

CHAPTER 65C-30
General Child Welfare Provisions

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65C-30.001 Definitions.

This rule includes the definitions for the following rules: Chapters 65C-13, F.A.C., “Licensed Out-Of-Home Care”; 65C-15, F.A.C., “Child-Placing Agencies”; 65C-28, F.A.C., “Out-Of-Home Care”; 65C-29, F.A.C., “Protective Investigations”; and 65C-30, F.A.C., “General Child Welfare Provisions”.

(1) “Abuse, Neglect or Abandonment” means harm or threatened harm to a child’s physical or mental health or welfare by the acts or omissions of the parent or other person responsible for the child’s welfare. It includes those acts defined or described in Sections 39.01(1), (2), and (45), and 827.03, F.S.

(2) “Additional Investigation Report” means a report to the Florida Abuse Hotline, by the same or different reporter, made within thirty days after the date the initial report is received and containing information about one or more subjects of an open report, which adds:

- (a) New allegations of maltreatment;
- (b) New incidents of the same maltreatment contained in the initial report;
- (c) Additional victims or alleged perpetrators if they relate to the initial report;
- (d) New information alleging that the immediate safety or well-being of the child is threatened thereby changing the investigation response time from a 24-hour response to an immediate response.

(3) “Adoption Exchange System (AES)”, means the department’s statewide information system of children receiving adoption services, and families seeking to adopt special needs children. The system enables adoption counselors and home finders statewide to seek matches on certain traits between prospective families and children. The data base also provides a source for measurement of some adoption performance and outcome indicators and populates the department’s public internet search of children available for adoption.

(4) “Adult Household Member” means a person 18 years of age or older who is present in the home on a permanent or indefinite basis or the adult paramour who frequents the home of a household member.

(5) “Allegation” means a statement by a reporter to the Florida Abuse Hotline that child abuse, neglect or abandonment is known or suspected.

(6) “Allegation Matrix” means a document that defines specific types of abuse, neglect or abandonment; guides staff in

determining whether abuse, neglect or abandonment has occurred; and assists in ensuring that all factors are considered when assessing each type of maltreatment. The allegation matrix as set forth in Children and Family Services Operating Procedure No. 175-28 is attached hereto and incorporated by reference herein.

(7) "American Indian or Alaskan Native Child" means any unmarried person who is under age eighteen and is either a member of a federally recognized American Indian tribe or Alaskan village or who is eligible for membership in a federally recognized American Indian tribe or Alaskan village, and who is the biological child of a member of such an American Indian tribe or Alaskan village.

(8) "Application Packet" means the entire set of completed documents required by the child-placing agency that are provided to the department for review when requesting the issuance of a license as a licensed out-of-home caregiver.

(9) "Babysitting" means the temporary (less than twenty-four hours) and periodic in home care of children by someone other than the foster parent or a licensed child care provider.

(10) "Behavioral Health Multidisciplinary Team" means the group of people brought together by the Services Worker to plan and coordinate behavioral health and related services. Examples of team members are: the child, unless clinically contraindicated; the child's parents or legal guardian and other caregiver; the Services Worker; the child's therapists and behavioral analyst; the child's educational surrogate parent, the guardian ad litem, and other professionals based on the needs of the child and family.

(11) "Bilateral Service Agreement" means a written agreement between licensed out-of-home caregivers and the supervising agency representative that specifies each party's duties and responsibilities to children served and to the department and/or child-placing agency.

(12) "Case" means a group of one or more persons who are associated with one another and for whom the department provides services and arranges the provision of services.

(13) "Case File" means all information for a case contained in the department's statewide automated child welfare information system (SACWIS), i.e., HomeSafenet, as well as the supporting paper documentation gathered during provision of services to that family. The "case file" may also refer to a duplicate, paper copy of the electronic case file and the supporting paper documentation. The department's SACWIS is the primary record for each investigation and case.

(14) "Case Plan" means "case plan" as defined in Section 39.01(11), F.S., which refers to the services plan jointly developed between the family and services worker delineating specific interventions aimed at addressing the contributing factors and underlying conditions that lead to child maltreatment. The case plan shall:

- (a) Be agreed upon by the child's parent or other legal custodian and the CPI or services worker,
- (b) Be signed by the parents or other legal custodian and the services worker,
- (c) Contain specific tasks to be performed by the family or caretaker of the child and the services worker,
- (d) Be documented in case file,
- (e) Address the permanency goal for the child, and
- (f) Be filed and approved by the court, if the case is a court ordered services case.

(15) "Case Transfer" means the process of engaging the services of another child welfare service provider for a child/family currently receiving services from a different agency, or transferring a case to a child welfare services provider after an investigation has determined the need for ongoing services.

(16) "Case Transfer Staffing" means the meeting between child welfare stakeholders that establishes the protective, treatment, and ameliorative services necessary to safeguard and ensure the child's safety, permanency and well-being.

(17) "Child Health Check-up" means a child health check-up as defined in Rule 59G-4.080, F.A.C. This screening shall take place within 72 hours of initial removal unless the child is returned to the home from which he or she was removed within 72 hours of removal. This includes a child removed from his or her home who was placed with relatives or non-relatives in an unlicensed setting. Additional check-ups shall be repeated in accordance with the Medicaid periodicity schedule.

(18) "Child Exhibiting Sexually Inappropriate Behaviors" means a child having demonstrated some action found under the terms and definitions of an alleged juvenile sexual offender, but without an established pattern of behavior sufficient to define the child as an alleged juvenile sexual offender.

(19) "Child-on-Child Sexual Abuse" refers to any sexual behavior between children twelve years or younger, which occurs without consent, without equality, or as a result of coercion, as defined in Section 39.01(7)(b)1.-3., F.S.

(20) "Child-Placing Agency" means any person, corporation, or agency, public or private, other than the parent or legal guardian of the child or an intermediary acting pursuant to Chapter 63, F.S., that is licensed pursuant to Section 409.175, F.S., and

places or arranges for the placement of a child in a family foster home, residential child caring agency, or approved adoptive home, and provides any of the necessary adoptive services listed under subsection 65C-15.001(2), F.A.C., or any corporation or agency under contract with the department as a Lead Agency.

(21) “Child Protection/Child Welfare Services” or “Child Protection Services” means core child protection programs, such as protective investigations, protective supervision, post-placement supervision, foster care and other out-of-home care, or adoption services.

(22) “Child Protective Investigator (CPI)” means an authorized agent in a professional position within the department or designated sheriff’s office with the authority and responsibility of investigating reports of child abuse, neglect, or abandonment received by the Florida Abuse Hotline as defined in Section 39.01(58), F.S.

(23) “Child Welfare Legal Services (CWLS)” means the unit of the department or a contracted entity that provides legal counsel and representation for the department or contracted service providers in child dependency proceedings.

(24) “Child’s Resource Record” means a standardized record developed and maintained for every child entering out-of-home care that contains copies of the basic legal, demographic, available and accessible educational, and available and accessible medical and psychological information pertaining to a specific child, as well as any documents necessary for a child to receive medical treatment and educational services. Where medical or educational information is not available and accessible, written documentation of the efforts made to obtain the information must be in the file. The Child’s Resource Record (CRR) shall be housed where the child is placed and shall accompany the child to every health encounter and shall be updated as events occur. All information in the CRR shall be recorded in the department’s statewide automated child welfare information system.

(25) “Child’s Well-Being” refers to whether a child’s emotional, developmental, educational, social, physical and mental health needs are being consistently met.

(26) “Children’s Multidisciplinary Assessment Team (CMAT)” means an inter-agency coordinated effort of Medicaid in the Agency for Health Care Administration; Family Safety Program and the Developmental Disabilities Program of the Department of Children and Family Services; and Children’s Medical Services in the Department of Health. The CMAT makes recommendations for medically necessary services for children birth to twenty-one who are medically complex or medically fragile.

(27) “Client Information System (CIS)” means the department’s legacy statewide automated system containing all reports, investigations, special conditions referrals, child-on-child sexual abuse reports and cases regarding child abuse, neglect or abandonment and pertinent information regarding all activities involved in investigative and case management functions. The CIS is the state’s primary record for each historical investigation and case. Information in CIS will continue to be accessed until all family safety historical data is maintained through the department’s SACWIS.

(28) “Collateral Contacts” means face to face, telephonic or written communication with those persons who provide relevant information for a child protection investigation but who are not subjects of the reports. These persons include school personnel, service providers, neighbors, other relatives and any other significant person in the child’s life or in the caregiver’s life.

(29) “Commencement” means the date and time that the investigator attempted or achieved a face-to-face contact with the child victim by actually visiting the site where the victim was reportedly located.

(30) “Communicable Disease” means any disease caused by transmission of a specific infectious agent, or its toxic products, from an infected person, an infected animal, or the environment to a susceptible host, either directly or indirectly, including tuberculosis (TB), human immunodeficiency virus (HIV), hepatitis and other sexually transmitted diseases (STDs).

(31) “Community-Based Care” means the system of care for the provision of all child welfare services – with the exception of child protective investigations. The delivery model is utilization of privatized contractors that determine the needs and develop the resources for the community being served, in addition to core requirements outlined in Florida Statute or Florida Administrative Code, or as stipulated per contract with the department.

(32) “Comprehensive Behavioral Health Assessment (CBHA)” means an in-depth and detailed assessment of the child’s emotional, social, behavioral, and developmental functioning within the family home, school, and community as well as the clinical setting, which is funded through Medicaid and is performed by a licensed clinician, as specified in the Florida Medicaid Community Behavioral Health Services Coverage and Limitations Handbook, which is incorporated by reference in Rule 59G-4.080, F.A.C.

(33) “Concurrent Case Planning” means working toward a primary permanency goal while at the same time establishing an alternative permanency goal for the child to be utilized in the event reunification does not occur within a time period that is reasonable with the child’s sense of time.

(34) “Consent for Medical Treatment” or “Informed Consent for Medical Treatment” means consent voluntarily given after a

conscientious and sufficient explanation and disclosure of the purpose of the proposed treatment and the alternative treatments available.

(35) “Consular Post” means any consulate-general, consulate, vice-consulate or consular agency of a foreign country.

(36) “Contracted Provider” means any licensed child-placing agency that has entered into a contract with the department for the purposes of recruitment, training, evaluation and/or supervision of licensed out-of-home caregivers.

(37) “Contracted Service Provider” means a private agency that has entered into a contract with the department or with a community-based care lead agency to provide supervision of and services to dependent children and children who are at risk of abuse, neglect, or abandonment.

(38) “County of Jurisdiction” means the county where the court of jurisdiction is located or, in cases of voluntary supervision, the county where the voluntary supervision agreement was signed.

(39) “Court Ordered Supervision” means the court has ordered the department or contracted service provider to supervise the child and family over a period of time to ensure the family is stable; that they comply with the court ordered case plan and that interim status reports are submitted to the court every six months throughout the dependency process.

(40) “Criminal, Delinquency and Abuse/Neglect History Check” means the act of assessing the history of persons through a criminal records check pursuant to Section 435.045, F.S., in accordance with “screening” in Section 409.175(2), F.S., and criminal, juvenile and abuse/neglect history checks as described in Sections 39.401(3) and 39.521(2)(r), F.S.

(41) “Critical Junctures” refers to those times during an investigation or services case when fundamental decisions are being made for the child or children, or when critical events are occurring in the investigation or services case. Critical junctures may include the following:

- (a) Prior to court hearings (adjudicatory, dispositional, review);
- (b) At the birth or death of a sibling or the addition of a new family member; including paramours;
- (c) Before changing the case plan to include unsupervised visits;
- (d) At case transfer between Services Workers;
- (e) At receipt of a new CPI referral or report of domestic violence in the home;
- (f) Before a child is returned home from substitute care;
- (g) Before the case is closed or dismissal of court jurisdiction is recommended;
- (h) When the case is no longer designated as high risk;
- (i) As needed, based on professional judgment.

(42) “District/Region” and “Zone” means a geographical area through which the department and community-based care providers plan and administer their programs.

(43) “Early Decision Making” means making an evaluation of the case as soon as appropriate to determine both a primary and concurrent goal.

(44) “Early Service Intervention” means the engagement of an agency or Services Worker following an interagency staffing and putting into place the appropriate core child protection or child welfare services prior to completion of the investigation and disposition of the report to provide necessary services and supports to the family.

(45) “Emergency Medical Care and Treatment” means care or treatment of a child who has been injured or is suffering from an acute illness, disease, or condition if, within a reasonable degree of medical certainty, delay in initiation or provision of medical care or treatment would endanger the health or physical well-being of the child.

(46) “Evidence” means any and all materials, documents, legally admissible statements, first party observations and specific facts that are relevant to prove and support specific allegations of abuse, neglect or abandonment.

(47) “Exigent Circumstances” means situations in which it is anticipated that a child will be placed with a relative or non-relative within 72 hours.

(48) “Extended Family Member” in cases involving American Indian or Alaskan Native children, means those persons established by the tribal law or custom of the American Indian or Alaskan Native child’s tribe to be extended family members or, in the absence of such law or custom, a person who is at least eighteen years of age and who is the child’s grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin or stepparent.

(49) “Extraordinary Medical Care and Treatment” means care or treatment of a child that is outside of the routine medical and dental care included in the definition of ordinary medical care and treatment, such as any invasive procedures. This includes surgery, anesthesia, administration of psychotropic medications, and any other procedures not considered routine and ordinary by objective

professional standards of medical care for children.

(50) “Family Assessment” means a documented evaluation at the initiation of services and updated every six months thereafter, of the family in regard to the determination of the need for services throughout the life of the case. This is a joint effort between the Services Worker and the family to identify and analyze the family strengths and resources, as well as the contributing factors and underlying conditions that contributed to child maltreatment; the risk of harm to the child; emerging danger or safety issues; case goals; and service needs for the child and family. Such assessment is a collaborative effort between the Services Worker and the child, if developmentally appropriate, the child’s family members, the caregiver, the guardian ad litem, and all relevant service providers.

(51) “Family foster home” or “foster home” means “foster home” as defined in Section 409.175, F.S. These are licensed settings as defined under “license” in Section 409.175, F.S.

(52) “Family Preservation Services” means services provided to families, primarily in the home. Examples are counseling and therapeutic services, as well as the provision of goods or services designed to prevent the removal of a child due to abuse, neglect, or abandonment, or to stabilize an out-of-home placement.

(53) “Family Team Conferencing” means the process that enables families to solve problems by focusing on the family’s strengths as well as on the family’s underlying needs. The process is highly individualized and relies heavily on input and cooperation from the family, the family’s support system, and community resources. Families are active participants in the process of assessing their own needs, developing an action plan, setting goals, and setting time frames.

(54) “Finding” means the investigative determination that there is credible evidence to support or refute the allegations for each child maltreatment reported for investigation.

(55) “Florida Abuse Hotline” means the department’s central abuse reporting center, which receives and processes reports of known or suspected child abuse, neglect or abandonment 24 hours a day, seven days a week.

(56) “Florida Model Approach to Partnerships in Parenting” (MAPP) means the uniform, statewide, pre-service training provided to prospective out-of-home caregivers and adoptive parents in accordance with Section 409.175(14)(b), F.S.

(57) “Foster Care Referrals” refers to calls to the Florida Abuse Hotline regarding concerns about the care provided in a licensed foster home, group home or emergency shelter that do not meet the criteria for acceptance of a report of abuse, neglect or abandonment.

(58) “Group Care Facility” or “Licensed Group Care Facility” means “residential child-caring agency” as defined in Section 409.175, F.S. These are licensed settings as defined under “license” in Section 409.175, F.S.

(59) “Guardianship” means a legally established relationship between a child and adult who is appointed to protect the child’s best interests and to provide the child’s care, welfare, education, discipline, maintenance, and support.

(60) “High Risk” means a high likelihood of subsequent verified maltreatment following an initial verified maltreatment.

(61) “High Risk Tracking and Review” means a locally developed protocol utilized whenever children in an investigation or case are identified as being at high-risk or repeat maltreatment. It is a process intended to identify situations in a timely manner whereby substantive safety and risk factors are present that could affect a child’s safety. The process helps assure close monitoring and oversight activities are in place so that casework activities can be adjusted as necessary when and if changes occur. See subsections 65C-30.001(107) and (108), F.A.C.

(62) “Home Study” means the written documentation of an on-site assessment completed prior to the child’s placement that is meant to evaluate the caregiver’s capacity to provide a safe, stable and supportive home environment, and to determine if the physical environment is safe and can meet the child’s needs.

(63) “Household” means a common residence shared by two or more individuals, whether related or not.

(64) “Household Member” means any person who resides in a household, including the caregiver and other family members residing in the home. Household members are any additional relatives or persons residing in the home, including but not limited to visitors expected to stay an indefinite length of time or college students expected to return to the home.

(65) “Immediate” or “immediately” means as soon as possible, but no later than two hours.

(66) “Independent Living Services” means services to assist older children in foster care and young adults who were formerly in foster care obtain life skills and education for independent living and employment, have a quality of life appropriate for their age, and assume personal responsibility for becoming self-sufficient adults.

(67) “Indian Child Welfare Act (ICWA)”, Public Law 95-608 (1978), 92 Stat. 3069, 25 U.S.C. 1901 et seq) means the federal act that governs child custody proceedings involving American Indian or Alaskan Native children in state courts. ICWA protects the

best interests of American Indian and Alaskan Native children, preserves the integrity of Indian families and promotes the stability and security of Indian tribes and families by establishing minimum federal standards for the removal of American Indian or Alaskan Native children from their families; placing Indian children in out-of-home care or in adoptive homes that will reflect the unique values of Indian culture; and by providing assistance to Indian tribes in the operation of child and family service programs.

(68) “Indian Child’s Tribe” or “Indian Tribe” means any American Indian tribe, band, nation, or other organized group or community of Indians, recognized as eligible for the services provided to Indians by the Secretary, United States Department of the Interior, Bureau of Indian Affairs, because of their status as Indians, including any Alaska Native village as defined in the Alaska Native Claims Settlement Act [42 USCS §1602(c)]. It does not include Indian or native tribes from foreign nations.

(69) “Indian Custodian” means any American Indian or Alaskan Native who has legal custody of an American Indian or Alaskan Native child under tribal law or custom or under state law or to whom temporary physical care, custody, and control has been transferred by the parent of such child.

(70) “Individual Educational Plan (IEP)” refers to a written assessment statement for a child with a disability or special education needs that is developed and implemented in accordance with Section 602(14) of H.R. 1350, the “Individuals with Disabilities Education Improvement Act of 2004 (IDEA)”. The IEP identifies treatment and educational objectives in measurable terms and is completed by school personnel.

