STATE OF MISSISSIPPI
DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY AND CHILDREN'S SERVICES

Section A: Administration

PART I – ADMINISTRATION

I. ADMINISTRATION AND MANAGEMENT 8
A. DFCS Purpose 8
B. DFCS Mission Statement 9
C. DFCS Vision Statement 9
D. DFCS Core Values 9
E. DFCS Administration/Management Philosophy and Strategies 10
F. DFCS Leadership 12
1. The Deputy Administrator.....12
G. DFCS Organizational Charts.....12
H. Scope of Services 12
II. FEDERAL GRANT PROGRAMS AND SERVICES AVAILABLE THROUGH THESE GRANTS 13
A. Title IV-B Subpart I (Child Welfare Services) 13
B. Title IV-B2 Promoting Safe and Stable Families.....14
C. Title IV-E Foster Care.....17
D. Title IV-E Adoption Assistance 18
1. Child Abuse Prevention and Treatment Act (CAPTA) State Grants 18
2. The John H. Chafee Foster Care Independence Program 19
3. Children's Justice Act 19
4. Court Improvement Program.....21
5. Community-Based Grants for the Prevention of Child Abuse and Neglect (CBCAP).21
III. DIRECT SERVICES INTERVENTIONS AND WORKLOAD MANAGEMENT 22
A. Service-Related Activities and Case Types.....24
B. Service Array.....25
C. Interpreter Service 27
IV. COMMUNITY INVOLVEMENT, ADVOCACY AND REPRESENTATION, AND DFCS OVERSIGHT 30
A. DFCS Partnership and Oversight Teams.....30
1. Citizens Review Panel.....31
2. Administrative Office of Courts, Court Improvement Program 31
3. Multidisciplinary Team Meetings 31
4. Child Fatality Review Panel.....32
5. Foster Care Review Teams.....32
6. State, Regional and local Planning and Implementation Teams 32
B. Memorandum of Understanding (MOU) 32
V. ORGANIZATION OF ADMINISTRATIVE TEAMS.....32
A. Administrative Teams 33
B. Administrative Roles- Ongoing Functions and Communication 34
VI. STRATEGIC PLANNING.....36

A. Child and Family Services Plan 37
B. Annual Progress and Services Report 37
C. Performance Improvement Plans 38
D. CQI Annual Plan 38
E. Strategic Planning Cycle 38
1. Five Year Plan 38
2. Yearly Strategic Plan 39
3. Ongoing Strategic Planning 40
VII. POLICY DEVELOPMENT, REVIEW AND COMMUNICATION 40
VIII. RESOURCE DEVELOPMENT 40
IX. ONGOING ADMINISTRATIVE OVERSIGHT AND PRACTICE 41
A. County and Regional Administrative Procedures 42
B. County and Regional Administrative Reporting Requirements 43
C. Requirements for Travel Approvals and Signatures 43
1. Special Travel Circumstances 44
D. Case Record Files (MACWIS and Paper Files) 45
1. MACWIS 45
2. Case Records 45
X. CASE RECORD DESTRUCTION 46
A. Group I – Non-DFCS Custody Related Cases 47
B. Group II – DFCS Custody Related Cases 47
C. Detailed Procedures 48
D. Client Access to Case Records 48
E. Case File Procedures 49
1. Single Pack Case Folder 50
2. Parent Case File Folder 50
3. Foster Child's Case File Folder 52
4. Resource Home Case Record 54
XI. COUNTY ADMINISTRATIVE PROCEDURES AND CONTROLS 58
A. County Administrative File 58
B. Subject File System 59
C. Classification of Material 59
D. Listing of Material by Classification 59
1. Permanent 60
2. Semi-Permanent (5 years) 60
3. Semi-Permanent (3years) 61
4. Temporary (1 year) 61
E. Issuing and Control of Case Records 65
1. Case Record Charge Out Procedure for Closed Cases 66
2. Control of Case Record 66
3. Transfer Within the County 66

4. Transfer Out of County 67
5. Resource Family Relocation 67
6. Family Moves Out of State 67
XII. CODE OF ETHICS FOR CHILD WELFARE PROFESSIONALS.....67
A. Children and Parents' Natural Rights.....67
B. Society's Representatives.....67
C. Multiple Codes of Ethics Apply to Professionals 68
D. Conflict of Interest.....68
E. Restriction of Staff in Handling Certain Cases 69
XIII. ANTI-RETALIATION POLICY 69
A. Steps for Reporting Retaliation 70
XIV. FINANCIAL MANAGEMENT.....71
A. Financial Management 71
B. Division of Family and Children's Financial Responsibilities 72
C. Internal Control Environment 72
D. Financial Risk Assessment.....73
E. Stable Predictable Revenue.....73
F. Financial Planning.....73
G. Financial Planning for Children 74
H. Financial Assistance Requests.....74
I. Financial Accountability 74
J. Financial Management System 75
K. Department of Finance and Administration Policies 77
L. County Bookkeeping System 78
1. General Instructions 78
2. Funds Account.....78
3. Use of Funds Approval.....80
4. Checks 80
M. Support Services.....83
1. Personal Needs includes the following services: 83
2. Medical Needs include the following services.....89
3. Mental Health/Counseling includes the following services:.....89
4. Independent Living includes the following services:.....90
5. Informational and Referral services include: 91
N. Purchase Order 92
O. County Funds Adult 92
P. County Funds Child.....92
Q. Designated Donations.....93
R. Undesignated Donations.....93
S. Child's Own Funds- SSI.....93
T. Child's Own Funds- Child Support.....93

U. Child's Own Funds- SSA 94
V. Regional Funds 94
W. State Funds 95
XV. HUMAN RESOURCES 96
A. Work Environment 96
B. Human Resources Planning 97
C. Recruitment and Selection 97
1. Additional Information Required for Direct Service Workers 97
D. Satisfaction and Retention 98
E. Employee Grievances 100
F. Compensation and Benefits 100
G. Performance Appraisals 100
H. Personnel Records 100
XVI. CONTINUOUS QUALITY IMPROVEMENT 100
A. State Continuous Quality Improvement Plan 100
B. Characteristics of CQI 102
C. Mississippi's Continuous Quality Improvement Structure 102
1. DFCS State Office CQI Unit 103
2. Local CQI Processes 104
D. Stakeholders 104
E. Measures and Outcomes 105
F. Quantitative Information 106
G. Qualitative Information 106
H. Reports and Feedback 109
I. Special Safety Reviews 110
1. Purpose 110
2. Procedure 110
XVII. RISK PREVENTION AND MANAGEMENT 112
A. Risk Management 112
B. Monitoring and Evaluating Risk Prevention/Management at the State Office 113
C. Serious Incident Reports 117
1. Child Fatalities and Near Fatalities 117
2. Other Serious Incidents 117
3. Media Involvement 117
D. MDHS Network and Mississippi Automated Child Welfare Information System 117
1. Accessing MACWIS from Home 118
2. Proxy 118
XVIII. REGULATIONS SAFEGUARDING CONFIDENTIAL INFORMATION 119
A. Confidentiality of Case Records of Children 120
1. Child – Specific Information 121
2. Photographs and Interviews 121

3. Nature of Information to be Safeguarded 127
4. Personnel Action 127
XIX. PERSONS AUTHORIZED TO DISCLOSE INFORMATION 128
A. State Office 128
B. County Office 128
C. Court Subpoenas 128
D. Requests of Parents/Legal Guardian 128
E. Disclosure to County or District Prosecuting Attorney and Law Enforcement 129
F. Subpoena of Case Records 130
G. Summons 130
H. Disclosure to Legislative Officials 130
I. Contracts and Service Agreements 130
J. Quality Monitoring of Purchased Services 132
K. Health and Safety of Service Environments 134
L. Health and Safety of Employees and Service Recipients 135
M. Americans with Disabilities 136
N. Emergency Response 136

PART II –SERVICE DELIVERY

I. BEHAVIOR SUPPORT and MANAGEMENT 138
A. Confidential Information 140
II. COMPLAINTS 141
III. GRIEVANCES 141
IV. APPEALS 142
A. Overview 142
B. Administrative Hearings for Unresolved Formal Grievances 143
C. Appeals of the Central Registry 145
D. Appeals for Finds of Abuse/Neglect/Exploitation 146
E. Administrative Hearings for Resource Homes 146
F. Appeal Process 147
V. TRAINING AND SUPERVISION 149
A. Introduction 149
VI. TRAINING REQUIREMENTS FOR NEWLY HIRED EMPLOYEES 149
A. Direct Service Workers/Clerical Staff 149
B. Pre-Service Training 150
C. Pre-Service Eligibility/Attendance Requirements 150
D. Additional Training Required for New Employees 151
VII. ON-GOING TRAINING REQUIRED FOR DIRECT SERVICE WORKERS 151
A. Staff Development/Training Request 152
B. On-Going Training Waiver 152

C. Supervisory Access 153
VIII. TRAINING REQUIREMENTS FOR SUPERVISORS 153
A. Mentoring 153
IX. SUPERVISION 153
A. Case Record Review 154
B. Individual Conferences with Workers 154
C. Supervisory Administrative Review 155
D. Custody and Non-Custody Cases 155
1) Initial SAR 155
2) 15th Month SAR 156
3) Subsequent SAR 156
X. PROFESSIONAL ENHANCEMENT SCHOLARSHIP 156
XI. NOTICE OF PARENT/GUARDIAN'S RIGHTS 156
A. Investigations 156
B. Prevention/Protection 158
XII. CLIENTS' RIGHTS FOR PARENTS OR PRIMARY CARETAKERS OF CHILDREN IN CARE 160
A. Informing the Parents of His/her Rights and Responsibilities 160
B. Placement Cases 161
C. For Youth 14 or Older in Foster Care 163
D. Rights and Responsibilities Children 13 and Under in Foster Care 165
XIII. INHERENT RIGHTS OF CHILD AND FAMILY 167
A. The Right to Family Integrity 167
B. The Right to Notice of the Proceedings 168
C. The Right to a Hearing 168
D. The Right to Counsel 168
E. CAPTA Requirement of a Guardian *ad litem* or Court-appointed Special Advocate 169
F. The Entitlement to Reasonable Efforts 169
XIV. EXPECTATIONS OF RIGHTS THROUGH THE EYES OF THE CHILD OR YOUTH 170
A. As a Child or Youth in Foster Care, I Have the Right: 170
B. When I Am Age 16 and Older in Foster Care, I Also Have the Right: 172
C. All Children and Youth in Foster Care Have the Right: 173
D. Written and Oral Communication Needs of Clients 176
XV. APPENDICES 178
A. Appendix A: DFCS Organizational Chart 179

The Mississippi Department of Human Services will hereinafter be known as "MDHS" and its Division of Family and Children's Services hereinafter will be known as "DFCS".

I. ADMINISTRATION AND MANAGEMENT

A. DFCS Purpose

Under the umbrella of the Mississippi Department of Human Services (MDHS), the Division of Family and Children's Services (DFCS) is authorized by state statute to promulgate regulations, policies and procedures necessary to implement the state's child welfare system and to ensure the safety, permanency, and well-being for Mississippi's families and children. DFCS is responsible for the Title IV-B Subpart 1 (Child Welfare Services), IV-B Subpart 2 (Promoting Safe and Stable Families), Title IV-E (Foster Care and Adoption Assistance), Child Abuse Prevention and Treatment Act (CAPTA) as amended by the Keeping Children and Families Safe Act of 2003, Chafee Foster Care Independence Program (CFCIP), Educational Training Voucher (ETV) and other federal and state programs.

MISS. CODE ANN. § 43-1-4

Powers and duties of department

The Department of Human Services shall have the following powers and duties:

a) To provide basic services and assistance statewide to needy and disadvantaged individuals and families.

b) To promote integration of the many services and programs within its jurisdiction at the client level thus improving the efficiency and effectiveness of service delivery and providing easier access to clients.

c) To develop a statewide comprehensive service delivery plan in coordination with the Board of Health, the Board of Mental Health, and the Department of Finance and Administration. Such plan shall be developed and presented to the Governor by January 1, 1990.

d) To employ personnel and expend funds appropriated to the department to carry out the duties and responsibilities assigned to the department by law.

e) To fingerprint and perform a criminal history record check on every employee or volunteer

i. who has direct access to clients of the department who are children or vulnerable adults, or

ii. *who is in a position of fiduciary responsibility. Every such employee and volunteer shall provide a valid current social security number and or driver's license number which shall be furnished to conduct the criminal history record check. If no disqualifying record is identified at the state level, fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check.*

B. DFCS Mission Statement

Our mission is to lead Mississippi in protecting children and youth from abuse, neglect and exploitation by providing services to promote safe and stable families.

The mission statement must appear in training curriculum, conferences, publications, and any other appropriate communications i.e. email formats.

C. DFCS Vision Statement

Our vision is for children to grow up in a loving family environment, safe from harm, without fear of disruption and with the opportunity to experience continuity of relationships, with all children having stability and a sense of belonging. Our goal is that no child experiences abuse or neglect and that the families we serve improve their abilities to protect and nurture their children as a result of our intervention.

D. DFCS Core Values

- *Competence*- To be competent, we have technical skills and knowledge; we work with common sense; we make informed decisions; and we follow through to achieve successful outcomes.
- *Integrity*- To act with integrity we are honest in our interactions; we are accountable for our actions; and we do the right thing.
- *Responsibility*- To be responsible we do what we say we are going to do; we take initiative.
- *Respect*- To be respectful we treat others with kindness, compassion, dignity, and honor differences in our clients and each other.
- *Personal courage*- To be courageous we are loyal to the Mission of MDHS/DFCS; we advocate for our clients; we lead by example even when doing so carries risk.

- *Collaboration*- To collaborate we make decisions for the common good; we share resources based on need; we work together effectively in teams; and work with a collective knowledge of all programs and services.

E. DFCS Administration/Management Philosophy and Strategies

"Administration" or "Management" refers to those activities deliberately designed and practiced that support, guide and ensure successful delivery of the DFCS's direct service interventions. Section A of this manual defines and describes these general Administration/Management activities. Policy Sections B-H defines and describes DFCS' direct service interventions.

Management, supervisory, administrative as well as direct services intervention practice shall be based on a common philosophy and shall be governed by similar expectations. Principles and ethics of the profession of social work will be embedded in all administrative policy and practice guidelines and direct service interventions policy and guidelines.

Family centered, strengths-based practice principles provide the model for child welfare practice with individuals and families, supervision and management of staff within DFCS, and collaboration with community groups and partners.

Engagement, instruction, assessment, planning, evaluation, advocacy and communication shall be practiced at the management/ administrative/supervisory level and at the direct service provision level.

DFCS leaders/administrators/managers/supervisors should model the practices and demonstrate the administrative skills expected of those they supervise.

The expectations for administration, management and supervision of each supervisory unit, DFCS team or family team include the following:

- The team is the focus. Teams should be clearly defined by composition, structure, purpose, functions, roles, and meeting frequency. Team members should be engaged to develop systems of expectations, outcomes or goals, communication, support and services to address DFCS goals and positive outcomes for the children and families we serve. Teams should encourage the individual, personal and professional goals of team members. Relationship and team building activities are essential to success.
- Strengths are emphasized. Teams should identify and assess the skills, abilities and resources available to perform work and achieve goals. The capacity of the team is broadened through a conscious, continual use and reinforcement of these strengths.

- Plans are made by the team rather than for the team. Ongoing strategic planning is a routine practice throughout the DFCS. Problem-solving skills should receive ongoing attention.
- Decisions are shared. To the greatest extent possible, individuals and teams should share in decisions affecting them.
- Continuous feedback is given. Individuals and teams should receive ongoing feedback about achievement of Administrative goals and direct services interventions goals. They should be apprised, by individual and team supervisors, of their individual and team effectiveness in achieving stated outcomes. Ongoing program assessment, Continuous Quality Improvement and individual performance evaluation are employed to ensure success of the DFCS's mission.
- Assessments shall be supported through the use of all available reliable data. Leaders, supervisors, managers and direct services staff should provide instruction and guidance based on DFCS data as well as client, staff and community feedback. Leaders should ensure the validity, integrity and reliability of DFCS data.
- Administrative teams shall be linked with a diverse array of other agencies or community teams, groups or domains that, likewise, develop defined communication and support systems to address DFCS goals and outcomes. These teams could be, but are not limited to, Implementation Teams, clusters of counties, community partnerships formed for specific purposes or DFCS intra-divisional teams.
- Communication is essential and ongoing communication is paramount to individual and team success. Routine, planned team meetings should be held to ensure more uniform application of policies and practice principles. Staff should be apprised of and adhere to the established chain of command. Team supervisors should develop clear communication plans and protocols in consultation with team members.
- Leaders must be visible. Leaders must schedule local site visits in order to solicit feedback, communicate values and vision, and to coach and model practice philosophies.
- Advocacy is basic to child welfare work. Administrative, supervisory and front line staff shall advocate for and clearly communicate the Division's purpose, vision, core values and practice philosophy and principles. Leaders shall intervene on behalf of staff, when necessary, and model and coach effective advocacy. Actual practice shall clearly reflect stated values and principles.
- Documentation ensures accountability. Minutes of team meetings shall be maintained in appropriate administrative files. Documentation in case files shall be thorough, concise and up to date.
- Successes shall be communicated and celebrated. Each core team shall identify successes and recognize successful practitioners.

