DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Olympia, Washington

May 31, 1984

TO: THOSE RECEIVING THE DIVISION OF CHILD AND FAMILY SERVICES MANUAL

FROM: Gerald E. Thomas, Assistant Secretary
Health and Rehabilitative Services

IF NOT DELIVERABLE, RETURN TO: MANUAL PRODUCTION UNIT - MS OB-16

SUBJECT: Issuance of the Division of Children and Family Services Manual

The DCFS Manual contains 565 sheets of paper.

INTRODUCTION

This manual is issued to provide policy and procedural guidelines for field office staff of the new Division of Children and Family Services (DCFS). Establishing a separate DCFS Manual at this time will ease the Division's task of reviewing service delivery of family and children's services and issuing the revised text.

EFFECTIVE DATE

The effective date for this manual is July 1, 1984.

CHANGES FROM MANUAL G

There has been no attempt at this time to change policies and procedures previously issued by Community Services. Chapter 1, Social Service Policy and Administration, and Chapter 2, Social Service Delivery System, have been revised primarily to delete information that does not apply to DCFS and to update terminology.

All chapters except 1 and 2 retain the office and position titles used by Community Services with one exception: The Social Service Random Moment Time sample in Chapter 2 retains CSO terminology and will have joint CSO and DCFS responsibility until further notice. Until chapters are revised, use the following chart to convert Community Services terminology to DCFS terminology:

Regional Administrator (RA) or Regional Director (RD) and Community Services Office Administrator (CSOA)	=	Children and Family Service Center Director
Community Services Office (CSO)	=	Children and Family Services Center Area Office

Other changes from Manual G are as follows:

1. Chapter 1, section 1.15, Social Service Policy and Administration, now references a DSHS 5-186(X), Request for Clarification/Modification of Policy or Procedure. The form is designed to be used to formally request interpretation or changes to DCFS policies or procedures.

2. Chapter 3, Social Service Eligibility, is not included. Eligibility instructions are located in each program chapter.

3. Social Services Payment System information is now issued in the new SSPS Manual. The SSPS Manual will also be issued July 1, 1984.

4. Chapter 5 consists of an interim notice on social service overpayments. This will be expanded later into a regular chapter.

5. Chapter 33, Maintenance Payment Funding Source Eligibility for Children in Out-of-Home Placement, is a new chapter. A summary of the key policy and procedural changes is located in front of the chapter.

6. Chapter 99, Forms, contains all DSHS forms used for DCFS field offices. "Suggested formats" remain at the end of each chapter.

7. The section on RCWs was not duplicated since RCWs are now located in the departmental manual entitled "Laws Relating to DSHS."

MANUAL ASSEMBLY

Divide the chapters among the three volumes of binders as you see best. The tab for Chapter 22 will be used when the Family Planning chapter is rewritten.

INTERIM NOTICES

Notices reproduced from Manual G are printed on gray paper. They will retain their "G" prefix and their current number.

Interim notices for the DCFS Manual will be tan and will use a "T" prefix. There will be several Tan Notices issued with your manual that will need to be inserted.

Control sheets for interim notices are attached to T-1.

CONTROL SHEETS

Control sheets for regular revisions and interim notices are located at the end of the manual.

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CHAPTER 01

SOCIAL SERVICE POLICY AND ADMINISTRATION

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CHAPTER 01
SOCIAL SERVICE POLICY AND ADMINISTRATION

01.00 INTRODUCTION

A. The mission of the Department of Social and Health Services (DSHS) is to promote the health and well-being of all citizens of the state and to assist those who are dependent, ill, handicapped or committed to correctional facilities in overcoming obstacles that interfere with their becoming independent, self-sufficient, productive members of society.

B. In addition to direct financial aid and medical assistance, the department is responsible for providing social services to its citizenry and for enforcing licensing statutes regulating a variety of child care agencies and health care facilities. Children and family social services are funded by the Social Security Act of 1935: Title IV-B, Child Welfare Services, Title IV-E Adoption and AFDC Foster Care Services, and Title XX, Social Service Block Grant. State General Funds are also appropriated for the department to provide social services.

C. Each year the department prepares a Social Service Block Grant Application which is submitted to the Federal Government for Title XX funding.

The goals of the Division of Children and Family Services are:

- To provide leadership and expertise for program and budget development.

- To develop and interpret policy and to prepare policy materials for service delivery usage.

- To provide technical assistance and professional consultation to Children and Family Service Centers (CFSC), community groups, child care agencies, and other administrative units in DSHS, other state agencies, and the Department of Health and Human Services.

- To coordinate service planning and development with the regional offices, other DSHS administrative units, advisory committees, special groups, consumers, providers, other public and private agencies, and the public.

Major program service responsibilities fall into four major categories:

- Service to maintain children in their own homes, in the community, or in the least restrictive residential alternative. Examples of specific services which support this goal include homemaker services, day care, and health maintenance.

- Placement in appropriate alternative care when an individual cannot remain in his own home or community. These services include the placement process itself and supervision and monitoring of clients who are in foster care, group care, or institutional placement.

- Services to protect individuals from abuse, neglect, or exploitation. Examples of these services are protective services of children, day care and licensing of a variety of private care facilities and programs for children. These include foster homes, group homes, day care centers and homes, institutions, maternity homes, and child-placing agencies.

- Support for increasing family self-sufficiency or employment. Examples of specific services include day care and family planning.

D. Family and children services are delivered through Children and Family Service Centers (CFSCs) administered by the Assistant Secretary for Health and Rehabilitative Services. The department has determined that the very young, the aged and the severely handicapped are the top priority groups to receive social services. With respect to the commitment of available resources, the department's service priorities are: protection from physical abuse and neglect, crisis intervention, and services that maintain community living and avoid institutionalization. Priorities within and among services are described in each service specific chapter of this manual.

E. Service Priorities

1. For several years the department has been faced with a demand for services greater than the resources available for delivering those services. One critical resource has been service worker time. The following service priority list will be used as a guide for use of service workers' time.

