the event the placement disrupts.~~

### **Allegations of Child abuse and neglectAbuse or Neglect**

~~The receiving state shall respond to any reports of abuse or neglect in the same manner as it If a CPS or services report is made regarding a child placed in Wisconsin through an approved ICPC, the county agency responding to the report shall respond to the report in the same manner as it would for any other child residing in the receiving state. If the CPS or service report involves an open ICPC case, this shall not be linked to the existing ICPC case in eWiSACWIS. A new case should be created in eWiSACWIS, and all work related to the CPS or Service report should be conducted in the new case record and kept separate from the ICPC case record.~~

~~The child welfare professional involved in the investigation should contact the assigned Wisconsin ICPC specialist to notify them of the report as soon as possible and advise them of any subsequent actions that have been taken or are needed to address the allegations. The Wisconsin ICPC specialists will contact the sending state ICPC office and notify them of the concerns and any actions taken or actions necessary. If it is determined that the child cannot remain in the current placement and if the sending state cannot move the child at the time of this determination, the receiving state shall place the child in a safe and appropriate setting in the receiving state until the sending state can make arrangements for the child's return to their state, if warranted.~~

~~The sending agency has the responsibility to case plan and take timely action in response to any reports of abuse or neglect. The receiving state shall help the sending state find a suitable placement, and if it is in the best interests of the child, request the child be returned to the sending state.~~

~~would for any other child residing in the receiving state and, if needed, remove a child from the home to ensure safety. If the sending state cannot move the child at the time of this determination, the receiving state shall place the child in a safe and appropriate setting in the receiving state.~~

~~The receiving state shall notify the sending state's ICPC Office of any allegations of abuse or neglect and subsequent actions that are taken to address the allegations. The sending state's ICPC Office shall notify the sending agency of the concerns and any actions taken. The sending agency has the responsibility to case plan and take timely action in response to any reports of abuse or neglect. The receiving state shall help the sending state find a suitable placement, and if it is in the best interests of the child, request the child be returned to the sending state.~~

### **Documentation**

~~Each state's or county's ICPC Offices have different requirements on how requests may be submitted to their state, as well as requirements for their state to submit requests to other states.~~

~~Wisconsin requests for out-of-state placements shall be documented and submitted through eWiSACWIS. Faxed, emailed, or mailed request packets will not be accepted from Wisconsin agencies in the Wisconsin ICPC Office. The Wisconsin ICPC Office will ensure that the request is sent to the receiving state in the format that the state accepts.~~

~~Agencies with placement and care responsibility for a child placed out-of-state are subject to all Ongoing Services Standards requirements, including documentation, for that child.~~

[See the eWiSACWIS Quick Reference Guide](#)~~See the eWiSACWIS Quick Reference Guide~~ on the DCF Knowledge Web for information about ICPC Documentation in eWiSACWIS.

### **Other Compacts**

There are three other compacts that regulate certain types of interstate placements of children or components of those placements.

#### Interstate Compact for Juveniles (ICJ)

The Interstate Compact for Juveniles (ICJ) process is used for Juveniles in Need of Protection or Services (JIPS), Deferred Prosecutions, Consent Decrees, and Delinquency cases. The ICJ is an agreement between states that has the force of federal law. The ICJ provides for the supervision of youths on probation and parole that move across state lines. It also assists states in returning youth who run away, escape, or abscond across state lines.

For additional information on the ICJ process, please refer to s. 938.999, Stats. and the Department of Corrections (DOC) website.

[For additional information on the ICJ process, please refer to s. 938.999, Stats. and the Department of Corrections \(DOC\) website.](#)

#### [Interstate Compact on Adoption and Medical Assistance \(ICAMA\)](#)

[The Interstate Compact on Adoption and Medical Assistance \(ICAMA\) is an agreement between and among its member states that enables them to coordinate the provision of medical benefits and services to children receiving Adoption Assistance in interstate cases. The Compact, which has the force of law within and among party states, provides a framework for uniformity and consistency in administrative procedures when a child with](#)

#### **Other Compacts**

[There are three other compacts that regulate certain types of interstate placements of children or components of those placements.](#)

#### [Interstate Compact for Juveniles \(ICJ\)](#)

[The Interstate Compact for Juveniles \(ICJ\) process is used for Juveniles in Need of Protection or Services \(JIPS\), Deferred Prosecutions, Consent Decrees, and Delinquency cases. The ICJ is an agreement between states that has the force of federal law. The ICJ provides for the supervision of youths on probation and parole that move across state lines. It also assists states in returning youth who run away, escape, or abscond across state lines.](#)

[For additional information on the ICJ process, please refer to s. 938.999, Stats. and the Department of Corrections \(DOC\) website.](#)

#### [Interstate Compact on Adoption and Medical Assistance \(ICAMA\)](#)

[The Interstate Compact on Adoption and Medical Assistance \(ICAMA\) is an agreement between and among its member states that enables them to coordinate the provision of medical benefits and services to children receiving Adoption Assistance in interstate cases. The compact, which has the force of law within and among party states, provides a framework for uniformity and consistency in administrative procedures when a child with special needs is adopted by a family from another state, or the adoptive family moves to another state. For more information, please visit \[www.aaicama.org\]\(http://www.aaicama.org\).](#)

[The DCF ICAMA specialist works closely with the Wisconsin ICPC specialists to ensure that children placed across state lines have appropriate Medicaid Certification and Coverage.](#)

#### [The Interstate Compact on Mental Health \(ICMH\)](#)

[The Interstate Compact on Mental Health \(ICMH\) permits the transfer of children and adults with mental illness from a public institution in one state to a public institution in another state. It may also be used to secure publicly provided aftercare services in another state. A patient transferred through this Compact becomes the responsibility of the receiving state.](#)

[For additional information on the ICMH process, please refer to Wis. Stat. s. 51.87. Or visit the Department of Health Services website for contact information.](#)

~~special needs is adopted by a family from another state, or the adoptive family moves to another state. For more information, please visit [www.aaicama.org](http://www.aaicama.org).~~

