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## FOSTER CARE OVERVIEW

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# 1

## FOSTER CARE OVERVIEW

### 1.1 Introduction

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Federal law mandates and appropriates funding for the provision of services to enhance the safety, permanency and well-being of children in foster care ([Social Security Act, Title IV-E](#)). Federal regulation defines foster care as twenty-four hour substitute care for all children placed away from their parents or guardians and for whom the State agency has placement and care responsibility ([45 CFR 1355.20](#)).

State law defines foster care services as the provision of a full range of casework, treatment, and community services, including but not limited to independent living services, for a planned period of time to children, and their families, who are abused or neglected as defined in [§ 63.2-100](#) or in need of services as defined in [§ 16.1-228](#) ([§ 63.2-905](#)).

Children and their families receive foster care services in three separate and distinct situations. The children:

- Have been identified as needing services to prevent or eliminate the need for foster care placements; or
- Have been placed through an agreement between the LDSS or the public agency designated by the Community Policy and Management Team (CPMT) and the parents or legal guardians who retain custody; or
- Have been committed or entrusted to a LDSS or licensed child placing agency by the court ([§ 63.2-905](#)).

State law specifically mandates the provision of foster care services through the Children's Services Act (CSA) ([§ 2.2-5211 C and B3](#)). CSA provides services that are

child centered, family focused, community based and address the unique and diverse strengths and needs of children and their families. CSA strives to preserve families and provide appropriate services in the least restrictive environment, while protecting the welfare of children and maintaining the safety of the public ([§ 2.2-5200](#)).

Foster care prevention services are meant to preserve and strengthen families and keep children in their own homes. The local department shall first make reasonable efforts to keep the child in their home. The local department shall make diligent efforts to locate and assess relatives or other alternative caregivers to support the child remaining in their home or as a placement option if the child cannot safely remain in their home. Any services available to a child in foster care shall also be available to a child and their parents or custodians to prevent foster care placement and shall be based on an assessment of the child's and birth parents' or custodians' needs. When a child must be removed from home, the initial goal focuses on the provision of services to return the child home. If reunification is not possible, the goal becomes achieving permanency for the child through adoption with another family or a relative, or custody transfer to relatives based on the best interests of the child. Permanency also involves facilitating lifelong connections for the child with siblings, extended family, and other significant adults.

*Placement of a child into* Foster care is intended to be temporary. The placement is developed in collaboration with the family and based on the needs and best interest of the child. Placement with a relative who expresses a willingness to provide a long-term *placement* of the child and to become an approved foster and adoptive parent is the preferred placement for most children. If placement with a relative is not possible or appropriate, a non-relative foster family home *should be considered*. Group living arrangements, a residential treatment facility, or an independent living arrangement are other possible placements.

Services shall be provided to the child and their family and should include services to the relative or other caregivers as necessary (§§ [63.2-905](#), [2.2-5200](#), and [2.2-5208](#)).

## 1.2 Definitions

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The following words and terms, when used in this policy, shall have the following meaning, unless the context clearly indicates otherwise:

| <b><u>Term</u></b>         | <b><u>Definition</u></b>   |
|----------------------------|--|
| <b>Adoption Assistance</b> | <i>Monetary</i> payment and/or payments for services provided to adoptive parents on behalf of a child with special needs. |

