

# Session Two

## **Teamwork toward Permanence**

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**Session Two**  
**Competencies and Objectives**

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**Resource 2-A**

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**Competencies**

Prospective foster parents and adoptive parents:

- Know the importance of promoting a child's positive sense of identity, history, culture, and values to help develop self-esteem.
- Understand cultural, spiritual, social, and economic similarities and differences between a child's primary family and foster family or adoptive family.
- Understand the concept of permanence for children and why children in family foster care are at risk for not being connected to lifetime relationships.
- Know the relationship between child welfare law, the agency mandate, and how the agency carries out its mandate.
- Understand the laws which define the forms of child maltreatment and child protection and the legal processes related to child placement and permanency planning.
- Know the roles, rights, and responsibilities of foster parents and adoptive parents.
- Know the purpose of service planning.
- Know the agency's service appeal policy.
- Know their shared responsibility for open communication with other members of the child welfare team.
- Know the importance of being non-judgmental in caring for children, working with their families and collaborating with other members of the team.
- Know the unique aspects of the adoptive parent role which differentiate adoptive families from birth families and foster families.

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**In-Session Learning Objectives**

As a result of their participation in this training program, prospective foster parents and adoptive parents will be able to:

1. Explain the agency's responsibility and mandate to protect children, and to strengthen and support families.
2. Describe the relationship between child welfare law, agency mandate, and how the agency carries out its mandate.
3. Describe how child protection services are delivered to families.
4. Describe how the agency uses assessment and service planning to help support and strengthen families.
5. Describe the needs that families meet for children including: physical, emotional, social, cultural, and learning.
6. Identify the factors that make it difficult for a family to meet a child's needs.
7. Explain how foster care is a support service to families.
8. Identify the difference between the child's emotional sense of family, and legal definitions of family based on custody determinations.
9. Define permanence, permanency planning, and concurrent planning.
10. Describe the differing roles of parenting, foster parenting, and adoptive parenting in promoting permanence.
11. Explain the importance of teamwork in protecting and nurturing children, and promoting permanence for children.
12. List the skills used in the teamwork process.
13. Provide reasons that teamwork may be challenging to team members.
14. Identify ways to help team members meet the challenge of teamwork.

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## At-Home Learning Objectives

Through reviewing, at home, the information in their PRIDEbook, prospective foster parents and adoptive parents will be able to:

1. Identify the mandate, structure, and relevant regulations of the child welfare agency.
2. Describe the laws that define child abuse and neglect, and child protection.
3. Describe the laws that influence the process of child placement and permanency planning.
4. Describe the role of team members in service planning.
5. Explain how to use the agency's service appeal process.
6. Identify issues affecting their ability and willingness to work effectively with birth parents, based on the information obtained from this session's A Birth Parent's Perspective.

Foster PRIDE/  
Adopt PRIDE

PRIDEbook

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## **Session Two**

### **Agenda**

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**Resource 2-B**

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#### **Part I: Welcome and Connecting with PRIDE**

- A. Welcome and Review of Competencies, Objectives, and Agenda
- B. Making Connections from Session One
- C. Making Connections with Assessment, Licensing, and Certification

#### **Part II: The Child Welfare Challenge**

- A. Understanding Child Protective Services
- B. Understanding the Importance of Parents, Families, and Culture to Children
- C. The Challenge of Permanence for Children

#### **Part III: Working as a Member of a Professional Team toward Permanence for Children**

- A. Shared Parenting and the Importance of Teamwork
- B. Teamwork: Definition and Skills

#### **Part IV: Closing Remarks**

- A. PRIDEbook Resources
- B. A Birth Parent's Perspective
- C. PRIDE Connections
- D. Preview of Session Three
- E. Making a Difference!
- F. End Session

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## Mandate to Serve Children and Families

(to be added by agency)

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## Authority of Juvenile Court

(to be added by agency)

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## Authority of Juvenile Court

The Arkansas Juvenile Code provides the legal basis in those instances where court involvement is deemed necessary to ensure a juvenile's safety or continued protection.

### 2-D.1 TYPES OF JUVENILE CASES

The Juvenile Division of Circuit Court is the court with jurisdiction over the following cases:

- **Dependency-Neglect cases** are cases where a juvenile's health, safety, or welfare is at risk by acts or omissions on the part of a parent or legal guardian and DHS needs to step in to protect the child. These cases run the gamut from educational neglect to physical or sexual abuse. These cases also include instances where a parent has died or been incarcerated and no appropriate custodian exists to care for the juvenile.
- **Delinquency** is the term for juvenile criminal cases. These cases are confidential and procedures significantly differ from procedures in the criminal prosecution of adults.
- **Family in Need of Services ("FINS")** are cases that allow for court intervention and assistance with families where the juvenile himself/herself is engaged in behaviors that jeopardize his/her, health, safety, or welfare. Such behaviors include habitual truancy, disobeying the reasonable and lawful commands of the juvenile's parents, or running away. DHS does not file FINS petitions and is not a formal party to the case, though DHS may provide services to the family. FINS are filed by the family or other adult that feels the family is need. FINS cases may be "converted" to a dependency-neglect case if the court finds that the health, safety, and welfare of the juvenile is at risk by acts or omissions of the parents.

### 2-D.2 DEPENDENCY-NEGLECT CASE PARTICIPANTS

The parties and participants in dependency-neglect cases include:

- The Arkansas Department of Human Services, Division of Children and Family Services, including:
  - The Family Service Worker ("FSW"),
  - The FSW Supervisor;
  - The Attorney from the DHS, Office of Chief Counsel commonly referred to as the "OCC".