2. This overall service priority list was developed taking into consideration statutory and regulatory mandates, response time standards and service priorities described in each service chapter of this manual. It is assumed that services will only be provided to eligible applicants and that service workers will utilize available resources within the CFSCs and the community (including volunteer services) to respond to service requests.

3. Although the department has determined that the very young, the aged and the severely handicapped are the top priority population groups, each individual service request and situation must be evaluated separately. Service requests dealing with life threatening/life sustaining situations must always be handled prior to any other type of service request, regardless of statutory requirements to provide non-emergency services (such as employment counseling).

4. DCFS staff resources will be used to deliver services in the following order:

   a. Priority 1. Emergency situations where intervention is required to protect or prevent abuse of individuals (regardless of age). This would include child protective services, crisis intervention services (where there is threatened violence) and supportive medical, shelter placement, or homemaker service as required.

   b. Priority 2. Emergency situations where persons require food, shelter or medical assistance. This is an Information and Referral (I&R) service (referrals to both DSHS and non-DSHS resources.)

   c. Priority 3. Non-emergency situations where intervention is required to protect individuals (regardless of age) such as child neglect cases and crisis intervention services in non-violent situations. This includes child protective services, services to children in their own homes and homemaker, day care and shelter placement services as required.

   d. Priority 4. Situations where intervention is necessary to prevent out-of-home placement or to facilitate the return of a person to his/her own home or the least restrictive placement possible. This includes: services to children in their own homes, health support, homemaker services, services to persons placed in family foster or group care, supportive licensing and monitoring services, and when a return is not possible, termination of parental rights, adoption and adoption subsidy services.

   e. Priority 5. Situations where services would permit maintenance or improvement of the quality of life. This includes out-of-home placement, interstate compact placement evaluation/supervision, health support (EPSDT, family planning), day care, foster family and day care provider recruitment and licensing and volunteer services.

01.01 GENERAL POLICIES

A. The purpose of the Social Service Delivery System (SSDS) is to provide agreed upon social services to children, families, and adults in Washington State to help them develop physically and socially in a positive manner, to enhance or sustain their productivity, to maintain them as community members, and to reduce the impact of crisis in their lives. That purpose cannot be achieved unless staff and clients develop positive working relationships based upon mutual respect.

B. Any person has the right to request services and have an eligibility determination made. Service requests may also be initiated by another agency or person on behalf of an individual when the individual is not capable of making a personal request. If the department has reason to believe the person referred for services could make a direct service application on his/her own behalf, we are not obligated to act on an application initiated by another agency or person on behalf of the individual. If the department feels the facts support a direct application by the referred individual, this decision and our explanation should be provided to the referring agency or individual with the expectation that the person will make application on his/her own behalf.

Any person requesting assistance has the right to a full explanation of available services. Eligible individuals shall be provided requested services based on stated service priorities and the availability of resources. Applicants or recipients may request a fair hearing concerning the denial or termination of a service, or failure to act upon a request for services with reasonable promptness.

C. SSDS is based on the following assumptions:

1. The client is usually able to identify his/her needs or specific service request.

2. The client is usually able to identify the solution or services needed.

3. The client is usually able to make choices regarding his/her situation.

4. The client usually has the capacity to change.

5. The client may be unable to accomplish 1-4 above and therefore require active intervention by the agency.

D. The client has a right to request service and also a responsibility for participation in the agreed-upon service plan. The client will be informed of his/her rights and responsibilities, including the right to a fair hearing and the agency policy on confidentiality.

E. Social service staff are expected to respect client's rights and presume that the client has the capabilities listed in C. above. Staff will be aware of and sensitive to the different ethnic, cultural, and social systems which clients may have and utilize this understanding when providing services.

F. Staff will be knowledgeable of and be able to explain all DCFS services available to the client. Staff will assist the client to state service requests clearly, identify possible outcomes, and determine an appropriate service plan to achieve the agreed-upon outcome.

01.02 PROFESSIONAL ETHICS

A. Social service practice is a public trust that requires integrity, compassion, belief in the dignity and worth of human beings, respect for cultural and individual differences, a commitment to service and a dedication to truth. The end sought is the performance of service with integrity and competence. Each service worker carries a responsibility to maintain certain standards of behavior, such as those outlined in the following paragraphs.

B. Consistent with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Washington State Laws Against Discrimination, and the department's Nondiscrimination Plan, all programs and activities of the department or any of its service agents will be conducted without discrimination based on any person's race, color, creed, national origin, sex, handicap or age. Furthermore, staff should make every effort to become aware of cultural differences and be sensitive to the needs of minority groups.

C. In accordance with the Revised Code of Washington (RCW), Chapter 42.22 "Code of Ethics for Public Officers and Employees":

> No officer or employee shall have any interest, financial or otherwise, direct or indirect, or shall engage in any business or transaction or professional activity, or shall incur any obligation of any nature, which is in conflict with the proper discharge of his duties in the public interest.

(See RCW 42.22.040 for enumeration of prohibited practices.)

D. Social service staff should respect the privacy of the people they serve, use information gained through professional relationships in a responsible manner and hold themselves responsible for the timeliness and quality of services they perform.

E. Merit System Rule (MSR) 356-34-010 states that:

"Appointing authorities may demote, suspend, reduce in salary, or dismiss a permanent employee under their jurisdiction for any of the following causes:

(1) Neglect of duty.
(2) Inefficiency.
(3) Incompetence.
(4) Insubordination.
(5) Indolence.
(6) Conviction of a crime involving moral turpitude.
(7) Malfeasance.
(8) Gross misconduct.
(9) Willful violation of the published employing agency or Department of Personnel rules or regulations."

F. DSHS Personnel Policy No. 540 states that "Employee misconduct is construed to be that action or lack of action which has a detrimental effect on the department's goals, objectives, programs and/or fellow employees".

G. Social service staff should be familiar with the DSHS Personnel Policies Manual and, in particular, familiar with Policy No. 506 "Departmental Employees Holding Outside Employment" and Policy No. 541.3 "Alleged Child Abuse or Neglect by DSHS Employees or Volunteers".