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| <b>Adoption Assistance Agreement</b>                  | A written agreement and any addenda that are entered into and binding on all relevant parties, including the local department of social services, the prospective adoptive parent(s) of a child with special needs, and the licensed child-placing agency when the child is in its custody. At a minimum, the agreement and any addenda specify the payments, services and assistance to be provided on behalf of the child and stipulate that the agreement and any addenda shall remain in effect regardless of the State of residence of the adoptive parent(s) at any given time ( <a href="#">Social Security Act, Title IV, § 475 (c) (2) [42 USC 675]</a> and <a href="#">§ 63.2-1302</a> ). |
| <b>Adoption Assistance – Maintenance</b>              | That component of the adoption assistance payment made to an adoptive parent that may be consistent with the basic foster care maintenance rate.  |
| <b>Adoptive Placement</b>                             | Is the arranging for the care of a child who is in the custody of a child placing agency in an approved home for the purpose of adoption.   |
| <b>Adoption Assistance – Service</b>                  | That component of the adoption assistance payment pursuant to <a href="#">§ 63.2-1302</a> that is made for special services provided to the child that the adoptive parents cannot afford and that are not covered by insurance or otherwise.   |
| <b>Agency</b>   | A public agency or licensed child-placing agency.   |
| <b>Adoption Resource Exchange of Virginia (AREVA)</b> | A registry and photo listing of children and families waiting for adoption within the Commonwealth of Virginia. It is a tool provided by VDSS to connect families with children available for adoption.   |
| <b>Child</b>  | For the purposes of Fostering Futures (outlined in <a href="#">Section 14</a> of Foster Care Guidance), adoption assistance (outlined in <a href="#">Section 2.14.8</a> of Adoption Guidance), and Kinship Guardianship Assistance Program (outlined in <a href="#">Section 10.21</a> of Foster Care Guidance) a person who has reached the age of 18 years but has not reached the age of 21.  |
| <b>Child and Family Team Meeting</b>                  | A meeting of the youth, family, extended family and all service providers that is a mechanism by which regular reviews of services and progress is shared among all the individuals involved in the case and where the family's needs and preferences routinely inform decision making.   |

**Child-Placing Agency**

Any person who places children in foster homes, adoptive homes or independent living arrangements pursuant to [§ 63.2-1819](#) of the Code of Virginia or a local board that places children in foster homes or adoptive homes pursuant to [§ 63.2-900](#), [63.2-903](#), or [63.2-1221](#) of the Code of Virginia. Officers, employees, or agents of the Commonwealth, or any locality acting within the scope of their authority as such, who serve as or maintain child-placing agency, shall not be required to be licensed.

**Children's Residential Facility**

Means any facility, child-caring institution, or group home that is maintained for the purpose of receiving children separated from their parents or guardians for full time care, maintenance, protection and guidance. Children's residential facilities shall not include: 1. A licensed or accredited educational institution whose pupils, in the ordinary course of events, return annually to the home of their parents or guardians for not less than two months of summer vacation; 2. An establishment required to be licensed as a summer day camp by [§ 35.1-18](#); or 3. A licensed or accredited hospital legally maintained as such ([§ 63.2-100](#)).

**Children's Services Act (CSA)**

The legislation that created a collaborative system of services and funding that is child-centered, family-focused, and community-based to address the strengths and need of troubled and at-risk youth and their families in the Commonwealth. ([§ 2.2-5200 et. seq.](#)).

**Community Policy and Management Team (CPMT)**

A team that is appointed by the participating local political subdivision establishing the team to implement the CSA as specified in Sections [§§ 2.2-5200 – 2.2-5207](#) of the Code of Virginia. The purpose of the CPMT is to manage the cooperative effort in each community to better serve the needs of troubled and at-risk youths and their families, and to maximize the use of state and community resources.

**Concurrent Permanency Planning**

A structured approach to case management which requires working towards family reunification while, at the same time, establishing and working towards an alternative permanency plan.

**CRAFFT**

Consortium for Resource, Adoptive, and Foster Family Training (*CRAFFT*), CRAFFT Consultants are available to local departments of social services (LDSS) to provide assistance regarding training for foster families.

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| <b>Credit Freeze</b>                              | Also known as a “security freeze.” It protects a consumer’s credit file and prohibits the Credit Reporting Agency (CRA) from sharing credit information in most instances. Designed to prevent the approval of credit, loans, or services in a consumer’s name without their consent.  |
| <b>Department (VDSS)</b>                          | The State Department of Social Services.   |
| <b>Diligent Search</b>                            | The ongoing process of examining the extended networks of the people who have been involved with the child over the course of the child’s life. It involves reconstructing the child’s relationships historically over time and currently to identify family members and other individuals who have been significant and positive for the child for the purposes of finding family and lifelong connections for the child. |
| <b>Dual Approval</b>                              | The approval of a home concurrently as both a foster and adoptive home for children.   |
| <b>Emergency Placement</b>                        | The sudden, unplanned, unexpected placement of a child who needs immediate care in a foster home and the placement occurs prior to the agency obtaining adequate information regarding the child’s needs. Emergency placements require the foster parent to provide increased supervision and support to ensure the child’s safety.  |
| <b>Enhanced Maintenance Payment</b>               | The amount paid to a foster or adoptive parent over and above the basic foster care maintenance payment. It is based on the needs of the child for additional daily supervision and support by the foster or adoptive parent as identified by the VEMAT.   |
| <b>Family Assessment and Planning Team (FAPT)</b> | The local team created through the Children’s Services Act to assess the strengths and needs of troubled youth and families who are referred to the team. The team identifies and determines the complement of services required to meet these unique needs ( <a href="#">§ 2.2-5208</a> ).  |
| <b>Fictive Kin</b>                                | Individuals who are not related to a child by blood or adoption but have an established relationship with the child or their family.   |