(71) “In-Home Services” means services provided while a child remains in his or her own home and includes those cases where a child was removed, but has now been returned to the home of his or her parent or guardian.

(72) “Interim Child Welfare Services Information System (ICWSIS)”, means the department’s automated system containing invoice data pertaining to services provided to children under the department’s supervision. The ICWSIS is the state’s primary audit record for client specific expenditures until such time that the system’s functionality is subsumed by SACWIS.

(73) “Interstate Compact” or “Interstate Compact on the Placement of Children (ICPC)” is a uniform law that was enacted verbatim into statutory law in all fifty states, the District of Columbia and the U.S. Virgin Islands. It establishes a contract among the states and jurisdictions that ensures orderly procedures for the interstate placement and post-placement supervision of children and fixes responsibilities for those involved in placing the child.

(74) “Investigative Search” means making inquiries of written records and electronic databases to locate subjects of a report when reasonable efforts to locate the family have been expended, but failed to locate the family.

(75) “Lead Agency” means an “eligible lead community-based provider” as defined in Section 409.1671(1)(e), F.S. The functions of a lead agency include:

- (a) Organize and manage a network of service providers;
- (b) Provide case management for any children/families referred;
- (c) Purchase/provide all necessary services to ensure permanency;
- (d) Maintain and report required client and performance data; and
- (e) Assume and manage financial risk (capped budget for all required services).

(76) “Licensed family foster home” means “family foster home” as defined under Rule 65C-30.001, F.A.C.

(77) “Licensed Out-of-Home Caregiver” means any person licensed under Section 409.175, F.S., to provide twenty-four hour care. This term also refers to foster parents.

(78) “Licensing Authority” means the Department of Children and Family Services.

(79) “Licensing Service Agreement” means a written agreement signed by licensed out-of-home caregivers that specifies duties and responsibilities over children served.

(80) “Long-term Licensed Custody” means the court approved placement of a child in the long-term custody of a foster parent as described in Section 39.623, F.S.

(81) “Maltreatment” means a specific type of injury or harm, which pursuant to the departmental procedure, as incorporated by the department allegation matrix, is the term used as an inclusive description for all forms of abuse and neglect. The statement made by a reporter to the central abuse hotline of a suspected specific harm or threatened harm to a child is referenced in the report as a maltreatment.

(82) “Medicaid” means “Medicaid” as defined in Rule 59G-1.010, F.A.C.

(83) “Medical Neglect” means the failure to provide adequate medical care in the context of the definition of “neglect” found at Section 39.01, F.S. It includes the withholding of medically indicated treatment from a disabled child with a life threatening condition.

(84) “Missing Child Emergency” means situations that require immediate actions when a child appears to be missing. Situations that require immediate action are circumstances where the child’s age (i.e., being under thirteen years of age), physical or mental incapacity, or a developmental or behavioral challenge renders the situation more dangerous than it would be for a child with more maturity or resources; where the child is with others who may endanger his or her welfare; where the child is known or believed to be in a life-threatening situation; where the child is missing under circumstances inconsistent with established behaviors; or where there is any other reason to believe that the child is in a dangerous situation.

(85) “Missing Child Tracking System” means an automated database for storing and transmitting information on missing children.

(86) “No Jurisdiction” refers to a designation given to abuse reports that have been accepted by the Florida Abuse Hotline, but the CPI determines that the department or sheriff’s office does not have the authority to investigate because the allegations and/or facts surrounding the report do not meet statutory criteria, including, but not limited to:

- (a) The alleged perpetrator is a public school official acting in an official capacity;
- (b) The alleged perpetrator is a staff member in a general hospital, while acting in an official capacity (excluding a psychiatric ward);
- (c) The alleged perpetrator is a law enforcement officer or employee of a jail, municipal or county detention facilities, Juvenile Bootcamp Facility, or Department of Corrections, while acting in an official capacity;
- (d) The alleged perpetrator is a non-caregiver;
- (e) The allegations are of harm or threatened harm to a child who is residing and located in another state at the time of the report; or
- (f) The allegations are of harm or threatened harm to a child who resides on federal property such as an Indian reservation or military base (unless there is an agreement with the appropriate authorities to surrender jurisdiction to the department).

(87) “Non-relative” or “non-relative caregiver” means a stepparent, prospective parent or any other person who does not meet the definition of a relative and who is not being paid as a licensed foster or shelter parent for purposes of caring for a child in his or her custody.

(88) “On-Site Visit” means a face-to-face visit with the child or other subjects of the report at their reported location, and any other face-to-face visits conducted at sites other than the CPI or Services Worker office locations.

(a) For all child protective investigations, an on-site visit refers to a visit by the Child Protective Investigator (CPI), or his or her counterpart in another state, to the child victim’s location, in order to attempt a face-to-face contact with the child. The purpose of the face-to-face contact is to address the alleged maltreatment allegations and assess for, and ensure, the child’s safety. The date and time that the face-to-face contact is completed, as defined, is referred to in the Statewide Automated Child Welfare Information System as the “victim seen” date and time.

(b) For the purpose of an institutional report, an on-site visit refers to a face-to-face contact by the Child Protective Investigator (CPI), or his or her counterpart in another state, with the child victim at the institution or facility where the alleged abuse, neglect or abandonment occurred. If the child is no longer located at the institution or facility, the on-site visit will occur where the child is located at the time the report is received.

(89) “Ordinary Medical Care and Treatment” means ordinary and necessary medical and dental examinations and treatments. Included in this definition are blood testing, preventive care including ordinary immunizations, tuberculin testing, and well-child care. This does not include surgery, general anesthesia, provision of psychotropic medications, any invasive procedures or other extraordinary medical care and treatment as defined in this rule.

(90) “Out-of-County Services” means supervision services provided by a Services Worker in a county other than the county where jurisdiction is located.

(91) “Out-of-Home Care” means the placement of a child in licensed and non-licensed settings, arranged and supervised by the department or contracted service provider, outside of the home of the parent.

(92) “Out-of-Town Inquiry (OTI)” means a one time, non-recurring request for assistance that originates from intrastate, interstate or authorized international sources. Requests for assistance may include but are not limited to activities that are part of abuse, neglect or abandonment investigations, intrastate home studies and criminal, delinquency and abuse/neglect history checks relating to relative and non-relative out-of-county placements.

(93) “Owner” means the person or corporation who is licensed to operate the child-placing agency, family foster home, or residential child-caring agency.

(94) “Permanency” means achieving a permanent home for a child through reunification, adoption, guardianship, long term custody (to a relative or non-relative), or another permanent planned living arrangement.

(95) “Permanency Goal” means the case plan goal that is established to ensure the child will receive a permanent, safe and stable setting to grow up in. The permanency goals are reunification, adoption, permanent guardianship of a dependent child, placement with a fit and willing relative or another permanent planned living arrangement.

(96) “Permanency Hearing” means a judicial review hearing designed to reach a decision about the goal of the case and the permanent living arrangement for a child with a family. The permanency hearing shall occur no later than 12 months after the date the child was removed from his or her home; subsequent permanency hearings will occur at least every 12 months thereafter, or earlier as set by the court, as long as a child remains in an out-of-home care setting and is being supervised by a contracted service provider.

(97) “Permanency Plan” means the judicially recognized arrangement to establish the placement intended to continue until the child reaches the age of majority and is not disturbed absent a finding by the court that the circumstances of the permanency placement are no longer in the best interests of the child.

(98) “Permanency Staffing” refers to a case review meeting prior to each permanency hearing for the purpose of permanency goal planning for a child. The permanency staffings are to assess progress and barriers toward the achievement of the permanency plan; document reasonable efforts to finalize the permanency plan; determine if there are any case plan changes necessary; and develop recommendations for the next judicial review.

(99) “Personal Profile” means the documents from MAPP training that provide the participant’s personal history and are considered in assessing his or her suitability as a licensed out-of-home caregiver.

(100) “Placement” means the supervised placement of a child in a setting outside the child’s own home.

(101) “Placement for Adoption” or “To Place for Adoption” means “placement” as defined in subsection 65C-16.001(23), F.A.C.

(102) “Post-Placement Supervision” means services provided to children and families upon reunification, which aim to support and preserve the family unit during the transition period.

(103) “Primarily Lives and Works Outside of Florida” means anyone who does not meet the definition of “primary residence and place of employment in Florida.”

(104) “Primary Residence and Place of Employment in Florida” means a person lives and works in this state at least six months of the year and intends to do so for the foreseeable future or military personnel who designate Florida as their place of residence in accordance with the Soldiers’ and Sailors’ Civil Relief Act of 1940.

(105) “Primary Worker” means the Services Worker in the county of jurisdiction who has primary responsibility for the following cases involving multiple jurisdictions:

(a) An ongoing services case, whether voluntary or court ordered, involving a child and/or a family that has relocated from one county in Florida to another and is being supervised by a Services Worker in a county other than the county of jurisdiction. It is the Services Worker from the “sending county” who is also the worker from the “county of jurisdiction” and the “primary worker”;

(b) An ongoing services case involving a child and/or a family that has relocated to Florida through the Interstate Compact on the Placement of Children (ICPC) from another member state; and

(c) Children who have relocated to Florida from a U.S. territory or a foreign country which are not members of the Interstate Compact on the Placement of Children.

(106) “Psychotropic Medication” means any medication prescribed with the primary intent to stabilize or improve mood, mental status, behavioral symptomatology, or mental illness.

(107) “Qualified Evaluator” means a psychiatrist or a psychologist licensed in Florida with at least three years experience in the diagnosis and treatment of serious emotional disturbances in children as set forth in Section 39.407(5)(b), F.S.

(108) “Reasonable Effort to Locate” means that the overall efforts of a child protective investigative unit have been sufficiently thorough to allow for case closure despite the inability to locate the family within sixty days of receipt of the report. Reasonable efforts to locate include, but are not limited to, contacts to locate the child through the school system, Economic Self Sufficiency records, additional contacts with the reporter or others named in the report, and telephone or city directory checks.

(109) “Receiving County” means the county to which a child or family is relocating or has relocated while supervision and services continue.

(110) “Receiving Unit” means the staff in a child protective investigations unit to which a request for an out-of-town inquiry

(OTI) or a report transfer is made.

(111) “Red Flag Case Review” means a decision making process at critical junctures during the life of a case. It involves an expanded review process that includes all staff who have managed the case and persons external to the department, contracted service providers and Sheriff's offices who have information pertinent to the decision being made. These persons can include relatives, service providers, schools, medical personnel and the family.

(112) “Red Flag Screening” means an internal staffing to determine whether or not a case shall be designated for Red Flag Case Review. This staffing, which occurs during the assessment and definition stage of the case, includes the Protective Investigator, the supervisor, other staff indicated by the current case manager required by the departmental district/region or zone, contracted service provider or Sheriff's office, and a district operational administrator.

(113) “Relative” or “Relative Caregiver” means a person who meets the definition of a relative and who is not being paid as a licensed foster or shelter parent for purposes of caring for a child in his or her custody.

(114) “Relative Caregiver Program (RCP)” means a program that provides a monthly payment to a non-licensed relative caregiver who is caring full-time for an eligible dependent child in accordance with Section 39.5085(2), F.S.

(115) “Release” means a child is put in the physical custody of a parent in accordance with Section 39.401(3), F.S., or with Section 39.521(1)(b)3., F.S.

(116) “Removal Episode” means the entire period of time a child is in out-of-home care, beginning with the child's removal from his or her primary residence and ends when permanency is achieved, the child becomes eighteen years old, the child is emancipated by marriage or a court order or the child dies. A new removal episode begins with each reentry into care.

(117) “Report” or “Hotline Report” means an allegation to the Florida Abuse Hotline alleging knowledge or a suspicion that a child has been abused, neglected, or abandoned by a parent, guardian, adult household member or other person responsible for a child's welfare.

(118) “Residential Treatment Center” means “Residential treatment center for children and adolescents” as set forth in Section 394.67, F.S.

(119) “Respite Care” means the temporary, (over twenty-four hours) intermittent care of a foster child by an individual other than the child's out-of-home caregiver regardless of whether the respite provider is paid by the agency.

(120) “Reunification” means the safe return of a child who has been placed in out-of-home care to his or her parent as described in “reunification services” in Section 39.01, F.S.

(121) “Safety” means the status of a child relative to danger of imminent or serious harm.

(122) “Safety Assessment” means a decision-making and documentation process conducted in response to a child abuse and/or neglect report or any other instances in which safety needs to be assessed throughout the life of an active investigation or ongoing services case to help evaluate safety threats, present danger, child vulnerability, family protective capacities and to determine the safety response or safety plan.

(a) Safety assessment, within the context of an ongoing services case, involves the evaluation of emerging danger that evaluates potential safety threats and likelihood of serious harm before they become immediate, serious and pose a present danger. It also includes an assessment of the underlying conditions and contributing factors and their future likelihood to re-emerge as present danger.

(b) The identification of the underlying conditions and contributing factors lead to effective case planning.

(123) “Safety Plan” means the specific course of action that is determined necessary to control threats of serious harm or supplementing a family's protective capacities implemented immediately when a family's protective capacities are not sufficient to manage immediate or serious harm threats. The safety plan is jointly developed by a CPI and/or a services worker and the family. The plan may include, but is not limited to, interventions aimed at reducing the serious threat of harm or sign of present danger, decreasing the child vulnerability and/or strengthening the family's protective capacities. The safety plan shall:

(a) Be agreed upon by the child's parent or other legal custodian and the CPI or services worker,

(b) Be signed by the parents or other legal custodian and the CPI or services worker,

(c) Contain specific tasks to be performed by the family or caretaker of the child and the CPI or services worker,

(d) Be documented in the investigative and case files, and

(e) Address both immediate and long-term protection planning.

(124) “Second Party Review” means an administrative review of the automated assessment tool and investigative file, performed by a higher level staff person than the investigator's immediate supervisor, necessitated by high risk and safety factors as

indicated in the automated assessment tool. The purpose of the review is to examine the decisions of the supervisor and either validate the supervisor's recommended course of action or determine the need for alternative or additional action by either the supervisor or CPI.

(125) "Sending County" means the county of jurisdiction that makes a request for supervision or continuation of voluntary supervision to a receiving county when a child or family receiving services is relocating or has relocated to another county.

(126) "Sending Unit" means the staff in a child protective investigations unit initiating a request for an out-of-town inquiry (OTI) or a report transfer to another unit.

(127) "Services Worker" means an individual who is accountable for service delivery regarding safety, permanency, and well-being for a caseload of children and families under supervision.

(128) "Sexually Reactive Child" means a child who, as a consequence of having been sexually abused, may be sexually preoccupied, or engaging in identified sexualized behaviors with or without a defined pattern, and thereby demonstrates some level of risk to others.

(129) "Shelter Status" means the legal status that begins when the child is taken into protective custody of the department and ceases when the court grants custody to a parent, or, after disposition of the petition for dependency, the court orders the child released to a parent or placed in the temporary custody of the department, a relative, or a non-relative.

(130) "Siblings" mean children who share at least one parent.

(131) "Single Point of Access (SPOA)" means the person or entity designated by the local Children's Mental Health program office as the primary point of contact within a specific geographic area to assist the Services Worker in accessing behavioral health services for children in the care or custody of the department.

(132) "Special Condition Referrals" means requests brought to the attention of the department that require a response by the department or the investigating sheriff. These requests do not constitute willful abuse, neglect, or abandonment, but they may result in additional allegations of maltreatment and/or the need to shelter a child upon response. These include the following situations when the caregiver:

(a) Has been or is about to be incarcerated and plans must be made for the child's immediate care;

(b) Has been or is about to be hospitalized and plans must be made for the child's immediate care;

(c) Has died and plans must be made for the child's immediate care; or

(d) Is having difficulty caring for a child to the degree that it appears very likely that without intervention, abuse, neglect, or abandonment will occur.

(133) "Specialized Therapeutic Foster Care" means intensive mental health treatment provided in specially recruited foster homes. The program is designed to provide the supervision and intensity of programming required to support children with moderate to severe emotional or behavioral problems and to avoid the need for admission to an inpatient psychiatric hospital or residential treatment center.

(134) "Statewide Automated Child Welfare Information System (SACWIS)" (i.e., HomeSafenet), means the department's statewide automated system containing all reports, investigations, special conditions referrals, child-on-child sexual abuse reports and related child safety assessments and safety actions or plans and cases regarding child abuse, neglect or abandonment and pertinent information regarding all activities involved in investigative and some case management functions, including the Child's Resource Record. The SACWIS is the state's primary record for each investigation and case and all documentation requirements of the system shall be met.

(135) "Subject of a Report" means any person named in an abuse, neglect or abandonment report.

(136) "Subsidized Independent Living" means a living arrangement that allows a child in foster care, who has reached 16 years of age but is not yet 18 years of age, to live independently of the daily care and supervision of an adult in a setting that is not required to be licensed under Section 409.175, F.S.

(137) "Substantial Compliance" or "Substantially Complied" means that the circumstances which caused the creation of the case plan have been significantly remedied to the extent that the well-being and safety of the child will not be endangered upon the child's remaining with or being returned to the child's parent.

(138) "Suitable" or "Suitability" for residential treatment means a determination by a Qualified Evaluator that a child with an emotional disturbance as defined in Section 394.492(5), F.S., or a serious emotional disturbance as defined in Section 394.492(6), F.S., meets each of the statutory criteria for placement in a residential treatment center.

(139) "Supervising Agency" means any licensed child-placing agency that oversees and supports a family foster home and

assists applicants in the licensing process.

(140) “Supplemental Report” means a report, whether by the same or another reporter pertaining to the same incident as that currently under investigation, which involves the same subjects and same alleged maltreatments, but improves upon what is already known, such as providing a better address, corrected spelling of names, or other collateral contacts. These reports do not require additional investigative activity.

(141) “Surrogate Parent” refers to surrogate parents as defined in Rule 6A-6.0333, F.A.C. A surrogate parent is an individual appointed to act in the place of a parent in safeguarding a child’s right in the special education decision-making process. A surrogate parent is appointed by the district school superintendent in the school district where the child resides, or for children served in a special program made available through a contract from the Department of Education shall be appointed by the individual specified in the contract.

(142) “Temporary Cash Assistance Program (TCA)” refers to the public assistance program under Rule 65A-1.203, F.A.C.

(143) “Termination Summary” means a written document that explains the reason for agency involvement, progress toward problem resolution, risk reduction, and the rationale for recommending case closure.