- **The Juvenile:** The term juvenile is defined in the Arkansas Juvenile Code. A juvenile is someone under 18 or someone who has been adjudicated-dependent neglected prior to their 18<sup>th</sup> birthday and elect to stay in foster care until they reach age 21. Decisions by the court regarding the juvenile are made under the “best interest standard.” The court is the final authority on the best interests of the juvenile.
- **The Parents (Birth or Adoptive) or Guardians:**
  - Mother
  - The Legal Father is the father that by operation of law (for example: the man married to the mother at the time of the child’s birth is presumed by the law to be the father of the juvenile until proved otherwise) or by decree of a court declaring an individual to be the father of the juvenile.
  - The Putative father is a possible biological father of the juvenile not married to the mother at the time of the juvenile’s birth. This person has no legal rights to the child until the court officially recognizes his parental rights and responsibilities upon certain proof of the putative father’s past relationship with child. The law calls evidence of the prior relationship “significant contacts.”
  - Legal guardian: Is the person that has been appointed by a court to be the legal, permanent guardian of a child.
- The Attorney Ad Litem, or more commonly referred to as “the Ad Litem,” is the attorney appointed by the court to represent the juvenile once a dependency-neglect petition is filed. While the Ad Litem takes into account the child’s wishes, the Ad Litem, advocates for the child’s best interests even if the best interests are in conflict with the child’s wishes.
- Parent Counsel is the attorney hired by the parents or appointed by the court if the parents cannot afford to hire an attorney.

### **2-D.3 DEPENDENCY-NEGLECT CASE TIMELINE**

Below is a primer on the time frames and hearings mandated by the Arkansas Juvenile Code. Juveniles come into foster care for the reasons set forth in Section 2C. Typically, the case begins with DHS filing an ex-parte petition for emergency custody after DHS has taken 72-hour time limited emergency custody known as a “hold.” Within 72 hours of the hold, excluding holidays and weekends, DHS must petition the court for an emergency order of custody. This petition and order initiates the court case. If the Judge agrees that DHS should keep custody of the juvenile, the Judge signs the order and a probable cause hearing must be held within five business days.

#### **Probable Cause Hearing**

The probable cause hearing (“PC”) is the first hearing in the case. PC is limited in scope and only decides whether probable cause existed to protect the juvenile by removal and whether probable cause exists to continue the juvenile in an out of home placement.

The court can also consider issues of custody and services by DHS until the next hearing which is known as adjudication.

### **Adjudication Hearing**

This is the hearing where DHS must prove that the allegations in the petition are true, and as such, the juvenile is dependent-neglected. This hearing must be held no later than sixty (60) days after the probable cause hearing. If DHS proves the allegations, the court approves the goal of the case and case plan. The court makes orders regarding custody of the juvenile, services to the parents, and issues of visitation. The default goal is reunification unless DHS or the Ad Litem has filed a motion for no reunification services. A motion for no reunification services is often called "fast tracking." Fast tracking is for the purposes of clearing the juvenile for another permanency option when the acts or omissions of the parent(s) are so egregious that the child can never be reunified or the parent(s) have abandoned the juvenile. A hearing to fast track the case can be held concurrently with or anytime after adjudication.

### **Review Hearing**

A review hearing must be held not later than six months after the juvenile has been removed from the home and every six months thereafter until permanency is achieved. Also, upon request of any party, the court can review the case at anytime. At the review hearing the court makes findings as to whether the case plan, placement, and services meets the juveniles needs and best interests. The court also determines whether the case is moving toward an appropriate permanency goal and whether DHS has made reasonable efforts to provide family services. There is another form of review hearing known as a "fifteenth-month review hearing." A fifteenth-month review hearing is held when the juvenile has been out of the home for 15 continuous months and the goal at the permanency planning hearing was reunification or APPLA as detailed below.

### **Permanency Planning Hearing**

A permanency planning hearing must be held not later than 12 months after the juvenile has been removed from the home or after the juvenile has been out of the home for a total of 15 months of the previous 22 months, and each year thereafter, if the child is not reunified with the parents. It also must be held not later than 30 days after a fast track hearing if fast tracking is approved by the court. The purpose of the permanency planning hearing is for the court to set the permanency goal. Permanency goals are laid out in hierarchical order in the juvenile code. The order from most to least preferred is:

1. Reunification;
2. Termination of parental rights and adoption;
3. Guardianship, preferably with a relative if the relative is appropriate;
4. Permanent custody, preferably with a relative if the relative is appropriate;
5. Another Permanent Planned Living Arrangement or APPLA, which is a last resort and only to be authorized if the first four cannot be achieved. The goal of

APPLA is most common regarding older juveniles, soon to be reaching legal adulthood, whom cannot or do not want to be adopted.

### **Termination of Parental Rights Hearing**

This is the hearing where all legal rights of the parents to the juvenile can be severed. Parental rights are terminated when reunification cannot occur. This inability to reunify is commonly a result of either the parent's refusal to accept services and correct the problem for which the child was removed from the home in a time frame consistent with the child's needs, the reason for the child's removal is so egregious that the child can never be returned home, the parent has abandoned the child, or the parent is, or will be, incarcerated for a significant portion of the juvenile's life. Termination of parental rights requires the highest burden of proof by DHS to show termination of parental rights is proper and in the child's best interest.