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| <b>Foster and Adoptive Parent</b> | A provider who has completed the dual approval process and has been approved as both a foster and adoptive family home provider. The provider is committed to support reunification and to be prepared to adopt the child if the child and family do not reunify.   |
| <b>Foster Care</b>                | Twenty-four-hour substitute care for children placed away from their parents or guardians and for whom the local board has placement and care responsibility. Placements may be made in foster family homes, foster homes of relatives, pre-adoptive homes, group homes, emergency shelters, residential facilities, and child care institutions. Foster care also includes children under the placement and care of the local board who have not been removed from their home. |
| <b>Child in Foster Care</b>       | A person who has been placed into foster care through a non-custodial foster care agreement, entrustment, or commitment before 18 years of age.   |
| <b>Foster Care Episode</b>        | A foster care episode is a removal with one or more placement settings. A previous episode is one that has been completed by a discharge or entry into the Fostering Futures Program. A current episode is a removal and one or more placement settings without a discharge.  |
| <b>Foster Care Placement</b>      | Placement of a child through (i) an agreement between the parents or guardians and the local board or public agency designated by the community policy and management team where legal custody remains with the parents or guardians, or (ii) an entrustment or commitment of the child to the local board or licensed child-placing agency ( <a href="#">§ 63.2-100</a> ).   |

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| <b>Foster Care Services</b>           | The provision of a full range of casework services including prevention, placement, treatment, and community services including but not limited to independent living services, for a planned period of time to a child who is abused or neglected as defined in <a href="#">§ 63.2-100</a> , or in need of services as defined in <a href="#">§ 16.1-228</a> , and their family, when a child (i) has been identified as needing services to prevent or eliminate the need for foster care placement, (ii) has been placed through an agreement between the local board or the public agency designated by the community policy and management team and the parents or guardians where legal custody remains with the parents or guardians, (iii) has been committed or entrusted to a local board or licensed child placing agency ( <a href="#">§ 63.2-905</a> ). |
| <b>Foster Family Placement</b>        | Placement of a child with a family that has been approved by the LDSS to provide substitute care for children until a permanent placement can be achieved.   |
| <b>Full Disclosure</b>                | Respecting parents by providing them with complete information about their rights, responsibilities, expectations, the importance of staying connected to their children, and the consequences of not following through on the service plan. It is a process that facilitates open and honest communication among the service worker, the biological parents, and extended family members, caregivers, and the court.  |
| <b>Human Trafficking</b>              | Refers to both sex and labor trafficking.  |
| <b>Independent Living Arrangement</b> | A placement of a child at least 16 years of age who is in the custody of a local board or licensed child-placing agency and has been placed by the local board or licensed child-placing agency in a living arrangement in which he does not have daily substitute parental supervision.   |

**Independent Living Services**

Are the services and activities provided to a child in foster care 14 years of age or older who was committed or entrusted to a local board of social services, child welfare agency, or private child-placing agency. “Independent living services” may also mean services and activities provided to a person who (i) was in foster care on ~~his~~ *their* 18<sup>th</sup> birthday and has not yet reached the age of 21 years or (ii) is at least 18 years of age but has not yet reached 21 years of age and who, immediately prior to their commitment to the Department of Juvenile Justice, was in the custody of a local board of social services. Such services shall include counseling, education, housing, employment, and money management skills development, access to essential documents, and other appropriate services to help children or persons prepare for self-sufficiency ([§ 63.2-100](#)). These services are not contingent on the youth having a permanency goal of independent living nor are they contingent upon the youth residing in an independent living arrangement.

