

	Department of Human Services CHILDREN, ADULTS & FAMILIES	NUMBER: I-E.3.5 OAR: 413-070-0800 thru 0880
	CLIENT SERVICES INDEX	SECTION: E. Substitute Care
	ISSUED BY: Office of Safety and Permanency for Children FINAL: 7-17-00	SUBSECTION: 3. Placement Expectations
SUBJECT: 5. Visitation/Child-Family Contact – OAR		

REFERENCES:

Child Welfare Policy I-B.3.1, Service Plans: Service Agreement or Letter of Expectations and Family Decision Meetings
 Child Welfare Policy I-I.2, Narrative Recording

FORMS

CF 0147 Series
 CF 0831, Visitation/Child-Family Contact Plan

PURPOSE

413-070-0800 The purpose of these rules is to establish guidelines for quality contact between children in substitute care, their families, and other people with whom they have a significant connection which:

- (1) Supports and develops the child's relationships with significant others, including siblings; and
- (2) Reduces the potential harm to the child associated with separation from primary attachment figures.
- (3) Assures that the paramount concern in developing a child-family contact plan is in the child's health, safety, and best interest.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 418.005

DEFINITIONS

413-070-0810 (1) "Child" means a child placed in substitute care.

(2) **"Child-Family Contact"** includes but is not limited to visitation with the child, participation in the child's activities and appointments, phone calls and written correspondence.

(3) **"Family"** means the child's parent/guardian(s), sibling(s) and kin.

(4) "Kin" means:

(a) Any blood relative or half blood relative, including persons of preceding generations denoted by the prefixes of grand, great or great-great who is related to the child through the biological or adoptive mother or the legal or adoptive father of the child as defined by ORS 419.004(16);

(b) Aunts, uncles, adult first cousins and adult first cousins (once removed) who are related to the child through the biological or adoptive mother or the legal or adoptive father of the child as defined by ORS 419.004(16);

(c) Stepparent(s) or ex-stepparents who have parented the child.

(5) "Kith" means acquaintances, neighbors or friends who are, were, or may become significantly connected in a positive way to the child and the child's family.

(6) "Parent" means the child's birth parent, legal parent, or guardian.

(7) "Structured Family Visits" means visits in the presence of a designated third party for the purpose of evaluation and assessment of child-family interaction, and/or the teaching of parenting skills.

(8) "Substitute Care Provider" means the foster family or relative caring for a child in the custody of SOSCF.

(9) "Supervised Visitation" means a visit that includes a designated third party to protect the emotional and physical safety of a child.

(10) "Visit" means planned, in-person contact between the child and family for the purpose of promoting healthy family interaction to reduce the child's separation trauma.

(11) "Visitation Priority" is determined by identifying a hierarchy of the child's attachments and prioritizing visitation with an available person(s) to whom the child has the most significant positive attachment.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 418.005

VALUES

413-070-0820 (1) SOSCF recognizes the importance of family bonds and maintaining relationships when children are cared for out of their homes.

(2) The primary consideration in plans for child-family contacts are promoting the child's safety, well-being, and sense of permanence or continuity.

(3) Immediate and regular child-family contact after the child's removal from the home may reduce the child's trauma and the family's anxiety.

(4) Frequent, consistent, and quality contact between child(ren) and members of their family promotes and encourages attachment. The frequency of child-family contact should meet the individual, developmental and attachment needs of the child(ren).

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 418.005

RIGHTS

413-070-0830 Subject to the limitation of OAR 413-070-0830, Section (4)

(1) Children, their parent(s), and their sibling(s) have the right to visit each other while the child(ren) is in substitute care.

(a) Children, their parent(s), and their sibling(s) have a right to visit as is reasonably necessary to maintain and enhance their attachment to each other; and

(b) Facts considered in determining scope and affect of visits include, but are not limited to the child's health, safety, developmental, and attachment needs.

(2) A parent's acts or omissions that are unrelated to the child shall not constitute a ground for prohibiting or canceling visits, unless there is reason to believe that the visit would jeopardize the child's emotional or physical safety.

(3) When SOSCF resources alone can not meet the child's family contact needs, the worker should solicit help from family and community resources.

(4) SOSCF shall prohibit a visit if:

(a) There is reason to believe that the visit would jeopardize the child's emotional or physical safety; or

(b) A court order prohibits visits.

(5) If a parent objects to a visitation limitation that SOSCF imposes, the parent(s) may seek the juvenile court's review of the visitation limitation.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 418.005

ORIENTATION ACTIVITIES

413-070-0840 Prior to the first contact and when changes in the child-family contact plan occurs, the case worker shall explain to the child's family and substitute care provider (and the child when appropriate) the rights and expectations regarding child-family contact, including its importance to the child. The case worker shall explain supervised and structured visitation, as defined in OAR 413-070-0810 (7)(9) to the involved parties.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 418.005

CONTACT PLANS

413-070-0850 Child-family contact plans. Every child in substitute care shall have written contact plans which will address the child's need for safety and attachment. The caseworker and parent(s)/caregiver(s) shall develop the plan and whenever possible, collaborate with other family members. This process may include the Family Decision Meeting or other meetings and processes which support family participation in the development of their contact plan. SOSCF shall provide a copy of the child-family contact plan to the parent(s) and, when appropriate, to the child and others involved in developing or implementing the child-family contact. SOSCF will not list a parent's address if the information may place the parent at risk of harm (e.g. history of domestic violence, restraining orders, etc.).