F. DFCS Leadership

The role of DFCS leadership requires responsibility and creativity necessary in organizational and institutional leadership.

1. The Deputy Administrator

The major tasks of the Deputy Administrator are to develop and establish the basic mission and goals of DFCS and to create an organizational culture and structure uniquely adapted to and capable of fulfilling the mission and accomplishing the goals, the Deputy Administrator must:

- promote and defend, build and protect organizational integrity through actions, behavior, and decisions which support and demonstrate the unity of policy, structure, and technology with the values and principles providing the foundation for the DFCS' distinctive competence – the unique and exclusive manner in which DFCS gets the work done in a way that only this organization and no other can get the work done.
- stimulate and engender in staff, and in external partners and stakeholders, trust, faith, and belief in the mission, methods, and values, as well as in organizational leadership.

G. DFCS Organizational Charts

Organizational charts show the official "chain of command" of DFCS and are subject to modification as needs change. Therefore official organizational charts shall be updated at least annually or as requested by the MDHS Division of Human Resources (HR) and will remain on file in that Division. Regional and county overview organizational charts may be developed to illustrate the organizational chain of command as assigned in local, regional, or state offices. (*See* Organizational chart attached as Appendix A)

H. Scope of Services

Direct services interventions provided by DFCS are based on an ongoing assessment of outcomes articulated in DFCS' Child and Family Services Plan. DFCS shall conduct annual updates to this plan after evaluation of success with plan outcomes and the effectiveness of services in achieving these outcomes.

DFCS' Continuous Quality Improvement (CQI) measures will be employed to determine whether modifications need to be made to the scope of services to achieve desired outcomes. DFCS shall evaluate the effectiveness of services purchased from contracted providers by

implementing performance based contracting and develop requests for proposals to improve service delivery.

Performance based contracting involves a contract between DFCS and private service providers, which exchanges increased performance toward better outcomes for children for needed resources and flexibility to achieve the desired outcomes. Performance based contracting employs financial incentives/penalties in the contract to encourage achievement of the outcomes on behalf of children and families.

II. FEDERAL GRANT PROGRAMS AND SERVICES AVAILABLE THROUGH THESE GRANTS

Following are descriptions of federal grant programs and services available through these grants and are examples of services which could constitute DFCS service array supported by these grants. Actual direct services interventions are described later in this section under "Direct Services Interventions". Please see www.acf.hhs.gov, from where the following information was taken, for additional details or updates.

A. Title IV-B Subpart 1 (Child Welfare Services)

Social Security Act [42 U.S.C. 621 § 421]:

PURPOSE: The purpose of this subpart is to promote State flexibility in the development and expansion of a coordinated child and family services program that utilizes community-based agencies and ensures all children are raised in safe, loving families, by:

1. protecting and promoting the welfare of all children;
2. preventing the neglect, abuse, or exploitation of children;
3. supporting at-risk families through services which allow children, where appropriate, to remain safely with their families or return to their families in a timely manner;
4. promoting the safety, permanence, and well-being of children in foster care and adoptive families; and
5. providing training, professional development and support to ensure a well-qualified child welfare workforce.

45 CFR 1357.10:

Child Welfare Services are public social services directed to accomplish the following purposes:

1. Protecting and promoting the welfare and safety of all children, including individuals with disabilities; homeless, dependent, or neglected children;
2. Preventing or remedying, or assisting in the solution of problems which may result in the neglect, abuse, exploitation, or delinquency of children;
3. Preventing the unnecessary separation of children from their families by identifying family problems and assisting families in resolving their problems and preventing the breakup of the family where the prevention of child removal is desirable and possible;
4. Restoring to their families children who have been removed and may be safely returned, by the provision of services to the child and the family;
5. Assuring adequate care of children away from their homes, in cases where the child cannot be returned home or cannot be placed for adoption; and
6. Placing children in suitable adoptive homes, in cases where restoration to the biological family is not possible or appropriate.

B. Title IV-B 2 - Promoting Safe and Stable Families

Social Security Act [42 U.S.C. 629 § 430]:

PURPOSE: The purpose of this program is to enable States [and eligible Tribes] to develop and establish, or expand, and to operate coordinated programs of community-based family support services, family preservation services, time-limited family reunification services, and adoption promotion and support services to accomplish the following objectives:

- prevent child maltreatment among families at risk through the provision of supportive family services.
- assure children's safety within the home and preserve intact families in which children have been maltreated, when the family's problems can be addressed effectively.
- address the problems of families whose children have been placed in foster care so that reunification may occur in a safe and stable manner in accordance with the *Adoption and Safe Families Act of 1997.*
- to support adoptive families by providing support services as necessary so that they can make a lifetime commitment to their children.

Social Security Act [42 U.S.C. 629a § 431]:

(1) Family Preservation Services are services for children and families designed to help families (including adoptive and extended families) at risk or in crisis, including:

- service programs designed to help children-
- where safe and appropriate, return to families from which they have been removed; or
- removed from a family determined not to be safe and appropriate for a child, in some other planned, permanent living arrangement;
- pre-placement preventive services programs, such as intensive family preservation programs, designed to help children at risk of foster care placement remain safely with their families;
- service programs designed to provide follow-up care to families to whom a child has been returned after a foster care placement;
- respite care of children to provide temporary relief for parents and other caregivers (including foster parents); and
- services designed to improve parenting skills (by reinforcing parents' confidence in their strengths, and helping them to identify where improvement is needed and to obtain assistance in improving those skills) with respect to matters such as child development, family budgeting, coping with stress, health, and nutrition; and
- infant safe haven programs to provide a way for a parent to safely relinquish a newborn infant at a safe haven designated pursuant to a State law.

(2) Family Support Services are community based services to promote the safety and well being of children and families designed to increase the strength and stability of families (including adoptive, foster, and extended families), to increase parents' confidence and competence in their parenting abilities, to afford children a safe, stable and supportive family environment, to strengthen parental relationships and promote healthy marriages, and otherwise to enhance child development.

Social Security Act [42 U.S.C. 629a § 431(7)(A)]:

(A) Time Limited Family Reunification Services are services and activities described in subparagraph (B) (see below) provided to:

- a child who is removed from his/her home and placed in a foster family home; and or child care institution; and
- to the parents or primary caregiver of such a child, in order to facilitate the reunification of the child safely and appropriately within a timely fashion. "Timely" means the earliest possible time of the 15 month period that begins on the date that the child, pursuant to §475(5)(f), is considered to have entered foster care.

(B) Services and Activities Described. – The services and activities described in this subparagraph are the following:

- individual, group, and family counseling
- inpatient, residential, or outpatient substance abuse treatment services
- mental health services.
- assistance to address domestic violence.
- services designed to provide temporary child care and therapeutic services for families, including crisis nurseries.
- transportation to or from any of the services and activities described in this subparagraph.

Social Security Act [42 U.S.C. 629a § 431(8)]:

Adoption Promotion and Support Services are services and activities designed to encourage more adoptions out of the foster care system, when the adoptions promote the best interests of children, and include such activities as pre and post adoptive services and activities designed to expedite the adoption process and support adoptive families.

45 CFR Part 1357, Sec. 1357.10 Scope and definitions.

Community-based Services refers to programs delivered in accessible community settings which are responsive to the needs of the community and the individuals and families residing therein. These services may be provided under public or private nonprofit auspices.

Family support services may include:

1) Services, including in-home visits, parent support groups, and other programs designed to improve parenting skills (by reinforcing parents' confidence in their strengths, and helping them to identify where improvement is needed and to obtain assistance in improving those skills) with respect to matters such as child development, family budgeting, coping with stress, health, and nutrition;
2) Respite care of children to provide temporary relief for parents and other caregivers;
3) Structured activities involving parents and children to strengthen the parent-child relationship;
4) Drop-in centers to afford families opportunities for informal interaction with other families and with program staff;
5) Transportation, information and referral services to afford families access to other community services, including child care, health care, nutrition programs, adult education literacy programs, legal services, and counseling and mentoring services; and
6) Early developmental screening of children to assess the needs of such children, and assistance to families in securing specific services to meet these needs.

C. Title IV-E Foster Care

The Federal Foster Care Program provides safe and stable out-of-home care for children until the children are safely returned home, placed permanently with adoptive families or placed in other planned arrangements for permanency.

The program is authorized by title IV-E of the Social Security Act, as amended, and implemented under the Code of Federal Regulations (CFR) at 45 CFR parts 1355, 1356, and 1357. It is an annually appropriated program with specific eligibility requirements and fixed allowable uses of funds. Funding is awarded by formula as an open-ended entitlement grant and is contingent upon an approved title IV-E plan to administer or supervise the administration of the program.

The title IV-E DFCS must submit yearly estimates of program expenditures as well as quarterly reports of estimated and actual program expenditures in support of the awarded funds. Funds are available for monthly maintenance payments for the daily care and supervision of eligible children; administrative costs to manage the program; training of staff and foster care providers; recruitment of foster parents and costs related to the design, implementation and operation of a state-wide data collection system.

D. Title IV-E Adoption Assistance

The Adoption Assistance Program provides funds to States to facilitate the timely placement of children, whose special needs or circumstances would otherwise make it difficult to place, with adoptive families. Authorized under Title IV-E of the *Social Security Act*, and amendments, the Adoption Assistance Program provides federal matching funds of 50% to 83%, depending on the Mississippi's per capita income.

Funding is contingent upon an approved State plan to administer or supervise the administration of the program. Mississippi must submit yearly estimates of program expenditures as well as quarterly reports of estimated and actual program expenditures. Funds are available for a one-time payment to assist with the costs of adopting a child as well as for monthly subsidies to adoptive families to assist with the care of the eligible child.

Additionally, funds are available for: administrative costs to manage the program; training staff and adoptive parents; adoptive parent recruitment; and other related expenses.

1. Child Abuse Prevention and Treatment Act (CAPTA) State Grants

This program provides funds for States to improve their child protection service systems Reauthorized by the *Keeping Children and Families Safe Act of 2003*, the program requires Mississippi to provide assurances in their five-year Child and Family Services Plan that the State is operating a statewide child abuse and neglect program that includes several new programmatic requirements such as:

- Policies and procedures that address the needs of drug-exposed infants;
- Triage procedures for referral of children not at imminent risk of harm to community or preventative services;
- Notification of an individual who is the subject of an investigation about the allegations made against them;
- Training for child protection on their legal duties and parents' rights; and
- Provisions to refer children under age three who are involved in a substantiated case to early intervention services under *IDEA* Part C.

2. The John H. Chafee Foster Care Independence Program (P.L. 106-169)

The John H. Chafee Foster Care Independence Program (CFCIP) offers assistance to help current and former foster care youth achieve self-sufficiency. Grants are offered to states and tribes that submit a plan to assist youth in a wide variety of areas designed to support a successful transition to adulthood. Activities and programs include, assistance with education, employment, financial management, housing, emotional support and assured connections to caring adults for older youth in foster care. The program is intended to serve youth who are likely to remain in foster care until age 18, youth who, after attaining 16 years of age, have left foster care for kinship guardianship or adoption, and young adults ages 18-21 who have "aged out" of the foster care system.

The Educational and Training Vouchers Program (ETV) for youth aging out of Foster Care was added to the CFCIP in 2002. ETV provides resources specifically to meet the education and training needs of youth aging out of foster care. In addition to the existing authorization of $140 million for the CFCIP program, the law authorizes $60 million for payments to states and tribes for post secondary educational and training vouchers for youth likely to experience difficulty as they transition to adulthood after the age of 18. This program makes available vouchers of up to $5,000 per year per youth for post secondary education and training for eligible youth.

3. Children's Justice Act (P.L. 99-401)

The *Children's Justice Act* (CJA) provides grants to assist States in developing, establishing, and operating programs designed to improve:

- The assessment and investigation of suspected child abuse and neglect cases, including cases of suspected child sexual abuse and exploitation, in a manner that limits additional trauma to the child and the child’s family;
- The assessment and investigation of cases of suspected child abuse-related fatalities and suspected child neglect-related fatalities;
- The investigation and prosecution of cases of child abuse and neglect, including child sexual abuse and exploitation; and
- The assessment and investigation of cases involving children with disabilities or serious health-related problems who are suspected victims of child abuse or neglect.

Mississippi must apply for these funds and meet certain eligibility requirements, including receipt of the CAPTA State Grant and establishment of a CJA Task Force as outlined in the legislation. Funds are allocated in the amount of $50,000 per state, plus an additional amount

based on the population of children younger than 18 years of age in the applicant state's jurisdiction. Funding comes from Crime Victims' Fund, which collects fines and fees charged to persons convicted of federal crimes. The Fund is administered by the U.S. Department of Justice, Office of Victims of Crime (OVC) and the grants are awarded by the Administration on Children, Youth and Families, U.S. Department of Health and Human Services, as outlined in **§107** of the Child Abuse Prevention and Treatment Act (CAPTA), as amended, by the *Keeping Children and Families Safe Act of 2003.*

Typical CJA activities:

- Developing curricula and conducting training for personnel in law enforcement and child protection services, as well as health and mental health professionals, prosecutors and judges.
- Establishing or enhancing child advocacy centers and other multidisciplinary programs to serve child victims and their families in order to minimize trauma.
- Establishing and supporting county and/or state child fatality review teams, including multidisciplinary training, team development, and annual reporting.
- Supporting the enactment of laws to improve systems response, including allowing the admission of indirect testimony of children into evidence, making the courtroom setting less intimidating to children, increasing the penalties for sexual offenses against children, requiring mandatory sentencing, shortening the trial process, and permitting victims to make statements prior to sentencing.

To be eligible for CJA funds, Mississippi must be eligible for the CAPTA Basic State Grant and are required to establish and maintain a multidisciplinary task force on children's justice. The task force is comprised of representatives from selected disciplines involved in handling child abuse and neglect cases.

The task force makes policy and training recommendations regarding methods to better handle these cases, with the expectation that it will result in reduced trauma to the child victim and the victim's family, while insuring fairness to the accused.

Every three years after the initial award, the task force is required to conduct a comprehensive evaluation of the state's systems related to the investigative, administrative and judicial handling of child abuse, neglect and exploitation cases and child maltreatment-related fatalities and make recommendations for improvements to those systems.

4. Court Improvement Program (P.L.107-133)

The Court Improvement Program (CIP) was created as part of the Omnibus Budget Reconciliation Act (OBRA) of 1993, which among other things, provided federal funds to states and tribes for preventive services and services to families at risk or in crisis.

The Promoting Safe and Stable Families Amendments of 2001, (P.L. 107-133), reauthorized the Court Improvement Program through FY 2006. The law also expands the scope of the program to: (1) include improvements that the highest courts deem necessary to provide for the safety, well-being, and permanence of children in foster care, as set forth in *ASFA*; and (2) implement a corrective action plan, as necessary, in response to findings identified in a child and family services review MDHS/DFCS.

From any discretionary funding appropriated annually for the *Promoting Safe and Stable Families* program, the law authorizes a 3.3% set-aside for the CIP. The Court Improvement Program authority was transferred to a new § 438 of the *Social Security Act*.

Typical activities include development of mediation programs, joint DFCS-court training, automated docketing and case tracking, linked DFCS-court data systems, one judge/one family models, time-specific docketing, formalized relationships with the child welfare DFCS, improvement of representation for children and families, CFSR program improvement plan (PIP) development and implementation, and legislative changes.

5. Community-Based Grants for the Prevention of Child Abuse and Neglect (CBCAP)

This program provides funding to States to develop, operate, expand, and enhance community-based, prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect. The program was reauthorized, amended and renamed as part of the CAPTA amendments in 2003. To receive these funds, Mississippi's Governor must designate DFCS to receive the funds and implement the program. Some of the core features of the program include:

- Federal, state, and private funds are blended and made available to community agencies for child abuse and neglect prevention activities and family support programs.
- An emphasis on promoting parent leadership and participation in the planning, implementation and evaluation of prevention programs.
- Inter DFCS collaborations with public and private agencies in the States to form a child abuse prevention network to promote greater coordination of resources.

