

Office of the Child Advocate White Paper Series on Significant Policy Issues in Child Welfare
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Reducing the Foster Care Rolls: How Well are We Using Safe Reduction Tools?

A Follow-up Report and Recommendations on the Use of Safety Resource Practices and Temporary Guardianships as Responses to Child Maltreatment Reports in Georgia

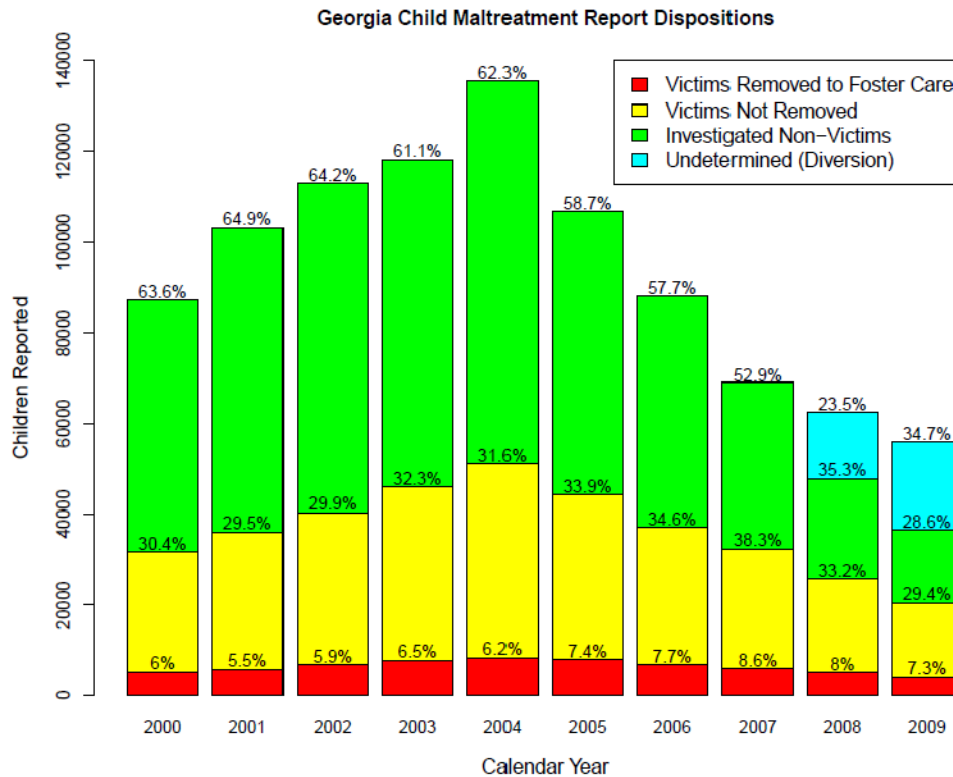
BACKGROUND

In July 2009, the Office of the Child Advocate (OCA) issued a white paper titled “Reducing the Foster Care Rolls: Are We Using the Right Tools?,”¹ reporting on and making recommendations with regard to DFCS safety resource practice and the use of temporary (Probate Court) guardianships for children who are alleged to be abused or neglected. That report revealed troubling findings documented by OCA’s analysts following their inspection of 21 cases and a comparative review of reports generated from SHINES, the statewide child welfare database maintained by the Division of Family and Children’s Services (DFCS), involving children placed with safety resource providers in excess of 90 days. Since the publication of that report, OCA and DFCS leadership have engaged in the revision of DFCS policy and closer monitoring of these cases toward improved practice statewide. OCA analysts have replicated the July 2009 study using similar methodology, and this report presents those findings as an approximate year-to-date reexamination of the soundness of safety resource practice, reliance upon temporary guardianships and the policies that undergird those practices.

The continued decline in the number of children in the state’s foster care system invites questions about the quality of safety decisions. Reports, investigations, and the state’s foster care population have all witnessed a dramatic decline since 2004. At its peak in 2004, the foster care population in Georgia hovered around 14,500 children. That number today is closer to 7,500.² Georgia has received some national acclaim for DFCS’ efforts to safely reduce the number of children in foster care over recent years. This attention is well-deserved so long as the parameters of safety practice models are adhered to in a way that provides assurances that children are being maintained safely at home and not arbitrarily being denied entry to foster care when such level of protection is otherwise warranted.

¹ Available at www.oca.ga.gov under “Reports & Studies.”

² See Graphic 1. In 2004, Georgia’s foster care population reached a peak of 14, 511 children. In 2010, 7, 483 children reside in foster care on any given day. Adoption and Foster Care Reporting System (AFCARS), as presented by Fostering Court Improvement, www.fosteringcourtimprovement.org/ga.



OCA agrees with the use of safety resource practice at appropriate phases within cases and further supports the consideration of temporary guardianships in certain circumstances. These tools are necessary within the range of options available to state authorities when intervening in families and assessing the degree of risk to the safety of a child. Our child welfare system and its agents must have as much flexibility as possible to respond to the unique dynamics of families in ways that foster individualized justice. Indeed, that principle is reflected in the Family Centered Practice model, which guides the Child and Family Services Review (CFSR). Family Centered Practice rests on the following core values:

- The best place for children to grow up is in families; and
- Providing services that engage, involve, strengthen, and support families is the most effective approach to ensuring children's safety, permanency, and well-being.

The State DFCS office has been working to embed Family Centered Practice doctrine into DFCS approaches to investigation and case management. Consequently, the current DFCS mindset, if it can be generalized, is to deploy resources and engage strategies to support and preserve families through a strengths-based approach that views the family as central to the child's well-being. The use of safety resource placements reflects this focus on the family. However, efforts to respect and amplify parental decision-making and curtail government intrusion must be balanced against legal and social considerations for the child, the family, and the substitute or temporary caregivers.

DFCS SAFETY RESOURCE POLICY

The DFCS safety resource policy in effect at the time of the 2009 OCA study has been in effect until early October 2010, when a revised version was released. The previous version and the newly released version of the DFCS safety resource policy are attached to this report, as Appendix 1 and Appendix 2, respectively. Intending to align with the principles of family-centered practice, the previous policy, which is relevant to the period of time under review, contemplated that “[P]rior to knowing whether allegations will or will not be substantiated,³ it may be necessary to use one or more conditional safety measures to ensure a child’s immediate safety....The use of a relative, neighbor or other individual as a safety resource is one possible temporary solution for a child’s immediate safety.”⁴ In addition to being a temporary, conditional safety measure, other defining characteristics of the practice include the following:

- It is never intended to become a permanent placement;
- It is not intended to be coercive;
- It is not a substitute for court action.

These parameters are clearly stated in the policy narrative. That policy also makes clear that DFCS is responsible for thoroughly evaluating the safety and suitability of the safety resource placement. The assessment of the temporary caregiver is to be completed prior to the child’s placement “when possible” but no later than three (3) working days from the date of placement, and a home visit is a required component. Importantly, policy clearly states that “[W]hen a parent has placed a child prior to an evaluation of the resource and the assessment determines that the resource cannot provide for the child’s safety needs, the case manager is to **immediately** file a deprivation complaint for a transfer of the child’s custody to the department” (emphasis in original).

OCA’S JULY 2009 REPORT: FINDINGS & RECOMMENDATIONS

OCA’s 2009 investigation of these issues was based on information provided directly by DFCS. At OCA’s request, DFCS Data Analysis and Reporting staff generated a list of children in safety resource placements *over 90 days* as of April 20, 2009. That report contained the names of 199 children who were placed in these presumably temporary conditional safety placements for longer than 90 days. OCA staff then pulled each individual county’s safety resource report directly from SHINES and tallied up the totals of children residing in safety resource placements in excess of 90 days. The OCA count revealed an *additional* 259 children. Thus, in the period under review from April 20, 2009 through May 13, 2009, a total of 458 children were displaced into voluntary placements and remained out of their parents’ physical custody for more than 90 days. In addition to the quality of care issues created by an excessive stay in a “temporary” placement, primarily implicating the child’s needs for stability and permanency

³ I.e., while the investigation is being completed. As a general rule, investigations must be completed within 30 days of receipt of the report of allegations per Child Protective Services Manual Section 2104.2.

⁴ Child Protection Services Manual Section 2104.33, Use of Relative, Neighbor or Other Individual as a Safety Resource, last modified March 2006, available at www.odis.dhr.state.ga.us.

and the parents' rights to assume care of their child unless a court of competent jurisdiction directs otherwise, OCA was concerned about the discrepancy in the agency's data used to create monitoring reports and evaluate county-level performance on the use of these practices.

From the 458 total cases, OCA analysts randomly selected 20 cases (an additional case was selectively added later) for a comprehensive case review. Those case file reviews pointed to several concerns, which were expressed in greater detail in OCA's July 2009 report.

OCA's previous report documented the following primary concerns:

- Use of safety plans and temporary guardianships to avoid or delay juvenile court involvement, thereby depriving the child and family of due process and certain practical benefits afforded through formal court processes;
- Overreliance on safety plans and probate court temporary guardianships causing unnecessary delays in achieving permanency for the child, in contravention of state and federal law and public policy; and
- Misuse of safety plans and temporary guardianships resulting in placement instability, exposure to safety risks, disruption of daily routines including education, sibling separation, and loss of community and family connection for the child who is displaced.

As corrective action, OCA recommended the following changes to safety resource policy and practice:

- Place strict time and geographic limits on the use of safety resources;
- Place limits on the types of cases in which safety resources can be used;
- Mandate that a clear written description of the rights, roles, and responsibilities of the safety resource process be given to both the parents and the caregivers;
- Place strict limits on the use of temporary guardianships;
- Use the Juvenile Court process to enhance efforts to ensure safety; and
- Collect data on the use of temporary guardianships.

DFCS accepted these recommendations openly and since the publication of OCA's 2009 report, OCA's Director has worked closely on a sustained basis with DFCS administrators and state office staff to address stakeholder concerns with safety resource practice and revise policy accordingly to improve upon practice. As a result, the 2010 reexamination of this aspect of practice is expected to reveal demonstrated improvement. Those findings are discussed herein.

OCA'S JULY 2010 REVIEW

Methodology and Overall Findings

OCA's 2010 analysis relied on data collected using methodology similar to that used for the 2009 study. Just as before, at the request of OCA's Director, DFCS Data Analysis and Reporting staff generated a list of children in safety resource placements *over 90 days*. That list contained a total of 344 cases of children who were placed in these "temporary" conditional safety arrangements for longer than 90

days. OCA staff then pulled each individual county's safety resource report directly from SHINES and aggregated each county's count for a statewide total. The OCA count revealed 315 cases. Thus, in contrast to the 2009 study, the DFCS total exceeded that found by OCA's own calculations. This narrow discrepancy can be attributed to changes that occur daily in the disposition of any case. The count of safety resource placements is not stagnant; cases are stage-progressed, closed, or otherwise change status regularly. The fact that OCA's count was less than that reported by DFCS suggests tentatively that the agency has improved its data collection and reporting integrity since OCA's 2009 investigation and report.

For purposes of OCA's 2010 review, DFCS larger total of cases involving safety resource placements was adopted as the baseline for the period under review from March 20, 2010 through April 20, 2010. Notably, the 2010 total of 344 cases involving safety resource placements had declined significantly from the total of 458 cases around the same time period in 2009.

