



TEXAS

**Department of Family
and Protective Services**

Child Protective Services

**Services to Children in
Substitute Care
Resource Guide**

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The purpose of Resource Guides is to provide information that helps you do your job better. This information includes reference material, procedures, and guidelines that help you complete the tasks you are required to do by policy.

It's important to remember that the information in Resource Guides **does not substitute for policy**. We may sometimes include policy statements, but only to show you the policy to which the information is related. We will highlight any policy that actually appears in the Resource Guide, and will almost always include a link to the actual policy. For example:

Per [4322.2 Re-Allowing Placement](#):

Any time the caseworker becomes aware of detailed justification for changing the status of and considering placements in a foster family that has been placed on Disallowed Placement status, the caseworker must elevate this consideration through the regional chain of command to the regional director.

The policy in the handbook always takes precedence over what is in the Resource Guide. We try to keep policy and Resource Guides synchronized, but sometimes there is a delay. **If you have questions, always follow the policy in the Policy Handbook.**

Resource Guides provide important information on a range of topics, for the purpose of assisting and guiding staff to:

- make essential decisions
- develop strategies to address various issues
- perform essential procedures
- understand important processes
- identify and apply best practices

The information in the Resource Guides is not policy (except where noted), and the actions and approaches described here are not mandates. You should adapt the way you perform critical tasks to the individual needs and circumstances of the children and families with whom you work.

State office and field staff are working together to identify Resource Guide topics, define the content, and develop the appropriate guides. CPS will regularly post Resource Guides as they are developed, and update them as needed. Check the Resource Guides page, in the CPS Handbook, to see new or revised Guides.

We hope these Guides provide useful information to guide and assist CPS staff in effectively performing their job tasks. These Guides, combined with clear and concise policy in the Handbook, should help staff provide a high level of service to children in Texas.

TEXAS FOSTER CARE HANDBOOK

The purpose of [Access Granted](#), the Texas foster care handbook, is to help children and youth in foster care to better understand how the foster care system works and to address many of the questions and concerns they have regarding foster care. It provides information in an understandable manner on topics such as the health passport, the education portfolio, and child and family service plans. CPS staff should familiarize themselves with the content of the foster care handbook to prepare themselves to discuss the various topics and issues with children or youth.

CONTACT WITH CHILDREN IN SUBSTITUTE CARE

For general policy, see [6411](#) Contact With the Child and its subitems.

Child Safety and Permanency

To best serve the goals of child safety and permanency the monthly visits should:

- reflect that the caseworker conducting the visit is knowledgeable about the case and prepared to ask relevant questions, provide information to the child and caregivers, and follow up on ongoing issues;
- be conducted with the child alone and in privacy away from the caregiver, such as away from the home or in a separate room;
- be focused on issues pertinent to case planning and service delivery to ensure the safety, permanency, and well-being of the child;
- result in the caseworker identifying the follow-up steps necessary to meet the child's identified needs and taking those steps in a timely manner;
- be conducted at the child's home or residence in the majority of monthly visits, and always be held in a location that is conducive to open and honest conversation (for instance, not a crowded hallway at the courthouse).

Constitutional Requirements

As the managing conservator of the child, DFPS is authorized to remove a child without obtaining a new court order, although DFPS must notify the court as soon as possible after the removal takes place.

DFPS is authorized to transport the child as necessary to obtain services. However, DFPS caseworkers should always ensure that they have proper consent to enter a family's residence.

SIBLING CONTACT

SIBLING PLACEMENT

Siblings should be placed together whenever possible, unless it is not in the best interest of the child and the sibling group (refer to possible exceptions below). DFPS should first consider placement options where siblings can remain together, recognizing that sibling connections are vital for the well-being of a child. If siblings are initially placed separately, it is critical to reunite them as soon as possible.

After all efforts to place siblings together are exhausted and it becomes necessary to place siblings separately, the following issues should be considered:

- Close proximity of placement between siblings, including the same community, school, church, or the like.

- Caretakers ability and willingness to continue the child's contact with all siblings. Children should be allowed to have frequent and regular contact. Contact can include phone calls, e-mail, letters and visitation (refer to sibling visitation below).
- Therapeutic needs for siblings continuity of relationships.
- How placement of a sibling group separately might impact permanency outcomes for these children.

SIBLING VISITATION AND OTHER TYPES OF CONTACT

At a minimum, siblings placed with separate caregivers, whether these are parents, relatives, or substitute caregivers, should have at least monthly contact with each other unless there are documented reasons not to do so. The contact should be face-to-face, unless there are documented reasons this cannot occur. During times when face-to-face contact cannot occur, contact by telephone or letter should occur.

When possible and appropriate, caregivers should be encouraged to schedule and handle sibling visitation as often as possible.

If siblings or half-siblings come into care at a later time, they may have a different permanency goal than the one(s) already in care (such as adoption versus family reunification). If so, case planning efforts need to address what type of sibling contact is possible, given the goals chosen. Decisions need to be made as quickly as possible, while considering the extent of the prior relationship between siblings. Documentation of these efforts should be kept in the record.

POSSIBLE PLACEMENT EXCEPTION AND CONTACT

When a child enters foster care, efforts should be made to obtain information about other siblings or half-siblings who may already be in foster care or adoptive placement. This may include completing a person search on CAPS and interviewing birth parents, relatives, and previous caretakers.

