

# Appendix



# APPENDICES

|  |           |
|--|-----------|
| <b>Appendix 1: Laws and Regulations Governing Foster Care .....</b>                            | <b>2</b>  |
| Federal Laws   |           |
| Wisconsin Laws and Policies  |           |
| <b>Appendix 2: Helpful Web Links.....</b>  | <b>6</b>  |
| Federal Laws   |           |
| Statutes   |           |
| Administrative Rules   |           |
| Forms  |           |
| Other Resources  |           |
| <b>Appendix 3: Commonly Used Acronyms .....</b>  | <b>8</b>  |
| <b>Appendix 4: Child Development Chart.....</b>  | <b>10</b> |
| <b>Appendix 5: Questions to Ask the Agency upon Placement of a Child<br/>in Your Home.....</b> | <b>12</b> |
| <b>Appendix 6: All About Me.....</b>   | <b>14</b> |
| <b>Appendix 7: Resource Family Profile.....</b>  | <b>15</b> |

# APPENDIX 1: LAWS AND REGULATIONS GOVERNING FOSTER CARE

## Federal Laws

### Indian Child Welfare Act

The Indian Child Welfare Act (ICWA) was passed by the United States Congress in 1978 to protect the best interest of Indian children and to promote the stability and security of Indian tribes and families. It established minimum federal standards for the removal of Indian children from their families and the placement of Indian children in foster or adoptive homes that reflect the unique values of Indian cultures. An alarming number of Indian children had been removed from their families and placed in non-Indian homes, which had a devastating effect on individual children, families, and entire Indian communities and cultures.

ICWA is a critical federal law for Indian children and their families and tribes. All state, county, and private child welfare agencies and courts must follow ICWA when they are working with Indian families in child custody proceedings. The law puts in place additional requirements that must be followed for Indian children.

ICWA includes the following important requirements:

- States must recognize the jurisdiction of Indian tribal courts regarding custody of Indian children. This applies to foster care placements, termination of parental rights, pre-adoptive placements, and adoptive placements.
- The placement and termination of parental rights of parents of Indian children have stricter standards than non-Indian children. This includes making active efforts that require clear and convincing evidence through testimony by qualified expert witnesses that remaining with the parent or Indian custodian will result in serious emotional or physical damage to the child.
- Placement preferences for Indian children who are removed from their caregivers are, in this order:
  - A member of the Indian child's extended family
  - A foster home licensed, approved, or specified by the Indian child's tribe
  - An Indian foster home licensed or approved by an authorized non-Indian licensing agency
  - An institution for children approved by an Indian tribe or operated by an Indian organization which can meet the Indian child's needs
- Placement preferences for Indian children for adoption are, in this order:
  - A member of the child's extended family
  - Other members of the Indian child's tribe
  - Other Indian families

- State and county agencies must provide notice to the tribe of circuit court child custody proceedings.
- State and county agencies must give “full faith and credit” to public acts, records, and judicial proceedings of Indian tribes.

There are 11 federally-recognized tribes in the State of Wisconsin:

- Bad River Band of Lake Superior Chippewa Indians
- Ho-Chunk Nation
- Lac Courte Oreilles Band of Lake Superior Chippewa
- Lac du Flambeau Band of Lake Superior Chippewa Indians
- Menominee Indian Tribe of Wisconsin
- Oneida Tribe of Indians of Wisconsin
- Forest County Potawatomi Community
- Red Cliff Band of Lake Superior Chippewa
- Sokaogon Chippewa Community
- St. Croix Chippewa Indians of Wisconsin
- Stockbridge-Munsee Community

Each tribe has its own specific customs, values, and traditions.

For more information about the Indian Child Welfare Act or for information about tribes in Wisconsin, please contact the Indian Child Welfare Consultant in the Division of Safety and Permanence at (608) 266-5330 or visit the Department’s Indian Child Welfare Act website at <http://dcf.wisconsin.gov/children/ICW/INDEX.htm>

Another resource is the National Indian Child Welfare Association (NICWA), whose website is <http://www.nicwa.org>

### **Adoption and Safe Families Act**

The federal Adoption and Safe Families Act (ASFA) was created in 1997 to prevent children from staying in foster care for extended periods of time without achieving permanence. The goals of ASFA are to improve the safety and well-being of children and to find permanence for children in a timely manner. ASFA requires agencies to focus on providing immediate services to families and, if services to a family are not effective, to identify other permanent living arrangements for the child.