From the statewide total, OCA analysts randomly selected 34 geographically-diverse cases, representing approximately 10% of the total, for a second phase of analysis involving comprehensive case reviews. The findings from those reviews are meant to compliment the quantitative profile of the overall utilization of safety resource placements with more qualitative insights concerning how well case management practices conformed to DFCS policy requirements. The observations reported herein are inherently limited by the size of the case sample reviewed. Thus, OCA is not propounding these case findings as indicative of systemic deficiencies in practice but rather offers them for their instructional value.

Case Record Review Findings

DFCS Safety Resource Policy, included as an annex to this report, establishes several requirements for practice. As a foundational matter for this study, OCA necessarily assumes that policy reflects the agency's expectations of standards for performance by county level administrators and caseworkers. OCA's case record review tool was designed to allow analysts to compare documented case work against those policy guidelines and practice standards to assess how well safety resource practice is being used in any individual case. Each specific policy requirement is restated below and followed by OCA's interpretation of its focus and relevant findings from the case record review.

DFCS Safety Resource Policy Requirement: ***Determine the suitability of the parent's proposed temporary out-of-home plan for a child.***

To ensure that the child's displacement occurred as a result of the parent's choice and at their direction, OCA analysts reviewed records to determine whether safety resource practice and conditions of placement were adequately explained to the parent(s) and safety resource caregiver(s). Best practice would suggest that such an explanation should include an acknowledgment that juvenile court action, with its attendant due process protections, is an alternative to a voluntary conditional safety arrangement; clarification about what services, if any, are available to the parent, safety resource

provider and child(ren) and how to access those services; and identification of any financial assistance that is available to the safety resource provider.⁵

Of the 34 cases selected for qualitative review, ***OCA analysts found that 5 cases (14.7%) did not reflect that DFCS had given a full and accurate explanation to the parent and to the safety resource caregiver concerning the scope of the safety resource practice and any conditions on the placement.***

Furthermore, in those cases containing documentation of such an explanation, the quality and level of detail varied widely. This point of engagement between the agency, the parent, and the safety resource caregiver is critical to assuring that the parent's decision is being properly honored, and most importantly, that the child is being situated in a stable home where he or she will receive appropriate care by an informed safety resource caregiver who is prepared to meet the child's needs.

One case selected for review presented particular concerns for the failure of DFCS to abide by the parent's wishes, notwithstanding the agency's defense of safety resource practice generally as a mechanism for family engagement and empowerment. In the case of "C.C.", the local DFCS agency received a report from law enforcement concerning the arrest of C.C.'s mother for several outstanding warrants, identified after the police had responded to a domestic dispute at the family residence. At intake, law enforcement asked DFCS if 15 year-old C.C. could remain with his aunt with whom the entire family had been residing prior to the mother's arrest. DFCS agreed, but when the agency discussed the matter with C.C.'s mother five days later, the mother objected to the placement and refused to cooperate with the execution of a safety plan. C.C.'s mother did provide the names of other family members of whom she would approve, but DFCS was unable to contact them. The report was eventually substantiated on the basis of the mother's inability to provide supervision of her son and was referred to Family Preservation Services.

Thereafter, DFCS met with C.C.'s aunt to discuss the child's lack of a legal guardian. Rather than pursue a shelter care order in juvenile court, DFCS advised her to privately petition the juvenile court for custody. The court refused to intervene, after which DFCS re-approached the mother who ultimately agreed to the safety placement with the aunt. Though legal custody of C.C. was ultimately transferred to the aunt through subsequent court action, the safety resource decision could not be said to be aligned with the mother's voluntary placement decision. The case record documents that DFCS permitted C.C. to remain with his aunt *against the wishes of his mother* for more than one month.

In addition, OCA analysts reviewed the records for verification that proper efforts were made to ensure the child's safety in the out-of-home placement, including a timely assessment of the safety resource provider and placement. Most of the procedural and practice areas affecting the suitability of the safety resource placement are captured in DFCS home assessment criteria as outlined in the agency's Safety Resource Policy.

⁵ Note that financial support does not accompany a safety resource placement. Further, if custody is transferred directly from the parent to a relative, the only financial assistance available is through TANF, if the relative is eligible, and/or support payments from the parents. Financial assistance through the Relative Care Subsidy Program or as a Relative Foster Home is only available if a deprivation complaint is filed and the court transfers custody to DFCS.

Three cases were red-flagged by OCA analysts for problematic practices related to timely assessments that directly resulted in placement instability and safety risks for the child. The case of the "S" children, a sibling group of 5, was initially assigned to the diversion track but later manifested as an investigation of a second report from law enforcement involving various allegations of neglect, inadequate supervision, and the mother's alcohol abuse. During the investigation, DFCS identified the need to safety resource the children, and the mother proposed placing the children between two different relatives residing in other counties. Likely attributable to the involvement of multiple counties, the safety assessments were delayed. By the time they were completed *30 days later, both placements were denied due to previous criminal charges and child protective services history*. The mother then identified two other relatives with whom the children could be temporarily placed, and again, DFCS determined that those relatives could not be approved. Finally, the mother proposed placement with a former foster parent of the children whose home was approved and who later, with the strong encouragement and assistance of DFCS, pursued guardianship of the children through Probate Court. Despite a positive outcome, the children arguably were put at risk by being placed in homes with criminal and DFCS histories because proper safety assessments were not conducted in a timely fashion.

The case of "D.D." presents similar problems with untimely assessments but raises even greater concerns about permanency. DFCS became involved with D.D.'s family after the child disclosed to her teacher that her stepfather had fondled her on several occasions. A subsequent forensic interview bolstered the child's credibility. The child reportedly had confided in her mother who failed to protect her. DFCS gave the mother the option of having the father leave the house or displacing the child to a safety resource. D.D.'s mother chose to send D.D. to live with her aunt, who also expressed disbelief about the child's claims of sexual abuse. The approval process for the safety resource took 30 days but the aunt and her home were ultimately approved. Four months into the safety resource arrangement, the case manager received information on the child's biological father, but did not apparently have enough identifying information for meaningful follow-up. After approximately five months, DFCS convened a family team meeting (FTM) and closed its case under the status quo, with the parents maintaining legal custody but with the child left in the physical custody of the aunt. Perhaps even more concerning, the case record suggests that the case was closed prior to the child actually ever being seen by DFCS.

And finally, the case of "L.P." suggests the need for some limits on the parent's ability to change the child's safety resource caregiver for the sake of the child's stability. L.P.'s maternal grandmother, who has guardianship of L.P.'s brother, contacted DFCS to report recurring domestic violence between L.P.'s mother and father, and L.P.'s paternal grandmother made a separate report alleging physical abuse of L.P. At the initiation of the investigation, DFCS suggested the need to safety resource L.P., and his mother proposed the home of his paternal grandfather. At that time of L.P.'s placement with his grandfather DFCS was aware of a pending weapons charge yet permitted L.P. to remain in that home until the agency received proof that the charge was dismissed, nearly 90 days later. Soon thereafter, another domestic violence incident occurred resulting in the arrest of L.P.'s father. Once he was jailed, L.P.'s mother moved to live with her mother and insisted that L.P. be safety resourced

with the maternal grandmother also, and DFCS complied with relocating L.P. from the home of his paternal grandfather to that of his maternal grandmother. One month or so later, the mother again changed her mind about where L.P. should be safety resourced, and again, DFCS relocated the child at her direction to the home of his paternal grandmother. For several months while L.P. lived with his paternal grandmother, his mother failed to comply with her safety plan, but then she began to make progress and eventually reunited with L.P. A few short months later, as DFCS was closing its case, the agency was assisting the mother in her pursuit of a Probate Court guardianship of L.P. with his paternal grandfather and his new wife. Thus, in total, 4 year-old L.P. resided in at least five different homes within 15 months, and DFCS facilitated many of those placement changes.

Ironically, safety resource placements are intended to provide the child with conditional safety during the completion of an investigation; yet, when those placements are not themselves exhaustively assessed, they cannot afford a child any measure of safety above what the child was experiencing in the home of the parent. Moreover, the practice and philosophy of deferring to the parent's decisions with respect to where the child is placed is appropriate when properly balanced against the impact to the child. Though DFCS is acting appropriately in giving deference to the voluntary decisions of a parent in these situations, a child-protection agency cannot facilitate an experience for the child that negatively impacts his safety or stability. The longer safety resource placements go on without more formal intervention, the greater the risk of instability for the child becomes.

DFCS Safety Resource Policy Requirement: ***Immediately file a deprivation complaint for transfer of the child's custody to the department if the plan does not meet approval requirements.***

OCA analysts scrutinized documentation for indications that the safety resource was improperly used as a way to avoid juvenile court action. Other portions of DFCS policy recognize the important role of the Juvenile Court in ensuring that children are adequately protected. In relevant part, Child Protective Services Manual Section 2102.1 cautions DFCS caseworkers that “[D]etermining when to initiate Juvenile Court action is one of the most difficult and important decisions made in child protective services. Involving the court too quickly may be a misuse of the authority granted both child protective services and the court....**Not involving the authority and protection of the court, when a child is in an unprotected situation, may constitute a failure to adequately protect the child and a failure to discharge the mandate placed on child protective services.**” (emphasis in original).

Pursuant to that same policy, DFCS caseworkers are directed to “[I]ntervene to protect a child, with assistance from law enforcement and the courts, in the following situations if evidence indicates that the child should not remain in the home or be returned to the parents:

- A child has experienced life-threatening maltreatment or serious permanent injury at the hands of a parent;
- A child was intentionally abandoned by the parents and they have avoided disclosing their identity or location;

- A child steadfastly refuses to return to the parents, and the return could cause significant physical or emotional harm to the child;
- Parents steadfastly refuse to have a child returned to them. The department should seek direction through a court hearing for a child thirteen years old or older;
- Parents have a significant mental illness, untreated illness or significant mental disability that renders them unable to care for their children;
- A parent has sexually abused a child; the offending parent will have access to the child and the non-offending parent fails to protect the child;
- A parent has caused the death of one child through maltreatment;
- Either a newborn infant or the mother, as reported by medical personnel, tests positive for drugs;
- Parents have a significant history of drug or alcohol addiction that is persistently denied or untreated and that renders them unable to care for their children;
- A child requires medical treatment to prevent a serious illness or disability, or a child's life may be in danger and the parents are unwilling or refuse to seek medical treatment;
- A non-offending parent, although cooperative with the department, is unwilling or unable to protect a child from the offending parent;
- Parents have repeated, serious criminal activity or a conviction of a felony and imprisonment which has a demonstrable negative effect on the quality of the parent-child relationship;
- Parents deny serious maltreatment and are unwilling to participate in the case plan, thus leaving children at risk of serious maltreatment.
- Parent's explanation for an injury or illness is inconsistent with the medical evaluation and or assessment findings."

The policy instructions on court action have not always been found to be consistently implemented in practice. Such guidance seems to be in particular tension with case management decisions about how to ensure a child's safety while honoring the principles of family-centered practice. The safety resource arena is one in which this conflict is particularly apparent. DFCS has a high degree of discretion in its decisions of when and if to initiate court action in a given case.

