



**New Jersey Department of Children and Families Policy Manual**

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**Authority**

**1-5-2009**

Pursuant to N.J.S.A. 30:4C-4(h) and 30:4C-26a, “the Division has the discretionary authority to remove a child in placement from a resource family home at any time with or without the consent of the resource family parent, parent or child in placement.” (N.J.A.C. 10:122E-1.1)

**Considerations in Deciding Whether or Not to Remove/Disrupt**

**3-25-2002**

Any permanent change or disruption in a child’s placement must be carefully considered because it may jeopardize the child’s capacity to trust his environment and the adults around him, and it can have serious negative consequences to the child’s sense of security and self-worth. Therefore, a decision to change a child’s placement that is not part of a case plan to achieve a case goal (e.g., return home, placement with relative or adoption placement), is pursued cautiously and must always keep the best interests of the child in mind.

When there is potential for siblings to be reunited in the same placement, consideration must be given to disrupting a child’s existing placement. However, as explained above, there are exceptions to moving the child from the current placement. For example, if the child is bonded to the current resource parents and they want to adopt the child, moving the child to another home may not be in the child’s best interests. See [CP&P-IV-B-2-200](#), Exceptions to Sibling Placements. Once a potential permanent home is found, the Worker, Supervisor, and LO Manager assess the child’s current circumstances, and discuss and consider disruption and removal. The foster or adoptive parent must be willing and able to accept siblings. The home must receive a positive recommendation by LO supervising the home. Each circumstance is assessed on a case by case basis within the confines of casework supervision and always with the best interests of the child in mind.

See [CP&P-IV-B-2-200](#), Efforts to Promote Placing Siblings Together, [CP&P-IV-B-7-325](#), Removal in Non-Emergency Situations, and [CP&P-IV-C-10-100](#), Efforts to Promote Placing Siblings Together.

The casework decision-making process is completed in supervision and includes an evaluation of the factors immediately precipitating a decision to disrupt, an historical overview of the child and the resource family, and a complete assessment of the best interest of the child.

Decisions to move a child in a non-emergency situation from their current foster placement after three months in that home, in order to reunite siblings, may be reviewed at the Regional level at the request of the resource parents. The Worker notifies the resource parent of the decision to move the child and of the resource parent's option to request a Regional review of the decision.

### **Pre-Disruption Conference**

**1-5-2009**

An informed decision to permanently disrupt a resource family home placement is reached through objective analysis of the reasons for considering a disruption at a pre-disruption conference. Participation in a pre-disruption conference may include but is not limited to the child's Permanency Worker, the Supervisor, the Casework Supervisor or designee, the Local Office Manager and the resource family home Supervisor or facilitator knowledgeable about the resource family home.

The resource family parent is invited to participate in the conference and is urged, but not required, to attend. The child is also invited to participate, if age appropriate. The reason(s) for the conference are explained to the resource family parent and the child. The Local Office Manager may adjust the date or time of the pre-disruption conference to accommodate the resource family parent, if such re-scheduling is timely, in the interest of the child involved and does not add to the concerns which prompted the pre-disruption conference. Whenever possible, notify the resource family parent and the child several days in advance of the scheduled conference.

Any CP&P or DCF staff member who has information regarding problems in a resource family home, including, but not limited to, the child's assigned Permanency Worker, a CPS Investigator, an IAIU investigator, a resource family home specialist, a Pediatric Nurse Consultant, or Supervisor, shall advise the Local Office Manager of the problem directly or through the Resource Family Care Supervisor. Verbal notification of problems is followed by written notification, and filed in the resource family home record. The Local Office Manager or designee responsible for a child in the resource family home decides whether or not to hold a pre-disruption conference and the urgency with which the conference must be held. When more than one Local Office is utilizing the resource family home, a joint pre-disruption conference may be conducted. All offices utilizing the resource family home are notified of the conference, invited to participate, and given written notification of the results of the conference. Also see [CP&P-IV-B-7-200](#) regarding a disruption conference prior to, or immediately following, an emergency removal.

The Local Office Manager or designee conducts the pre-disruption conference and, ensures that:

- the reasons for the proposed removal are clearly presented,
- the resource family parent's right to respond to the concerns is recognized and respected, and
- the wishes and needs of the child are considered, prior to reaching a decision not to disrupt the placement, to take corrective action, or to remove the child from the resource family home.