If a sibling is located, staff should assess if contact between the siblings and/or placement together is appropriate. Even if an assessment determines that it is not appropriate for siblings to be placed together, regular contact should be considered, unless there is indication that contact should be restricted. This assessment information should be kept in the child's case record.

Reasons sibling contact may be restricted include the following:

- One or more siblings has therapeutic needs that require specialized placement.
- One or more siblings has medical needs that require specialized placement.
- One or more siblings has demonstrated inappropriate sexual behavior that necessitates a more restrictive placement.
- A half-sibling is placed with his or her biological parent/relative.

See the [Placement Process Resource Guide](#), under Issues to Consider in Placement Decisions [Rights of Children and Youth in Foster Care](#) (CPS Rights)

DISCIPLINE

DFPS requires the agency's foster caregivers, kinship caregivers, and prospective adoptive parents to treat children in DFPS conservatorship with respect and dignity. The primary purpose of discipline must be to encourage appropriate behavior, not to punish the child. Discipline must:

- suit the particular needs and circumstances of each child; and
- take into account the child's:
 - age,

- developmental level,
- specific misbehavior,
- previous reaction to discipline, and
- history, including any history of physical or emotional abuse.

No child in DFPS managing conservatorship may be deprived of basic necessities or subjected to cruel, harsh, unusual, or unnecessary punishment.

Using the Child's Service Plan to Guide Discipline Choices

The child's service plan should serve as guidance in determining the child's discipline and should ensure that discipline suits the child's age, circumstances, and developmental needs. Methods of discipline may include:

- establishing routines;
- setting reasonable limits;
- modeling appropriate behavior;
- offering choices;
- giving explanations;
- repeating instructions;
- taking time-out;
- enforcing or permitting logical or natural consequences; and
- reinforcing desired behavior.

Corporal punishment is not permitted.

RESPECT FOR RELIGIOUS PRACTICES

Generally, caregivers include the child or youth in the worship services and religious practices that the caregiver follows, unless there is a conflict with the child's or parent's religious beliefs. Efforts are made to accommodate the requests of the child and child's parents to the extent possible, depending on:

- availability and proximity of resources;
- the supervision and treatment needs of the child;
- desires of the child or youth; and
- the situation and needs of the other foster children in the home, as well as those of the foster family itself.

HUNTING

The decision to allow a youth in the conservatorship of DFPS to use firearms for hunting is based on the youth's needs.

Requirements for Participation in Hunting

Before DFPS approves the use of firearms for hunting, the youth must:

- complete the [Texas Hunter Education](#) course facilitated by the Texas Parks and Wildlife Department; and
- purchase a hunting license.

Considerations for Approval

When a CPS worker receives a request to hunt from a youth in DFPS conservatorship, or from a facility worker or caretaker on behalf of the youth, the worker considers the youth's:

- placement (see prohibitions above);

- age (at least 12 years old);
- individual needs;
- situation;
- family history;
- impulse control;
- emotional maturity;
- background; and
- wishes.

The worker considers the recommendations of:

- the caretaker or facility worker; and
- the parents, if:
 - DFPS conservatorship is temporary;
 - parental rights have not been terminated; and
 - the parents can be located with reasonable efforts.

The worker also consults with:

- the youth's attorney ad litem; and
- any other appropriate person involved with the youth, such as the youth's therapist, CASA worker, and so on.

The caseworker may not deny approval for a youth to participate in hunting activities without the approval of the supervisor and Program Director.

Requirements While Using Firearms

While using firearms, the youth must be accompanied and supervised at all times by a responsible adult who:

- holds a hunting license;
- has gun safety knowledge;
- has experience handling guns; and
- complies with the Texas Parks and Wildlife regulations.

Before the hunting event, the adult accompanying the youth must sign [Form 1704](#) Acknowledgement of Hunting Supervision Responsibility for Youth in DFPS Conservatorship, which is a statement acknowledging his or her responsibility in supervising the youth. The signed Form 1704 Acknowledgement of Hunting Supervision Responsibility for Youth in DFPS Conservatorship must be filed in the child's record.

USE OF EMAIL, INTERNET, AND SOCIAL MEDIA BY CHILDREN OR YOUTH IN SUBSTITUTE CARE

Importance of Communication

The use of email and the Internet, including social media websites, is considered a form of communication for many children, youth, and young adults in foster care. These forms of communication can be instrumental for children, youth, and young adults to maintain contact with their siblings, family, friends, and community.

Guidelines for Communication

Children, youth, and young adults in foster care are permitted to use email and the Internet, including social media sites, with age-appropriate supervision by their caregivers. The individual child, youth, or young adult's age and developmental needs are taken into consideration when establishing guidelines for

use. The established guidelines and level of supervision for each method of communication is documented in the child's plan of service.

Use of Email by Children and Youth in Substitute Care

Generally, all email communication with friends should be allowed for a child, youth, or young adult in foster care unless the caseworker or caregiver has specific concerns about the communication or the email recipient. The caseworker should identify and discuss parameters with the child, youth, or young adult and the caregiver if there are any persons or family members the child or youth should not email because of safety concerns or a court order.

Use of the Internet and Social Media by Children and Youth in Substitute Care

If a child, youth, or young adult in foster care wishes to use the Internet, including social media sites, the caseworker has regular and candid conversations with the child, youth, or young adult to discuss safe and appropriate practices. The caseworker speaks regularly with the caregiver to establish and review expectations, availability, and rules regarding use of the Internet and social media. The child, youth, or young adult should be included in the conversation.