**Interstate Placement**

Is the arrangement for the care of a child in an adoptive home, foster care placement, or in the home of the child’s parent or with a relative or non-agency guardian, into or out of the Commonwealth, by a child placing agency or a court when the full legal right of the child’s parent or non-agency guardian to plan for the child has been voluntarily terminated or limited or severed by the action of any court.

**Individual Family Service Plan (IFSP)**

The plan for services developed by the family assessment and planning team under the Children’s Services Act.

**Kinship Guardianship Assistance**

A money payment provided to a relative custodian, including fictive kin, on behalf of a child that was discharged from foster care to the relative’s custody in accordance with the requirements of Virginia Code [§ 63.2- 1305](#).

**Kinship Guardianship Assistance Agreement**

A written agreement, binding on the parties to the agreement, between the agency and the prospective relative custodian(s), including fictive kin, of the minor child that specifies the nature and the amount of any payments and assistance to be provided under such agreement, and stipulates that the agreement shall remain in effect regardless of the State in which the relative custodian resides.

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| <b>Labor Trafficking</b>                   | Labor trafficking is the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purposes of subjection to involuntary servitude, peonage, debt bondage, or slavery, ( <a href="#">22 USC § 7102</a> ).   |
| <b>Local Board</b>                         | The local board of social services representing one or more counties or cities.   |
| <b>Local Department (LDSS)</b>             | The local department of social services of any county or city in this Commonwealth.   |
| <b>Maintenance</b>                         | Payments made on behalf of a child to cover the cost of (and the cost of providing) food, clothing, shelter, daily supervision, school supplies, a child's personal incidentals, liability insurance with respect to a child, and reasonable travel for the child to visit with family or other caretakers and to remain in the school in which the child was enrolled at the time of placement and other allowable expenses in accordance with guidance by VDSS. |
| <b>Non-Custodial Foster Care Agreement</b> | The agreement that specifies the conditions for care and control of the child that the LDSS enters into with the parent(s) or guardians to place a child in foster care when the parent(s) or guardians retain custody.   |
| <b>Normalcy</b>                            | Allowing children and youth in foster care to experience childhood and adolescence in ways similar to their peers who are not in foster care by empowering foster parents and congregate care staff to use the reasonable and prudent parent standard as referenced in <a href="#">Public Law 113-183</a> when making decisions regarding extracurricular, enrichment and social activities   |
| <b>OASIS</b>                               | The Online Automated Services Information System, used to record all child welfare services data for children in foster care  |
| <b>Parental Agreement</b>                  | The agreement that the local public agency designated by the Community Policy and Management Team enters into with the parent(s) or guardians who retain legal custody of the child that specifies the conditions for placing the child in a placement outside of the child's home. The agency shall not be the LDSS.   |

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| <b>Permanency</b>                    | Permanency for children means establishing family connections and placement options for children in order to provide a lifetime of commitment, continuity of care, a sense of belonging, and a legal and social status that goes beyond the child's temporary foster care placement.  |
| <b>Permanency Planning</b>           | An array of social work and legal efforts that promotes establishing a permanent living situation for every child with an adult with whom the child has a continuous, reciprocal relationship within a minimum amount of time after the child enters the foster care system.  |
| <b>Permanency Planning Indicator</b> | A tool used in concurrent planning to assess the likelihood of reunification.   |
| <b>Person Locator Tool</b>           | A web-based search program that allows people searches, address searches and phone number searches in real-time. Specifically, it provides a comprehensive view of public records; an individual's associations and relatives; help for localities to connect children/youth with living relatives or other potential caregivers or mentors; and a means to meet the diligence requirements specified by the Fostering Connections Act of 2008. |
| <b>Prior Custodian</b>               | Defined as the person who had custody of the child and with whom the child resided, other than the birth parent, before custody was transferred to or placement made with the child-placing agency when that person had custody of the child.   |
| <b>Putative Father</b>               | A man who is alleged to be the father of a child. A putative father is not married to the child's mother. The court has not established that he is the father of the child; he has not signed a written agreement acknowledging paternity; nor has he adopted the child.  |
| <b>Qualified Individual</b>          | A trained professional or licensed clinician who is not an employee of the local department or affiliated with any placement setting in which the child has been placed and who is responsible for completing the 30-day assessment for placements in qualified residential treatment programs, as outlined in <a href="#">Section 6B.3.1</a> .   |