~~This DCF ICAMA Specialist works closely with the Wisconsin ICPC Specialists to ensure that children placed across state lines have appropriate Medicaid Certification and Coverage.~~

#### The Interstate Compact on Mental Health (ICMH)

~~The Interstate Compact on Mental Health (ICMH) permits the transfer of children and adults with mental illness from a public institution in one state to a public institution in another state. It may also be used to secure publicly provided aftercare services in another state. A patient transferred through this Compact becomes the responsibility of the receiving state.~~

~~For additional information on the ICMH process, please refer to s. 51.87, Stats. Or visit the [Department of Health Services website](#) for contact information.~~

## Other State Resources

The differences in laws, regulations, and policies across the nation make it difficult to keep track of requirements for specific ICPC requests. A webpage has been created to assist with information sharing about each state's requirements. This information is only updated periodically, but may be a helpful resource to understand other states' requirements:

<http://icpcstatepages.org/>

## Out-of-~~Home~~ Care Placement in Settings Certified as Qualified Residential Treatment Programs (QRTP)

A qualified residential treatment program (QRTP) is a congregate care setting specifically intended for children and youth with complex mental health, emotional, or behavioral needs. Out-of-home placements in a QRTP should be utilized only when children ~~and youth~~ cannot receive the appropriate services in ~~thea licensed or unlicensed foster home of their parent, guardian, Indian custodian, or another home-like setting.~~

The intent of the creation of placement settings that are certified as a QRTP is to ensure children ~~and youth~~ placed in these settings receive quality care and treatment to meet their mental health, emotional, and behavioral needs. Placement settings certified as a QRTP must be accredited, use a trauma-informed treatment model, and employ registered or licensed nursing staff and other licensed clinical staff, among other requirements. Children placed in a QRTP must be assessed prior to or within 30 days of placement to determine if their needs can be met through placement with relatives/~~like-kin~~, in a licensed foster home, or in a less restrictive setting. ~~It is the agency's responsibility to submit the necessary paperwork to the court within 30 days of the child's placement in a QRTP, or sooner in some situations, so that a court order with QRTP findings can be obtained.~~ The court must approve or disapprove the QRTP placement within 60 days ~~from the time of placement~~, and the agency with placement and care responsibility must continue to demonstrate at each permanency plan review or hearing that the QRTP placement is beneficial to the child ~~or youth~~.

All Wisconsin children and youth deserve to be safe and loved members of thriving families and communities, and the Wisconsin child welfare system is committed to elevating quality care for all children placed in congregate care settings. These efforts aim to successfully keep children placed in our state, ensuring that they are served in an appropriate setting based on their needs, and in an environment that is trauma-informed.

### Applicability

A child ~~or youth~~ is considered to be in “out-of-home care” if the agency has placement and care responsibility for the child ~~or youth~~ whether placed under a voluntary placement agreement (under [§Wis. Stat. s. 48.63](#) or ~~§ 938.63~~) ~~or~~ through a court order. This includes a child ~~or youth~~ who is placed by the agency with relatives ~~or in Court-Ordered Kinship Care placements, whether payments are being made and the agency maintains placement and care responsibility./like-kin~~. It does not include a child ~~or youth~~ who is living with relatives ~~/like-kin~~ (or caregivers other than their parents) but who is not under the placement and care responsibility of the agency.

This does not include care provided in a [secured juvenile](#) correctional facility as defined under [§ Wis. Stat. s. 938.02\(15m\)](#). ~~It also does not include youth who are on a 72-hour hold or a sanction at a shelter care facility.~~  
~~938.02(15m), Stats. It also does not include youth who are receiving an in-home service of a 72-hour hold or a sanction at a shelter care facility.~~

This [policy standard](#) applies to out-of-home care placements of children and youth in placement settings that are certified as a [qualified residential treatment program \(QRTP\)](#). The agency with placement and care responsibility must ensure that all placements in a QRTP comply with this [policy standard](#). An agency is considered to have the placement and care responsibility of a child ~~or youth~~ when they are removed from their home by the [Department](#) or an agency, or when a court enters an order placing a child ~~or youth~~ in out-of-home care, whichever occurs first.

### Purpose

The purpose of this [policy standard](#) is to:

- Define placement settings certified as qualified residential treatment programs.
- Establish requirements for placements in QRTP facilities, including parameters for child welfare professionals to ensure the following requirements are met:
  - Family permanency team
  - Child and Adolescent Needs and Strengths (CANS) assessment
  - Recommendation of the agency for placement in a QRTP
  - [Court Seeking court](#) approval of the QRTP placement
  - Continued demonstration of the appropriateness of placement in a QRTP
  - Extended QRTP placement
- Establish requirements for documenting the QRTP placement in eWiSACWIS.

## Qualified Residential Treatment Program Defined

~~A qualified residential treatment program (QRTP)~~ A QRTP means a residential care center for children and youth, group home, or shelter care facility certified under [Wis. Stat. s. 48.675](#). The department may certify a residential care center for children and youth, group home, or shelter care facility to operate a qualified residential treatment program if it determines that the program meets the requirements of a QRTP as established in Ch. 61 Admin. Code.

## Family Permanency Team

If a child ~~or youth~~ is placed in a setting certified as a QRTP, the agency with placement and care responsibility is required to assemble a family permanency team for the child. If the child ~~or youth~~ is an Indian child, the tribal ~~worker~~ [child welfare professional](#) must be invited to participate in the family permanency team. Family permanency teams, consisting of family members, professionals, and others who are a resource for the child, participate in the assessment and placement decision-making process, as well as permanency planning.

If the child ~~or youth~~ is an Indian child, the agency has the responsibility for complying with the [Indian Child Welfare Act](#)/Wisconsin Indian Child Welfare Act (ICWA/WICWA), including but not limited to the active efforts and placement preference requirements. For further information about ICWA/WICWA requirements, refer to the Wisconsin Child Welfare Professional Development System's [WICWA Online Resource at https://media.wcwpds.wisc.edu/foundation/WICWA\\_Online\\_Resource/](https://media.wcwpds.wisc.edu/foundation/WICWA_Online_Resource/) [WICWA Online Resource](#).