### **2-D.4 FOSTER PARENTS AND JUVENILE COURT**

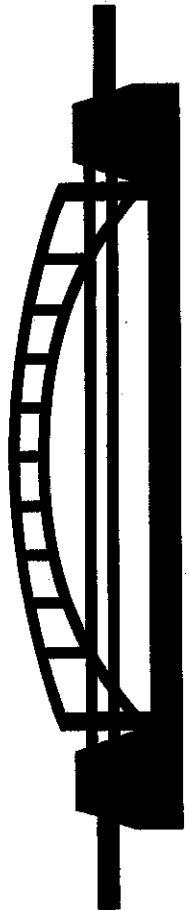
Foster (and pre-adoptive parents) are an integral part of the dependency-neglect process. Foster parents have the most day-to-day contact with the juvenile and as such, provide valuable information to assist to DHS in assessing the needs of the juvenile. This information is also valuable to the court and DHS encourages foster parents to participate in court hearings, when able. The importance of foster parents is expressed in the Arkansas Juvenile Code. Though dependency-neglect hearings are generally confidential under the law, the Arkansas Juvenile Code encourages foster parent participation by requiring DHS to give notice to foster parents of any hearings and also grants foster parents the right to be heard if the foster parent desires to share information with the court. If foster parents have questions about the dependency-neglect legal process, the DHS OCC assigned to the case is always happy to assist.

# Bridging the Gap Between Resource Families and Birth Families



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## Resource 2-E



### BRIDGING THE GAP—A CONTINUUM OF CONTACT

The type of contact that is arranged between resource families and birth families is planned in conjunction with the agency and other members of the child welfare team. The team would consider the type of contact that is in the best interest of the child, as well as ensuring safety for all family members. The continuum includes:

#### Bridging the Gap Without Direct Contact:

- Send pictures of child to parent; ask for pictures of parent
- Send snack or activity for visit
- Prepare child for visit
- Remember child's family in prayers or through family rituals
- Request cultural info from birth family
- Share Lifebook with family
- Share copies of school papers and report cards with family
- Share child's artwork w/ family
- Exchange letters with child's family via worker
- Speak positively and openly about child's family
- Learn about child's family, community, and culture

#### Bridging the Gap when there is Contact Between Resource Families and Birth Families:

- Take child to visits and talk positively about the visit
- Talk with parent at visit about child's day to day life
- Encourage parent to phone child and child to phone parent
- Meet child's family at time of placement or prior to placement
- Ask for the parent's advice
- Attend meetings and reviews when parent is present
- Reassure parent of child's love
- Attend training to learn ways to work with the birth parent
- Refer to child as "Your child" when speaking with birth parent
- Share parenting information with parent

#### Bridging the Gap by Working with Birth Parents as Part of the Service Plan:

- Host visits in your home
- Attend visits in the parent's home
- Support child's transition back to their family
- Involve birth family in visits to doctors, therapists, or school conferences
- Assist in planning child's return to birth family; support family's reunification efforts
- Include birth parents in farewell activities
- Attend training to learn about mentoring a birth parent.
- Assist birth parents with transportation to treatment related appointments

#### Bridging the Gap by Serving as a Mentor to the Birth Family:

- Welcome parents into your home
- Coordinate and discuss discipline efforts together
- Attend parenting classes with parents
- Advocate for needed services for family and provide assistance in obtaining services
- Support and encourage birth family's involvement in treatment
- Provide feedback to birth parents on parenting skills
- Model and teach parenting skills in your home
- Provide respite care for birth parents after child returns home
- Serve as support to birth family after child returns home

*As we bridge the gap between resource parents and birth parents, we also bridge the gap between children and their families.*



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## Differences between Parenting, Foster Parenting, and Adoptive Parenting

It may be helpful for you to view parenting as having three components:

- Giving birth.
- Protecting and nurturing.
- Legal responsibility.

Most people grow up with parents who provide all three functions. They are attached to one set of parents. For a child placed with a foster family or an adoptive family, the situation is different.

A child in foster care experiences “parenting” from at least three sources: there are the parents who gave birth to the child; the agency/courts who have temporary legal custody (shared with the parents), or permanent custody if the parental rights have been terminated; and the foster parents who provide daily care and nurturing.

For a child who is adopted, parenting is divided between those who gave birth to the child, and adoptive parents who provide daily care and nurturing, as well as maintaining full legal custody.

One of the most challenging tasks in child welfare work is to make sure that children are not torn between or among the different parts of parenting. To the fullest extent possible, all three parts should match for a child. When all three parts can't match because children need foster parents or adoptive parents, it is our responsibility to reduce trauma or conflict for the child.

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## Definition of a Professional Team and Teamwork Skills

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### Resource 2-H

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#### **A Professional Team Is Two or More People Who:**

- Share common purposes, goals, objectives, and values.
- Have a body of knowledge, set of skills, and set of values to meet the team's purposes, goals, and objectives.
- Have complementary roles with individual expertise, or knowledge and skills, needed by the team to achieve its goals and objectives.
- Agree upon decisions and plans to achieve the team's goals and objectives.
- Work together to implement the team's decisions and plans.
- Have established methods for preventing and resolving conflicts, including having a team leader, captain or coach.
- Assess the achievement of their goals and objectives.
- Change their goals and objectives, members of the team, decisions and plans, and ways to solve problems as needed.

#### **Teamwork Is a Process That Includes the Following Skills:**

- Determining shared goals and objectives.
- Identifying and respecting complementary roles and individual expertise.
- Making and implementing decisions and plans.
- Resolving conflicts in the best interests of the group's goals and objectives.
- Assessing achievements and progress toward goals and objectives.
- Making new plans as needed.

