

1400- PURPOSE AND PHILOSOPHY

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I. THE MISSION, VISION AND VALUES FOR FAMILY SUPPORT AND CHILD WELFARE SERVICES

Chapter Eight: Child Protective Services begins with the identification of the mission, vision and values for the child welfare system in North Carolina. By adopting a common mission, vision and values, the state Division of Social Services and 100 county Departments of Social Services share a commitment to excellence.

The **mission** makes our purpose clear and tells everyone who we are. Ensuring safe, permanent, nurturing families for children is our charge, whether we work in Intensive Family Preservation, Child Protective Services, CPS In-Home Services, Foster Care, or Adoptions. The **vision** is a clear statement of what we believe the child welfare system should look like. It is the ideal; it is what we want the system to look like through the eyes of the families and children whom we serve. A common vision keeps us focused and challenged to always find ways to improve system performance, despite the very real considerations of resource limitations and other constraints. The **values** are what we promise to do, the link between our agencies and the public. They provide a guide for service delivery and staff behavior. Collectively, the mission, vision and values are a strong statement of our advocacy for families and children who come in contact with the child welfare system.

Mission

The Division of Social Services, Family Support and Child Welfare Services Section is committed to provide family- centered services to children and families to achieve well-being through ensuring self-sufficiency, support, safety, and permanence.

Vision

The vision of the Division is that all programs administered by the Division of Social Services will embrace family centered practice principles and provide services that promote security and safety for all. This means that every child in North Carolina will grow up in a safe, permanent, self-sufficient family where well-being needs of all are met.

Values

The Division believes that the family is the fundamental resource for the nurturing of children and that children have a right to their own families and that parents should be supported in their efforts to care for their children in ways that assure the safety and well-being of the child. We support parents by respecting each family's cultural, racial, ethnic, and religious heritage in their interactions with the family and our mutual establishment of goals. We support and require the involvement of children and families throughout their involvement with child welfare. Child and Family Team meetings focus

on the family's strengths and recognize that families are our partners in the process of service planning and delivery. Judgments about families are often based on incomplete information, and can wait. A crisis can be an opportunity for change; inappropriate intervention can do harm. It is our job to instill hope because even families who feel hopeless can grow and change. This means that we as an agency arrange our schedules to accommodate the child and his/her family, that the family's ideas and resources are given the same legitimacy as those proposed by professionals, and that mutual agreement in decision making is a primary goal. For youth and families whose supports may exist outside the family unit, this means allowing and encouraging them to invite those whom they wish to attend Child and Family Team Meetings. Shared parenting meetings, which encourage interaction between caregivers and birth families, continue the partnership to enable families to best parent their children.

Service delivery does not exist in a vacuum. In order to best serve the needs of children and families, all agencies that work with the family should work cooperatively in ways that maximize service delivery and resources. To the fullest extent possible, service providers should be within the family's community, convenient for the family and child.

It is important to note the foundational philosophy of the NC Multiple Response System (hereinafter MRS) is family-centered practice delivered within a System of Care framework. The six family-centered principles of partnership are:

- Everyone desires respect
- Everyone needs to be heard
- Everyone has strengths
- Judgments can wait
- Partners share power
- Partnership is a process

The foundational philosophy of the NC System of Care (hereinafter SOC) is family-centered practice. The six SOC Principles are:

- Interagency collaboration
- Individualized strengths based care
- Cultural competence
- Child and family involvement
- Community based services
- Accountability

II. PURPOSE OF CHILD PROTECTIVE SERVICES

Protective services are legally mandated, non-voluntary services for families that encompass specialized services for maltreated children (abused, neglected, and/or dependent) and those who are at imminent risk of harm due to the actions of, or lack of protection by, the child's parent or caregiver. Child Protective Services, provided by county Departments of Social Services, are designed to protect children from further harm and to support and improve parental/caregiver abilities in order to assure a safe

and nurturing home for each child. Generally, such services provided in the homes of these families are preventive, rehabilitative, and nonpunitive with efforts directed toward identifying and remedying the causes of the maltreating behavior. This is accomplished through parent/caregiver cooperation and consent or, in the event conditions pose serious issues for the child's safety, through the agency's petition to the court.