- Funds are used to support programs such as voluntary home visiting programs, parenting programs, family resource centers, respite and crisis care, parent mutual support, and other family support programs.
- An emphasis on promoting the increased use and high quality implementation of evidence-based and evidence-informed programs and practices.
- A focus on the continuum of evaluation approaches which use both qualitative and quantitative methods to assess the effectiveness of the funded programs and activities.

III. DIRECT SERVICES INTERVENTIONS AND WORKLOAD MANAGEMENT

The official activities of and services provided by DFCS Direct Service Workers – Child Welfare Services – compose DFCS "workload". Workload is measured by computation of the amount of time required to provide or complete defined service-related activities and service types. Each service-related activity and service is assigned a workload value based on established weights and standards derived from the average amount of time determined to be required to adequately and effectively provide or complete the service-related activity or service type measured on a month-by-month basis.

Workload varies, day-to-day, and is measured monthly. By determining the amount of time required each month based on reported workload and dividing the amount of time available by a Direct Service Worker each month to complete the work reported, the number of Direct Service Workers needed is determined. Workload is reported for each Direct Service Worker, each county, each Region, and Statewide, and the number of Direct Service Workers required to complete the work reported at each level – county, region, statewide – is therefore determined each month.

Caseworkers

The official standard for a full caseload at MDHS/DFCS is 100 Caseload Units which constitutes 6,960 workload minutes per month. This standard is derived from a determination that Direct Service Workers have 116 hours (6,960 minutes) of time each month to dedicate to official workload activity – that is, to caseload.

Acknowledgements:

1. Total workload minutes in a caseload will vary month to month. The standard is based on monthly averages.
2. Direct Service Workers will not be assigned cases or service-related activity which results in a caseload exceeding the standard for a full caseload. Caseloads will on

occasion, and at specific points in time, on a Worker-by-Worker basis, fail to reach or may exceed the standard.
3. Workloads shall be measured monthly and adjustments made as needed.

Continuous effort must be expended by the Regional Directors (RDs) and Area Social Work Supervisors (ASWSs) to:

1. Maintain individual caseloads that are within a reasonable range of the standard (within 15 Caseload Units),
2. Assure that no Direct Service Worker remains over the standard for an extended length of time,
3. Document justification for a Direct Service Worker being assigned cases which results in an over-full caseload should be approved by the RD by email or facsimile, and
4. Demonstrate and document (by email or facsimile to the RD) efforts taken by to reduce the caseload to the official standard.

Supervisors

Supervisors shall be directly responsible for supervising no more than five (5) Direct Service Workers. Supervisors shall not be assigned primary responsibility for providing direct casework services for any case, except in cases of extenuating circumstances which shall last for no more than four (4) weeks and have been approved in writing by the Office Director of Field Operations after consultation with the supervisor's RD to ensure the continued proper supervision of the impacted Direct Service Workers.

Regional Directors

RDs shall be responsible for the ongoing validation of cases and validation of workloads. They will ensure that all cases in an open status meet the policy criteria for that case type. They will ensure that valid workloads are distributed as fairly and evenly as possible. This validation will be accomplished through formal case and workload validation plans which will be developed jointly between RDs, ASWSs and state level program staff. These validation plans shall be developed annually and approved by the Office Director of Field Operations.

A. Service-Related Activities and Case Types

Service Types – and the assigned standard for each in minutes and Caseload Units are as follows:

Service Type	Minutes	Caseload Units
Adoption COS	300	4.3
ICPC Incoming	106	1.6
ICPC Outgoing	106	1.6
Placement COR	254	3.7
Placement R&S	507	7.3
Placement COS	253	3.6
Prevention COR	138	2.0
Prevention COS	137	2.0
Prevention R&S	275	4.0
Protection Services COR	210	3.0
Protection Services COS	200	2.9
Protection Services R&S	410	5.9
Case Management Intake	59	0.9
Court Ordered Relative Application	282	4.1
ICPC Application	282	4.1
Investigation Level 2	484	7.0
Investigation Level 3	484	7.0
General Intake	59	0.9
Resource Inquiry	59	0.9
Adoption Addendum	191	2.8
Foster Home Addendum	191	2.8
Resource Home Study	470	6.8
Resource Home Supervision	140	2.0
Resource Renewal	191	2.8

For information on County of Responsibility (COR) and County of Service (COS) and for Adoption, Placement, Prevention/Protection and Interstate Compact Placement of Children (ICPC) *see* Policy Manual Sections C, D, G, and H.

B. Service Array

The following are some of the services that may be available, either through direct service provision, contract, collaboration with, or referral to other service providers.

1. **Prevention of Child Abuse/Neglect Services**
   Prevention Services - provided to families when support services are identified in the initial safety assessment. These services are not court ordered and Workers monitor the family's progress on the Family Service Plan.

2. **Family Preservation Program (FPP)** - services are strength based, child centered and family focused programs. The program is a home based prevention service that provides: parent education, child management training, creative and flexible scheduling, and assists families when there is an eminent risk of removal

3. **Mississippi Centralized Intake (MCI**) - Any person who has reason to suspect the abuse of a child must make a report by telephone to 1-800-222-8000 and the report will be screened to the appropriate county for assignment. Reports may also be sent to www.msabusehotline.mdhs.ms.gov. Additional requests for services, including resource intakes of prospective foster parents, are accepted and screened through the MCI.

4. **Placement Services**- are available for children who cannot be safely maintained in their homes.

   - Emergency Shelters
   - Licensed Relative Homes
   - Licensed Foster Homes
   - Therapeutic Foster Homes
   - Therapeutic Group Homes
   - Residential Treatment Facilities
   - Specialized Treatment Facility (located on the Mississippi Gulf Coast)

5. **Intensive In Home Services-** are presently provided by contracted providers. This service is designed to provide therapeutic services to children who are in the state's custody placed in DFCS foster or adoptive homes who are experiencing behavioral problems.

6. **Reunification Services-** contract services that are designed to provide therapeutic services to children who can remain or return home to their immediate or extended family if they are participating in intensive in-home services. Children must be in the legal custody of DFCS, and be placed in licensed foster homes or adoptive placements prior to or after the adoption finalization to provide stabilization in order to prevent disruption.

7. **MYPAC-** Mississippi Youth Programs Around the Clock is administered by Mississippi Medicaid through outsourced providers. The purpose of this program is to enable children to remain safely in their homes while providing needed therapeutic and residential services.

8. **Family First Resource Centers (FFRC**)- are located throughout the state and provide the following:

   - Individual and Family Counseling
   - Parenting classes
   - After School Programs
   - Tutoring Services
   - Healthy Marriage Classes
   - Fatherhood Initiative

9. **Regional Mental Health Centers -** are available statewide and provide assessments for children and adults and offer counseling, anger management classes, drug and alcohol screenings and treatment programs.

10. **EPSDT-** Early Periodic Screening Diagnosis and Treatment ensures that all Medicaid eligible children receive comprehensive and preventative health care to the maximum extent allowable. These screenings are conducted at county health departments and Medicaid accepted providers.

11. **SNAP/TANF – "**Supplemental Nutrition Assistance Program" and "Temporary Assistance for Needy Families" are available to eligible families at all local Economic Assistance offices (EA).

12. **WIC-** "*Women, Infants and Children*" provides supplemental foods designed to meet the special nutritional needs of low-income pregnant, postpartum women, infants and children up to five years of age who are at nutritional risk. These programs are available to all eligible recipients in each county.

13. **Independent Living Services-(IL) –** provides services to ensure that foster youth fourteen years of age or older are provided an opportunity to acquire basic life skills

which will enable them to live independently, responsibly, and to be self-sufficient by the time their foster care services are terminated.

14. **Service to Promote Timely Adoptions (Adoption Services)**
    Contract agencies assist DFCS in promoting timely adoptions by accepting referrals and attending adoption placement meetings in efforts to move children quickly into permanent homes.

15. **Post Adoption Services-** "*Intensive In Home Services*" are available to all adoptive parents to monitor and assist with any problems or disruptions that may arise and to stabilize the placement. This is a contracted service.

16. **Language Interpretation Services and Deaf Interpretation Services-** provides interpretation and translation of foreign languages and interpretation services for the hearing impaired.

17. **Flexible-Funds for Concrete Resources**
    When specific individualized needs are identified for a child or parent that are not covered by Medicaid or other funding sources, flexible funds are available through the region or county. Services provided through these funds include private sitters, attorneys' fees, braces, utility bills, food, clothing, tutoring services, speech therapy and others.

18. **County Funds Child-** Funds provided to individual counties by county Boards of Supervisors to be spent for child welfare related goods and services. These funds are allocated annually and may not be available in all counties.

19. **Donated Local Funds-** Counties may accept designated and undesignated funds from private or public sources which can be used as needed. Undesignated funds may be used for any child welfare related need. Designated funds are those donated for a specific purpose or need. Expenditures from any fund category require appropriate supervisory approval.

C. Interpreter Services

When Interpreter Services are needed for any language, the worker is required to contact the Interpreter Supervisor in the Resource Development Unit in State Office during working hours. The contact numbers and a current list of available Interpreter Specialists for each region are listed on the DFCS connection website (http://dfcsmacweb/DFCSWEB/Resource.htm) under Resource Development-DFCS Interpreter Specialist. Interpreters are on call for the Mississippi Centralized Intake Unit at 1-800-222-8000 available 24 hours a day, 7 days a week. DFCS is

committed to providing culturally competent interpreter services to clients with Limited English Proficiency in the areas of prevention, protection and permanency planning.

DFCS has Spanish Interpreter Specialists on staff and a Supervisor over the Interpreter Program. Each Interpreter Specialist will be responsible for providing all interpreting needs to their regions. In the event the language needing interpreting is not Spanish or if an Interpreter Specialist is not available at the time needed; the use of an agency approved contract interpreter could be required. The use of any agency approved contract interpreter will be decided upon by the Interpreter Supervisor. All contracts and their details will be handled by the Interpreter Specialists/Supervisor regarding all agency approved contract interpreters.

1. **Prevention -**
   - Professionally qualified and proficient Spanish interpreters that are on staff with DFCS are also on call 24 hours a day, 7 days a week to respond to the Mississippi Centralized Intake Unit for interpreting incoming calls of abuse and neglect for Spanish speaking reporters.
   - Other reporters with Limited English Proficiency shall be referred to agency approved, interpreters who have completed orientation training through the DFCS Interpreter Program or any contract service organization which offers similar orientation training to their bilingual employees and volunteers.
2. **Protection -**
   - During the investigation of clients with Limited English Proficiency (LEP), all interviews and or direct contact with LEP clients shall be conducted with the assistance of an agency approved interpreter, unless an immediate safety plan must be made in order to maintain the safety of the child prior to the arrival or contact of the approved interpreter.
   - Children or family members who are involved in the case may not be used as interpreters for the agency or the client; however, family members may remain present at the family's request. In the event that there is no agency approved, interpreter available, a family member, other than a child, may be used as an interpreter until the agency is able to provide an agency approved non relative interpreter.
   - All forms that require a client's signature shall be interpreted and/or translated in the client's native language and must be discussed with the client with assistance of an agency approved interpreter present or on the telephone.
3. **Permanency -**
   - An agency approved interpreter must be present or interpreting over the telephone during all case planning activities conducted with clients, including but not limited to,

family team meetings, home visits to discuss case planning activities, family visits, and with the child and/or parents. Family members can be present to represent the family; however, an agency approved interpreter shall be present or interpreting over the telephone.

- **All court proceedings for LEP clients must have an agency approved interpreter present**. Relative interpreters can be present to represent the family; however, an agency approved interpreter shall be present.
- All case planning documents, including court orders, individualized case plans and other documents shall be interpreted and/or translated in the client's native language and discussed with the client with an agency approved interpreter present or over the telephone.

** Efforts to provide bilingual or interpreter services must not delay or interfere with any actions necessary to:

- Protect the children from harm or risk of harm; or
- Comply with legal requirements.

DFCS provides professionally qualified and proficient interpreters to all clients with LEP. Interpreters who are fulltime employees of the agency shall complete Pre-Service Training with frontline Workers in order to better understand and communicate the agency's missions, goals and policies to clients with LEP. Professionally Qualified and Proficient Interpreters are defined as follows:

- **Professionally Qualified Interpreter**- Professionally Qualified Interpreters are individuals who possess an educated, native-like mastery of both English and a second language; display wide general knowledge of the language, characteristic of what a minimum of two years of general education at a college or university would provide; one year of interpreting, and perform the three major types of interpreting: sight translation, consecutive interpreting, and simultaneous interpreting. In order to be employed with the agency, this Worker must possess at least a bachelor's degree from a 4 year university.
- **Proficient Interpreters**- A Proficient Interpreter does not qualify as a professionally qualified interpreter, but can demonstrate the ability to interpret proceedings from English to a designated language and from that language into English.

IV. COMMUNITY INVOLVEMENT, ADVOCACY AND REPRESENTATION, AND DFCS OVERSIGHT

DFCS shall ensure that the public continues to be effectively informed of its mission, programs and services through a defined structure of Community Involvement, Advocacy and Representation and DFCS Oversight. The Deputy Administrator, through assigned designees, shall be responsible for developing, modeling, monitoring and evaluating this structure at the state level. RDs shall be responsible for developing, modeling, monitoring and evaluating the defined regional structure and ASWSs shall be responsible for the same at the county level. Modifications should be made as needed based on the DFCS' ongoing strategic planning.

This structure of Community Involvement, Advocacy and Representation and DFCS Oversight includes the following activities, goals and qualities:

- Communicate DFCS' mission, role, functions, capacities and the strengths, needs and challenges of individuals, families and groups that it serves
- Implement all applicable laws and regulations concerning the service population.
- Improve existing services, filling gaps in services
- Assist eligible individuals with access to the full array of services by reducing barriers and improving supports and accommodations for persons with special needs
- Ensure oversight by reflecting the demographics and representing the interests of the communities served
- Ensure that DFCS partnership and oversight teams have experience and skills in policy development, leadership and financial management.
- Effectively connect DFCS to other resources and develop public recognition and respect

A. DFCS Partnership and Oversight Teams

Each year the Annual Progress and Services Report (APSR) should contain an update on the active teams. Active teams will be evaluated through the strategic planning process. DFCS staff team leads will be assigned to each of the active teams. The assigned lead will report and communicate through the chain of command to keep the Deputy Administrator apprised of the activities undertaken and outcomes achieved by each the teams, and to produce reports to be included in the APSR. Examples of these teams are listed and described below.

1. Citizens Review Panel

Pursuant to Child Abuse Prevention and Treatment Act (CAPTA) requirements (42 U.S.C. § 5101[c]), the Mississippi Citizen Review Panel was created by CAPTA which is a key piece of legislation that guides child protection. The Citizens Review Panels (CRP) are composed of citizen-volunteers who are federally mandated by the Child Abuse Protection and Treatment Act to evaluate their state's child protective services agency.

In Mississippi there are three Citizens Review Panels covering the northern, central, and southern parts of the state. They each have the support of a university with a School of Social Work. The Citizens Review Panels report to a State Level Citizens Review Board. Oversight and support are provided by the DFCS Prevention/Protection Unit.

Panel Membership is comprised of 1) providers of services to abused and neglected children and families, including adoption services, and 2) local citizens, including consumers of the Child Protective Services system such as foster parents, former foster children, adoptive parents, parents, interested business and civic representatives, educators, and members of the community at large.

2. Administrative Office of Courts, Court Improvement Program

Pursuant to 1993's *Omnibus Budget Reconciliation Act* (P.L. 103-66), DFCS partners with the Administrative Office of Courts in the "Court Improvement Program". Typical activities include development of mediation programs, joint DFCS-court training, case tracking, linked DFCS-court data systems, formalized relationships with the child welfare DFCS, improvement of representation for children and families, CFSR program improvement plan (PIP) development and implementation, and legislative changes. DFCS should work with the Administrative Office of Courts to implement initiatives such as the Mississippi Youth Court Information Delivery System (MYCIDS) program for DFCS and Court information systems interface. The Division partnered with the Administrative Office of Courts to develop the Uniform Rules of Youth Court Practice.

3. Multidisciplinary Team Meetings

The Multidisciplinary Child Abuse Review Teams were initiated pursuant to the C*hildren's Justice Act* (P.L. 99-401) to develop a standard response to the investigation and prosecution of all child abuse cases and to function in a manner that causes the least possible trauma to the children and their families. The Team accomplishes this by inviting all disciplines involved in child abuse cases to work collaboratively using the team approach. These teams may be formed through agreements between DFCS, the courts and local stakeholders.

