

Child and Family Services Policy Manual: Substitute Care for Children Philosophy

Definition	<p>SUBSTITUTE CARE is full-time care of a child in an out-of-home setting for the purpose of providing food, shelter, security, safety, guidance and, if necessary, treatment to children who are without the care and supervision of their parents or guardians. Out-of-home care, foster care and substitute care are used interchangeably throughout this section of the manual.</p>
Philosophy	<p>Placement of a child out of his/her home should occur only after careful consideration of the alternatives, and a determination that the safety of the child is threatened due to immediate or apparent danger of maltreatment. The safety of the child is the primary consideration. Every effort should be made to avoid multiple placements.</p> <p>A child is entitled to a permanent home of his/her own. Generally, the child's home with his/her birth parents is the best home for the child.</p> <p>When agency intervention into the family becomes necessary in order to protect the child, placement of the child as close as possible to the home of the birth parents provides the child maximum opportunity for visits with his/her birth parents while services are provided to the family.</p> <p>The goal should be to reunify the family, or if that is not possible, to promptly implement a permanent placement plan. The Division is committed to the expedited permanent placement of children who are placed in substitute care.</p>
Placement Preference	<p>When the decision has been made to place the child, consideration should first be given to a placement with the non-custodial parent, extended family or kinship care home approved by the Division. Placement in a tribally licensed foster family may also be one of the options considered. When selecting an out-of-home placement for the child, the child's safety and well being must be of paramount consideration. Placement should be based upon consideration of the best interests of the child. Factors to be considered in selecting a placement are:</p> <ul style="list-style-type: none">• the services the child will need based on an assessment of the physical, educational and psychological needs of the child;• the child's race and the role racial identity has played in the child's life;• the availability and appropriateness of placement with siblings;• the location of the child's family and the need to maintain contact with family members;

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- identification of the child's religion and the role that religion has played in the child's life; and
- other factors particular to the child and the child's circumstances.

If it is necessary to place a child in a setting that is not optimal, consideration should be given to moving the child to a more appropriate placement as soon as possible.

Sibling Placement

Siblings are to be placed together whenever possible. If placement with siblings is determined not to be in the best interests of the child, the reasons must be documented and submitted to the supervisor for approval.

Placement of Indian Children

To ensure compliance with the Indian Child Welfare Act, the placing worker should ask if the parent or the child is of Indian descent. When placing an Indian child, the Child Protection Specialist must follow the order of placement identified in the Indian Child Welfare Act. (Refer to Section 305-1, Indian Child Welfare Act.) Consultation with Tribal Social Services staff regarding ICWA preferred placement options for Indian children is recommended.

Least Restrictive Placement

Children are to be placed in the least restrictive, most appropriate setting necessary to meet the needs of the child. These settings include:

- a member of the child's immediate family;
- other relatives or friends, as appropriate;
- a state licensed youth foster family;
- a tribally licensed youth foster family;
- a licensed youth group home; or
- a licensed child care agency.

Kinship Care

A child will be placed with the child's family (or other kin as defined in Policy Section 402-4, Placement in Unlicensed Kinship Care) when it is in the best interest of the child, and when the home is approved by the Division.

Child Protection Specialist Responsibility

Kinship care is the first option that should be considered and assessed when a child is being placed in out-of-home care. When the child is placed in kinship care, the Division should support both

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the birth parents and kinship care providers in their respective roles. It is the responsibility of the placing worker to ensure that a Kinship Care Agreement tailored to meet the specific case is completed and signed as required by Policy Section 402-4, Placement in Unlicensed Kinship Care.

Parental Involvement

Birth parents will be involved to the extent possible in planning for their child's out-of-home placement. This may include family preservation services, family group decision-making meetings, preparing the child for placement, maintaining contact with the child during placement and planning for timely permanency for his/her child.

Child's Involvement

The child should be involved, consistent with age and maturity, in the child's placement process. This includes preparation prior to placement, contact with his/her sibling during placement and development of a life story book.

References

Mont. Code Ann. § 41-3-101
 Mont. Code Ann. § 41-7-102
 Mont. Code Ann. § 42-2-601
 Mont. Admin. R. 37.50.101, et.seq.

Rev. 10/03
 Rev. 09/08
 Rev. 10/07
 Rev. 10/11
 Rev. 02/14
 Rev. 09/14