City of New York
Administration for Children's Services

Policy and Procedure
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Determining the Least Restrictive Level of Supervision Needed During Visits for Families with Children in Foster Care

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SUMMARY:
Children's Services and provider agencies should seek to arrange unsupervised visits between a parent and a child in foster care whenever there is no safety reason to support supervision. This policy sets forth practice guidelines for determining the least restrictive level of supervision for family visits when children are in foster care or are residing with a non-respondent parent or other caregiver under court supervision. This policy also provides guidance for assessing, arranging, and implementing a quality visit plan.

SCOPE:
This policy applies to the Children's Services' Divisions of: Child Protection (DCP); Family Court Legal Services (FCLS); Family Permanency Services (FPS); Youth and Family Justice (DYFJ); and provider agency staff working with families whose children are in foster care.

Policy Highlights

- Case planners must tailor visit plans to the needs of individual families.
- Unless there is a court order to the contrary, case planners must determine the most appropriate initial level of least restrictive supervision during the Transition Meeting.
- Visits may be supervised by provider agency staff (e.g. parent advocates, case aides, caseworkers, case planners, and supervisors), Visit Hosts, or Visit Coaches.
- Visits must be unsupervised unless certain conditions are present, such as a court order for supervised visits and/or a reasonable basis to believe that a child may be at serious risk of physical and/or emotional harm or injury if visits are unsupervised.
- Case planners must contact the FCLS attorney if they wish to change the level of supervision and there is an existing court order that prohibits the change. Case planners may not change visit plans prior to receiving written confirmation from the FCLS attorney documenting that the Family Court has ordered that the change may proceed.
- As soon as possible, visits shall move from the agency into the community (e.g. public library, park, YW/YMCA) where Visit Hosts may facilitate visits.
- Case planners must facilitate at least bi-weekly visits and contact that is not limited to visits with parents when siblings are placed separately.
- Parent-child visits shall not be suspended as a consequence of a parent's non-compliance with the service plan or poor behavior on the part of the parent as long as non-compliance with the service plan or poor behavior on the part of the parent does not compromise the physical and emotional safety of the child or others during visits.
- Provider agency case planners must always follow court orders regarding visits, except in an emergency where the case planner believes that a visit will place a child in imminent danger of risk or harm and there is no time to seek a modification of the order. If a visit is suspended because of an emergency, the case planner must immediately notify the FCLS attorney of the action.

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1. Guide for Making a Safety Assessment to Determine the Most Appropriate Type of Family Visiting
2. Community Partnership Project Facilitator and Liaison Directory

I. Introduction

A. It is critical that children in foster care maintain frequent contact with their families when it is safe to do so. Contact with family reduces the trauma of removal for children, improves their adjustment to placement, and helps expedite permanency regardless of the permanency planning goal.

B. Frequent and consistent parent-child contact preserves parents' emotional attachment to their children, allows parents to practice day-to-day parenting skills, and expedites permanency. Visiting that includes "shared parenting" responsibilities (e.g. with the parent accompanying the foster parent to medical and school appointments, or assisting in supervising the child's homework) can provide a realistic sense of what parenting will be like when the family is reunited.

C. It is critical that any action taken by a case planner with respect to visits be consistent with any current court orders.

D. It is critical that case planners evaluate, establish, and adjust visit plans for each child individually, as each child in a sibling group has different needs and preferences. Likewise, case planners should plan for visits with each individual parent. The actions required by the following policy are to be applied to individual children and individual parents.

II. Visiting Requirements for All Families

A. General Responsibilities

1. The foster care provider agency, taking into consideration the circumstances of the case and any court orders which pertain to visiting, determines the level of supervision during visits. The provider agency case planner shall arrange and facilitate visits and other forms of contact between the child, parent, separated siblings, and other adults important to the child. When appropriate, case planners shall facilitate other forms of contact between these parties in addition to face-to-face visits, such as phone calls, emails, and letters. Although foster parents may escort children to visits, host visits in their homes (if they agree to do so), and actively participate in visit arrangements, the ultimate responsibility for making sure that visits take place lies with the case planner.

2. The case planner must consult with the parent prior to the first visit and prior to subsequent visits, as necessary, to convey the importance of visits for the child's emotional health and for achieving permanency. Whenever possible, visits should not disrupt school, therapy appointments, etc. When age and developmentally appropriate, the case planner must also consult with the child when formulating a visit plan. This consultation should be done in person to

maximize the child's comfort level and candor in discussing and creating the visit plan.

3. When the permanency plan goal is "return to parent," provider agency staff must document in Connections (CNNX) and be able to explain to the Family Court the efforts they have made to implement this plan, including maintaining the parent-child bond through visiting and other parent-child contact (e.g. contact at school and/or medical appointments; special occasions such as birthdays, holidays, or other events).

4. In all cases, provider agencies must follow court orders which pertain to visits. When such a court order exists, if a case planner believes it is in the child's best interests to change the frequency or duration of visits, the case planner must contact the assigned FCLS attorney to determine whether to seek a modification of the court order. Unless the Family Court modifies the order regarding visits, the current order must be followed. The case planner must document in CNNX any visit plan change, as well as the justification for such change. The change should be documented in the FASP if available; if not it must be documented in the progress notes.

B. Initial Assessment and Creation of Visit Plan

1. A child's removal from his/her family is a traumatic event. The case planner must consider the importance of discussing and scheduling parent-child contact immediately after removal. Timely parent-child contact can serve to:

   a. Provide continuity and reassurance for the child;
   b. Send a vital message of responsibility to the parent;
   c. Support the parent so that the parent can immediately begin to address the reasons for the child's removal; and
   d. Begin the process of determining the permanency plan for the child. One of the first steps in the parent-child contact is the Parent to Parent meeting which shall occur within 48-72 hours of placement.