4. Child Fatality Review Panel

The Child Fatality Review Panel was created in 2006 pursuant to MISS. CODE ANN. § 41-111-1 to serve as a review board for all child fatalities in Mississippi, including but not limited to abuse related deaths. The goal of this panel is to prevent child fatalities in our state. The local child fatality teams should fully staff all child fatalities in the selected counties to assess the circumstances surrounding the death and will make recommendations to the State Child Fatality Review Panel regarding preventative efforts. An annual report provides data on the number of child deaths in the State and causes of death. These reports contain recommendations for the prevention of child deaths.

5. Foster Care Review Teams

Mississippi's Foster Care Review program was implemented to meet the federal periodic review requirement found in Title IV-E of the *Social Security Act*. (*See* also MISS. CODE ANN. § 43-15-13 (3)). The Foster Care Review program provides clients with an opportunity to participate in their case planning and Workers with an opportunity to discuss their practice on a case-by-case basis. Reviewers are based throughout the state and review each child's case every six months. Parents, their representative support systems, relatives, service providers, children in care and their *guardians-ad-litem* are engaged as a team to oversee, assess and develop appropriate plans for foster care cases.

6. State, Regional and Local Planning and Implementation Teams

These are teams which are organized for the purpose of addressing findings from CQI reviews or responses to needs identified by other administrative or partnership teams at the state, regional or county levels.

B. Memorandum of Understanding (MOU)

The Deputy Administrator will collaborate with appropriate private, state and federal agencies to develop MOUs for the purpose of developing goals to partner with agencies to enhance community involvement, advocacy and representation.

V. ORGANIZATION OF ADMINISTRATIVE TEAMS

DFCS shall promote clear, ongoing communication and teamwork among all staff. There shall be a formal administrative system designed to facilitate communication and teamwork. Roles and responsibilities shall be clearly documented and communicated to staff. Staff shall receive

timely information concerning the DFCS's mission, vision, values, practice and management philosophies and policies.

Identified administrative teams should exercise leadership through a functional, effective operational structure. Administrative teams are distinct from Implementation teams in that they represent the formal administrative chain of command, and their functions support systematic application of defined administrative practices.

Administrative teams should establish in writing:

1. responsibilities;
2. a process for assessing and implementing responsibilities, such as establishing task forces/committees; and
3. under what conditions and to whom interim authority can be delegated.

Administrative team members should:

1. receive an orientation to the DFCS's mission, history, goals, objectives, structure, methods of operation;
2. become familiar with DFCS activities and be introduced to key staff members; and
3. be furnished electronic or hard copies of the DFCS's Administrative Policies (AP)

Administrative teams should maintain administrative files and manuals that include:

1. the organizational and supervisory configuration with reporting information for all operations; and
2. up-to-date minutes and records of all administrative team meetings.

A. Administrative Teams

Administrative teams shall be developed based on the DFCS's organizational structure of administrative units. The current structure requires the following administrative teams:

- Deputy Administrative team
- Office Administrative team
- Bureau Administrative team
- Division Administrative team

- Regional Administrative team
- County Administrative team

As the administrative organizational structure changes, teams should be restructured to correspond.

The Senior Management team is an additional ongoing Administrative team. This team is composed of the Deputy Administrator, Office Directors, Bureau Directors, RDs and others as required and named by the Deputy Administrator. Meetings of senior Management shall be held no less than bi-monthly.

B. Administrative Roles- Ongoing Functions and Communication

The administrative structure, roles, functions and communication channels are defined through:

- Official MDHS organizational charts
- Succession rosters
- Program functions and goals
- Roles and responsibilities of team members
- Planning calendars
- Meeting minutes

The organizational structure begins with a core team consisting of the Deputy Administrator and Office Directors or others in the line of the Administrator's direct supervision. Master organizational charts, which shall be updated as required by the MDHS Division of Human Resources and made accessible to all DFCS staff, shall be developed to define each successive core team as well as expanded administrative teams at the Office, Bureau, Division, (and similar state office administrative units), Regional and County administrative levels. Each core team shall develop and maintain rosters indicating the succession of authority in the absence of the team supervisor. The team supervisor shall ensure that information needed for updates to organizational charts is communicated through the chain of command and succession rosters are kept current.

The program functions and goals of each Office, Bureau, Division or other state, regional or county level administrative team should be developed and updated, at least, annually.

Roles and responsibilities of individual team members should be developed and updated, at least, annually. Roles and responsibilities should be consistent with official Job Content

Questionnaires and MDHS performance appraisal procedures as defined by the Human Resources Division of MDHS.

Each ASWS, RD and central office administrative and program unit director shall submit to their immediate supervisor, by December 31 each year, information needed to update succession rosters, descriptions of program functions, team members' roles and responsibilities and a projected calendar for administrative team activities and meetings.

The Deputy Administrator's core administrative team, in consultation with the senior management team, will develop an annual administrative planning calendar by January 31 of the following year which shall be provided to all DFCS staff. This planning calendar shall be developed during the annual strategic planning meeting of the senior management team.

The master planning calendar shall be updated as needed, but no less frequently than quarterly, and distributed to all DFCS staff. Monthly work planning calendars shall be developed and provided to the immediate supervisor and staff directly supervised by a team member. Team leaders shall nominate one team member to be responsible for updating calendars.

DFCS organizational charts will be updated as requested by the Division of Human Resources.

Administrative team meetings shall be held as needed, but no less than monthly, face to face, through conference calls, video conferences or a combination of the three.

Agenda items for all regularly scheduled meetings will include, at a minimum, the following:

- Discussion regarding new policies or procedures and/or discussion regarding the need for clarification, changes or updates to existing policy and/or procedures
- Discussion of goal attainment using DFCS data or other sources of information to assess the team's ongoing effectiveness in achieving goals or meeting requirements
- Discussion of the need for changes or improvements in practice to achieve goals
- Identification and communication of issues requiring special attention
- Development of action plans to address areas of identified need

DFCS, at the respective state, regional and county administrative levels, shall maintain administrative files containing organizational charts, succession rosters, description of program functions, general roles of staff, projected schedules for administrative team meetings and minutes from team meetings. Minutes of administrative team meetings shall be provided to team members and to the immediate supervisor of the team leader. There should be a centralized, electronic administrative file organized by administrative unit. It should contain folders for the

maintenance of information required in this section. Team leaders shall nominate one staff member to be responsible for collection, maintenance and distribution of minutes and other administrative files listed in this paragraph.

New administrative team members shall receive an orientation to the DFCS's mission, history, goals, objectives, structure, methods of operation and shall be introduced to key staff members. They shall be provided access to the MDHS DFCS's Administrative Policies, DFCS policies, Child and Family Services Plan (CFSP) and the most recent APSR. They may download copies of these files which should be maintained in the DFCS's electronic administrative files.

VI. STRATEGIC PLANNING

Strategic planning responsibilities include:

- envisioning and setting DFCS' strategic direction; and
- active support for inclusive, management-directed, DFCS-wide involvement in long term planning that occurs every 5 years.

The specific statewide strategic plans include:

- CFSP (5 year plan),
- APSR (due June 30th each year),
- Performance Improvement plans, Child and Family Service Review (CFSR) and Title IV-E State Plan,
- DFCS' CQI Annual Plan,
- Worker visits with child report (due to Children's Bureau by December 15th each year),
- Title IV-B State Plan,
- CAPTA State Plan,
- CFCIP, and
- ETV

The Deputy Administrator shall designate a coordinator for the CFSP.

The coordinator will assemble an implementation team to develop the five year planning conference and draft the CFSP. All plans are reported through the CFSP and APSR.

A. Child and Family Services Plan

The CFSP is a five-year strategic plan that sets forth the vision and the goals to be accomplished to strengthen the States' overall child welfare system.

The goals and objectives of the plan address improved outcomes in the following areas:

- Safety of children;
- Permanency for children;
- Well-being of children and their families; and
- The nature, scope, and adequacy of existing child and family and related social services.

The CFSP shall be developed by DFCS in collaboration with other MDHS divisions and an array of community partners and stakeholders. Stakeholders and partners with statewide jurisdiction or influence will be engaged at a state level strategic planning conference at which time the goals and objectives of the plan are communicated and finalized.

As a result of this process state level teams will be formed as needed. This process should be replicated in each DFCS Region in the state at which time these goals and objectives will be communicated to regional and county stakeholders.

From this process local and regional teams will be formed to develop implementation strategies and to implement practices that will lead to successful child welfare outcomes. These teams shall include, but are not limited to, those described in “Community Involvement, Advocacy and Representation and DFCS Oversight” above.

B. Annual Progress and Services Report

The Annual Progress and Services Report (APSR) due on or before June 30 each year, provides annual updates on the progress made toward the accomplishment of goals and objectives in the CFSP.

Completion of the APSR satisfies the federal regulations by providing updates on a State's annual progress for the previous fiscal year and planned activities for the upcoming fiscal year. These updates should be shared with state and local CFSP team members. To complete the APSR, Worker face-to-face contact data must be provided on or before December 15.

C. Performance Improvement Plans

The periodic CFSR and Title IV-E reviews may contain findings that require Performance Improvement Plans (PIP). The federal Administration for Children and Families (ACF), the CRP, appropriate DFCS staff and representatives of the statewide and community stakeholders identified by the CFSP shall be engaged to develop necessary CFSR and IV-E PIPs.

DFCS will designate PIP team leaders, and for Title IV-E PIP purposes, the Director of Eligibility will coordinate planning and achievement of a PIP. The PIP team designees shall develop a work plan and schedule to ensure:

1. appropriate engagement of key DFCS staff and stakeholders,
2. development of substantive responses to areas needing improvement and
3. completion and timely submission of the PIP.

D. CQI Annual Plan

The DFCS CQI Unit reports all planning and activity through the unit's CQI Plan and CQI Annual Report submitted annually.

E. Strategic Planning Cycle

1. Five-Year Plan

The DFCS Director shall be the designee who maintains responsibility for development of the five-year CFSP. The CFSP shall be developed in partnership with the Citizen's Review Panel, communicated to and finalized by a diverse array of citizens, consumers, foster and adoptive parents, service providers, public leaders, law enforcement, judicial and legal representatives, education and health providers.

The Deputy Administrator, through representatives of Senior Management, shall initiate the five year strategic planning cycle in October preceding the required submission date of the CFSP. The senior management team shall ensure that long term strategic planning includes:

- a review of DFCS' mission, values, and mandates
- an assessment of strengths and areas needing improvement
- measurable goals and objectives that flow from the mission and mandated responsibilities

- appropriate strategies for meeting identified goals, including consideration of the DFCS's continued development and sustainability and possible need to direct, eliminate, or expand service to changing community demographics and needs.

The Citizen's Review Panel shall be engaged in the strategic planning process no later than January preceding the CFSP June submission. The diverse group representative of state level systems or domains shall be engaged in the process no later than March preceding the submission date. Diverse groups representative of regional and county level systems or domains shall be engaged in the process no later than April preceding the submission date.

The five year strategic plan or CFSP shall include a review of a demographic profile of the service population of children and families. This profile should include economic indicators, gender, age, unique cultural attributes, racial/ethnic composition, appropriate services based on religious affiliation and language(s) of choice. This demographic profile may utilize DFCS data and may draw from findings from other external needs assessments.

2. Yearly Strategic Plan

The Deputy Administrator shall convene an annual strategic planning meeting of the senior management team in January each year. Purposes of this strategic planning meeting include, but are not limited to the following:

- provide team members updated organizational charts, succession rosters, descriptions of program functions, team members' roles and responsibilities and a projected schedule for administrative team meetings,
- review annual status reports of case and systemic outcomes, using data from the most recent annual and monthly reporting periods,
- review, and modify as needed, strategies to address case and systemic outcomes,
- review current services available and to assess the effectiveness of these services,
- identify needed services and develop strategies to secure or develop these services,
- review and develop strategies for successful engagement of stakeholders,
- provide clarifications of policy and procedures and to identify the need for changes or additions to policy,
- develop presentations of data and outcomes to share with the Citizen's Review Panel and other regional and local planning and implementation teams,
- collect information which will contribute to the development of a comprehensive APSR, and

- assess workload management effectiveness and strategies, and to certify the validity of active cases

During the annual strategic planning meeting the current year's APSR shall be reviewed and plans for the annual update should be initiated. The Citizen's Review Panel shall be invited to participate in the annual strategic planning meeting.

3. Ongoing Strategic Planning

DFCS shall develop state, regional and local Implementations Teams as needed to address outcomes identified pursuant to the strategic planning process. Ongoing feedback shall be provided through the CQI process and other system sources of data. Stakeholders shall be engaged to participate in planning, implementation and feedback.

VII. POLICY DEVELOPMENT, REVIEW AND COMMUNICATION

a) DFCS policies and procedures will be developed when there is a need to regulate, direct, or inform and guide DFCS practices, operations and services to ensure compliance with applicable State and Federal Rules and Laws, Practice Standards, judicial mandates and managerial decision and directives.

b) A comprehensive review of all DFCS policies and procedures and related documents will be performed at least annually, or as often as necessary, and revised accordingly to ensure compliance with applicable State and Federal Rules and Laws, practice Standards, judicial mandates, managerial decisions and directives. (*See* DFCS Policy Flow Chart on the DFCS Connection Website/policy).

c) When new/revised policies and procedures, protocols, manuals or other practice-related documents are implemented, Directors/Supervisors or their designees must provide instruction, interpretation and /or training on those practice documents that are relevant to an employee's position and/or job duties. When new or revised policy has been released to all DFCS staff, documentation via the Policy Acknowledgment form (*See* DFCS Connection Website/ Forms/ Section A) must be maintained in each county office indicating the date policy was reviewed and all DFCS staff signatures.

VIII. RESOURCE DEVELOPMENT

The Resource Development Unit was developed to enhance the delivery of an adequate array of services in the state through maximizing the use of existing services and coordinating the development of new services through contracts, collaboration with other agencies and service

providers, and coordination of service/resource related work within DFCS and the state as a whole.

The Resource Development Unit will ensure the compatibility of existing services and newly created services with DFCS' required principles and practices.

The Resource Development Unit, through proactive planning and development, prepares for current and future service needs and implementation of the plan for efficient and effective service delivery. The Unit not only addresses existing service needs within DFCS units, and seeks services that address needs for all children and their families and works to make these services available and easily accessible. Other functions include addressing issues related to service provision, contracting procedures, protocols and practices, and the substance of services provided.

Communication and collaboration are keys to reaching the success desired for all children and their families.

DFCS Regions are responsible for establishing a strategic plan to improve service delivery to DFCS clients. The primary goal is connecting people to resources for the purpose of helping children and families achieve success.

The Resource Development Unit will collaborate with the regions in efforts to strategically increase service delivery in each Region.

IX. ONGOING ADMINISTRATIVE OVERSIGHT AND PRACTICE

The MDHS/DFCS Deputy Administrator shall ensure the ongoing efficient operation of the administrative teams and shall remain informed of the effectiveness of individual team members. The Administrator shall ensure that vacancies or absences of administrative team members are addressed through current succession rosters.

The Deputy Administrator shall:

- ensure that job descriptions accurately reflect actual job duties,
- perform timely and thorough performance appraisals on staff directly supervised by the Administrator, and
- delegate to appropriate Office Directors the responsibility to provide annual:
    - evaluations of staff performance;

- assessments of adherence to MDHS conflict of interest and outside employment policies; (*See* MDHS Administrative Policy)
- assessment of compliance with legal requirements, including licensing and mandatory reporting; laws, and fiscal responsibility;
- report of all contracts and assessment of contracting practices as defined in MDHS policy and regulations of State Personnel Board (SPB) and the Department of Finance and Administration. (*See* MDHS Administrative Policy)
- assessment of the effectiveness of DFCS communication;
- assessment of any research involving service recipients.

A. County and Regional Administrative Procedures

Each county and regional office shall have the following procedures in place:

- sign-in/out procedures that ensure the time of arrival and departure, expected time of return, and departure destination are logged for each employee in county, regional, and state offices
- County Activity records, maintained by employees should include:
  - date,
  - case activities,
  - case identification,
  - individual mileage logs containing specific destinations of travel, and
  - time elapsed during travel
- procedures to ensure that DFCS mail is collected and distributed in a prompt and consistent manner
- each staff member shall submit to their assigned supervisor a monthly Projected Work Plan prior to the third working day of each month
- adequate staff to cover telephone and reception duties
- a monthly on call schedule for after work hours and holidays
- leave requests are managed in a manner to avoid inadequate staff coverage or unnecessary workload burdens
- proper management of travel, time, and other resources

- adequate office space is afforded all county, regional, or state office staff assigned to local offices with assistance from the Director of Field Operations, when needed
- annual budget is prepared and coordinated with other MDHS Divisions to reflect the need for administrative supplies, equipment, and office space and child welfare and adult funds to meet the needs of DFCS staff and clients served by DFCS.