(144) “Therapeutic Foster Care” means a program that provides mental health services for children with emotional and behavioral disturbances living in a family foster home. Each home is managed by trained foster parents who provide specialized care for children needing a therapeutic setting. The child and family receive support services as necessary.

(145) “Threatened Harm” means a behavior that is not accidental, and which is likely to result in harm to the child.

(146) “Tribal Agreement” means a formal written agreement between the Department and a federally recognized American Indian tribe that guides interaction between the department and the tribe in matters pertaining to child welfare, including child protective investigations and proceedings involving American Indian and Alaskan Native children in state courts.

(147) “Voluntary Licensed Placement” means placement of a child in licensed out-of-home care when a parent or legal guardian requests the assistance of the department or contracted service provider in planning for the temporary care and supervision of a child.

(148) “Voluntary Protective Services (VPS)” means the family has consented to accept services and supervision aimed at stabilizing the family, with the understanding that court action may be taken if the family fails to cooperate in fulfilling the requirements of the voluntary case plan.

(149) “Waiver” means a documented approval, prior to placement, that authorizes exceptions to the licensed capacity and the total number of children or infants to be cared for in a family foster home.

Specific Authority 39.012, 39.0121(3), (6), (7), (12), (13), 39.407(1), 39.5085(2)(a), (d), 63, 394.4781(3)(c), 409.175, 409.401, FS. Law Implemented 39.001, 39.01, 39.012, 39.401(3), 39.407, 39.5085, 39.521, 39.601, 39.701, 63, 394.9082, 409.145(1), 409.165(1), 409.401, 409.175 FS. History—New 5-4-06.

65C-30.002 Early Service Intervention and Case Transfer.

(1) An Early Service Intervention (ESI) staffing shall, whenever possible, be held within 72 hours after the need for services is identified by the Child Protective Investigator (CPI) and his or her supervisor or, if weekly ESI staffings are held, during the next scheduled weekly staffing following the identification of the need for services. Identifying a need for services might occur at any point while the report is being investigated and is documented through the referral for the ESI staffing.

(a) The CPI or Child Protective Investigator Supervisor (CPIS) shall present the case at the ESI staffing. In all cases involving an American Indian or Alaskan Native child in which the potential outcome is a dependency action, the parent(s) or Indian Custodian and the child’s tribe shall be notified of the staffing and encouraged to participate.

(b) The ESI staffing shall:

1. Address the identification of needed services so services can be accessed timely;
2. Identify needed up-front services to maximize opportunities for success of the services and treatment plan for the child and family;
3. Promote family preservation and prevent unnecessary placement in out-of-home care;
4. Identify and document the roles and responsibilities of involved staff;
5. Ensure a smooth transition from one component of the child protection/child welfare system to another; and
6. Provide a mechanism for sharing information gathered by one component of the child protection/child welfare system with

the other component(s).

(c) Participants at the ESI staffing shall sign the agreements on the roles and responsibilities of the staff and providers involved in the case. Responsibility for the completion of the pre-disposition study is determined at the local level and during the ESI staffing. Copies of agreements shall be made for all parties to the case and the original signed agreement shall be maintained in the child's case file.

(d) At the ESI staffing, the CPI shall provide:

1. An up-to-date automated investigative file including chronological notes;
2. A completed child safety assessment for each child, including any other child related assessments;
3. The name and location of child's school and/or child care provider, if available;
4. Name and location of child's medical provider(s) and any health or medical information, if available;
5. The results of diligent search efforts, i.e., the identification of potential relative or non-relative placement resources and, if removal of the child was necessary, an explanation of all efforts made to place the child with a relative or non-relative;
6. The child's date and location of birth if the child is under court ordered supervision, if available;
7. A photograph of the child that was removed or will be placed under court ordered supervision, if available;
8. Fingerprints of the child placed in out-of-home care, if available;
9. The status of the inquiry into whether the child may have Native American heritage;
10. The results of criminal, delinquency and abuse/neglect history checks performed on a relative or non-relative caregiver;
11. Any court or other documents related to shelter;
12. Any recommendations for expedited up-front services;
13. Evidence of establishment of the case in the department's statewide automated child welfare information system; and
14. Any other documentation agreed upon between the department staff or sheriff's office performing the investigation and the contracted service provider.

(e) After the ESI staffing, the CPI shall continue to:

1. Complete the remaining investigative tasks;
2. Assist the Child Welfare Legal Services (CWLS) attorney with filing of the shelter and dependency petitions and provide witness testimony;
3. Provide CWLS with information regarding the child's immigration status to determine whether the department or contracted services provider will need to pursue Special Immigrant Juvenile Status (SIJS) for the child, and whether an early evaluation of the long-term likelihood of reunification is a viable option. See subsection 65C-30.007(17), F.A.C., for actions required to establish a child's SIJS;
4. Provide CWLS with information regarding the possibility of Native American heritage so that an evaluation can be made as to whether or not the Indian Child Welfare Act is triggered;
5. Complete all referrals to the Child Protection Team (CPT), provide Services Worker with CPT findings, and forward all other written information that is pertinent to the child protection process;
6. Provide written documentation for completion of identified sections of the pre-disposition study;
7. Attend court hearings to provide testimony regarding the case; and
8. Perform any tasks mutually agreed upon during the ESI staffing.

(f) There shall be no discrimination against a child based on the child's immigration status.

(g) After the ESI staffing, the Services Worker shall:

1. Provide or arrange for expedited up-front services such as family preservation services, visitation and/or medical care;
2. Review all assessments provided by the CPI;
3. Conduct or refer for additional assessment(s);
4. Obtain a Comprehensive Behavioral Health Assessment and a health check-up for a child who enters out-of-home care, unless already completed by the CPI per local agreements;
5. Engage family in development of case plan, document efforts to mutually negotiate activities and tasks contained in the plan and make all indicated referrals and implement the tasks as scheduled;
6. Identify alternative sources or funding for medical, dental, vision and psychological services for the child, if the child does not have legal immigration status;
7. As requested, coordinate with the CPI regarding the compiling and submission of the pre-disposition study;

8. Participate in all court hearings; and

9. Provide new information known to the Services Worker that may assist the CPI in updating the automated assessment tool.

(h) The Services Worker shall schedule subsequent staffings or meetings, as necessary, to obtain information not available at previous meetings.

(2) Case Transfer.

(a) When a change in contracted service providers is needed within or between districts/regions or zones, a case transfer staffing shall be scheduled.

1. The referring Services Worker shall arrange the transfer staffing with the staff in the receiving county, provide detailed information about the case, and document the transfer staffing in the case file.

2. The referring Services Worker shall retain responsibility for the case until the transfer is documented in the child's case file.

(b) For requirements relating to transfers of supervisory responsibility to another county, see Out-of-County Services, Rule 65C-30.018, F.A.C.

Specific Authority 39.012, 39.0121(12), (13) FS. Law Implemented 39.4085(7), (12), (13), (14), 39.521(1)(b)1., 3., (d)4., 39.522(1) FS. History--New 5-4-06.

65C-30.003 Diligent Search.

(1) When a child is removed from the physical custody of his or her parent or guardian, the Child Protective Investigator (CPI) shall initiate a diligent search to identify and locate any absent parent. An affidavit of diligent search shall be included in the predisposition report. Diligent search efforts shall continue until released by the court.

(a) If the child remains in out-of-home care following closure of an investigation by a CPI, the Services Worker shall continue diligent search activities until released by the court.

(b) The CPI shall also initiate diligent efforts to locate an adult relative, legal custodian or other appropriate adult willing and able to care for the child. After an initial search has been deemed sufficient by the CPI supervisor, these activities are no longer required. A description of the efforts made to locate the child's relatives or prospective placement resource shall determine whether diligent efforts were made.

(2) When a dependency petition is filed with the court for the purpose of seeking in-home court ordered supervision, the CPI shall initiate a diligent search to identify and locate any absent parent.

(3) When a child is under court ordered in-home supervision, the Services Worker shall initiate diligent efforts to identify and locate any relatives who would be willing and able to care for the child in the event that the in-home supervision arrangement fails.

(4) When a child is placed in out-of-home care, for the purpose of concurrent planning, the Services Worker shall initiate or continue diligent efforts to identify and locate any relatives who would be willing and able to care for the child.

(5) The diligent search shall include, at a minimum, all inquiries required in Sections 39.502(8), (9) and 39.503(5), (6), F.S.

(6) Other Diligent Search Activities.

(a) When a child is in an out-of-home placement with a relative or non-relative and the placement disrupts, the Services Worker shall make diligent efforts to locate an adult relative, legal custodian or other appropriate adult willing and able to care for the child. After an initial search has been deemed sufficient by the Services Worker's supervisor, these activities are no longer required. An affidavit of diligent search must be included in the predisposition report. A description of the efforts made to locate the child's relatives or prospective placement resource shall determine whether diligent efforts were made.

(b) When the diligent search involves an American Indian or Alaskan Native child, documentation of written correspondence with the child's tribe and to the Secretary of the Interior through the Eastern Regional Office of the Bureau of Indian Affairs shall be documented in the case file by the Services Worker and included in the court record.

(c) When the diligent search involves a child adjudicated dependent who is not a U.S. citizen or does not have legal residency status and has been removed from his or her parents or who is an unaccompanied minor, the Services Worker shall take actions specified in subsection 65C-30.007(17), F.A.C., to ensure that all requirements of Section 39.5075, F.S. are met. This assists in determining whether there is a parent or other relatives in the child's country of origin who should be considered as a placement option. This information shall be documented in the case file and included in the court record.

Specific Authority 39.012, 39.0121(12), (13), 39.5075(8) FS. Law Implemented 39.01(22), 39.502(8), (9), (10), 39.503(5), (6), (7), (8), 39.5075,

65C-30.004 Identification of Children.

(1) Photographing of Children.

(a) Children to be photographed:

1. All children under court ordered in-home supervision shall be photographed within fifteen days after the case has been staffed and transferred to a service unit.

2. All children placed in out-of-home care shall be photographed within seventy-two hours of the beginning of a removal episode.

3. Upon return to care, any child who has been on runaway status shall have his or her photograph taken immediately. The exception to this requirement is when concerns a child's appearance has not significantly changed since a prior photograph was taken.

4. All children and sibling groups available for adoption who are required to be registered on the Adoption Exchange System.

(b) The child's identity shall be verified by the Child Protective Investigator, Services Worker, or other staff person familiar with the child. The photograph and identifying information shall be maintained in the statewide photo database.

(c) Photographs shall be updated as follows:

1. For children fifty-nine months or less of age, every six months; and

2. For all other children, annually.

(2) Fingerprinting of Children.

(a) The fingerprints of each child age three years or older who is placed in out-of-home care shall be obtained within fifteen days after initial placement. The record of the fingerprints shall be maintained in the child's case file. If the child is under age three, a means of obtaining the child's footprints shall be explored.

(b) Fingerprints are not required for children under in-home supervision.

(c) These fingerprints shall be used only to identify a child who has gone missing.

(3) Birth Verification of Children.

(a) All children under court ordered in-home supervision shall have documentation of birth verification within fifteen days after the case has been staffed and transferred to a services unit.

(b) All children entering out-of-home care shall have documentation of verification of the child's birth within fifteen days from initial placement. Refer to paragraph 65C-30.004(3)(c), F.A.C., for children born out-of-state or out-of-country.

(c) For children born out-of-state or out-of-country, verification of the child's birth shall be requested within fifteen days from initial placement and documented in the case file. Refer to subsection 65C-30.007(17), F.A.C., regarding the necessary actions when it is determined that a child was born in another country and has not established legal alien status.

(4) Identifying Information in Adoption Records.

(a) At the time of adoption finalization, it is the responsibility of the Services Worker to coordinate with the adoptive parents to determine whether the child will have a new Social Security Number (SSN) or be retaining the same SSN after adoption. To avoid variations in practice for handling the problem, one of the two following alternatives shall be used, as appropriate:

1. Child Retains the Old SSN. If the child will retain the same SSN after adoption, the client demographic record associated with the child during adoptive placement in the Statewide Automated Child Welfare Information System (SACWIS) or in the Client Information System (CIS) and the Interim Child Welfare Services Information System (ICWSIS) shall have an additional client identification number (ID) of a pseudo identification number (initials of child's birth name and date of birth). The child's birth name shall remain in this demographic record and this pseudo ID shall be recorded as an additional ICWSIS ID type for the child in SACWIS. The Services Worker is responsible for recording the pseudo ID as an additional ICWSIS ID type before the case is closed at the time of finalization. The old SSN shall remain associated with the SACWIS record. All adoption subsidy payments after finalization shall continue to be recorded in ICWSIS under the pseudo ID. No split of demographics is necessary for purposes of making subsidy payments. New services that are provided and recorded in SACWIS (e.g., new abuse report in the adoptive home or provision of post-adoption services), CIS (e.g., ongoing Children's Medical Services), and/or in ICWSIS after adoption finalization shall be associated with a new demographic record with the child's adoptive name and with the SSN as the client identification number. In no case shall the pre-and post-adoptive names both appear on the same SACWIS record.

2. Child Receives a New SSN. If the child will receive a new SSN after adoption, the old SSN shall be left in the SACWIS, CIS and ICWSIS records during the adoptive placement with the child's birth name and shall continue to be used to record ongoing subsidy payments in ICWSIS. New services shall be recorded under a new demographic record with the new SSN and the child's adoptive name (though a pseudo client identification number may be used after the adoption finalization while the new SSN is being obtained, and updated to the new SSN as soon as it is received).

(b) If the child is receiving public assistance or Medicaid, the Services Worker shall notify Economic Self-Sufficiency about the new SSN.

Specific Authority 39.012, 39.0121(3), (13), 39.5075(8), 63.202 FS. Law Implemented 39.4085(6), 39.5075, 63.162(2) FS. History--New 5-4-06.

65C-30.005 Family Assessment.

(1) The Services Worker shall complete an initial family assessment within fifteen working days following the ESI staffing. The ongoing family assessment shall be completed at least every six months until termination of services.

(2) The family assessment involves the Services Worker and the family in a joint effort to identify and analyze the family strengths and resources as well as the contributing factors and underlying conditions that contribute to the child's safety and risk of maltreatment.

(3) The initial family assessment shall include:

- (a) A risk assessment analysis;
- (b) A determination as to whether the child is able to currently live safely in the current home or placement;
- (c) A determination of the family's ability to provide a permanent and stable home;
- (d) A determination of the changes, if any, the family must make to provide a safe home for the child;
- (e) An assessment of the needs of the family that hinder provision of a safe and stable home; and
- (f) An identification of the family's unique resources, strengths and protective capacities that will contribute to improving the child's and family's well-being.

(4) The six-month family assessment shall include a summary of casework activities during the past six months that addresses:

- (a) Any changes that have occurred in family conditions or circumstances;
- (b) All factors affecting family strengths or protective capacities;
- (c) Identified risks to the child;
- (d) Signs of emerging danger;
- (e) Case plan goals that have been met and are remaining; and
- (f) Services that are needed to meet case plan goals.

(5) The Judicial Review Social Study Report (JRSSR) shall make reference to the six-month family assessment.

Specific Authority 39.012, 409.145(6) FS. Law Implemented 39.01, 409.145(1), (2), 827.04 FS. History--New 5-4-06.

65C-30.006 Case Planning.

(1) Each child under department or contracted service provider's supervision shall have a case plan. The case file shall contain copies of all case plans.

(a) At a minimum, the case plan document shall meet the requirements of Section 39.601, F.S.; 42 USC § 675(1) and 42 USC § 675(5)(b). The case plan shall address services provided to address the contributing factors and underlying conditions that lead to maltreatment, to ensure the safety, permanency and well-being of each child. Tasks shall be incremental and individualized action steps toward the achievement of measurable outcomes. Tasks shall specify the nature, extent and timing of the services so the expectations for child, parent, and caregiver are clearly communicated.

(b) Principles of family team conferencing or other family-inclusive case planning models shall be applied. These principles may include an individualized array of appropriate services; involvement of formal and informal family supports; full disclosure; building upon strengths while assessing needs; timely provision of services; and recognizing and respecting cultural differences and language barriers.

(c) Case plan development meetings shall begin as soon as possible in order to afford the parents adequate time to complete the

required tasks that contribute to their child's permanency.

(d) Whenever a parent, child or guardian ad litem, if appointed, is not included in a case planning conference, the case plan shall document a valid reason for the exclusion. When a child does not participate in development of the initial case plan, the child, if of sufficient maturity, understanding, and experience to reliably engage in the planning process, shall be given the opportunity to participate in all future case planning activities.

(e) The case plan shall be written simply and clearly in English and, if English is not the principal language of the parent or child, to the extent possible a copy of the case plan shall be prepared in the language of the parent or child.

(f) The case plan shall be negotiated with and signed by the child's parents, the Services Worker, the Services Worker's supervisor, and, if appointed, the guardian ad litem within thirty days of the Early Service Intervention (ESI) staffing. If there is no parent with intact parental rights, the child's legal custodian shall negotiate and sign the case plan.

(g) If the parent or legal custodian does not choose to participate in the development of the case plan, does not agree with the case plan, or refuses to sign the case plan, the department or contracted service provider shall comply with the provisions of Section 39.602, F.S.

(h) A paramour or other adult residing in the home shall be given the opportunity to voluntarily participate in case planning activities, when such participation is appropriate and does not endanger the child. If the paramour or other adult refuses to participate, the case plan shall specify the actions to be taken by the parent to protect the child.

(2) The ongoing assessments of the family provide a basis for the permanency goal and development of the case plan and amendments. All available evaluations and information regarding family members shall be considered when determining the family's strengths, safety and risk factors.

(3) When developing and updating the case plan, the Services Worker shall consider information provided in the:

(a) Automated assessment tool;

(b) Comprehensive Behavioral Health Assessment (CBHA);

(c) Independent living life skills assessments and any life skills plans, which shall be incorporated into the overall case plan;

(d) Case planning conference summaries such as Family Team Conferencing, Individual Course of Action or Family Group Decision Making;

(e) Court facilitation summaries;

(f) Available therapeutic treatment summaries;

(g) Child Health Check-Up, medical and dental records;

(h) Family assessment;

(i) Educational assessments and educational records for the past two years, such as the Individual Educational Plans;

(j) Child Protection Team health services referrals; and

(k) Pre-disposition study.

(4) Concurrent Case Planning.

