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Approved:	Karen Shea, Deputy Commissioner	Effective: 7/5/2017
Supersedes:	Family Services Policy 98	Dated: 8/24/2016

Purpose

To ensure focus on the continued safety and well-being of children who have been physically returned to the parent from whom they were removed due to abuse or neglect (either through DCF custody or a Conditional Custody Order to others).

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Definitions

Background Check: The process of compiling and assessing criminal history and child protection records of an individual. For the purpose of this policy, the Vermont Child Protection Registry, SSMIS, DOC, and VCAS should be checked for all persons 16 years and older living in the household with the child or persons who will have child care responsibilities.

Child: A child who has been determined to be a Child in Need of Care or Supervision, specifically CHINS (A) or (B).

Conditional Custody Order (CCO): An order issued by the court in a juvenile proceeding conferring legal custody of a child to a parent, guardian, relative, or a person with a significant relationship with the child subject to such conditions and limitations as the court may deem necessary to provide for the safety and welfare of the child. Any conditions and limitations shall apply only to the individual to whom custody is granted. (33 V.S.A. § 5102(A)(5))

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Family Team Meeting: A meeting of family members, natural supports, and providers to create a safety plan focused on the harm and risks posed to the child, assess the child’s safety and well-being in the home, develop a plan for responding to concerns, understand the family’s needs, make decisions about who can provide support to the family, and determine the best living situation for the child.

Parent: A parent whose acts or omissions caused the child to be determined CHINS (A) or (B).

Reunification: The return of a child to the full-time care of a parent from whom he or she was removed due to abuse or neglect. Reunification does not include the return of the child to the care of a parent who is living in a residential setting. Care is considered full-time if the parent is responsible for the care and supervision of the child, even if the child is in child care and/or spends some time with other family or informal supports.

Reunification Plan: A case plan specifically focused on the services and supports, including natural and professional, needed to maximize the success of a reunification, as well as a plan for ongoing monitoring of the child’s safety and well-being.

Safety Network: Family, friends, and community members who care about the child and are willing to take action to support the family and keep the child safe. They are willing to engage child protection staff and understand the concerns. For the purpose of this policy, a safety network may also include professionals.

Related Policies

Family Services [Policy 52](#): Child Safety Interventions: Investigations and Assessments

Family Services [Policy 68](#): Serious Physical Injury: Investigation and Case Planning

Family Services [Policy 84](#): Conditional Custody Orders (CCOs)

Family Services [Policy 122](#): Case Plan Reviews and Permanency Hearings for Children and Youth in DCF Custody

Family Services [Policy 125](#): Permanency Planning for Children and Youth in DCF Custody

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Policy

Planning for Reunification of Abused or Neglected Children and Youth – CHINS (A) or (B)

Social workers shall consult with superiors when considering returning a child to the care of a parent from whom the child was removed due to abuse or neglect. Social workers must consult with supervisors before a case plan goal is established. In cases of serious physical injury, districts shall consult with their assigned operations manager about the case plan goal before it is established and the timing of any planned reunification per Family Services [Policy 68](#).

The likelihood of successful reunification increases by having all of the following in place:

- risk reduction since the first assessment of danger, safety, and risk;
- frequent and quality family time; and
- a safety plan with a network of family, friends, and community members.

The SDM Reunification Assessment

The *SDM Reunification Assessment* tool is used by division staff to structure critical case decisions for children with a case plan goal of reunification. The *SDM Reunification Assessment* guides the decision of whether to:

- Return a child to the removal household where there are historical or current concerns about the household regarding safety and risk; or
- Maintain out-of-home placement and continue supporting the parent(s) in meeting the recommendations of their case plan; or
- Change the case plan goal and implement a permanency alternative.

The *SDM Reunification Assessment* should be completed within 30 calendar days prior to completing each case plan, or when recommending reunification or a change in the permanency planning goal. The *SDM Reunification Assessment* may be completed sooner if there are new circumstances or new information that would affect safety status and/or risk level. The *SDM Reunification Assessment* shall be completed prior to case plan reviews to inform the division’s recommendations.

