

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY	
	Chapter 8: Out-of-Home Services	Effective Date: October 1, 2021
	Section 38: Placement Changes	Version: 6

POLICY OVERVIEW

A placement change may be recommended when there are safety concerns in the current placement or a more appropriate placement has been identified. A change in a child's placement must be considered carefully, because it has the potential to effect the child's capacity to trust the adults around the child and may have negative consequences for the child's sense of security, self-worth, and the child's ability to form positive attachments in the future. The best interest of the child must be the priority when considering a placement change. Beyond safety, other factors such as the family preference, cultural backgrounds, strengths and needs of the child, and the caregiver's ability to meet those needs should be considered.

PROCEDURE

The Indiana Department of Child Services (DCS) has a duty to ensure children are placed in stable and nurturing homes with caregivers well equipped to address the needs of the child. DCS will strive to minimize placement changes and will act in a timely manner to address any situation that may effect the child's safety and well-being while in placement.

DCS will recommend to the court a change in placement, if any one (1) of the following exists:

1. There is a substantiation of CAIN in a resource home by the resource parent or any household member;

Note: DCS will remove the child immediately if the safety of the child cannot be ensured in the current placement.

2. An appropriate placement becomes available with the child's siblings, if applicable and not previously placed together, unless placement with siblings is not in the best interest of one (1) or more of the children;
3. An appropriate relative or kinship caregiver is identified and placement with the relative or kinship caregiver is in the best interest of the child;
4. Disruption of a Trial Home Visit (THV);
5. A pre-adoptive home has been identified and determined to be in the best interest of the child;
6. The child needs a more or less restrictive placement; or

Note: Reuniting a child with the parent, guardian, or custodian is not a placement disruption nor is a planned transition out of residential treatment and into less restrictive care.

7. The residential agency where the child is receiving treatment is in the process of license revocation or contract termination. See policies 17.07 Licensing Revocations and 17.09 Contract Termination for additional information.

The Family Case Manager (FCM) will:

1. Discuss the reasons for considering a placement change, resource parent supports provided and considered to prevent a placement disruption, and alternative placement options with the FCM Supervisor;
2. Engage the Child and Family Team (CFT) to:
 - a. Discuss the child's placement needs,
 - b. Assess all available alternatives to support the child's current placement and help to prevent placement disruption,
 - c. Identify a new placement type and/or resource, when determined to be in the best interest of the child,

Note: When placement with a suitable and willing relative or kin is not possible, former foster parents should be considered whenever possible and appropriate (see policy 8.01 Selecting a Placement Option).

- d. Develop a transition plan with assistance from the CFT, to the fullest extent possible given time constraints, and
 - e. Notify the child in advance of the placement change and discuss the new placement with the child (if age and developmentally appropriate) (see policy 8.08 Preparing the Child for Placement).
3. Complete the following steps when the child has been in the same out-of-home placement for **less than 12 months**:
 - a. Notify all relevant parties of the planned change in placement at least 14 days prior to the change, or as soon as possible given time constraints or unless the child's safety cannot be ensured, and

Note: The resource parent must provide DCS with at least a 14 day notice if the caregiver is no longer able and/or willing to care for the child.

- b. Provide information regarding the placement change to the DCS Staff Attorney for submission of written notice to the court within 10 business days following a placement change (including placement of a child into a THV or into foster or relative care from a disrupted THV);

Note: In counties where the court requires a court order or hearing for placement changes, DCS will follow court protocol.

4. Complete the following steps when the child has been in the same out-of-home placement for **at least 12 months**:
 - a. Ensure the resource parent is aware of the plan to change the child's placement,

Note: The resource parent has a right to file an objection to the placement change.

- b. Provide information regarding the recommended placement change to the DCS Staff Attorney for filing a motion with the court prior to the placement change unless the child's safety cannot be ensured. If the child's safety cannot be ensured, the FCM will:
 - i. Change the placement of the child;

- ii. Provide notice to the affected individuals immediately following the emergency placement.
 - iii. File an emergency motion with the court; and
 - iv. Request that the court issue a temporary order for an emergency change in the child's placement.
- c. Obtain a court order regarding the placement change prior to moving the child, unless the child's safety cannot be ensured, and

Note: If an emergency placement change occurs, the FCM must immediately ask the DCS Staff Attorney to file a motion with the court.