ASFA created specific time limits for when agencies must make a decision about a child’s permanence goals. If a child has been in out-of-home care for 15 of the last 22 months, the agency must take actions to terminate the rights of the child’s parents and find an alternate permanent placement for the child. However, ASFA permits agencies to make exceptions on a case-by-case basis to the 15 of 22 month rule, such as if the child and parent have a significant connection but the parent hasn’t made enough progress to safely care for his or her child. If you have questions about the child’s permanency plan or permanence goal, ask the child’s caseworker.

### **Multiethnic Placement Act**

The federal Multiethnic Placement Act (MEPA) of 1994 states that the placement of a child into a foster home may not be delayed or denied on the basis of race, color, or national origin of the foster parent or child.

Foster care placements need to be consistent with what is best for the child and not solely based upon the race, color, or national origin of the child or a potential foster family. Matching the needs of the foster child with the abilities and expertise of foster families is the most appropriate way to meet the best interests of the child.

MEPA also requires states to actively recruit potential foster and adoptive families that reflect the ethnic and racial diversity of children in the state for whom foster and adoptive homes are needed.

### **John H. Chaffee Act**

The John H. Chaffee Foster Care Independence Act of 1999 outlines requirements and provides funding to meet the needs of youth between 15 – 21 years old who are in or have aged out of foster care. Wisconsin law states that all teens aged 15 and older who have been in foster care for six months or longer must have an Independent Living Assessment and transition plan that identifies the knowledge and skills the youth will need to make a successful transition to living on their own. If you have a teen 15 years of age or older or you take a teen into placement, agency staff will be working with you and the teen to develop this transition plan.

## **Wisconsin Laws and Policies**

Policies that regulate child welfare services in Wisconsin are created and issued in different ways. The different types of policies and requirements are explained below:

### **State Statutes**

State statutes (such as Ch. 48, the Children's Code, and Ch. 938, the Juvenile Justice Code) are laws created by the Wisconsin State Legislature that all agencies must follow. There are no exceptions to statutory requirements.

A copy of **Chapter 48** can be found on the Internet at:  
<http://www.legis.state.wi.us/statutes/Stat0048.pdf>

A copy of **Chapter 938** can be found on the Internet at:  
<http://www.legis.state.wi.us/statutes/Stat0938.pdf>

### **Administrative Rules**

Administrative rules (such as the foster care licensing rule, Ch. HFS 56, Adm. Code, "Foster Home Care for Children") are written by the Wisconsin Department of Children

and Families and must be submitted to a committee of the Wisconsin State Legislature for approval. Most often there are statutory requirements that direct the Department to create administrative rules, but the Department also has the broad authority to create rules that implement requirements of Ch. 48, Stats. All agencies in Wisconsin must follow Administrative Rules. Sometimes there are exceptions to specific requirements created in Administrative Rules.

A copy of Administrative Rule **HFS 56** can be found on the internet at:  
<http://www.legis.state.wi.us/rsb/code/hfs/hfs056.pdf>

A copy of Administrative Rule **HFS 38** can be found on the internet at:  
<http://www.legis.state.wi.us/rsb/code/hfs/hfs038.pdf>

### **Numbered Memos**

Numbered memos are policies written by the Division of Safety and Permanence (DSP) within the Department of Children and Families. These memos create or explain requirements for child welfare agencies. Numbered memos often explain things written in federal laws and regulations, state laws, and administrative rules, such as explaining exceptions to requirements in an administrative rule. Agencies must follow instructions or interpretations explained in these memos.

The **Numbered Memos** can be found on the internet at:  
[http://dcf.wisconsin.gov/memos/num\\_memos/index.htm](http://dcf.wisconsin.gov/memos/num_memos/index.htm)

### **Informational Memos**

Informational memos provide guidance and information for child welfare agencies to help guide their practice decisions.