(a) Every case involving a child in an out-of-home placement shall be evaluated to determine if concurrent case planning is appropriate. Determining the appropriateness of concurrent goals shall occur in the early stages of the case and concurrent case planning shall be performed if determined appropriate. In making these determinations, the child shall be involved, depending on his or her age and developmental level. Also, information from others involved with the child shall be obtained such as the child's therapist and school personnel. Medical, educational, emotional, developmental, and child safety issues shall be considered when making determinations regarding concurrent case planning.

(b) Concurrent case plans require early decision making and front-loading of services. Front-loading represents an effort to provide immediate, meaningful and individualized services with intensive follow up in order to make determinations as to the most appropriate permanency goal in a timely manner.

(c) When there are concurrent goals, the Services Worker shall ensure that the case plan includes services and tasks addressing both goals.

(d) The case plan shall provide participants a clear understanding of which services and tasks are related to each goal.

(e) When a case has concurrent goals, the participants shall be provided an explanation of the purpose of concurrent planning and how it impacts the case.

(f) The case plan, all updates, and attachments required by state and federal law shall be filed with the court and served on all parties. Examples of such documents are: medical and educational records, and quarterly accounting statements for Master Trust

accounts.

(g) For children thirteen and over who are in an out-of-home placement, the case plan shall include a description of the independent living services identified regardless of the goal of the plan.

(h) Translation services shall be provided for families or children who are not able to fully understand the discussion during development and explanation of the case plan either because of a lack of proficiency in English or due to deafness.

(5) Services Worker Tasks. The Services Worker has specific tasks in regard to a child's case plan. The Services Worker shall:

(a) Participate in the case plan development and document a detailed case plan that addresses all tasks and services identified in the family's assessments. These tasks and services shall address the child's safety, permanency and well-being in order to achieve the case plan goal.

(b) Make referrals, arrange, and provide services for all parties included in the case plan.

(c) Follow-up with service providers to ensure that services are engaged.

(d) Assess the participation in and effectiveness of each service recommended for the case participants. Services provided shall promote outcomes that lead to behavioral changes rather than mere compliance in the achievement of the case plan goal.

(e) Explain to the parent when a child is in an out-of-home placement that:

1. The opportunity to complete the tasks listed in the case plan for reunification is limited to twelve months or fewer from the date the child was removed from the home. When there are compelling reasons that the parent is not actively participating in his or her case plan tasks, the court can order an extension to the time frame for reunification and a change in the permanency goal.

2. His or her compliance with tasks and services in the case plan shall be evaluated at every case plan meeting, judicial review and permanency hearing.

3. The family has the right to ask the court to find the Services Worker in contempt for failing to comply with the case plan, if, in their view the worker is not in compliance, as well as the right to request a modification of the plan.

4. The Services Worker shall meet with him or her to discuss plan progress, eliminate barriers to case progress, resolve conflicts or disagreements and discuss the expected frequency of such meetings.

(f) Ensure that tasks and services necessary to meet the child's physical health needs are documented in the case plan and that these needs are met through the gathering of any medical history and referral for and follow-up to medical care to ensure the provision of:

1. The Child Health Check-Up at time of removal and according to the periodicity schedule, unless already completed by the CPI per local agreements;

2. Any preventive health care and treatment necessary for health or dental needs;

3. Any preventive health care and treatment necessary for vision, hearing, and speech problems;

4. Developmental evaluation and treatment for infants or pre-school age children who are developmentally delayed; and

(g) Ensure that tasks and services necessary to meet the child's mental health needs are documented in the case plan and in any amended or modified case plans, unless prevented by the court, and that these needs are met through referral for and follow-up to ensure the provision of:

1. A referral within seven days of removal for a CBHA for any child who is in out-of-home care and has been determined to be Medicaid enrolled, as per Rule 65C-28.014, F.A.C.;

2. Any assessments, evaluations and treatment necessary for mental health problems;

3. Any assessments, evaluations and treatment necessary for drug and/or alcohol abuse; and

(h) Ensure that the child's educational needs are being addressed as needed and documented in the current case plan through:

1. Obtaining copies of the child's current school records on an ongoing basis for use in case planning activities. The current school records shall be incorporated into the child's judicial review and case plan updates;

2. Referring the child for a psycho-educational evaluation and other necessary evaluations by the school if there is an indication that the child is eligible for special education services, and following up on the results of that referral;

3. Referring the child who is in an out-of-home placement to the school foster care liaison for the appointment of a surrogate parent if the child appears eligible for such appointment. Child Welfare Legal Services has the option to motion the court directly to appoint a surrogate parent as an alternative to seeking the appointment through the school;

4. Requesting services for identified educational needs such as tutoring;

5. Requesting Early Intervention Services for pre-school age children;

6. Referring the child for developmental evaluations where appropriate;

7. Assisting the child in pursuing vocational educational services;
8. Obtaining child care for pre-school or young school age children;
9. Providing or obtaining educational counseling, in conjunction with the school and other local agencies regarding the options and consequences of differing educational paths, such as the differences between GED, regular diploma and special diploma, and the post-secondary educational options available through the Road to Independence scholarships, tuition waivers, and aftercare services for young adults formerly in foster care;
10. Ensuring the child's enrollment in school; and
11. Documenting these tasks and services in the current case plan, unless prevented by the court.
12. Referring to the Interagency Agreement between the department, contracted service providers and the local school board to determine the correct protocol for interacting with the child's school.

(i) Ensure that visitation between a child in an out-of-home placement and his or her separated siblings, parents, relatives and other people of significance in the child's life is addressed in the case plan.

(6) Case Plan Updates and Amendments.

(a) The case plan shall be updated or amended as necessary in the following circumstances:

1. The court orders a change or makes decisions that affect the case plan;
2. There is a change in the child's placement, which affects the case plan;
3. A significant change occurs in the family's situation;
4. The child's permanency goal changes; or
5. Information concerning the child's safety, health or well being was not available at the time the previous case plan was prepared.

(b) Prior to amending the case plan, the Services Worker shall:

1. Discuss the changes with the parents, guardian ad litem, current caregivers, appropriate service providers, the Child Welfare Legal Services (CWLS) attorney and when appropriate, the child;
2. Update all necessary documentation in the child's case file;
3. Obtain and review updates of all required documentation and incorporate necessary additions;
4. Document specific, reasonable efforts to obtain required documentation that is not immediately available;
5. Schedule and participate in a case staffing, if necessary;
6. Provide the CWLS attorney with modifications to the case plan for filing with the court.

(c) Extraordinary Circumstances. If circumstances are so extraordinary that an extension of the case plan beyond 12 months is warranted and is in the child's best interests, the reasons for the extension shall be specifically and factually documented and presented to the court. The request for extension, if applicable, shall be made at the 12-month permanency review hearing with supportive documentation contained in the Judicial Review Social Study Report.

Specific Authority 39.012, 39.0121(12), (13) FS. Law Implemented 39.01(1)(m), (11), 39.4085(4), (6), (7), (17), (23), 39.521(1)(f), 39.601, 39.602, 39.603, 39.701(8)(c), 39.806(1)(c), 409.175(3)(b) FS. History—New 5-4-06.

65C-30.007 Case Management Responsibilities.

(1) Contacts with Children under Supervision.

(a) The Services Worker shall make face-to-face contact with children under supervision and living in Florida no less frequently than every thirty days. If the child lives in a county other than the county of jurisdiction, this shall be accomplished as provided in Rule 65C-30.018, F.A.C.

(b) Initial contact shall occur within two working days of the case being accepted for supervision. The date accepted for supervision is the date of the ESI staffing or the date of the court order for supervision, whichever occurs first.

(2) Contacts with Parent or Caregiver Living in Florida.

(a) The Services Worker with case responsibility shall establish and maintain regular face-to-face contact a minimum of every thirty days with the custodial parents of any child under in-home supervision.

(b) The Services Worker shall make a face-to-face contact a minimum of every thirty days if the case plan goal is reunification with the parent who is a party to the case. If the parent lives in a county other than the county of jurisdiction, this shall be accomplished as provided in Rule 65C-30.018, F.A.C.

(c) The Services Worker shall make a face-to-face contact a minimum of every thirty days with the child's caregiver if the child is in an out-of-home placement.

(d) During these contacts Services Workers shall discuss with parents and caregiver the case plan progress and the child's progress, development, health, and education.

(e) If the Services Worker learns that a new adult has moved into the child's home, a state and local criminal, juvenile and abuse/neglect history check shall be performed as part of the family assessment. When a new adult moves into the home of a child's relative or non-relative out-of-home caregiver, the requirements of subsection 65C-28.001(7), F.A.C., shall be met. The new adult household member and the required checks must be documented in the Judicial Review Social Services Report and the six month family assessment.

(3) The Services Worker or Child Protective Investigator (CPI), depending on the ESI agreement, shall make periodic contact with children in shelter status as follows:

(a) Face-to-face contacts with the child and caregiver are to occur at least once every seven days as long as the child remains in shelter status in a licensed home or facility.

(b) Face-to-face contacts with the child and caregiver are to occur at least once every seven days during the first thirty days after removal for children placed with a relative or non-relative. After the first thirty days, the frequency of contacts may be modified to no less frequently than every thirty days for a child placed with a relative or non-relative. The Services Worker must document a safety plan and related monitoring, to include frequency of contacts, and seek approval of the safety plan by the Services Worker's supervisor.

(4) Child and parent or caregiver living out of Florida. The office of the Florida Interstate Compact on the Placement of Children shall ensure that the child welfare staff in the receiving state is notified of the Florida requirement for face-to-face contact a minimum of every thirty days with the child and the parent or caregiver.

(a) The Services Worker shall maintain contact a minimum of every thirty days with the supervising worker in the other state to obtain updates regarding the child and family's progress.

(b) Documentation of the contact and progress by the child and family shall be entered in the case file.

(5) The Services Worker shall make the face-to-face contacts with each child under supervision a minimum of once every thirty days at the child's current place of residence or other location. Contact with a child outside the child's current place of residence shall occur in an environment that is critical to the life of the child, such as early education or child care program, school setting, or child's therapeutic setting.

(a) The contacts by the Services Worker shall be purposeful and focused on the reasons for supervision and progress with tasks and services in the case plan or safety plan.

(b) At least once every three months the Services Worker shall make an unannounced visit to the child's current place of residence. See the exception to not allowing the parent to reside in the home at Rule 65C-28.010, F.A.C., "Minor Parents in the Custody of the Department".

(6) If a face-to-face visit is not completed, the Services Worker shall document in the case file alternate contacts completed or attempted. The Services Worker's immediate supervisor shall review the circumstances surrounding the failure to make a required contact with a child, parent or caregiver to determine if the failure is excusable. Justification for failure to make a face-to-face contact at least every thirty days shall be limited to situations in which the Services Worker or CPI has made all appropriate efforts to complete the contact.

(7) Face-to-face contacts shall occur more frequently than every thirty days when the child's situation dictates more frequent contact, as determined by the Services Worker's supervisor based on a review of the case and assessed safety and risk level or as determined by the court.

(8) If a child is on runaway status or his or her whereabouts are unknown, the Services Worker shall meet the requirements of Rule 65C-30.018, F.A.C., "Missing Children" Documentation of the efforts to locate the child shall be in the child's case file.

(9) All contacts and attempted contacts shall be documented in the case file within two working days of the contact or attempted contact. The documentation shall provide evidence of the following:

(a) Progress towards completion of case plan objectives within the required timeframes;

(b) Effectiveness of current services and identification of additional services needed;

(c) Observations of the child's development, physical condition and interaction with the parent or caregiver and household members;

(d) Assessment of progress in tasks and services aimed at ensuring the child's well-being, including educational, emotional, developmental, physical or mental health needs;

(e) When the child is scheduled for a Child Health Check-up according to the periodicity schedule and whether steps are being taken to ensure the child receives this service; and

(f) For children in an out-of-home placement:

1. Age thirteen and older, documentation shall include comments from the child and caregiver concerning progress in learning identified life skills;

2. Frequency of visitation between the child, siblings and parents, any reason visitation is not occurring, and efforts to facilitate visits.

(10) Normalcy for Adolescents and Teenagers in the Custody of the Department. Adolescents and teenagers who are in the custody of the department shall, as appropriate based on age and maturity level, be allowed and encouraged by the licensed out-of-home caregiver, to engage in appropriate social and extracurricular activities to promote the child's social development and maturity. The Services Worker and the licensed out-of-home caregiver shall work together to ensure the following for the child:

(a) Support of school attendance and participation and to encourage and support educational planning, i.e., college, vocational or technical programs.

(b) Assistance in preparing the child to develop living skills that shall assist him or her as he or she grows toward adulthood. The child shall be provided opportunities in the home and through life skills classes and other departmentally-organized activities to learn and practice skills needed for independent living, such as food management, money management, consumer awareness, personal hygiene and appearance, housekeeping and personal belongings, transportation, job seeking, education, study skills and interpersonal relationship building.

(c) Permission and encouragement of the child, dependent on his or her age and maturity level, to engage in appropriate social and extracurricular activities in order to promote social development, obtain employment, have contact with family members, have access to phone usage, have reasonable curfews, and travel with other youth or adults.

(d) Support of the child's efforts to learn to drive a car and obtain a learner's permit and driver's license as appropriate for his or her age, maturity level, and availability of insurance.

1. If opportunities for driver's education are not available through the school district, the licensed out-of-home caregiver and Services Worker shall assist the child in finding a driver's education program.

2. Efforts shall be made to obtain automobile insurance for the child if he or she is to be allowed to drive.

(e) Provision of training and information, as appropriate to the child's age and maturity level, concerning drug and alcohol use and abuse, teen sexuality issues, runaway prevention, health services, community involvement, knowledge of available resources, and in identifying legal issues, understanding his or her legal rights and accessing specific legal advice pertinent to him or her. These opportunities shall not be withheld as a form of discipline.

(f) Encouragement and assistance in participating in activities such as the child having his or her picture taken for publication in a newspaper or yearbook; receiving public recognition for accomplishments; participating in school or after-school organizations or clubs; and participating in community events. The child shall be able to participate in activities that promote personal and social growth, self-esteem and independence as long as he or she is not identified as a foster child. Confidentiality requirements for department records shall not restrict the child's participation in customary activities appropriate for the child's age and developmental level.

(g) Affording the child every opportunity for social development, recreation and to have normal life experiences. The child may attend overnight or planned outings if the activity is determined by the licensed out-of-home caregiver to be safe and appropriate. The Services Worker shall be available for consultation, and shall be notified of the activity.

1. The decision process for determining approval for such events shall take into account the provision for adult supervision appropriate to the child's age and development level.

2. Criminal, delinquency and abuse/neglect history checks for dating, outings and activities with friends, families and school and church groups are not necessary for participation in normal school or community activities.

3. In determining whether or not the child may participate in such activities, the licensed out-of-home caregiver shall:

a. Be as diligent in determining approval for such events as he or she would for his or her own children, and

b. Use his or her parenting skills to familiarize himself or herself with the individual or group that the child wishes to spend time with and evaluate the child's maturity level and ability to participate in the activity appropriately.

(h) Allowing the child to experience circumstances without direct supervision depending on the child's age, maturity, and ability to make appropriate decisions. The licensed out-of-home caregiver's familiarity with the child and the circumstances in which the child shall be unsupervised shall be the primary factors in the decision making.

1. The licensed out-of-home caregiver is ultimately responsible for the supervision of the child. Therefore the licensed out-of-home caregiver shall be prudent and conscientious about circumstances where the child is granted independence, including trips to the movies, mall, athletic events and work.

2. Dating, part-time employment, baby-sitting, arriving home after school and social outings with friends are examples of such activities.

(i) Knowledge by the licensed out-of-home caregiver of where and with whom the child is staying and the type of supervision and care the child shall be receiving before approving an outing or overnight activity.

(j) Inclusion, when appropriate and available, of the birth family in the decision making process.

(k) Receipt of an allowance no less frequently than each month, with the amount to be determined by the current board rate schedule.

1. The out-of-home caregiver shall not expect the child to use this allowance for purchasing personal hygiene items, school supplies, clothing or other necessities.

2. Allowances are not to be withheld as a form of discipline.

(11) In addition to the contacts required every thirty days, the Services Worker shall maintain ongoing communication with the child's and family's service providers to determine the effectiveness of the service in helping the child, parent and caregiver reach the case plan goal. Both progress in and problems with service delivery shall be documented and steps shall be taken to resolve any delays or problems in service delivery or client participation.

(12) While service intervention is in progress, the Services Worker shall:

(a) Request information to determine whether or not the service is addressing the identified problems/issues;

(b) Share information with the provider, such as changes in the family situation, changes with the child, any feedback from the family regarding the service and its effectiveness for them;

(c) Request timely progress reports and updates on problems and successes regarding the treatment; and

(d) Document all contacts with service providers.

(13) If the Services Worker becomes aware of conditions or activities in the child's home, placement home or another location that threaten the safety of the child, the Services Worker shall take such steps as are necessary to protect the child and shall immediately report allegations of abuse, neglect or abandonment to the Florida Abuse Hotline. If the child is in a licensed home or facility, the Services Worker shall also contact the licensing unit.

(a) If the child is in a licensed home or facility, the Services Worker is authorized to change the placement of the child to ensure the immediate safety of the child. The Services Worker shall cooperate with the CPI assigned for timely completion of the investigation. All concerns noted shall be relayed to the caregiver and to licensing staff, as appropriate.

(b) If the child is on emergency shelter status and is in a non-licensed home, the Services Worker shall take such steps as are necessary to protect the child and shall immediately report allegations of abuse, neglect or abandonment to the Florida Abuse Hotline. The Services Worker shall cooperate with the CPI assigned for timely completion of the investigation. If the child is removed from a non-licensed placement pursuant to this paragraph, an emergency shelter hearing shall be scheduled within twenty-four hours of the removal.

(c) If the child is in a non-licensed placement as the result of a court order following disposition of the case, the Services Worker is authorized to take the child to a safe place if necessary to protect the child pending the arrival of a CPI. The CPI shall investigate the allegations and determine the need for the removal of the child. If the child is removed from a non-licensed placement pursuant to this paragraph, an emergency shelter hearing shall be scheduled within twenty-four hours of the removal.

(14) If the placement of a child disrupts or there are issues unrelated to a new incident of abuse, neglect or abandonment that warrant a change of placement, the Services Worker shall take such steps as are necessary to remove the child from the placement and place him or her in another placement. If abuse, neglect or abandonment is known or suspected, the Services Worker shall immediately report allegations to the Florida Abuse Hotline. If the child is in a licensed home or facility, the Services Worker shall also contact the licensing unit.

(a) If the child is under emergency shelter status with a relative or non-relative or in an emergency shelter home or facility, he or she shall be placed with a relative or non-relative under shelter status or in another emergency shelter home or facility. The court

shall be notified of the change in placement within twenty-four hours of the removal.