The allegations present in the cases selected for OCA's record review could not be discretely categorized, but some general observations are worth presenting. These descriptive findings are offered not for a sterile determination of policy compliance, because all cases have numerous complex variables to consider in context, but to inform discussions on the balance between parental empowerment and court intrusiveness when child safety is the common and overarching goal.

None of the cases involved a serious injury or death of a child. Most cases involving safety resource placements involved some measure of neglect and its various forms of instability, such as unemployment and inadequate housing. Half of the case sample (17 of 34) included documentation of

parental substance abuse, typically co-occurring with domestic violence, neglect, unemployment or homelessness. Of those 17, nine (9) cases involving parental drug or alcohol use evidenced some form of subsequent court action, whether a Probate Court guardianship action or a deprivation action in Juvenile Court. That is, when the risk of relapse appeared too high, the parent refused to cooperate with services or other conditions of a safety plan, or the parent's protective capacity could not be restored, the case manager properly sought protection through the court.⁶ However, the decision to leverage court authority due to a poor prognosis of reunification occurred *an average of 12 months* after the child had been placed into a safety resource placement. Federal and state laws require efforts to achieve permanency within 12 months when a child is removed from the legal custody of a parent. Arguably, displacement of a child from his or her home into a safety resource is effectively, a "removal," though considered voluntary and with legal but not physical custody remaining with the parent. The child's need for permanency and the parent's substantive and procedural due process rights are directly implicated, and the burden on those interests increases as time continues. Thus, improperly used, safety resource placements can delay permanency unnecessarily. Case managers must closely monitor these arrangements and be prepared to take timely action when circumstances warrant.

DFCS Safety Resource Policy Requirement: ***Provide required services to both the parent and the child at their respective locations.***

OCA analysts identified any services or supports offered to the parent(s), child(ren), and safety resource provider(s) and reflected on the adequacy of those services given the nature of the allegations and other circumstances. In 4 of the 34 cases reviewed (11.8%), no service provision was documented in the case file. Two of those cases involved parental abandonment, on the basis of which guardianship was transferred to a relative. A third involved parental incarceration after which the juvenile court transferred custody of the child to a relative, and the fourth case was closed before services were provided to address domestic violence. Overall, the case sample suggests that services are routinely identified and referrals made as appropriate. The delay in service provision seems to be the greater area of concern than the failure of DFCS to connect the family to services.

DFCS Safety Resource Policy Requirement: ***Maintain an active case until risk level in the parent's home has been reduced or until custody or guardianship of the child is transferred to the out-of-home resource.***

OCA analysts noted when subsequent court action was initiated, including Probate Court guardianship actions and juvenile court deprivation proceedings. Cases were also reviewed to determine whether court orders were sought from the juvenile court when circumstances warranted, such as when a parent was refusing to cooperate with the conditions of a safety plan. Twenty of the 34 cases (58.8%) reviewed included case note entries confirming that court intervention was sought, whether in the form of court-ordered conditions, a Juvenile Court deprivation petition or custody action, or a Probate Court guardianship action.

⁶ The debate about the use of Probate Court guardianships as a form of permanency for a child rather than pursuing permanency available through a Juvenile Court deprivation action is ongoing and unresolved. A full discussion is beyond the scope of this report.

In six (6) additional cases, the record clearly demonstrated an opportunity for greater partnership between the local DFCS and the Juvenile Court for the ultimate benefit of the child. Those cases indicated that the parent had either failed to comply with the safety plan and/or was failing to make any progress toward ameliorating the problems which endangered the child's safety and necessitated the safety resource placement over a significant period of time, yet no court action had been initiated. Under those circumstances, the Juvenile Court can be of assistance to secure compliance with services or to impose conditions on the placement, and greater court involvement should be sought to prevent the languishing of a child in an impermanent situation.

Though the debate about the use of Probate Court guardianships is beyond the scope of this report, two cases selected for review are worth noting for the insights they reveal about the wisdom of that practice decision in any individual case. In the case of the "R" children, a sibling group of three, a report was made to DFCS alleging inadequate supervision and related neglect issues and substance abuse by the mother, who was the children's sole caretaker. The mother agreed to safety resource placements with two relatives, which were approved. At the time the case was reviewed, the children had remained in those respective placements for one year, where they are receiving the appropriate care and services they needed to address their mental health diagnoses. However, the mother has unrestorable mental health deficiencies which interfere with her ability to maintain a job and provide consistent and appropriate care for her children. Thus, her parental competencies will not rise to the level needed to resume care for her children. In light of that circumstance, DFCS obtained and prepared the paperwork necessary to file for the relatives to obtain guardianship in Probate Court and paid the associated filing fees. Notably, however, such a guardianship arrangement depends on the mother's consent, and as a legal matter, her cognitive limitations may not allow her to provide informed consent that satisfies the legal standard. In fact, she has regularly changed her mind about who she is nominating as the children's prospective legal guardians. Thus, arguably, the children may need some other form of greater legal permanency.

The case of "J.H.," presents different considerations altogether. J.H. became the subject of an investigation after his mother, who had extensive history with DFCS, contacted the local office to report her intentions to abandon him in favor of her drug addiction. The mother agreed to safety resource J.H. to his older sister, who was residing with their maternal grandmother at the time. A safety plan was developed which prohibited the mother from having unsupervised contact with J.H. until she completed substance abuse treatment. Over the next few months, DFCS counseled J.H.'s sister to pursue guardianship, even to the point of providing the necessary paperwork, paying all associated filing fees, and scheduling the Probate Court hearing. During this time, the family was not engaged in any services. The child's Medicaid lapsed, the Babies Can't Wait referral was not followed-up, the mother was not participating in substance abuse treatment, and the parenting education referral was not submitted. Four months after the safety resource placement began, the Probate Court held its hearing on the sister's guardianship petition, which it ultimately denied due to her young age, her unemployment status, and the impending birth of her child. The case was referred to Juvenile Court at that time. Two months later, DFCS convened an FTM and, after realizing that services were not in place, actively connected the family to services and programming. DFCS then convinced the maternal grandmother to

pursue guardianship of J.H. through Probate Court, again actively assisting with the application and court costs. Six months later, now 11 months since the onset of the safety resource placement, the Probate Court heard and granted the maternal grandmother's guardianship petition, allowing DFCS to close its case. From the DFCS record, it appears that the agency was highly motivated to obtain a Probate Court guardianship, to the point of neglecting services to the family and any other permanency option and to the point of initially propping up an inappropriate candidate to become J.H.'s guardian. Only after a year in which the child was in the impermanent placement with his sister and maternal grandmother under the guise of a safety resource placement was some more formal legal disposition obtained, and the appropriateness of that arrangement is questionable in light of the totality of the circumstances of the case.

In addition to the core components of DFCS Safety Resource Policy Requirements, two additional criteria focused on maintaining sibling connections and placement stability, respectively, were also considered by OCA analysts when reviewing the selected cases.

Whether sibling connections were maintained during the safety resource placement. The importance of sibling relationships is implicated whenever children are displaced from their home, whether that is for the purpose of a safety resource placement or foster care. Though safety resource placements are intended to be much more time-limited than foster care, they often are of significant duration, and any displacement causes some degree of disruption and trauma for children. Twenty-four of the 34 cases involved sibling groups. Of the 24, siblings in 17 cases (70.8%) were maintained together in the same safety resource placement or separation did not present concern due to the facts of the case.⁷

Whether the child's safety resource placement remained stable from initial placement through termination of safety resource. The disruption that accompanies a change in residence should not also mean a disruption in the child's education, relationships, activities or daily routine. Placement stability, with all of its implications for a more positive or negative experience for the child, is as essential in safety resource practice as it is in foster care. All but two cases (5.9%) were found to be stable during the child's stay in safety resource placement. Those two cases, "L.P." and the "S" children, were profiled above. The instability in those cases is largely attributable to delayed assessments which, when completed, revealed safety concerns in the safety resource home causing the child to be moved to another "temporary" caregiver.

DFCS RESPONSE TO PAST RECOMMENDATIONS

DFCS administrators have responded openly to the recommendations submitted by OCA and additional suggestions offered by other external stakeholders over the past several months. Consequently, the agency has revised its core safety resource policy and developed accompanying assessment tools and

⁷ For example, children might be placed with their respective fathers when paternity was different for each or a younger child was safety resourced while an older sibling was not due to the difference in their ability to self-protect, or the children themselves were involved in the decision to be separately placed, or the separated siblings visited frequently.

parental guidance, which have recently been released. The revised DFCS policy is attached as an addendum to this report. It makes the following notable changes:

- Limits the use of safety resources to situations “where the identified safety concern can likely be resolved within a forty-five day period”;
- Prohibits using a safety resource “in situations involving chronic and/or severe abuse or neglect issues,” which “should be addressed with court intervention”;
- Requires the case manager to discuss the safety resource process with and ensure understanding by the parent/caregivers and safety resource prior to placement, using the literature that accompanies the policy;
- Requires the case manager to screen all household members through specific databases to check for CPS and criminal history, complete the safety assessment and complete the home and environmental checklist *prior to placement*;
- Calls for an FTM to be conducted within 5 days from the child’s placement with the safety resource;
- Outlines the frequency and nature of contacts with the safety resource, parent, and child required by the case manager;
- Outlines a schedule for staffing and supervisory review; and
- Provides guidance for out-of-county safety resource placements.

The Practice Guidance that accompanies the formal policy statement notes that safety resources are not to be used “when the presenting safety concern is one that cannot be reasonably resolved within the short term,” indicating instead that “court action should be taken to ensure long-term safety.” In cases involving drug or alcohol use by the parent/caregiver, the guidance clarifies that a safety resource can be used when the parent or caregiver can provide informed consent, later explained to mean “when the parent/guardian/custodian has the mental, emotional and functional capacity to understand the decision to utilize a safety resource and the family is provided with all details regarding their rights and responsibilities while their child is in the safety resource home.” The parent must understand that they may choose not to agree to a safety resource; the decision to place a child in a safety resource must be made voluntarily, without coercion or duress. The revised practice guidance offers further insight into issues that may impact the ability of a parent to provide informed consent to this decision.

With respect to putative fathers, the practice guidance allows placement without a formal safety resource assessment, but the case manager must ensure that the father is capable of providing adequate care for the child. Regardless of the relationship of the safety resource provider to the child, the safety resource must be provided with information regarding any available financial assistance.

The policy and practice guidance newly incorporate a section on using a Power of Attorney as an alternative to a safety resource arrangement. Through these means, a parent can grant another

person⁸ specific or general rights regarding decision-making authority for the child, which eases the guardian's ability to enroll the child in school or seek medical attention, if necessary.

And finally, speaking to the need for subsequent court action and legal permanency for the child, the policy provides for an FTM to be held to address the return of the child when all safety concerns have been resolved, the need to transfer the case to family preservation for ongoing services, the need to file a deprivation petition, and/or the caregiver's consent to a guardianship or custody.