## Definition and Members

The child welfare professional for the child ~~or youth~~ shall, at a minimum, invite the below individuals to participate in the ~~team. If the child's permanency goal is reunification, the~~ [Family Permanency Team](#). The child's parent(s)/guardians must provide input on the members of the family permanency team. The child welfare professional may also invite others to participate in the team at the child welfare professional's discretion. If the child ~~or youth~~ is an Indian child, the child welfare professional must request input on the members of the family permanency team from the tribal ~~worker~~ [child welfare professional, this includes:](#)

- The youth, if age 14 or above.
- [The child's parents/guardians](#)
- All ~~appropriate~~ biological or adoptive family members, relatives, and like-kin of the child ~~or youth, (includes an individual who is or previously was the child's licensed foster parent)~~, as determined by the agency.
- Appropriate professionals who serve as a resource for the family of the child ~~or youth~~, such as teachers, medical or mental health providers who have treated the child, clergy, or spiritual leaders.
- Others identified by a child ~~or youth~~ over the age of 14, ~~which includes not more than two persons selected by the child who are members of any child and family team convened for the child, except that the child may not select their caregiver or child welfare professional.~~ The child welfare professional may ~~reject~~ [object to](#) a person

selected by the child if the agency has good cause to believe that the person would not act in the best interests of the child.

- If the child ~~or youth~~ is an Indian child, the ~~child or youth's child's~~ Indian custodian, tribal ~~worker, child welfare professional~~ and extended family members as defined by [Wis. Stat. s. 48.028\(2\)\(am\)](#).

~~Like-kin means a person who has a significant emotional relationship with the child or youth or their family and to whom any of the following applies:~~

- ~~• Prior to the child or youth's placement in out-of-home care, the person had an existing relationship with the child or their family that is similar to a familial relationship.~~
- ~~• During the child or youth's placement in out-of-home care, the person developed a relationship with the child or their family that is similar to a familial relationship.~~
- ~~• For an Indian child, individuals identified by the Indian child's tribe according to tribal tradition, custom or law.~~

The child welfare professional shall determine the appropriateness of each person's participation in the team. This determination must be driven by the underlying needs and safety concerns of the child ~~or youth~~ and their family. If the child ~~or youth~~ is an Indian child, the tribal ~~worker, child welfare professional~~ must be invited to participate and provide input on the members of the team. The child welfare professional may object to an individual's participation if the agency has good cause to believe that the person would not act in the best interests of the child. If the child ~~or youth~~ is an Indian child, the child welfare professional shall make active efforts to make this determination in partnership with the tribal ~~worker, child welfare professional~~. The child's child welfare professional shall make a reasonable and good faith effort to identify and include all required individuals on the family permanency team.

### **Timeframe Requirements**

The initial family permanency team meeting may be held prior to a ~~child or youth's child's~~ placement in a QRTP, but no greater than 30 days after the date of placement in the QRTP. The team meetings shall be held at a time and place convenient for the family to the extent possible.

### **Initial Family Permanency Team Meetings**

The purpose of the initial family permanency team meeting is to:

- Engage the family in the case planning process.
- Participate in and gather information for completion of the ~~child or youth's child's~~ Child and Adolescent Needs and Strengths (CANS) assessment.
- Discuss services that may be provided through placement in the QRTP.
- Identify the family's strengths and underlying needs.
- Identify the family's goals.
- Establish appropriate timeframes for the achievement of goals.

- Identify the plan for meeting the family’s underlying needs.
- Identify services needed to address the underlying needs.
- Identify the preferred placement setting for the child ~~or youth~~, which should include a recognition that a child should be placed with their siblings whenever possible unless the court determines that a joint placement would be contrary to the safety or well-being of the child or any of those siblings.

### **Subsequent Meetings**

Subsequent family permanency team meetings shall be held at a frequency determined by the team with the approval of the child welfare professional, and should remain consistent, as long as the child ~~or youth~~ remains placed in a QRTP. The purpose of subsequent team meetings is to:

- Continue engaging the family in the case planning process.
- Continue to gather information for subsequent CANS assessments.
- Track and adjust the ~~permanency plan~~. Permanency Plan.
- Clarify team member roles and responsibilities.
- Evaluate the effectiveness of services, including those through placement in the QRTP.
- Evaluate progress towards change.
- Inform and update team members on progress with and changes to the goals or plans.
- Identify the ongoing preferred placement setting for the child ~~or youth~~, which should include a recognition that a child should be placed with their siblings whenever possible unless the court determines that a joint placement would be contrary to the safety or well-being of the child or any of those siblings.

Similar to child and family team meetings, family permanency teams engage families in permanency planning. Family permanency team meetings use a strengths and needs based, solution-focused approach that incorporates the values and principles of family centeredness, respectful interaction, cultural responsiveness, and partnership. These team meetings should be used to determine the appropriateness of a QRTP placement for the child ~~or youth~~, and whether a QRTP placement is the placement that will provide the child with the most effective and appropriate level of care in the least restrictive environment.

The size, composition, function, and goals of the family permanency team should be driven by the underlying needs and safety concerns of the family. The group of individuals that comprise the team should be identified by the family, the child welfare professional, the tribal workerchild welfare professional, informal/formal supports, out-of-home caregiverscare providers, and service providers. All identified team members should be committed to the family’s goals and invested in change.

## Requirements for Placement in a Qualified Residential Treatment Program

An out-of-home care placement in a setting certified as a QRTP should be utilized only when children and youth cannot receive the appropriate services in ~~the home of their parent, guardian, Indian custodian, or another home~~ a family-like setting. The intent of the creation of QRTP placement settings is to ensure children and youth receive quality care and treatment to meet their mental health, emotional, and behavioral needs. The agency with placement and care responsibility must assess and determine if placement in a QRTP is the most appropriate level of care for the child, or if the child's needs can be met through placement with relatives/~~like-kin~~, in a licensed foster home, or in a less restrictive setting. The ~~child's~~ child welfare professional should ensure, prior to placement, that the QRTP facility will provide the most appropriate, evidence-based interventions for the child, and that it will be used for the shortest amount of time necessary to achieve the child's treatment and service goals. For an Indian child, the child welfare professional shall make this determination in partnership with the tribal ~~worker~~ child welfare professional and take into consideration the availability of culturally appropriate services.