01.03 POLICY ON CONFIDENTIALITY

A. Confidentiality is a relationship between a client and the agency which guarantees that the client is protected against improper disclosure of information known to the agency. Confidentiality is not a bond of secrecy between client and worker.

B. All clients have the right to confidentiality in their contacts with the agency. Confidentiality is the basis for the development of trust between worker and client. Such trust is essential to the provision of effective social services.

C. The agency will maintain procedures which: adequately safeguard the client's right to confidentiality, provide for correction of erroneous information, and which comply with all federal and state laws. In general, confidential information should not be released outside the department without the knowledge and consent of the client. In instances where the department has an obligation to report data to another governmental entity the client should be advised of this requirement at the time he/she applies to DSHS for services.

D. The release of any data collected on clients or employees through a research design which has not been approved by the department's Human Research Review Committee is expressly prohibited. However, general information not identified with any particular individual is not considered to be confidential and may be released pursuant to Washington Administrative Code (WAC) Chapter 388-320.

E. All information which identifies a client and is kept in his/her social service file is considered confidential unless specific circumstances, statutory or regulatory rules indicate otherwise.

01.04 INDIAN POLICY STATEMENT

A. The department recognizes the unique cultural and legal status of American Indians among other minority groups. Reference the Supremacy Clause and Indian Commerce Clause of the U.S. Constitution, Federal Treaties, Execu-

tive Orders, the Indian Citizens' act of 1924, the Indian Child Welfare Act of 1978 (P.L. 95-608), statutes and state and federal court decisions. Indians retain the right to tribal self-government (Indian Self-Determination Act of 1964) and hold dual status as citizens of the state and citizens of tribal governments. Reference the DSHS Indian Affairs Policy Statement issued March 28, 1974 by Secretary Charles R. Morris. CFSC staff will obtain consultation from the DSHS Office of Indian Affairs in the SO when additional information or clarification is needed on Indian affairs or issues pertaining to the delivery of services to Indian clients. As one effort to improve the delivery of services to Indian citizens, the department has established Indian Child Welfare Advisory Committees.

B. The purpose of Indian child welfare advisory committees (ICWAC) is:

1. To promote relevant social service planning for Indian children.

2. To encourage the preservation of Indian families and tribes and the heritage of each Indian child referred to DSHS.

3. To assure that necessary assistance is provided to departmental staff by Indian tribal representatives and urban Indian organizations in the social service planning for Indian children for whom the department has a responsibility.

C. A local ICWAC shall be established within each region. The number and locations of the local committees in each region shall be mutually determined by the CFSC Director, Indian tribal governments, and urban Indian organizations in consultation with SO staff.

1. The committee shall consist of representatives designated by the tribal governments and urban Indian organizations. The CFSC Director shall appoint committee members from among those individuals designated by Indian tribal governments and organizations. Those members should be familiar with and knowledgeable about the general needs of children as well as the particular needs of Indian children residing in the service areas.

2. The committee also may include staff from the Bureau of Indian Affairs (BIA) and/or Indian Health Service if participating tribal councils and urban Indian organizations approve.

3. The Children and Family Services Center Director shall appoint, in consultation with the tribal councils and urban Indian organizations, a member of the CFSC staff as a coordinator of the committee.

4. The local ICWAC is an ad hoc advisory committee not specifically authorized by statute.

D. The functions of the local ICWAC to be performed by the full committee or a sub-committee are:

1. To assure that necessary assistance is provided to DSHS staff regarding the provision of adoption, foster care, child protective services and other social services to Indian children and their families.

2. To review the situation of each Indian child after necessary and appropriate consents have been obtained.

3. To assist in the recruitment of foster and adoptive homes, to make recommendations regarding the licensing of foster and adoptive homes for Indian children.

4. To provide culturally relevant services to Indian children.

5. To recommend plans for each Indian child.

6. To assist in the implementation of recommended plans.

7. To act in an advisory capacity to the CFSC Director regarding the department's implementation and monitoring of the rules relating to foster care, child protection, and adoption services to Indian children and their families.

E. Members of the local ICWAC shall agree to abide by RCW 74.04.060 and the rules of confidentiality binding DSHS staff. The necessary consent of the parents of the child concerned, or from the court if the child is under the jurisdiction of the court, must be obtained and documented if an individually identifiable situation is to be referred to the committee. (See WAC 388-70-640(1).) Whenever it is not possible to locate or obtain consent from parents of Indian children referred for child protective, foster care or adoption services, the case shall be reviewed by a designee of the CFSC Director and a DSHS Indian Community Worker, DSHS Indian service worker or Indian consultant, appointed by the CFSC Director in cooperation with the ICWAC. The Office of Indian Affairs (OIA) will be available for case staffing consultation upon request of the CFSC Director.

The designated reviewers will be responsible for documenting their recommendations regarding the service plan and notifying, within five (5) working days, Indian Affairs, OB-44G, SCAN 234-1698, of these recommendations. A listing of cases staffed should be maintained in the CFSC. Quarterly reports of the number of children reviewed by this process should be provided by the CFSC Director to the ICWAC.

F. The CFSC Director and the local ICWAC shall mutually develop policies where a potential "conflict-of-interest" may exist. In addition, each region shall develop a working agreement with the local ICWAC(s) on the procedures, locations, and scheduling of case staffings. The working agreement is subject to amendment by mutual agreement of the CFSC Director and the local committee.

G. All DSHS field services will be developed in a manner consistent with this DSHS Indian Affairs Policy Statement. Service delivery staff efforts to implement the policy will include but not be limited to the following activities:

1. Consultation by field administrative and service delivery staff with tribal governments, Indian/Alaskan Native organizations, tribal and off-reservation Indian/Alaskan Native program staff, and the CFSC ICWAC when appropriate.

2. Maximum coordination with existing tribal and off-reservation Indian/Alaskan Native social service programs and staff.

3. Joint planning and delivery of services by DSHS field administration and service delivery staff with existing tribal and off-reservation Indian/Alaskan Native social service programs and staff when appropriate.

4. Assuring that Indian client caseloads will be carried by field staff with demonstrated skill and acceptance in delivering culturally and socially relevant services to Indian clients and communities.