B. County and Regional Administrative Reporting Requirements

Prior to the third working day of each month, all county and regional staff should provide their immediate supervisor with the following:

- a completed County Activity record for the previous month (or similar documents applicable to adoption and resource staff)
- a projected work plan for the upcoming month
- the employee's completed travel voucher for the previous month (*See* Form 13.20.10 on DFCS Connection Website)
- other administrative documents which are required by the County and Regional Administrative Procedures Plan

Prior to the fifth working day each month the supervisor shall have reviewed and approved or pended the administrative documents listed above. Projected Work Plans should include a reasonable forecast of work activities. The work plan must include accurate time, travel and resource management practices consistent with MDHS AP-42 Travel Policy.

Travel approvals shall be contingent on the accuracy and information contained in the travel forms and supporting documentation submitted, as attested by the approving supervisor. Travel requests should be routed to the supervisor along with the County Activity Record or similar documentation as specified above. The supervisor should review and approve travel by ensuring consistency between Sign-in/out sheets, County Activity Record, and travel vouchers. County Activity Record shall include specific addresses or clearly identified sites, such as "*County Youth Court* or *County Hospital*."

The supervisor may conduct periodic reviews by comparing the above-mentioned documentation to case narratives.

C. Requirements for Travel Approvals and Signatures

The immediate supervisor shall **match** the individual travel entries on the travel voucher (13.20.10) with the county Sign-In/Out sheet for the appropriate month, and shall ensure that

each travel episode is documented by an entry on the County Activity Record consistent with the reason for travel. Any client-related/ training/ conference travel episodes shall be documented by the supervisor to have a corresponding narrative recording in the Mississippi Automated Child Welfare Information System (MACWIS) case file.

The immediate supervisor will verify that individual travel episodes contain the following:

- the documented reason for travel is clearly stated on the County Activity Record;
- the approximate distance of travel seems reasonable, and corresponds to the addresses documented on the County Activity Record;
- there is corresponding documentation in case narratives or administrative files (MACWIS or confirmations of community meetings or other administrative activities not case related);
- travel is consistent with job duties, assignments, and activities;
- when narratives indicate that clients are consistently not home, it is the supervisor's responsibility to discuss the issue with the worker;
- documentation on the Sign-In/Out sheets, County Activity Records, case narratives, and Travel vouchers is consistent;
- All requests for travel reimbursement must be submitted during the month immediately following the previous month's travel.

Travel should be approved and signed by each employee's immediate supervisor. Those who are listed as designees in the Succession Roster (*See "Administrative Roles- Ongoing Functions and Communication*") may sign in the absence of and with the approval of the incumbent supervisor. In any event, the succession of authority should be established through formal succession rosters or through other forms of confirmation as needed. For example, if a RD will be on leave and the person(s) named on the formal succession roster is (are) unavailable, the RD may designate someone to sign routine forms in their absence through a confirmation to the staff directly supervised by the RD and to the RD's immediate supervisor.

1. Special Travel Circumstances

When a travel reimbursement request by any employee exceeds one thousand dollars ($1,000.00), approval of such travel shall be contingent on the employee's routing to the immediate supervisor the County Activity Record and the Travel Voucher (*See* form 13.20.10) and any pre-approvals for non-routine (conference, special training, etc) or out-of-state travel and all travel reimbursement requests over $1,000 must be sent to the RD and the Director of Field

Operations for approval. County Activity records should be maintained in the county office and should not be mailed to the Director of Field Operations.

The worker's immediate supervisor shall forward all documentation to the second-level supervisor indicating that certifications above have been completed. If the second level supervisor is the RD he/she shall certify the accuracy and fidelity of the travel request. The RD's signature shall be required for approval of travel. If the RD is other than second level, the second level supervisor shall review and certify the accuracy and fidelity of the travel request by initialing the travel voucher (13.20.10) before routing all required documentation to the RD for approval.

D. Case Record Files (MACWIS and Paper Files)

1. MACWIS

Case numbers are assigned by the MACWIS system. MACWIS provides DFCS with the means to input and maintain information regarding services to clients; electronically submit and document various approvals and screening processes; document home studies and maintain a directory of placement resources; track case plans and child placement histories, and process board payments to placement resources. All children and family records that can be entered into MACWIS must be entered.

DFCS personnel may access MACWIS case records with their personal MACWIS Identification and password. MACWIS is designed for authorized persons to have access (limited or full) based on their position, and MACWIS profile; not all screens are available to every DFCS employee.

2. Case Records

Each individual or family unit determined to be an applicant for service or be the subject of an abuse/neglect investigation may have a paper case folder, if necessary, for the filing of documents that cannot be entered in MACWIS.

Case records must contain sufficient and accurate information to identify the clients; support decisions about interventions or services; and document the delivery of services. DFCS shall maintain a case record for each individual client or family. Case records shall comply with all legal requirements. The case record shall include all information needed to properly serve clients, including, but not limited to the following:

a. Demographic and contact information;

b. the reason for requesting or being referred for services;
c. up-to-date assessments;
d. the service plan, including mutually developed goals and objectives;
e. copies of all signed consent forms;
f. all medical, dental, and mental health records, including, but not limited to, evaluations and written orders for medication;
g. a description of services provided directly or by referral;
h. routine documentation of ongoing services;
i. legal documents including guardianship, legal custody, birth/marriage certificates, court reports, legal directives (orders);
j. documentation of routine supervisory review;
k. discharge or aftercare plan;
l. recommendations for ongoing and/or future service needs;
m. referral of aftercare or follow-up responsibility, if needed; and
n. a closing summary entered within 30 days of termination of service.

The DFCS Worker must provide copies of the updated medical and educational records, as well as Medicaid cards, of said child to the placement provider at the time of each placement.

Progress notes on all cases including Investigation, Prevention/Protection and Placement cases must be entered into MACWIS within five (5) calendar days.

Service recipients may add a statement to their case records, and:

a. any response by personnel is added with the service recipient's knowledge; and
b. the service recipient is given the opportunity to review and comment on such additions.

At case closing, the case paper file records are reviewed and unsummarized notes, personal observations, and impressions are expunged. (*See also* Policy Section D XI.6 for more information regarding procedures for case closing).

X. CASE RECORD DESTRUCTION

The RD or designee will determine the schedule for case record destruction based on the regulations below. The destruction of case records involving children will be in compliance with

Section 43-21-265 of the Youth Court Act. (*See* MISS. CODE ANN. § 43-21-265 "Destruction of Records")

When a record is destroyed, the master index shall be checked to see that all birthdates and all unique numbers of individuals and children are correctly entered upon it. The master index should then be marked: "Case Record Destroyed" and the date of destruction.

DFCS case records are divided into two groups to assist in the determination of case record destruction. The two groups are further divided between cases not involving DFCS custody and those where DFCS custody was involved. The client records are further identified by service type (direct services). In cases where more than one service type is involved, the service type requiring the longest retention period should prevail.

A. Group I - Non-DFCS Custody Related Cases:

Three (3) years after closure, case records involving the following service types may be completely destroyed:

- Case Management
- Investigations-unsubstantiated

Ten (10) years after closure, or when the youngest child reaches 21 years of age (whichever occurs last) the case records involving the following service types may be completely destroyed:

- Prevention of Abuse/Neglect of Children
- Protection Services - Child
- Protection Services - Adult
- Interstate Compact Services
- Investigations-substantiated

B. Group II – DFCS Custody Related Cases:

After the youngest child who was in custody reaches age 28, the case record involving the following service types may be completely destroyed.

- Ten (10) years after closure, foster home case records can be completely destroyed.
- When closed because of legal finalization, any case record involving adoption should be submitted in its entirety to the Adoption Unit in State Office. If more than one county record is involved, all should be submitted.

C. Detailed Procedure

Before any records may be destroyed the county must:

1. Secure a blanket order from the county youth court judge permitting destruction of the cases for the present and in the future in compliance with MDHS/DFCS policy and state law.
2. Forward a copy of the order to the Administration Unit for submittal to the Department of Archives and History.

Once the blanket order is obtained, and before the paper folder is destroyed, all medical records and mental health examinations must be removed and retained prior to destruction of the remainder of the record. After the file is destroyed, a written report of compliance must be filed with the youth court by the county office (*See* MISS. CODE ANN. § 43-21-265).

MISS. CODE ANN. 43-21-265. Destruction of Records

The youth court, in its discretion, may order the destruction of any records involving children except medical or mental health examinations as defined in section 43-21-253. This order shall be directed to all persons maintaining the records, shall order their physical destruction by an appropriate means specified by the youth court and shall require the persons to file with the youth court a written report of compliance with the order. No records, however, may be destroyed without the approval of the director of the Department of Archives and History.

When a record is destroyed that contains medical or mental health documents, these documents should be placed in a single pack folder with case name/child's name on the label and placed in locked file cabinet labeled "Medical/Mental Health documents from Closed Cases".

D. Client Access to Case Records

Service recipients or their designated legal representatives may access their case records, consistent with legal requirements. (*See* MISS. CODE ANN. § 43-21-261) The identity of the reporter should be removed.

The following documents, which address case file access, shall be provided to clients, as appropriate.

- Notice of Parent/Guardian's Rights – Investigation
- Notice of Parent/Guardian's Rights – Prevention/Protection

- Notice of Parent/Guardian's Rights – Placement Cases
- Client's Grievance Procedure

Reviews of case records by service recipients shall be:

a. conducted in the presence of DFCS personnel on DFCS' premises; and
b. carried out in a manner that protects the confidentiality of family members and others whose information may be contained in the record.
c. Service recipients may be allowed to add a statement to their case record.

If DFCS determines that it would be harmful for a service recipient to review his/her case record, and if applicable law provides no guidance on case record access, then:

a. DFCS Division Director/ Designee shall review, approve in writing, and enter into the case record the reasons for refusal; and
b. procedures shall permit a mental health professional to review records on behalf of service recipients**, after securing an order from the Youth Court specifying the particular information to be disclosed**, and provided the professional signs a statement that the records are confidential and information determined to be harmful will be withheld and/or the names of reporters have been removed.

E. Case File Procedures

Each child in DFCS custody shall have a five (5) section (ten (10) sided) file folder.

Original documents (including documents that require signatures) shall also be filed in the regular two (2) section (four (4) sided) parent/guardian's case file.

All case files must contain required documents as discussed below in "Service Case Record". Additional documents are required for the case files of children in the custody of DFCS. These are outlined in the following material.

Most case entries and documentation will be found in the MACWIS file. Necessary items, such as documents requiring signature, correspondence, court orders, medical/psychological reports, and school records will be contained in the paper file.

1. Single Pack Case Folder

Material related to a one-time only emergency expenditure of funds or unsubstantiated investigations that contain medical/psychological reports or any other correspondence including Clients Rights and Responsibilities will be filed in a single-pack case record folder.

A completed unsubstantiated investigation is located in the MACWIS system and shall not be printed and filed in a file folder unless requested for a case review, etc.

Left Side:

- Intake information such as medicals completed during the investigation or Initial Safety Plans should be filed from bottom to top in chronological order.

Right Side:

- Signed copies of all Rights and Responsibilities forms and Safety Checklist. All other forms should be filed from bottom to top in chronological order. Any other document or form pertinent to the individual case but not listed above should also be filed on the right side.

2. Parent Case File Folder

All material should be attached in a twin-pack folder (two (2) sections, four (4) sided file folder) and arranged or filed uniformly in the case record in the order described below:

a. First Section:

Left Side: **Legal Material/ Investigation**
Material attached to the left side of the first section should be arranged as follows, from the bottom up, in chronological order (most recent documentation on top):

- Court orders
- Court social summaries
- Investigation Report
- Foster Care Review Reports
- Foster Care Review Invitations

- Copy of the signed Safety Plan
- Other legal documents

Right Side: **Agency Forms**
Material attached to the right side of the case folder, bottom up, in chronological order (most recent documentation on top), shall include:

- Comprehensive Family Assessment (CFA)
- Family Service Plans (FSP)
- Rights and Responsibilities
- Grievance Form
- Temporary Assistance for Needy Families (TANF) forms

b. Second Section

The following forms and documents shall be filed from the bottom up, in chronological order (most recent documentation on top) shall include:

Left Side: **Correspondence**

- Family Team Meeting Letters
- Confidentiality form for Family Team Meetings
- Any correspondence regarding the family

Right Side: **Miscellaneous**
Material pertaining to the entire family unit should be attached in the case record on the right side of the second section in chronological order and as applicable to each case.

- Any certificates of completion
- Medical records
- Mental health records
- School records for children

3. Foster Child's Case File Folder (five divider, ten sided)

a. First Section

Left side:

- Birth certificate
- Social Security card
- Medicaid/Insurance card
- Photographs
- Eligibility form

Right Side:

- Any necessary screen prints from MACWIS
- Comprehensive Family Assessment
- Family Service Plan
- Form MDHS-SS-459, Surrender of Parental Rights and Consent to Adoption to the Department of Human Services
- Form MDHS-SS-459A, Mother's Statement Naming Father of Child
- Form MDHS-SS-459B, Mother's Statement about Unknown Father
- A copy of the completed/signed TPR Checklist shall be filed in the case file.

b. Second Section

Left Side:

- Foster Care Review Invitation Letters
- Foster Care Review Reports
- Court orders
- Court reviews
- Correspondence with the court/ other legal papers

- Referral for Termination of Parental Rights or Request to Accept Voluntary Consent to Adoption
- Court/ Social summaries

Right Side:

- MSDH 913, Medical and Social History
- MSDH 914 and 915, Affidavits of Disclosure
- Background information on natural parents of child to be released for adoption
- Notification letter to persons being named in the Central Registry as perpetrator
- Durable Legal Custody Agreement

c. Third Section

Left Side:

- Child's medical record
- Obstetrical and newborn record
- Copies of all medical Information
- Psychological reports
- Dental records

Right Side:

- Application for SS/Disability
- Clients Rights and Responsibility (13 and younger)
- Clients Rights and Responsibility (14 and older)

d. Fourth Section

Left Side:

- Interstate Compact on the Placement of Children (ICPC) Application Request to Place Child
- ICPC Summary

- ICPC– Prospective Family
- Any other ICPC correspondence

Right Side:

- School Records
- Consent/ Authorization forms

e. Fifth Section

Left Side:

- Independent Living (IL) assessment (If applicable)
- IL progress report (If applicable)
- IL stipend request (If applicable)
- Transitional Living documents (If applicable)

Right Side:

- Miscellaneous documents/ other correspondence

4. Resource Home Case Record

When a resource inquiry is screened in and a home study created, an official resource family case file should be created. The original resource file will be kept in the possession of the Licensure ASWS, with a copy provided to the Licensure Specialist, if needed. The resource family case record should be filed in a twin pack folder.

If at any time additional documents are added to the resource family home study process or re-evaluation, these forms will be added to the application checklist and should be filed in the order of the checklist.

a. First Section

***Left Side*:** Re-evaluation material should be attached to the left side of the folder and should be arranged in chronological order from top to bottom and should coincide with the order of the Resource License Re-Evaluation Checklist:

- Re-evaluation Checklist
- Home Environment Checklist
- Medical Update (Statement from physician only used in re-evaluation)
- Financial Statement and proof of income
- Verification of Pet Vaccination, if applicable
- Evacuation Plan, if changes are needed
- Disaster Preparedness Plan, if changes are needed
- MDHS Contract Form 457 (signed and dated)
- MDHS Affirmation of Corporal Punishment Form 457A (signed and dated)
- Confidentiality Agreement
- Family Resource Purchase Order Agreement
- Current Marriage, Divorce, and/or Death Certificates, if applicable
- Transportation Checklist with copy of auto insurance, driver's license, vehicle registration, and inspection sticker
- Criminal Background Checks
    - Central Registry check results
    - City Police background check results
    - Sheriff's Department background check results
    - Live Scan application, permission for background, fingerprints, and FBI results
        - If the applicant had hits, a copy of the Justification Letter and approval from Regional Records Review Committee or Fingerprinting Unit
- In-Service Training Certificates or sign in sheets (Each parent must have 10 hours; 12 hours for Specialized homes)
- CPR Training or Certification Renewal Certificate (Certification is required if there is a swimming pool or body of water on the property)
- Re-evaluation Home study printed from MACWIS
- Resource Home Photos, if applicable

Annual re-evaluation documents should be filed in order of the re-evaluation checklist and separated by a tabbed divider labeled Re-evaluation/year.