In accordance with N.J.A.C. 10:122E-2.5(a), "The Division representative shall consider the following points when deciding whether to remove a child in placement, in emergency and non-emergency situations:

- the age of the child in placement;
- the length of stay in this resource family home;
- the relationship between the child in placement and the resource family;
- the number and impact of prior moves on the child in placement;
- the child's adjustment to the extended resource family and community;
- the child's expressed wishes;
- the resource family's history with the Division and of successful parenting;
- the availability of support services to maintain the placement;
- the willingness of the resource family and the child in placement to work to overcome problems;
- the child's injuries for which neither the resource family nor the child in placement can offer a reasonable explanation;
- the resource family's cooperation or lack of cooperation with any child abuse and neglect investigation;
- the child's allegations of child abuse or neglect;
- the child's immediate safety;
- the child's risk of future harm; and
- the location of the child's siblings and the ability to keep them together or reunite them or facilitate visits."

"A child in placement may be removed temporarily from a resource family home before or during a child abuse or neglect investigation for the child's safety and protection."  
(N.J.A.C. 10:122E-2.5(b))

When the child has a medical condition, the Worker also shall assess the resource family's willingness and ability to meet the child's special care needs. The assessment of medical care may include, but not be limited to, whether or not the resource family:

- seeks timely professional intervention, when needed;
- works cooperatively with the CP&P nurse consultant;
- follows-through on medical appointments and prescribed medications;
- appropriately uses and maintains medical equipment (e.g. ventilator);

- appropriately uses required techniques/skills (e.g. universal infections control, feeding techniques);
- provides/performs appropriate therapies and stimulation (e.g. physical therapy, toys, socialization); and
- provides the caregiving services in accordance with a contract or agreement with CP&P (e.g. special services agreement such as step board rate increment).

When a decision is made that the child in placement will be removed from the resource family home, a time frame for the move is established. See [CP&P-IV-B-7-325](#), the section titled Establishing a Time Frame for Non-emergency Removal.

Document the results of the placement disruption conference are documented in the resource family home record. Place a copy in the child's case record. Forward a copy to IAIU, if an institutional abuse/neglect investigation was conducted. Send an additional to the Office of Licensing, which is responsible for licensing resource family homes.

If the resource family parent does not agree with the decision(s) reached at the pre-disruption conference, he or she may be eligible for a dispositional conference; see [CP&P-IX-M-1-100](#) for eligible disputes. In certain cases, the pre-disruption conference may be considered a local dispositional conference. If the decision is to remove the child, the resource family parent may be offered an expedited Area Office dispositional conference, in which the dispute will take precedence over other pending disputes. When IAIU is involved with the resource family home, IAIU is advised of the request for a dispositional conference, so that their written investigation report may be expedited as well.

Every effort is made to provide the necessary supports to the resource family through this difficult time. (These supports may include referral to the Foster and Adoptive Family Services (FAFS) or to other agencies, advocates, or individuals.)

Initiate action in accordance with [CP&P-VIII-D-2-200](#) when problems develop in the resource family home of a child from out-of-state in placement in New Jersey.

### **Confidentiality 6-17-96**

Information that is protected by the laws and regulations regarding confidentiality shall not be divulged to or discussed in front of the resource parent. When there is a question about discussing confidential information, the Office Manager may contact the Administrative Review Officer or DAG for the relevant catchment area or the Assistant Director, Office of Legal Affairs for assistance.

For additional information, refer to [CP&P-IX-G-1-100](#), Disclosure of Client Information, to determine what information can or cannot be disclosed.

### **Disruption Planning with the Resource Parent 6-17-96**

Following a decision to disrupt a foster care placement, the Worker and resource parent develop a plan to disrupt the foster care placement within the time frame established at the pre-disruption conference. The disruption plan considers:

- pre-placement visits to the next placement, as appropriate;
- planned activities in the resource home;
- an opportunity for the child to say “good-bye” to resource family and friends; and
- the resource parent’s willingness to cooperate in a planned disruption.

A child shall not remain in a resource home that does not meet resource care standards solely for the purpose of allowing the resource parent an opportunity to dispute the decision to disrupt the placement. Any decision by a Local Office Manager to allow a child to remain in a resource home following a decision to disrupt that placement and pending additional reviews of the decision is made based on a comprehensive analysis of all the factors that affect the child’s well-being and the case plan for permanency. Every effort is made to expedite a review of the decision to disrupt a placement in order that a possible reversal of that decision will have minimal impact on the principals involved.

The disruption plan is documented in the resource home record and a copy is placed in the child’s case record.

#### **Pre-disruption Discussion with the Resource Parent**

**6-17-96**

If the resource parent did not attend the pre-disruption conference, the Worker has a face-to-face meeting with the resource parent within 72 hours of the pre-disruption conference to discuss its outcome. The reasons for considering a placement disruption are fully discussed and the resource parent is given an opportunity to offer additional or new information not previously considered. This information is presented to the Local Office Manager who determines whether or not a second pre-disruption conference is convened or if the decision of the first pre-disruption conference is implemented. The meeting with the resource parent is fully documented in the resource home record with a copy placed in the child’s record, as appropriate.