2. As each family is unique, every visit plan must be developed, assessed, and evaluated individually.[1] The visit plan must be shared with the parent and the child (when age and developmentally appropriate) and updated or modified to reflect their input. Unless the court has ordered that visits be "supervised," the assigned Child Protective Specialist (CPS) and the provider agency case planner, in consultation with a provider agency supervisor, must determine the appropriate

[1] The initial visit plan must specify whether biweekly visits are appropriate. If biweekly visits are inappropriate, then the reason why such visits are inappropriate must be clearly documented in the initial visit plan. *See* 18 NYCRR §§ 430.11(c)(2)(ii) and 430.12.

initial level of least restrictive supervision during the Transition Meeting.[2] Children's Services DCP staff shall share what the court order requires during the Transition Meeting. If it is not feasible to make the determination during the Transition Meeting, case planners must make this determination at or before the Twenty (20) Day Follow-up Child Safety Conference ("Twenty (20) Day Conference"). Once the appropriate level of supervision has been determined, the case planner must document in CNNX the reason for the chosen level of supervision.

3. The reason(s) that the child came into care provide the basis for determining the initial level of supervision. For example, if there was an allegation of repeated hitting by a parent, supervision of initial visits would be appropriate. The case planner must regularly review with the parent the reasons for supervision and discuss the gains or improvements that need to be made before visits can be unsupervised.

4. Visits must be unsupervised unless one or more of the following conditions exist:

   a. There is a court order for supervised visits. (Any concerns about court orders must be discussed with the FCLS attorney and such orders shall be obeyed unless stayed or modified.)
   b. There is a reasonable basis to believe that the child may be at serious risk of physical and/or emotional harm or injury.
   c. There is a reasonable basis to believe that the parent may attempt to influence, interfere with, manipulate, or coerce the child's potential testimony in court.
   d. It has been determined that the parent may abscond with the child.
   e. In the presence of the child, a parent displays explosive, emotionally uncontrolled behavior toward agency staff or the foster parent.

5. Case planners must use the Risk Assessment Profile in the FASP and the CPS' notes in CNNX in assessing physical and emotional safety as they relate to the supervision level of visits. Case planners must read these documents and have conversations with the CPS and the family to understand the family dynamics. Scheduled Family Team Conferences (FTCs) are also appropriate settings to discuss the development of a visit plan. If the case planner is unable to obtain information about the investigation from CNNX, the case planner must obtain the information directly from the CPS. For more information about assessing safety, see Attachment 1, *Guide for Making a Safety Assessment to Determine the Most Appropriate Type of Family Visiting.*

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[2] See Children's Services memorandum, Transition to Foster Care Services: Clarification on Connections, dated January 3, 2011.

6. When there are multiple children in the family, the case planner must consider each child's age, developmental level, ability to communicate, and other relevant factors to determine the level of visit supervision needed for each child. Older children, particularly adolescents, do not have the same supervision needs as infants.

7. The case planner must also assess each parent individually to determine the level of supervision needed during visits. The case planner may determine that one parent requires supervised visits with the child, but the other parent does not. If a family requires supervised visits, the case planner shall consider the most appropriate staff person or resource, such as a Visit Host[3], to provide the supervision. A provider agency staff member is defined to include a parent advocate, case aide, caseworker, case planner, supervisor, or higher level staff. In addition to a Visit Host, a Visit Coach[4] may also be used to supervise a visit. The case planner is responsible for informing the person supervising the visit about the family's issues with regard to the case and any pertinent court orders. Case planners are encouraged to contact the local Community Partnership Program (CPP) visit program, if any, to arrange for a Visit Host to supervise a visit (see Attachment 2, Community Partnership Project Facilitator and Liaison Directory).

8. Case planners must notify the FCLS attorney of the initial visit plan. The FCLS attorney will then notify the parent's attorney and the attorney for the child.

C. Frequency and Location of Initial and Ongoing Visits

1. The initial visit shall occur within two (2) business days of the child's placement into foster care unless there is a court order that sets forth a different timeframe or directs that no visits take place.[5] If a child has been removed but not yet placed, the CPS shall call the Children's Center to arrange the visit. Parents and children must be permitted immediate phone contact (if the parent has phone

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[3] See A Bridge Back Home: Visit Hosts, Visit Host Guidelines from June 2007.

[4] Visit Coaches and Visit Hosts are identified by either the provider agency or a Community Partnership Program (CPP). A **Visit Coach** is an agency employee or other professional affiliated with a CPP whose job is to provide intensive hands-on assistance to help the parent meet the needs of their child during the visit. A **Visit Host** can be a family member, foster parent (not on his/her own case), member of the community with an SCR clearance (through the ACS Community Partnership Program), or provider agency staff person who can supervise visits instead of the case planner. Children's Services will conduct SCR clearances on Visit Hosts and Visit Coaches that are not affiliated with Community Partnership Programs. Prior to having a Visit Host supervise a visit, a supervisor one level above the case planner must approve the use of the Visit Host and must document such approval in CNNX. See also Section IV(A)(2-3) regarding the use of a Visit Coach or Visit Host, including addressing issues of confidentiality.

[5] Placement into foster care includes placement via a Family Court remand or placement order pursuant to Family Court Act Articles 3, 7, and/or 10; signing of a voluntary placement agreement; or placement of a child into foster care as a destitute child. In Multidimensional Treatment Foster Care (MTFC) cases, the initial visit schedule may be different.

access) after a removal by providing the parent's phone number to the foster parent, with prior consent from the parent. Frequent phone or email contact, along with the exchanging of family photos, is encouraged throughout the child's stay in care.

2. Regular and frequent visiting must continue after the initial visit to reduce trauma, maintain and establish attachment among family members, and promote parent and child engagement in the permanency planning process. Parent-child visits must take place at least once per week for at least two (2) hours at a time and more frequently whenever possible. For infants and toddlers, visits must generally be more frequent (two or three times per week) and of shorter duration. Additionally, parents must be encouraged to participate in their child's medical visits, education, special events, and other occasions.