CONCLUSIONS AND FINAL RECOMMENDATIONS

OCA appreciates the opportunities provided by the state DFCS office for meaningful collaboration toward the development of a revised – and improved – safety resource policy, which reflects consideration of the recommendations previously offered by OCA and other thoughtful stakeholders. At this point, given the release of the new policy, we can only recommend that practice continue to be monitored for compliance with the new policy and to ensure the quality of decisions made in each individual case. In particular, we stress the need to observe the time-limited nature of these interventions. The problematic outcomes reported by stakeholders and documented by OCA can be largely curbed by ensuring the displacement of children to safety resources do not become “de facto” removals, implicating the due process rights of parents and the children and risking instability and safety erosion. Further we encourage DFCS to work in close partnership with juvenile court judges statewide to consider any advantages to be gained in engaging families or ensuring the safety and protection of a child by leveraging court authority when necessary to secure compliance, overcome bureaucratic barriers, and achieve legal permanency for a child. In closing, we commend DFCS for the demonstrated improvements in the use of safety resource practice and support the agency's commitment to further refinement of this practice toward the realization of its optimal benefits for families and children.

⁸ The DFCS policy contemplates specifically a Grandparent Power of Attorney, which is provided for in state law in the “Care of a Grandchild Act,” found at O.C.G.A. §§ 19-9-121 *et seq.* (2010); however, a power of attorney can be executed between the parent and any related or unrelated person approved to provide a safety resource.

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2104.33 Use of Relative, Neighbor or Other Individual as a Safety Resource

Prior to knowing whether allegations will or will not be substantiated, it may be necessary to use one or more conditional safety measures (See 2102.3 and 2104.20) to ensure a child's immediate safety. Selected safety resources are incorporated into the Safety Plan (Form 455B). These measures remain in place until the report becomes unsubstantiated, or until there is a plan in place for a high or moderate risk substantiated case. A safety measure may become part of the case plan. Also, these safety measures may later be used as reasonable efforts documentation, if it becomes necessary to file a deprivation complaint to protect a child. Safety is reassessed whenever a controlling safety response appears no longer effective.

The use of a relative, neighbor or other individual as a safety resource is one possible temporary solution for a child's immediate safety. **It is never intended to become a permanent placement;** however, it is one means of establishing conditional safety while the investigation is being conducted. Parents have the right to make decisions for their children and may suggest that a child can temporarily go to the home of a relative or other individual while the investigation is in process and until it is determined that the home is safe for the child's return.

During the investigation process, if a temporary out-of-home placement is indicated as a means to ensure a child's conditional safety, it is acceptable to discuss with the parent that the child needs to be out of the home until all aspects of the report can be investigated. **It is not appropriate to tell or to push a parent to place a child outside the home as a way to avoid court action.**

A parent may suggest that a child can live temporarily with a relative, neighbor or other individual. A parent may already have sent a child to one of these resources. In either situation, the case manager is to immediately initiate steps to determine whether the parent's choice for the child is safe and acceptable (see Requirement and Practice/Procedure Issues that follow this discussion). If the parent's choice is not acceptable, the case manager is to proceed with court action.

A child does not automatically become safe when placed out of the home. The temporary out-of-home placement of a child does not change the safety issues in the parents' home. The intent is for the child to return to the parent when allegations are unsubstantiated or when the family's progress, in substantiated cases, indicates that there is sufficient change for the child to return home to parents, who can now provide for the child's current and ongoing safety needs.

For substantiated cases, lowering the level of risk occurs with the **successful completion** of the case plan requirements. This lowered risk level is determined at reassessment of the case plan (See 2105.18). Safety responses are **not** a substitute for either a case plan or the case plan steps developed with parents to address needed change within the home. **The use of reasonable efforts that gives a child conditional safety does not change a family's level from high or moderate to low.**

Remember, use of a relative, neighbor or other individual as a temporary placement resource is never a substitute for court action when any of the conditions that require court action (see 2102.1 and 2102.20) are present. In these situations, the department must file a deprivation petition and follow regular placement requirements.

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Requirement

If, during an investigation, a parent suggests temporarily placing a child with a relative, neighbor or other person, the case manager is to determine if this proposed placement will meet conditional safety requirements for the child while living outside the parent's home:

- Follow the steps listed in the Procedures/Practice Issues and determine the suitability of the **parent's** proposed temporary out-of-home plan for a child.
- **Immediately file a deprivation complaint for transfer of the child's custody to the department if the plan does not meet approval requirements.**
- Obtain the supervisor's and/or county director's documented approval of the out-of-home placement plan.
- Continue the CPS investigation and provide the level of services required for the assigned risk level of a substantiated report after the investigation is completed (See 2105.3 and 2105.4). A substantiated case remains open for ongoing CPS services.
- Provide required services to both the parent and the child at their respective locations.
- Maintain an active case until risk level in the parent's home has been reduced or until custody or guardianship of the child is transferred to the out-of-home resource.

All requests for any exception to the above guidelines are to be staffed with the Regional Field Program Specialist. The RFPS written approval/disapproval of the request is to be documented in the case record.

Procedures/Practice Issues

Throughout the CPS investigation and the provision of ongoing services, the department has the responsibility to determine that a child, placed outside the home by the parent, is in a safe environment. Complete the assessment for a temporary out-of-home placement, when possible, prior to the child's placement.

Home Assessment

The assessment for a temporary out-of-home placement should be completed within **three** working days to determine the appropriateness of the placement. A home visit with the resource is required.

Determine the following for **all** out-of home resource placement assessments:

- Does the resource and/or other individuals in the home have any CPS history? Check IDS Online/PSDS and SUCCESS to determine who is in the home, whether there is CPS history, the extent of history, and how it was resolved.

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- Does the resource, and/or others in the home who are sixteen and older, have known criminal conviction history? At IDSONline links, check the Sexual Offender Register, Department of Corrections Offender Registry and the Board of Pardons and Parole. Also check these resources for other adults with regular contact in the home (e.g., boyfriends), and determine whether any have a history of criminal activity of a nature that might impact the resource's ability to meet the child's needs. If there is any negative information found on anyone that indicates a history of substance abuse (drugs/alcohol) within the past three years, any violent behavior or any history indicating cruelty or abuse of children then:
 - ✓ Inform the family that their suggested safety resource is not acceptable and there are no other immediate options to provide safety, protect the child by filing a deprivation complaint in Juvenile Court.
- What person(s) will provide direct care for the child? Interview all adults living in the home who will have a caretaking role. Observe and describe the quality of the relationship between these persons and the child.
- Does the resource have needed childcare skills? Observe all children living in the home and the quality of care they receive.
- Are there hazards that might harm the child in the home? Will the resource quickly correct any that are identified?
- Is the resource prepared for the child? Observe where the child will sleep and whether the home is equipped to meet any special needs of the child.
- What is the resource's ability to provide for the child's needs? Talk to a minimum of two collaterals (See 2104.21) and obtain their opinion of the resource's ability to provide for the child. Do their comments support the statements made by the resource? If necessary, ask the resource to sign Release of Information forms.
- Does the resource have any known physical, psychological, emotional or intellectual limitations that impair their ability to care for the child?
- Does the resource have sufficient financial means to provide temporary care for the child? Is the resource eligible for and/or in need of help applying for benefits for the child?
- Are there arrangements made by the parent for the resource to enroll school age children in school? This may require a temporary transfer of guardianship.
- Is there a plan for the resource to seek medical treatment, if needed, for the child? What is the plan? This may require a temporary transfer of guardianship.
- Does the resource need a childcare plan because of work schedule, child's after school needs or other reasons? What is the plan?

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- Does the resource understand that the department will be involved until a decision is made and that contact with the child will be made in their home until the child can safely return home or the resource obtains custody, guardianship, or the department files for custody?
- Does the resource understand that, if a parent takes or attempts to take back physical custody of a child without the department's approval, the resource is required to immediately notify the department?

Document all above information on the Contacts Sheet (Form 452) (see Documentation Chapter 80.6).

Any proposed placement resource made by the parent is inappropriate if it cannot be established that it ensures safety. **Immediately file a deprivation complaint for custody when it cannot be determined that a parent's placement resources can provide for the child's basic safety.**

A parent remains financially responsible for a child sent to a temporary out-of-home placement resource.

When the placement resource is or is not in the child's county of residence, the case managers are to open the out-of-home placement in the name of the resource in the Internal Data System Form 590 (See 2104.23 and Social Services Manual 61.7). Once the resource placement is approved the case manager is to take the necessary steps to add/link the child to the placement resource in IDS Online (see Social Services Manual Chapter 60 Appendix B).

NOTE: Adding/ Linking the Safety Resource is done at the approval/placement of a child with a safety placement resource, at the closing/transfer of a CPS case and/or at the removal of a child from a placement resource home.

PLACEMENT RESOURCE IS IN ANOTHER COUNTY/STATE

When a proposed placement resource is in another county or state, the case manager is to immediately telephone that location's child welfare office and request an assessment of the placement resource. The child welfare office at the location in which the placement resource resides is responsible for visiting the resource and determining its appropriateness to care for the child. The case manager is to assure that the proposed resource is financially able to support the child(ren) and determine the length of time the resource will be able to do so. The case manager is also to request that the resource is advised of any special needs the child may have and ascertain information regarding the resource's ability to provide for the child's needs. A child placed in another county is counted in that county's Internal Data System reporting (see 2104.23 and 61.7 in the Social Services Manual). The out-of-home placement county does not complete Child Abuse and Neglect Report (Form 431). This form is to be completed by the county investigating the report of alleged maltreatment.

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When a parent sends a child to a resource in another state, the case manager is to alert that state of the child's presence and request the state to check for CPS history on the resource. The department **cannot** request that another state provide services to or supervision of the temporary placement of a child, unless the department has custody or a court order for supervision. In this case the ICPC procedures outlined in the Interstate Compact on the Placement of Children Manual 1010 are to be followed to request that the receiving state conduct a family assessment or provide other services to a child who is under Georgia's legal jurisdiction. Assistance should be requested from the Field Program Specialist (FPS) as needed, when a child is out of state without Georgia having any legal jurisdiction.

PLACEMENT RESOURCE IS INAPPROPRIATE

When a parent has placed a child prior to an evaluation of the resource and the assessment determines that the resource cannot provide for the child's safety needs, the case manager is to **immediately** file a deprivation complaint for a transfer of the child's custody to the department.

If a child is with an out-of-county resource, both the county of placement and the home county are to discuss the circumstances and concur as to how best to ensure the child's immediate safety and to plan for the child's return to the county of the parent's residence. The home county has the overall responsibility for planning the child's return. If it is not possible or advisable for the parent to pick up the child, one of the involved counties must file a deprivation complaint for the purpose of gaining physical custody of the child (see 2103.22). When the county where a child is temporarily placed is required to take steps for a child's immediate protection, the home county is to start immediate steps (see 2103.22) for the return of the child.

LACK OF PARENTAL PROGRESS

If, at any time, it becomes necessary to file a deprivation complaint, and the child is in an approved relative out-of-home placement, the case manager is to confer with his/her supervisor to determine the appropriateness of recommending a transfer of custody to the relative. This situation is most likely to occur when a parent is not cooperating and there is no change or little change in meeting the case plan goals (See 2105.18). The case manager is to discuss with the supervisor whether a relative wants custody of and ongoing responsibility for the child. If willing prior to the hearing, the court is provided a written home evaluation based on the bulleted outline in the Practice/Procedure 2104.33. The case manager is to also consider filing a deprivation complaint and recommending a transfer of custody to a relative out-of-home placement resource, if that relative is willing to resume ongoing responsibility for the child, when the risk level rating in the parent's home does not move to "low" during the course of service provision, owing to either the parent's unwillingness or ability to follow the case plan (See 2105.18). If the child is placed with a relative and the relative needs financial assistance through the Relative Care Subsidy Program or as a Relative Foster Home, a deprivation complaint is to be filed and a request made to transfer custody to the department. Remember, if custody is transferred directly from the parent to a relative, the only financial assistance available is through TANF, if the relative is eligible, and/or support payments from the parents.


