Department of Children & Family Services Building a Stronger Louisiana	**Divisiona/Section**	Child Welfare
	Chapter No./Name	4 – Child Protective Services (CPS)
	Part No./Name	8 – Services Provided by Child Protective Services Workers
	Section No./Name	Services Provided by Child Protective Services Workers
	Document No./Name	4-807 Emergency Placement of Children
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I. STATEMENT OF POLICY

It is the policy of the Department of Children and Family Services (DCFS) to place a child in the custody of DCFS in the least restrictive placement that will meet the child's needs and serve the child's best interests.

II. PROCEDURES

When the safety and protection of a child cannot be met in the parent's or caregiver's home * and custody cannot be granted to a suitable individual or relative, the department may request court involvement to place the child in the custody of the department. Refer to CW Section 4-710 and Section 4-750, Court Procedures Applicable to ICWA, as applicable, for the procedures for Emergency Protection Action.

A child is removed from the home when the court orders custody to the department. The Child Protective Services (CPS) worker is responsible for preparing the child and family for the transition. The department shall assure the child is placed in the least restrictive environment that meets the child's needs and serves the child's best interest when determining the placement for the child.

A. PREPRATION FOR PLACEMENT

Understanding that the removal of a child from the child's parent/caretaker(s) is traumatic, it is critical that careful consideration and planning be given in making a foster care placement.

As soon as the decision is reached that the child requires emergency removal and placement, staff must consider the availability of placement with relatives or a suitable individual. If there is not a parent, with whom the child has not been residing, available as a potential resource for the child, placement with a suitable individual or placement with ** relatives (grandparent, aunt or uncle, sibling, *** cousin, * family, friend, neighbor, etc.) is considered first. The safety and well-being of the child is the primary concern when considering a relative or suitable individual as a placement resource. If it does not appear that there is a suitable relative or suitable individual available to the child, the most appropriate, least restrictive, alternative placement resource available for the child shall be determined.

All mothers who desire to breastfeed or continue to breastfeed should be provided the opportunity. When a mother desires to breastfeed and it does not pose a risk of harm to the infant then the agency shall support the mother in successfully breastfeeding. If there becomes a concern with the mother's ability to provide safe and appropriate breast milk, the case worker shall encourage the mother to obtain approval from her treating physician prior to providing the infant or the infant's caregiver with breast milk. When the mother and infant are not in the same home, the mother shall be provided with resources to support breastfeeding and shall be provided with the ability to store and transport breast milk. The agency shall provide the

mother with resources to assist with initiating breastfeeding or continuing to breastfeed. Please refer to Foster Care Policy 6-226 SP Breastfeeding for further details.

Preparing the child(ren) should be aimed at helping the child(ren) to know, understand, and accept what is happening to him. The worker should explain where the child is going, why, and for approximately how long, if that information is available. The child should be told who lives at the home or facility and their names. It is important for the worker to reassure the child(ren) that they are not responsible for the removal and placement and to give the child(ren) an opportunity to ask questions and express their feelings.

To the extent practicable, the Child Protective Services (CPS) worker is to gather as much background information as possible about the child(ren) entering foster care to ensure that his needs are met. Examples of information to gather include, educational information, medical information, dietary restrictions, habits, parenting techniques preferences that are unique to meeting the child(ren)'s needs, and any other information that will help the child(ren) feel safe, comfortable and be successful in their new foster care placement.

Placing the child includes obtaining clothing, personal items, and a favorite small toy, or possessions from the child's parent or home for the child to use while in foster care.

When removal is necessary best practice suggests that the CPS worker and the assigned Foster Care (FC) worker jointly place the child. Upon arrival to the placement, a DCFS worker is to contact the child's parents/caretakers to advise them of the child's arrival at the placement and to obtain any additional information to pass along to the foster parent. If properly facilitated this will empower the parent and make them feel that their input is important and allow for the best possible outcome for the family. Also, encourage the parent to talk to the foster parents/caretakers ** to ease the child's transition and to provide useful information regarding the child.