5. Case planning and counseling techniques developed and delivered with the goal of providing relevant services to Indian clients based on their culture, values, social practices, community standards, and treaty rights.

6. Placing more emphasis on the development of licensed Indian foster homes, group homes, adoptive homes, and family homes for adults, and the placement of Indian clients in those homes as necessary.

7. Maximizing the placement of Indian children in Indian homes whenever out-of-home placements are necessary.

01.05 PURCHASE OF SERVICE POLICY

A. It is the policy of DSHS to purchase selected services, not presently provided by the department, when the services can be provided by the vendor on a cost-effective basis meeting department performance and program quality standards.

B. Services purchased shall be consistent with the goals and priorities of DSHS, and with applicable plans, rules, regulations, and laws of the state and federal government.

C. In determining whether services shall be purchased or provided directly, the department shall consider whether:

1. The service is needed as a required responsibility of DSHS, either through statute or program policy.

2. The service is available in the private sector and not provided by DSHS personnel.

3. The service duplicates or conflicts with existing DSHS or private agency services.

4. State provided or purchased service is more cost-effective.

D. The department shall not contract for services when such action would lead to the elimination or supplanting of classified positions in state service.

E. Services may be purchased from public agencies, private non-profit agencies, proprietary (for profit) agencies, or individuals, except as prohibited by law; provided that such services are not available without cost and are not already funded as mandatory functions of a state agency.

F. Services shall be purchased on the basis of a written agreement (contract) between DSHS and the provider of service which shall be executed by persons legally authorized to do so. Purchasing practices shall be consistent with established procedures and applicable laws. Rates and methods of payment shall be those established by DSHS.

G. DSHS shall provide technical assistance to contractors, and shall monitor and evaluate contract performance. Such activities will involve DCFS staff at all levels. Requests for purchase agreements shall be submitted and processed in the form and manner prescribed by DSHS.

01.06 DEFINITION OF MANAGEMENT

A. Management is the central point of authority and accountability for the effective and efficient use of resources to achieve the agency's goals and objectives.

1. Line management in this agency includes CFSC area office supervisors, Children and Family Service Centers Directors and CFSC supervisors, the Assistant Secretary for Health and Rehabilitative and the Secretary of DSHS.

01.07 STATE OFFICE (SO) RESPONSIBILITIES

State Office staff are responsible for:

A. Developing social service policies, program standards and budgets in compliance with federal and state mandates. Plans, policies, standards and budgets are developed in cooperation with regional staff, with the advice of departmental advisory committees and with the approval of the Assistant Secretary for Health and Rehabilitative Services.

B. Reviewing and interpreting federal and state statutes. Writing Washington Administrative Code (WAC) rules and guidelines. Writing and maintaining the Division of Children and Family Services Manual.

C. Assuring statewide implementation of the state or federal statutes, WAC rules applicable to DSHS service programs, and the DCFS Manual. Providing uniform interpretation and clarification of program policies and procedures.

D. Monitoring service programs on a statewide basis for compliance with policy and procedures to maintain program integrity and to evaluate the effectiveness of the Social Service Delivery System.

E. Developing and designing with the regions and other department resources the research projects, training plans, pamphlets and brochures and other materials necessary to improve the quality of programs and service delivery.

F. Providing information and program consultation to non-DCFS SO staff, CFSCs, CFSC area offices, and community groups.

01.08 CHILDREN AND FAMILY SERVICE CENTER RESPONSIBILITIES

CFSC staff are responsible for:

A. Developing program budget issues and service plans and providing input to SO staff on social service plans, policies, standards and budgets.

B. Disseminating SO program and policy information to field staff and assuring uniform implementation of state programs and procedures in compliance with established policies and procedures. Coordinating training for field staff to accomplish this task.

C. Monitoring service delivery in the region and the CFSC area offices for compliance with policy and procedures according to program monitoring guidelines prepared by SO and the CFSC Directors.

D. Responding to inquiries and providing policy interpretation and clarification for CFSC field office staff. Identifying, researching and recommending solutions to problems affecting local service delivery in consultation with SO staff and community resources.

E. Coordinating and arranging training for CFSC and CFSC area office staff with state program offices and training centers.

F. Developing community resources to assist and complement service delivery in the region.

G. Appointing and providing support for regional committees as authorized by the Secretary, such as the Indian Child Welfare Advisory Services Committee.

H. Providing information to SO staff for response to inquiries by the media and the legislature about children and family services.

01.09 DCFS FIELD SERVICES OFFICE RESPONSIBILITIES

CFSC branch offices are administratively a part of the CFSCs. They have area supervisors, but do not have office supervisors.

CFSC branch office supervisor's administrative responsibilities include:

A. Managing the day-to-day operations of providing social services to clients.

B. Assuring that area office operations are in compliance with SO and CFSC policy and procedures.

C. Developing statements of training needs, submitting written requests for training to the CFSC and SO, and providing training for staff and service providers/vendors.

D. Providing information to and being the primary agency contact for agencies, groups or individuals within the CFSC area office geographical service area.

E. Maintaining an adequate number of receiving/shelter beds for children needing emergency placement. (See WAC 388-70-044(3).)

01.10 COMMUNICATION POLICY

A. Interpretation of policy and procedures should be handled at the lowest level of administration possible. That is, service workers should first review the appropriate chapter of the DCFS manual or the WACs (Manual A) and then seek the advice of their immediate supervisor. Questions should be addressed within the chain of command up to the CFSC Director/designee.

B. Issues which cannot be resolved and questions which cannot be answered by the CFSC Director should be addressed to the SO. Direct telephone contacts between CFSC area office staff and SO program managers are discouraged.

C. CFSC staff ought to be able to interpret all but the most complex issue or policy questions. If a policy or procedure is so unclear as to cause regionwide confusion about its interpretation, then the CFSC Director should request action by appropriate SO staff to issue a clarifying numbered memorandum or a revision of the DCFS Manual.

D. None of the above should be construed to prohibit direct CFSC branch office-SO contact under the special conditions or special projects described in numbered memoranda, delegation of authority documents or program chapters which follow. Note that the policy and procedures for a "request for exception to policy" are described in 01.13 and Chapter 99, Forms.