3. If a child is experiencing a crisis unrelated to the child protective matter (or cause of removal), the case planner should arrange additional visits. **Examples of such circumstances are**:

    a. The child is hospitalized for a medical or psychiatric reason;
    b. The child is re-placed into another foster home and is separated from his/her siblings;
    c. The child has experienced a trauma or crisis in the foster home, school, or place of employment, for example, and would benefit from the support of the parent to process what happened;
    d. There has been a death in the family; and
    e. A clinician recommends that additional contact would be beneficial for the child to improve his/her relationship with the parent.

4. Parent-child visits shall not be suspended as a consequence of a parent's noncompliance with the service plan or poor behavior on the part of the parent as long as the non-compliance or poor behavior does not compromise the physical and emotional safety of the child or others during visits. Such visits shall also not be suspended or otherwise altered if doing so would be contrary to an order of the Family Court.

5. Visiting arrangements must take into consideration the schedules and circumstances of all those involved, including the parent, child, and foster parent. Case planners must factor in obligations the parent may have such as participation in a drug treatment program, medical appointments, job searches, and income maintenance appointments. Case planners must also consider travel distance and cost, safety considerations for parents in domestic violence situations, and cultural, religious, and language issues. Case planners may consider alternative sites, such as ACS borough and provider agency offices, as well as evening and weekend hours. When there is no overlap between the

parent's availability and that of the foster parent, the agency must arrange visiting that works for the parent.

D. Ongoing Assessment and Modifications of Visit Plans

1. Immediately after implementation of the initial supervision plan for visits, and in no event later than the Twenty (20) Day Conference, case planners must assess whether visits can proceed unsupervised. In making this assessment, the case planner, along with his/her supervisor, must consider his/her knowledge of the case, any progress towards rectifying the circumstances that placed the child in danger of harm, and the observed interaction between the parent and child.

2. Visits should only continue to be supervised where one or more of the following conditions exist:

   a. There is a court order for supervised visits. As noted, any concerns about court orders must be discussed with the FCLS attorney and such orders shall be obeyed unless stayed or modified.
   b. There is a reasonable basis to believe that the child may be at serious risk of physical and/or emotional harm or injury.
   c. There is a reasonable basis to believe that the parent may attempt to influence, interfere with, manipulate, or coerce the child's potential testimony in court.
   d. It has been determined that the parent may abscond with the child.
   e. In the presence of the child, a parent displays explosive, emotionally uncontrolled behavior toward agency staff or the foster parent.

3. If supervision of visits must continue, the case planner must discuss with the parent and child, if age and developmentally appropriate, the reasons for continued supervision and the ways in which unsupervised visits can be achieved. Efforts must continue to be made to hold supervised visits in natural settings where the parent and child would normally interact such as a park, playground, or shopping center.

4. Following the Twenty (20) Day Conference, the case planner must continuously assess and, when appropriate, decrease levels of supervision. Supervision levels must decrease when parents demonstrate they are able to meet the physical and emotional safety needs of their child.

5. Visit plans must be reviewed whenever there is a change in the family's or child's circumstances including but not limited to instances when the parent or child is experiencing a personal crisis, when the child is moved to a higher level of care, or when the child expresses that he or she wants more or less visiting than do(es) his or her sibling(s).

E. Visits in the Community

1. As soon as possible, visits shall move from the agency into the community (e.g. public library, park, YW/YMCA) where Visit Hosts may facilitate visits. A Visit Host can supervise visits in the community instead of the case planner when:

   a. The case planner has obtained an SCR clearance of the Visit Host;[6]
   b. The case planner has received supervisory approval one level above **prior** to the visit;
   c. Such a visit is consistent with court orders; and
   d. The supervisor has documented the supervisory approval in CNNX.

2. Visits facilitated by a Visit Host are documented by having the Visit Host provide a written summary of and about the visit to the case planner at which time the case planner will enter the documentation into CNNX, which will be reviewed by a supervisor. This documentation must include information relating to the physical and verbal interaction between the parent and child. For visits occurring in the community and being supervised by a Visit Host, the case planner shall observe how the visits are progressing at least once a month.

3. When considering a change in a visit plan, the case planner must arrange to be present at a visit to assess case circumstances and evaluate whether the proposed change in the visit plan is appropriate and consistent with court orders.

F. Weekend and Overnight Visits

1. As a general rule, a child should not be trial or final discharged without first having experienced successful overnight and weekend visits with the parent over a period of time. This period of time varies from family to family but generally occurs over the course of three to six (3 - 6) months. For families who reside in a shelter, the case planner should seek out relatives who can be approved to host the parent's weekend/overnight visits.

2. In cases where the Court orders an immediate discharge, the order must be obeyed and implemented accordingly, regardless of whether there have been prior overnight and/or weekend visits, unless the order is stayed or modified.

III. Supervised vs. Unsupervised Visits

A. Supervised Visits

1. Visits are supervised to protect the safety of children. Provider agencies must provide supervision when one or more of the following conditions exist:

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[6] The ACS Office of Community Partnerships obtains SCR clearances on Visit Hosts and Visit Coaches affiliated with Community Partnership Programs.

a. There is a court order for supervised visits;
b. There is a reasonable basis to believe that the child may be at serious risk of physical and/or emotional harm or injury during the visit;
c. There is a reasonable basis to believe that the parent may attempt to influence, interfere with, manipulate, or coerce the child's potential testimony in court;
d. It has been determined that the parent may abscond with the child; or
e. In the presence of the child, a parent has displayed explosive, emotionally uncontrolled behavior toward agency staff or the foster.

2. During the supervised visit, the provider agency staff person, Visit Coach, or Visit Host is present to help the parent build parenting skills and to respond to the parent's requests for assistance and support.