All placements in a QRTP must comply with the requirements set forth below.

### QRTP Placement Determination

The agency with placement and care responsibility is required to determine the appropriateness of a ~~child or youth's~~ child's placement in a QRTP to ensure the child will receive treatment and care services that are appropriate to their level of need. When determining the appropriateness of a placement in a QRTP, the child welfare professional must:

- Assess the needs and strengths of the child ~~or youth~~ through completion of the Child and Adolescent Needs and Strengths (CANS) tool.

The professional shall use the information gathered in the CANS assessment for all the following:

- Determine the level of need for the child ~~or youth~~.
- Determine whether the ~~child or youth's~~ child's needs can be met through placement with the child's relatives/~~like-kin~~, in a licensed foster home, or in a less restrictive setting. A shortage or lack of foster homes is not an acceptable reason for determining that the child's needs cannot be met in a foster home.
- Evaluate the match between the knowledge, skills, services, and abilities of the QRTP provider and the needs and strengths of the child ~~or youth~~. This evaluation shall be used to determine whether the QRTP placement will provide the child with the most effective and appropriate level of care in the least restrictive environment.
- Assist in the development of services and supports, and short-term and long-term goals, for the child ~~or youth~~.
- Determine whether the QRTP placement is consistent with the short-term and long-term goals for the child ~~or youth~~, as specified in their ~~permanency plan~~ Permanency Plan.

## Timeframe for Determination of QRTP Placement

The agency with placement and care responsibility shall [complete the CANS and](#) make a determination about the appropriateness of a QRTP placement [prior to making the placement](#) [but](#) no more than 30 days prior to placement in a setting certified as a QRTP, ~~unless the placement is made on an emergency basis.~~ If the [CANS was unable to be completed prior to](#) placement ~~is made on an emergency basis,~~ the assessment and determination shall be completed within 30 days of the [child or youth's](#) placement in a QRTP.

This determination must be made each time a child ~~or youth~~ is placed in a QRTP, and any time a child's placement is changed from one QRTP to a new QRTP.

The CANS is an assessment process and tool used to identify the needs and strengths of the child ~~or youth~~, determine the ability of the out-of-home care provider to meet the child's needs, and evaluate the stability of a child's placement. The results of the CANS are also used to determine the level of need for the child; generally, the higher the level of need, the more complex the needs of the child.

The information gathered in the CANS assessment is used to inform decisions regarding a placement at a level of care that is appropriate to meet the [child or youth's](#) level of need. However, a child's level of need does not mean they must be placed with a specific provider or level of care. ~~In general, a child should be served by a provider who has a level of care that is at, or higher than the child's level of need.~~ A child may be served at a level of care that is lower than their identified level of need if the agency can show that services and supports are provided to address the identified needs of the child, as well as the provider.

~~To assist in making placement decisions, child welfare professionals should reference the Placement Complexity Chart, see Appendix XIV. This chart describes the recommended placement options for children and youth based on their assessed level of need. It does not prescribe a level of placement, but it illustrates placement options that should be able to meet the child's identified needs and strengths.~~

The family permanency team should also be engaged in this process. The team should be consulted to assist in determining if the child's needs can be met by placement in a less restrictive setting, or if placement in the QRTP will meet the identified preferred placement of the family permanency team. For an Indian child, the child welfare professional shall work collaboratively with [the tribal worker/child welfare professional](#) and take into consideration the availability of culturally appropriate services.

## Documentation

If the child welfare professional determines that the QRTP placement is the most appropriate placement for the child ~~or youth~~, the following must be documented in the child's

Permanency Plan Addendum for Placement in a Setting Certified as a Qualified Residential Treatment Program (QRTP), DCF-F-5479, in eWiSACWIS:

- Recommended QRTP placement provider for the child ~~or youth~~, as determined by the agency with placement and care responsibility.
- Documentation of the reasonable and good faith efforts to identify and include all required individuals on the family permanency team.
- The contact information for the members of the family permanency team.
- Information showing that the meetings of the family permanency team were held at a time and place convenient for the family to the extent possible.
- If reunification is the ~~child or youth's~~ child's permanency goal, information demonstrating that the parent/guardian from whom the child was removed provided input on the members of the family permanency team, or why that input was not obtained.
- Information showing that the CANS assessment was completed in conjunction with the family permanency team.
- The preferred placement of the family permanency team, including a recognition that a child ~~or youth~~ should be placed with their siblings unless the court determines that a joint placement would be contrary to the safety or well-being of the child or any of those siblings. For a child who is an Indian child, this must also include a statement as to whether the Indian child's placement complies with the order of placement preferences under Wis. Stat. s. 48.028(7)(b) Stats.
- If the preferred placement of the family permanency team is not the placement recommended by the child welfare professional, the reasons why the team's preferences were not recommended.
- Reasons why the needs of the child ~~or youth~~ cannot be met through placement with a relative/like-kin or in a licensed foster home. A shortage or lack of licensed foster homes is not an acceptable reason for determining that the needs of the child cannot be met in a licensed foster home.
- Evidence that the placement in a QRTP is the setting that will provide the most effective and appropriate level of care in the least restrictive environment.
- Description of how the QRTP placement is consistent with the short- term and long-term goals for the child ~~or youth~~.

The child's Permanency Plan Addendum for Placement in a Setting Certified as a Qualified Residential Treatment Program (QRTP) must be submitted to the court with the results of the ~~child or youth's~~ child's CANS assessment, no later than 30 days after the date on which the placement is made (or earlier if required by court/statutory timelines).

### **Court Review and Finding**

The placement of a child ~~or youth~~ in a QRTP requires the court's review and a judicial finding either approving or disapproving of the placement within 60 days of the start of a child's placement in a QRTP. The court must consider the results of the ~~child or youth's~~ child's CANS

assessment and the QRTP placement determination made by the agency with placement and care responsibility. Based on this information, the court must determine if the child's needs can be met in a less restrictive placement setting, and either approve or disapprove the QRTP placement.