E. Time permitting, field inquiries and SO responses to policy and procedural matters should be in writing. This permits documentation of the frequency or scope of the problem and speeds up the process of revising the DCFS Manual. Responses should be made promptly.

F. State office-field contacts for meetings, technical assistance and advice, general consultation and reviews may be initiated by the CFSC and SO. Confirmation of the request will be in writing as a followup to oral arrangements. The CFSC is the central coordination point for these requests.

G. SO and CFSC staff seeking data about clients or services should first assess what information is already available at SO by contacting the Office of Information Systems, SSPS or the Office of Research and Data Analysis. Data not presently available should be collected using sampling techniques rather than by routine daily or monthly reports to minimize the workload impact on social service staff.

H. SO and CFSC requests for reports or statistical data from field staff will explain the purpose for the request, outline the data that is desired, provide necessary forms and clear instructions as to how to collect the data and complete forms, and provide a time frame for response which recognizes mail and communication lags. The requestor is also responsible for communicating results back to CFSCs for dissemination to field staff.

01.11 COMMUNITY COORDINATION

A. DCFS will actively involve the community in the planning for services. Advisory committees will be a major vehicle for community input. The community will be regularly informed of agency activity regarding service delivery. Community resources and volunteers will be considered as part of the total resources available to fulfill Individual Service Plans (ISP).

B. The purpose of citizen participation in the Social Service Delivery System is threefold:

1. To involve citizens in identifying community service needs and to be advocates for those needs.

2. To involve citizens in the planning, development, budgeting and evaluation of services.

3. To involve citizens as volunteers in providing services to the consumers of agency services.

C. Citizen participation in agency planning and needs identification should be at the most basic level possible. Grassroots involvement in local communities shall be used as an input for regional planning. Citizens who serve as volunteers complement and extend the work of staff as special resources to the agency and the community. Volunteers do not replace staff but extend the ability of the agency to respond to special client needs. Citizen volunteers are important community interpreters of agency policy and program.

D. DCFS advisory committees are the responsibility of the state office managers and CFSCs, with the approval of the DCFS Director. Citizen members of advisory committees shall be drawn from a broad representation of community interests, skills, groups, and needs. Active service clients shall be encouraged to serve on committees, and CFSCs will assist to assure their participation. Minority and other special groups shall be included in the broad community representation of the committee.

E. Statutory citizen advisory groups shall use the DSHS Advisory Committee Handbook as a guide for their activities. The department will provide reasonable staff support to citizen advisory committees according to the availability of staff, the geographic location of committee activities, and other circumstances. The department will provide available information about services to participating citizens in an understandable form; the information will be as relevant to the local area as is possible to obtain.

01.12 AGREEMENTS WITH NON-DCFS AGENCIES

A. The purpose of developing agreements with non-DCFS service agencies is to ensure the delivery of appropriate services to clients and to create better working relationships with non-DCFS agencies. There are two types of agreements: formal agreements and memoranda of understanding. Although both types of agreements are in writing, they are not legal contracts and therefore shall not be understood nor put forward as legally binding on participants. Agreements may be initiated at any appropriate administrative level.

B. A formal agreement is a written statement which details responsibilities, working relationships and procedures, is arrived at through negotiation, and is considered binding by the parties until mutually agreed upon changes are made. A formal agreement is appropriate when:

1. There is a need to clarify legal responsibility for action.

2. There is a mutually recognized need for clarification of policies and procedures.

3. There are grant or funding requirements regarding such agreements.

4. There is a question of service responsibility to the client.

C. A memo of understanding is a written explanation of agency policies and procedures in relation to another organization. It may be developed and changed unilaterally. It is not considered binding, but puts generally agreed-upon interactions into writing for the purpose of clarification and consistency. A memo of understanding is appropriate when:

1. There is frequent interaction between the parties around common clients.

2. There is a demonstrated need for clarification of policies and procedures.

D. All understandings and agreements should include the following:

1. Purpose of the agreement, including a description of the client population, legal, or policy requirements.

2. A clear definition of the roles of the respective agencies.

3. A description of special circumstances, if any.

4. The basic content of the agreement, including relevant policies and procedures.

5. Procedures for implementing and changing the agreement.

E. Authority to enter into formal agreements (whether initiated by the department or the community) rests with the CFSC Director and may be delegated to the appropriate administrative level. However, agreements may be initiated at the CFSC area office, CFSC, or state office level. Any service worker may request the development of an agreement. The written request is made to the service worker's immediate supervisor, and a copy is sent to the CFSC Director. The request should include all available information regarding the reason for the request, suggestions for the content of the agreement, and the names of other persons who may need to be involved. DCFS administration will respond to the request within 10 working days and notify the initiator of the decision.

01.13 EXCEPTIONS TO DSHS RULES/WAIVER OF DIVISION POLICY

A. Exceptions to DSHS Rules

1. The department's policies, rules and regulations are based on federal and state laws. The department does not have the authority to waive provisions of the Revised Code of Washington (RCW), but it does interpret these laws through rules and regulations published in the Washington Administrative Code (WAC - Manual A). Individual case exception to a rule or procedure not specifically enunciated in the law can be authorized by the SO when it appears to be in the best interest of overall economy and the individual's welfare (see WAC 388-20-020).

2. A service worker believing the application of a rule will result in undue hardship or will defeat its purpose in a specific case may direct a written request for an exception through supervisory channels to the CFSC Director. The CFSC Director or designee will review the request within two working days and where appropriate, submit it to the Secretary or designee.

3. In all cases, a DSHS 5-10(X), Policy Exception Request, shall be completed. (See Chapter 99, Forms, for instructions.) A request of an emergent nature (where delay would cause undue hardship) may be telephoned into SO prior to or simultaneous with submission of DSHS 5-10(X). The Secretary or designee will communicate the decision to the appropriate staff immediately after a decision is reached. Written confirmation will follow within 10 working days.

B. Waiver of Division Policy

1. There are internal DCFS field office operations policies described in the DCFS Manual which are not addressed in WACs (Manual A).