Right Side: Material attached to the right side of the folder should be arranged in chronological order from top to bottom except:

- License Certificates
- Corrective Action Plans
- ANE Investigations (if applicable)
- Notice of Actions
- In-Service Training Invitations
- Other Resource Parent Re-evaluation Correspondence

b. Second Section

Left Side: Material attached to the left side of the folder should be arranged in chronological order, by section, from top to bottom:

- Correspondence between the resource family and the Resource Unit
- Invitations to Orientation and Pre-Service Trainings
- Waiver Requests, if applicable
- Expedited Resource Home Packet from COR Worker

Right Side: Material attached to the right side of the folder should be arranged in chronological order, by section, from top to bottom and should coincide with the order of the Resource Application Checklist:

- Checklist
- Application
- Family Resource Form
- Directions to the home
- Color photo of family
- Home Environment Checklist
- Medical Form 4404

- Financial Statement and proof of income
- Personal references
- Employer references and Employer Validation
- Verification of Pet Vaccination, if applicable
- Evacuation Plan/Disaster Preparedness Plan
- MDHS Contract Form 457 (signed and dated)
- MDHS Affirmation of Corporal Punishment Form 457A (signed and dated)
- Confidentiality Agreement
- Resource Family Purchase Order Agreement
- Contingency plan, if applicable
- Current marriage, divorce, and or death certificates
- Transportation checklist with copy of auto insurance, driver's license, vehicle registration, and inspection sticker
- Criminal Background Checks (tabbed and labeled)
    - Central Registry check results
    - City Policy background check results
    - Sheriff's Department background check results
    - Live Scan application, permission for background, fingerprints, and FBI results
        - If the applicant had hits, a copy of the Justification Letter and approval from Regional Records Review Committee or Fingerprinting Unit
- Life stories
- MS PATH and Pre-Service Training Certificates or sign in sheets; including Blood-borne Pathogen, CPR/First Aid, Finance and Travel, and Car seat Safety
- CPR Certification, if applicable (Certification is required if there is a swimming pool or body of water on the property)
- Home study printed from MACWIS (tabbed and labeled)
- Resource Home Photos, if applicable

XI. COUNTY ADMINISTRATIVE PROCEDURES AND CONTROLS

County administrative procedures and controls are essential in order for DFCS to have a systematic method of controlling work flow, handling details, and assigning responsibilities to staff. The administrative procedures should eliminate duplication, safeguard records, define responsibilities and make for an easier and smoother flow of work.

Procedures and controls should be consistent in all counties. This does not prohibit a county from establishing additional control methods and procedures. Most counties differ in some respects, but the controls and procedures described in this section are basic and must be followed by all counties.

A. County Administrative File

The county administrative file for DFCS consists of all material relating to administrative reports, personnel, policy and procedure, supplies, equipment and training, and necessary correspondence. Do not file case file material in the administrative file.

As administrative changes occur at the state level the content of the file may change; however, the information should be filed so that all counties are consistent in their filing procedures.

The material within the county administrative file is classified by subject. Relative documents are accumulated in logical categories defined by the organizational structure and type of operation. The following are given as examples, though not necessarily all inclusive.

- Budgets and Accounting
- CQI
- Data Services (MIS)
- Human Resources (Personnel and Training)
- Internal Audit (Program Integrity)
- Grievances (Client and Provider)
- Division Director
- Deputy Administrator
- Prevention Unit
- RD
- Resource/Placement Unit

- Administration Unit
- Protection Unit

B. Subject File System

The subject file system material is arranged alphabetically.

C. Classification of Material

For the purpose of setting up a schedule for the retention and destruction of material, the following classifications are established:

- *Permanent* - Material that is to be retained permanently or until authorization for destruction is received. Instructions for destruction of material will be issued by DFCS as authorized by the appropriate division or department within the state office.
- *Semi-permanent* - Material that is to be retained for three or five complete fiscal years.

For example: Material classified as inactive (superseded by new material or fiscal year ended) at end of SFY 07, (06-30-07) may be destroyed July 1, 2012, if it is five year semi permanent material. Material may be destroyed earlier if so instructed.

- *Temporary* - Material that is to be retained for one full fiscal year. For example: Material during SFY 11 may be destroyed July 1, 2012.

The material retained in the county office should be filed in metal files with each file drawer clearly marked. However, if files are not available and it becomes necessary to file in boxes or other containers, material should be filed by fiscal year and boxes should be clearly labeled to show the material contained therein and the fiscal year to which the material applies and stored in a locked office/room.

D. Listing of Material by Classification

The following are listings of most material in county departments. For destruction of material not on these lists, clearance should be sought through regular DFCS administrative channels.

1. **PERMANENT**

Authorization signature for payment or certification, Bulletins and Memoranda (Numbered);

Case Records

- Master cards
- Active DFCS case records
- Active Foster Care Home case records
- Inactive DFCS-case records that may have significance in rendering
- Further service to a child and/or his family, and inactive foster care home case
- Records (*See* CASE RECORD DESTRUCTION)
- Historical Reports
- Property Inventory Printout (Current)
- Active Personnel Records
- Civil Defense Plans (Current)
- Bank Signature Cards

2. **SEMI-PERMANENT** (5 Years)

- Fiscal journals and ledgers
- Bank statements and cancelled checks
- Monthly summaries
- Receipt book
- Facility Folders

Other

- Property Management Accountability forms
- Furniture and equipment disposition and change forms
- Special administrative or service account records unique to a county

3. **SEMI-PERMANENT** (3 Years)

- Administrative Reviews (State and Federal)
- Annual Reports (County and State)
- Audit Reports
- Burglary and Theft Reports
- FNS Disaster and Emergency Reports
- Special Programs (Local)
- Workers' Compensation Claims

4. **TEMPORARY** (1 year)

- Budget Information
- Non-Medicaid Travel Vouchers
- Purchase of Service (Contracts and Monitoring Reports)
- Statistical Reports
  - Monthly, Quarterly, Semi-Annual and Annual Reports
  - Time Studies
- Computer Printouts
- Complaint log
- Conferences
- County Activity Records
- Area Supervisory Reports
- Personnel Documents
  - Employee Time Record
  - Inactive Personnel Record
  - Insurance
  - Outside Employment Approval and Terminations
  - Recommendations for Personnel Action
  - Retirement

- Staff Allocations and Interviews
- Public Relations Information
- Requisitions (Forms and Supplies)
- Staff Development Minutes
- Volunteer Plans and Reports

a) Cross Referencing

A cross reference is an entry made on another form telling under what name, subject, or number the documents are filed and the location of like papers cards/records.

There are two types of cross reference forms:

- Tabbed Cross Reference Form - This is a permanent cross reference, used when the papers are filed in one place but reference may be made under other captions; for example: name changes, names of subsidiaries, etc. Crimson labels are used on this form.
- Card Cross Reference - This is a card index necessary where the amount of cross reference usually is heavy and a complete or cumulative cross reference must be kept on file. The card index to subject files is referred to as the relative index.

b) Filing

Check the labels carefully for the caption which corresponds to the coding on the label. File the papers in correct sequence in the folder and fastened in the folder at this time. Eliminate duplicates when filing.

c) Folder Labels

A folder label must include the complete caption that identifies the contents of the folder. The caption is typed in the order in which the words are considered in filing. Use no punctuation. In name captions use single-space only between indexing units.

Never abbreviate the first and second filing units. Use abbreviations for other filing units only when necessary. Develop and use standard abbreviations consistently. Crimson labels are used as visible cross references. When a file is set up using crimson labels, any other distinctive folder color should be selected for the cross reference labels.

The major subject is always typed in upper case (all capital letters) and the secondary and remaining subjects in upper and lower case. Name file labels are typed exactly as indexed for filing: surname, then given name, and initial. Index cards are typed identically to folder labels.

d) Miscellaneous File

All correspondence should be checked with the master index rile and the miscellaneous file. Correspondence relating to established case records (active or inactive) should be filed in the case folder.

All correspondence which does not refer to the established files should be filed by name of the person about whom the letter is written or by subject in alphabetical order using one 26-division set of A - Z guides with matching miscellaneous folders.

Material related to particular persons who are not major program applicants or recipients but may have applied for services may be filed in the miscellaneous file. No information relevant to an actual open case for any program should be placed in this file.

Individual folders should be set up by name when correspondence on any one person reaches five or more pieces of paper. Miscellaneous file material may be destroyed after three state fiscal years. A separate miscellaneous file should be maintained in each county DFCS office.

e) Case Record Folder Standards

Case records shall be set up and maintained on the basis of the following:

- Individual folders: To maintain the uniformity of filing arrangement with the transfer of records between counties and to allow for the use of the same folder in the county receiving the transfer, it is necessary to have a standard for individual folders.

The folders, including parent and child folders, are letter-size (8 ½ x 11), guide height with tabs all in center positions. Specifications of folder: Extra heavy 10 ½ to 11 ½ point brown stock with reinforced tab.

f) Labeling Active Cases

Active file folder labels are plain white and should be set up as follows:

- The first word on the label is the letter under which the folder is to be filed.

- It is typed and arranged just as the names are to be considered in filing. For example, Joseph M. Washington is. filed under Washington, and typed as follows with the number of children in the case in parenthesis.
    - WASHINGTON, JOSEPH M. – (# of children)

g) Labeling Foster Child's File Folder

When labeling a child's file folder the parent/primary caretaker's name is typed first, followed by the child's name and date of birth.

- WASHINGTON, JOSEPH M.
  Moore, Sally (D.O.B. 9-10-04)

h) Labeling Inactive File Folders

To promote the withdrawal of records for destruction a gummed label or a removable signal shall be placed on the right back shoulder of the folder at the time the record becomes inactive. The inactive record may be placed in the inactive file.

The colors of the labels designate the year in which the records become inactive. The colors to be used for each year are as follows:

Colors	From	Through
Green	July 1, 2010	June 30, 2011
Yellow	July 1, 2011	June 30, 2012
Blue	July 1, 2012	June 30, 2013
Black	July 1, 2013	June 30, 2014
Brown	July 1, 2014	June 30, 2015
Orange	July 1, 2015	June 30, 2016
Green	July 1, 2016	June 30, 2017
Yellow	July 1, 2017	June 30, 2018
Blue	July 1, 2018	June 30, 2019
Black	July 1, 2019	June 30, 2020
Brown	July 1, 2020	June 30, 2021

Red Labels will be used to designate permanent file folders. If, at a later date, the permanent status of the file changes and the case has been closed, place a label on the case or destroy it based on when the case was closed.

i) Classification and Filing Case Folders

Case record folders should be filed in fire resistant file cabinets. Each ASWS or his designee shall determine the filing plan to be used by the county office.

Case records are to be filed alphabetically based on the filing plan developed by the ASWS/designee. The guidelines given below are to be used for all DFCS case records, including Resource:

DFCS Case Records (Including Resource):

1. Active case records - Active case records are those for individuals or families currently applying for or receiving services, or who have an open DFCS Resource Case Record.

2. Inactive case records - Inactive case records are those for individuals or families who have applied for or received services and the application was rejected or the case closed. Includes case records of unsubstantiated reports of neglect and or abuse, and rejected applications for or closed case records of DFCS Resources.

Work Files

A temporary work file should be set up to assist the Worker in gathering initial case information prior to transferring the information to an official file. The case record for an application or an investigation which has not been officially set up and on which a staff member is actively working may be filed in an individual Worker's "work files." Also, all files should be kept in alphabetical order and maintained in a locked file in a Worker’s office.

Restricted Records

All case records of employees must be kept in a restricted file. DFCS RD or his designees may qualify other case records to be placed in the restricted file. In the case of permanent charge-out, a cross reference sheet shall be filed in the regular place of the record.

E. Issuing and Control of Case Records

It is imperative that strict control be maintained over all case records. The DFCS RD or his designee shall develop a plan to ensure control.

The place for all case records is in a locked file; under no circumstances is any case record to be left out of a file overnight. No record shall be removed from the county except as outlined in material on confidentiality set out in this section.

When a case record is removed from the file, active or inactive, a pocket guide will be inserted in place of the record in the file.

1. Case Record Charge Out Procedure for Closed Cases

A charge-out procedure for the issuance of records from the closed files is necessary to insure control of records, to prevent misplacement of records, and to keep informed at all times of the location of the records in the event the records are wanted by another user.

The staff member who requests a case record from the file is responsible for knowing the whereabouts of the case record. The staff member will request a case record from the staff member designated the responsibility for control and issuance of case records. The clerical staff member will remove the case record, and file the charge out card in the record's place in the file with documentation of the staff name and reason the file has been checked out.

The ASWS/designee is responsible for developing a procedure for issuance of case records. This procedure must insure that staff members retain case records only for the period of time that they are actively working on the case.

Deviations from these principles will be allowed when all active case files are located in the Worker's offices. All files whether active or inactive shall be located in locked filing cabinets.

2. Control of Case Record

The procedures to be followed in the filing, transfer, retainment, and classification of case records are outlined below.

3. Transfer Within the County

When a case is transferred from one Worker to another within the same county, the assigned Worker completes the transfer summary and any other necessary tasks in the MACWIS system, and routes it to the ASWS. The ASWS will review the case and reassign it to another direct services Worker.

4. Transfer Out of County

When a client who is receiving services (not court ordered) from DFCS moves from one county to another, the worker should ascertain the need for further services and if there is a need, the worker should write a transfer summary in the MACWIS system and the ASWS should notify the new county's ASWS regarding the case status and transfer the MACWIS case to that county. The paper case record material should be sent by first class mail to the county where the client has moved.

5. Resource Family Relocation

See Section F (Licensure)

6. Family Moves Out of State

See Section F (Licensure)

XII. CODE OF ETHICS FOR CHILD WELFARE PROFESSIONALS

A. Children and Parents' Natural Rights

Society values each child's natural right to have basic needs for survival and development met and each child's natural right to live with his/her parents. Society also values each parent's natural right to rear his/her child, but through its child welfare laws, defines certain situations in which the parent's rights can be limited so that the child can be protected.

Society delegates to the child welfare field and to those who become members of the field the authority to intervene in the lives of families with the goals of ensuring the safety of abused and neglected children, assisting parents in meeting minimum parenting standards, and planning alternative permanent care when parents are incapable of or unwilling to meet those standards.

B. Society's Representatives

Child welfare professionals are society's representatives in its attempts to meet the needs of abused and neglected children and their families. The authority delegated to them to intervene in the lives of families is accompanied by the responsibility to act in a professional manner. The Code of Ethics for Child Welfare Professionals is the public acknowledgment and acceptance of that responsibility.

It sets forth the values and ethical principles which form the foundation of the child welfare field and is intended to guide practice decisions both within DFCS and private agencies with which it contracts. It is also a statement of shared commitments held by professionals working to improve the child welfare field and our promise to our clients and to society that we are worthy of their trust.
(*See* http://www.socialworkers.org/pubs/code/default.asp).

C. Multiple Codes of Ethics Apply to Professionals

The national Association of Social Workers (NASW), the professional organization for social workers, has created a Code of Ethics for its members. This Code of Ethics is also used by agencies as a guide for ethical practice for child welfare professionals. This Code can be accessed at http://www.socialworkers.org/pubs/code/default.asp. The expectation for DFCS employees is to adhere to the NASW Code of Ethics in all dealings with clients, co-workers, and other professionals.

Licensed social workers are bound by professional standards in the Social Work Licensing Statues in Mississippi (MISS. Code ANN. 73-53-1) and the Rules and Regulations Regarding the Licensure of Social Workers and Marriage and Family Therapists – (http://www.swmft.ms.gov/swmft/web.nsf). Also, see MDHS AP-27 Code of Ethics.

D. Conflict of Interest

MDHS AP-23 "Conflict of Interest", pursuant to the policies and procedures promulgated by the Mississippi State Personnel Board, requires that state employees must avoid using, or appearing to use, an official position for personal gain, giving unjustified preferences, or losing sight of the need for efficient and impartial decision making in the state's operation. No act should be committed which could result in questioning the integrity of state government.

Employees must not use their official position to secure privileges or advantages for themselves; must not, in their official capacity, act in any matter in which they have personal interest that could in the least degree impair their objectivity; must not accept any gift or favor of a nature to imply any obligation that is inconsistent with the free and objective exercise of their professional responsibilities.

An employee shall not individually or through an interest in any corporation, organization, business, or other entity be a contractor, sub-contractor, or vendor with MDHS. Preferential treatment must not be given to any members, community partners, advisory groups, and consultants as well who apply for DFCS services.

Conflict of interest is addressed in several different places to ensure that employees are aware of all of the above information. See the following for comprehensive conflict of interest policy:

- MDHS AP-23, pages 1-4 of attachment
- MDHS AP-27 (Code of Ethics)
- MDHS AP-51 (Anti-Nepotism)
- MS State Employee Handbook, pages 5-6 of attachment

Mississippi State Personnel Board-Policy and Procedure Manual:
http://www.spbrez.ms.gov/SPB%20Documents/SPB/Policy%20Proc2010/MSPB_PPM_100110.PDF

Mississippi Department of Human Services-Subgrant Manual:
http://www.mdhs.state.ms.us/dpi_subman.htm

E. Restriction of Staff in Handling Certain Cases

Due to the nature of DFCS cases, DFCS staff are restricted from handling certain cases. No member of the county staff, including the ASWS or Worker will be assigned an investigation or a service case when the service recipient is related to the staff member by marriage or by whole or half blood to the third degree.