The request for the court's review and finding must follow the procedures and notice requirements set forth in statutes, Chs. 48 and 938, Stats.

#### Court Review Documentation

The agency with placement and care responsibility shall provide the following information to the court for ~~their~~its review no later than 30 days after the date on which the placement is made (or earlier if required by court/statutory timelines):

- Copy of the ~~child or youth's~~child's most recent CANS assessment.
- Recommended QRTP placement provider for the child ~~or youth~~, as determined by the agency with placement and care responsibility.
- Reasons why the needs of the child ~~or youth~~ cannot be met through placement with a relative/~~like-kin~~ or in a licensed foster home. A shortage or lack of licensed foster homes is not an acceptable reason for determining that the needs of the child cannot be met in a licensed foster home.
- Evidence that the placement in a QRTP is the setting that will provide the most effective and appropriate level of care in the least restrictive environment.
- Description of how the QRTP placement is consistent with the short- term and long-term goals for the child ~~or youth~~.
- The preferred placement of the family permanency team, including a recognition that a child ~~or youth~~ should be placed with their siblings unless the court determines that a joint placement would be contrary to the safety or well-being of the child or any of those siblings. For a child who is an Indian child, this must also include a statement as to whether the Indian child's placement complies with the order of placement preferences under ~~Wis. Stat. s. 48.028(7)(b) Stats.~~
  - If the preferred placement of the family permanency team is not the placement recommended by the child welfare professional, the reasons why the team's preferences were not recommended.

This information shall be provided to the court on the Permanency Plan Addendum for Placement in a Setting Certified as a Qualified Residential Treatment Program (QRTP), DCF-F-5479-e, for the child ~~or youth~~. The agency shall submit the QRTP Addendum along with the Request for Qualified Residential Treatment Program Placement Findings form and the Findings and Order for Qualified Residential Treatment Program Placement form to the court for the court's findings.

#### Court Finding

The court shall make a finding either approving or disapproving the QRTP placement within the timeframes set forth in statute. The court will review the [child or youth's child's](#) most recent CANS assessment, and the information contained in the Permanency Plan Addendum for Placement in a Setting Certified as a Qualified Residential Treatment Program (QRTP), DCF-F-5479-e to determine the appropriateness of the placement in a QRTP for the child. The court's finding will include all the following:

- Whether the needs of the child [or youth](#) can be met through placement in a foster home.
- Whether placement of the child [or youth](#) in a QRTP provides the most effective and appropriate level of care for the child in the least restrictive environment.
- Whether the placement is consistent with the short-term and long-term goals for the child [or youth](#), as identified in the permanency planning.
- Whether the court approves or disapproves the placement.

The court's findings with respect to the above items do not affect whether the placement may be made by the agency with placement and care responsibility unless the court orders a change of placement for the child [or youth](#).

### **Continued QRTP Placement**

Placement of children and youth in facilities certified as a QRTP must be continually assessed for the duration of the [child or youth's child's](#) placement to determine the ongoing appropriateness of the placement setting. Placements in QRTPs should only continue to be utilized when the child's level of need justifies placement in a more restrictive setting and when children cannot receive the appropriate services in the home of their parent/[guardian](#), guardian, Indian custodian, or another home-like setting. The agency with placement and care responsibility must assess and determine [if whether](#) continued placement in a QRTP is the most appropriate level of care for the child or if the child's needs can be met through placement in a less restrictive setting.

### **Subsequent QRTP Placement Determination**

The agency with placement and care responsibility is required to continue to determine the appropriateness of a [child or youth's child's](#) placement in a QRTP to ensure the child is receiving treatment and care services that are appropriate to their level of need. For an Indian child, the child welfare professional shall work collaboratively with tribal [worker child welfare professional](#) and take into consideration the availability of culturally appropriate services. When determining the continued appropriateness of a placement in a QRTP, the child welfare professional must:

- Assess the needs and strengths of the child [or youth](#) through completion of the Child and Adolescent Needs and Strengths (CANS) tool. The agency shall reassess each child and the child's out-of-home care provider within six months after the child's last determination or re-determination.

The child welfare professional shall use the information gathered in the CANS assessment for all the following:

- Determine the level of need for the child ~~or youth~~.
- Determine whether the ongoing assessment of the ~~child or youth's~~ child's needs continues to support the determination that the needs of the child cannot be met through placement with the child's family/~~like-kin~~, in a licensed foster home, or in a less restrictive setting. A shortage or lack of foster homes is not an acceptable reason for determining that the ~~child or youth's~~ child's needs cannot be met in a foster home.
- Evaluate the continued match between the knowledge, skills, services, and abilities of the QRTP provider and the needs and strengths of the child ~~or youth~~. This evaluation shall be used to determine whether the QRTP placement continues to provide the child ~~or youth~~ with the most effective and appropriate level of care in the least restrictive environment.
- Determine whether the QRTP placement continues to be consistent with the short-term and long-term goals for the child ~~or youth~~, as specified in their permanency plan.
- Review the specific treatment and service goals for the child ~~or youth~~ that will be met through placement in the QRTP and adjust the goals, if necessary.

### **Subsequent Determination Timeframe**

The agency with placement and care responsibility shall make ongoing determinations about the continued appropriateness of the ~~child or youth's~~ child's QRTP placement at each ~~permanency plan~~ Permanency Plan review or hearing for the child if the child continues to be placed in a QRTP.