2. Staff seeking a waiver of DCFS operations policy should send a memo to the Director of the Division of Children and Family Services. However, final authority for granting waivers rests with the Assistant Secretary for Health and Rehabilitative Services or designee.

01.14 FORMS CONTROL POLICY

A. The purpose of a forms control policy is to prevent the proliferation of new forms, to eliminate or to revise outdated or obsolete forms, to promote the development of generic forms which more directly support the provision and management of social services, and to involve the users of forms in this process. All forms used to authorize, provide or record the delivery of social services, whether developed by the SO, CFSC (including area offices) are subject to this policy.

B. A form is an administrative tool, printed or duplicated by any reproduction method, which has blank spaces for the insertion of predetermined information. Form letters are to be listed as "forms". All SO required social service forms have a number assigned by the Forms and Records Management Unit (OB-22G) of the Division of Administration and Personnel.

C. A DSHS form is one which is created at the state office level for use statewide throughout a program area. Generally, DSHS forms are used by more than one office. A DSHS form is not necessarily a "stock form", e.g. thousands of copies at the DSHS stockroom. Some DSHS forms are just printed as needed. However, if it is a stock form it will appear on the Forms Stock List (issued quarterly) and have an (X) after the form number to indicate its availability through the stockroom in Olympia. A local form is one created by a specific field office and is used exclusively within the originating office.

D. Forms review committees will be established at each CFSC field office. All forms will be reviewed annually to determine the extent of their use, whether they are still fulfilling the intended purpose and whether they may be eliminated, revised or combined with another form. The DCFS field office will not generate local social service forms which are just slightly modified statewide required forms. The goal will always be to reduce paperwork to the minimum.

E. Requests for new forms will be reviewed by the appropriate SO program manager. The SO review process will permit analysis to determine whether the proposed form would be more useful than the existing statewide required form. If it is, all field staff ought to benefit from the suggested improvements. The state office approval process is not intended to prohibit the development of forms which are necessary. Requests for new social service forms may be initiated at the CFSC (including CFSC area offices) or SO levels.

01.15 MANUAL MAINTENANCE POLICY AND PROCEDURES

A. Changes in policies, forms and procedures occur frequently. To communicate those changes, the DCFS Manual will be revised on a continuing basis and within 30 days of issuance of a new WAC.

1. Numbered memoranda, issued through the Office of Administrative Regulations, are binding for all departmental staff.

2. Tan Notices, issued by SO DCFS have the same authority as numbered memoranda except that their scope is limited to the policies, forms and procedures used in CFSC and CFSC area offices and are only binding for staff in those organizations.

   a. Tan Notices will be identified by chapter and filed at the front of that chapter.

   b. Tan Notices will be used to quickly communicate changes pending the revision of the DCFS Manual.

B. This manual is designed to be a useful tool for delivering services. We need the help of all service delivery staff to periodically evaluate it. Suggestions for changes in the format or content should be submitted on a DSHS 5-186(X), Request for Clarification/Modification of Policy or Procedure. See Chapter 99 for instructions.

C. Tan Notices (sequentially numbered) and manual revisions will be issued with a cover memo outlining the changes and indicating which pages are to be removed and/or inserted. Staff will post the control sheets (revision number and date inserted) and file notices/revisions within two working days of their receipt.

D. Requests for additional copies to the DCFS Manual will be made to your office Manual Coordinator.

01.99 REQUIRED FORMS

See Chapter 99, Forms, for instructions on these forms:

DSHS 5-10(X), Policy Exception Request
DSHS 5-186(X), Request for Clarification/Modification of Policy or Procedure

L 4-10 OFFICE OF SUPPORT ENFORCEMENT
1=2,3=2,8=2

DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Olympia, Washington

TO: HOLDERS OF DCFS MANUAL

NOTICE NO.: T-8
Issued: 10/25/84

FROM: Shirley Goins, Director
Div. of Children and Family Services

SECTIONS REVISED:
N/A

EFFECTIVE: 11/05/84
FOR INFORMATION CALL:
Darby Brown
SCAN 234-0419 or
Non-SCAN 753-0419

IF NOT DELIVERABLE, RETURN TO: MANUAL PRODUCTION UNIT MS OB-16

SUBJECT: EXCEPTIONS TO POLICY

Place this notice in front of Chapter 1, DCFS Manual, and note on the Tan Notice Control Sheet the date Notice No. T-8 was entered.

Effective November 5, 1984, the Director of the Division of Children and Family Services will approve/deny requests for Exception-to-Policy as the Secretary's designee for children and family services found in Title 388 WAC. Requests are to be directed from the Children and Family Services Center Director to the Director, Division of Children and Family Services, MS OB-41.

Requests requiring approval of Community Services' administered programs will continue to be sent to the Community Services Policy Unit, MS OB-41N.

Requests will be made on DSHS 5-10(X).

DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Olympia, Washington

TO: Holders of DCFS Manual

NOTICE NO.: T-86
ISSUED: 02/24/89

FROM: Joyce Hopson, Director
Division of Children & Family Services

SECTIONS REVISED:
Chapter 1.04 E

EFFECTIVE: 02/24/89
FOR INFORMATION CALL:
SCAN 234-4618 or
Non-SCAN 753-4618

IF NOT DELIVERABLE, RETURN TO: MANUAL DISTRIBUTION CENTER, MG-13. FOR MANUAL DISTRIBUTION CHANGES, PLEASE NOTIFY: MANUAL PRODUCTION, MS OB-16.

SUBJECT: PARENTAL CONSENT FOR LICWAC STAFFING

Place this notice in front of the DCFS Manual, Chapter 1, and note on the Tan Notice Control Sheet the date Notice T-86 was entered.

I. BACKGROUND

The department filed an emergency WAC 388-70-640 and WAC 388-73-044 to implement Senate Bill 6338, effective June 9, 1988. This rule removes the requirement of Parental Consent for staffing cases with the Local Indian Child Welfare Advisory Committee (LICWAC).

