



Permanency for Children: Another Planned Permanent Living Arrangement Practice Bulletin January 2009

Iowa Elevate Participants Share Their Perspectives on Permanency¹



Elevate surveyed its members about permanency. When asked to define the word permanency, they said:

- "A place to call home where you feel safe and secure and accepted."
- "A place where you belong."
- "Stability and unconditional love."
- "When you're at the place you are and there for a long time until becoming an adult—or longer if you want to be," and
- "It's a place that you can call home that will still be there in the morning."
- Clarissa, age 19, shared her definition of permanency and what comes to mind when she hears that word; "One home, one bedroom, one mom, one dad. When I hear that word it feels like a fantasy or an illusion—too good to be true."

PERMANENCE IS A FUNDAMENTAL REQUIREMENT FOR HEALTHY DEVELOPMENT OF A CHILD

Permanency offers children the protection of legally defined relationships. Another planned permanent living arrangement is hardly ever the best we can do for children. APPLA is often a default goal that denies real permanency for the children that we serve. Assuring that children are safe is the first critical part of our job. Permanency is the second, the true focus of case management - to assure that children, through lasting relationships, can grow up safely having the love, stability, and their individual emotional, educational, and physical health needs met. Never give up helping a child to have real permanence in their life.

¹ http://www.nationalcasa.org/download/Judges_Page/0806_judges_page_newsletter_0119.pdf
Compiled by the Child and Family Services Division, Iowa Department of Human Services



Permanency for Children: Another Planned Permanent Living Arrangement Practice Bulletin January 2009



This practice bulletin is focused on promoting practices that support appropriately selecting and achieving of the permanency goal "another planned permanent living arrangement" and making it "permanent" for children.

All children are entitled to a safe, secure, appropriate and permanent home. The ASFA statute explicitly prohibits long-term foster care as a permanency option. Long-term foster care is not seen as a permanent living situation for a child. Long-term foster care is not stable and may disrupt, often leading to frequent moves for the child and instability.²

APPLA as a permanency goal is generally seen as only appropriate for some older youth, age 16 or older. For children where this goal is being considered, it is expected that the child participate in the team meeting that establishes the permanency plan. Family Team meetings, Circle of Support, or Youth Transition meetings can be used to focus on permanency for youth and should include parents, caregivers, caseworkers, service providers, informal supports, those invited by the youth as significant people in their lives, and other team members. The youth's transition team assures:

- positive self-care behavior patterns have been demonstrated and the youth is able to sustain those self-care behaviors;
sustainable conditions and supports that must be present and sustained in the home or environment so that external supervision may be safely concluded, and
a comprehensive and realistic plan for what the youth must know and be able to do to successfully transition to young adulthood should be specific and include the informal and formal supports and service strategies.

Permanent:

A "written agreement" or court order documents a long-term commitment of the substitute parents or relatives to continue a family relationship with the child until and beyond the child's age of majority.

If there is a written agreement or court order documenting the long-term commitment of substitute caregivers like foster parents or a relative placement, this should not be

considered a long-term foster care placement but a "permanent" placement with the goal achieved.

The agreement with the permanent caregiver should also include the department's commitment to provide the caregiver with the supports and services necessary to maintain the child's placement until they have been successfully transition to adulthood, or adult services.

The Long Term Placement Agreement form 470-4540 can be found in the manual appendix: http://www.dhs.state.ia.us/policyanalysis/PolicyManualPages/Manual_Documents/Master/17-app.pdf This agreement is in the process of being revised. The agreement or court order should be maintained in the child's file.

Urgency is even more imperative when considering permanency for older youth. Life-long connections should be in place and stable long before a youth transitions out of foster care to young adulthood. In addition, skill development for young adulthood needs to be finalized so the child has the best chance for success.

Expectations: Prior to using a goal of "another planned permanent living arrangement," reunification, guardianship, permanent placement with a relative, and adoption must be thoughtfully considered. Documentation must justify compelling reasons why these goals are not a permanency option for a child.