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## Charlie's Situation

You have been assigned to a group representing a role on the child welfare team: parent, foster parent, social worker, school personnel, or counselor. Read the following scenario. Brainstorm in your group possible answers to the following question:

*What knowledge, skills, and/or expertise does this person or role bring to the team?*

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Resource 2-1

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### Case scenario:

Meet Charlie, age 10, who has been in family foster care for five months. He is currently in the fourth grade and having serious behavioral difficulties in school. He is easily distracted and volatile. Without warning, he "flies off the handle" and shows a pattern of not completing class assignments. His teacher reports that lately, when discussing family matters with Charlie, the child bursts into tears. The teacher has tried a variety of behavior management programs with Charlie and has experienced some success. But his progress is erratic, and the teacher is becoming discouraged.

Currently, Charlie's mom is enrolled in a residential "detox" program which encourages family visits. Charlie and his mom see a counselor there. The counselor is trying to help Charlie understand substance abuse, and that Charlie is not responsible for the family's problems. The counselor is in the process of enrolling Charlie in a group for children. Charlie wants to leave foster care and go home, and always cries at the end of his sessions.

Charlie's foster parents are very committed to helping him. They see worrisome behavioral changes and are becoming increasingly concerned for Charlie's well-being and his future. Charlie is a bright child who shows great talent in art. The adults in his life all wish to help him.

The teacher has requested a meeting to discuss Charlie's school progress. His classroom behavior is alarming to her, and she is concerned about him.



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Resource 2-J

**Key Points:**  
**The Child Welfare Challenge**

**A. Understanding Child Protective Services**

Local, state, and federal governments work together to help support families and ensure that children's needs are met. This is done through public and private child welfare agencies that carry out mandates to ensure that:

- Children are protected from risk and harm.
- Children are connected to permanent relationships intended to last a lifetime.

Children are protected from risk and harm through the establishment of child protective services. These services seek to provide families with needed supports to ensure the safety and well-being of children.

The agency also has a responsibility to ensure that children are connected to permanent relationships intended to last a lifetime. The agency accomplishes this by seeking to reunite a child with his or her family whenever possible, or when not possible, by connecting the child to another family.

Sometimes there is tension between the agency's role in protecting children and the agency's role in ensuring lifelong connections. But both are critical. If we focus on only one and not the other, then we are not providing for all the child's needs. In this sense the two goals are not in conflict. They are both about meeting the child's needs.

Child protective services focus on ensuring the safety and well-being of children. Child protection laws were initiated as part of the Child Abuse Prevent and Treatment Act in 1974. Now all states have systems designed to ensure reporting of suspected child abuse and neglect and investigations of these reports. If the child protection agency believes the child is at risk of harm, the case is opened to provide services to the family and ensure the child's safety. Sometimes the situation is serious, or the family does not participate in the provided services, and the agency determines that the only way to ensure the child's safety and well-being is to separate the child from the family.

When children are separated from their families, family foster care is a means to provide for the child's needs and protect the child from risk and harm. Foster care is also used as a means to reduce stress for families and enable the family, through treatment or services, to resume care for the child. In this sense, family foster care is a service that helps support and equip families.

It is important for foster families and adoptive families to understand the role of child protective services because this is how most children enter foster care, including children who eventually need adoption services. The agency policy and regulations define how the agency carries out the mandate to protect children. Child protection has affected these children's lives in a very big way and you need to understand what child protection work involves.

## **B. Understanding the Importance of Families**

A fundamental belief in child welfare is that parents and families are essential to the growth and development of children. We strongly believe that all children are entitled to grow up with their own parents, whenever possible, and in their best interests. When children cannot grow up with their own family, then they need another family to provide for their needs.

Families provide us, from birth, with our sense of who we are, where we belong, and how we are connected. Children require an attachment to parents to develop self-reliance and an ability to trust others. Early attachments and relationships help form the basis for future relationships. Being attached to parents is the means by which children develop a conscience, get along with others, and develop positive self-esteem.\*

Families are also the means for transmitting society's values, establishing cultural identities, and handing down knowledge from one generation to another.

Because of the important role that families play in the growth and development of children, families need supports, help, and assistance to do their job. All families experience stress and difficulty, but unfortunately, all families do not have supports available.

Communities, states, tribes, and the federal government—all of us—must work together to support children and their families. We are best able to help children by providing supports, assistance, and help to families. This, in turn, will help families to better meet the needs of children.

## **C. The Challenge of Permanence for Children**

If the child's family is unable or unwilling to meet the needs of the child, the agency is then committed to developing and supporting another family to assume the lifetime responsibility and commitment to the child.

\* Fahlberg, V. (1991). A Child's Journey Through Placement. Indianapolis, IN: Perspectives Press.

Permanence means:

- Having a sense of one's past; including cultural heritage and identity.
- Having a legal and social status that comes from being a family member.
- Having safe, nurturing relationships intended to last a lifetime; "intended," because no one can predict or guarantee the future.

Establishing permanence for a child can be a challenging process. It is more complicated than establishing a service plan goal, identifying a potential permanent placement for the child, or going through a legal proceeding, although these may be steps in the process. We need to understand what gives the child a strong sense of stability, predictability, and identity. We can look at two components when trying to determine how to best establish permanence for a child.