**Qualified Residential Treatment Program (QRTP)**

A program that provides 24-hour residential placement services for children in foster care; has adopted a trauma-informed treatment model that meets the clinical and other needs of children with serious emotional or behavioral disorders, including any clinical or other needs identified through assessments; employs registered or licensed nursing and other clinical staff who provide care, on site and within the scope of their practice, and are available 24 hours a day, 7 days a week; conducts outreach with the child's family members, including efforts to maintain connections between the child and their siblings and other family; documents and maintains records of such outreach efforts; and maintains contact information for any known biological family and fictive kin of the child; whenever appropriate and in the best interest of the child, facilitates participation by family members in the child's treatment program before and after discharge and documents the manner in which such participation is facilitated; provides discharge planning and family-based aftercare support for at least six months after discharge; and is licensed in accordance with 42 U.S.C. § 671(a)(10) and accredited by an organization approved by the federal Secretary of Health and Human Services.

**Service Worker**

The worker primarily responsible for case management or service coordination and meeting the foster care requirements for a foster care case.

**Sex Trafficking**

The recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act ([Trafficking Victims Protection Act of 2000](#)). Severe forms of trafficking include: (A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or (B) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subsection to involuntary servitude, peonage, debt bondage, or slavery.

**Sibling**

Each of two or more children having one or more parents in common.

**State Pool Funds**

The pooled federal, state and local funds established by the Children's Services Act and used to pay for services authorized by the Community Policy and Management Team, including foster care services.

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| <b>Title IV-E</b>  | The title of the section of the Social Security Act that authorizes federal funds for foster care and adoption assistance.   |
| <b>Treatment Foster Care (TFC)</b>                           | A community-based program where services are designed to address the special needs of children. Services to children and youth are delivered primarily by treatment foster parents who are trained, supervised and supported by agency staff. Treatment is primarily foster family based and is planned and delivered by a treatment team. |
| <b>Virginia Enhanced Maintenance Assessment Tool (VEMAT)</b> | The Virginia Enhanced Maintenance Assessment Tool is Virginia's standardized tool for assessing a child's need for enhanced maintenance payments when placed in a foster home. It determines the standard rate to be paid for additional support and attention when needed.  |
| <b>Wraparound Services</b>                                   | An individually designed set of services and supports provided to a child and their family that includes treatment services, personal support services, or any other supports necessary to achieve the desired outcomes. Wraparound services are developed through a team approach.  |

### 1.3 Federal requirements

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Specific foster care requirements are set forth in the following federal laws:

- The [Indian Child Welfare Act](#) of 1978 (ICWA). Congress passed ICWA in response to the high number of American Indian children being removed from their homes by both public and private agencies. The intent was to "protect the best interests of Indian children and to promote the stability and security of Indian tribes and families." Federal regulations which further clarify ICWA went into effect December 2016 and can be found in the [Federal Register](#).
- The [Adoption Assistance and Child Welfare Act](#) of 1980 (Public Law 96-272). This federal program authorized appropriations for adoption and foster care assistance to states and required states to provide adoption assistance to parents who adopt a child who is AFDC-eligible and is a child with special needs. For foster care assistance, states are required to make reasonable efforts to prevent placement or to reunify children with their families.
- The [Multiethnic Placement Act](#) of 1994 as amended by the Interethnic Adoption Provisions of 1996. These laws were enacted in an effort to promote the best interests of children by ensuring that they have permanent, safe, stable, and loving

homes that will meet their individual needs, without regard to the child's or the prospective parent's race, color, or national origin.