(b) If the child is in a foster home or group care facility, he or she shall be placed with a relative or non-relative under shelter status or in another licensed setting. If the child is placed with a relative or non-relative, an emergency change of placement hearing shall be scheduled within twenty-four hours of the removal.

(c) If the child is in the court ordered custody of a relative, he or she shall be placed with another relative or non-relative under shelter status or in a shelter home or facility. An emergency shelter hearing shall be scheduled within twenty-four hours of the removal.

(15) "High Risk Tracking and Review" is a protocol that shall be locally developed by child protective investigations and contracted service provider staff and shall be utilized whenever children in a case are identified as being at high risk of repeat maltreatment. The protocol is intended to ensure that all child and parental risk and safety factors are thoroughly reviewed and considered in the process of decision-making at all critical case planning junctures in the life of the case.

(a) The protocol must include a supervisory review.

(b) The process must ensure that there is documented seamless review of safety and risk throughout the life of the case.

(c) Cases to be considered for a High Risk Case Review are those cases in which, at a minimum, critical injuries have occurred, a permanent or serious impairment is alleged or has occurred, or there has been a death or critical injury to another child in the family.

(16) Determination of Citizenship and Required Actions for Children Who Are Not U.S. Citizens.

(a) For each child adjudicated dependent due to abuse, neglect or abandonment, the Services Worker shall determine whether the child is a U.S. citizen. In other words, the Services Worker must determine whether the child has a birth certificate, passport, naturalization certificate or other evidence of U.S. citizenship.

1. If the child is not a U.S. citizen, the Services Worker shall determine whether the permanency plan for the child will include remaining in the United States. This shall include the determination of whether there is an option for a safe reunification with the parent or legal guardian who may be located in another country. This includes a consideration of whether the parents or legal guardian can successfully complete a case plan.

2. If the permanency plan will include the child remaining in the United States, and the child is in need of documentation to effectuate this plan, the Services Worker shall refer the case to an authorized legal services immigration provider for a determination as to whether the child "may be eligible for special immigrant juvenile (SIJ) status [see 8 CFR 204.11(a)] or other immigration relief. A child may be eligible for this status when:

a. The child has been declared a dependent of the juvenile court or the court has placed the child under (or legally committed the child to) the custody of an agency or department of a State;

b. The child has been deemed eligible for long-term foster care due to abuse, neglect, or abandonment; and

c. The court has also found that it is not in the child's best interest to return to his/her country of nationality or last habitual residence [or the juvenile's parents' country of nationality or last habitual residence (home country)].

3. Within sixty days of an order finding that the child is eligible for SIJ status the Services Worker shall assure that contracted or pro bono legal services has sufficient documentation to file a petition for SIJ status and the application for adjustment of status to the appropriate federal authorities on behalf of the child.

a. The Services Worker shall give the legal services provider some proof of the child's age. This proof may include a passport or some other official foreign identity document issued by a foreign government. Any foreign document must be translated into English. If such a document is not available, the Services Worker must discuss with either the legal services provider or CWLS the possibility of obtaining a Circuit Court Order with specific findings regarding the child's age.

b. If a child has also been adjudicated delinquent, the Services Worker shall obtain all DJJ records and give them to the legal service provider to submit with the federal application for SIJ status. These records must be certified copies of the records of disposition.

(b) Requirement to Inform the Court.

1. During the first judicial review regarding the case, the department or CBC shall report to the court as to whether the child is a U.S. citizen.

2. At the first judicial review, if the child is not a U.S. citizen, then the department or contracted service provider shall inform the court of the steps that have been taken to address the child's citizenship or residency status. In other words, the department or contracted service provider must let the court know whether a determination by an authorized legal services immigration provider

has been made that the child may be eligible for SIJ status or other appropriate immigration benefits.

3. The information delineated in subparagraphs 1. and 2. above shall be provided to the court through a Judicial Review Social Study Report or testimony of the Services Worker, or it may be provided through both means.

4. Legal residency or citizenship status shall be pursued as soon as possible. Because the process of applying for and obtaining lawful immigration status can be lengthy, the child shall be referred to an authorized immigration legal service provider as soon as it is clear that there may be an issue regarding the child's immigration status.

(c) Provision of Needed Services. Regardless of the citizenship or immigration status of the child, he or she must be provided any needed services.

1. Under the Alien Child Rule at subsection 65C-9.003(1), F.A.C., Florida has already decided that "the immigration status of a child has no bearing on either the care or service rendered by Department of Children and Family Services to a child or on judicial proceedings undertaken by Department of Children and Family Services on behalf of the child."

2. If federally funded programs, such as Medicaid, are dependent on citizenship or a qualified alien status, the benefits and services must be provided with state general revenue funds or with the funding provided to the supervising community-based care provider.

(d) Case Plan Requirements: If the child is not a U.S. citizen or legal immigrant, the Services Worker must include in the case plan a recommendation as to whether the child's permanency plan will include remaining in the United States.

(e) Retention of Court Jurisdiction Beyond Age Eighteen. The Court May Retain Jurisdiction Beyond the Child's Eighteenth Birthday:

1. If the petition and application have been filed but not granted by federal authorities by the time the child reaches 18 years of age, the court is authorized to continue jurisdiction over the dependency case. If the child's petition and application have not been granted sixty days before the child's eighteenth birthday, the Services Worker will request that CWLS file a motion to extend jurisdiction.

2. This continued jurisdiction is solely to allow the consideration of the petition and application by federal authorities.

a. Review hearings for the child shall be solely for determining the status of the petition and application made to the federal authorities.

b. The jurisdiction terminates upon the final decision by the federal authorities or upon the young adult reaching 22 years of age, whichever is earlier.

3. The court's retention of jurisdiction beyond a child's eighteenth birthday shall have no effect on the young adult's eligibility for Independent Living Transition Services under Section 409.1451, F.S., including Road to Independence Scholarships. A young adult who is otherwise eligible for these services remains eligible though the court has retained jurisdiction for purposes of establishing "special immigrant juvenile status under federal law" for the young adult.

(17) Rule 65C-12.005, F.A.C., Medicaid Eligibility Procedures.

(a) All children in shelter status are immediately Medicaid eligible.

(b) No later than the end of the next working day following the placement of a child in an emergency shelter home or facility, the CPI or Services Worker making the placement shall check the Florida Medicaid Management Information System to determine if the child is currently Medicaid eligible. This check shall be performed as soon as possible following the child's removal from home and before the receipt of any medical care by the child. If the child is Medicaid eligible, documentation of the child's proof of eligibility shall be prepared. The change in the child's circumstances shall be reported to the public assistance worker responsible for the case or, for Supplemental Security Income recipients, to the appropriate Social Security Administration office. This is to be done as soon as possible but no later than five working days following the child's removal. When Medicaid coverage based on receipt of public assistance ends, the child shall retain eligibility due to his emergency shelter status for up to two months pending determination of the child's ongoing eligibility for Medicaid.

(c) If a child receives medical treatment before being assigned a Medicaid number, once a Medicaid number has been assigned, the CPI or Services Worker shall contact providers who rendered service and provide them with the Medicaid number so the providers may bill Medicaid for any Medicaid compensable services they have provided.

(d) Specialized Medicaid Reimbursable Services. For any Medicaid eligible child who requires specialized Medicaid reimbursable services (such as physical, occupational, speech or respiratory therapy; private duty nursing; personal care; durable medical equipment/medical supplies; orthotics and prosthetics), the CPI or Services Worker must contact or arrange for contact of the service authorization nurse in the district Medicaid office. These services must be pre-authorized by the Medicaid program in

order to be Medicaid reimbursable.

Specific Authority 39.012, 39.0121(13), 39.5075(8), 409.026(8), 409.401, Article VII FS. Law Implemented 39.001(1)(f), 39.401(1), (3), 39.402(2), (8)(d)1., 39.4085(14), 39.5075, 39.601(1)(c), 322.09(4), 409.165(3), 409.175(13), 409.401, 409.903(4), Article V, (a), 627.746 FS. History–New 5-4-06.

65C-30.008 Services Worker Responsibilities to Parents.

(1) For children remaining in the home, the Services Worker shall assist the parents in order to:

- (a) Resolve and help prevent the situation that resulted in in-home supervision;
- (b) Understand and meet their child's needs, including the child's need for safety;
- (c) Maintain contact with the children's service providers, including medical and educational providers;
- (d) Work toward a realistic and timely case goal.

(2) For children in an out-of-home placement, the Services Worker shall assist the parents to maintain continuing contact with the child through visitation, letters, phone calls, and any other reasonable and appropriate methods to maintain contact, when in the best interest of the child. All contact shall be in accordance with any order of the court.

(3) For children in an out-of-home placement with a case plan goal of reunification, the Services Worker shall ensure the parents are provided with reunification services. Reunification services shall:

- (a) Identify and remedy the problems that have resulted in the removal of the child.
- (b) Assist the parents in making changes that will permit a safe reunification of the family whenever possible and as quickly as possible and recommend services to ameliorate such problems.
- (c) Focus on the specific problem areas that make it unsafe to return the child home.
- (d) Understand the possibility of permanent separation from the child if that becomes necessary.

(4) The Services Worker shall document services offered, services utilized and the effects of these services, and shall communicate at least once every thirty days with the parents on progress made or lack of progress. This information shall provide the basis for casework decisions and recommendations to the court.

(5) If the court-approved goal of the case plan for a child in an out-of-home placement is not reunification, the Services Worker has no obligation to offer or provide reunification services to the parents, unless it is necessary for the child's well-being or is otherwise court ordered.

Specific Authority 39.012, 39.0121(13) FS. Law Implemented 39.01(21), 39.01(61), 39.601(1)(c), (5), 39.701(6)(a), (7)(a), (8)(e), 39.521(1)(d)9., (1)(f)1., 4., (2), 39.601(5), 39.621 FS. History–New 5-4-06.

65C-30.009 Tiered Services Protocol.

(1) Prior to a child being removed from the home, the department or its authorized agent shall determine if, with the provision of appropriate and available early intervention or prevention, including services provided in the home, the child could safely remain at home. If at any time it is determined the child's safety and well-being are in danger, the child shall be removed from the home location and placed where he or she is no longer considered to be in danger.

(2) The following outlines the tiered protocol to services that allows the department or its agent to diligently support family continuity prior to placing children in foster care. All staff shall use this protocol when considering the services that best meet the needs of the child. The final decision regarding the service intervention to be pursued shall be made at the Early Service Intervention (ESI) staffing held as required by subsection 65C-30.002(1), F.A.C.

(a) Voluntary Protective Services (VPS). In this initial tier, the child will remain at home and the department or contracted service provider shall assist the family where issues of risk exist and where a decision has been made that the authority of the court is not necessary to ensure the safety of the child or the cooperation of the family in complying with the case plan. Prior to offering VPS to a family, the Child Protective Investigator (CPI) shall first determine, in consultation with his or her supervisor, whether the child is at high risk. If the child is determined to be at high risk, then court ordered services shall be recommended to ongoing-service staff. Once VPS is agreed to at the ESI staffing and has been accepted by the family, a case plan shall be negotiated with the parents or legal custodians and signed as set forth in Rule 65C-30.006, F.A.C.

(b) Court Ordered In-Home Services. Court Ordered In-Home Services occurs when it has been determined that the child can remain in the home while receiving in-home services under the supervision of the court. The CPI shall first determine, in consultation with his or her supervisor, whether the level of risk to the child indicates that court ordered supervision must be recommended based on the factors contained in subsection 65C-30.010(2), F.A.C. If the child is determined to be at high risk, then court ordered services shall be recommended to ongoing-service staff at the ESI staffing. If the level of risk is determined to not constitute high risk based on the requirements of subsection 65C-30.010(2), F.A.C., then the CPI and his or her supervisor shall determine whether court-ordered or voluntary supervision shall be recommended based on the needs of child and family and identified risks to the child.

(c) Court Ordered Relative/Non-Relative Placements. When a child is removed from his or her parents or legal guardian due to abuse, neglect or abandonment, the department or its authorized agent shall request the names, relationships and addresses of both parents, maternal and paternal relatives, and any non-relatives who are known to the family and who may be appropriate for placement.

1. Prior to making an emergency placement with a relative or non-relative, an on-site check of the safety and appropriateness of the caregiver's home and initial criminal, delinquency and abuse/neglect history check activities shall be performed, followed by the fingerprinting of all adult household members in the caregiver's home and further criminal, delinquency and abuse/neglect history check activities as set forth in Rule 65C-28.011, F.A.C.

2. Within thirty working days following the Early Service Intervention staffing, in order to make a recommendation to the court regarding the placement, the CPI or Services Worker shall complete a home study of the selected caregiver's home, as set forth in Rule 65C-28.012, F.A.C. A home study will be performed on more than one prospective placement when the CPI or the Services Worker determines that there is more than one placement alternative for consideration.

3. The CPI or Services Worker shall inform the caregiver, in writing, about the:

a. Temporary Assistance for Needy Families (TANF) funded Temporary Cash Assistance Program (TCA) grant through the Economic Self-Sufficiency Program (ESS) for relatives within the fifth degree of relationship by blood, marriage or adoption to the child, which would include Medicaid eligibility for the child. If the caregiver is a relative of the child, he or she shall be referred to ESS to apply for a TCA grant immediately upon the child's placement.

b. Relative Caregiver Program (RCP) payment through ESS if the caregiver is a relative who is within the fifth degree by blood or marriage to the parent or stepparent of the child (this is a broader degree of relationship than for TCA), in accordance with the criteria outlined in Section 39.5085(2)(a)1., F.S. Where there is a half-sibling of the related child whose parent or stepparent does not meet the degree of relationship to the caregiver required for eligibility, the half-sibling shall also be referred in accordance with the criteria outlined in Section 39.5085(2)(a)2., F.S. See paragraph 65C-28.008(1)(c), F.A.C., regarding the degree of relationship requirements for RCP eligibility.

c. Once the child is adjudicated dependent and the court approves the placement with a relative caregiver based on the home study, the CPI or Services Worker shall notify ESS, as required by paragraph 65C-28.008(2)(e), F.A.C., to make a determination of the relative caregiver's eligibility for RCP funds.

d. It shall be explained to non-relative caregivers that they are not eligible for cash assistance and that the child's eligibility for Medicaid is established through ESS based upon the child's dependent status. Food Stamps are available for eligible households at ESS if the caregiver chooses to apply and meets the eligibility criteria. It shall be explained to the non-relative caregiver that he or she may pursue licensure as a foster parent to receive payments in support of the placement. If the non-relative caregiver expresses interest in receiving Medicaid for the child, Food Stamps or foster care licensure, the CPI or Services Worker shall explain the process for applying for these benefits.

(d) Foster Care. The department or its agent shall petition the court to place the child in foster care, as defined in Section 39.01, F.S., if the child remains in shelter status and a suitable relative or non-relative is not located to serve as a placement for the child.

Specific Authority 39.012, 39.0121(1), (7), (12), (13) FS. Law Implemented 39.001(1)(b), (f), (i), (m), 39.01(33), (48), 39.301(8)(b), 39.401(3), 39.4085(5), (13), 39.5085, 39.521(1)(b)3., (2), (3) FS. History--New 5-4-06.

65C-30.010 Voluntary Protective Services.

(1) Determining Appropriateness of Voluntary Protective Services. Prior to offering Voluntary Protective Services (VPS) to a family, the Child Protective Investigator (CPI) shall first determine, in consultation with his or her supervisor, whether the child is at

high risk. If the child is determined to be at high risk, then court ordered supervision shall be recommended to ongoing-service staff. A recommendation for VPS is appropriate prior to determining whether there is legal sufficiency to petition the court for court ordered services.

(2) Factors to be considered by the CPI and his or her supervisor in determining high risk:

(a) The parent's or legal custodian's ages and maturity level;

(b) Whether there is evidence that they use illegal drugs or there is domestic violence in the home;

(c) The criminal, domestic violence and abuse/neglect or abandonment history of the parents or legal custodians and others who live in or frequent the home;

(d) The presence of any chronic or severe abuse, neglect or abandonment or of multiple maltreatments;

(e) Prior reports of abuse, neglect or abandonment involving the family or household and the findings of the investigation(s);
and

(f) A history of non-compliance or non-cooperation during any previous interventions.

(3) If the results of the automated assessment tool performed by the CPI indicate that the child is at high risk, court ordered services shall be pursued.

(4) The CPI shall offer families that have no need for ongoing supervision referral for services available in the community or governmental programs in lieu of referring the family for VPS, as appropriate.

(5) Voluntary Protective Services Decision: Once a case is staffed by the CPI and supervisor and it is determined that the child is not at high risk and his or her safety is ensured without court involvement, the CPI may refer the family to the contracted service provider for protective supervision services on a voluntary basis. In making this referral, the requirements of Rule 65C-30.002, and paragraph 65C-30.009(2)(a), F.A.C., shall be observed.

(6) Voluntary Protective Services Agreement:

(a) Prior to accepting a family for VPS, the CPI or Services Worker shall obtain a written agreement signed by the parents or legal custodians stating that the parents or legal custodians understand the nature of the services; their obligation to participate in the development and carrying out of the case plan requirements and the potential consequences if progress is not made in ameliorating the conditions that led to the abuse, neglect or abandonment report.

(b) All adult household members, i.e., stepparents, significant others, extended family, roommates, etcetera, who provide any level of child care or supervision shall sign the agreement. Parents who do not reside in the home but who will be involved in developing and complying with the case plan shall also sign the agreement.

(7) Once VPS is accepted by the family, a case plan shall be negotiated with and signed by all parties to the case within thirty days of the Early Services Intervention staffing or the signing of the voluntary protective services agreement, whichever is later. All case management and service delivery responsibilities required in court ordered cases are required in VPS cases, with the following exceptions:

(a) Court petitions and judicial reviews are not required.

(b) Fingerprinting, photographing and birth verification of the children are not required.

(8) Lack of Compliance and Case Closure:

(a) The family has the right to request closure of its case at any time. However, prior to the closure of a VPS case, the Services Worker shall staff the case with his or her supervisor to determine if there is a need for continued supervision based on continued risk to the child, lack of compliance with the case plan or any changes in family circumstances. The family's request to close the case shall be documented in the case file.

(b) If at any time it is determined that the case closure is not in the child's best interest or that court ordered services are necessary, a staffing shall be held with a Child Welfare Legal Services attorney to determine if there is legal sufficiency to file a shelter or dependency petition. If it is not possible to establish legal sufficiency under these circumstances and a family has requested that its VPS case be closed, the case shall be closed.