The term "compelling reasons" is used in two different provisions in ASFA:

- The Department may determine it has a compelling reason not to file a termination petition when the child has been in care for 15 of the last 22 months. [For more information about this use of compelling reason, see Permanency Practice Bulletin; 10/08]
The court may determine at a permanency hearing that there is a compelling reason that reunification, adoption, guardianship, and relative placement are not in the child's best interests. If the court makes such a finding, it may order another planned permanent living arrangement as the permanency goal for the child.

"Compelling reasons" not to provide a child with the highest level of permanency available must be convincing and forceful. A compelling reason must be supported with very strong, case-specific facts and evidence which includes

2 Job Aid for Training Use Produced by Human Systems and Outcomes, 12/08 Compiled by the Child and Family Services Division, Iowa Department of Human Services



Permanency for Children: Another Planned Permanent Living Arrangement Practice Bulletin January 2009

justification for the decisions and reasons why all other more permanent options for a child are not reasonable, appropriate or possible.

Another planned permanent living arrangement must be:

- a "permanent" living arrangement with a foster parent or relative caregiver or other suitable person, and
- there must be a written commitment on the part of all parties involved or an order of the court, with the expectation that the child remain in that placement until he or she reaches the age of majority.

Examples of "permanent" living arrangements include situations where:

- foster parents have made a formal written commitment to care for the child until adulthood, or
- the child is with relatives who plan to care for the child until adulthood, or
- the child is appropriately placed in agency-supervised transitional living and is expected to successfully transition to young adulthood.

The CFSR expectations for another planned permanent living arrangement are:

Permanency Outcome 1: Children have permanency and stability in their living situations.

The expectation is that an appropriate permanency goal is selected, that matches the child's needs and circumstances, at each point in the life of the case.

It is also an expectation that goals are established at the right time in the life of the case. At the initiation of a case, an appropriate goal must be established in the first case plan. When circumstances warrant a change in goal, the goal must be changed in a timely manner. For example, in a case where there are aggravated circumstances, an initial goal of adoption may be appropriate and timely; in a case where prognosis for reunification is poor, concurrent goals of reunification and permanent placement with a relative may be appropriate and timely.

In addition, it is an expectation that concerted efforts are made to achieve the established goal within timeframes.

DHS Case reading data shows that of 3,201 children reviewed in 2007, 69% had permanency and stability in their living situation and 89% had continuity of family relationships and connections preserved.

PERMANENCY is not only a permanent place to call home, but also includes life long relationships with people who care about a child or youth.

Why is APPLA not the best we can do for children and youth?

- While foster care provides a temporary placement for children in need, the instability of foster care over many years does not provide the necessary environment for most children to successfully accomplish developmental tasks, nor does it promote the development of a lifetime support system for children. Children with an APPLA goal are more likely to move to another placement when there is a behavioral issue or family crisis. Staff turnover can impact long term placements and stability as relationships change and non-documented commitments are lost.
- Unlike adoption or guardianship, APPLA continues to be a foster care placement and requires the continued supervision of the department and court. This means that all case management activities must be maintained; e.g. monthly visits, case planning etc. For families who have made a lifelong commitment to a child, and for the child, this can seem intrusive when the placement is permanent and stable.
- For youth with an APPLA goal, it's much more likely that the youth will be on their own once they reach adulthood, whereas real permanency lasts a lifetime. Youth who are emancipated from foster care without a permanent family are at high risk for many poor outcomes. One longitudinal study of youth aging out of foster care found numerous challenges as these youth were transitioning to adulthood (Courtney, Piliavin, Grogan-Kaylor, & Nesmith, 2001). One in five (22 percent) had lived in four or more places within 18 months of discharge from care; more than one-third (37 percent) had been physically or sexually victimized, incarcerated, or homeless during that time period; and these youth had considerably more mental health challenges than others in the same age group. In addition, more than one-third (37 percent) had not completed high school, and only 61 percent were employed after 18 months, earning a median wage of \$4.60 per hour (Courtney et al.).