The county DSS's foremost responsibility is to protect the child and to assure a safe environment. The removal of a child from his or her home should only occur when the risk of harm to the child is so great that his or her safety cannot be assured in the home. The decision to remove a child should be based on an analysis of the risk of harm balanced with implementing reasonable efforts to ensure safety within the family.

The county DSS receives reports of alleged abuse, neglect, or dependency from the individuals in the community. In North Carolina, any person who has cause to suspect that a child is being abused or neglected, or is dependent is required by law to report their concerns to the DSS ([N.C.G.S. § 7B-301](#)).

If the conditions described in the report would, if true, meet the definition of child abuse, neglect, or dependency, and the alleged perpetrator is a parent, guardian, custodian or caretaker by statutory definition, and if the alleged victim is a child under the age of 18 years of age, the county DSS where the child resides or is found is required to initiate an assessment of all children residing in the home in order to determine if protective services are needed ([N.C.G.S. § 7B-302](#)).

County DSS's may also offer preventive services to families who need such services to alleviate any potential threat of harm to their children. Services should be designed to strengthen and preserve intact families or to reunite families after children have come into agency custody or placement responsibility by helping families improve the conditions in the home that caused agency intervention.

All children and their families are eligible for protective services regardless of their income. The provision of services is based solely on the child's immediate or continuing need. Agencies must provide protective services twenty-four hours a day, seven days per week.

Public awareness of child abuse, neglect, or dependency must exist to achieve the maximum degree of reporting, protection and prevention. Public education should address at a minimum the following components:

- Statistical information regarding child abuse, neglect, or dependency;
- Warning indicators of child abuse, neglect, or dependency;
- How the community can help to prevent child abuse, neglect, or dependency
- How to report child abuse, neglect, or dependency; and to whom to report; and
- The availability of preventive, protective and case planning/case management activities available through DSS or other agencies.

Particular emphasis should be placed on educating professionals, paraprofessionals, and volunteers who serve children and families. Efforts should be made by county agencies to encourage more accurate reporting by the public and to distribute information about available resources.

III. MULTIPLE RESPONSE SYSTEM

The underlying beliefs of a family-centered System of Care approach to child welfare are as follows:

- Safety of the child is the first concern.
- Children have the right to their family.
- The family is the fundamental resource for the nurturing of children.
- Parents should be supported in their efforts to care for their children.
- Families are diverse and have the right to be respected for their special cultural, racial, ethnic, and religious traditions; children can flourish in different types of families.
- A crisis is an opportunity for change.
- Inappropriate intervention can do harm.
- Families who seem hopeless can grow and change.
- Family members are our colleagues.
- It is our job to instill hope.

The principles of family-centered practice and System of Care reflect the belief that the family is its own primary source of intervention and determines who its members are. The family is viewed as a system within a larger social and environmental context. As a result, interventions focus on accessing the family's immediate and extended community through needs assessment, resource identification and service delivery. Family-centered practice employing a SOC approach respects the family's right of self determination and capabilities, and assumes the family has the capacity to grow and change when provided the proper supportive interventions. This extends into the provision of placement services by involving the family in developing and implementing a plan for reunification, partnering with the foster family in temporary placement, and if necessary, working to preserve the child's placement in a new, permanent adoptive family. Family-centered practice within a System of Care framework develops strengths, enhances potential, and empowers families to identify and resolve their own problems.

A. Multiple Response System: Seven Strategies

1. Collaboration between Work First and Child Welfare

- Reducing the number of times family members need to repeat the same information.
- Involving Work First as a preventative effort.
- Reducing the number of children needing CPS and placement services.
- Preventing recidivism of abuse, neglect and dependency by providing on-

going services through Work First.

2. Strengths Based Structured Intake

- Respectfully allowing reporters to be heard, supported, and encouraged while improving the quality and consistency of information gathered through highly structured intake procedures that focus on family strengths in an effort to ensure the safety of children.