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SUBSTANCE ABUSE CASES

In substance abuse cases, the identification of an alternate resource for a child is critical when planning for the child's safety and protection in the event of a parent's relapse (See 2105.15). This planning helps reduce disruption-related trauma to both the child and parent, and it reduces the likelihood that a child will need foster care placement. The case manager may assist the parent to select individuals to serve, if needed, as temporary out-of-home resources. A home evaluation is to be completed at the time the resource is designated. Should a relapse occur, having already completed the above steps for determining the suitability of the placement resource will help make this change easier for the child.

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	Division of Family and Children Services Child Welfare Manual	Chapter: 3 Investigation Section: Effective Date: 10-19-2010
		Previous Policy #: 2104.33

Use of a Safety Resource

POLICY NUMBER: 3.10

CODES

REQUIREMENT

The Division of Family and Children Services (DFCS) respects the caregiver's authority to place his/her child(ren) temporarily in the care of another individual when the child's immediate safety cannot be ensured under parental supervision.

Use of a safety resource is a non-legally binding plan developed collaboratively by the caregiver, the safety resource and DFCS that may be used in situations where the identified safety concern can likely be resolved within a forty-five day period. Use of a safety resource is contingent upon an expectation that the caregiver, the safety resource and DFCS will work collaboratively to resolve the safety concern.

A safety resource should not be considered in situations involving chronic and/or server abuse or neglect issues. Such situation should be addressed with court intervention (See policy 2102.1).

DFCS does not support the use of out of state safety resources (See Practice Guidance for further information).

PROCEDURE

To utilize an individual as a safety resource the case manager must:

1. Discuss the safety resource process, ensuring the parent/caregivers understanding of the safety concerns which necessitate the safety resource, and review the following:
 1. Parent Safety Resource Guide.
 2. Safety Resource Consent form.

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2. If requested, engage the family in identifying a safety resource as part of the safety plan.
3. Have the caregiver contact the proposed safety resource to determine their interest in being a safety resource for the family.
4. Once interest is determined screen all household members using the following databases:
 - a. County Master File.
 - b. GA SHINES.
 - c. IDS Online Master Index if the individual was born prior to June 2008.
 - d. For all individuals age 16 and older, residing permanently or temporarily in the home and having access to children:
 - i. Complete a local police check to include a residence check.
 - ii. Department of Corrections Offender Query.
 - iii. If the Department of Corrections Offender Query indicates that the individual is currently on parole, staff must also screen this individual in the Board of Pardons and Parole database.
 - iv. Sexual Offender Registry
5. Meet with the proposed safety resource at their home in order to:
 1. Interview all adult caregivers to assess their protective capacities. Address any identified safety concerns and further discuss with the family their interest in becoming a safety resource.
 2. Discuss vulnerabilities (medical, emotional/behavioral/intellectual or physical) of the children who will be safety resourced. Does the proposed safety resource have the protective capacities to meet the child(ren)'s vulnerabilities and ensure their wellbeing?
 3. Assess how the additions of the safety resourced children will effective the dynamics of the home. Does the proposed safety resource have children? If so, how will the vulnerabilities of the safety resourced children impact/interact with the household children?
 4. Assure that the proposed resource is financially able to support the child(ren) or has formalized plans with the caregiver(s) for financial support.
 5. Discuss the short-term nature of the safety resource and explain that it is expected that all safety concerns will be resolved within approximately 45 days.
 6. Review and complete the following:
 - i. Safety Resource Guide.

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- ii. Safety Plan.
 - iii. DFCS Child Safety Agreement.
7. Complete sections A, B, C, D, E, F of the [Safety Resource and Relative Care Assessment](#).

NOTE: if the proposed safety resource resides **out of county** contact the local DFCS office director/designee where the safety resource resides to request permission to cross county lines and conduct the home assessment, or request the local DFCS office where the safety resource resides to conduct the home assessment

7. Staff the proposed safety resource with the SSS to obtain verbal approval prior to the child residing with the safety resource. Document the decision in SHINES the next business day.
8. Review and analyze the information gathered on the safety resource and complete the written safety resource assessment study. If after analyzing the information DFCS believes the safety resource can not ensure child safety:
- a. Contact the parent/caregiver to notify them of the safety concern and DFCS decision to not consent to the use of the safety resource.
 - b. Assist the family in reviewing their options which may include; identifying another safety resource or filing a petition for deprivation.
9. Obtain supervisory approval of the completed safety resource assessment and finalize (upload) the written report in SHINES within **3 working days** of the child residing with the safety resource.

If DFCS approves the parent/caregiver's safety resource plan, conduct a Family Team Meeting (FTM) within 5 working days of child residing with the safety resource. At a minimum, the FTM must include the parent/caregivers, safety resource and child if age appropriate and must:

- 1. Further explore the safety resource's capacity to care for the child on a short term basis.
- 2. Discuss financial responsibility, articulate that the child is not in DFCS custody therefore; the parent/caregiver remains financially responsible for the child.
- 3. Work with the parent/caregiver and safety resource to develop a plan ensuring the child's life is disrupted as little as possible. Identify who is responsible for transporting child to and from school, how medical needs be addressed and any other wellbeing concerns.
- 4. Address the needs of the child and identify any child vulnerabilities. Identify and initiate services to address the child vulnerabilities, as needed.

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5. Assess parental/caregiver capacity and determine what must be changed (either parental behavior or concrete needs) to ensure the child's safety in parent/caregiver home. Identify services that will address the behavioral deficits and initiate immediate services, if they have not already been initiated.
6. If during the course of the FTM it is determined that the safety concerns can not be resolved in short term, collaborate with the family to develop an alternative plan to ensure the child's long-term safety.

During the course of utilizing a safety resource the SSCM is to:

1. Engage with the safety resource, parent, and child weekly to ensure the identified needs of each are met and services are being provided to increase parental protective capacities, child vulnerabilities are being addressed and the safety plan is being followed.
2. Conduct face to face contact with the safety resource, child and the parent/caregiver every 14 days in the home to:
 - a. Assure that all safety resourced children are interviewed privately and are afforded the opportunity to discuss safety and well being needs.
 - b. Discussions with the safety resource should focus on their continued willingness and capability to meet the child (ren)'s needs, support the parent's plan for increasing their parental capacities and working collaboratively with DFCS to rapidly achieve child safety.
 - c. Discussions with the parent should focus on progress made in correcting the safety issues which results in the need to utilize a safety resource to ensure child safety.
3. Assess the family's progress weekly; review the findings with the SSS. The weekly review with the SSS should, at a minimum, discuss:
 - a. The case manager's assessment and analysis of the parent/caregiver's parental capacity and reduction or escalation of safety concerns.
 - b. Discuss the plan developed by the family at the FTM and the progress made on the plan goals;
4. The SSCM and SSS must re-staff the case with the County Director/Designee at approximately 35 days to discuss ongoing safety concerns and the viability of the family's plan to resolve the safety concerns.
5. If the staffing outcome is that the child can not be safety returned home a FTM will be facilitated with the family by the forty-fifth day to develop a plan with the family on the most appropriate course of action to ensure long-term safety for the child.

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PRACTICE GUIDANCE

When is the use of a safety resource appropriate?

The use of a relative, neighbor or other individual as a safety resource is one possible temporary solution a family may utilize to ensure a child's immediate safety. Families should be empowered to make decisions for their children and may suggest that their child can temporarily go to the home of a relative or other individual until the family and DFCS jointly determine that all safety concerns have been addressed and resolved. The use of safety resource is not used when the presenting safety concern is one that cannot be reasonably resolved within the short term. When this is the case, court action should be taken to ensure long-term safety. In cases where the presenting problem is drug or alcohol use by the parent/caregiver safety resource can be used, when the parent/caregiver can give informed consent (see practice guidance Informed Consent), to allow DFCS to ascertain if the drug or alcohol usage is a chronic condition that may require court oversight or if the report was generated from a one time incident/lapse in judgment that can resolved within 45 days or less.

Safety resource utilization is intended to assure conditional child safety while the caregiver addresses issues that present a threat to the immediate safety of the child. Safety resource use does not include situations when the child “visits” with others for socialization and preservation of family connections. Such visits are important to the child’s emotional development. Assessment of “visiting resources” is not required unless the family identifies that the child will be remaining with the visiting resource for more than a short period (generally less than two weeks).

The DFCS Case Manager is responsible for facilitating a conversation between the caregiver and the individual identified as the Safety Resource about the well being of the child(ren). It is equally important to ensure the well-being of the child as well as their safety. Having a child’s lifestyle remain consistent as possible is a means to ensure well-being. It is imperative that children continue to attend the same school or daycare and participate in the same extracurricular activities. The safety plan can include specific steps needed to ensure that these needs are met.

Informed Consent

DFCS may provide safety resource services to families only when the parent/guardian/custodian has the mental, emotional and functional capacity to understand the decision to utilize a safety resource and the family is provided with all details regarding their rights and responsibilities while their child is in the safety resource home. Furthermore, the family must be provided information

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about their right to choose to not utilize safety resource as a safety planning option. The parent/guardian/custodian must voluntarily place their child in the safety resource without coercion or duress from DFCS (coercion includes informing the family that DFCS will file for deprivation if the child is not Safety Resourced).

Issues that may hinder the parent/guardian/custodians ability to give informed consent include but are not limited to:

1. Clients who are illiterate or do not understand the primary language. DFCS should ensure that the parent/guardian/custodian understands the identified safety issue and the choice to utilize a Safety Resource. The SSCM should provide illiterate clients with a clear detailed verbal explanation of the Safety Resource option. For non-English speaking or sensory impaired clients auxiliary aids or interpreter services must be provided at DFCS expense. For guidance on identifying the most appropriate auxiliary aid or service, see DHS policy 1701 which is entitled "Language Access for Limited English Proficient (LEP) and Sensory Impaired (SI) Customers".
2. Clients who lack decision making ability due to mental limitations or impairment due to drugs or alcohol. Clients with decision making capacity are able to understand and explain the options, the implications of their decision and give a rational reason why they have decided on a particular option instead of others. This means the parent/guardian/custodian must be able to
 - a. Understand their situation
 - b. Understand the risk associated with the decision to utilize a safety resource
 - c. Communicate their decision based upon their understanding.

Caution should be used in developing safety plans with caregivers who display intoxication from substances (i.e. alcohol, illegal or prescription drugs); or present to have a limited ability to reason or make decisions. In developing a plan for safety, caregivers must have the ability to understand the reason the agency has a concern for his or her child's safety and the consequences associated with not ensuring it.

Under the Americans with Disabilities Act, no qualified individuals with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of services, programs, or activities of a public entity. Therefore, individuals with disabilities have the right to participate in safety planning.