- "Connections" refer to long-term and ongoing relationships with people who have a lifetime commitment to the child. Connections provide the child with belonging and stability, including a sense of cultural community.
- "Continuity" refers to children's ability to understand and make connections between their past, present, and the future. It has to do with knowing where you've been and where you're going. Continuity also provides the child with a sense of cultural heritage.

It may be hard for children in need of family foster care or adoption services to have a sense of family continuity for the following reasons:

- Sometimes children have had several moves and cannot keep up with where they've been.
- Maybe no one has been there to take pictures and give the child a sense of family history.
- Maybe the child has had painful experiences that he/she does not wish to remember.
- Sometimes children are placed in homes that do not reflect their cultural identity and heritage.
- Sometimes as children move they lose things, such as picture albums, that might provide them with a sense of history.

Connections and continuity are both essential to ensuring the child's sense of permanence. But these are not things that just happen. In order to ensure permanence, certain tasks and activities must be completed. The process of identifying a goal and establishing the tasks to achieve that goal is often referred to as permanency planning.

Concurrent planning is a way to approach permanency planning. Due to increasing concerns about the length of time it takes some children to achieve permanence, working toward two goals at the same time can be an effective strategy. An example would be working to reunify a child with his/her family while also working toward adoption in case reunification is not possible.

#### **D. Working as A Member of a Professional Team**

Teamwork is essential to helping children achieve permanence and deal with loyalty conflicts. But teamwork isn't something that just happens. There are specific skills that the team must be able to accomplish in order to be effective. Teamwork is challenging, yet there are guidelines to help the team achieve its goals.

- Team members need to share child welfare values and laws.

When team members value the child's relationships, then it is easier for the team to work together toward supporting those relationships. Likewise, when team members understand the legal issues in child welfare, it helps them better grasp the agency's mandate and responsibility. In issues as emotionally charged as attachment, separation and loss, and child abuse, there will not always be shared values. If your values strongly conflict with those of child welfare, or if you strongly disagree with the laws that guide child welfare practice, you must question whether you can effectively work on the team.

- Team members need to respect one another's complementary roles, and value one another's perspectives.

Different team members have different expertise to offer. The value of complementary skills is one of the greatest assets of teamwork. But members, by virtue of their various roles and skills, also bring different perspectives to the team. Perspectives do not need to be judged right or wrong, but need to be considered as part of the team's overall decision making process. If the team does not value its members' perspectives, important information may be lost, and the child can suffer.

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- Team members need to understand goals and objectives, and ensure that these are shared.

When you are a team member, you cannot base your actions on your own assessment of a situation. The team needs to share information and ensure a common understanding of the goal, and the work required to achieve the goal. For example, suppose that Nathan's foster family (in the video) believed it was in Nathan's best interest for the parental rights of his parents to be terminated. Imagine they based this belief on their knowledge of Nathan and their feelings for him. But Nathan's social worker Trish Walker believed the best goal for the child and family was reunification, based on her knowledge and information about the family. If Nathan's foster family and the social worker fail to communicate with one another, team members may work at cross purposes.

Children need to be free from risk and harm, and they also need to be connected to parents and families for the past, the present, and the future. The concept of permanence recognizes the need and right of children to live in families that value and pursue building lifetime relationships.

The child welfare team consists of the family and child (and the tribe if an Indian child), the agency social worker and supervisor, foster family and/or adoptive family, educational and medical representatives, legal representatives, therapists and counselors. All must work together to establish permanence for the child. These are very special responsibilities, and require teamwork—all of which is an enormous challenge. To their credit, hundreds of thousands of team members meet this challenge daily, in our agency and across the country.

## **Internal Review of Adverse Action Involving Foster Parents and Adoptive Parent Applicants**

Foster parents and adoptive parent applicants have the right to appeal decisions affecting them and the operation of their home. Most problems can be solved at the local level if you and your Family Service Worker keep each other informed about matters of interest and importance pertaining to the child. It is most important for foster parents and Family Service Workers to discuss and work out issues and problems as they occur. If two-way communication is maintained, it will facilitate the problem solving.

All complaints may not be appropriate for an internal review, while DCFS county office will make every effort to reconcile disagreements or other issues, some situations may not be reconcilable such as those made by the county office based on current policy and procedure.

Examples of issues that you may want to take through the Internal Review Process are:

- Closure of a foster home due to any circumstance;
- Removal of a child from the foster home without appropriate cause and/or without appropriate notice;
- Failure by DCFS to share appropriate information;
- Failure by DCFS to provide necessary support (e.g., failure to return phone calls or habitually being unavailable when needed. This includes such things as failure to help with initial clothing or problems with the child, medical/Medicaid coverage and/or providers);
- Failure by DCFS to keep the terms of the initial written agreement with the foster home; i.e., CFS-462 (Initial Foster Home Agreement) and the CFS-462A (Foster Home Agreement Addendum);or,
- Denial of an adoption application.

Prior to requesting an internal review at the Central Office level, foster parents should request an informal discussion of the problem with their Family Service Worker and the immediate supervisor. If, after the foster parents or adoptive parent applicants have discussed their issue(s) related to the adverse action with the FSW and FSW supervisor, the foster parents or adoptive parent applicants believe that DCFS failed to uphold its policies and/or philosophies, then they must submit in writing their request to the Area Director of the area where the foster parents or adoptive parent applicants live to review their case as it relates to the adverse action. This request must be submitted to the Area Director within 30 calendar days from the date the adverse action occurred. The Area Director will schedule a meeting with the foster parents or adoptive parent applicants within 10 business days of the receipt of the written request and attempt to resolve the problem.