3. The person supervising must also assess the safety of the child, paying close attention to the physical contact between the parent and child, as well as to the reaction the child has to any physical contact and verbal or non-verbal communication.

   a. The person supervising the visit must be present with the parent and child during the entirety of the visit and, depending on the allegations of the case and/or other safety factors, must be able to hear all communication between the parent and child during the visit. <u>If a case requires heightened vigilance, the person supervising should supervise the visit of the one family only – and not simultaneously supervise other families.</u>
   b. If the child and/or parent speak a language other than English, the agency must use an interpreter during the visit.

4. Whenever possible, supervised visits shall take place in locations outside of the agency to promote the parent-child relationship and offer the case planner an opportunity to determine whether to decrease the level of supervision.

5. Provider agency staff must have a clear safety plan for the visit.

6. Provider agency staff shall not stop the visit, except in any of the following instances:

   a. If the emotional or physical safety of a child is threatened;
   b. If the parent tries to influence, interfere with, manipulate or coerce the child's potential testimony for court;
   c. If the parent attempts to leave the visiting area with the child;
   d. If, in the presence of the child, a parent displays explosive, emotionally uncontrollable behavior toward agency staff or the foster parent; or
   e. The parent is under the influence of drugs or alcohol.

7. Case planners shall document their observations and assessments of supervised visits in CNNX for use when re-evaluating the level of supervision.

B. Unsupervised Visits

1. When **none** of the concerns listed in Section III(A)(1) above exist, when there is no other determined child safety related need for the presence of provider agency staff, and when there is no court order mandating supervised visits, the provider agency may decrease the level of supervision of parent-child visits.

2. **After the issues above have been determined, the case planner must then document in CNNX that unsupervised visits are beginning.** As noted, the change should be documented in the FASP if available; if not it must be documented in the progress notes.

3. Unsupervised visits shall take place in locations that support and promote the parent-child relationship, and that are identified by the family as comfortable, supportive, and convenient.

C. Increasing or Decreasing the Level of Supervision

1. Visits need not be supervised when there are no safety issues requiring supervision and the child is comfortable being alone with the parent. Whenever consistent with safety and the child's comfort, case planners shall also increase visits from weekly to more frequently and to the next level of least restrictive supervision. Conversely, when safety or risk concerns arise, provider agency case planners may need to increase the level of supervision of visits. Case planners must be attentive to changes in parental and child behavior patterns once unsupervised visits have commenced.

2. Before moving to unsupervised visits, the case planner must contact the FCLS attorney to determine whether the Family Court judge has issued orders regarding visits, and to ascertain whether the attorney has any additional information to be considered before moving to unsupervised visits.
If the case planner wishes to change the level of supervision, but a court order prevents the change, the case planner must contact the FCLS attorney about modifying the order. **The case planner may not make a change in the visit plan until receiving written confirmation from the FCLS attorney, such as the electronic court action summary via email, documenting that the Court has ordered that the change may proceed.**

3. If there is no court order regarding the level of visit supervision, the case planner has the authority to increase or decrease the level of supervision on a case, provided that the case planner consults first with the FCLS attorney and the change is **approved by an agency supervisor.** The case planner must notify the

FCLS attorney, and the FCLS attorney will notify the parent's attorney, and the attorney for the child, of the modified visit plan.

D. Emergency Supervision or Suspension of Visits

1. Provider agency case planners must always follow court orders regarding visits, except in an emergency where the case planner believes that a visit will place a child in imminent danger of risk or harm and there is no time to seek modification of the order. In such a situation, with the approval of a supervisor, the case planner may supervise or suspend the individual visit. The case planner must immediately notify the FCLS attorney of the action. The attorney must alert the Court and counsel and explain the circumstances.

2. If the provider agency believes that visits should be limited or terminated going forward, the case planner must contact the FCLS attorney immediately to request a modification of the court order. The case planner must also have a discussion with the parent and child regarding the reasons for the proposed change in the visit plan. The case planner must set milestones with the parent with a view to decreasing the level of supervision in the future.

3. A court order, including any modified court order, may specify the timeframe to which the order applies. Once the order expires, the agency must resume a minimum of one visit per week or seek another court order to limit visits.

E. Child Contact with Non-Resource Parents, Relatives, and Other Significant Parties

After making an appropriate assessment, the case planner must also arrange visits between a child in foster care and a non-resource parent, other significant relatives, and significant other parties in the child's life. The assessment must include, among other things, whether the person has a relationship with the child; whether the person can abide by court orders; and whether the child would be safe with this person. Contact with relatives or other significant parties can help lessen the trauma of removal and placement for children and help to provide support for the parent in complying with the service plan. Relatives and others may be able to provide respite for or help to the foster parent by assisting with taking the child to appointments, arranging transportation, hosting parent-child visits, or participating in activities with the child. Visit plans may be modified to include non-resource parents, other significant relatives, and significant other parties in children's lives.

F. Child Contact with Foster Parents Post-Reunification

Children in foster care may develop strong attachments to their foster parents and/or others who have cared for them during their placement in foster care. Although ACS and provider agencies do not have authority over a child after final discharge, case planners must work with parents as their child nears final discharge to help them understand their child's need for continuity of relationships. Depending on the

circumstances, and because it is often in the best interests of the child, parents should be encouraged to allow their child to maintain a relationship with the foster family.

G. Children with Goals Other than Reunification, Including APPLA+ and Adoption

1. For children who have not been freed for adoption whose goal is adoption or for children whose goal is APPLA+, visits with parents and other family members often remain vital to their well-being and can help reassure them at a time of transition. Except when visits pose safety or health risks to the child, the case planner must arrange contact (by phone, mail, email and in-person) with parents, siblings, relatives, and others identified by the child. Youth who are 18 and over with a goal of APPLA+ have the right to make decisions about visits with family.