Non-Custodial Parents, Putative Fathers and Safety Resource

The U.S. Supreme Court has affirmed the constitutional protection of a putative

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father's parental rights when he has established a ¹substantial relationship such as if there is the existence of a biological link between the child and putative father, and it defined the father's commitment to the responsibilities of

parenthood as participating in the child's upbringing. If the information obtained by the SSCM indicates that the putative father and the child have a relationship as defined above, the agency does not have to complete a formal safety resource assessment or consider the putative father as a safety resource. If the caretaker identifies the putative father as a safety resource for her child, and the above criteria is met, the child can be placed voluntarily by the mother with the putative father. An example would be if the mother was arrested, she has a 13 year old child and there is a substantial relationship between her 13 year old child and the putative father, then a safety resource assessment would not be necessary and the child could be placed per mother's permission with the putative father.

Likewise, a non-custodial parent who retains custodial rights and is afforded visitation would not need to be assessed as a safety resource due to their legal status as the child's parent.

However, if these types of voluntarily placement occur, the SSCM must ensure that the parent/putative father is capable of caring for his child and able to provide his child with a safe and nurturing environment. A formal safety resource assessment is not required for a putative father or non-custodial parent, but, an assessment of the parent/putative father's ability should be conducted as part of the investigation. Additionally, the SSCM must ensure that the child is not at risk while in the putative father's care.

Once the child is being cared for by the non-custodial parent or putative father, the parent/putative father may decide that (s)he wants the child to reside with him/her full time. If this is the case, the parent/putative father should take appropriate steps to pursue custody. The Department should continue working with the mother and father to ensure that appropriate steps are taken. If the parent/putative father does not intend on seeking custody of his child, the Department will continue to work with the custodial parent/mother to ensure that prior to the child returning to her home, risk is reduced and the child will be returning to a safe environment.

It is important for the SSCM to provide the Safety Resource with information regarding financial assistance, as a Safety Resource does not automatically qualify for benefits. The Safety Resource will have to apply for programs such as

¹ Substantial relationship is considered a link or bond between the putative father and his child. There should be some type of familiar relationship and the putative father should be involved in the child's life.

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TANF, Food Stamps or Child Care to determine eligibility.

The Trauma of Moves

All moves for children are traumatic, therefore we must make every effort to ensure that when the parent/caregiver is unable to mitigate safety concerns and placement becomes necessary the child does not need to be moved from the safety resource home. The SSCM must complete Relative Care Assessment (RCA) within 30 calendar days of the transition from safety resource to court ordered placement.

IV-E Eligibility

To be eligible for title IV-E funding, a child must among other things, be removed from the home of a specified relative as the result of a voluntary placement agreement or a judicial determination that continuation in the home would be contrary to the child's welfare. The federal statute 8.3A.11 allows a six-month period of time during which the child can live with an interim caretaker, relative or non-relative, and still be eligible for IV-E. The removal can be "constructive" (non-physical, paper, or legal) or physical removal. Contact the Rev. Max. representative for your county for further information.

Substance Abuse Cases and Planning for Relapse

In substance abuse cases, the identification of an alternate resource for a child is critical when planning for the child's safety and protection in the event of a parent's relapse (See 2105.15). This planning helps reduce disruption-related trauma to both the child and parent, and it reduces the likelihood that a child will need foster care placement. The SSCM may assist the parent to select individuals to serve, if needed, as a safety resource. A home evaluation is to be completed at the time the resource is designated. Should a relapse occur, having already completed the above steps for determining the suitability of the safety resource will help make this change easier for the child.

Alternative to Safety Resource- Grandparent Power of Attorney

In developing a safety plan, utilizing a safety resource is not the only option to maintain the safety of a child. A parent can create a power of attorney giving another individual, such as a grandparent, the authority to make specific decisions regarding their children. This can allow the grandparent or other kinship caregiver to seek medical attention for a child or enroll the child in school. Power of attorneys can be especially helpful when there is a cooperative relationship between the child's parents and grandparents. The power of attorney does not remove the parental rights of the parent and can be revoked by the person who created the power of attorney.

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APPENDIX 2

Safety Resource FTMs

During the safety resource process FTMs are utilized to:

1. Assist the parent/caregiver in identifying and addressing safety concerns; and
2. Develop a plan to ensure the child(ren)'s wellbeing while with the safety resource.

The investigation/assessment process is fast paced and the assigned assessor may find it difficult to devote the time needed to support the families during this critical time. Therefore, the county has the discretion to assign other qualified staff (FTM coordinators, family preservation staff, foster care staff or others) to assist the family during this 45 day time period to: coordinate the FTMs, provide ongoing assessment of safety, risk and needs of the parent/caregiver, child and safety resource and provide immediate feedback to service providers on the reduction or escalation of safety within the family.

Finalizing the child's stay with the safety resource:

While the child is residing with the safety resource the case manager must continually assess and analyze parental progress in increasing the capacity to protect their children. Based upon the results of that analysis the agency, parent and family supports present at the FTM must choose from the following options when planning to for the child's ongoing options:

1. The child returns to the home of the parent/caregiver if all safety concerns have been resolved.
2. The child returns to the caregiver home and transfer the case to family preservation for ongoing services.
3. Filing a deprivation petition that could result in either:
 - a. The court finding of deprivation and granting a protective order in which the child can remain in the primary care of the caregiver and receive Family Preservation Services; or
 - b. The court finding deprivation and granting temporary or permanent legal custody of the child to DFCS.
 - i. When appropriate, the CM should make every effort to have the child remain in the same home and convert the safety resource into a relative/kinship placement.
 - ii. If the agency has temporary legal custody and permanent custody of the child is placed with a relative, following the issuance of a non-reunification order by the court, the relative can apply for Relative Care Subsidy and may be able to receive financial assistance through the Relative Care Subsidy Program or as a Relative Foster Home. Review 1016.44 Relative Care Subsidy (RCS).

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4. The family decides that the best resolution is for the caregiver to consent to the safety resource obtaining guardianship.
5. The family decides that the best resolution is for the caregiver to consent to the Safety Resource obtaining custody.
 - a. If custody is transferred directly from the caregiver to a relative, the relative can apply for TANF and if they qualify, they would be eligible to receive financial assistance. Additionally, the relative could possibly receive support payments from the caregivers.

Multiple Safety Resource Placements

When the proposed safety resource is assessed to be unable to safely provide for the child(ren) the case manager should engage with the parent/caregiver regarding their options which may include the identification as a new family to serve in the capacity of a proposed safety resource.

DFCS does not support a child being safety resourced for 45 days and a new proposed safety resource being identified in lieu of finalizing the safety resource via one of the options presented above.

Request for Out of State Safety Resources

DFCS may not support the use of out of state safety resources. If a parent/guardian/custodian proposes a safety resource that is out of state explore other options which may include allowing the proposed out of state safety resource to temporarily move here to care for the children. If a border agreement exists between your county and the identified state in which the proposed safety resource resides refer to the border agreement for the use of homes for the purpose of safety resource.

REFERENCES

None

FORMS AND TOOLS

[Safety Plan](#)
[Parent Safety Resource Guide](#)
[Safety Resource Guide](#)
[DFCS Child Safety Agreement](#)
[Safety Resource Consent Form](#)
[Safety Resource Values and Beliefs](#)
[Safety Resource and Relative Care Assessment](#)

SHINES TIP

**Office of the Child Advocate 2010 Safety Resource Report:
APPENDIX 2**

APPENDIX 3

**GEORGIA DEPARTMENT OF HUMAN RESOURCES
SAFETY PLAN**

Case Name: _____ Date _____
Last, First MI

If Conditionally Save, Explain: _____

SAFETY FACTOR: _____

Steps: (specify who will do what, when, where, and in what time frame)

1. _____
2. _____
3. _____

SAFETY FACTOR: _____

Steps: (specify who will do what, when, where, and in what time frame)

1. _____
2. _____
3. _____

SAFETY FACTOR: _____

Steps: (specify who will do what, when, where, and in what time frame)

1. _____
2. _____
3. _____

Date discussed with Parent(s): _____ Agreement: Yes No

Parent/Guardian: _____ **Date:** _____

Parent/Guardian: _____ **Date:** _____

Worker: _____ **Date:** _____

Supervisor: _____ **Date:** _____

Safety Resource

Information

Something is going on in your life and you need a little help! You have reached out and asked a relative or friend to assist with the short term care of your child while you deal with the concerns jointly identified by you and DFCS. This resource is known to the department as a safety resource!

This guide answers frequently-asked questions about the roles and responsibilities that you might want to consider when identifying a relative or friend as a Safety Resource.

Once you have identified a potential Safety Resource, and the Department supports your choice, it may be helpful for you to have the following information close by.

Safety Resource Information

Name of Safety Resource: _____

Address of Safety Resource: _____

Home Phone: _____

Cell Phone: _____

Safety Resource Employment: _____

Work Phone #: _____

Do's and Don'ts

When you identify a volunteer safety resource, you are relying on the safety resource to provide temporary care for your child while you work on risk and safety issues that have been identified by the Department.

Do:

- **Comfort** the child and assure him or her that it is OK to go and stay with the Safety Resource.
- **Follow** all the directions of the DFCS case manager.
- **Ensure** the Safety Resource has all the child's information, including school, counseling and medical information.
- **Ask** the case manager questions! You need to know what you need to do, so ask!
- **Allow** the child to continue participating in and enjoying his or her regular activities and friendships.

Don't:

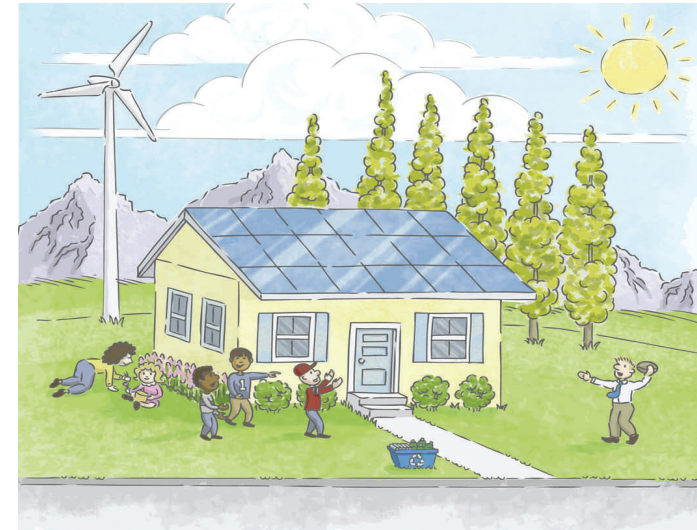
- **Blame** the child for issues that lead to the need to use a Safety Resource.
- **Don't say** negative things about the Safety Resource in front of the child. The Safety Resource is there to help



Safety Resource A

Parent's Guide

Your Rights and Duties



Georgia Department of Human Services

*Division of Family and
Children Services*



Parent Guide when using a Safety Resource: *Families and neighbors helping!*

Why is Family and Children Services involved?