VISITATION PRIORITY IN CONTACT PLANS

413-070-0855 When the permanency plan is reunification with parent(s), SOSCF's first priority will be to provide visits to parent(s), sibling(s), legal guardian(s) and intervenor(s) granted visitation by the court. If the permanency plan is not to return the child to the parent(s), SOSCF's visitation priority shall be to preserve the child's attachment to parent(s)/guardian(s), sibling(s) and to promote the child's attachment to the permanent placement resource. When appropriate, SOSCF may consider establishing visitation for family and kith with whom the child has a significant attachment.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 418.005

TYPES OF CHILD-FAMILY CONTACT PLANS

413-070-0860 (1) Temporary Child-Family Contact Plan.

(a) SOSCF shall begin developing a temporary child-family contact plan when SOSCF first contacts the parent(s) of a child in need of a substitute care or at the time of the hearing required by ORS 419B.183, whichever is first.

(b) The plan shall include the following:

(A) The person(s) with whom the child may have contact; and

(B) A description of each person's planned contact: the type, time, frequency, length, location, supervision, and safety considerations.

(c) The first visit shall occur within the first week of placement. If this does not occur, the caseworker shall document the reason the visit did not occur in the Substitute Care Case Review Initial Substitute Care Narrative 147A.

(2) Individual Child-Family Contact Plan

(a) The caseworker shall develop an individualized child-family contact plan within 30 days from the date that the child enters care and shall document the child-family contact plan in the Substitute Care Case Review Initial Substitute Care Narrative 147A or in the Visitation/Child-Family Contact Plan (CF 0831). The caseworker shall document significant changes to the child-family contact plan in the 147 series. Whenever possible, the caseworker shall collaborate with the child's family in developing the plan.

(b) A plan that prohibits a parent's or sibling's visit shall include the reason for each prohibition and state, if applicable, the conditions for beginning or resuming contact.

(c) The written individualized child-family contact plan shall include:

(A) The purpose of the visit, stated in terms the parent(s) can understand, including conditions of visits;

(B) What visit time SOSCF may use for activities such as parent training or mentoring;

(C) The responsible person who will assist the parent(s) in meeting

the child's needs during visitation; and

(D) A description of the services that will be provided and the person or agency that will provide each service.

(d) In developing a child-family contact plan consideration shall be given to:

(A) The time, frequency, length, and location of visit;

(B) The unique needs of the child, especially the child's chronological or developmental age and sense of time as they affect the child's attachment to the parent(s) or other family members;

(C) The child's school schedule;

(D) Contact other than visitation (such as telephone calls and letters), and other activities the family and child may do together, (such as parental attendance at doctor appointments, school events, church, etc.);

(E) Barriers to visitation that must be overcome in order for the parent(s) and/or the child to participate in the visits, including transportation, adaptations for those traveling long distances, health care requirements, and arranging child care for the child's sibling(s);

(F) The parent(s)' work and treatment obligations;

(G) Measures that meet the safety needs of the child and non-offending parent in domestic violence circumstances. When necessary, measures shall include, but are not limited to, arranging different visiting schedules, a safe drop-off/pick-up location, and safety plan in case the batterer unexpectedly appears;

(H) Consequences of the parent(s)' failure to attend visitation;

(I) Known or anticipated reasons for ending the visit (i.e. health and safety issues);

(J) Any special conditions affecting visitation, including those necessary to assure culturally relevant and language appropriate visitation services;

(K) Procedure for discussing alternatives when visits are canceled due to the substitute care provider or agency circumstances;

(L) Time frame for periodic review of the individualized child-family contact plan.

(M) Maintaining compliance with Interstate Compact on the Placement of Children, (refer to 413-040-0280(3)(g) and regulation #9 Definition of a Visit).

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 418.005

SUPERVISION OF VISITATION

413-070-0870 (1) If supervision is necessary to protect the child from emotional or physical harm, the plan will state the reason for the supervision.

(2) When delegating supervision to others, SOSCF will ensure that the supervising person understands the individual family's dynamics, the objectives of supervision, the circumstances requiring intervention, and documentation of expectations.

(3) Supervision of visits shall be conducted with the full knowledge of the participants and should be culturally relevant and language appropriate.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 418.005

DOCUMENTATION OF CONTACT

413-070-0880 (1) When SOSCF staff or contracted agency staff supervise visitation, staff shall complete and place in the case file a "Documentation of Contact" that must include:

(a) The location of the visit, who attended and the length of the visit;

(b) Any missed visits and the reasons for the missed visits;

(c) Any interrupted and/or terminated visits and reasons for the interruptions and/or terminations.

(d) Activities that occur during supervised visits or structured family contacts.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 418.005