2. Unless the Family Court has ordered otherwise, parents of children whose permanency goal is adoption maintain the right to visit with their children until their parental rights have been terminated (i.e. the children are legally freed). A goal change to adoption does not by itself change the visit plan. If a case planner wishes to limit, suspend, or terminate visits between the child and the parent at the time of the goal change, the case planner must contact the FCLS attorney for further discussion.

H. Electronic Media

At the agency's discretion, and with the permission of the family, case planners and family members are encouraged to take photographs during visits and to print and distribute copies as long as the privacy of other families in the visiting area is respected and protected. If the case planner takes any photos during a visit, he/she must keep copies for the case record when practicable. Similarly, at the agency's discretion and with appropriate supervision, the family may use electronic media to record images appropriate to the situation during visits as long as the privacy of other families in the visiting area is respected and protected.

IV. Supervising and Documenting a Visit

A. Who May Supervise A Visit

1. Provider Agency Staff

Provider agency staff persons who may supervise a visit include parent advocates, case aides, caseworkers, case planners, supervisors, and other higher level program staff. Provider agencies are expected to use clinical discretion in deciding which other trained professional staff can supervise a visit if needed.

2. Visit Coach

a. A Visit Coach provides intensive hands-on assistance to help the parent respond to the needs of the child during the visit. When a Visit Coach

supervises visits in the community, the provider agency case planner must observe at least one visit a month to assess how the visits are progressing.

b. Written consent from the parent or legal guardian is required before a Visit Coach may supervise a visit. Such consent is required in all cases except when the Visit Coach is a provider agency staff member. Such consent must address information that the provider agency may disclose to a Visit Coach so that the Visit Coach may safely and effectively supervise visits. Explicit written consent is required before the provider agency may disclose information obtained from educational or drug treatment records to the Visit Coach. If the Visit Coach is not an employee of the agency, only information relevant to visits will be shared with the Visit Coach. The Visit Coach must also consent in writing that she/he will not disclose confidential information provided about the family by the provider agency. The issue of confidentially is addressed in Visit Coach training.

c. Some examples of when Visit Coaching is appropriate are:

   i. When parents need assistance in addressing the behavioral and/or emotional needs of their children;
   ii. When parents have significant cognitive delays or mental health disorders;
   iii. When parents have several children and struggle with managing and addressing the specific needs of every child who may be competing for the parents' attention;
   iv. When a parent with a substance abuse issue is learning to parent in sobriety;
   v. When a parent has been incarcerated for an extended period of time;
   vi. When a parent has not raised his/her child and is parenting for the first time; and
   vii. When a parent wants to learn how to communicate and relate to his/her child more effectively.

d. A Visit Coach can be identified by the provider agency or through a Community Partnership Program (CPP) (See Attachment 2). For communities where there is no CPP, provider agencies can obtain assistance in locating a Visit Coach by calling the Children's Services Office of Family Visiting at (212) 676-9270.

3. <u>Visit Host</u>

a. In certain circumstances and on a case-by-case basis, an approved Visit Host may supervise a family visit when the provider agency has determined that the family does not need agency staff to supervise the visit. Written consent from the parent or legal guardian is required before a Visit Host may supervise a visit. Such consent is required in all cases except when the Visit Host is a

provider agency staff member. Such consent must address information that the provider agency may disclose to a Visit Host so that the Visit Host may safely and effectively supervise visits. Explicit written consent is required before the provider agency may disclose information obtained from educational or drug treatment records. A Visit Host is a person identified by the family, the agency, or a CPP, and approved by the family. A Visit Host can be a family member, foster parent (not involved in the visiting family's case)[7], member of the community, or provider agency staff member. An approved Visit Host may supervise a visit as long as he/she has had an SCR clearance, has completed Visit Host training (which is provided by the CPP), has consented in writing that she/he will not disclose confidential information provided about the family by the provider agency, and a supervisor one level above the case planner has documented the approval in CNNX **prior** to the visit. If the Visit Host is not an employee of the agency, only information relevant to visits will be shared with the Visit Host. The issue of confidentially is addressed in Visit Host training. For visits occurring in the community and being supervised by a Visit Host, the case planner should observe how the visits are progressing at least once a month. Examples of when Visit Hosting is appropriate are:

i. When young parents would benefit from being taught how to take care of their baby or young child, a Visit Host can teach and/or model ways to form positive emotional attachments with their child;
ii. When parents do not present with severe cognitive or mental health disorders;
iii. When parents could benefit from learning how to utilize community resources to enrich their child's life (e.g. libraries or museums);
iv. When parents could benefit from learning how to be effective advocates for their child by attending doctors' appointments, school visits, etc.;
v. When a parent is isolated and a Visit Host can help him/her build a support network;
vi. When families for whom more frequent visits outside the agency are appropriate, but the agency lacks resources to facilitate such visits; and
vii. When families are transitioning to unsupervised visits but still require some supervision in the community before visits can be unsupervised.

B. Understanding Cultural Norms during Visits

It is important that the assessment of the family by the person supervising the visit is informed by an ongoing understanding of and respect for the family's cultural and behavioral norms. The person supervising the visit must be careful not to project his or her own norms onto a family's visit, and the case planner must be aware of the various methods by which communication occurs for that family. Meeting regularly

[7] Kinship foster parents may serve as Visit Hosts and supervise visits involving children in their care.

with parents and children about one's observations and asking clarifying questions is an important tool for avoiding misinterpretations that could result in an inaccurate assessment.

C. Documentation of Visits

All visits, whether supervised or unsupervised, must be documented in CNNX.