Due to the request of the negotiating team for the Tribal/State Agreement the Division of Children and Family Services has withheld all WAC/DCFS Manual revisions until implementation of the DCFS Indian Child Welfare Manual.

II. ACTION REQUIRED

Delete existing language in DCFS Chapter 1.04 E.

Add the following language: Members of the LICWAC agree to abide by RCW 74.04.060 Records, etc., Confidential--Exceptions--Penalty which includes applicable rules regarding confidentiality binding on DSHS staff.

DCFS MANUAL: CHAPTER 1 -- SOCIAL SERVICE POLICY AND ADMINISTRATION

TO: Holders of DCFS Manuals

NOTICE NO.: T-96
ISSUED: 10/02/91

FROM: Diana Roberts, Director
Division of Children & Family Services

SECTIONS REVISED:
Chapter 1.03

EFFECTIVE: 09/17/91
FOR INFORMATION CALL:
234-7153 or SCAN 753-7153

IF NOT DELIVERABLE, RETURN TO: MANUAL DISTRIBUTION CENTER, 5807/MG-13. FOR DISTRIBUTION CHANGES, NOTIFY: MANUAL PRODUCTION, MS:5806/OB-16.

SUBJECT: WORKING WITH FOREIGN NATIONALS/CONFIDENTIALITY

Place this notice in front of the DCFS Manual, Chapter 1, and note on the Tan Notice Control Sheet the date Notice T-96 was entered.

BACKGROUND

Federal Civil Rights laws and regulations affect many aspects of DCFS operations, including the hiring and training of staff, client access to services, confidentiality, and informational publications and materials.

As a result of an investigation of DCFS practices by the U.S. Department of Health and Human Services, Office of Civil Rights (OCR), DSHS/DCFS entered into a voluntary compliance agreement with OCR on October 29, 1989. This Tan Notice is intended to meet the requirements of that agreement in regard to confidentiality for alien clients and the provision of services to foreign nationals.

I. DEFINITIONS

Foreign National: Anyone in the boundaries of the USA who is not a citizen of the USA.

Immigration and Naturalization Service (INS): The federal office responsible for all policies and procedures relating to the presence of foreign nationals in the USA. The INS is the only organization capable of establishing an individual's legal immigration status.

The INS maintains offices at the borders of the USA and maintains District Offices in Seattle and other major cities.

Lawfully Admitted Alien: Anyone admitted for permanent or temporary visitation or residence that has not been granted citizenship.

Undocumented Individual: Anyone in the boundaries of the USA without a visa, work permit, alien status documentation (such as status granted by the Immigration, Reform and Control Act) that grants temporary or extended visitation or residence.

Consulate: A foreign governmental office with a designated official appointed to live in the host country, looking after that foreign country's citizen and business interests.

II. ACCESS TO SERVICES

Foreign national clients are entitled to the full range of DCFS services subject to the same program eligibility criteria applied to all other clients. DCFS staff shall not deviate from its usual practices and procedures when providing services to undocumented individuals except for the procedures stated in this memo.

Be sure to contact your Area Manager and/or your AAG or Prosecutor for assistance on issues of foreign nationals' access to services.

III. CONFIDENTIALITY

Existing Policy Applies

A. The current "Policy on Confidentiality" in Section 01.03 applies to foreign national clients as well as all other clients. When in doubt about confidentiality policy, contact your Area Manager. DCFS Area Managers are your primary resource for confidentiality and all other issues dealing with foreign national clients. Their names, addresses, and telephone numbers are listed by Region in the current DCFS Directory.

B. If you become aware that you are working with an undocumented client, review with the client their rights to confidentiality. If you need to obtain information on documentation status to facilitate permanency planning or adoption, carefully explain to the client the specific information you must disclose, and why you must exchange this information. Assure the client that information in their case record will not be disclosed (except as provided by DCFS policy), and that their location and/or address will not be disclosed (except as provided by DCFS policy). Explain to the client the circumstances under which information will be shared with INS and the information that may be shared. See IV, B. below.

IV. INFORMATION EXCHANGE WITH THE INS

A. General Policy

Only the DCFS Director, Regional Administrators or Area Managers may contact the INS. The DCFS Director, Regional Administrators or Area Managers may disclose information to an INS representative only if:

1. The client has given his/her written informed consent specifying the nature of the information to be released and to whom it is to be released. Custodial parents may give this permission on behalf of a child; or

2. The disclosure of information is necessary to establish a permanent plan for a child. DCFS should initially work with the client's consulate to resolve any immigration issues that affect a child's permanent plan. Only after all other resources and options have been exhausted should DCFS contact the INS.

   When contacting the INS to obtain immigration status information, you may reveal only the minimum client information necessary to determine immigration status. INS will inform DCFS of the necessary information. Do not reveal the location of the client; or

3. You have received a written request from a officer of the law or an immigration official with a felony warrant for the arrest of an individual. DCFS staff shall require the immigration official to provide proper identification. A client's current address and location may be released if these requirements are met. (See RCW 74.04.062.)

   Inquiries must be directed to the INS District Office in Seattle, not to local INS offices.

B. Use of Immigration Status to Influence Client Behavior

Under no circumstances shall DCFS staff use the threat of release of information to the INS to attempt to coerce or harass clients.

C. Confidentiality and Vendor Services

When accessing services of a DCFS-contracted vendor or other service organizations, ensure that the client's right to confidentiality is maintained by following DCFS client procedures. Report to your supervisor any organization that appears to violate a client's confidentiality.

D. Always contact your Area Manager, and if necessary your AAG or Prosecutor, for help with confidentiality issues related to undocumented individuals.

V. INFORMATION ON IMMIGRATION STATUS

A. General Policy

Caseworkers may receive information on a client's immigration status from the client, relatives of the client or from community members. The accuracy of this information is often very poor. The determination of a person's immigration status is a technical process involving information and expertise only available from the INS. The INS is the only organization with the authority to determine immigration status.

It is not crucial to determine a client's immigration status when providing short term DCFS services such as Family Reconciliation Services (FRS) and Child Protective Service (CPS) intake. DCFS staff shall ask clients about their immigration status only when it is necessary to develop and execute a case plan.