- The [Adoption and Safe Families Act](#) of 1997. This law was passed to improve the safety of children, to promote adoption and other permanent homes for children who need them, and to support families. This law made changes and clarifications in a wide range of policies established under the Adoption Assistance and Child Welfare Act (P.L. 96-272).
- The [Foster Care Independence Act of 1999](#). This law was enacted to amend part E of title IV of the Social Security Act to provide States with more funding and greater flexibility in carrying out programs designed to help children make the transition from foster care to self-sufficiency.
- The [Child and Family Services Improvement Act](#) of 2006. This law amended parts B and E of title IV of the Social Security Act. It reauthorized the Promoting Safe and Stable Families (PSSF) program; authorized funds to states to meet requirements for case workers to visit children in foster care monthly; and reauthorized the Court Improvement Program.
- The [Safe and Timely Interstate Placement of Foster Children Act](#) of 2006. This bill was enacted to improve protections for children and to hold states accountable for the safe and timely placement of children across state lines.
- The [Adam Walsh Child Protection and Safety Act](#) of 2006. This law was enacted to protect children from sexual exploitation and violent crime; to prevent child abuse and child pornography with an emphasis on comprehensive strategies across federal, state, and local communities to prevent sex offenders' access to children; to promote Internet safety; and to honor the memory of Adam Walsh and other child crime victims.
- The [Fostering Connections to Success and Increasing Adoptions Act](#) of 2008. The goal of this law is to amend parts B and E of title IV of the Social Security Act to connect and support relative caregivers, improve educational and health outcomes for children in foster care, provide for tribal foster care and adoption access and improve incentives for adoption, as well as for other purposes.
- The [National Youth in Transition Database](#) regulations (45 CFR 1356.80 through 1356.86). This regulation requires states to collect and report data to the Administration for Children and Families (ACF) on youth who are receiving independent living services and on the outcomes of certain youth who are in foster care or who age out of foster care.

- The [Patient Protection and Affordable Care Act](#) (P.L. 111-148). This law, passed in 2010, is intended to decrease the number of people without health care coverage.
- The [Child and Family Services Improvement and Innovation Act](#) (P.L. 112-34) was signed into law in September 2011. This law amended and expanded parts B and E of title IV of the Social Security Act. The law expands the requirements of how agencies monitor and treat emotional trauma in addition to other health needs identified through screenings and requires states to establish protocols for the appropriate use and monitoring of psychotropic medications. The law also increases the standard for monthly visits with children by the service worker to at least fifty percent in the residence of the child. The law also requires educational stability at each placement change vs. only when coming into care. It also requires that each youth, 16 and older, in foster care receive a copy of any consumer credit report each year until discharged from foster care. The youth is also to be assisted in interpreting the credit report and resolving any inconsistencies.
- [The Preventing Sex Trafficking and Strengthening Families Act](#) (P.L. 113-183) was signed into law in September 2014. In addition to protecting children and youth at risk of sex trafficking, it also includes provisions for improving opportunities for children in foster care and supporting permanency. The law requires states to implement a plan to locate and respond to children who run away from foster care, report to law enforcement authorities any instances of sex trafficking, and to collect data regarding children in foster care who have been the victims of sex trafficking. Additionally, states are required to develop a reasonable and prudent parent standard for a child in foster care's participation in age and developmentally appropriate social, recreational, and extracurricular activities. The law also limits the goals of Another Planned Permanent Living Arrangement and Permanent Foster Care to youth 16 years of age or older and prescribes requirements for approval of the foster care plan. Youth who age out of foster care at age 18 shall be provided with certain documentation and all youth age 14 and older shall be given the opportunity to participate in case planning and choose up to two members of their team.
- [The Family First Prevention Services Act \(Family First\)](#) was enacted by Congress on February 9, 2018 as part of the larger Bipartisan Budget Act (BBA), and represents the most significant re-write of title IV of the Social Security Act since 1981. Family First enables states to use federal funds under parts B and E of title IV of the Social Security Act to provide enhanced support to children and families and prevent foster care placements by providing the following: i) mental health and treatment for substance use disorders, (ii) prevention and treatment services, (iii) in-home parent skill-based programs, and (iv) kinship navigator services. Additionally, Family First provides the tools and resources necessary to allow Virginia's social services system to focus on prevention in order to keep children

safely with their families and not enter foster care so that they have a better chance of growing-up in the least restrictive setting.

The amount of financial participation by the federal government is dependent upon compliance with federal regulations. Requirements are also in state laws pertaining to foster care and the Children's Services Act (Chapter 52 of title 2.2 of the Code of Virginia §§ [2.2-5200](#) through [2.2-5214](#)).