1. Supervised Visits
   a. The **case planner** must document the following in CNNX:
      i. The reasons for the chosen level of supervision for family visits; and
      ii. Information relating to the physical and verbal interaction between the parent and child.
   b. Visits facilitated by a **Visit Coach** must be entered into CNNX by the Visit Coach when he/she is an agency employee. When the Visit Coach is affiliated with a CPP, the Visit Coach must provide a written summary of the visit to the case planner, at which time the case planner must enter the documentation into CNNX.
   c. Visits facilitated by a **Visit Host** are documented by having the Visit Host provide a written summary of the visit to the case planner, at which time the case planner must enter the documentation into CNNX to be reviewed by a supervisor.

2. Unsupervised Visits
   a. As noted above, a case planner must document in CNNX any approval to begin unsupervised visits. The change should be documented in the FASP if available; if not it must be documented in the progress notes.
   b. Documentation of an unsupervised visit must include the date, time, and location of the visit; who was present for and participated in the visit; and any other pertinent information the case planner receives about the visit.
   c. The case planner must also speak to the child to assess how the child felt about the visit. The case planner must document these conversations and assessments in CNNX.
   d. As noted, if safety concerns for the child arise, the case planner must discuss with his/her supervisor about changing the visit plan back to supervised visits. If this occurs, the case planner must notify the FCLS attorney and the supervisor shall document approval to resume supervised visits in CNNX. The change should be documented in the FASP if available; if not it must be documented in the progress notes.

V. Preparation of Family for Visits and Post Visit Processing

A. Preparation of Parents and Children for Visits

1. For children, parents, and foster parents, preparation before visits is critical, particularly immediately following a removal. Prior to the start of visits, case planners must meet with children, parents, and foster parents to discuss:
   a. Each party's rights and responsibilities regarding visits;
   b. The circumstances of the visits (where, when, how long, and who is expected to attend);
   c. What is planned for the end of the visits (e.g. children should not expect that they will go home with the parent unless this is actually the case); and
   d. When the next visit will occur.

2. Case planners (or other qualified staff) must meet with the parent prior to the first visit, and prior to subsequent visits as necessary, to convey the importance of visits, explain the visit circumstances, help the parent prepare visit activities, and address any questions or anxiety the parent and child may feel. Preparation must also include helping the parent understand a child's sense of time and need for attachment. Children have the capacity to be connected to more than one adult caregiver/parent; therefore, case planners must advise parents about the natural development of attachment between children and their current caregivers, including foster parents. It is important for parents to work together with foster parents to reduce the level of conflict a child might feel between connecting with a current caregiver and maintaining a connection with a parent.

3. The case planner or, ideally, a qualified mental health professional, should explore with children prior to visits their feelings about the visit and their placement in foster care. Provider agencies shall arrange visits so as to minimize children's anxiety, maximize safety, and support the maintenance of the parent-child bond.

B. <u>Interpreting Reactions to Visits and Post-Visit Processing</u>
   1. Processing the visit afterwards can build trust and facilitate permanency, particularly when all parties (parent, child, foster parent, and case planner) are becoming familiar with one another.

   2. Processing visits must be done based on what occurs during each visit. Cases with more serious issues require visit processing while for cases less serious in nature visit processing is discretionary. Processing visits with children (in age and developmentally appropriate ways, either verbally or through play, art, and other activities) often reduces regressive behavioral reactions by children, and in turn makes it easier for foster parents to support visits. Processing with parents includes helping the parents to understand the needs of the child, providing them with guidance about effective parenting, and preparing them for the next visit if possible. The case planner must process with parents directly after each visit, especially if there are concerns based on the allegations in the case. For example, if the petition alleges that the parent hits the child, the case planner should

discuss how the parent handled situations of conflict during the visit. If an immediate discussion is not feasible, the case planner must conduct a prompt follow-up phone call (or face-to-face contact).

3. When interpreting the parent's reactions to visits, case planners and foster parents must remember that:
   a. The removal of a child from the home is traumatic, even when the removal is a result of the parent's own behavior;
   b. Visiting can be initially uncomfortable for parents and children;
   c. A parent's own feelings (which may include guilt, confusion, sadness, and anger) affect visits; and
   d. Each family group is unique and will react differently to visits.

4. Parents often feel enormous pressure during family visits. Parents are aware that provider agency case planners make casework decisions based on how visits are proceeding. A child's negative reactions to a visit may be unsettling to the point that the parent asks to end the visit or end visits altogether. Case planners must help parents understand their child's reactions, including providing information about attachment and separation; the importance of continuous parent-child contact; and the fact that children's negative reactions at the end of visits often subside over time. If the visits are not going well, a case planner must consider using a Visit Coach to supervise the visits.

5. Children's reactions to visits are often misunderstood. When children demonstrate negative behaviors, the parents are often blamed. While agencies often respond by limiting or suspending visits, these actions can harm children. The child's behaviors may actually be a way of expressing the desire to spend more time, not less, with the parent. For this reason, case planners and foster parents should carefully explore children's reactions to visits. If there is reason to believe that the child's negative behaviors are attributable to decreased contact with the parent, or that the child would benefit from increased contact, the case planner must consider increasing parent-child contact or visits. Case planners must support foster parents regarding children's struggles and help them understand the nuances of the situation. It is always advisable for the case planner to seek professional guidance from a qualified mental health professional before making any decisions to limit or terminate visits solely based on the child's reactions.

6. In all cases, if a parent does or says anything before, during, or after a visit that appears to place the child in danger; acts inappropriately; or violates agency rules, the provider agency must address the behavior immediately.

VI. Special Populations

A. Children Voluntarily Placed in Foster Care

1. Case planners must immediately establish a plan for frequent parent-child visits for voluntarily placed children. Voluntary placements are a temporary change in custody to address parent and/or child service needs. Visits between parents and voluntarily placed children must not be restricted or discontinued without a court order or parental agreement, which must be in writing. A copy of the court order and/or parental agreement must be kept in the case record.