Specific Authority 39.012, 39.0121 FS. Law Implemented 39.301 FS. History--New 5-4-06.

65C-30.011 Placement Responsibilities of the Services Worker or Child Protective Investigator.

(1) The person making the placement shall, whenever possible, transport the child to the placement, advise the caregiver as to the reason or circumstances that caused the child to be placed and facilitate the adjustment of the child to the placement. The person

making the placement shall also be aware of, and attend to, the child's emotional needs.

(2) The person making the placement shall ensure that the child's special physical, medical, developmental, educational or emotional needs are met as specified in subsection 65C-28.004(7), F.A.C.

(3) Continuation of Medical Care and Treatment. The child's medical care and treatment shall not be disrupted by change of placement. To the extent possible, the person making the placement shall arrange for transportation in order to continue the child with his or her existing treating physicians for any on-going medical care. If this is not possible, then the person making the placement shall secure a copy of the child's medical records from the treating physician within three working days of the change to a new provider. The person making the placement is responsible for the following tasks relating to on-going medical care and treatment:

(a) Discuss with the caregiver all known health care facts regarding the child;

(b) Review with the caregiver all health care and Medicaid information contained in the child's resource record;

(c) Obtain any prescription medication currently taken by the child. To continue medication as directed, the person making the placement shall obtain the medication in labeled medication bottles, inventory the medications provided, and transport the medications to the child's caregiver. The inventory shall include, at a minimum:

1. The child for whom the medication is prescribed;
2. The condition and purpose for which the medication is prescribed for this child;
3. The prescribing physician's name and contact information;
4. The pharmacy from which the prescription was obtained and the contact information;
5. The prescription number;
6. The drug name and dosage;
7. The times and frequency of administration, and if the dosages vary at different times;
8. Any identified side effects;
9. Any other specific instructions regarding the medication; and
10. A space for the caregiver to sign and date the medication inventory to indicate receipt of the child's medication.

(d) If the child is taking unlabeled medications or prescription information is insufficient, the person making the placement shall contact the prescribing physician, if available, to ensure the proper identification and labeling of the medication or to arrange for a medical evaluation in order that treatment not be interrupted; and

(e) If a child uses medically assistive devices, the person making the placement shall ensure that these devices are taken with the child to the out-of-home placement. The person making the placement shall also ensure that the caregiver receives the appropriate information and instruction concerning the use of the devices from the child's health care provider.

(4) The Child's Resource Record. A child's resource record shall be developed for every child entering out-of-home care. The person making the placement is responsible for the initial development, monitoring, updating and transporting of the child's resource record. The person making the placement shall review confidentiality requirements with each caregiver, who shall be provided a child's resource record. The caregiver is responsible for maintaining confidentiality of the child's resource record documents.

(a) Since some of the information necessary in the child's resource record is not available immediately upon initial removal, the documents required in the child's resource record shall be placed in the record as available. The child's resource record shall include the following information:

1. Medical, dental, psychological, psychiatric and behavioral history;
2. Copies of documentation regarding all on-going medical, dental, psychological, psychiatric and behavioral services, including child health check-ups provided through Medicaid;
3. Parental consent for treatment or court order;
4. Copy of the Medicaid card;
5. Copy of the Shelter Order;
6. Copy of the court order or Voluntary Placement Agreement placing or accepting the child into out-of-home care;
7. Copy of Predisposition Report;
8. Copy of the Case Plan;
9. Copy of the most recent Judicial Review Social Study Report;
10. School records, including, as available,
 - a. Report cards;

- b. FCAT results;
- c. Any psycho-educational evaluations or other evaluations of the child made to determine the child's educational needs and/or eligibility for special educational services;
- d. All disciplinary records;
- e. All Individual Educational Plans, including meeting notes;
- f. Any consents or communications from the child's parents; and
- g. Any notes or information from the guidance counselor/guidance office.

11. An envelope for storing pictures;

12. The most recent photograph available;

13. Copy of the child's birth certificate or birth verification certified by the Office of Vital Statistics, as appropriate;

14. Documentation of immigration status, including certificate of citizenship, if available; and

15. The names and phone numbers of staff to be contacted in emergencies.

(b) The child's resource record shall be provided to the initial out-of-home caregiver within 72 hours of placement and shall accompany the child during any change of placement. If the child's resource record does not accompany the child at the time of a placement change, it shall be provided to the out-of-home caregiver within 72 hours of placement.

(c) The child's resource record shall accompany the child to medical and therapist visits and shall accompany the child or caregiver to all school meetings.

(d) Where the department or contracted service provider has originals of documents required to be included in the child's resource record, the original documents shall be placed in the child's case file and the copies shall be kept in the child's resource record.

(e) Where medical or educational information is not available and accessible, written documentation of the efforts made to obtain the information shall be placed in the case file.

(5) Child's Resource Records in Licensed Placements.

(a) The child's resource record shall be physically located with the caregiver. The child's licensed caregiver shall ensure that the child's resource record is updated after every health care, psychological, psychiatric, behavioral and educational service or assessment provided to the child.

(b) The Services Worker shall ensure that medical and court-related documentation are kept current at each visit that is made at least every thirty days. If additional information is needed in the child's resource record, the Services Worker and the licensed caregiver shall work together to ensure that the child's resource record is promptly updated.

(6) Child's Resource Record in Relative and Non-Relative Placements.

(a) The Services Worker shall ensure the upkeep of the child's resource record in relative and non-relative placements. The child's resource record shall be physically located with the relative or non-relative.

(b) The Services Worker shall assist the relative or non-relative to update the child's resource record after every health care, psychological, psychiatric, behavioral and educational service or assessment provided to the child.

(c) The Services Worker shall ensure that medical and court-related documentation are kept current at each visit. If additional information is needed in the child's resource record, the Services Worker shall provide copies of needed documents to the relative/non-relative for updating of the child's resource record.

(7) Continuation of School Attendance.

(a) The Services Worker and the caregiver shall work in partnership to minimize the impact on school attendance as a result of the removal from the child's home.

(b) The Services Worker and the child's caregiver shall explore the ability to maintain the child in the school that the child was attending at the time of removal in accordance with the federal McKinney-Vento Homeless Assistance Act, referenced in subsection 65C-28.004(3), F.A.C. If this is not possible, the Services Worker and caregiver shall, together with school personnel, coordinate a transition plan that shall be the least disruptive to the child. See paragraph 65C-28.004(3)(c), F.A.C., regarding the federally required dispute resolution process for the child when he or she is dissatisfied with a failure to allow him or her to remain in the school of origin.

(8) Transportation. The caregiver shall have the primary responsibility for ensuring the transportation of children in out-of-home care to and from hearings, visitation and other transportation activities. If the caregiver cannot arrange or provide transportation, he or she shall contact the Services Worker who shall be responsible for developing contingency transportation plans. When the

caregiver refuses to perform these required transportation responsibilities, the Services Worker shall notify licensing staff of the refusal.

(9) Review of Licensed Caregiver Performance. At the time of license renewal for a licensed out-of-home caregiver, at the request of contracted providers, the Services Worker shall complete a questionnaire regarding the caregiver as required by paragraph 65C-13.006(4)(s), F.A.C.

(10) Completion and Review of the Child Service Agreement. The person making the placement shall complete the "Child Service Agreement", CF-FSP 5227, June 2002, incorporated by reference, and review with licensed out-of-home caregivers the information provided on the form and its relevance to their responsibilities in regard to the Bilateral Service Agreement.

(11) When a child is placed in a relative's or non-relative's home, the Child Protective Investigator or Services Worker shall inform the relative or non-relative that he or she may seek licensure as a caregiver in accordance with Chapter 65C-13, F.A.C., to be eligible for payment as a shelter or foster parent and provide information regarding the Relative Caregiver Program.

Specific Authority 39.012, 39.0121(6), (13), 409.165(3) FS. Law Implemented 39.4085(3), (7), (10), (12), (17), 409.145(6), 409.165(3) FS. History–New 5-4-06.

65C-30.012 Permanency Goal Selection.

(1) Permanency Goals. Permanency goals, as set forth in Part IX, Chapter 39, F.S., shall be selected based on the best interest of the individual child. The primary permanency option is to maintain a child with his or her parents or legal custodian followed by reunification of the child with his or her parents or legal custodian whenever possible.

(a) All information regarding the child, the child's immediate and extended family and the current placement of the child shall be provided to the court with a recommendation of the permanency option that is determined to be in the child's best interest.

(b) The child's permanency goal is the primary factor used in the development of the case plan.

(2) Permanency Goals for Children in Out-of-Home Care.

(a) Reasonable efforts to finalize the permanency plan shall be made during the first twelve months following the date the child was removed from his or her home. The Services Worker shall document in the Judicial Review Social Study Report (JRSSR) his or her efforts to achieve the permanency goal. To assure the court is provided with all available information from which to make a judgment, the JRSSR shall address all assessments, referrals, diligent searches and services being provided to a child and his or her family. The court shall make a finding that the department or contracted service provider has made sufficient reasonable efforts to finalize the permanency plan in effect in a timely manner. When the court does not make such a finding, Child Welfare Legal Services shall immediately schedule a hearing to obtain the finding.

(b) Unless there is a compelling reason for an exception, a petition for termination of parental rights shall, at a minimum, be filed when a child has been in out-of-home care fifteen out of the previous twenty-two months.

1. Compelling reasons are:

a. If the child is being cared for by a relative or non-relative who is willing and able to serve as a long term legal custodian until the child reaches the age of majority and the custodian is not interested in adopting the child; and

b. If there is a determination that the family has not been provided, consistent with the time period in the case plan, the services necessary to safely reunify the child.

2. A request to extend the case plan with a permanency goal of reunification will only be made when it is reasonable to expect that the goal of reunification will be achieved within fifteen months from initial removal. If a request is to be made to extend the case plan, an amended case plan, developed with the involvement of the parents, shall be provided to the court and, if approved, be immediately provided to the parties involved as set forth in Section 39.601(9), F.S.

a. The amended case plan shall include the efforts by the department or contracted service provider to assess the need for changing the permanency goal.

b. The case documentation and petition to the court shall provide the compelling reasons for requesting an extension and address how the extension is in the child's best interest.

c. The request to extend the case plan shall address previous visits between parent and child and make recommendations as to the future visitation schedule as set forth in Section 39.701(8), F.S.

(3) At a minimum, the following items shall be assessed in determining the best permanency option for a child in out-of-home care:

(a) Safety and risk of re-maltreatment. Whether interventions provided will ensure safety and risk of re-maltreatment and alleviate the causes of removal, allowing the child to be returned to the home. If not, the Services Worker shall assess risk and safety of the child regarding those permanency options being considered;

(b) Attachments. Current family relationships and other significant relationships that shall provide the child stability and a sense of connection and provide possible permanent living options. This includes connections with family members from the child's home of removal;

(c) Physical, Medical, Emotional, Psychological, Developmental and Educational Needs. The Services Worker shall give consideration to matching the child with caregivers able to provide for the child's needs on a long-term basis. The Services Worker shall ensure that the caregivers are provided the education, training and support necessary to enable them to meet the child's needs;

(d) Placement options that provide the most family-like and least restrictive settings. The Services Worker shall explore the current caregiver's ability and willingness to provide a permanent home for the child;

(e) Child's Preferences. The Services Worker shall provide the child information and education regarding permanency goal options to assist the child in making an informed decision as to his or her preference in achieving permanency.

(4) Permanency Goal Requirements for Children in Out-of-Home Care. The particular situation of each child and family shall be considered by the Services Worker in determining the best permanency goal for a particular child. The child is to be informed of the availability of long-term caregivers or an older child's opportunities for independence. Reunification shall be ruled out as an option prior to changing the permanency goal to any other option. The case documentation shall provide justification that the permanency option recommended to the court is the most appropriate one for the child.

(a) Reunification. Reunification with the child's family is the preferred permanency goal for children entering out-of-home care.

1. If the court makes a determination that reasonable efforts to reunify are not required, a permanency hearing shall be held within thirty days and a permanency staffing shall be held prior to the hearing to determine the permanency plan and goal for the child.

2. The frequency of the visitation schedule between family and child shall, when permitted by the court, be accelerated prior to reunification to allow the family to adjust and to observe parent and child interactions.

(b) Adoption. Adoption must be considered by the court as a permanency option when a child cannot be safely returned home or provided permanency within the family through long-term custody with a relative.

1. The case documentation shall provide justification that adoption and not reunification is the most appropriate permanency option.

2. Adoption by relatives or other significant persons in the child's life shall be considered prior to exploring placing the child with a new family. This includes exploration of the child's previous placements.

3. The appropriateness of this option shall be assessed in accordance with subsection 65C-30.012(3), F.A.C., and meet the requirements of Chapter 63, F.S.

(c) Guardianship is a formal legal arrangement that transfers custody of a minor child from the parent to the guardian. It includes the transfer of certain parental rights, which include: protection, education, care and control, custody of the person, and decision making.

1. Guardianship caregivers shall be committed to care for the child until the child becomes eighteen years of age. However, guardianship does not require the termination of parental rights.

2. The case documentation shall provide justification that neither reunification nor adoption are appropriate permanency options.

3. The Services Worker shall:

a. Evaluate the likelihood of the child to attend post-secondary education in Florida and:

i. Inform the prospective guardian and the child, if age 16 or older, that this option does not qualify for the fee and tuition exemption that is provided pursuant to Section 1009.25, F.S., for former foster youth who age out of the system or for children who have been adopted from the Department of Children and Family Services after May 5, 1997.

ii. Inform any prospective guardian who is a non-relative and the child, if age 16 or older, that this option does not qualify for the fee and tuition exemption that is provided children who are in relative placement pursuant to Section 39.5085, F.S.

iii. Inform any prospective guardian who is a relative and the child, if age 16 or older, that this option does not qualify for the fee and tuition exemption that is provided children who are in relative placement pursuant to Section 39.5085, F.S., unless the child has already been placed in the custody of the relative by the court pursuant to Section 39.521 or 39.622, F.S.

b. Inform the prospective guardian that the child will not be eligible for any Independent Living programs or post-age 18 benefits. If the child is age 16 or older, the Services Worker shall determine if the child is potentially eligible for Subsidized Independent Living, and, if so, discuss with the child and prospective guardian this option to preserve actual and potential continued financial assistance both up to and beyond the child's adulthood.

4. The appropriateness of this option shall be assessed in accordance with subsection 65C-30.012(3), F.A.C., and meet the requirements of Chapter 39, Part XI, F.S.

(d) Long-term Custody. Long-term custody applies to a relative or other adult approved by the court and provides permanency through legal custody.

1. The case documentation shall provide justification that neither reunification nor adoption, whether by a relative or another person, are appropriate permanency options.

2. Judicial review hearings shall be discontinued and the department or contracted service provider may be relieved of supervising the placement after the court determines that supervision is no longer needed. The court, at its discretion, may or may not retain jurisdiction.

3. The Services Worker shall:

a. Evaluate the likelihood of the child to attend post-secondary education in Florida and:

i. Inform the caregiver and the child, if age 16 or older, that this option does not qualify for the fee and tuition exemption that is provided pursuant to Section 1009.25, F.S., for former foster youth who age out of the system or for children who have been adopted from the Department of Children and Family Services after May 5, 1997.

ii. Inform any non-relative caregiver and the child, if age 16 or older, that this option does not qualify for the fee and tuition exemption that is provided children who are in relative placement pursuant to Section 39.5085, F.S.

b. Inform the non-relative caregiver that the child will not be eligible for any Independent Living programs or post-age 18 benefits. If the child is age 16 or older, the Services Worker shall determine if the child is potentially eligible for Subsidized Independent Living, and, if so, discuss with the child and custodian this option to preserve actual and potential continued financial assistance both up to and beyond the child's adulthood.

4. The appropriateness of this option shall be assessed as set forth in subsection 65C-30.012(3), F.A.C., and meet the requirements of Section 39.622, F.S.

(e) Long-Term Licensed Custody. Long-Term Licensed Custody applies to a licensed out-of-home caregiver who has cared for a child age fourteen or above for a period of no less than twelve months and provides permanency through legal custody.

1. A minimum of semiannual visits by the department or contracted service provider is required. The court retains jurisdiction until the child becomes an adult.

2. The appropriateness of this option shall be assessed as set forth in subsection 65C-30.012(3), F.A.C., and meet the requirements of Section 39.623, F.S.

3. The case documentation shall provide justification that reunification, adoption or long-term custody to a relative or non-relative are not appropriate permanency options.

(f) Independent Living. This goal involves the court approved placement of a child in a subsidized independent living arrangement as permanency for a child 16 years of age or older, if it can be clearly established that this type of alternate care arrangement is the most appropriate plan and that the health, safety, and well-being of the child will not be jeopardized by such an arrangement.

1. The appropriateness of this option shall be assessed as set forth in subsection 65C-30.012(3), F.A.C., and shall meet the requirements of Sections 39.624 and 409.1451, F.S.

2. The case documentation shall provide justification that it is not in the child's best interest to pursue any of the other permanency options.

Specific Authority 39.012, 39.0121(13) FS. Law Implemented 39.621, 39.622, 39.623, 39.624 FS. History--New 5-4-06.

65C-30.013 Judicial Reviews and Court Reports.

(1) The Services Worker shall comply with all department requirements for judicial reviews in Section 39.701, F.S., including requirements for the Judicial Review Social Study Report (JRSSR) and the use of citizen review panels as specified in Sections 39.701 and 39.702, F.S.

(2) Regularly Scheduled Judicial Reviews. Every child under the jurisdiction of the court shall have judicial reviews at least every six months as long as the department or contracted service provider is responsible for supervising the child.

(a) If a child receives a regularly scheduled judicial review prior to disposition having been reached in the child's case, it is permissible to schedule the review hearing in conjunction with any other hearing occurring in the case. The review hearing must occur within six months of the previous judicial review or of the child's removal from his or her home, whichever is earlier. Adequate notice and reports shall be prepared for the review hearing.

(b) If a child who has been removed is returned to the home of removal, or some other placement is made, judicial reviews shall continue until the court terminates supervision.

(c) Regularly scheduled judicial reviews shall continue for any missing child until the child reaches the age of majority or the court terminates supervision. At each judicial review the court shall be informed of the child's status and the efforts of the department or contracted service provider to locate the child.

(d) For children who remain in licensed out-of-home care to age seventeen and beyond, the following judicial reviews are required:

1. Pursuant to Section 39.701(6)(a) and (b), F.S., a judicial review hearing shall be held within ninety days after a child's seventeenth birthday.