The Division of Family and Children Services is in receipt of a referral and the assessment conducted by the Department indicated that your family is in need of help. Once the Department makes this determination, it might be best if your child was out of your home until the safety and risk issues identified have been resolved or minimized. You might want to consider voluntarily placing your child temporarily with someone you trust such as a family member or friend. This resource is known by the Department as a safety resource. A safety resource allows you to feel comfortable that your child is in a safe setting while you work on any safety and risk issues identified. DFCS will assess the needs of your child and family to determine if the safety resource you have identified will meet the needs of your family. Placement in a safety resource is based on a safety plan, which is a voluntary agreement between DFCS, the parent, and the safety resource. This is not foster care, and the state does not have custody of your child.

What should I consider when selecting a safety resource family?

When you are considering utilizing a safety resource for your child there are several things that you should consider. You need to identify someone you trust and someone your child trusts. You will be working on issues and you will want the peace of mind that your child is safe and being cared for while out of your home. The safety resource will be expected to care for your child until your home is safe for the child's return. Once you have identified a safety resource that you trust, you should also consider the safety resources home location.

It is very important that even though your child is not in your home, you ensure to the degree possible that he or she continue with his or her daily activities. The safety resource you choose must be able to provide care for the child including: transporting the child to school if needed, ensuring the child continues with any extracurricular activities, and taking your child to medical or counseling appointments. The ground rules for assuring the child's safety are spelled out in the written safety plan, and you and the safety resource should have a copy of the safety plan. Remember to ask any questions you may have about the Department's involvement with your family including any questions you may have about the safety plan.

Once a safety resource has been identified, the Division will complete an assessment of the safety resource to ensure they can provide a safe environment for your child. The assessment will include a background check, looking at child care arrangements, criminal histories and past agency involvement among other issues. It is important that the safety resource family provides a supportive, nurturing environment for your child.

It is very important that all involved comply with the safety plan. As long as the safety resource is utilized, the case manager will visit the child and the safety resource to see how things are progressing.



How long will this go on before my child returns home?

Generally speaking, your child should not be in a safety resource setting for more than 45 days. The most important thing to remember is that your child was placed by you voluntarily so that you could address the risk and safety issues jointly identified by you and the Division. If you have not worked out all safety issues within the 45 day time frame, the Department will look at other arrangements for longer-term care of your child. This might include the safety resource obtaining temporary guardianship, or DFCS may have to ask the juvenile court to intervene and make a decision about child safety. This could include the Department obtaining custody of your child or the Department requesting a protective order, all to ensure your child's safety.



What about schools, doctor visits, visitation with parents, and such?

You retain legal custody of your child. However, while your child is staying with the safety resource it is important that your child maintain as much of his or her current schedule as possible. The safety resource will need certain information including any documents to assist the child with school requirements or in obtaining medical care for the child.

The safety resource will also need information on the child's health needs, medications, health insurance, school, and other items necessary for the safety resource to provide temporary care for your child.

Who is financially responsible for the child's needs? You continue to be financially responsible for your child's needs.

DFCS CHILD SAFETY AGREEMENT

This form contains information about the safety of the safety resourced or placed children in your care by DFCS. Your initials and signature indicate your acknowledgement that the agency has reviewed with you the safety requirements outlined in this form and that you are in agreement with the safety requirements as stated below.

Animal Safety-As children are the primary victims of animal bites, (I/we) agree to comply with the following mandates listed below to assure the safety of any child placed in (my/our home):

- Provide close supervision of children when around animals.
- Refrain from keeping dangerous or aggressive dogs, or other pets, in the home, unless properly secured with a leash, fence or cage, etc. (as discussed in the Foster Parent Manual)
- Notify DFCS immediately if any dog attacks a child placed in your home.
- Carefully review the section on Animal Safety in the Foster Parent Manual (Rev. 2001)*

**Caregivers(s) Initial
Below**

Gun Safety-Firearms take the lives of thousands of children each year. To prevent the accidental death of any child placed in (my/our) home, (I/we) agree to the following mandates:

- Inform DFCS of the presence of firearms in (my/our) home, now or at any time in the future.
- Secure all firearms in (my/our) home, using one of the commercial brand safety locks available for this purpose, or under lock and key.
- Keep all firearms unloaded and out of the view and reach of children in the home.
- Never allow children placed in the home to handle guns.
- Carefully review the section on Gun Safety in the Foster Parent Manual (Rev. 2001)*

**Caregivers(s) Initial
Below**

Motor Vehicle Safety- Motor vehicle accidents are the leading causes of death for children of all races, ages 5-14, according to national statistics. To ensure the safety of children placed in (my/our) care, (I/we) agree to adhere to the following safety precautions while riding or driving motorized vehicles:

- Secure children 4 years of age and under in a federally approved child safety restraint seat, that is properly installed according to the manufacturer's instructions.
- Secure children over 4 years of age in the rear seat of the vehicle with federally approved and properly installed safety seat belts.
- Refrain from transporting children/youth under 18 years of age in the bed of a pickup truck at any time. Children must always be properly secured with safety seat belts.
- Consult with the Case Manager prior to allowing a child to ride as a passenger or driver on any of the following: automobile (as driver only); motorcycle; motorbike; all terrain vehicles; small, high-speed water craft and other similarly motorized vehicles.
- Carefully review and abide by motor vehicle safety requirements outlined in the Foster Parent Manual, (Rev. 2001).

**Caregivers(s) Initial
Below**

Supervision- Children in are required to be supervised by appropriate adult caretakers at all times. In keeping with this requirement, (I/we) agree to adhere to the following:

- Provide appropriate adult supervision for the children in my care at all times.
- Refrain from leaving children placed in my care in the supervision of minors.
- Refrain from leaving children unattended in a motor vehicle.
- Refrain from leaving children in the care of unauthorized adult caretakers. Any substitute caretaker should have the agency's approval. *
- Obtain approval from the agency prior to leaving older children unsupervised.
- Carefully review and abide by the supervision requirements outline in the Foster Care Manual.

**Caregivers(s) Initial
Below**

***Water Safety-** According to the recent statistics, drowning ranks highest among the causes of accidental deaths for children and youth 0-24. Caregivers whose primary or alternate place of residence is equipped with an in-ground /above ground swimming pool are required to take extra safety precautions. To ensure the safety of children in our home, (I/we) agree to the following water safety guidelines:

Caregiver(s) Initial
Below

- Inform DFCS immediately if/when our home fits the above criteria.
- Know or learn how to swim.
- Hold a current certificate in CPR or First Aid.*
- Obtain a certificate in Basic Water Rescue.*
- Enroll all children 3 years of age and older in a swimming class taught by a certified instructor.*
- Complete all water safety requirements within one (1) year of the child's placement in the home.*
- Ensure direct adult supervision of children when around bodies of water.
- Ensure the compliance with any local or state ordinances regarding pools or waterfront property.
- Secure the entire perimeter of the pool area with a fence and locked gate of sufficient height to prevent the entry of young children.*
- Obtain the approval of DFCS staff prior to allowing any child to ride or operate any watercraft.
- Review and abide by all DFCS (Foster Parent Manual, Rev 2001)* and manufacture's safety guidelines.

*** Note:** Homes with ponds, or homes located on waterfront property, are required to employ substantive safety measures to ensure the protection of children in the home.

Discipline Policy- DHR/DFCS policy prohibits the use of corporal or unusual punishment on a child in its custody. Children removed from their parents or other caretakers due to neglect or abuse must be disciplined in ways that do not perpetuate the physical and emotional pain experienced as a result of past inappropriate parenting practices. To ensure the safety and well-being of the children placed in (my/our) home, (I/we) agree to the following:

Caregivers(s) Initial
Below

- Refrain from the use of any corporal or unusual punishment on a child placed in (my/our) home, including, but not limited to the following: spanking, slapping, switching, shaking, pinching, biting, twisting, or pulling; tying with rope, withholding food, force feeding, denying mail; denying appropriate contacts with family, denying contact with worker; degrading child or child's family, or humiliating child; creating fear, anger and anxiety, locking child in a room, closet or outside the home; group punishment or delegating older children to administer punishment; destroying the child's property and any other practices which may physically or emotionally damage the child.
- When managing children's behavior, use the suggested alternative methods (or other effective means of discipline) made available by DFCS or found in the appendix of the Foster Parent Manual (Rev. 2001).
- Seek on-going information/training to build and enhance (my/our) child behavioral management skills.
- Immediately inform the agency of the need for assistance in managing the behavior of any child placed in (my/our) home.

***Note:** Decisions made regarding the violation of policy or Child Protective Services are not grievable. Substantiation of the abuse/neglect of children placed in your home is appealable of you or your significant other are the perpetrator. Refer to administrative appeals policy on ODIS.

Note: This Child Safety Agreement is reviewed with the relative caregivers at the time of the initial placement and yearly at the time of the re-evaluation or prior to a child residing with a safety resource. The safety resource is not responsible for bulleted items with a star (*). Both caretakers are required to initial and sign as indicated.

_____/_____
Father (Date)

_____/_____
Mother (Date)

_____/_____
Other Caregiver (Date)

_____/_____
Case Manager (Date)

_____/_____
Supervisor (Date)

_____/_____
Country Director/Designee (Date)

Safety Resource Consent Form

To reduce risk to your child while DFCS helps you address safety concerns, you may choose for your child to temporarily reside with a safety resource. A safety resource is a relative or friend that agrees to allow your child to temporarily reside in their home while you address the issues that make it unsafe for your child to reside in your home at this time. **DFCS cannot force you to make this decision. The choice is yours.**

If you choose to use a safety resource, you will sign a Safety Plan indicating that the child will stay with the proposed safety resource until you and DFCS jointly determine it is safe for the child to return home. This is not foster care, your child remains in your legal custody and in your control. You and the proposed safety resource remain responsible for the well-being and safety of your child. The Safety Plan will outline your responsibilities toward your child while he or she residing with the safety resource and the agreed visitation with your child. DFCS will work with you to attempt to resolve these matters so the child can return to you within **45 days**. Since your child remains in your custody, you may end this agreement at any time. If DFCS believes that your child(ren) can not reside safely in your home within this 45 day time frame an alternative plan must be instituted to ensure your child's safety.

If you do choose to utilize a safety resource, or if you use a safety resource and later change your mind, DFCS may ask a juvenile court judge to remove your child temporarily if the child is unsafe or in immediate risk of harm. If the judge agrees the child may be placed in foster care, you will have the following rights:

1. The right to be represented by an attorney, including a free attorney if you cannot afford one.
2. The right to have a hearing in front of the judge within 72 hours to determine if the child needs to remain in foster care.
3. The right to an evidentiary hearing scheduled within 10 days at which DFCS must prove by clear and convincing evidence that the child is neglected or abused AND that the child cannot safely remain in your home and must be placed in foster care.
4. If DFCS does not prove its case, the child will return to you. Otherwise, DFCS will prepare a plan outlining the steps you must take to have custody returned to you, and the juvenile court will oversee that process.

Having read and understood the above rights, I request to voluntarily place my child/children with _____.

Having read and understood the above rights, I do not want to voluntarily place my child(ren) outside of my home.

OPTIONS:

I understand the safety concerns identified by DFCS on the Safety Plan and understand what must be completed before my child(ren) can return home.

I have agreed to visit with my child while my child is residing with the safety resource as follows:

I will provide the following support to my child or children while he/she is with the safety resource:

Parent (date)

Safety Resource Caregiver (date)

Parent (date)

Safety Resource Caregiver (date)

DFCS Case Manager (date)

Safety Resource; What Do I Value?