3. Choice of Two Approaches to Reports of Child Abuse, Neglect, or Dependency

- Protecting the safety of children in the most severe cases by not treating all reports in the same way, and missing some clear need for immediate action.
- Engaging some families in services that could enable them to better parent their children.
- Not overlooking vital information about the strengths of the family, the supports they have, and their motivation to change.
- Better serving many of the families reported to CPS in ways that focus more on helping rather than “punishing” them.

4. Coordination between Law Enforcement Agencies and Child Protective Services for the Investigative Assessment Approach

- Achieving joint efforts in interviewing and ensuring safety of families and children.
- Ensuring an effective working relationship.
- As a result, perpetrators will be held accountable for harming children.
- The number of interviews children experience will be reduced, preventing / reducing retraumatization.
- The evidence process for criminal prosecution will be enhanced.

5. Redesign of CPS In Home Services

- Providing the most intensive services and contacts to families with the greatest needs, while those with fewer needs receive less intensive services/contacts.
- Delivering services within the context of the family’s own community and culture.
- Social workers better identifying risks in their work with families.
- Having the option of receiving supportive/voluntary services available for families where there is a low risk of harm.
- Engaging families in the planning process, and producing better outcomes of safety, permanence, and well-being for children.

6. Child and Family Teams During the Provision of CPS In-Home Services

- Improving the decision-making process.
- Encouraging the support and buy-in of the family, extended family, and the community in the planning and assessment process.
- Developing specific, individualized, and appropriate interventions for children and families.
- Recognizing the birth family as an expert.

7. Shared Parenting Meetings During the First 7 days of Placement Out of the Home

- Keeping the family of origin actively involved in their role as parents of their child.
- Cultivating a nurturing relationship between the birth parents and the foster parents.
- Foster parents becoming mentors for the birth family regarding appropriate parenting.

IV. CLIENT RIGHTS AND RESPONSIBILITIES

Parent/caregiver rights

SOC principles also provide that all parents/caregivers involved in cases of abuse, neglect, or dependency have the right to:

- Be treated in a courteous and respectful manner;
- Know DSS's legal authority and right to intervene in cases of child abuse, neglect, or dependency;
- Know the allegations of abuse, neglect, or dependency reported at the first contact with DSS;
- Know any possible action which DSS/may take, including petitioning the court to remove the child in order to ensure safety and protection;
- Know DSS's expectations of the parent/caregiver;
- Know what services they can expect from DSS and other community agencies; and
- Have a family services case plan that is clearly stated, measurable, specific, that includes time-limited goals, and is mutually developed by the DSS and the parent/caretaker.

Parental Responsibilities

Parents/Caregivers are responsible for:

- Providing minimally sufficient physical and emotional care for their children;
- Accepting responsibility for their actions and rectifying behaviors that place their children at risk; and

- Actively participating in activities designed to reduce risk to the child and stabilize the family.

Children's Rights

Children have a right to:

- Freedom from abuse, neglect, dependency and exploitation;
- Minimally sufficient care and support;
- An environment that promotes physical and emotional well-being;
- A life-long family relationship with at least one adult that promotes a sense of mutual belonging and is legally secure; and
- Representation before the Juvenile court by a Guardian Ad Litem and/or attorney if custody has been removed from the parents.

SOC principles also encourage the involvement of children, if appropriate, during the process of child welfare involvement.

Perpetrator's Rights

Persons alleged to have caused or contributed to the abuse, neglect, or dependency of a child have a right:

- To be informed of the allegations of child abuse, neglect, or dependency at first contact with DSS;
- To receive services designed to correct the behavior that led to the abuse, neglect, or dependency;
- To retain legal counsel, if they so desire (the court appoints counsel to indigent parents); and
- To be informed of the agency's actions relating to them, including referral for criminal charges when indicated.