- d. Provide notice of the intent to change the child's placement to the parties affected by the change.

Note: DCS will not change the placement of the child prior to receipt of the court's decision regarding the placement change, unless the child's safety cannot be ensured.

- 5. Remove the child and assist in transitioning the child to the new placement (see policy 8.09 Placing the Child in Out-of-Home Care);
- 6. Request the assistance of law enforcement if the resource parent acts to prevent removal of the child (see policy 4.28 Removals from Parents, Guardians, and Custodians);
- 7. If the child is being admitted to residential treatment, complete all steps as outlined in policy 5.24 Child Focused Treatment Review (CFTR), including the completion of a 30-Day Assessment Referral;

Note: A new 30-Day Assessment referral must be completed when a child moves from one residential treatment facility to another residential treatment facility.

- 8. Ensure the child's school personnel are verbally notified of the child's removal and placement into out-of-home care as soon as possible but no later than the next school day; and

Note: When an education placement change is considered, the FCM must submit a referral to the Education Services Team within **24 hours** of the child's removal or change of placement to identify the need for collaboration to determine educational best interests and completion of the School Notification and Best Interest Determination (BID) form. For assistance in obtaining an official determination of the child's best interests regarding educational placement (see policy 8.22 School Notifications and Legal Settlement).

- 9. Document and note reasons for the placement change in the case management system within 24 hours of the placement change.

The FCM Supervisor will:

- 1. Attend CFT Meetings with the FCM, when available;
- 2. Staff all case specifics with the FCM, including the transition for the child's placement change; and

3. Ensure the FCM provides the DCS Staff Attorney with the necessary information for filing a motion with the court regarding the recommended placement change when the child has been in the current placement for more than 12 months.

The DCS Staff Attorney will:

1. Ensure notice of a placement change is submitted to the court when a child has been in the current placement for less than 12 months;
2. Ensure a motion to change placement is filed with the court and affected parties are notified, when a child has been in the current placement for more than 12 months and a placement change is planned; and
3. Ensure court protocol is followed.

LEGAL REFERENCES

- [IC 31-34-3-4.7: Notice to the child's school](#)
- [IC 31-34-4: Temporary Placement of Child Taken Into Custody](#)
- [IC 31-34-18-4: Recommendation on care, treatment, rehabilitation, or placement](#)
- [IC 31-34-19-7: Placement of child; relative; evaluation; background checks](#)
- [IC 31-34-20-1: Entry of Dispositional Decree; Placement in facility or home outside of Indiana; findings and conclusions](#)
- [IC 31-34-20-1.5: Placement in household with certain individuals prohibited; criminal history checks; exceptions; considerations](#)
- [IC 31-34-21-7.5: Placement prohibited in residence of individual who has committed certain acts or offenses; criminal history check; contents of permanency plans](#)
- [IC 31-34-23-3: Notice and hearing requirements; change in out of home placement; temporary order for emergency change of placement](#)
- [IC 31-34-23-5: Placement of a child with a previous placement](#)

RELEVANT INFORMATION

Definitions

Placement Disruptions

A placement disruption is a change in a child's placement from one out-of-home placement to another (e.g., moving from an emergency shelter to a relative resource home or from one resource home to another).

Forms and Tools

- [School Notifications and Best Interest Determination \(BID\) \(SF 47412\)](#)

Related Policies

- [4.28 Removals from Parents, Guardians, and Custodians](#)
- [5.24 Child Focused Treatment Review \(CFTR\)](#)
- [8.01 Selecting a Placement Option](#)
- [8.08 Preparing the Child for Placement](#)
- [8.09 Placing a Child in Out-of-Home Care](#)
- [8.22 School Notifications and Legal Settlement](#)
- 17.07 Licensing Revocations - Coming Soon
- 17.09 Contract Termination - Coming Soon