The **Informational Memos** can be found on the internet at:  
<http://dcf.wisconsin.gov/memos/infomemos/index.htm>

## APPENDIX 2: HELPFUL WEB LINKS

### Federal Laws

Indian Child Welfare Act

<http://www.nicwa.org/policy/law/icwa/ICWA.pdf>

The Adoption and Safe Families Act

[http://www.acf.hhs.gov/programs/cb/laws\\_policies/cblaws/public\\_law/pl105\\_89/pl105\\_89.htm](http://www.acf.hhs.gov/programs/cb/laws_policies/cblaws/public_law/pl105_89/pl105_89.htm)

### Statutes

Chapter 48 – Children’s Code

<http://www.legis.state.wi.us/statutes/Stat0048.pdf>

Chapter 938 Juvenile Justice Code

<http://www.legis.state.wi.us/statutes/Stat0938.pdf>

### Administrative Rules

Chapter HFS 56 Foster Home Care for Children

<http://www.legis.state.wi.us/rsb/code/hfs/hfs056.pdf>

Chapter HFS 56 Foster Home Care for Children – annotated version

<http://dcf.wisconsin.gov/children/foster/pdfs/AnnHFS56.pdf>

Chapter HFS 38 Treatment Foster Care for Children

<http://www.legis.state.wi.us/rsb/code/hfs/hfs038.pdf>

Chapter HFS 37 - Information to be Provided to Foster Parents

<http://www.legis.state.wi.us/rsb/code/hfs/hfs037.pdf>

### Forms

Information for Foster Parents, Part A

<http://dcf.wisconsin.gov/forms/pdf/CFS0872A.pdf>

Information for Foster Parents, Part B

<http://dcf.wisconsin.gov/forms/pdf/CFS0872b.pdf>

Out-of-home care Support Plan

<http://dcf.wisconsin.gov/forms/pdf/CFS2131.pdf>

Permanency Plan

[http://dcf.wisconsin.gov/wisacwis/knowledge\\_web/Helpdesk/template\\_mapping/TEMPLATES/TM\\_sm08pp\\_perm\\_plan\\_sw.doc](http://dcf.wisconsin.gov/wisacwis/knowledge_web/Helpdesk/template_mapping/TEMPLATES/TM_sm08pp_perm_plan_sw.doc)

Foster Parent Insurance Program Claim of Loss or Damage

<http://dcf.wisconsin.gov/forms/pdf/CFS0116.pdf>

Independent Living Services Checklist

<http://dcf.wisconsin.gov/forms/pdf/CFS2251.pdf>

## **Other Resources**

Indian Child Welfare Act – in Wisconsin – summary info

[http://dcf.wisconsin.gov/memos/num\\_memos/2006/2006-01.htm](http://dcf.wisconsin.gov/memos/num_memos/2006/2006-01.htm)

Identification of Indian Children and Proper Notification in Cases Subject to the Indian Child Welfare Act

[http://dcf.wisconsin.gov/memos/num\\_memos/2006/2006-01attach.pdf](http://dcf.wisconsin.gov/memos/num_memos/2006/2006-01attach.pdf)