## 1.4 Practice principles

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The Virginia Children's Services System Practice Model sets forth a vision for the services that are delivered by all child-serving agencies across the Commonwealth, especially the Departments of Social Services, Juvenile Justice, Education, Behavioral Health and Developmental Services, and the Office of Comprehensive Services. The practice model is central to our decision making; present in all of our meetings; and in every interaction that we have with a child or family. Decisions that are based on the practice model will be supported and championed. Guided by this model, our process to continuously improve services for children and families will be rooted in the best of practices, the most accurate and current data available, and with the safety and well-being of children and families as the fixed center of our work.

These guiding principles for permanency services in Virginia shall be incorporated in all decisions in case planning and service delivery for children in foster care and their families. To achieve permanency for children in foster care, services provision shall be timely and based on the following principles:

### **We believe that all children and communities deserve to be safe.**

- Safety comes first. Every child has the right to live in a safe home, attend a safe school, and live in a safe community. Ensuring safety requires a collaborative effort among family, agency staff, and the community.
- We value family strengths, perspectives, goals, and plans as central to creating and maintaining child safety and recognize that removal from home is not the only way to ensure child or community safety.
- In our response to safety and risk concerns, we reach factually-supported conclusions in a timely and thorough manner.
- Participation of parents, children, extended family, and community stakeholders is a necessary component in assuring safety.
- We separate caregivers who present a threat to safety from children in need of protection. When court action is necessary to make a child safe, we use our authority with respect and sensitivity.

**We believe in family, child, and youth-driven practice.**

- Children and families have the right to have a say in what happens to them and will be treated with dignity and respect. The voices of children, youth, and parents are heard, valued, and considered in the decision making regarding safety, permanency, and well-being, as well as in service and educational planning and in placement decisions.
- Each individual's right to self-determination will be respected within the limits of established community standards and laws.
- We recognize that family members are the experts about their own families. It is our responsibility to understand children, youth, and families within the context of their own family rules, traditions, history, and culture.
- Children have a right to connections with their biological family and other caring adults with whom they have developed emotional ties.
- We engage families in a deliberate manner. Through collaboration with families, we develop and implement creative, individual solutions that build on their strengths to meet their needs. Engagement is the primary door through which we help youth and families make positive changes.

**We believe that children do best when raised in families.**

- Children should be reared by their families whenever possible.
- Keeping children and families together and preventing entry into any type of out-of-home placement is the best possible use of resources.
- Children are best served when we provide their families with the supports necessary to raise them safely. Services to preserve the family unit and prevent family disruption are family-focused, child-centered, and community-based.
- People can and do make positive changes. The past does not necessarily limit their potential.
- When children cannot live safely with their families, the first consideration for placement will be with kinship connections capable of providing a safe and nurturing home. We value the resources within extended family networks and are committed to seeking them out.
- When placement outside the extended family is necessary, we encourage healthy social development by supporting placements that promote family, sibling, and community connections.

- Children’s needs are best served in a family that is committed to the child.
- Placements in non-family settings should be temporary, should focus on individual children’s needs, and should prepare them for return to family and community life.

**We believe that all children and youth need and deserve a permanent family.**

- Lifelong family connections are crucial for children and adults. It is our responsibility to promote and preserve kinship, sibling, and community connections for each child. We value past, present, and future relationships that consider the child’s hopes and wishes.
- Permanency is best achieved through a legal relationship such as parental custody, adoption, kinship care, or guardianship. Placement stability is not permanency.
- Planning for children is focused on the goal of preserving their family, reunifying their family, or achieving permanency with another family.
- Permanency planning for children begins at the first contact with the children’s services system. We proceed with a sense of urgency until permanency is achieved. We support families after permanency to ensure that family connections are stable.

**We believe in partnering with others to support child and family success in a system that is family-focused, child-centered, and community-based.**

- We are committed to aligning our system with what is best for children, youth, and families.
  - Our organizations, consistent with this practice model, are focused on providing supports to families in raising children. The practice model should guide all of the work that we do. In addition to practice alignment, infrastructure and resources must be aligned with the model. For example, training, policy, technical assistance, and other supports must reinforce the model.
  - We take responsibility for open communication, accountability, and transparency at all levels of our system and across all agencies. We share success stories and best practices to promote learning within and across communities and share challenges and lessons learned to make better decisions.
  - Community support is crucial for families in raising children.