No member of the county staff, including the ASWS or Worker will be allowed to take the application for licensing of a Relative Resource Home, to determine the eligibility, to conduct the home study, to be assigned the case, re-evaluate or participate in the decision-making process regarding the placement in or the removal of the children from the home. Even if the relative is within a lesser degree of relationship or the person is a close friend who has applied for services, the case must be assigned to another Worker.

When the situation arises that the ASWS is the staff person related to the recipient of services of Resource Parent, the RD or designee will act as the ASWS for that case. If the case is a Resource Home, the RD or designee will act as the ASWS for all aspects of the placement or removal of children in that home.

XIII. ANTI-RETALIATION POLICY

A “whistleblower” is an employee of a business or government agency, who reports alleged unethical behavior to people or organizations that have the power to correct the action. The misconduct is usually a violation of a law, rule, regulation, or a direct threat to public interest, such as: corruption, embezzlement, sexual harassment, or breach of confidentiality. Anti-

retaliation policy is policy that protects employees being subjected to fear tactics as a result of reporting such misconduct.

In accordance with the MDHS Ethics Policy (AP-27), employees of DFCS should report alleged unethical behavior that could affect the integrity of DFCS. Any employee reporting unethical behavior shall have his/her identity kept confidential. No employee will be subjected to retaliation (i.e. being fired, demoted, or transferred, subject of demeaning communication; or "internal exile.") due to his/her compliance with the MDHS Ethics Policy.

Reports of retaliation toward employees as a result of reporting ethics policy violation shall be fully investigated. If evidence of retaliation is found, the retaliating party will be subject to the Mississippi State Employee Handbook rules and regulations regarding disciplinary action. During the investigation of any report of employment-related retaliation against an employee, the supervisor receiving the report shall determine whether such allegation is baseless and include such determination in the written report.

If an employee feels that he/she has been subjected to retaliation due to reporting misconduct, he/she should notify the supervisor of retaliating party. If the employee does not receive resolution after reporting the retaliation to their supervisor, the employee should inform the next level of supervisor in command. The employee may continue to report the retaliation to each level of supervisor until the report reaches the Executive Director. The Executive Director's response to the report is final. The employee will need to keep a copy of detailed verification of submission of the report to each level of supervision. DFCS shall maintain the anonymity of any reporter of misconduct.

A. Steps for Reporting Retaliation

Step 1: Employee shall report the incident of retaliation to the retaliating party's supervisor, orally and in writing, within seven (7) days of becoming aware of the retaliation. The retaliating party's supervisor will have three (3) working days to answer the report in writing.

Step 2: If the matter is resolved by the employee's supervisor, no other action will be taken.

Step 3: If the employee's supervisor does not resolve the matter, the Worker may submit a written description of the retaliatory incident and the supervisor's response. The supervisor is required to give a written decision within three (3) working days.

Step 4: If the employee is not satisfied with the first supervisor's written decision, the employee may report the retaliation to the second level supervisor in command of the retaliatory incident within three (3) working days of receiving the written response.

Step 5: The second level supervisor is required to conduct an investigation of the conduct and to meet with the employee within three (3) working days of the report. The second level supervisor is required to give the employee a written response within three (3) working days of the meeting.

Step 6: If the matter is resolved by the second level supervisor, no other action will be taken.

Step 7: If the employee is not satisfied with the response from the second level supervisor, he/she should report the retaliation to the third level of supervision or designated representative in writing within three (3) working days of receiving the response from the second level supervisor. The third level supervisor is required to investigate the matter and to meet with the employee within three (3) working days of receiving the report. This supervisor is required to give a written response within three (3) working days of the meeting with the employee.

Step 8: If the matter is resolved by the third level of supervision, no other action will be taken.

NOTE: When there is no next level of supervision, the Executive Director or designated representative would be the next person to receive the report.

Step 9: If the employee is not satisfied with the response of the three (3) levels of supervisors, he/she may report the retaliation to the next level of supervision or designated representative within three (3) working days. The fourth supervisor is required to review the report and relevant information and meet with the employee within three (3) working days of the report. The Executive Director is required to present a final answer within ten (10) working days after the meeting.

Step 10: If the employee is a State service employee and not satisfied with the DFCS's final answer by the Executive Director, the employee may file an appeal with the Employees' Appeal Board.

XIV. FINANCIAL MANAGEMENT

A. Financial Management

DFCS strives to ensure that all financial practices achieve operational effectiveness, efficiency, accurate reliable financial reporting, and compliance with applicable laws and regulations.

B. Division of Family and Children's Financial Responsibilities

a. DFCS works in collaboration with the Division of Budgets and Accounting to propose an annual budget and any revisions to that budget,

b. reviews fiscal summaries at least quarterly to evaluate expenditures against revenues,

c. ensures that budget-to-actual variance analyses are performed after year end numbers are finalized,

d. reviews fiscal policy and the recommendations of the organization's auditors and

e. annually evaluates the executive directors management of the organization's fiscal affairs.

These responsibilities extend beyond the State Office and into the county financial responsibilities. These responsibilities include utilizing the county bookkeeping system through MACWIS and the County Clerical Handbook (*See* County Clerical Handbook). The only transactions to be processed through this system will be DFCS funds that are received and disbursed. The purpose of the clerical handbook is to provide clerical and management staff a guide for the county bookkeeping system. This guide includes bookkeeping, purchasing, and property procedures.

C. Internal Control Environment

DFCS will have an internal controls system that is responsible for the following:

a. reviews by the State Auditor's Office

b. management review by more than one individual

c. assurance that management directives are carried out

d. prevention of error, mismanagement, or fraud

e. safeguarding and verification of assets

f. segregation of duties to the extent possible

These responsibilities are included within the Internal Controls Plan and Assessment, which includes a written mission statement and a Code of Ethics. The mission is to "provide services for people in need by optimizing all available funds."

D. Financial Risk Assessment

DFCS will annually evaluate the organization's financial capacities, risks, and resources needed to provide services.

E. Stable Predictable Revenue

DFCS will pursue stable, predictable sources of revenue through diversification and balance in funding streams consistent with our mission, purpose, and programs.

- County Funds Adult
- County Funds Child
- Regional Funds
- State Funds

F. Financial Planning

Planning for the current fiscal cycle is organization-wide and involves all the necessary staff members.

1. an annual budget serves as a plan for managing DFCS's financial resources
2. the budget planning process includes participation of management and other relevant MDHS participants based on:
    - direct and indirect operating expenditures
    - contractual requirements
    - performance improvement data
    - changing costs and conditions
    - anticipated revenue for the program year
3. the executive director reports to the Legislature on the organization's finances including:
    - current financial status and any anticipated problems
    - financial planning and funding alternatives
4. financial information is routinely analyzed and the information includes:

- a monthly analysis of financial performance against budget projection with budget-to-actual variance analyses performed on interim financial statements of activities
- service revenues and actual service delivery costs
- an annual inventory of significant assets

5. the organization conducts a cost analysis of its various services and can identify
    - the fixed and variable costs of each unit of service at each program and service delivery site
    - the average costs or charges of treatment for identified groups of consumers
    - the contribution of services to the overall revenue base
6. the cost analysis is conducted at intervals established by the organization. The information is used to :
    - analyze operational effectiveness and efficiency
    - monitor trends, current experiences and changes in costs
    - contract
    - budget for the current fiscal cycle

G. Financial Planning for Children

The Worker should make a financial plan for each foster child at least every six months. If the child is placed outside the COR, the plan must be a joint venture by both counties. A financial plan is a document that reflects the needs of the child which require expenditure of funds. These funds may include but are not limited to, allowances, clothing, therapy, school needs, health needs, dental needs, uniforms, church trips, club dues, and etc.

H. Financial Assistance Requests

Request for financial assistance for DFCS employees, family members of DFCS employees or DFCS student interns must be routed through the supervisory chain of command by telephone or email to the Director of Field Operations or DFCS Division Director for final approval.

I. Financial Accountability

DFCS is accountable for the management of its finances to the Legislature, the community, and applicable regulatory bodies.

1. DFCS provides an annual report of fiscal, statistical, and service data that includes summary information regarding its financial position.
2. the Executive Director's office and other relevant divisions of MDHS
    - meets with the independent auditor to review the findings of the audit, accompanying financial information, and any accompanying management letter
    - reviews and formally accepts such reports by the date requested by the auditor
    - works in partnership with the executive director to promptly act on recommendations

J. Financial Management System

Positive financial outcomes are achieved through a financial management system that receives, disburses, and accounts for funds consistent with sound financial practices.

1. Annual financial statements are prepared in accordance with Generally Accepted Accounting Principles.
2. MDHS reporting system is capable of providing information that:
    - is useful in making business and economic decisions
    - is understandable and will aid in predicting future cash flows
    - includes data about the DFCS's economic resources, claims to those resources, and the effects of transactions, events, and circumstances that change resources and claims to resources
3. Accounting practices and procedures include:
    - prompt, accurate, and complete recording of revenues and expenses
    - an inclusive and descriptive chart of accounts
    - information on all funds, including source information and pertinent regulations
    - timely payment of financial obligations
    - policies for recognizing revenues and expenses
    - disbursement and receipt of monies
4. MDHS seeks to conserve its fiscal resources by:
    - taking advantage of tax exemptions, where applicable
    - maintaining sound practices regarding purchasing and inventory control

- coordinating the purchase of goods or services among internal divisions
- using competitive bidding, when applicable, according to governing body policy and law or regulation

5. Accounting records are kept up-to-date and balanced on a monthly basis, as demonstrated by:
    - reconciliation of the bank statements and subsidiary records to the general ledger within the MACWIS system
    - up-to-date posting of cash receipts and disbursements
    - monthly updating of the general ledger
    - review of the bank reconciliation by at least two personnel in the county office, one of whom is not involved in maintaining the accounting records
6. The organization uses the accrual method of accounting, at least at the end of the year.
7. Oversight and management of the organization's accounting system require:
    - a fiscal officer or clerk who is responsible for maintaining the financial accounts who has prior accounting and bookkeeping experience, and/or an accounting degree, C.P.A. credential, or other recognized accounting/financial certification as appropriate to the size and complexity of the organization
    - all personnel who use the system to receive initial and ongoing training on its use
    - a proper audit trail
    - secure access, controlled by user ID's, passwords, and permissible logon times
8. Where applicable, the organization makes timely payments to, or provides proof of exemption from , the following taxing authorities:
    - the Internal Revenue Service
    - state and local employment tax bodies
    - FICA
    - property tax assessors
9. MDHS assumes fiduciary responsibility for client funds, or disburses client or non-fee-for-service recipients:
    - segregates client funds
    - complies with applicable legislative, regulatory, judicial, and governmental requirements

10. MDHS provides services as a vendor and has established safeguards against over- and under-billing that include:
    - an accurate account of units of services provided
    - timely submission of invoices and required documents
    - compliance with applicable regulations
11. The network management entity:
    - has a process for verifying the accuracy of network services billed by subcontracting service providers
    - maintains a formal mechanism through which subcontracting providers can appeal payment denials and that includes timely written notification of the resolution and an explanation of any further appeal, rights, or recourse
12. Contracted providers are informed in a timely manner if delays in payment of the network by the purchaser may result in delays in payment to providers

K. Department of Finance and Administration Policies

The DFA polices are documented in the Mississippi Agency Accounting Policies and Procedures (MAAPP) manual and can be accessed through the state website at www.ms.gov. The polices within the MAAPP manual have been developed to assist state agencies with the operation of the Statewide Automated Accounting System (SAAS) and other state accounting issues. Documented in the manual are fiscal policies, accounting principles, controls, operating procedures, and reporting requirements.

This manual assists management of state agencies by:

- Describing the methods for processing accounting information within and between state agencies;
- Documenting the state accounting process required so that the execution of the procedures is not completely dependent on an individual;
- Providing a training device and reference material for operating an supervising personnel;
- Providing a source of information to help eliminate uncertainties and confusion by spoken communications;
- Ensuring consistent applications of accounting policies and procedures;

- Describing the principles, procedures and forms to be used to generate statewide financial statements prepared in accordance with generally accepted accounting principles.

L. County Bookkeeping System

1. General Instructions

The County Bookkeeping System will be used in all counties handling DFCS Funds. The only payments to process through the system will be DFCS Funds received and dispersed. No other funds are to be processed through this account.

2. Fund Account

The County Bookkeeper will maintain two (2) separate bank accounts in MACWIS which is used to deposit and disperse funds. In the main account are the following ledger cards:

- County Funds Child
- County Funds Adult
- Designated Donations
- Undesignated Donations
- Child's own Funds-Child Support
- Child's Own Funds-Special

The second bank account is used for foster children who receive funds from the U.S Treasury (SSI & SSA) only.

This account will contain the following ledger cards for foster children:

- Child's own Funds-SSI (SSI, Railroad, Insurance)
- Child's Own Funds-SSA
- Child's Own Funds-Dedicated

If a child is placed in a Long Term Residential Treatment Facility, and a child receives SSA funds, the county office is to retain $44.00 of the child's funds and the remainder is to be sent directly to the Long Term Treatment Facility where the child is placed. If the SSA funds which the child receives are $44.00 or less, no funds are sent to the facility and the county office should

retain all funds. If the child receives Child Support Funds the same applies. The county is to retain $44.00 of the child's funds and the remainder is to be sent directly to the Long Term Treatment Facility where the child is placed. If the Child Support Funds are $44.00 or less, no funds are sent to the facility and the county office should retain all funds.

If a foster child receives a lump sum payment or back payment Social Security requests that we set up a separate account for these funds. Follow instructions from the Social Security Administration for handling of these funds.

Bank Reconciliation

Both bank accounts shall be reconciled monthly by the DFCS Clerk/Bookkeeper or designated DFCS employee. The ASWS/designee shall review, approve and sign/date the bank account reconciliations (bank statements & MACWIS reconciliations). Bank statements and reconciliations should be signed by the DFCS Clerk/Bookkeeper or designated DFCS employee and the ASWS/designee and forwarded (Scanned or faxed) to the DFCS Budget and Financial Planning Unit by the 10th, no later than the 15th of the following month.

Note: The June bank statement must be received by the 10th of the following month with no exceptions.

Releasing SSI/SSA/Child Support Funds

When a child is released from the custody of DFCS and there are SSI/SSA funds remaining in a child's account, all funds are to be disbursed back to the Social Security Administration after all outstanding bills are paid. Under no circumstances shall the ASWS/worker release funds to a child or caretaker when there are SSI/SSA funds remaining in the child's account.

Foster children who leave the custody of DFCS and have funds remaining in their individual account(s) must have the funds returned after all outstanding bills are paid.

Excess funds remaining in Child's Own Funds-Child Support may be released to the child's legal guardian or caretaker after all outstanding bills are paid. If the child has been emancipated by the court, funds may be released to the child after all outstanding bills are paid.

Cash Receipts/Donations Log

All checks, direct deposits, cash, donations of goods must be logged in on the appropriate log daily. The ASWS/designee is required to review and approve both logs each month. The DFCS Clerk/Bookkeeper or designated DFCS employee and the ASWS/designee shall sign and date the

approved cash receipt log and donation logs. Both logs shall be submitted monthly to the DFCS Budget and Financial Planning Unit along with the bank reconciliations.

Any donations (by cash, check or goods) received in the county office from churches, civic clubs, organizations or individuals should be issued a receipt by the bookkeeper or designee. All donations should be brought to the county office by the donor(s) and logged in the Donation Log. Checks for donations can be mailed to the county office. No DFCS worker (including Family Protection Workers, Family Protection Specialists, clerks, homemakers, ASWS and Regional Director should receive donations (cash, checks or goods) in the field.

Under no circumstances shall any DFCS employee receive donations (by cash, check, or goods) for personal use; all unused donated items shall be returned to the person or entity that the donations were received from.

3. Use of Funds Approval

A request for service funds will designate which funds are to be dispersed. A service request must be made by the COR Worker in MACWIS and approved by the assigned ASWS/designee. All service requests must be entered in MACWIS before goods/services are purchased and must contain a detailed justification of why services are needed entered in the text box of the service request screen. Approval by the ASWS/designee shall not be given without a detailed justification. All service requests should be made separately according to type of service and child/client. ASWS/designee shall not approve a service request that contains 2 or more services needed or a request that is for 2 or more children/clients.