Special Education in Plain Language

<http://www.cesa7.k12.wi.us/sped/Parents/plainlanguageindex.htm>

## APPENDIX 3: COMMONLY USED ACRONYMS

- **ADA/DA:** Assistant District Attorney/District Attorney
- **AFA:** Adoptive Family Assessment
- **AFCARS:** Adoption and Foster Care Analysis and Reporting System
- **ASFA:** Adoption and Safe Families Act
- **AWOL:** Absent Without Leave-Runaway
- **CAPTA:** Child Abuse Prevention and Treatment Act
- **CARES:** Client Assistance Re-employment Economic Support
- **CASA:** Court Appointed Special Advocate
- **CFR:** Code of Federal Regulations
- **CFSR:** Children and Family Services Review
- **CHIPS:** Child in Need of Protection or Services
- **CM/OCM:** Case Manager/Ongoing Case Manager
- **CPS:** Child Protective Services
- **CST:** Coordinated Services Team
- **CWLA:** Child Welfare League of America
- **DCF:** Department of Children and Families
- **DCFS:** Division of Children and Family Services
- **DHFS:** Department of Health and Family Services
- **DOC:** Department of Corrections
- **DSP:** Division of Safety and Permanence
- **DWD:** Department of Workforce Development
- **DV:** Domestic Violence
- **FFA:** Foster Family Assessment
- **FH:** Foster Home
- **FP:** Foster Parent
- **GAL:** Guardian ad Litem (Attorney for a child under the age of 12)
- **HFS 56:** Wisconsin Administrative Code for the Licensing of Foster Homes
- **HFS 38:** Wisconsin Administrative Code for the Licensing of Treatment Foster Homes
- **ICPC:** Interstate Compact on the Placement of Children (Out-of-state placements)
- **ICWA:** Indian Child Welfare Act
- **IDEA:** Individuals with Disabilities Education Act
- **IEP:** Individualized Education Plan
- **JIPS:** Juvenile in Need of Protection or Services
- **KIDS:** Kids Information Data System
- **MEPA:** Multi Ethnic Placement Act
- **OHC:** Out-of-Home Care
- **PD:** Public Defender (Attorney for Parents and Children Over 12 years of age)
- **PEP:** Program Enhancement Plan (part of CFSR)
- **PO:** Parole Officer
- **PP:** Permanency Plan
- **PPR:** Permanency Plan Review
- **RFA:** Resource Family Assessment

- **SSI:** Supplemental Security Income (Special Needs Children and Adults)
- **T-19/MA:** Title XIX; Medical Insurance Coverage
- **TFC:** Treatment Foster Care
- **TFH:** Treatment Foster Home
- **TPR:** Termination of Parental Rights
- **WFAPA:** Wisconsin Foster and Adoptive Parent Association
- **WIC:** Women, Infants and Children Program (Free pre- and post-natal care)
- **eWISACWIS:** Wisconsin Statewide Automated Child Welfare Information System (Computer Data System)
- **W-2:** Welfare to Work Program

## APPENDIX 4: CHILD DEVELOPMENT CHART

|                                     | <b>Typical Child Development</b>  | <b>Foster Care and Child Development</b>   | <b>Effects of Abuse and Neglect on Development</b>  |
|-------------------------------------|---|--|---|
| <b>First Year</b>                   | <p>Infants are developing the capacity to experience dependency and trust.</p> <p>This is done by eye contact with caregivers, smiles, peek-a-boo games.</p>  | <p>Preverbal children may react to loss and separation with extended periods of crying and distress followed by quieter despair.</p>   | <p>Children learn to expect the environment to be unresponsive. They tend to be anxious and may have developed coping defenses that may interfere with building future relationships.</p>                             |
| <b>Toddler Years (12-36 Months)</b> | <p>Toddlers are learning to physically separate from parents. They alternate between clinging to parents and pushing away.</p> <p>Need to be successful at expressing feelings.</p> <p>Need reassurance of reasonable limits.</p> | <p>Verbal children may respond to loss initially by acting unconcerned.</p> <p>This initial response may be followed by unexpected episodes of anger, sadness, and irritation.</p> | <p>Children who did not receive sensitive responses to abuse and neglect may develop feelings of shame and be too easily humiliated.</p> <p>They may be stubborn, controlling, compulsive, and passive-aggressive</p> |
| <b>Preschool Years</b>              | <p>Play is especially important at this stage. Through play, children learn to think versus acting on impulses.</p> <p>This is a very self-centered stage; children believe they are the most important person in the world.</p>  | <p>Similar response to above.</p>  | <p>Children who have had traumatic experiences as preschoolers may feel intense vulnerability.</p> <p>They may come to expect catastrophe and suffer from depression, hyperactivity, and aggression.</p>              |