2. Visits must be unsupervised unless there is a court order for supervised visits, or the voluntary placement agreement provides for supervised visits. (Any concerns about court orders must be discussed with the FCLS attorney and such orders shall be obeyed unless stayed or modified.) If safety concerns arise, the case planner should take measures as appropriate (see above sections regarding terminating visits) and immediately discuss the matter with FCLS. Additionally, the case planner should consider making a report to the Statewide Central Register as appropriate.

B. Incarcerated or Detained Immigrant Parents

1. When the permanency planning goal is reunification, the case planners shall make suitable arrangements for a parent to have visits with the child at the correctional facility, unless such visiting is not permitted by the facility or would pose a risk to the child's physical or emotional safety. The case planner must arrange visits through ACS' Children of Incarcerated Parents Program (CHIPP) by calling 212-341-4883. **Case planners must not call the correctional facility directly.**

2. Case planners are required to arrange a minimum of one monthly face-to-face parent-child visit between the child and the incarcerated or immigration detained parent if the parent is incarcerated or detained in the greater New York City metropolitan area or surrounding states. For parents incarcerated or detained beyond this geographic zone, face-to-face parent-child visits will be considered on a case-by-case basis; however, parent-child contacts for incarcerated or detained parents outside the above defined geographic zone may be conducted by telephone or video conferencing. In addition, for parents incarcerated within the above defined geographic zone, after completing the required once monthly face-to-face parent-child visit, additional visits may be conducted by telephone or video conferencing. The criteria noted above is conditioned on the absence of a court order to the contrary. All court orders regarding visits must be followed regardless of distance.

3. Case planners must be proactive in facilitating other methods of regular contact through phone calls, letters/cards, emails, and/or the exchange of photographs. Following the release of the parent, the provider agency case planner must supervise at least an initial visit to assess family dynamics and the parent's ability

to maintain the child's physical and emotional safety during visits and then create a visit plan for future visits.[8]

4. If the permanency planning goal has been changed from reunification (e.g. to adoption or placement with a relative), visits may continue to remain in the child's best interests. Parents retain visiting rights until their parental rights are terminated or a court has suspended visits. A goal change does not eliminate the obligation to provide parent-child visits.

5. In the event that the parent is serving a long-term sentence and is unable to be the child's discharge resource, the case planner must explore alternative permanency planning goals. Nonetheless, parent-child visits that support the ongoing relationship between the parent and child may remain a vital part of the service plan.

6. Permanency options for the child to be explored in these cases include family members, other identified persons assuming legal guardianship, subsidized kinship guardianship, voluntary and/or conditional surrender of parental rights, and open adoption.

C. Parents in Drug Treatment, Medical, or Mental Health Facilities

Case planners, at the agency's discretion, shall facilitate visits between children and parents who are in residential substance abuse programs, or are medically or psychiatrically hospitalized, as long as it is safe to do so and permitted by the treatment program or hospital. Case planners must facilitate other methods of regular contact through phone calls, letters/cards, emails, and/or the exchange of photographs, etc. Upon the parent's discharge, case planners must supervise at least an initial visit to assess family dynamics and the parent's ability to protect the child's physical and emotional safety during visits.

D. Parents Who Reside Outside of New York City (NYC)

When parents reside outside of NYC, case planners must coordinate regular visits by asking the parent to travel to NYC to visit with the child. If the parent is unwilling to travel to visit the child, the case planner must explore the reasons for the unwillingness. If the parent is unable to travel, the case planner must make arrangements to bring the child to the parent's residence outside of NYC for visits, taking into consideration distance as well as the age and emotional maturity of the child.

E. Children Who Live in Residential or Incarceration Settings

[8] See 11-OCFS-ADM-7, Incarcerated Parents and Parents in Residential Substance Abuse Treatment with Children in Foster Care: Termination of Parental Rights and Other Issues.

1. Case planners in child welfare residential facilities must determine a consistent parent-child visit plan. Visits must be arranged on at least a weekly basis for two (2) hours at a time. Case planners must be proactive in facilitating other methods of regular contact such as phone calls, letters/cards, emails, and/or the exchange of photographs. **Under no circumstances may visits be withheld as a form of punishment or discipline.**

2. Case planners shall facilitate regular parent-child visits for incarcerated youth, and be proactive in facilitating other methods of regular contact between parents and incarcerated youth. Visits must occur at minimum weekly, unless doing so is impracticable.

F. Teen Parents

Case planners must facilitate frequent visits between teen parents and their child in foster care. As with all parents, the provider agency case planner must determine whether the teen parent can safely have unsupervised visits. Supervised visits should take place in the community to better engage the teen parent. Given the age and developmental stage of the teen parent, additional supports, such as Visit Hosts or Visit Coaches must be considered to help the teen effectively parent his or her child during the visits. Visits should never be withheld from a teen parent as a consequence of noncompliance with the service plan.

G. Sibling Visits

Children in foster care shall be placed with their siblings, unless such placement is contrary to the best interests of the children. When siblings are not placed together, provider agency case planners must facilitate at least bi-weekly visiting and contact that is not limited to visits with parents. If there are physical and/or emotional safety issues among the siblings, case planners must complete a separate assessment and plan, independent of the parental visit plan. Even if physical or emotional safety reasons exist that prevent the children from residing together, visits may still be appropriate. Provider agencies shall encourage visits with, as appropriate, half-siblings, step-siblings, and siblings who have been adopted or are not residing in foster care. Case planners must also emphasize with foster parents the importance of sibling contact.

H. Families Affected by Domestic Violence

Case planners must consider the following when scheduling visits when domestic violence is or has been present:

1. Case planners must follow court orders;
2. Parents with a domestic violence history must have separate visit plans that vary the visit date, time, and location of each parent's visit;
3. The scheduling and location of each parent's visit must not be shared with the other parent;

4. Older children must be cautioned against sharing information about the visit time or location with the abusing parent;
5. Even if there is no documented history of domestic violence by a parent against the other, if the case planner has reason to suspect violence, he/she must meet with the parents separately to determine whether safety issues exist.