If the foster parents or adoptive parent applicants are not satisfied with the results of the meeting with the Area Director, they may request an internal review from the Foster Care Manager/designee or Adoption Manager/designee, as applicable, in Central Office to present their case. A copy of the request and written reports of the previous two meetings will be forwarded to the Foster Care Manager/designee or Adoption Manager/designee, as applicable. The Foster Care Manager/designee or Adoption Manager/designee, as applicable, will review the request and forward it with a recommendation to the Assistant Director of Community Services or designee within 10 business days of receipt of the request and written reports.

The Assistant Director of Community Services or designee will notify the foster parents in writing of the decision of the review within 10 business days of receiving the recommendation and other materials from the Foster Care Manager/designee or Adoption Manager/designee, as applicable.

If the decision is unfavorable to the foster parents, the Assistant Director of Community Services or designee will inform the foster parents that they have 15 business days in which to submit a written appeal to the DCFS Director. The DCFS Director will review the request as well as the previous reports and dispositions. The DCFS Director will then notify the individual within 10 business days of the appeal decision. This is a final action and is not appealable to any other person or entity.

#### Resource 2-K

### **The Mandate, Structure, and Relevant Regulations for Family Foster Care and Adoptive Services**

Public Law 96-272 (96<sup>th</sup> Congressional Session) was passed in June 1980 and put into effect October 1980. Advocates for children approached legislators in Washington to make them aware that children didn't have plans for permanency and spent numerous years in foster care. Testimony was presented from previous and present foster children. A poll was conducted among prison inmates and 40% had been in foster care at one time.

P.L. 96-272, a reaction to the phenomenon of foster care drift, is one of the foundation pieces of legislation in the permanency planning movement. Congress enacted this law to:

- a) Promote timely permanency planning for foster children.
- b) Establish specific mandatory safeguards to protect the rights of children and families as it pertains to individual state service delivery systems for children in out-of-home placements.

As an incentive for compliance, the federal government offered federal funds to subsidize state agency service programs. A system of federal reviews was established to ensure compliance of P.L. 96-272 by all of the states.

During 1982-83, the Arkansas General Assembly passed more child welfare legislation than any previous years. Act 868 was passed as a law in support of P.L. 96-272. It alleviated previously identified barriers to full compliance of the federal mandate. Agency foster care policy was revised to incorporate both laws into required casework practices.

Act 273 of 1989 revised the Juvenile Court System and the Juvenile Code in Arkansas. The Juvenile Code further supported P.L. 96-272 and established requirements in addition to the federal mandate.

In February 1992, a class action lawsuit was settled. The suit challenged Arkansas' child welfare system, alleging failure to investigate complaints of abuse of neglect promptly; failure to make reasonable efforts to keep families together; failure to provide appropriate placements and properly monitor placements; failure to provide support to foster parents, such as training; and failure to provide permanent homes for children. The settlement agreement mandated major reforms in our child welfare system (245 separate mandates). In a special session, the State Legislature invoked the settlement agreement in Act 1 of the First Extraordinary Session of 1992 and committed more than 15 million dollars through state fiscal year 1993 to implement reform. The Child Welfare Reform Oversight and Compliance Committee monitored the implementation of reform and determined compliance with the settlement agreement and the Act.

Since 1992, Congress has passed a number of federal laws to further the goals set forth in P.L. 96-272. This legislation includes, the Multiethnic Placement Act "MEPA" (removing barriers to permanency based on ethnicity); the Adam Walsh Child Protection and Safety Act (strengthens child protection requirements to include background checks on prospective foster and adoptive parents); and Fostering Connections (increases incentives to reach out to relatives and to encourage fostering and adoption by relatives of children in foster care.) One of the most comprehensive pieces of legislation was the Adoption and Safe Families Act of 1997 "ASFA." ASFA was comprehensive legislation that updated and strengthened the goals expressed in P.L. 96-272.

These laws are reflected in our policy and procedure and impact service delivery and the entire foster care system. The objective of the Department of Human Services ("DHS") is to maintain the child in their own family whenever the health and safety of the child is not at risk, through services offered by the Division of Children and Family Services ("DCFS") of DHS, by referral to other agencies, or through purchases of services.

The removal of a child from the birth/legal parent(s) is a serious course of action and is taken as a last resort by DHS. The DCFS Family Service Worker shall implement all supportive and supplementary services available to strengthen and prevent the disintegration of the family so as to prevent removal of the child. Reasonable efforts



mean relevant services, including, but not limited to: childcare, homemaker services, crisis counseling, cash assistance, transportation, and family therapy. In cases of emergency where the immediate health, safety, or welfare of a child is at risk and DHS has no choice but to remove the child from the home, the law deems reasonable efforts to have been made.

When a child is removed from the custody of her/his parents, reasonable efforts shall be made to achieve reunification for the child, if appropriate. If reunification is not appropriate, cannot occur as a result of a failure on the part of the parent(s) or will not occur in a time frame consistent with a child's needs, DHS must provide reasonable efforts to achieve the goal of the child's alternative permanency plan. Alternative permanency plans are hierarchical within the Arkansas Juvenile Code and reflect the national child welfare public policy as it has evolved from the goals first reflected in P.L. No. 96-272.

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## You Need to Know!

### **Service Appeal Process for Parents and Children Using Family Foster Care and Adoption Services**

(to be added by agency)

Foster PRIDE/  
Adopt PRIDE  
**PRIDEbook**

**Session Two:**  
Teamwork  
toward  
Permanence

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**Resource 2-K**

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## You Need to Know!