- We are committed to working across agencies, stakeholder groups, and communities to improve outcomes for the children, youth, and families we serve.
  - Services to families must be delivered as part of a total system with cooperation, coordination, and collaboration occurring among families, service providers, and community stakeholders.
  - All stakeholders share responsibility for child safety, permanence, and well-being. As a system, we will identify and engage stakeholders and community members around our practice model to help children and families achieve success in life, safety, life in the community, family-based placements, and lifelong family connections.
  - We will communicate clearly and often with stakeholders and community members. Our communication must reinforce the belief that children and youth belong in family and community settings and that system resources must be allocated in a manner consistent with that belief.
- We are committed to working collaboratively to ensure that children with disabilities receive the supports necessary to enable them to receive their special education services within the public schools. We will collaboratively plan for children with disabilities who are struggling in public school settings to identify services that may prevent the need for private school placements, recognizing that the provision of such services will maximize the potential for these children to remain with their families and within their communities.

**We believe that how we do our work is as important as the work we do.**

- The people who do this work are our most important asset. Children and families deserve trained, skillful professionals to engage and assist them. We strive to build a workforce that works in alignment with our practice model. These professionals are supported in this effort through open dialogue, clear policy, excellent training and supervision, formal and informal performance evaluation, and appropriate resource allocation.
- As with families, we look for strengths in our organization. We are responsible for creating and maintaining a supportive working and learning environment and for open, respectful communication, collaboration, and accountability at all levels.
- Our organizations are focused on providing high quality, timely, efficient, and effective services.
- Relationships and communication among staff, children, families, and community providers are conducted with genuineness, empathy, and respect.

- The practice of collecting and sharing data and information is a non-negotiable part of how we continually learn and improve. We will use data to inform management, improve practice, measure effectiveness, and guide policy decisions. We must strive to align our laws so that collaboration and sharing of data can be achieved to better support our children and families.
- As we work with children, families, and their teams, we clearly share with them our purpose, role, concerns, decisions, and responsibility.

## 1.5 Organization of manual

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The manual is organized to reflect the sequential order of practice in the field. It also includes information about funding for a particular service in the section where that service is described and directions for documentation of activities in OASIS. Most sections begin with a brief introduction, followed by an overall framework. The framework provides three fundamental cornerstones to help guide all decision-making and actions: 1) practice principles; 2) key legal citations; and 3) desired outcomes. The framework is followed by subsections delineating required procedures and effective practices. The last subsection provides resources and tools.

The following verbs are used to denote the type of action required:

- “Shall” means mandate or requirement by federal and/or state law or regulation or by State Board policy. It includes necessary actions that demonstrate or that are required to be in compliance with legal mandates, such as documentation in the OASIS.
- “Should” means effective practices that are consistent with and help achieve the practice principles, legal requirements and desired outcomes. These practices are strongly encouraged and expected, but are not mandated by law.
- “May” means an option is authorized by law or implementation may depend on circumstances.
- “Must” means a practice is mandated or required by federal and/or state laws or regulations, by State Board policy, or by VDSS guidance. “Must” includes actions that are required or necessary to demonstrate compliance with legal mandates, such as documentation in OASIS. These practices are consistent with and help achieve the practice principles, legal requirements and desired outcomes. Failure to complete required practices could expose LDSS to fiscal penalty or loss upon appeal. New requirements will use this language beginning July 1, 2020 with a full revision of existing requirements over the next year.

Extensive links are used to ease navigation across the manual.

- To access sources external to the section (e.g., federal and state laws, forms, websites, and other sections of the manual), rest the cursor on the blue underlined link until a small hand appears. Click on the link to go directly to the external site. Scroll down or link to access the information. To return to the previous place in the manual, go to the left corner of the Internet toolbar and click the back arrow pointing left in the green circle.
- To access another section in the same section of the Foster Care Manual (e.g., table of contents; “See Section 2.3” when in Section 2.6), rest the cursor on the blue link (not underlined) until a small hand appears. Click on the link to go directly to that section. To return to the previous place in the same section, go to the middle of the Adobe tool bar and click on the blue circle with an arrow pointing left that says “click to return to the previous page view” when you rest the cursor over it.