B. Obtaining knowledge of immigration status is often necessary and is permissible in the following circumstances:

1. Permanency planning for children in foster care, including locating and/or reuniting them with parents or relatives;

2. Adoption of a foreign national;

3. Placement of children into care at the request of the INS; and

4. Coordinating travel arrangements in support of number 1 (above), or to reunite children with parents.

Under the above circumstances, the DCFS Director, Regional Administrator or Area Manager may contact the INS to determine a person's immigration status. (See Sec. IV. B.)

C. DCFS shall not contact INS to:

1. Provide information on a client's delinquent activity or mental health status; or

2. Report the presence of an individual that you have reason to believe is here illegally; or

3. Obtain social security number information; or

4. Obtain instruction on how to handle a child welfare case. (Contact with INS is to occur only as outlined in Sections IOB and VB above.)

VI. APPROPRIATE CASE HANDLING OF FOREIGN NATIONALS, AND FAMILIES WITH UNDOCUMENTED MEMBERS: Examples and Guidelines

A. Permanency Planning

Foreign national children have the same right to a permanent placement that other DCFS clients have. Children's rights in permanency planning can be jeopardized by extended stays in foster care. Since children tend to identify with the culture they live in, long foster care stays may increase this identification and may decrease identification with their culture of origin. Thus, timely action to establish permanency is very important for foreign nationals.

Natural family and relative placements can be made in the USA or in foreign countries. Foreign consulates can assist with relative searches, both in the child's native country and in the USA.

B. Establishment of Immigration Status

The INS is the only organization that can establish an individual's immigration/citizen status. It is important to investigate the child's immigration status before arranging to transport the child back to his/her country of origin or before finalizing an adoption. DCFS shall complete the investigation without releasing the client's location. The nearest appropriate consular resource should be the contact of first choice. The decision about whether and how to contact INS is best made in conjunction with the appropriate foreign consulate.

Follow carefully the guidelines in Sec. III and IV, informing the client of current policy on release of information. Discuss fully the limits on disclosure with the client. Document that you have provided this information in the client's Service Episode Record.

C. Adoption of Foreign Nationals

When it is in the best interest of a foreign national child that she/he be adopted by a US citizen, adoption finalization should occur only when:

1. The social worker/private agency has completed a thorough search for parents and/or relatives with the help of the appropriate foreign consulate. If parents or relatives are found, all issues relating to their rights must be resolved.

2. The social worker/private agency has conducted an investigation of the child's immigration status, and

3. The social worker/private agency or attorney has thoroughly informed the pre-adoptive parents about the legal and cultural issues of adoption of a foreign national.

Given current US immigration law, legalization of children adopted after age 16 is significantly more difficult.

D. Child Protective Services And Risk Assessment

Foreign national families and children have the same right to well-being, safety, protection and the assessment of risk that other DCFS clients have.

Law enforcement and the Juvenile Court system feature prominently in CPS cases. This is likely to be of special, understandable concern to foreign national clients/families. (See Sec. F., below, and Sec. VI. B., paragraph two.)

E. Family Reconciliation Services

Foreign national families and children have the same right to services that other DCFS clients have.

Typically, FRS referrals deal with status offenses such as runaway, or nonviolent parent and child conflict. FRS referrals may involve law enforcement, increasing or arousing foreign national client/family concern. (See Sec. F., below, and Sec. VI. B., paragraph two.)

F. In <u>all</u> DCFS service delivery it shall be standard practice with foreign national clients and their families to:

1. Disclose all aspects of confidentiality, informing, and discussing with the client, DCFS policy on release of information. Document this activity in the client's Service Episode Record.

2. Discuss thoroughly the conditions of disclosure with the client.

It could occur at any time in the course of providing any DCFS service to foreign nationals, that may detain a child's parents for deportation by INS officials.

DCFS will take prompt action to contact and engage the child's parents in planning for the child in these complex and stressful circumstances. Such unique case dynamics and factors indicate the need for providing equal, yet specialized, case management services to foreign nationals.

VII. OTHER ISSUES REGARDING FOREIGN NATIONALS

A. Contacting Foreign Consulates

Foreign Consulates and Embassies are responsible for looking after the best interests of citizens from their country residing in or visiting the USA. Use appropriate consulates and embassies as primary resources to obtain case planning information on parents, relatives, and child placement services in the country of origin.

For example, the address of the Mexican Consulate is:

Consulado De Mexico
2132 3rd Avenue
Seattle, Washington 98121
ph. (206) 448-3526

DCFS social workers may contact consulates or embassies as necessary to obtain and exchange information. Be sure to follow up all requests in writing.

B. Requests From INS For Placement of Foreign Nationals

The INS may request temporary foster care placement for children of detained individuals if there are no parental or relative placements available. Legal jurisdiction, such as a shelter care order or signed parental consent will be required to place the children of detained individuals. In addition, detained individuals may make appropriate alternative arrangements for the temporary care of their children providing child abuse and neglect is not an issue of placement. DSHS shall continue to work with the INS to promote reunification, or long-term case planning.

C. Complaints About DCFS Staff Working With Foreign Nationals

Any complaints about DCFS staff regarding foreign nationals, especially complaints regarding confidentiality, must be referred to the DCFS Regional Administrator. The Administrator is responsible for investigation and resolution of all such complaints.

D. Transportation of Appropriate Foreign Nationals to Their Country of Origin

1. When children require transportation to their country of origin, use the following resources in listed order:

   a. Natural family

   b. Relative

   c. Transportation arranged by Consulate or Embassy

d. Transportation arranged by a licensed private child placing agency

e. DCFS arranged transportation

2. Before transporting any child to another country, confirm their immigration status with the INS. The INS may be contacted to coordinate travel arrangements.

GRID FOR ACCESSING INFORMATION WHILE
WORKING WITH FOREIGN NATIONALS

The DCFS worker may contact the consulate for the following information.	DCFS worker must request the assistance of the Area Manager.
1. Gaining case planning information on parents, relatives and child placement services in county of origin. 2. To complete relative searches. 3. To determine immigration status.	Anytime a written or verbal contact with INS is necessary.