For additional guidance, contact Paula Fendall, Director of the Children's Services Office of Family Visiting, at paula.fendall@dfa.state.ny.us.

Attachment 1

Guide for Making a Safety Assessment to Determine the Most Appropriate Type of Family Visiting

Guiding Principle:

Family visiting should occur in the least restrictive manner consistent with the child's physical and emotional safety.

- When a child comes into care, at least one initial assessment visit (see policy, pages 3-4) should take place as soon as possible. Even though visits may be unsupervised, assessment visits can also be scheduled periodically, as helpful to the overall plan, to assess progress, and to facilitate progression to less restrictive models. Assessment visits do not need to take place at the agency. Case planners can accompany families to planned outings.
- If progression is not occurring due to the child's reaction to family separation and/or to aspects of the visits, consider arranging an evaluation of the child, or requesting a professional evaluation of the parent-child interaction by a visiting coach, or social work practitioner with specialized training. Assessments should be made on an ongoing basis throughout the case to ensure the child's physical and emotional safety and to ensure that the visits are occurring in the least restrictive manner that is appropriate.
- There must be flexibility in determining how visits progress. Visits should progress from one stage to another consistent with the child's physical and emotional safety.

Spectrum of Supervision:

- Different visiting models can provide for the child's safety and comfort while providing the family with maximum freedom and flexibility. Visits should progress to the least restrictive model as soon as possible. Models might include:
- Supervised Agency Visits (professional level staff present in room at all times);
- Day Visits Supervised by a Visiting Host (family, friend, or parent advocate). Prior to having a visit
- host supervise a visit, supervisory approval two levels above the case planner is required;
- Day Visits Supervised by a Visit Coach.
- Unsupervised Day Visits with a Period of Supervision by a Case Planner or Parent Educator;
- Unsupervised Community Visits for a Few Hours;
- Unsupervised Day Visits;
- Overnight and weekend visits.

Guide for Making a Safety Assessment to Determine the Appropriate Type of Visits

Factors to Consider	Questions to Ask	Examples
The Reason the Child Came Into Care	• To what extent can the parent manage the behaviors that placed the child at risk of harm?	• Drug Use: a parent may be able to maintain sobriety for a day visit, or a few hours, but not a whole weekend. • Excessive Corporal Punishment: Assessment visits may be needed to understand better the triggers for corporal punishment, and whether physical and emotional safety can be assured during visits. An individualized assessment should be made. Considerations include the reasons for use of corporal punishment (e.g., are there cultural factors? need for anger management strategies? difficulties managing a special needs child?), the circumstances under which corporal punishment occurred (e.g., school performance related? toilet training? limit setting?), and the ability to develop a plan if these issues arise in the course of a visit. Parents and caseworker should develop a safety plan to address circumstances that could arise during family visits. • Domestic Violence: a parent may be able to have a safe visit in the community, but not in his/her home. Have the caseworker and parent identified a safety plan (such as a phone call to the police or the caseworker) for the parent and child to use if needed during a visit? • Diagnosed Mental Illness: stability may depend upon cooperation with mental health services and/or medication. • Voluntary Placement: there may be no safety risk at all.
The Child's Age	• Can the child communicate concerns/ problems? • Can the child take steps to protect herself if a problem arises?	• A younger child or one who has developmental disabilities may require a higher level of supervision than an older child.
Child's Anxiety Prior to a Visit	• Does the child want to see their parent? • How is the fear or anxiety manifested in the child's behavior?	• The extent to which the child demonstrates any fear or extreme anxiety about seeing their parent?
The Child's Reaction to Visits	• What do the child, parent, foster parent and therapist say about visits? • Are there alternative explanations for statements/behaviors surrounding the visits?	• If a child is upset following visits, is it because something inappropriate occurred during a visit or because the child is confused and unhappy that the visit has ended and the family is not together?
The Status of Court Proceedings	• Will the child be pressured to recant if left unsupervised with the parent?	• If the child will be testifying in a Family Court or Criminal Court proceeding, depending on the circumstances, consider whether visits should remain supervised until the child has testified. • Consider whether a court order concerning subject matter of parent/child communication, would be

		helpful.
The Quality of Visits, Bearing in Mind the Family's Cultural Norms	• Do the parent and child appear to be comfortable together? • Is the interaction appropriate? • Does the parent address the child's needs?	• While non-verbal communication, a certain tone of voice, and lack of physical interaction might be seen as evidence of a lack of bonding, or inappropriate communications, they might simply reflect the family's way of relating. For example, lack of eye contact between children and their parents is a sign of respect in certain Asian cultures, while it might be evidence of fear in other cultures. • How does the parent respond to unsafe behavior, speak to the child, respond to the child's emotional needs? Consider whether problematic responses represent a pattern, or a one time incident. Has there been change over time? Is the parent amenable to suggestions?

Visiting Safety Assessment (Refer to previous page for guidance on how to complete the Visiting Safety Assessment)

Factors to Consider	Questions to Ask	Your Observations
The Reason the Child Came Into Care	• To what extent can the parent manage the behaviors that placed the child at risk of harm?	
The Child's Age	• Can the child communicate concerns/ problems? • Can the child take steps to protect herself if a problem arises?	
Child's Anxiety Prior to Visit	• Does the child want to see their parent? • How is the fear or anxiety manifested in the child's behavior?	
The Child's Reaction to Visits	• What do the child, parent, foster parent and therapist say about visits? • Are there alternative explanations for statements/behaviors surrounding the visits?	
The Status of Court Proceedings	• Will the child be pressured to recant if left unsupervised with the parent?	
The Quality of Visits, Bearing in Mind the Family's Cultural Norms	• Do the parent and child appear to be comfortable together? • Is the interaction appropriate? • Does the parent address the child's needs?	

Attachment 2

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