### **The Mandate, Structure, and Relevant Regulations for Family Foster Care and Adoption Services**

(to be added by agency)

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**A Birth Parent's Perspective:**  
**"Today Is the First Day of the**  
**Rest of Your Life"**

Foster PRIDE/  
Adopt PRIDE

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Resource 2-L

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I've had my boys with me now for two years, and I have to say that these have been the best two years of my life. There was a time when this would not have been possible, or when just getting up to make breakfast or walking to the bus stop—all those simple things that you might not even think about, things that bring me so much joy—when I couldn't have done these things. Maybe it took what happened for me to really understand how lucky I am.

I had a rough time growing up, but no worse than a lot of others, I guess. My parents took off and I lived with my aunt for a while and another aunt for a while. But I was real smart. I liked school. I guess that's how I lucked out the first time. I even got a scholarship to college and went to state for a year. That's where I met Jeanie. Oh when I look back now, I can still see my Jeanie and how young and pretty she was. It's still hard for me to believe all the things that happened. When we got married we loved each other. She was pregnant with Troix, but that's not the only reason we got married. Jeanie's mom wasn't too happy about the marriage. Now I can see her point a little better.

Jeanie and I did all right for a while. She kept on going to school part time and I was working two jobs. We were poor but it was a brief slice of happiness in my life. But after Ray was born something just happened to Jeanie. I've talked to a lot of doctors about it. She just quit being who she was and then she quit caring for the boys, and I was trying to work. For a while it was all right, but then it got worse and worse instead of better. I didn't know what to do. Maybe now I would do things better. But both Jeanie and I were just kids—both of us just 20 years old.

Jeanie didn't know much what to do except dream up ways to try to kill herself. I think after I took her to the hospital for the third time in one month, with the two babies in the back seat still strapped into car seats, that I just decided I couldn't live that way. I drove the kids to Jeanie's momma's house. Just dropped 'em off. Decided maybe somebody else could do a better job than me, take better care of these babies, and maybe I had something to do with Jeanie not wanting to live on this earth another minute. You may fault me for leaving my kids, after all that happened I have relived that night a million times. But in my heart I think I was in such bad shape that I don't believe I could have done anything else.

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In court they made a lot about me “abandoning” my boys. And it’s true I didn’t show up to visit for months. I’m not proud of any of this. I was just trying to run away from things. I lived those two years like a vagabond. If I had any money I sent it to the boys. I was 900 miles away when Jeanie finally succeeded at what she had been trying to do for three years. I was not there to comfort my boys—they didn’t know where to find me. Jeanie’s mom took custody. When I did come back a year later she wouldn’t even let me see the boys. Jeanie’s mom died the next year—real sudden—a stroke or something. The agency came in and took custody of the boys. I found out about six months later. As soon as I found out I hitchhiked for three days to get back.

I spent a lot of time trying to explain my behavior to judges, lawyers, social workers, psychologists and just about everybody else. I guess I’m still trying to explain. There is no good explanation. But I kept remembering that little saying, “Today is the first day of the rest of your life.” The way I figured, it wasn’t too late. And I loved my boys. I really did.

I remember that first meeting at the agency. I met John and Rita Hayes, the boys’ foster parents, for the first time. I think I hated them because they had the only thing I had left in the whole world. They assigned me a social worker named Susan Heaven. I was hoping there was good luck in that name. It turned out there was.

Susan was tough at first—real businesslike and kind of uppity. She was always late and always had papers to sign. We argued a lot, and I didn’t believe she wanted me to have my sons back. She’d just look at me real cold and say, “Jim, you haven’t bothered to see the children in almost three years. Forgive me if I’m skeptical.” I guess you could say she knew how to put me in my place. But Susan helped me get a job, and she sent me to counseling and she was kind of funny—she’d get all excited when I did things or “followed through” as she said. She had this special social work talk. Then I started having regular visits, but I still didn’t want to talk to John and Rita. I thought they were my enemies, and they’d watch me real hard with the boys, like they wanted me to mess up or something. I was shocked to find out that they told Susan I was doing real good with the boys.

At the next meeting they told everybody they thought the boys needed to see me more. Then it hit me one day that they had looked real hard because they loved my boys and wanted to protect them. I had a lot of people pulling for me. Even my boss at the plant wrote Susan a letter about how responsible I was at my job. It took a long time and there were some hard times. But we started having visits at John and Rita’s house and that helped a lot. John and Rita helped the boys understand and adjust to everything. I could never have made it without them.

.....  
I still take the boys to see John and Rita. Susan Heaven sent me a Christmas card last year that said, "Thanks Jim for helping restore my faith in birth fathers. You taught me a lot."

That made me feel good, and I did hope that maybe Susan would be a little less skeptical with the next father, but I guess being skeptical is part of her job. I live every day, just doing simple things, and getting the biggest thrill out of watching my boys grow.

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**PRIDE Connection**

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**Resource 2-M**

Name: \_\_\_\_\_

Date: \_\_\_\_\_

Family Development Specialist: \_\_\_\_\_

**Genogram**

One of the competency categories for foster parents and adoptive parents is to protect and nurture children. We first learn about being protected and nurtured from the people who cared for us while we were growing up.

