

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY	
	Chapter 7: In-Home Services	Effective Date: July 1, 2018
	Section 10: Transition to Out-of-Home Care	Version: 4

STATEMENTS OF PURPOSE

The Indiana Department of Child Services (DCS) may recommend to the court that a child receiving in-home services be placed in out-of-home care (see separate policy, [8.1 Selecting a Placement Option](#)) if:

1. There are new allegations of child abuse/neglect (CA/N) by the parent, guardian, or custodian or another person living in the home;
2. The safety of the child requires additional services for which court intervention is needed and the safety risk cannot be alleviated through an in-home Child In Need of Services (CHINS); or
3. There is a pattern of non-compliance with the objectives of the [Case Plan \(SF2956\)](#) and reasonable efforts to secure the safety of the child or the community have been unsuccessful or could not be made due to the emergency nature of the situation.

DCS will remove the child if the safety of the child cannot be reasonably ensured in the current placement. DCS will obtain a written order from the court prior to removing a child, unless emergency removal is necessary to protect the immediate health and safety of the child. See separate policy, [4.28 Involuntary Removals](#) for additional guidance.

DCS will partner with the family through the Child and Family Team (CFT) process to identify non-negotiables involving child safety and well-being and the best placement option for the child, unless an immediate placement decision must be made due to an emergency removal. See separate policies, [5.7 Child and Family Team Meetings](#) and [8.1 Selecting a Placement Option](#) for further guidance.

DCS will not place a child in a residential care facility prior to receiving approval from the Residential Placement Committee (RPC) and court.

Exception: DCS may place a child in a residential facility in an urgent situation prior to RPC and court approval if:

1. Placement is needed because the child's safety and well-being is in imminent danger due to a medical or mental health condition; and
2. A less restrictive placement is not available or will not mitigate the danger.

See separate policy, [8.4 Emergency Shelter and Urgent Residential Placement Review and Approval](#) for further guidance.

DCS will notify the child's school within 72 hours when the child is removed and placed in out-of-home care. A determination of the child's best interests regarding educational placement will be determined in collaboration with the local education agency. See separate policies [8.20 Educational Services](#) and [8.22 School Notifications and Legal Settlement](#) for further guidance.

Code References

N/A

PROCEDURE

The Family Case Manager (FCM) will:

1. Engage the CFT to:
 - a. Explore options to support the parent, guardian, or custodian in safely parenting the child in the home (see separate policy, [5.10 Family Services](#)),
 - b. Identify the placement type and/or resource, if out-of-home placement is required (see separate policy, [8.1 Selecting a Placement Option](#)),

Note: When a child requires residential placement, refer to separate policy, [8.4 Emergency Shelter and Urgent Residential Placement Review and Approval](#).

- c. Develop a transition plan to the fullest extent possible given time constraints, and
 - d. Discuss the identified placement with the child in an age and developmentally appropriate manner (see separate policy, [8.8 Preparing Child for Placement](#)).
2. Document the reason for the out-of-home placement in the Management Gateway for Indiana Kids (MaGIK) case file;
3. **Request a Detention Hearing be held prior to removing the child or within 48 hours following an emergency removal** and an order be issued removing the child from the home, as well as, **finding that Removal is in the Best Interests of the child, that Reasonable Efforts have been made to prevent removal, and that responsibility for Placement and Care of the child will reside with DCS.** See [Practice Guidance](#) and separate policies, [4.28 Involuntary Removals](#) and [6.1 Detention/Initial Hearing](#) for further guidance;
4. Notify all relevant parties of the planned change in placement, as soon as possible or within legal time constraints (see separate policies, [4.0 Diligent Search](#) and [4.28 Involuntary Removals](#));
5. Remove the child and assist in his or her transition to the new placement (see separate policies, [8.8 Preparing Child for Placement](#) and [8.9 Placing a Child in Out-of-Home Care](#));
6. Request assistance of the law enforcement agency (LEA) if the parent, guardian, or custodian acts to prevent removal;
7. Utilize the [School Notification \(SF47412\)](#) to notify the child's school of the child's removal and placement in out-of-home care within 72 hours (see separate policy, [8.22 School Notifications and Legal Settlement](#) for further guidance); and
8. Complete a Permanency and Practice Support (PPS) referral to the Education Services Team for assistance in determining the child's best interest, if there is potential for an educational placement change (see separate policy [8.20 Educational Services](#) for further guidance).

PRACTICE GUIDANCE

Out-of-Home Placement Philosophy

Out-of-home care will be used only when there is no other alternative to ensure a child's safety and well-being from abuse and/or neglect. DCS will diligently work to maintain familial connections through visitation and shared activities while a child is in out-of-home care. The

parent of a child in out-of-home care is also afforded an opportunity to build on family strengths and learn essential skills in providing a safe, nurturing environment to which their child may return.

Court Approved Non-Emergency Placement Change

When the court issues an order concerning Best Interests and Reasonable Efforts to prevent removal and gives Placement and Care responsibility to DCS, but allows the child to remain at home, DCS must request a new Detention hearing for the child to be removed and placed in out-of-home care. The new court order must state that the child is being removed from the home and contain findings of Best Interests, Reasonable Efforts, and Placement and Care responsibility to DCS. The FCM must document in the MaGIK case file the start date of the removal episode with the date the child is first placed in out-of-home care and enter the placement on the Placement screen. The date and title of the hearing must be entered on the Hearing Screen and the appropriate hearing date for the court order language on the Best Interests/Reasonable Efforts/Placement and Care tab reviewed and updated if necessary.

Resolving Potential Differences (Addressing Potential Conflicts)¹

When potential differences arise, a CFT meeting and/or Case Conference should be facilitated. While facilitating a CFT Meeting and/or Case Conference, the facilitator(s) should assess and decide if all family and team members should discuss the issue or differences. To make this decision some questions to consider are:

1. Does the issue or difference involve the whole team?
2. How might this issue or difference influence the development and implementation of the family's plan?
3. Does this issue or difference impact the ability of the team or family to ensure safety, stability, well-being, and permanency for the child?

The goals and requests of the parent(s) must never come before ensuring the safety of the child.

For additional practice support, see [Indiana Practice Model SharePoint](#).

FORMS

1. [Case Plan \(SF2956\)](#) – available in MaGIK
2. [School Notification \(SF47412\)](#)

RELATED INFORMATION

N/A

¹ The Child Welfare Policy & Practice Group, *Engagement and Facilitating the Child and Family Team Meetings*