3 Job Aid for Training Use Produced by Human Systems and Outcomes, 12/08



Permanency for Children: Another Planned Permanent Living Arrangement Practice Bulletin January 2009

- Unlike adoption and guardianship, APPLA speaks to a living arrangement that is planned and permanent, but does not **guarantee** permanent relationships. A stable living arrangement is important, but stable caring relationships that last a lifetime are more important.

What needs to be considered to assure APPLA is an appropriate goal for a child?

- The youth needs to have the opportunity to fully explore alternative permanency options in a safe environment, to explore the pros and cons of their options, what they want and need. This needs to be revisited periodically.
- There needs to be a VERY THOROUGH review or "mining" of the child's record to see that "no stone is left unturned" in terms of identifying significant relationships from the child's past and present.
- There needs to be a VERY THOROUGH web search for possible relatives who might provide permanency.
- There needs to be an identification of what adults will provide the permanent connections that will last a lifetime for the child.
- There needs to be an FTM or dream team meeting that includes persons the youth values.
- Avenue to assure connections with youth and their family of origin need to be fully explored. Many times youth believe that they have to choose between family loyalty and real permanence. Mediation for Permanency [available in some parts of Iowa] provides mediated agreements to assure family connections and maintain family relationships while providing higher levels of legal permanence for a child.

New federal legislation called "Fostering Connections" allows increased federal funding for guardianship placement [similar to subsidized adoptions] and may significantly impact the ability of relative caregivers to become guardians, especially when they need financial support to do so. This is an optional program for which Iowa has not yet applied.

Research⁴:

Permanency for children is critical to positive child and family outcomes and to our success in helping families. Research indicates that a child must have a relationship with at least one adult who is nurturing, protective, and fosters

trust and security over time to become a psychologically healthy human being. We also know that children need consistency in having their needs met over time to develop, learn and grow. Connection with an adult who is devoted to and unconditionally loves a child is key to helping a child overcome the trauma of abuse and neglect. Stability of relationships is important because when the day to day consistency of caregiving is lost, it directly impacts a child's ability to trust, love and cope. Repeated moves of a child compound the adverse consequences of abuse and neglect. Safety and permanency in children's lives are a prerequisite of growth, development, and successful well-being.

A focused study of APPLA is in process in Iowa and early results indicate that:

- APPLA has been utilized for very young children [under the age of 12];
- compelling reason documentation does not justify denying a child permanence, and
- APPLA is the default goal for children at the time of the permanency hearing who do not have established realistic concurrent plans.

Practice Tips

- For every case where APPLA is considered, ask, "Why can't this child have real permanence?" "What are the barriers to guardianship, adoption, or permanent placement with a relative?" "Why is it not reasonable, possible, or appropriate?" "Does the child understand what permanency means and what benefits permanency provides?" "Have the child's thoughts and feelings been explored? Are grief and loss issues being managed?" "Given the child's age and considering the safety constructs, [parental capacity, threat of harm; and child vulnerability] can reunification be reconsidered?"
- Use family team meetings that focus on considering permanency options for children and youth.

In Linn County, Iowa, two pilot studies using community partnership strategies and family team meetings achieved successful reunification for 50 percent of young people residing in residential treatment facilities. For those in shelter care, nearly 75 percent were able to return to their parents or be placed with close relatives.

- Always keep in mind the needs of children for a permanent home **and relationships**. Plan with a sense of

⁴ "Achieving Permanence for Children in the Child Welfare System: Pioneering Possibilities Amidst Daunting Challenges." Lorrie L. Lutz
Compiled by the Child and Family Services Division, Iowa Department of Human Services



**Permanency for Children: Another Planned Permanent Living Arrangement
Practice Bulletin
January 2009**

urgency! It is important that permanency planning occur early in all foster care cases.