2. Pursuant to Section 39.013(8), F.S., a judicial review hearing shall be conducted within the month that begins the six-month period before the child's eighteenth birthday to review the child's progress while in the custody of the department and continue to evaluate the child's needs as he or she transitions from care.

(e) Additional judicial review hearings are scheduled as needed at the request of any party and at the discretion of the court.

(3) Child Participation. Unless the court has dispensed with the attendance of the child at judicial review hearings pursuant to Section 39.701(2)(a), F.S., the child has the right to be present in court for all judicial reviews and the Services Worker shall ensure transportation for the child to attend.

(a) If either the Services Worker or the court determines that the child need not attend, or if the child declines to attend, the Services Worker shall document in the case file how this decision was made. If the Services Worker excuses the child from attending a judicial review hearing, the Services Worker shall inform the court of the reason for excusing the child.

(b) A decision regarding whether a child is to attend a judicial review shall be made for each judicial review, unless the decision is based upon a persistent condition of the child that prevents his or her attendance.

(4) Judicial Review Social Study Report.

(a) A Judicial Review Social Study Report (JRSSR) shall be prepared for each regularly scheduled judicial review for a child.

(b) When a combined report is prepared for children who are referenced in court by the same case number, each child shall be addressed individually in the report.

(c) All significant events and department or contracted service provider actions relating to the child shall be included in the JRSSR. The most critical element of the JRSSR is the degree to which each of the parties have substantially complied with his or her case plan requirements, including an assessment of the performance of the Services Worker and service providers in arranging and providing all services, as specified in the case plan, for which they are responsible. Supportive documentation regarding tasks and services that address the child's safety, permanency and well-being shall accompany the JRSSR.

(d) In addition to the requirements of Section 39.701(7)(a), F.S., the JRSSR shall also include a recommendation to the court as to the child's placement and supervision until the next review. This recommendation shall be supported by the other information provided in the report.

(e) The JRSSR shall set forth the specific tasks and services necessary to achieve the permanency goal established in the case plan and provide details on the progress being made toward achieving that goal.

(f) For teenagers in licensed out-of-home care:

1. Starting with the judicial review following a child's thirteenth birthday, the JRSSR shall provide the court with information regarding the results of independent living assessments, specific services that the child needs, and the status of the delivery of the services. This information shall be updated for each JRSSR hearing. For the judicial review scheduled six months prior to the child's

eighteenth birthday, the JRSSR shall provide the court with the transition plan as the child prepares to leave out-of-home care.

2. The child's caregiver shall be given an opportunity to address the court with any information relevant to the best interests of the child regardless of whether the caregiver has provided information in writing.

(5) Permanency Hearings for Children in Out-of-Home Care.

(a) Prior to a permanency hearing, a permanency staffing shall be held as set forth in Rule 65C-28.006, F.A.C.

(b) There are four instances in which a permanency hearing occurs:

1. Within thirty days of a judicial determination that reasonable efforts to reunify are not required;
2. No later than twelve months from the date the child was removed from his or her home;
3. No less frequently than every twelve months thereafter if the child remains in out-of-home care and remains under court ordered supervision; and

4. When a child has been in out-of-home care for the past fifteen out of twenty-two months. This hearing specifically addresses termination of parental rights.

(6) Other Requests for Court Action.

(a) Whenever a need arises for court action outside the regular review period, the department or contracted service provider shall, through Child Welfare Legal Services (CWLS), request such action from the court. The need for petitioning the court for such action shall include, but not be limited to:

1. When the risk of harm to the child has been ameliorated;
2. When the child's custodian or caregiver or a service provider is failing to perform actions as required and the performance is necessary for reunification and/or the welfare of the child (e.g., when visitation is not happening because of the custodian's actions or a lack of supervision when that is required).
3. When requesting a modification to visitation, such as frequency or change from supervised to unsupervised for a child in out-of-home care.
4. When the parent has substantially complied with the case plan and reunification should occur prior to the next regularly scheduled review.

(b) The department or contracted service provider shall, through CWLS, request such action from the court and provide the court sufficient information to make an informed decision on the request.

(c) Copies of any petition or report shall be provided by the CWLS attorney to the parties as required for any judicial review.

(d) Except in the case of an emergency, a motion or pleading shall be prepared by the CWLS attorney for each request for court action. The motion or pleading shall contain the information needed by the court to make a decision as to the request.

(e) Except in the case of an emergency, all pleadings and attachments shall be provided by the CWLS attorney to the parties and others as required for a judicial review.

(f) If emergency request is made, notice to the parties and copies of the request shall be furnished by the CWLS attorney by the means most likely to provide actual notice, including those notifications required for American Indian and Alaskan Native children under the provisions of the Indian Child Welfare Act.

(7) Citizen's Review Panels and General Magistrates.

(a) The JRSSR requirements are the same whether the JRSSR is prepared for a Citizen's Review Panel, General Magistrate pursuant to Rule 8.257, Florida Rules of Juvenile Procedure, or for a hearing held by a judge.

(b) The recommended order issued by a Citizen's Review Panel or General Magistrate is not a final order until approved by the court.

(c) The judicial review order in a case heard by a Citizen's Review Panel or General Magistrate is the order issued by the court approving, rejecting, or modifying the recommended order of the Citizen's Review Panel or General Magistrate.

Specific Authority 39.012, 39.0121(13) FS. Law Implemented 39.521(1)(b)3., (3)(d), 39.701, 39.702, FS. History—New 5-4-06.

65C-30.014 Post-Placement Supervision and Services.

In a case where reunification has been attained, post-placement supervision shall continue for at least six months. When requesting an extension of supervision from the court, specific details explaining safety, risks, service needs and the parent's case plan accomplishments shall be provided to the court.

(1) The child's best interest and safety considerations shall be evaluated prior to recommending reunification and throughout the

post-placement supervision period. The child's adjustment shall be evaluated throughout the post-placement supervision period.

(2) The case plan for post-placement supervision shall be completed, filed with the court and served on all parties at least 72 hours prior to the court hearing in which reunification is recommended. If the court returns custody to the parent contrary to the department or contracted service provider's recommendation, the post-placement supervision case plan shall be completed, filed with the court and served on all parties within fourteen working days of the court hearing. The effective date is the date custody changed to the parent.

(3) At a minimum, the case plan for post-placement supervision shall include:

(a) An assessment of family strengths, protective capacities, safety and risk with recommendations that aim to alleviate possible risks;

(b) Services and activities necessary to remedy any of the initial problems that remain;

(c) Routine health care as well as follow-up care for physical health, mental health or substance abuse service needs that have been identified;

(d) Specific provisions regarding the need for child-care or early education programs; and

(e) Specific provisions regarding visitation by the Services Worker in accordance with Rule 65C-30.007, F.A.C. Frequency for Services Worker contacts shall be based on the conditions in the home, needs of the child, level of safety and risk to the child or the level of cooperation of the parents or relatives warrant additional safeguards.

(4) Post-placement services. Services to be provided by the Services Worker in reunification cases include, at a minimum:

(a) Regular Services Worker contacts;

(b) Exchange of information with parents;

(c) Support, guidance and referrals as needed;

(d) Return to the parents of original documents, including but not limited to the child's social security card and birth certificate;

(e) Determine in accordance with Section 402.17(7), F.S., and subsection 65C-17.006(3), F.A.C., the disposition of any of Master Trust moneys being held for the child;

(f) Provide a copy of the child's resource record contents, including any Individual Educational Plans that were approved while the child was in out-of-home care.

(g) Assistance in using community and other family resources;

(h) Coordination with the school district regarding educational stability so, whenever possible, the child can continue attending the same school following reunification;

(i) Evaluation of the family's progress as a unit; and

(j) Evaluation of the child's progress. The Services Worker shall be aware of the child's development, school attendance and adjustment, health and medical care, child-care arrangements, treatment plans, nutrition, recreation, community activities and family dynamics.

(5) If not already enrolled in a licensed child care program or licensed early education program, children age five and under shall be assessed by the Services Worker regarding the need for child care services to help ensure their safety following reunification and a recommendation made to the court.

(a) If additional oversight of the child is determined by the Services Worker to be needed, intensive in-home services may be recommended to the court as an alternative to a licensed child-care program or licensed early education program.

(b) If the child is between three years of age and school age and already enrolled in a licensed early education or a child-care program or has this service court ordered following reunification, the requirements provided in Section 39.604, F.S., shall be followed.

(6) At every six-month period of post-placement supervision, the Services Worker shall:

(a) Evaluate with the family their adjustment following the return of the child and their progress toward completion of tasks in the case plan;

(b) Assess any continuing safety concerns by considering all records relating to the child and completing a family assessment; and

(c) Prepare, file with the court and serve on all parties a report that addresses the issues noted in the post-placement supervision case plan and the outcome of the current family assessment with input from service providers. There shall also be provided a recommendation for case termination or extension of supervision.

(7) Post-placement supervision cases shall not be terminated until ordered by the court in accordance with Rule 65C-30.022,

F.A.C., Termination of Services.

(8) Reunification with a parent outside of Florida requires approval through the Interstate Compact on the Placement of Children, Section 409.401, F.S.

Specific Authority 39.012 FS. Law Implemented 39.521(3)(d), (5), (6), (7), 39.522(2), 409.145(1) FS. History—New 5-4-06.

65C-30.015 New Reports Received, Removal and Placement of Children.

(1) The Child Protective Investigator (CPI) shall, within one working day, notify the Services Worker of any new reports of abuse, neglect or abandonment received on active cases.

(2) When cause for the immediate removal of the child is discovered during contact with the child or family, the Services Worker shall call 911 immediately if a dangerous situation is transpiring in the presence of the child and shall remain with the child until the child can be removed by a law enforcement officer or a CPI.

(a) The Services Worker is not required to remain with the child if the situation threatens the personal safety of the Services Worker.

(b) In situations involving immediate or life threatening danger to the child, the Services Worker is authorized to physically remove the child from the situation until physical custody of the child can be given to a CPI or a law enforcement officer.

(3) If the decision is made to leave the child in the home even though other children are currently placed in out-of-home care, written approval of a contracted service provider administrator shall be obtained and documented in the case file.

(4) In all cases, the new child shall be entered into the statewide automated child welfare information system.

(5) A new child born to a child in foster care.

(a) When a minor child in foster care becomes pregnant, the Services Worker shall assist her in arriving at a suitable and realistic plan for her own future and for that of her infant and in making the choice whether to keep and care for her infant or to relinquish the infant for adoptive placement.

1. The Services Worker shall staff any decision not to remove the infant from the mother (foster child) with his or her supervisor and maintain a written copy of the staffing with the staffing decision in the child's record.

2. If the Services Worker or supervisor determines there is risk for neglect or abuse of the infant, a report must be made to the Florida Abuse Hotline immediately and the CPI shall determine the placement of the infant, either with the mother with the provision of services, or removal and placement elsewhere.

(b) If the mother chooses to keep her child or is uncertain, placement of the mother and her child shall be, unless contrary to the best interests of the infant, in the same foster home or residential program in order to strengthen attachment and provide the mother with the opportunity to learn child-caring skills from the foster mother or residential program staff.

(c) If the mother decides to place the infant for adoption, the Services Worker shall refer the mother to a licensed child-placing agency.

(d) In cases where the mother's emotional or mental capacity to parent are in question or the mother has a juvenile delinquency history involving acts of violence, the Services Worker shall secure a psychological evaluation of the mother to assess coping skills, mental health issues and abilities to protect the child. The findings and recommendations set forth in the evaluation shall be considered in determining if the mother can provide a safe environment for the child.

Specific Authority 39.401, 39.402 FS., Chapter 10 F.A.C. Law Implemented 39.401 FS. History—New 5-4-06.

65C-30.016 New Children in Families under Supervision.

(1) The Services Worker shall immediately report to the supervisor a pending birth, a child born into a family, or any other circumstance adding a new child who is living in a home that is under supervision, including those cases where other children in the family are currently under in-home protective supervision (including voluntary supervision and post-placement supervision) or where other children in the family are in an out-of-home placement (including licensed placements and relative or non-relative placements).

(2) The Services Worker shall visit the home where the new child resides and conduct an assessment to determine the safety of the new child in the home.

(3) If the Services Worker is concerned about the safety, risk or long-term well-being of the new child, the Services Worker shall staff the case with his or her supervisor to determine if consultation with Child Welfare Legal Services is needed regarding the filing of a petition on the new child.

(4) In all cases, the new child's name and demographics shall be entered into the statewide automated child welfare information system as part of the existing case immediately upon learning of the child's presence.

(5) A new child born to a child in foster care.

(a) When a minor child in foster care becomes pregnant, the Services Worker shall assist her in arriving at a suitable and realistic plan for her own future and for that of her baby and in making the choice whether to keep and care for her child or to relinquish the child for adoptive placement. (See Rule 65C-28.010, F.A.C., regarding minor parents in the custody of the department.)

(b) If the mother chooses to keep her child or is uncertain, placement of the mother and her child shall be, unless contrary to the best interests of the infant, in the same foster home or residential program in order to strengthen attachment and provide the mother with the opportunity to learn child-caring skills from the foster mother or residential program staff. (See Rule 65C-28.010, F.A.C., regarding minor parents in foster care.)

(c) In cases where the mother's emotional or mental capacity to parent are in question or the mother has a juvenile delinquency history involving acts of violence, the Services Worker shall secure a psychological evaluation of the mother to assess coping skills, mental health issues and abilities to protect. The findings and recommendations set forth in the evaluation shall be considered in determining if the mother can provide a safe environment for the child.

Specific Authority 39.012 FS. Law Implemented 39.401 FS. History—New 5-4-06.

65C-30.017 Coordination of Services for Youth Involved with the Department of Juvenile Justice.

(1) For a child in custody of the department who is also receiving services through the Department of Juvenile Justice (DJJ), service provision shall be coordinated efficiently and effectively by the two departments.

(2) The Interagency Agreement Between the Florida Department of Juvenile Justice and the Florida Department of Children and Family Services, August 9, 2005; incorporating the agreement between the departments dated November 30, 2002, and November 25, 2003, and is hereby incorporated by reference as if fully set out here.

(3) Copies of forms incorporated by reference in this rule may be obtained from the Family Safety Program Office, 1317 Winewood Boulevard, Building 6, Room 157, Tallahassee, Florida 32399-0700.

Specific Authority 39.012, 39.0121(12), (13) FS. Law Implemented 39.001(1)(m), 39.601, 39.701 FS. History—New 5-4-06.

65C-30.018 Out-of-County Services.

(1) When a child, an intact family or a child and caregiver under supervision or involved in a child protective investigation is to relocate to a county other than the county of jurisdiction or when supervision services are needed in another county for any other case participant, specific actions are required to ensure the safety and well-being of the child and to coordinate the request for supervision and services. Such actions are required whether or not the child has been adjudicated dependent, including children in cases under voluntary supervision.

(2) If, following the completion of a home study, the court in the sending county orders the child into the placement, the contracted service provider in the sending county shall immediately send a referral for out-of-county supervision to the contracted service provider in the receiving county.

(3) The Primary Worker in the county of jurisdiction has the option of continuing to perform all necessary case supervision activities rather than request services from the contracted service provider in another county if there is a protocol, either statewide or between the contracted providers in the two counties, that allows supervision services in the other county.

(a) As stipulated in the protocol, these activities may include performing a home study and making a placement in the other county, as well as continuing the provision of supervision services. If supervision services are to be requested following the initiation of the placement and the home study:

1. The receiving contracted service provider shall be provided an opportunity to visit the placement and review the home study

prior to a recommendation being made to the court in the sending county.

2. Once the Primary Worker in the county of jurisdiction begins the provision of supervision, he or she shall fully document his or her involvement in the statewide automated child welfare information system so he or she will be clearly identified should any new reports or future incidents arise.

3. The Primary Worker shall perform all case management and service provision activities without requiring the involvement with a contracted service provider in the county where the child or family resides.

(b) In order to perform these activities in another county, the following additional requirements shall be met:

1. The contracted service provider shall be licensed as a child-placing agency to provide placement and supervision services in the county where the child or family has relocated, and

2. The contracted service provider's contract with the department shall identify the county where the child or family has relocated as a county where the contracted service provider may provide placement and supervision services.

(4) Procedures shall be developed through a statewide working agreement between the Community-Based Care (CBC) Lead Agencies regarding the request, processing, approval or denial and coordination of services for county-to-county and district-to-district requests for home studies and referrals for out-of-county services.

(a) Each zone shall designate a liaison in the Family Safety Program Office to perform any activities necessary to ensure the timely and accurate processing of requests for home studies, referrals for out-of-county services and other types of out-of-town inquiries.

1. The liaison shall be the recipient of any information provided by the Community-Based Care Lead Agencies or other contracted services providers in regard to requests for actions sent to or from other counties.

2. The liaison shall assist in reconciling any disagreements regarding the handling of a request, both for requests from within the zone and by coordinating with liaisons in other zones.

(b) The procedures shall ensure that all activities required for requesting and arranging for supervision services are performed as quickly as possible to avoid a delay in making a safe and appropriate placement.

(c) If the procedures allow the requests for home studies and referrals for out-of-county services to be sent and received directly between the CBC Lead Agencies, the zone Family Safety Program Offices shall be provided monthly activity logs by each Lead Agency in the zone of the requests for home studies and referrals for out-of-county services received and sent by the Lead Agency.

1. These logs may also be used to document other out-of-town inquiries such as a request for case plan assistance; a criminal, delinquency and abuse/neglect history checks or information needed in regard to a child protective investigation in another county,

2. At a minimum, these logs shall provide the following information:

a. The date the request or referral is sent or received,

b. Whether the request or referral is incoming or outgoing,

c. Whether the action involves a request for a home study or a referral for out-of-county services,

d. Any explanatory notes regarding the nature of the requested action,

e. The name and date of birth of each child involved in the requested action,

f. The name of any adult to whom the requested action relates,

g. The name of the Lead Agency or other contracted service provider assigned to perform the activity and the name of the assigned Services Worker and Services Worker Supervisor in the receiving unit,

h. The name of the Lead Agency or other contracted service provider requesting the action and the name of the assigned Services Worker and Services Worker Supervisor in the sending unit,

i. The date a response is sent in regard to the requested action,

j. The Lead Agency or other contracted services provider and the name of the person to whom the response is sent,

k. A means to indicate for each log entry, whether in regard to an incoming or outgoing request or referral, when the requested activity has become inactive, such as a child or family relocating to another county, a child reaching age 18 or the completion of a one-time activity.