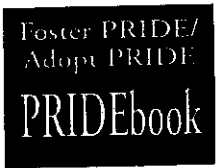
A genogram is a drawing of your family. A genogram first gives a basic "picture" of who is in your family. You and your family development specialist will be creating a genogram of your family as part of the mutual assessment. A genogram can help you look at how your family history affected your values and behaviors, and how your values and behaviors fit with your ability or willingness to meet the competencies of foster care and adoption.

**Beginning Your Family Genogram**

Begin by completing the basic information on your family on the genogram form on the next page.

Fill in the genogram chart with the basic information you know about your grandparents, parents, aunts, and uncles, brothers, sisters and children. Include their names, birth dates, and dates of death, if relevant. Marriage dates and dates of divorces can be added if you know them. If you don't know how to chart certain family relationships (such as multiple marriages, stepparents, or kinship care) write down information you don't know how to chart in the margin area.

.....  
Name: \_\_\_\_\_  
Date: \_\_\_\_\_  
Family Development Specialist: \_\_\_\_\_



**Information about my family for the genogram:**

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**My grandparents**

Grandfather	Grandmother	Grandfather	Grandmother
Name:	Name:	Name:	Name:
Date of birth:	Date of birth:	Date of birth:	Date of birth:
Date of death:	Date of death:	Date of death:	Date of death:

**Resource 2-M**  
**Page 2**

**My father**

Name:  
Date of birth:  
Date of death:

Names of my father's siblings (in order of birth) with birth dates and dates of death if relevant:

**My mother**

Name:  
Date of birth:  
Date of death:

Names of my mother's siblings (in order of birth) with birth dates and dates of death if relevant:

**My brothers and sisters**

Names of my siblings (in order of birth) with birth dates and dates of death if relevant:



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**My children**

Names of my children (in order of birth) with birth dates and dates of death if relevant:

**Attachments in Your Family System Today**

Looking at this list of people in your family, which ones are significant to you and your family today?

What family members do you think would want to be connected to a child who joined your family through family foster care or adoption?

**History of Being Protected and Nurtured**

Thinking about how you were protected and nurtured will help you understand your values about this important competency and will help sensitize you to the experiences and feelings of children in family foster care and adoption. Look at the list of people on the last page and think about how you were cared for as a child.

1. As a child and teenager, in what ways were you protected and nurtured, and by whom?
2. How do you protect and nurture those you care about today?
3. How would you protect and nurture a child placed with you?

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## Making a Difference!

Foster PRIDE/  
Adopt PRIDE  
**PRIDEbook**

The Vermont Foster Parent Association has a distinguished state, regional, and national reputation for strengthening family foster care services. Foster parents in Vermont have taken a leadership role in statewide foster parent training, regional conferences, and in helping develop the Child Welfare League of America (CWLA) family foster care standards.

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The following “Making a Difference!” example is from the statement read by Betsy Foster, as past president of the Vermont Foster Parent Association.

Resource 2-N

\* \* \* \*

Betsy Foster, Foster Parent  
Vermont

Foster care has been a part of my life since I was five years old. That is the first time I lived in a foster home. It was the first time I had a social worker. I still remember her name—Miss Felvella, from right here in the Rutland, Vermont district. After a childhood of reunifications, foster placements, and stints of living with relatives, I grew up. I got married, had children, cared for foster children, did day care in my home, and now have adopted a child.

This night is not about the pain, or the grief, or the hardships of my childhood. It is about the power of those people who cared enough to make a difference. And, foster care did make a difference. Some was hurtful, even traumatic, but some was healing and supportive, and life sustaining.

In the end, when I stand at this podium as president of this association, I know I am in the company of some of the most caring, most dedicated people that I’ve ever had the pleasure of being in the same room with.

As a child, I received from my last foster mother a genuine depth of acceptance that brought me, at the age of 15, to know for the first time what it felt like to be good enough and deserving enough to be loved.

Her expectations were high, but fair. Her opinions about what was right and wrong were ingrained in her attitudes and behavior towards me and others. But, when I messed up and disappointed her, she continued to accept me just the same.

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Resource 2-N

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I raced through a childhood without a safe place to play, or learn, or think, or rest. I survived within a twisting whirl of adults who were out of control. I landed, dizzy and scared on the inside, tough and rebellious on the outside, in the protective custody of a system that, for all of its imperfections, cared. I was led by a tall, matronly social worker named Helen Pierce who, while on the way to court, said to me, "It's not your fault. Some parents just had kids before they were able to take care of them."

She placed me in the arms of a 54-year-old woman who, for all her mistakes, and all of mine, never once abandoned me.

I stand here tonight, in the presence of staff and foster parents who are following in the path of those who, for all those years, made a difference in my life.

Every time any one of you reaches out to touch the life of a child or adolescent, whether that be in your capacity as a social worker, a supervisor, a manager, a member of the court or the legislature, a foster family doing respite, long- or short-term care, or a family adopting, you make a statement. You say, "I care about the lives of children and their families. I'm willing and able to extend a piece of myself to help heal the wounds of others."

I heard something the other day that has stayed with me. A therapist friend of mine said, "The therapist is the guide, the client is the hero." I believe that is true about Human Services staff and foster parents. You are the guide that lights the way for a chance at an improved life.

This year the President's Award, without wrapping or bow, or any particular plaque that I can pass from my hand to yours, goes instead from my heart to yours. To every one of you who extends yourself to make a difference in the life of a child, who does for one child or a hundred children, what Evelyn Reynolds and the agency did for me some 20-odd years ago, I give you this year's President's Award, and I say thank you from the bottom of my heart where, because of people like you, many of my childhood wounds have been healed.