

**DSS ADMINISTRATIVE LETTER
FAMILY SUPPORT AND CHILD WELFARE SERVICES FSCWS-08-08**

**TO: County Directors of Social Services
Directors of Licensed Private Adoption Agencies**

**ATTENTION: Children's Services Program Managers and Supervisors
Children's Services Social Workers**

DATE: April 25, 2008

**SUBJECT: Expanded Policy on Pre-adoptive Placements, Licensing Issues and
Collaboration Among Public and Private Agencies Providing CPS, Foster Care, and Adoption
Services. FLSA and Child Support Income; Tax Rebate Checks**

EFFECTIVE DATE: IMMEDIATELY

The purpose of this Administrative Letter is to provide clarification and expanded policy in cases where a Child Protective Services (CPS) report is received on a prospective adoptive family or licensed foster home. Additional policy is included regarding procedures for selecting placement resources, conducting and updating pre-placements assessments, and addressing licensing concerns.

Accepted CPS reports on prospective adoptive families or licensed foster families must be assigned to the Investigative Assessment track when the alleged victim child is a foster child in the custody of a county Department of Social Services. If the allegations involve the prospective adoptive or licensed foster family's own children, whether biological or adopted, and there are no foster children in the custody of a county Department of Social Services currently placed in the home, a family assessment may be conducted instead of an investigative assessment if the allegation is neglect or dependency as outlined in [Chapter VIII; Section 1408](#) under the heading of "Assigning Cases to the Family Assessment Response."

When conducting a family assessment, social workers and supervisors are reminded that policy in [Chapter VIII; Section 1408](#), "interviewing children" clearly states:

"There is nothing that prevents the social worker from interviewing the children alone. If this occurs, it will be important for the social worker to explain to the parents why a separate interview with the child is important and try to gain the parents' permission. Social workers should use their professional judgment in deciding how children will be interviewed. In many cases, interviewing the family together can provide vital information about family dynamics and may trigger discussions that otherwise would not be held. However, attention should be paid to verbal and non-verbal cues from the child that might lead the social worker to feel that this child needs to be interviewed in a different setting also. This might be in another room on the same day or at school on another day. Each child should be interviewed in the way that will best provide safety and build rapport with the family for future services. "When a report is received and accepted for a CPS Assessment on a proposed adoptive family or a licensed foster family, the CPS social worker is required to immediately contact the child's placement or adoption social worker and the family's licensing agency, regardless of whether it is a DSS social worker in the same county, another county or a private child-placing agency that is supervising the foster or pre-adoptive placement and the licensing of the family. The CPS

social worker must notify these public or private agency workers that there has been a CPS report and any plans to move toward finalization must be stopped, until the CPS case decision has been made. Once the CPS case decision is made, the CPS worker must notify all of these parties of the case decision and recommendations. This may require another Adoption Committee meeting to determine if the adoption should proceed or if other plans need to be made about the placement of the child.

If prior to the filing of the report on proposed adoption ([dss-1808](#)) with the Clerk of Court, a CPS report of alleged neglect or abuse is received and accepted on a prospective adoptive family, the agency shall pursuant to N.C.G.S. 48-2-503, file an interim report with the Clerk of Court regarding the CPS Assessment and request additional time to complete the report on proposed adoption. When the CPS Assessment is completed, the subsequent report on proposed adoption must indicate whether all concerns have been resolved. If a CPS report is received and accepted following the completion of the report on propose adoption, but prior to the entry of the final decree, the agency shall request a delay in the entry of that decree pursuant to [N.C.G.S. 48-2-601\(C\)](#) in order to complete its CPS Assessment.

When one social worker in a county Department of Social Services (DSS) conducts the CPS assessment while another social worker within the same county DSS is providing Placement and/or Adoption Services or licensing services, communication is essential. It should be ongoing and systematic throughout the CPS Assessment process. There should also be a Child and Family Team meeting convened to include the family and all of these workers and supervisors to review the findings of the CPS Assessment and implications of the findings for the child's placement. The Guardian ad Litem should be included. Since court reviews are required until the final decree is entered, the Guardian ad Litem needs to be included in this process so they understand why the adoption is not being finalized.

When a social worker in one county DSS conducts the CPS Assessment on a prospective adoptive family or a licensed foster family where a child in the home is in the custody and placement responsibility of another county DSS, there must be frequent and ongoing communication between the agency social workers throughout the CPS Assessment and must include the child's social worker, the licensing worker and any other workers and supervisors related to that child and family. Refer to [Chapter V](#), Jurisdiction in Child Welfare, of the Family Services Manual for detailed policies regarding CPS Assessments when more than one county DSS is involved.