### **Documentation**

The information contained in the Permanency Plan Addendum for Placement in a Setting Certified as a ~~Qualified Residential Treatment Program (QRTP)~~, DCF-F-5479-e, for the child ~~or youth~~ must be included in the child's ~~permanency plan~~ Permanency Plan. In addition, the following must be documented in the ~~child or youth's permanency plan~~ child's Permanency Plan in eWiSACWIS and provided to the court or review panel at the child's next ~~permanency plan~~ Permanency Plan hearing or review:

- Copy of the ~~child or youth's~~ child's most recent CANS assessment.
- Description of how the ongoing CANS assessment for the child ~~or youth~~ continues to support the child's placement in a QRTP.
- Reasons why the needs of the child ~~or youth~~ cannot be met through placement with a relative/~~like-kin~~ or in a licensed foster home. A shortage or lack of licensed foster homes is not an acceptable reason for determining that the needs of the child cannot be met in a licensed foster home.
- Evidence that the placement in a QRTP is the setting that will provide the most effective and appropriate level of care in the least restrictive environment.
- Description of how the QRTP placement is consistent with the short-term and long-term goals for the child ~~or youth~~.
- The specific treatment or service needs that will be met for the child ~~or youth~~ in the placement and the length of the time the child is expected to need the treatment or

services. For an Indian child, information must be provided about the culturally appropriate treatment or services that will be provided.

- The efforts made by the agency to prepare the child ~~or youth~~ to return home or to be placed with a ~~fit and willing~~ relative/~~like-kin~~, a guardian, or an adoptive parent, or in a foster home.
- Documentation of the determination and approval or disapproval of the QRTP placement made by the court.

The decision to place a child ~~or youth~~ in a congregate care facility can have a lasting impact on the quality of a child's permanent relationships, cultural identity, and sense of self. All children need consistent, nurturing adults in their lives to form healthy attachments and to develop positive socio-emotional skills. While some children may benefit from the specialized treatment services available in congregate care placements, these facilities will lack the lifelong connections that children need. Safety, ~~stability~~, and permanence are essential for all children involved with the child welfare system no matter the circumstances.

The use of congregate care as a placement resource, including facilities certified as a QRTP, should be a temporary tool to provide specialized treatment services for children and youth. These facilities are not intended to be utilized for long-term placements, and children should only remain in this placement setting for the duration of their need for treatment and services. Children should be transitioned to a less restrictive setting as soon as their treatment and service goals have been met. The placing agency child welfare professional should work collaboratively with the facility to plan for the child's transition and discharge from the facility, including planning for aftercare services. For an Indian child, the child welfare professional must also work collaboratively with the tribal ~~worker~~[child welfare professional](#) in planning for the ~~child or youth's~~[child's](#) transition and discharge. Transition preparation must identify and address long-term needs consistent with the child's age and development. The placing agency child welfare professional must assess the child's preparation, as well as their caregiver(s), for discharge and the need for any additional or ongoing services. The child welfare professional shall ensure that the transition is known and agreed to with others involved in implementing the transition plan.

Additionally, the agency with placement and care responsibility must assist and prepare the child ~~or youth~~ for discharge from the facility, which may also include a transition to permanence. Healthy relationships and supportive individuals, including caregivers, friends, and other adults in the community are extremely important to older youth, as is providing opportunities for the youth to practice life-skills. Mechanisms to ensure that youth are involved in the decisions affecting their lives is extremely important and youth must have a voice in making these decisions.

Older youth are in a crucial transition phase toward self-sufficiency, both within the scope of independent living (IL) services and more broadly. Youth who are in court-ordered out-of-home care for a minimum of six ~~(6)~~ months after the age of 14 are eligible for IL and the agency with placement and care responsibility must fulfill the IL requirements detailed in these standards.

For youth who will discharge directly from out-of-home care at age 18 or older, the agency with placement and care responsibility must facilitate the youth's transition process, including but not limited to completion of their Independent Living Transition to Discharge (ILTD) plan, as

detailed in [Chs. Wis. Stats. ss. 48.385\(1\) and 938.385\(1\)](#). Transition planning shall include family members and other supportive individuals crucial to the youth's stability and well-being beyond their time in care, such as the youth's parent ~~or, Indian custodian,~~ legal guardian, ~~substitute caregiver,~~ Court Appointed Special Advocate (CASA), attorney, service providers, Transition Resource Agency (TRA) worker, and others the youth determines are important individuals who can assist in the transition to independence.

### Extended QRTP Placements

Any child who is placed in a QRTP for more than twelve [\(12\)](#) consecutive months or eighteen ~~nonconsecutive~~ [\(18\) non-consecutive](#) months (or, in the case of a child under age thirteen, for more than six consecutive or nonconsecutive months), the head of the [child welfare placing agency](#) must provide approval for ongoing placement. The approval must document all of the following:

- The most recent documentation and evidence of the following:
  - The ongoing CANS assessment of the needs and strengths ~~and~~ of the child ~~or youth~~, which continues to support the determination that the child's needs cannot be met through placement in a foster home.
  - Evidence that the placement in a QRTP provides the most effective and appropriate level of care for the child ~~or youth~~.
  - Information that the placement is consistent with the short- and long-term goals for the child ~~or youth~~, as specified in the child's [permanency plan](#) ~~Permanency Plan~~.
  - Documentation of the specific treatment needs that will be met for the child ~~or youth~~ in the QRTP placement and the length of time the child is expected to need the treatment or services.
  - For an Indian child, whether or not the specific treatment or services are culturally appropriate. [Efforts made by the agency to prepare the child to return home or to be placed with a relative/like-kin or in a foster home.](#)  
~~Efforts made by the agency to prepare the child or youth to return home or to be placed with a fit and willing relative, a legal guardian, or an adoptive parent, or in a foster home~~

The approval shall only be provided for the ~~child or youth's~~ [child's](#) extended placement in the QRTP if their treatment and service needs have not yet been met through placement in the QRTP. A lack or shortage of available placements in a less restrictive setting is not an acceptable reason to allow for the extended QRTP placement.

## GLOSSARY OF TERMS

**“Acknowledged father”** means a man who has filed an acknowledgment of paternity of a child with the State Registrar under [Wis. Stat. s. 69.15\(3\)\(b\)3](#), ~~Stats.~~. This requires that both the mother and father sign a statement acknowledging paternity on a form provided by the State Registrar. -If a parent is under the age of 18 years, the parent of that mother or father must also sign.- The filed statement acknowledging paternity is a conclusive determination and has the same effect as a judgment of paternity. [Ref. [Wis. Stat. s. 767.62](#), ~~Stats.~~]

Note: The acknowledgement form is entitled “Wisconsin Voluntary Paternity Acknowledgment”. Filing a correctly completed form with the State Registrar will result in the father’s name being added to the child’s birth certificate. -The State Registrar manages the Vital Records Section of the Department’s Bureau of Health Information and Policy.