I value...

- Parental right to choose how they keep their children safe but understand my obligation to assess their choices.
- Supporting caregivers in identifying resources and people who can contribute to their safety plan.
- Parents as equal partners in the assessment process by practicing full disclosure.
- Conducting the safety planning process in collaboration with caregivers.
- Keeping caregivers:
 - ✓ Well informed
 - ✓ Engaged
 - ✓ Involved in every aspect of safety planning to the extent that they are interested, willing and able.
- Keeping children safe therefore; I will never leave a child with someone I have never met or in a home I have not seen.
- Utilizing a safety resource for immediate problem solving, when possible, to control the threat to child safety.
- Keeping families together safely; which means I will:
 - a. Offer services as soon as possible to increase parental capacity,
 - b. Immediately assess child vulnerability and provide services to address well being concerns, and
 - c. Analyze the parent/caregiver progress in mitigating safety concerns and provide immediate feedback so the family team can make informed, timely decisions about the child's ability to reside safely in the parental/caregiver home.



Safety Resource; What Do I Believe?

If I Accept the Values, Then I Believe...

Safety resource is an interim intervention that is utilized to provide temporary care until parental capacity can be increased to meet the child's vulnerability.

When safety concerns are identified and a safety plan can not be implemented which would allow the child to remain in the home, a parent's choice to utilize a safety resource with the agency's concurrence is the least intrusive/disruptive method that the family can utilize to ensure their child's safety.

A family's decision on how to address identified safety concern must be balanced with DFCS's obligation to offer services to increase parental capacity. We never pressure or influence families to do temporary guardianship or transfer of custody to a safety resource or relative. Our role is to engage the family, assess their needs, assist in identifying and developing formal and informal supports, discuss concerns, identify options and assist the family in mitigating emerging dangers to their children.


Families deserve to be allowed to increase their parental capacity so their children can live and thrive in their home. If safety concerns continue to exist; we strongly encourage the use of protective orders and court intervention as a means of closing out a safety resource.

The presence of DFCS in a family's home influences parental decisions. DFCS presence can be intrusive or intimidating to families, remember DFCS involvement is stressful and decisions made during times of high emotions or stress are not always the best decisions nor will they always represent someone's true feelings or beliefs.

All moves are traumatic; therefore I will consider the safety resource as a potential transition home, where the child can stay while the parents increase their protective capacities. I will complete all needed tasks upfront so the child WILL NOT be moved if they can not return home when the safety resource closes.

Safety resource is a voluntary decision made by the family therefore; if we have to say, "If the parent comes to take the child please call us immediately and we will have to place the children in care".... The placement is no longer voluntary and safety resource may not be the best option to ensure temporary safety.

Caregivers and safety resource providers must be given full disclosure up front and understand all available option.

	Division of Family and Children Services Child Welfare Manual	Chapter 5: Effective Date: 12-1-09
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Safety Resource and Relative Care Assessment Template

Prior to Child Residing with the Safety Resource or Relative Placement

- 1. All household members have been screened
- 2. Home and environmental checklist completed
- 3. Safety assessment completed prior to placement
- 4. Child Safety Checklist signed by both caregivers prior

Completed within 3 days of Child Residing with the Safety Resource

- 1. Home evaluation completed
- 2. Home evaluation signed and approved by supervisor
- 3. Home evaluation and forms uploaded to SHINES

Completed within 30 days of a Relative Placement

- 1. Home evaluation completed
- 2. Home evaluation signed and approved by supervisor
- 3. Home evaluation and forms uploaded to SHINES

A. Introduction and Demographic Information

1. Date of Home Visits
2. Demographic Information on child(ren) to be placed
 - a. Name
 - b. Date of Birth
 - c. Social Security Number
 - d. Medicaid Number (if applicable or date Medicaid card applied for)
 - e. Legal status of the child
 - f. Name of both parents and legal status of father (i.e. alleged, adjudicated, legal)
 - g. Location and contact information for both parents.
3. Demographic Information on potential placement.
 - a. Household composition (include everyone who resides in the home)
 - i. Name (if married or cohabitating give names of both adults/spouse)
 - ii. Age and Date of Birth
 - iii. Gender
 - iv. If related, how are they related to the child? Verify the relationship.
 - v. Social Security number
 - b. Address
4. Reason for DFCS involvement with the children why a safety resource or relative placement (for children in the temporary or permanent custody of DFCS) is needed.
5. Screening results for all household members.
6. Residence Check completed by law enforcement on the address of the relative for the previous five years. The residence check should note all calls for the address.
7. Verify citizenship and identity.

B. Home Environment

1. Exterior and interior appearance of home and furnishings.
 - a. state of repair/maintenance issues
2. Cleanliness of house.
3. No exposed electrical wires, all outlets have covers. No observable electrical hazards.
4. Home has adequate heating and cooling.
5. Kitchen has adequate cooking appliances
6. Home has indoor running water.
7. Home has working indoor plumbing.
8. Home has available storage for clothing, toys and other personal items.
9. Availability of working smoke alarms on each level of the home.
10. Appearance of child safety proofing for young children.
11. Does the family have an operable telephone (land line or cell phone)?

12. Document the sleeping arrangements
 - a. No child shall sleep in the bed with an adult.
 - b. A child over one (1) year of age can not sleep in the bedroom with an adult.
 - c. A maximum of three (3) children to share a bedroom is preferable. The suitability of children sharing a room should be assessed based on the background/history of the children.
 - d. Children age five (5) and older and of different sexes should not share a bedroom. The suitability of children sharing a room should be assessed based on the background/history of the children.
13. Are there hazards that might harm the child in the home? Will the resource quickly correct any that are identified?
*Complete and attach the home and environmental checklist.

C. Home Safety Issues, Practices and Concerns

Document the existence of the following. If present in the home environment how does will the potential safety resource or relative care provider ensure the safety of children.

1. Swimming or Wading Pools, Ponds, Lakes, etc. Is the pool or pond gated, how will the caregiver ensure that children will not have unauthorized access to the water.
2. Trampolines. Does the trampoline have a safety net, will the children be adequately monitored while playing on the trampoline?
3. Animals. Do all household pets have vaccinations? Vaccinations must be on file with DFCS. Are their any exotic animals which may cause a safety threat to children? Will the children have unsupervised access to pets?
4. Environmental Hazards. Are their any abandoned (unlocked or inoperable) vehicles, appliances, waste or other environmental hazards at the home?
5. Weapons. All weapons must be secured in a locked box or cabinet. Ammunition must be stored separately from the weapon.
6. Electrical Wiring. There must no exposed electrical wiring in the home.
7. Waste (garbage, trash, animal feces, etc.) All waste must be secured in sanitary fashion. There are no piles of uncovered or exposed waste on the property.
8. Dangerous porches, steps, doors, etc? Are rails in place to protect children from falling?
9. Inadequate Fencing?
10. Access to busy streets and/or highways? If so based on the age of the child, what precautions have been discussed to ensure child has no unsupervised access to the street?

D. Transportation

1. Does the family own a vehicle? If not, describe the mode of transportation readily available.

2. Is the liability insurance current?
3. Does the family member identified as a driver have a valid driver's license?
4. Does the family have required child restraint devices?

E. Employment and Finances

1. Is the caregiver employed? Obtain proof of income. If not is what is the plan for financially caring for the children. Discuss financial incentive programs available (TANF, ERR)
2. Does the caregiver own/rent residence? Obtain lease or mortgage. Are there provisions in the lease for the relative to move another person into the home?
3. For safety resources only, Determine if the safety resource has sufficient financial means to provide temporary care for the child? Is the resource eligible for and/or in need of help applying for benefits for the child?

NOTE: A parent remains financially responsible for a child sent to a safety resource.

F. General

1. Interview all adults living in the home. Specify who will provide direct care for the child. Observe and describe the quality of the relationship between these persons and the child.
2. Does the caregiver have needed childcare skills? Observe all children living in the home and the quality of care they receive.
3. Does the caregiver have any known physical, psychological, emotional or intellectual limitations that impair their ability to care for the child?
4. Does the caregiver need a childcare plan because of work schedule, child's after school needs or other reasons? What is the plan? Is the child CAPS eligible?
5. Explore the relationship between parent and caregiver(s)
6. Does the caregiver have community/family supports or resources?
7. Identify the family's strengths and needs.

G. The child in the home

1. Discuss the child's needs (medical, emotional, physical). Are the caregivers equipped to meet any special needs of the child?
2. Is the caregiver willing and able to meet the child's daily needs (e.g. education, clothing, food, medical)
3. For safety resource only: What arrangements have been made by the parent for the resource to enroll school age children in school? This may require a temporary transfer of guardianship.
4. For safety resource only: Is there a plan for the resource to seek medical treatment, if needed, for the child? What is the plan? This may require a temporary transfer of guardianship.

5. For safety resource only: Does the resource understand that, if a parent takes or attempts to take back physical custody of a child without the department's approval, the resource is required to immediately notify the department?
6. Practices and Views on Maintaining Parental, Sibling and Other Family Ties
7. Interpersonal Relationships with Other Household Members

H. Health Status

1. Health History/Current Status (all family members)
2. Drug Screening – Primary Caretaker(s) – Comprehensive Drug Screen Report conducted and signed by a qualified health professional (includes testing for marijuana/cannabinoids (THC), cocaine, amphetamines/methamphetamines, opiates, ecstasy and phencyclidine (PCP).
3. Medical Statement indicating that primary relative caregiver(s) does not have any health concerns or conditions which impedes their ability to care for the child (ren) or places them at risk. All health related concern which, otherwise, precludes them from consideration as a placement resource for the child(ren) must be addressed. It must be dated within 12 months prior to the completion date of the evaluation. The Case Manager or CCFA Provider must document that no member of the household appears to have a communicable disease, emotional impairment or physical impairment which could pose a threat to the health of the related children or affect the ability of the relative caregiver to provide routine daily care and evacuate the child safely if necessary. If there is reason to believe that a member of the household's health and physical well-being may be a threat to the health or safety of the related child, a medical statement may be requested from any household member.

Note: The Medical Report (Form 36) may be substituted for the medical statement to expedite the approval process for the relative becoming a resource parent.

I. Discipline Views and Practices

1. Corporal Punishment Views and Practices.
2. How do the caregiver discipline their own children? What are their views on discipline and punishment?
3. Commitment to Abide by State Prohibition of Corporal Punishment

G. Other

1. What is the resource's ability to provide for the child's needs? Talk to a minimum of two collaterals and obtain their opinion of the resource's ability to provide for the child. Do their comments support the statements made by the resource? If necessary, ask the resource to sign Release of Information forms.
2. Additional Pertinent Observations and Concerns Must be Discussed and Documented

3. Review the Comprehensive Child and Family Assessment (CCFA) if it is available and Initial Case Plan to determine if there are factors that should be considered in a determination for placement with the relative caregiver.
4. The Case Manager or CCFA Provider completing the RCA must attend and participate in the FTM or MDT held during the thirty-day CCFA period. Information from the meetings may be included in the RCA.

Summary and Recommendations

Approval

SSCM or CCFA Provider

Date

DFCS supervisor (signature verifies approval of study)

Date