In the same way that case plans are shared with families so they know and understand the expectations of their case plan, the *SDM Reunification Assessment* should also be shared and explained to families so that they understand exactly what will be used to evaluate reunification potential and the threshold they must reach.

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Family Time Frequency & Quality

The evaluation of family time quality should be based on the social worker’s direct observation whenever possible, supplemented by observation of the child and reports by other division staff, the family time coach, foster parents, or alternate caregivers. Descriptors of strong/adequate family time compared to limited/harmful family time include, but are not limited to:

Quality of Family Time	
Strong / Adequate	<ul style="list-style-type: none"> • Consistently demonstrates acts of protection and supportive behaviors toward the child that are consistent with case plan objectives. • Often reinforces appropriate roles and boundaries for child (e.g., caregiver preserves parent-child relationship or takes on adult roles and responsibilities). • Demonstrates an ability to recognize child’s behaviors and cues; generally responds appropriately to behaviors and cues. • Identifies the child’s physical and emotional needs; responds adequately to these needs. • Demonstrates effective limit-setting and discipline strategies. • Demonstrates interest in school, other child activities, medical appointments, etc.
Limited / Harmful	<ul style="list-style-type: none"> • May not demonstrate acts of protection and supportive behaviors toward the child that are consistent with case plan objectives. • May struggle or have severely limited ability to reinforce appropriate roles and boundaries for child (e.g., preserve parent-child relationship, take on adult roles and responsibilities), and requires prompting to do so. • Demonstrates an ability to recognize child’s cues and behaviors, but needs guidance in establishing an appropriate response to these cues and behaviors, or is unable to respond appropriately. • May demonstrate an ability to identify child’s physical and/or emotional needs, but may need assistance in consistently responding to the child in an appropriate manner. • Recognizes a need to set limits with child, but enforces limits or behavior management in an inconsistent or detrimental manner, OR may not recognize a need to set limits. • May have ignored redirection by the individual supporting or monitoring family time. • May not be focused on child during parenting time and/or conducts self inappropriately during time (e.g., arriving for parenting time while substance-impaired, reinforcing “parentification” of child, knowingly making false promises to child, cursing at/violently arguing with worker in presence of child).

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	<ul style="list-style-type: none"> • Has not been successful in progressing family time toward unmonitored and/or extended family time, or has had significant family time setbacks that have required increasing monitoring and support due to worries for the child's safety.
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When it has been determined through ongoing safety and risk assessment that identified present or impending dangers have been eliminated or reduced, no new dangers have emerged, the reunification risk level is low or moderate, family time is acceptable, and it is safe and appropriate for a child to be reunified with a parent, the family's case plan will be amended to focus on a plan for supporting a safe and successful reunification.

The social worker will convene a family team meeting with providers, the child's Guardian ad Litem (GAL), and informal supports that make up the safety network to develop the reunification case plan. A Family Safety Planning meeting may be appropriate for discussing and clarifying the plan. The case plan will specify:

- specific activities that support the continued progress the parents have made in addressing dangers and risks that brought the child into care – including the monitoring of participation in required services;
- any medical, mental health, educational, or other issues the child has which require close coordination and attention;
- the frequency of visits from the social worker;
- the frequency of visits from the safety network;
- a plan for services for the child and parent; and
- the method of monitoring the child's safety and well-being for **at least a six-month period**.

The division shall ensure that all persons living in the household with the child or persons who will have child care responsibilities are assessed for criminal history and potential safety risks. The Vermont Child Protection Registry, SSMIS, DOC, and VCAS should be checked for each individual 16 years and older. If indicated, the division may also conduct background checks on household member younger than sixteen.