In addition, the worker should provide the foster parents/caretakers with information about the child such as age, school placement, *** current medical needs, and any special problems which may exist.

The CW Form 97 (Emergency Placement Agreement Form) shall be completed on all emergency placements made by a CPS worker.

B. PLACEMENT CONSIDERATIONS FOR NATIVE AMERICAN/INDIAN CHILD(REN)

To protect the best interests of Indian children, and to promote the stability and security of Indian tribes and families, the worker shall work closely with the child's tribe to identify placement options within the tribal community. To preserve the unique values of the Indian culture, the worker must consider families from all tribes to which the child has ties as placement options.

The Indian Child Welfare Act (ICWA) requires that preference be given to members of the extended family and other * suitable individuals who may be members of the child's tribe.

After the child's extended family has been ruled out, as a placement resource, consideration MUST be given to the following:

a. Foster homes that are licensed, approved, or specified by the tribe;

b. Indian family that is licensed/approved by an authorized non-Indian licensing authority;

c. Institutions for children approved by tribe or specified by an Indian organization.

The CPS Worker shall provide this information to the Foster Care Worker. Refer to CPS Policy 4-590 for additional considerations related to ICWA requirements.

C. PLACEMENT OF A CHILD IN A NONCERTIFIED HOME

When the plan is to place the child in a placement other than a certified foster care home/facility, the Child Protective Services Worker shall be responsible for conducting a preliminary assessment of the home.

The CPS worker initiates the preliminary assessment of a noncertified home, with the Foster Care Worker completing the assessment. The CPS portion of the preliminary assessment includes:

- Completion of the CW Form 417, Checklist for Emergency Child Specific Placements, conducting a home assessment;

- Completion of a fingerprint based criminal record clearance on each adult member of the family of the household. Results for each member must meet the required criteria specified in Section 1-1000, Criminal Records Clearances; and

- Completion of an agency Child Abuse and Neglect Clearance in the Clearance Module of ACESS. Please refer to Policy 6-400 Placement of the Child for more information regarding related Foster Care policy. ** ***

The CW Form 417, Checklist for Emergency Child Specific Placements is to be completed prior to leaving the child in the care of the caretaker, and requires a home visit. A copy of the CW Form 417 is to be provided to Foster Care Staff the following day, or no later than the post removal staffing, for inclusion in the continued assessment and home study of the home. In addition to the minimal requirements listed in the CW Form 417, the CPS worker is to assess the following prior to leaving the child in the home:

1. The extent of * the caretaker's ** commitment to *** * and willingness to care for the child, including protecting the child and not returning the child to the parent/caretaker, or giving the child to any other person;

2. The caretaker's willingness to sign an out-of- home safety plan, if applicable;

3. What the caretaker(s) can expect from the placement experience;

4. Whether the caretaker's home can be considered only as a short term emergency placement until another placement can be found, if that is needed; or whether the home may be available for a long term placement, if that becomes necessary;

5. Certification as a foster/adoptive home. Noncertified caretakers shall be notified of the Department's expectation of certification immediately after placement of the child in their home. In the event certification is not possible and/or desired, a new placement should be considered.

If an emergency placement must be made prior to all adults in the proposed caretaker's household being able to come into a DCFS office to submit to a fingerprint criminal records clearance, the CPS worker is to request that a local law enforcement conduct a national name-based criminal records search on all the adults in the home (LA R.S. 15:587). As a follow up, all adults MUST be instructed to complete a fingerprint based criminal clearance with the department as soon as possible, but no later than within 12 days, as the results must be received within 15 calendar days. Refer to Administrative Policy 1-1000, Criminal Background Clearances, for additional guidance regarding criminal background clearances and the prohibited criminal offenses in assessing placements.

The preliminary assessment of all noncertified placements includes completing ** a clearance *** * in the Clearance Module of ACESS. If the emergency ** placement is made outside of regular working hours *** * then the DCFS data systems (TIPS and ACESS) can be utilized for assessment purposes for the emergency placement prior to completing a clearance in the ACESS clearance module. ** ***

In the event the noncertified caretaker has a valid history with the agency, an alternate placement resource must be located.