**“Adjudicated father”** means a man whom the court has determined to be the father through a judicial process, and has entered an order or judgment of paternity. -[Ref. [Wis. Stat. s. 767.51](#), ~~Stats.~~]

**“Age or developmentally appropriate activities”** means activities that are generally accepted as suitable for children of a given chronological age or level of maturity or that are determined to be developmentally appropriate for a child based on the cognitive, emotional, physical, and behavioral capacities that are typical for children of a given age or age group, or in the case of a specific child, activities that are suitable for the child based on the cognitive, emotional, physical, and behavioral capacities of that child.

**“Agency”** [refers to either a county agency or the department.](#)

**“Alleged father”** means a man whom the mother states she believes is the father or a man who claims he is the father of a child but has not been legally determined to be the father.

**“Child welfare professional”** means the social worker or other professional staff person, under [Wis. Stats. ss. 48.067, 48.069, 938.067, and 938.069](#), ~~Stats.~~, assigned by the agency to provide general case supervision, to make child removal and placement decisions, or to provide case management for a child under the care or supervision of the agency. -Child welfare professional can include, but is not limited to: a tribal child welfare professional, facility [caseworkerchild welfare professional](#), treatment foster care child welfare professional, out-of-state child welfare professional, collaborative child welfare professional, contracted staff, or contracted aftercare staff.

**“Child”** means a person who is under the age of 18, or is a person aged 18 years who came into the supervision of the agency when under the age of 18, remains under the jurisdiction of the court, and is enrolled full-time in a high school program or its vocational or technical equivalent and is expected to graduate or complete [his or hertheir](#) course of study by age 19. -For purposes of this [policystandard](#), unless otherwise specified, “child” includes a “juvenile” as defined in [§-Wis. Stats. ss. 938.02-\(10m\) or 938.57-\(3\)](#).

**“Culturally responsive”** means [treating children, youth, and their families with fairness and equity and providing services to them within the context of their identities, communities, tribes, histories, cultures, and traditions. See WI’s Child Welfare Model, click here.](#)

**“Fit and willing relative”** means a relative, as defined in [Wis. Stat. s. 48.02\(15\) Stats.](#), of the child who successfully completes a background check under [Wis. Stat. s. 48.685, Stats.](#), who has expressed a willingness to provide care for the child until the child is 18 years of age, who has the physical, emotional, and mental capacity to provide for the child until the child’s 18<sup>th</sup> birthday, and who has the willingness and capacity to protect the child from maltreatment.

**“Household member”** means [any person living in the same home regardless of whether they are related, and it does not matter if the person resides in the home part-time or full-time.](#)

**“Imminent”** refers to the belief that dangerous family behaviors, conditions, or situations will remain active or become active within the next several days to a couple of weeks and will have an impact on the child within that timeframe. -This is consistent with a degree of certainty or inevitability that danger and harm are possible, even likely, outcomes without intervention.

**“Indian child”** means any unmarried person who is under ~~age~~ eighteen years of age and is either:

- (a)- A member of a federally recognized Indian tribe, band, or community, or
- (b)- Is both eligible for membership in a federally recognized tribe, band, or community and is the biological child of a member of the tribe, band, or community.

**“Indian Child’s Tribe”** means [\(a\) The Indian tribe in which an Indian child is a member or eligible for membership, or \(b\) In the case of an Indian child who is a member of or eligible for members in more than one tribe, the Indian tribe with which the Indian child has the more significant contacts \[Wis. Stat. s. 48.02\(8m\)\].](#)

**“Indian Custodian”** means [an Indian person who has legal custody of an Indian child under tribal law or custom or under state law or to whom temporary physical care, custody, and control has been transferred by the parent of the child \[Wis. Stat. s. 48.02\(8p\)\].](#)

**“Indian Tribe”** means [any Indian tribe, band, nation, or other organized group or community of Indians that is recognized as eligible for the services provided to Indians by the U.S. Secretary of the Interior because of Indian status, including any Alaska native village, as defined in 43 USC 1602\(c\) and Wis. Stat. s. 48.02\(8r\).](#)

**“In-home safety plan”** refers to safety management so that safety services, actions, and responses ~~assure~~[ensure](#) a child can be kept safe in his/her own home.- In-home safety plans include activities and services that may occur within the home or outside the home, but contribute to the child remaining home.- People participating in in-home safety plans may be responsible for what they do inside or outside the child’s home. -An in-home safety plan primarily involves the home setting and the child’s location within the home as central to the safety plan, however, in-home safety plans can also include periods of separation of the child from the home and may even contain an out-of-home placement option such as on weekends (e.g., respite). ~~(See CPS Safety Intervention Standards, Appendix 8).~~

**"KIDS"**, is the child support information [management data](#) system operated by the Wisconsin Department of [Workforce Development Children and Families](#), Division of [Families and Economic Security, Bureau of Child Support](#). -Child welfare agency staff should consult [DCFS Information Memo 2006-19](#) their local child support office for [guidance regarding access to assistance accessing](#) KIDS for child welfare purposes. - KIDS automatically accesses a large number of state and federal databases on a regular and frequent basis to update information. KIDS can provide information on the identification and location of parents, including alleged fathers. [See Appendix 2 for a listing of databases accessed by KIDS.](#)

**"Like-kin"** means [an individual who has a significant emotional relationship with a child or the child's family that is similar to a familial relationship and who is not and has not previously been the child's licensed foster parent. For an Indian child, "like-kin" includes individuals identified by the child's tribe according to tribal tradition, custom or resolution, code, or law.](#)

**"Observable"** refers to family behaviors, conditions or situations representing a danger to a child that are specific, definite, real, can be seen, identified and understood and are subject to being reported, named, and justified. -The criterion "observable" does not include suspicion, intuitive feelings, difficulties in [worker/child welfare professional](#)-family interaction, lack of cooperation, or difficulties in obtaining information.