Conditional Reunification and Supervision

When returning a child to the care of a parent from whom they were removed due to abuse or neglect (either through DCF custody or a conditional custody order to others), the division shall request a hearing to request that custody be discharged conditionally to the parent with the reunification case plan specifying the conditions to be requested.

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The presumptive duration of any order giving conditional custody to a parent is no longer than six months from the date of the disposition order or conditional custody order, whichever occurs later, unless otherwise extended by the court. For additional information on conditional custody orders, see Family Services [Policy 84](#).

If the social worker and supervisor do not believe a Conditional Custody Order (CCO) is needed, they will consult with the district director and he or she must approve. If the district director approves and a CCO is not requested or a CCO is not granted by the courts, a six-month supervisory period is still required

The division will ensure the child and family are visited in their home regularly by the social worker and the safety network, as indicated in the case plan. Social workers will visit the home **within two weeks of the conditional reunification and at least monthly thereafter**. If the child is living with a parent out of state, the plan for face-to-face contact may be tailored but must clearly attend to the child’s safety. For information on handling situations governed by the Interstate Compact on the Placement of Children (ICPC), see Family Services [Policy 181](#).

The social worker will ensure that other professionals and/or the child’s safety network see the child regularly, at intervals indicated by the age and vulnerability of the child, between team meetings to assess the child’s safety and well-being. The team will convene **every other month** to:

- assess the child’s safety and well-being at home;
- determine if any newly identified dangers or risks have emerged;
- assure the commitments of the safety network remain in effect;
- assure the services put in place are adequately addressing the parent’s and child’s needs;
- discuss how the plan is working; and
- recommend modifications to the case plan when appropriate.

The division shall continually monitor whether the conditional reunification is successful and in the best interests of the child.

Reviewing or Modifying the CCO for Newly Identified Dangers or Risks

Additionally, the division shall monitor:

- The need for any additional releases of information to appropriately monitor the case plan.
- Any safety concerns that necessitate requesting a hearing to review or modify the CCO. If there are newly identified dangers or risks, the division shall notify the

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court and either request a hearing to discuss a substantial change in the circumstances of the existing CCO or seek custody of the child.

- Whether the CCO needs to be extended beyond a six-month period. Because these orders will expire automatically at the end of six months, it is critical to evaluate, by the end of the 5th month, whether DCF should seek an extension of that order. If it should be extended, the division must file a petition at least 14 days before the presumptive expiration date. A material change in circumstances must be demonstrated in order for judges to extend the CCO to the parent (33 V.S.A. § 5113(b)).

Services Following Successful Completion of CCO Period

After a CCO has expired or has been vacated, when appropriate, the division may continue to provide ongoing services and work with the family through a family support case with the safety network continuing to review the plan and child’s safety and well-being at home.

Placement with a Parent in Residential Settings

Children placed with a parent in a residential setting receive a level of parenting support that differs significantly from the level of support the parent receives after discharge from the program. Therefore, a child who is placed with his or her parents in a residential treatment program is not considered to be reunified for the purposes of this policy.

Following discharge of the parent from the residential program, the division will retain custody of the child for sixty days, with a reunification case plan in place. Assuming that the child is receiving safe and appropriate care during that period, the social worker will request a hearing to transfer legal custody of the child to the parent, with conditions, as outlined above in this policy.

Children in DCF Custody Placed at Home

In certain circumstances, children and youth may need to remain in DCF custody while placed at home for a period of time to ensure adequate safety in the home and that the appropriate services are put in place. Examples may include:

- Circumstances where a child or youth qualifies for developmental services through DAIL;
- Circumstances where a child or youth needs additional supports and services as part of the transition from a foster home or residential treatment program to their home; or
- A reunification plan where additional oversight is needed or recommended.

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In these instances, children and youth may be placed at home in DCF custody for a period of up to 60 days with the approval of the assigned policy and operations manager. Extensions must be approved every 30 days by the assigned policy and operations manager. This applies to all DCF custody case types.