* Regardless of whether the child was placed in the home or not, the clearance in the Clearance Module of ACESS shall be conducted the following business day to ensure that an accurate clearance is completed. **

The discussion with the relative and activities completed as part of the preliminary assessment are documented in ACESS on the Investigation Page in the Interview/Collateral Section.

D. PLACEMENT OF A CHILD IN A FOSTER HOME OR OTHER CERTIFIED FACILITY

In accordance with Public Law 96-272, the foster child shall be placed in the least restrictive (most family-like), most appropriate setting available and in close proximity to the parent's home, consistent with the best interest and special needs of the child. If the decision is made to place the child in a foster home, group home, restrictive care, or emergency care facility, and the placement is being made during regular working hours, the CPS worker and assigned Foster Care worker shall be responsible for placing the child. The CPS Worker shall be responsible for placement in such facilities during working hours only if the Foster Care Unit is totally unavailable. This shall occur only in rare circumstances.

E. REMOVAL AND PLACEMENT AFTER REGULAR WORKING HOURS

When children are removed after regular working hours, the following are responsible for placement:

1. The CPS Worker is to make all placements in the home of * noncertified suitable relatives and noncertified suitable individuals. ** ***

2. The Foster Care Worker is responsible for making placements in foster family homes or group homes, if feasible (see discussion below). If not feasible, the CPS Worker has ultimate responsibility for placement after regular working hours.

* The CPS Worker shall attempt to contact the Foster Care Worker or Supervisor according to local office procedures. The placement decision and the reason for the decision is documented in ACESS on the Case Activity Log and in the Transfer Staffing documentation. The CPS Worker and Foster Care Supervisor or Worker shall work cooperatively to decide who will make the actual placement, if one is available. Depending on location of the foster or group home, it may be more advisable for the CPS Worker to make the placement. The worker making the placement shall be responsible for preparing the child for placement.

When there is an emergency removal after hours, and no Foster Care staff are available to assist, the CPS Worker is expected to place the child with the foster home that best meets the child's needs, as close in proximity to the child's family as possible, and in the least restrictive environment as possible for the child's needs. The placement listing of DCFS foster parents, listed on the Webfocus Dashboard, can be used by CPS for assistance in locating a foster home placement. DCFS staff are expected to comply with the provisions of MEPA/IEPA and therefore race will not be used as a reason a placement is chosen. To assure this compliance with MEPA/IEPA, the worker shall document the placement selected and the justification for the placement decision in the Removal Section on the Investigation Page in ACESS. It is also documented on the CW Form 6 ** along with the information available about the child and the family.

F. REFERRAL TO FOSTER CARE UNIT

The CPS Services Worker shall be responsible for making a written referral to the Foster Care Unit using the * CW Form 6. ** This shall occur regardless of the child's placement. The worker shall use the local office procedure and *** * the staffing with foster care shall occur within five calendar days. **

G. ARRANGEMENT OF THE FIRST FAMILY VISIT

The Foster Care Worker shall be responsible for coordinating the arrangements for the first family visit between the parent(s) and the child (ren). The CPS Worker should assist the family by advising them of the child's Foster Care worker, visitation with the child and what they may discuss with the child during the first visit. Also, if it was not possible to obtain the child's clothing or personal items such as a favorite small toy, or possession, the CPS Worker should request that the parent bring these things to the child.

III. FORMS AND INSTRUCTIONS

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Form 97 / Instructions Emergency Placement Agreement
Form 417 / Instructions Checklist For Emergency Child Specific Placements
ICWA-1 Your Rights Under the Indian Child Welfare Act
* Form 6 / Instructions Referral Form **

IV. REFERENCES

Public Law 95-608 Indian Child Welfare Act (ICWA)
La Children's Code Article 620 D.
La Children's Code Article 622
La Children's Code Article 619
Multi-Ethnic Placement Act 1994 (MEPA)/Inter-Ethnic Placement Act 1996(IEPA)
25 U.S.C. 1902
25 U.S.C. 1911