1. Progress notes regarding activities performed in regard to the requested action. These notes shall be updated with each monthly submission of the log by providing new entries to the existing commentary.

(5) A request for a home study, a referral for out-of-county services or the initiation of supervision in another county is required when:

(a) A child's emergency placement in another county is being considered;

- (b) There are plans to place a child outside the sending county, including placement in a shelter;
 - (c) There are plans to release a child to a parent outside the sending county and continued supervision is needed toward meeting the case plan goal;
 - (d) A family under supervision (either court ordered or voluntary) has plans to move to another county;
 - (e) The parent or caregiver with whom reunification is planned, the other parent or other case participant who is central to meeting the case plan goal lives in or is planning to move to another county, regardless of whether the child is residing in the same county;
 - (f) An adoptive placement is planned in another county;
 - (g) A child who is placed in a Department of Juvenile Justice (DJJ) secure detention facility or residential program or other non-Family Safety program in another county requires continued supervision while in the facility or program; or
 - (h) When it becomes known that a child, family or parent under the supervision of the department or a contracted service provider has relocated to another county prior to the Primary Worker in the county of jurisdiction requesting a home study or case supervision by the contracted service provider in the other county.
- (6) Requests for supervision services to be provided by a Services Worker in another county shall be requested by the Primary Worker in the county of jurisdiction in advance of a child's relocation.
- (7) When placement of a child in a relative or non-relative home is being considered, the criminal, delinquency and abuse/neglect history check and home study requirements of Rules 65C-28.011 and 65C-28.012, F.A.C. shall be met. The sending county shall request that these be completed by the contracted service provider in the receiving county in advance of making the request for supervision services, unless a protocol, either statewide or between the contracted service providers in the two counties allows the sending contracted service provider to perform this function.
- (8) If a child's removal from his or her home involves an emergency removal and placement of the child in shelter status with a relative or non-relative, a criminal, delinquency and abuse/neglect history check in accordance with Section 39.401(3), F.S., and an on-site inspection of the proposed placement home shall be requested by the Primary Worker or CPI in the county of jurisdiction and performed by a Services Worker or CPI in the receiving county prior to placing the child.
- (9) At the time services are requested, the Primary Worker or CPI in the county of jurisdiction is responsible for providing the Services Worker or CPI in the receiving county with:
- (a) The child's name and case number;
 - (b) The prospective caregiver's name, address and telephone number;
 - (c) The name of the sending county's Primary Worker or CPI and supervisor; and
 - (d) A copy of the case plan and all case materials necessary to determine the appropriateness of the request and for providing supervision and services.
- (10) When disputes arise regarding a request for a home study, a referral for out-of-county supervision or any activities related to the activities and duties involved, if the individual contracted service providers or CBC Lead Agencies cannot reach a resolution, the zone liaison within the zone or the liaisons in the two zones involved shall assist in reaching a resolution. If necessary, the Family Safety Program Administrator within the zone or the Program Administrators in the two zones involved shall assist in reaching a resolution. If necessary, the Family Safety Program Central Office shall be consulted in seeking a resolution.
- (11) Once a child has relocated or services for any other case participant have been accepted by the contracted service provider in the receiving county, the Services Worker in the receiving county shall perform all case supervision and related documentation requirements upon notification of the placement, including the provision of information for case planning and judicial review activities to the Primary Worker or CPI in the county of jurisdiction.
- (a) The responsibility to perform these duties shall continue until the child's case is closed, the person receiving services is no longer a case participant or the child and family move from the service area.
 - (b) The Primary Worker in the county of jurisdiction shall continue to be the primary case manager and retains primary responsibility and accountability for the case as long as the case remains open in that jurisdiction.
- (12) The final decision regarding whether the recommendation to be made to the court is for or against the placement of the child is to be made by the Services Worker and his or her supervisor in the receiving county, or by other contracted service provider designated staff in the receiving county, unless the placement is court ordered without an opportunity for the receiving contracted service provider to provide input prior to the placement decision. Once the court in the sending county (county of jurisdiction) has ordered the placement of a child, the contracted service provider in the receiving county shall accept the placement as approved.

(13) Once a case has been accepted for supervision services, communication regarding the case is made directly between the contracted service provider service units in the two counties involved.

(14) Cases shall not be closed and jurisdiction shall not be transferred to the contracted service provider in the receiving county prior to specified actions being taken:

(a) Prior to recommending case closure to the court or closing a voluntary supervision case, the Primary Worker in the county of jurisdiction shall inform the Services Worker in the receiving county of the planned action and ensure that the Services Worker in the receiving county has an opportunity to comment on the advisability of the planned action.

(b) Cases involving court ordered supervision shall not be terminated without court approval. The Services Worker in the receiving county shall be provided with a copy of the court's termination order.

(c) A recommendation to the court to transfer jurisdiction shall not be considered unless the family has reunified in the receiving county, is expected to remain in that county and the contracted service provider in that county agrees to the transfer. In cases under voluntary supervision, jurisdiction shall not be transferred to the receiving county unless the contracted service provider in the receiving county is in agreement with the transfer.

(d) When a contracted service provider has chosen to perform court ordered supervision services in another county and termination of supervision is being recommended to the court of jurisdiction, the contracted service provider requesting the termination shall also request that the court stipulate that jurisdiction over any future dependency involvement with the family will be retained by that court.

Specific Authority 39.012 FS. Law Implemented 39.4085(10), 39.601 FS. History—New 5-4-06.

65C-30.019 Missing Children.

(1) When a child under supervision or in an active child protective investigation is believed to be missing, caregivers shall make the efforts to locate the child.

(a) If missing under child emergency circumstances, request local law enforcement to open a missing child report and obtain a case number;

(b) Notify the Services Worker or Child Protective Investigator (CPI), who will contact the parents, and provide the case number if a missing child report was made;

(c) Inspect the child's personal belongings to determine what items are missing;

(d) Contact the child's parents, relatives, known family members, school teachers, friends, or companions of the child, and if appropriate, the child's place of employment;

(e) Check places the child is known to frequent; and

(f) Document all information obtained, including the names, addresses and phone numbers of persons contacted.

(2) When a Services Worker or CPI is informed that a child under supervision or in an active child protective investigation is missing, the Services Worker or CPI shall:

(a) Immediately contact law enforcement if the caregiver has not done so;

(b) Gather the information required in paragraphs (1)(c)-(f), above, unless already completed by the caregiver and satisfactory to the Services Worker or CPI;

(c) Notify the child's parents or legal custodian, guardian ad litem, attorney ad litem, and attorney for the child and therapist of the missing status of the child; and

(d) File notice with the court regarding the missing child.

(3) Notification to law enforcement includes local law enforcement, the Florida Department of Law Enforcement Missing Children Information Clearing House and the National Center for Missing and Exploited Children.

(4) The Services Worker or CPI shall ensure that the Missing Child Report Form, which is located in the Missing Child Tracking System, is completed and entered into the Missing Child Tracking System per district/region, zone or contracted service provider policies and procedures.

(5) The Services Worker or CPI shall actively continue to search for the child and shall document all efforts on a weekly basis for the first three months the child is missing and monthly thereafter.

(6) When the child is located, the Services Worker or CPI shall immediately notify the child's parents, legal custodian, out-of-home caregivers, guardian ad litem, law enforcement, the court, and any other person or agency contacted as part of the search for

the missing child.

(7) The Services Worker or CPI shall interview the child within twenty-four hours of the child's return to determine the child's need for further services and/or change in placement.

Specific Authority 39.012, 39.0121(13) FS. Law Implemented 39.202(4), 39.604(4)(b) FS. History—New 5-4-06.

65C-30.020 Child Deaths.

(1) Any employee of the department, the contracted service providers or sheriffs' offices who conduct child protective investigations, who has knowledge of a child's death and who has reasonable cause to suspect that the child died as a result of abuse, neglect or abandonment shall immediately report the death to the Florida Abuse Hotline. A report is required even when there are no surviving children living in the home.

(2) Whenever a Services Worker learns that a child under supervision has died, that Services Worker shall ensure that the District/Region Administrator or Lead Agency Executive Director or designee is orally notified immediately upon learning that a death may be due to abuse, neglect or abandonment and in writing within 24 hours of the death.

(3) Written notification of all child deaths alleged to have occurred as a result of abuse, neglect or abandonment or of the deaths of children who are the subjects of an open abuse, neglect or abandonment investigation or currently ongoing services, regardless of whether there are allegations of death due to abuse, neglect or abandonment, shall be given to the following individuals within one working day of the oral notification:

- (a) Secretary of the department;
- (b) Deputy Secretary for Operations and Technology;
- (c) Deputy Secretary for Community-Based Care and Family Self-Sufficiency;
- (d) Legal Services General Counsel;
- (e) Director for the Office of Communications;
- (f) Inspector General;
- (g) Director for the Office of Family Safety;
- (h) Chief of Family Safety Quality Management;
- (i) Local Death Review Coordinator; and
- (j) Statewide Child Death Review Coordinator.

(4) Upon receipt of a call concerning a child death, Florida Abuse Hotline staff shall:

(a) Screen the call to determine whether the allegation meets the statutory requirement for accepting a report of death due to abuse, neglect or abandonment;

(b) Enter the maltreatment type of Abuse or Neglect, as well as any other maltreatment type that indicates how the child is suspected to have died as a result of abuse, neglect or abandonment;

(c) Enter an additional report when a child died during the investigation of a report that initially alleged an abuse, neglect or abandonment incident that later resulted in the child's death. If the reporter is repeating information already received in a previous call, a supplemental information report shall be entered. In all other cases, an initial report shall be entered; and

(d) Notify the central office Chief for Family Safety Quality Assurance and the statewide Child Abuse Death Review Coordinator of all child deaths, which result in an abuse, neglect or abandonment report and provide these individuals with the correct abuse report number.

(5) Whenever it appears that a child died as a result of abuse, neglect or abandonment, or when a child dies for reasons unrelated to abuse, neglect or abandonment during the course of an active child protective investigation, a safety assessment and high risk designation per Rule 65C-29.012, F.A.C., shall be conducted to ensure the safety of any surviving children. In addition to completing this assessment, a Child Protective Investigator (CPI) shall conduct a thorough investigation of the circumstances surrounding the death. The investigation shall consist of:

(a) Gathering all relevant information necessary to determine whether the death was due to abuse, neglect or abandonment, including, but not limited to:

1. The child's death certificate;
2. A copy of the medical examiner's final report if an autopsy was conducted;
3. A copy of any law enforcement investigation of the death;

4. All criminal history records and abuse, neglect or abandonment reports pertaining to the caretaker responsible for the child's death; and

5. All prior child protection records pertaining to the child and the caretaker responsible for the child's death.

(b) Reviewing information entered into the statewide automated child welfare information system for accuracy and completeness prior to closure. For the purposes of documenting the "victim seen" time in the statewide automated child welfare information system, the date and time of the professional collateral contact with medical staff or law enforcement personnel attesting to the child's death shall suffice to record the "First Seen" date and time for the victim. Appropriate findings shall be entered for maltreatment.

(c) Reviewing information entered into the statewide automated child welfare information system for accuracy and completeness prior to closure. Appropriate findings shall be entered for the maltreatment "Death Due to Abuse or Neglect" and for the maltreatment type or description (e.g., Abandonment) that best describes the cause of death;

(d) Ensuring that the automated investigative file clearly reflects the cause and circumstances surrounding the child's death. The date of death and findings from the medical examiner and law enforcement (including the status of criminal prosecution, if applicable) shall be included in the automated investigative file to the extent that information is available prior to closing the report;

(e) Keeping the local death review coordinator informed of significant developments during the investigation and ensuring that the coordinator receives copies of all pertinent documentation, such as autopsy and law enforcement reports; and

(f) Ensuring that the report is not closed until the death has been reviewed by the local death review coordinator and the coordinator has advised the supervisor that the death report has been approved for closure.

(6) If the death involved a child receiving services, the Services Worker shall:

(a) Follow department or contracted service provider procedures to ensure the child's parents are notified as soon as possible;

(b) Refer any press inquiries to the appropriate district/region or zone public information office; and

(c) Follow department or contracted service provider procedures to ensure that the emotional needs of the child's family and siblings, caregiver, and other children in the home are addressed.

(7) The department or contracted service provider shall cooperate with any law enforcement requests related to an investigation of the child's death.

(8) Any department employee, community based care provider or sheriff's department staff member providing child protection services shall cooperate with the Department of Children and Family Services and Department of Health child death review processes.

(9) If the child is in licensed out-of-home care, the Services Worker shall determine whether the family has resources available to pay for the funeral expenses. If resources are not available, the department or lead agency shall contact the Funeral Director's Association in Tallahassee, Florida to arrange for funeral services.

Specific Authority 39.012, 39.0121(13) FS. Law Implemented 39.201(3), 39.301(15), 39.303(2)(g), 383.402, 409.165(1) FS. History--New 5-4-06.

65C-30.021 Child Death Reviews.

(1) In accordance with Section 383.402, F.S., each district administrator shall appoint a death review coordinator for the district. The coordinator shall have knowledge and expertise in the area of child abuse, neglect and abandonment and oversee the completion of child death reviews.

(2) Child death reviews shall be regarded as extraordinary investigations and are necessary for the prevention of subsequent child abuse, neglect or abandonment. A child death review shall be conducted on all child deaths in which it is alleged that abuse, neglect or abandonment was or may have been a factor in the child's death, and in situations where a child died while receiving ongoing services.

(3) This procedure does not apply to deaths that occur under the following circumstances unless either abuse, neglect or abandonment is suspected or the child was receiving ongoing services:

(a) Fetal deaths;

(b) Deaths due to accidents or diseases; and

(c) Deaths of children who are involved in other Department of Children and Family Services (DCF) programs, such as mental health or developmental services and no abuse, neglect or abandonment was suspected in the death.

(4) Comprehensive Review. A "comprehensive review" is a detailed review of the facts and circumstances surrounding the

death of a child alleged to have died as a result of abuse, neglect or abandonment. The review includes an evaluation by the local child abuse death review coordinator of all prior and current services provided to the child and family by the department, community-based care provider or sheriff's office. A comprehensive review is required when the review by the local death review coordinator shows the child's death is or is likely to be either "verified" or with "some indicator" findings that of the death occurred due to abuse, neglect or abandonment, and one or more of the following is also true:

(a) The child or other children in the home were the subjects of one or more prior reports of abuse, neglect or abandonment;

(b) The statewide or zone death review coordinator determines an in-depth review of the case is necessary due to special circumstances or at the request of other parties such as the Child Protection Team, child protection staff, district administration, or law enforcement;

(c) For comprehensive reviews documentation shall include:

1. A list of all material that was reviewed during the review process, including prior abuse reports or ongoing services case records;

2. A list of all individuals interviewed during the death review process;

3. Notes of any meetings that occurred during the death review process. The notes shall reflect who was invited to participate, who attended the review, when the review was held and any important review findings or major issues, concerns or recommendations;

4. A summary of all department and community-based care provider involvement with the child and family prior to the child's death. This shall also include an evaluation of the appropriateness and effectiveness of the prior involvement; and

5. A copy of the "Review of Child Death" report shall be provided to the central office Chief of Quality Management, the local Quality Management office and the State Child Abuse Death Review Coordinator. Districts/regions shall complete all relevant sections of the report.

(d) The report shall be completed no later than ten working days after case closure, or seventy days after receipt of the child death report to the Florida Abuse Hotline or of learning of the child's death, whichever occurs first; or

(e) If the responsibility for the child death review has been assigned to another agency, a comprehensive review by the local death review coordinator is not required provided that documentation requirements are met.

(5) Limited Review. A "limited review" includes a basic review of the facts and circumstances surrounding the death of a child alleged to have died as a result of abuse, neglect or abandonment. Limited reviews are accomplished by the completion and update, if necessary, of the death section of the department's Incident Reporting System. A limited review shall be conducted by the zone death review coordinator in the following situations:

(a) The death does not meet the criteria for comprehensive review; or

(b) The death was alleged to have occurred as a result of abuse, neglect or abandonment and the deceased child and the child's siblings have never been the subjects of abuse, neglect or abandonment reports to the Florida Abuse Hotline.

(6) In limited reviews by the zone child death review coordinator, documentation shall include:

(a) The date of the final review and approval of the investigative findings; and

(b) A copy of the limited review report shall be sent by the local death review coordinator to the Chief of Quality Management, the local Quality Management office and the State Child Abuse Death Review Coordinator. The format for the limited child death review report is the death section of the department's Incident Report Form. Local death review coordinators shall complete all relevant sections of the report.

(7) The report shall be completed within ten working days of case closure, or seventy days after receipt of the child death report by the Florida Abuse Hotline or of learning of the child's death, whichever occurs first.

Specific Authority 39.012, 39.0121 FS. Law Implemented 39.01, 39.012, 383.402 FS. History--New 5-4-06.

65C-30.022 Termination of Services.

(1) Supervision of a child shall not be terminated while supervision is court ordered unless the child has reached age 18. However, a child in licensed out-of-home care may elect to petition the court for continued court jurisdiction until age 19 (see subsection 65C-31.009(2), F.A.C., for more information regarding continued jurisdiction beyond age 18.)

(2) Prior to terminating any services case, the Services Worker shall determine whether there is not an open or pending child protective investigation or whether within the previous three months a child abuse, neglect or abandonment report has been received

on any child in the case. For both court ordered and voluntary cases, if any of these situations apply the supervisor of the Services Worker's supervisor shall be required to review and approve the case closure before a voluntary case may be closed or a recommendation may be made to the court to close a court ordered case.

(3) Prior to requesting the termination of a case, the Services Worker shall prepare a termination summary or Judicial Review Social Study Report (JRSSR) as specified below:

(a) For Voluntary Protective Services cases, the termination summary shall be provided to the Services Worker's supervisor for approval and determination if a petition is needed for court ordered supervision.

(b) For court ordered supervision cases, the Services Worker shall prepare a termination summary for review by the Services Worker's supervisor and submission to the court through CWLS. However, when a JRSSR is prepared at the time of the request to terminate supervision, it may be used in lieu of a termination summary to provide the information needed by the supervisor to make the termination decision.

(c) The termination summary or JRSSR shall include:

1. Reason for agency involvement;
2. Progress toward resolving the issues that resulted in agency intervention; current status of safety and risk assessment, and an explanation of case plan objectives that were met and those that were not; and
3. The reason for termination.

(4) For court ordered in-home protective supervision, supervision shall not be terminated until authorized by court order.

Specific Authority 39.012 FS. Law Implemented 409.145(1) FS. History--New 5-4-06.