|                           | <b>Typical Child Development</b>  | <b>Foster Care and Child Development</b>   | <b>Effects of Abuse and Neglect Development</b>  |
|---------------------------|---|--|--|
| <b>Grade School Years</b> | <p>Children learn self-control, delayed gratification, and how to plan ahead.</p> <p>Fairness is important and they have a rigid sense of right and wrong.</p> <p>Time with peers and being liked is very important.</p>  | <p>May begin to think in a new way about foster care placement and may show signs of sadness.</p>  | <p>Avoiding or repressing anger may lead to more mental health difficulties than any other single issue in this stage.</p> <p>If children reach this stage without developing in many areas, they may have difficulties with finishing things they start, using good judgment, and planning ahead.</p>   |
| <b>Adolescence</b>        | <p>Early adolescence is a time of discovering and exploring self identity.</p> <p>Moods are intense and unstable.</p> <p>Will seek to please peers and resist parents.</p> <p>Late adolescence is focused on gaining skills necessary for independence.</p> <p>May be exceedingly idealistic and turn from parental values.</p> | <p>Exceedingly difficult time to be placed in foster care.</p> <p>Need to be involved in process and may need to develop contracts with all involved adults.</p> | <p>Adolescents who have not been given the opportunity to explore self-identity and grow towards independence may lack a sense of self, have poor impulse control, and fail to think ahead.</p> <p>They may lack a sense of conscience or empathy and be emotionally repressed, defiant, or overly compliant.</p> <p>They may use defensive or controlling behavior to meet their needs.</p> |

**Please Note:** This chart only reflects a portion of key developmental milestones in children that are significant for children in out-of-home care placement. Foster parents should seek out additional resources and trainings regarding the impact of abuse and neglect on child development for more in-depth information.

## APPENDIX 5: SAMPLE QUESTIONS TO ASK THE AGENCY UPON PLACEMENT OF A CHILD

1. Is there any record-keeping beyond the Part A and Part B information forms that should be maintained for this specific child? (Examples of this might include behavioral information, contact with family, specific school records, etc.).
2. Are there any specific known behaviors the foster family should be aware of? If so, is there a need for a behavioral support plan to address these needs?
  - a. If yes, who will be involved in completing this plan?
  - b. When will the plan be completed?
  - c. How often will the plan be reviewed?
3. Are there additional services the child needs to receive, or should be evaluated for? (This might include counseling, AODA counseling/treatment, school supports, other forms of therapy, etc.) If so, whom do we contact?
4. What will family interaction look like? What are the expectations of the foster family in this process?

Interactions:

  - a. How many times a week/month?
  - b. Time of day
  - c. Location
  - d. Length of visits
  - e. Supervision? If so, by whom?
  - f. Who may be present during the visits?
  - g. What if the child doesn't return on time?
  - h. Transportation arrangements

Other forms of contact:

  - a. Must phone calls be scheduled?
  - b. Do phone calls need to be monitored?
  - c. Number of calls per day?
  - d. Can foster family limit the number of calls a day the foster child places to the family?
  - e. Is there any need to monitor the mail received?
5. If the child is over the age of 10, is this a child the agency believes can stay home alone?

6. Contact with agency
  - a. Will the caseworker contact the foster family on a regular basis?
  - b. If the foster family has questions, what is the best way to contact the caseworker or other agency staff?
    - i. Phone? E-mail?
    - ii. Is there a time of day that is best?
    - iii. Are there times that the caseworker is typically out of the office? (e.g., court, staffing, etc.)
    - iv. If I leave a message, how much time should I allow for the call to be returned? (Response by end of day, 1 day, 2 days?)
    - v. Whom do I contact during after hours in case there is an emergency?

***The answers to many of these questions will depend on the individual child, his or her experiences, and the situation which has caused the child's placement in foster care. The answers may change with the duration of the child's time in placement and should be addressed with the agency as needs or circumstances arise or change.***

## APPENDIX 6: ALL ABOUT ME

Child's Name: \_\_\_\_\_

1. My favorite books/stories/movies are...
2. I like to be alone when...
3. I love to eat... (favorite kinds of foods)
4. I hate to eat...(least favorite kinds of foods)
5. At night before going to bed, my favorite thing to do is....
6. The thing that scares me most about foster care is....
7. Things I like about my family...
8. More than anything I hope.....

*Form reprinted from Wisconsin Resource Family Recruitment Summit- September 27, 2006 with permission from Lorrie Lutz with recognition Casey Family Programs.*