Private adoption and foster care child-placing agencies and the local DSS must work closely together during a CPS assessment when the private agency is supervising the placement of a child that is in DSS custody to ensure that all relevant information is shared. This strong collaboration will ensure that all required contacts with the alleged victim child will be made by the DSS social worker conducting the CPS Assessment, who is in the best position to address all child safety issues. This collaboration should be documented clearly in all of the agencies' case records. This communication and collaboration are even more critical when a private child-placing agency is supervising the licensing and placement, while one county DSS has custody and placement responsibility of a child in the home and another county DSS is conducting the CPS assessment because the home is located in their county.

When concerns about licensing issues that do not rise to the level of Abuse/Neglect/Dependency are received, the licensing worker, whether a public or private provider, must document specifically what has been done to address these issues and how these concerns were resolved.

When county DSS agencies are considering placements with adoptive or foster families supervised by either a public or private child-placing agency, the custodial agency shall request written documentation of any concerns or issues pertaining to the family that have been identified but that have not risen to the level of reports of abuse or neglect; how the child-placing agency addressed the issues with the family; and whether and how the family has successfully resolved the areas of concern. Custodial agencies should review written information, formally discuss each with the child-placing agency, and make an informed decision about placement or continued placement. Child-placing agencies shall maintain detailed accounts of concerns or issues as they manifest within the family. (For example: issues pertaining to the care of the children, medical, mental health and emotional support, family integration, punishment, etc.)

When a county DSS is ready to make a recommendation to finalize an adoption, the agency must check with county DSS staff to determine if there is an open CPS assessment on the pre-adoptive family. [N.C.G.S. § 7B-302](#) allows local DSS child welfare staff to share this information when they receive a request from the licensing agency.

When a CPS assessment is related to an out-of-home placement provider, [Chapter V](#), Jurisdiction in Child Welfare, of the Family Services Manual states the following:

“For facilities licensed by the Division of Health Services Regulation (DHSR), verbal notification shall be to the intake/complaint unit at 1-800-624-3044. Should this occur after-hours, it is permissible to leave a message. A written report shall follow the verbal notification within 5 business days of receiving the CPS report. Please refer to form [dss-5282](#).”

For facilities licensed by the Division of Social Services, verbal notification that a report has been received is not required. A written report must be sent within 5 business days of receiving the CPS report to Regulatory and Licensing Services with the Division of Social Services. Please refer to form [dss-5282](#).

Furthermore, it is required in policy as outlined in [Chapter V](#) that Notification to the licensing authority of the case decision is also required, using form [dss-5282](#)

When an adoptive pre-placement assessment, adoptive pre-placement assessment update, and a report on proposed adoption are conducted, the following must be addressed and documented.

- Interviews with biological and/or adoptive children in the home. Interviews should assess the relationship of these biological/adoptive children to the parents. Assessment should gather information that allows the assessor to determine the support and integration these children have received in the home. (I.E. are medical, therapeutic, educational and socialization needs met.)
- Interviews with biological children/adoptive children should also address their relationship, acceptance and integration with prospective adoptee.
- Any parenting issues that were noted in initial pre-placement assessment and any others that may have surfaced during placement of child in the home and efforts parents and/or agency have made to resolve concerns.

- Discipline techniques employed to address any behavior issues and why appropriate for particular child.
- Have the prospective adoptive parents state in writing that they are not the subjects of any CPS Assessment and that they will notify the agency if that occurs prior to the entry of the final decree.

Whenever a family that has adopted previously is being considered for additional adoptive placements, the pre-placement assessment update must be thorough and must address all of the changes that have occurred since the earlier adoption was completed. Changes in family dynamics, family inter-relationships, and family responsibilities must be addressed.

The matter of discipline is addressed with foster parents and prospective adoptive parents during the Model Approach to Partnerships in Parenting (MAPP/GPS) and during the home study process. Corporal punishment is prohibited for licensed foster parents. While local Departments of Social Services cannot prohibit corporal punishment once an adoption is finalized, it is critical that a discussion occurs with both foster parents and prospective adoptive parents about discipline techniques that are effective and based on the child's needs. When a child is placed in foster or pre-adoptive home, the child's needs and what discipline techniques are appropriate and not appropriate for the specific child must be discussed.

If you have any questions about the information included in this Administrative Letter, please contact your Children's Programs Representative or call the Work First/CPS Policy Team at (919) 733-4622 or the Foster Care and Adoption Policy Team at (919) 733-2580.

Sincerely,



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