Agency Responsibilities

Providing protective services to families is a very complex task. Intervening into the life of a family must be done with care, dignity, and respect. Social workers must:

- Have the skills to handle crises without escalating them;
- Identify strengths and risk factors within the family;
- Build self-esteem;
- Establish rapport;
- Advocate with the family, community and other agencies for supportive services; and
- Help develop realistic goals and services.

V. A BRIEF HISTORICAL PERSPECTIVE OF CHILD PROTECTIVE SERVICES

In 1874, in New York City, Mrs. Wheeler, a church volunteer, became aware of an eight

year old indentured servant girl named Mary Ellen, who was being mistreated by her father and stepmother. Mrs. Wheeler's attempts to get protection for Mary Ellen were initially unsuccessful. This was due to the fact that the laws established for the protection of children at that time were not systematically enforced. Finally, Mrs. Wheeler was able to get some action from the Society for the Prevention of Cruelty to Animals. In 1875, its Director, Henry Bergh, helped found the Society for the Prevention of Cruelty to Children because so many maltreated children were being referred to this Society.

By the early part of the twentieth century, society began to recognize children as people who had the right to protection. Orphanages and adoption programs were established throughout the United States. Initially, all efforts to protect children were instituted by private organizations. Children received little governmental attention of any kind.

In the United States, the first White House Conference on Children was held in 1909. In 1917, Congress passed the Child Labor Law. In 1935, the Social Security Act was passed. This Act contained several sections that addressed the welfare of children. During the 1960s and 1970s in the United States, there was a public movement to better the conditions of minorities, women, and children. During this time child abuse was identified as a separate issue that should not be confused with children who were in need because their caretakers lacked the means of providing for their basic needs. As a result, child abuse reporting laws were enacted in all states. In 1980 Public Law 96-272, the Adoption Assistance and Child Welfare Act established the Title IV-E Foster Care and Adoption Assistance programs with the [Social Security Act](#). The requirements of P.L. 96-272 had ramifications for all of children's services, including Child Protective Services, especially in the establishment of Title IV-B funding for Child Welfare Services. In 1993, the Omnibus Budget Reconciliation Act extended the range of children's services to include family preservation and family support services. These services were designed to strengthen and support families and children in their own homes.

P.L. 96-272 established the requirements of "reasonable efforts" to maintain the child in the home or to reunify children removed from their families. Since the law did not adequately define "reasonable efforts," agencies sometimes continued efforts to reunify children with their families of origin long after it was reasonable to stop. This resulted in the very outcome that P.L. 96-272 was intended to correct: foster care drift. In other situations, children were left in family situations that were highly volatile, resulting in further injury or death.

In 1994, the Congress passed the Multiethnic Placement Act ([MEPA](#)) which was later amended by a section of the 1996 Small Business Job Protection Act, section 1808, known as IEPA, the Interethnic Adoptions Provisions. This act was intended to assure that permanence through adoptive placement was neither denied nor delayed on the basis of the race, color or national origin of the prospective foster/adoptive parent or the child.

The [Adoption and Safe Families Act of 1997](#) (P.L. 105-89) is the first broad-based child welfare reform legislation passed since P.L. 96-272. The legislation seeks to provide

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States with incentives to achieve the original goals of P.L. 96-272: safety, permanency, and child and family well being. The law clarified some of the “reasonable efforts” language of P.L. 96-272. DSS is required to make reasonable efforts to maintain the child in the home if the child’s safety can be assured. If the child is removed from the home, DSS is required to make reasonable efforts to reunify the child with the family from which s/he was removed, unless the court determines that reunification efforts are not required. The law specifies some general and specific conditions in which the court can immediately relieve the agency of reunification efforts. If reunification efforts are discontinued by the court, the DSS must demonstrate reasonable efforts to locate a permanent home for the child throughout the time the child is in agency custody until permanent custody or guardianship is awarded or the Decree of Adoption is final.

All NC General Statutes can be accessed on the General Assembly website <http://www.ncga.state.nc.us/gascripts/Statutes/Statutes.asp>. Chapter VIII of the Children’s Services Manual outlines the requirements and policy guidance associated with the delivery of Child Protective Services.