- Build trust, be transparent and always involve the child and **both** parents in identifying permanency goals. Share with them the required timelines and promote their ownership of assuring their child has a permanent home, whether it is safe return home or another permanent home. Involve the caregivers in determining and promoting the permanency goal continuously.
- Every time you pick up a case assess the level of permanence and progress to achieve permanence for a child. Unless permanency has been achieved, there is no time in the life of the case that we should not be focusing on permanency for a child.
- Help children understand permanency; **if** they have it and **why** they would want it. From ELEVATE youth we have learned that if you ask children, they have very specific ideas about who loves them and where they might grow up.
- Use concurrent planning to expedite permanency. Make the first placement the best placement and a permanent placement if the child cannot safely return home.
- Remember to consider the long-term view for the child. The need for permanency does not end at age 18. Successful transition to adulthood requires connections with supportive and trusted advisors. A Permanency Pact can formalize relationships and responsibilities to support a child after foster care:
<http://www.fosterclub.com/pdfs/PermPact.pdf>
- Use a permanency checklist to monitor the quality of permanence for a child.



Permanency Checklist	Yes	No
<p>Is there a good foundation of practice in this case? If not, have I identified how that will impact permanency for this child?</p> <ul style="list-style-type: none"> □ Comprehensive assessment of children and their needs; □ Family team understanding of the child's needs and viable permanency options; □ Family team collaborative teamwork, communication, and monitoring/tracking of progress toward achieving permanency; □ Child and family engagement and shared decision making; □ Case planning, timely permanency decisions, and effectiveness of strategies to achieve permanency; □ Timely court reviews and meaningful permanency hearings; □ Maintaining a stable, nurturing, and permanent placement; □ Transition planning for safe case closure; and □ Ongoing informal or community supports to maintain family change and/or provide ongoing support to meet the needs of the child. 		
<p>APPROPRIATE: Is this the most appropriate, most permanent option for this child? Does the goal match the needs and circumstances in the child's life right now? Have I clearly documented my justification for the permanency goal?</p>		
<p>TIMELY: Is a goal established in the first case plan? Is the goal current? Is the goal ahead of or at least on track with ASFA timelines? If not, what are the barriers and what are strategies to overcome those barriers?</p>		
<p>CONNECTIONS PRESERVED:</p> <ul style="list-style-type: none"> □ Is the child's placement close to home to promote reunification? □ Is the child placed with siblings? □ Does the child visit with parents and siblings in foster care? □ Have ICWA inquiry and guidelines been completed? □ Have the child's connections been preserved with their friends, school, church, neighborhood, community, and Tribe? □ Has a diligent search for family and kin of both parents been completed? Is the child currently placed with a relative? □ Are concerted efforts being made to promote the relationship of child in care with parents? 		



Permanency for Children: Another Planned Permanent Living Arrangement Practice Bulletin January 2009

Examples of cases where it is inappropriate to use APPLA as a goal:

Table with 2 columns: APPLA USED INAPPROPRIATELY and What should be the goal? And why? It contains five rows of examples where APPLA is not the appropriate goal, such as 'Child needs specialized care due to behavioral or mental health issues' and 'ASFA timeframes cannot be met'.



Permanency for Children: Another Planned Permanent Living Arrangement Practice Bulletin January 2009



Elevate youth offer recommendations for improving the child welfare system and permanency outcomes:⁵

1. Involve kids more; ask them what they want.
2. Explain to the youth what is going on and the steps of the judicial process. If a child is of an age appropriate to attend the hearing, give them that opportunity.
3. Trust what the children say. A discrepancy in the stories between an adult and a child does not mean that the child is lying. Even if a child recants after alleged abuse, do not assume he was lying.
4. Do not speak negatively about the birth family. This will put the child on the defensive and decrease the odds that he will trust you. It may also make the child think that you look down on him because he is part of that family.
5. Don't make promises you cannot keep. If you are not certain that you can do something, just say that you will try.

To find out more about Elevate or to request a copy of their DVD, visit the Elevate website at elevate2inspire.com

⁵ http://www.nationalcasa.org/download/Judges_Page/0806_judges_page_newsletter_0119.pdf
Compiled by the Child and Family Services Division, Iowa Department of Human Services