**"Out-of-Control"** refers to family behavior, conditions or situations which are unrestrained resulting in an unpredictable and possibly chaotic family environment not subject to the influence, manipulation, or ability within the family's control. -Such out-of-control family conditions pose a danger and are not being managed by anybody or anything internal to the family system. -The family cannot or will not control these dangerous behaviors, conditions or situations.

**"Out-of-home care provider"** refers to the foster parent, relative out-of-home care provider or any other adult providing care in the placement home. -This includes adults who are being considered as potential out-of-home care providers and actual ~~out~~Out-of-home care providers in the course of placement.

**"Parent"**, as defined [in Wis. Stat. s. 48.02\(13\) Stats.,](#) means either a biological parent, a husband who has consented to the artificial insemination of his wife under s. 891.40, or a parent by adoption. If the child is a non-marital child who is not adopted or whose parents do not subsequently intermarry under [Wis. Stat. s. 767.60](#), "parent" includes a person acknowledged under [Wis. Stat. s. 767.62\(1\)](#) or a substantially similar law of another state or adjudicated to be the biological father. - "Parent" does not include any person whose parental rights have been terminated.

For an Indian child, a **"parent"** means [any](#) biological parent ~~or parents of,~~ an Indian [child, any husband who has consented to the artificial insemination of his wife under Wis. Stat. s. 891.40, or an](#) Indian person who has lawfully adopted an Indian child, including adoptions under tribal law or custom, [and includes, in the case of a nonmarital child who is not adopted or whose parents do not subsequently intermarry under Wis. Stat. s. 767.803, a person conclusively determined from genetic test results to be the father under Wis. Stat. s. 767.804, a person acknowledged under Wis. Stat. s. 767.805, a substantially similar law of another state, or tribal law or custom to be the biological father](#) or other person [considered to be a parent under such definition of the affected tribe.](#) ~~"Parent"~~ [adjudicated to be the biological father, but](#) does

not include ~~the unwed father where paternity has not any person whose parental rights have been acknowledged or established by court order. (25 USC 1903, ICWA) terminated.~~

**“Presumed father”** means a man assumed to be the father because he was married to the mother at the time of the birth of the child, or they were subsequently married after the birth of the child but had a relationship with one another during the time the child was conceived. -The presumption of paternity can be rebutted— [Ref. [Wis. Stat. s. 891.41\(2\)](#), ~~Stats.]]].~~

**“Reasonable and Prudent Parenting Standard”** means a standard for an out-of-home care provider [to use in](#) making decisions concerning a child’s participation in age or developmentally appropriate extra-curricular, enrichment, cultural, and social activities that is characterized by careful and sensible parental decisions that maintain the health, safety, cultural, religious or tribal considerations, and the best interests of the child while at the same time encouraging the emotional and developmental growth of the child.

**“Relative”**, as defined in [Wis. Stat. s. 48.02\(15\)](#), ~~Stats.~~, means a parent, stepparent, brother, sister, stepbrother, stepsister, half-brother, half-sister, brother-in-law, sister-in-law, first cousin, [first cousin once removed](#), second cousin, nephew, niece, uncle, aunt, step-uncle, step-aunt, or any other person of a preceding generation as denoted by the prefix of grand, great, or great-great, whether by blood, marriage, or legal adoption, or the spouse of any person named in this subsection, even if the marriage is terminated by death or divorce. [For purposes of placement of a child, “relative” also includes a parent of a sibling of the child who has legal custody of that sibling.](#)

For an Indian child, a **“Relative”** also includes ~~members of the~~ extended family [member](#), as defined [in Wis. Stat. s. 48.028\(2\)\(am\)](#), ~~whether by the blood, marriage, or adoption, including adoption under tribal law or custom of the Indian child’s tribe or, in the absence of such law or custom, shall be the person who has reached the age of eighteen and who is the Indian child’s grandparent, aunt or uncle, brother or sister, brother-in-law, sister-in-law, niece or nephew, first or second cousin, or stepparent (25 USC 1903, ICWA).~~

**“Severity”** refers to the degree of harm that is possible or likely without intervention. -As far as danger is concerned, the safety threshold is consistent with severe harm.- Severe harm includes such effects as serious physical injury, disability, terror and extreme fear, impairment and death. The danger threshold is also in line with family conditions that reasonably could result in harsh and unacceptable pain and suffering for a vulnerable child. -In judging whether a behavior or condition is a threat to safety, consider if the harm that is possible or likely within the next few weeks has potential for severe harm, even if it has not resulted in such harm in the past. -In addition to this application in the threshold, the concept of severity can also be used to describe maltreatment that has occurred in the past.

**“Sibling”** means a person who is a brother or sister of the child, whether by blood, marriage, or adoption including a person who was a brother or sister of a child before the person was adopted or parental right to the person were terminated -[Ref. [Wis. Stat. s. 48.38\(4\)\(br\)](#), ~~Stats.]]] This definition is for the purpose of placement in out-of-home care or placement for adoption.~~

**“Trial Reunification”** means a period of 7 consecutive days or longer, but not exceeding 150 days, during which a child who is placed in an out-of-home placement under [§. 48.355, 48.357](#)

[§, Wis. Stats. ss. 48.355, 48.357](#). 938.355, or 938.357 resides in the home of a relative of the child from which the child was removed or in the home of either of the child's parents for the purpose of determining the appropriateness of changing the placement of the child to that home.

**“Trial Reunification Home”** means the home in which in which a child resides during a trial reunification.

**“Vulnerable Child”** refers to a child who is dependent on others for protection and is exposed to circumstances that [she or he isthey are](#) powerless to manage, and susceptible, accessible, and available to a threatening person and/or persons in authority over them. Vulnerability is judged according to age; physical and emotional development; ability to communicate needs; mobility; size and dependence and susceptibility. -This definition also includes all young children from 0 – 6 and older children who, for whatever reason, are not able to protect themselves or seek help from protective others.

---