4. Checks

A check must not be written until proper approval is given by the ASWS/designee in MACWIS. Checks for services from Regional and State Funds are not to be written and issued until reimbursements for those requests are deposited into the county's main operating bank account, unless, there are extenuating circumstances which are deemed an emergency by the ASWS and/or RD. The funds must be available in the main operating bank account. The only exceptions are:

- Payments to Treasury, State of Mississippi for overpayment of State/Regional funds as indicated on the check disbursement report; attach the check reimbursement report and/or any supporting documentation to the check.
- Payments to the Treasury, State of Mississippi, for reimbursement of board payments using the child's funds; attach the check reimbursement report and/or any supporting documentation to the check.

The above two payments do not require itemized receipts or hand receipts. The cancelled check will serve as the receipt.

Checks require two approved signatures consisting of the ASWS and worker(s) who are on the bank account signature card. Only the ASWS and Direct Service workers may be added to the bank account signature card. Bookkeepers/Clerks/Homemakers, RDs or other DFCS employees cannot sign checks or be on the bank account signature cards. Workers who are listed on the bank account signature card shall be removed immediately when they leave DFCS' employment.

Checks must be handwritten, not typed. Checks are not to be signed unless completely filled out with the date, vendor name, and amounts. A short description of the items/services purchased should be included on the memo line of the check. Workers/ASWS should never under any circumstances sign a blank check. Signed blank checks should never be kept in a county office.

If a check is outstanding for 6 months, the vendor shall be contacted. If there is no outstanding bill or amount owed, the check may be voided. A Stop Payment from the bank shall be ordered. The check shall be voided in MACWIS.

Clerks/Bookkeepers have three (3) days after supervisory approval to issue a check unless it involves an emergency situation.

NOTE: In no instance shall a check be issued to a DFCS employee. DFCS workers shall never endorse a check made payable to a foster child or client.

In no instance shall a check for services be written to a resource parent. They shall be written to vendors only; unless written approval is obtained from the DFCS Budget and Financial Planning Unit.

Confidentiality of checks

To maintain confidentiality of the service recipient/child, to the extent possible, checks should not identify the service recipient/child by name (this excludes checks written to the service recipient/child). The purchase order number and /or the case number/case member number can be used to cross match by notation on the lower left corner of the check.

Voiding Checks

The following steps must be taken to void a check:

- Obtain the approval of the ASWS to void the check

- Write VOID across the front of the check
- Cut out the signature line
- Forward a copy of the voided check to the DFCS Budget and Financial Planning Unit along with the signed copy of the bank account reconciliation; and
- File the voided check with the current bank statement

Deposits

All funds received at the MDHS/DFCS County office must be deposited into the appropriate bank account within twenty-four (24) hours of receipt. The ASWS or his/her designee must review and verify all deposits by initialing and dating the deposit slip.

Copies of all checks/money orders received in the county offices are to be made and attached to the appropriate deposit ticket.

All foster children that receive SSI/SSA benefits must be set up for Direct Deposit. It is the responsibility of the Direct Service worker to enroll the child for Direct Deposit.

Proper receipts are defined as follows:

An **itemized** receipt must contain all of the following:

- Vendor's name and address
- Date
- Purchase Order Number
- Itemized list of what was purchased with amount spent for each item
- Signature of person making the purchase
- Signature of the person receiving items purchased (client, foster child or Resource Parent)
- Name of child/client

A **hand receipt** must contain all of the following:

- Name and address of DFCS office
- Check number

- Check amount
- Name of person to whom check is made payable to
- Reason for payment
- Signature of person receiving the check and date received

Receipts are to be returned to the Bookkeeper within **10** days. It is the responsibility of the Direct Service Worker to return the proper receipts to the Bookkeeper in the allotted time.

M. Support Services

Support services are provided to foster children/clients with a variety of basic needs. They may be provided directly to the client either through DFCS staff, through the purchase of services from providers outside DFCS, or by services provided without cost by other agencies and community providers.

Support services are those services needed, in addition to the Worker direct service. Support services provided must relate to the need of the client as identified through the assessment and service planning process and needed to prevent removal from the home.

The broad categories of support services provided by DFCS are as follows:

1. Personal Needs
2. Medical Needs
3. Mental Health/Counseling
4. Independent Living
5. Referral Services

Note: Under no circumstances shall the vendor for support services be a resource parent, unless prior written approval is received from the DFCS Budget and Financial Planning Unit.

1. Personal Needs include the following services:

a. Initial Clothing

Initial clothing is a one time only service when a child enters custody for the first time. If a child leaves custody and returns to custody, an initial clothing allowance cannot be issued again. If there are extenuating circumstances and a child re-enters custody and is in need of clothing, prior

written approval must be obtained from the DFCS Budget and Financial Planning Unit before the service is entered.

Initial Clothing allowance Limits:

Age	Limit
0-2	$100.00
3-6	$140.00
7-12	$200.00
13 & Over	$240.00

An initial clothing allowance is not to be used when a child is moved from one placement to another. The above limits apply regardless of type of funds used.

Itemized receipts are required to be returned to the County Bookkeeper within 10 days for all initial clothing allowances issued.

b. Child clothing

Child clothing allowance can only be used for a child that is in a non-licensed placement that does not receive a board payment, a child that was previously in custody or a child that is placed in a Medicaid (Short or Long Term) Facility. The limit for a child clothing allowance is $80.00 regardless of using Regional, County Funds Child, Child's Own Funds, etc.

Itemized receipts are required to be returned to the County Bookkeeper within 10 days for all clothing allowances issued.

c. School Supplies

Foster parents receiving a board payment are responsible for providing school supplies for children placed in their homes based on school supply limits.

When the child is in a non-licensed placement that does not receive a board payment, school supply limits are based on the foster child's current grade level, regardless of using Regional Funds, County Funds Child, or Child's Own Funds, etc.

Kindergarten- 5th grade	$50.00
6th-8th Grade	$40.00
9th-12th Grade	$30.00

Itemized receipts are required to be returned to the County Bookkeeper within 10 days for all school supply allowances issued.

d. Housing, Rent, Utilities

Payment of rent and utilities (water, gas & electric bill), including deposit fees for rent or utilities. The exact service being requested must be specified in the service request text box in MACWIS along with a justification. This is a one time service, however, if additional service is needed due to unusual circumstances written justification is required along with approval from Regional Director.

Itemized receipts are required to be returned to the County Bookkeeper within 10 days for all housing, rent, & utility checks issued.

e. Home Improvement

Purchase of items needed for the home include furniture, appliances, home repair, bedding, cleaning supplies and kitchen items.

Workers cannot purchase beds, cribs, furniture, mattresses for licensed Resource Homes in order to place a child in the home. If the home is licensed, they should have the necessary items for a child to be placed in the home. DFCS may be able to assist a non-licensed relative placement and/or prevention case in an emergency situation with a one time service with the purchase of needed items or services.

Itemized receipts are required to be returned to the County bookkeeper within 10 days for all home improvement checks issued.

All furniture/bedding that is purchased by DFCS for a foster child is to be removed from the home at the time the child is removed from the home.

This is a one time service for an Unlicensed Relative Placement up to policy limits or a one time service for prevention cases to prevent removal.

f. Food Needs

Age	Limit
0-1	$100.00 (If formula is needed)
2-5	$75.00
6 & Up	$100.00

The above limits are not per child, they are per household. In the event multiple children are placed in the home, written approval must be obtained for the appropriate amount from the RD.

Itemized receipts are required to be returned to the County Bookkeeper within 10 days for all food allowance checks issued.

g. Legal Documents

Purchase of legal documents such as birth certificates, death certificates or service of summons.

Itemized receipts are required to be returned to the County Bookkeeper within 10 days for all legal document checks issued.

h. Personal Hygiene Needs

This is a one time service used when a child is placed in custody or for a prevention case management service to prevent removal. Allowable items include:

- Toothpaste
- Toothbrush
- Soap
- Shampoo
- Hair brushes
- Combs
- Lotion
- Deodorant
- Feminine hygiene products
- Diapers
- Diaper wipes
- Shaving items

The limits on personal hygiene are based on age and are as follows:

Age	Limit
0-3	$75.00
4 & Up	$50.00

The above limits are per child.

Itemized receipts are required to be returned to the County Bookkeeper within 10 days for all personal hygiene allowances issued.

i. Other Unmet Personal Needs

- Car seat
- Luggage
- Diaper Bags, and
- Any other instances where there is no designated support service listed.

j. Transportation

Transportation is a one time payment for bus tickets and gasoline, unless there are extenuating circumstances that may occur in working with parent/guardian to prevent removal or to reunify children with their families.

k. Special Allowances

Up to $100.00 per month, if needed, can be given to a foster child who has a special need that is not met with their board payment or monthly allowance. This is not an allowance that is given to a foster child every month regardless if they have their own funds or not. Written justification is required regarding what the special allowance is needed for and why it is needed.

If a foster child is using the special allowance for a trip, a hand receipt is all that is required, however, if a special allowance is given to purchase any other items, itemized receipts are required to be returned to the bookkeeper within 10 days. The check should be made payable to the vendor from which the items are being purchased.

l. ***Monthly Allowance***

Under no circumstances shall counties give a foster child a monthly allowance as monthly allowances are included in board payments to resource homes and facilities.

In cases where the foster child is placed in an unlicensed placement or Medicaid facility DFCS shall be responsible for providing the monthly allowance to the child.

m. ***Birthday Allowance***

Birthday allowances are based on the age of the foster child and are as follows:

0-2	$10.00
3-5	$15.00
6-12	$20.00
13 & Over	$25.00

The above limits apply regardless of whether you are using the Child's Own Funds, Regional Funds or County Funds Child. For a foster child under the age of 13 the check must be made payable to the Resource Parent and an itemized receipt returned to the bookkeeper within ten days.

For a foster child 13 and over the check should be made payable to the child and a hand receipt is required to be returned within 10 days to the bookkeeper.

n. ***Christmas Allowance***

Christmas allowances are based on the age of the foster child and are as follows:

0-2	$30.00
3-5	$50.00
6-12	$70.00
13 & Over	$90.00

The above limits apply regardless of whether you are using the Child's Own Funds, Regional Funds or County Funds Child. Regional Funds can only be used if additional monies are allotted by State Office.

For a foster child under the age of 13 the check must be made payable to the Resource Parent and an itemized receipt returned to the bookkeeper within ten days.

For a foster child 13 and over the check should be made payable to the child and a hand receipt is required to be returned within 10 days to the bookkeeper.

2. Medical Needs include the following services:

- Initial medical – completed on all children entering custody
- Unmet needs for hospital, doctor, dentist, nurse, medical technician – when these needs are not paid by Medicaid or private insurance
- Private sitter
- Home health care
- Hospice care
- Maternity home care
- Therapeutic services
- Prescription glasses
- Prescription drugs/medication
- Hearing aids
- Immunizations
- Other unmet medical needs

Itemized receipts shall be returned to the County Bookkeeper within 10 days for all Medical needs.

Prior approval from State Office for the use of state funds is required before any medical services are rendered/ paid. Approval will only be granted for costs above what Medicaid will pay. Workers are responsible for ensuring that each child has Medicaid or private insurance, if applicable, at all times while in care.

3. Mental Health/Counseling includes the following services:

- Psychological evaluation
- Psychiatric evaluation

- Testing/therapy/treatment
- Individual counseling
- Family counseling
- Substance abuse counseling/treatment
- Other counseling services

The above services (Medical Needs and Mental Health Needs) can only be used when a child in custody is not eligible for Medicaid or for a child in custody who is receiving Medicaid and the cost of service exceeds what Medicaid will pay. They also can be used for a child during an investigation or a child in a protection/prevention case if he/she does not have Medicaid or private insurance.

4. Independent Living

a. Independent Living Stipends

The following stipends are available to youth who participate in the Independent Living Program and meet the requirements for each stipend:

- Pre-Assessment Stipend (Initial)
- Post-Assessment Stipend (Final)
- Life Skills Training Stipend
- Youth Retreat Stipend
- Newsletter Stipend
- High School Graduation Stipend
- GED or Certificate of Attendance Stipend
- College Graduation Stipend
- Youth Trainer Stipend

The above stipends require a hand receipt signed by the youth when the stipend is issued.

In addition, the following stipends are available to youth who participate in the Independent Living Program and meet the requirements for each stipend:

- Senior Year Stipend
- College Bound Stipend
- Start Up Stipend

The above stipends require itemized receipts. Also, the above stipends must be issued to the vendor(s). A reimbursement payment may be issued to an individual, including the youth, in the event a purchase was made and proof of payment was rendered.

b. ETV Stipends

- All ETV (Education and Training Voucher Program) monies disbursed require itemized receipts.
- Full time students may receive up to $5,000.00 per year.
- Part time students may receive up to $2,500.00 per year.
- Youth may receive a maximum of $750.00 for computer needs while they are enrolled in school.
- Youth may receive a maximum of $1,000.00 for transportation needs (insurance, repairs, maintenance) while they are enrolled in school.
- Youth may receive $150.00 per month toward off campus housing while enrolled in school.
- Youth may receive a monthly allowance of $150.00 while they are enrolled in school.

The above limits are subtracted from the youth's ETV monies of $5,000.00 or $2,500.00, not in addition to.

5. Informational and Referral services include:

- Housing/shelter
- Energy assistance
- Health/Education Services
- Treatment/Rehabilitation Services

- Legal Services
- Domestic Violence Shelters/Services
- Crisis Counseling
- Home Extension Services
- Civic/Church groups
- Veteran/Military Services
- Other referral services

N. Purchase Order

A Purchase Order must be used to authorize the purchase of all goods or services. A Purchase Order must be issued in MACWIS based on an approved expenditure by the ASWS or his/her designee. Purchase Orders must be signed by the ASWS or his/her designee, who approved the service and the Bookkeeper. Exceptions: Checks written to the Treasurer, State of Mississippi for board payments and 1412 over payments do not require a Purchase Order.

O. County Funds Adult

County Funds Adult are funds which may be appropriated by the County Board of Supervisors to the DFCS offices for allocation upon emergency situations to individuals and families in need. Examples of the use of such funds are emergency food needs, utility bills, medication and housing. Written justification in MACWIS is required and the funds are requested in MACWIS by the Worker for approval by the ASWS or his/her designated appointee.

* Not all counties receive funds from the County Board of Supervisors.

P. County Funds Child

County Funds Child are funds which may be appropriated by the County Board of Supervisors to the DFCS offices for child welfare services. County Funds Child may be used for a child or on behalf of a child to provide services to his/her family when the purpose is the protection and/or prevention of neglect or abuse of the child. County Funds Child may also be used for a child in DFCS custody. Written justification is required and the funds are requested in MACWIS by the Worker for approval by the ASWS or his/her designated appointee. County Funds Child must be used before Regional Funds, if available.

* Not all counties receive funds from the County Board of Supervisors.

Q. Designated Donations

Designated Donations are funds which are donated locally to DFCS offices by area churches, civic clubs or other organizations. These are donations that are designated to be used for a specific purpose as determined by the donor. Designated Donations cannot be rolled over from year to year and they must be used in a timely manner with the exception of amounts of $10.00 or less. They can only be used when the needs of a child are involved. Written justification is required and the funds are requested in MACWIS by the Worker for approval by the ASWS or his/her designated appointee.

R. Undesignated Donations

Undesignated Donations are funds which are donated locally to DFCS offices by area Churches, Civic Clubs, other organizations or individuals. These donations are not tagged for a specific purpose; however they can only be used when the needs of a child are involved. Written justification is required and the funds are requested in MACWIS by the Worker for approval by the ASWS or his/her designated appointee.

S. Child's Own Funds - SSI

Child's Own Funds SSI is Supplemental Security Income that a child in DFCS custody may receive. These funds are received when the child has been diagnosed with a mental or physical disability. These funds are used to repay the state for the child's board payment. The board payment must be paid from Child's Own Funds- SSI before any other expenses are paid. If funds are left over after the board payment is paid, this money is to be used for any other needs the child may have up to policy requirements/limits. There is a resource limit of $2,000.00 that a child may have in his/her account. If the child's account goes over the resource limit, his/her Medicaid will be deactivated.

T. Child's Own Funds – Child Support

Child's Own Funds Child Support is income from a parent(s) that a child in DFCS custody may receive. These funds are used to repay the state for the child's board payment. The board payment must be paid from Child's Own Funds- Child Support before any other expenses are paid. If funds are left over after the board payment is paid, this money is to be used for any other needs the child may have up to policy requirements/limits. There is a resource limit of $10,000.00 that a child may have in his/her account. If the child's account goes over the resource limit, his/her Medicaid will be deactivated.

U. Child's Own Funds – SSA

Child's Own Funds Other is Social Security income that a child in DFCS custody may receive due to the death or disability of a parent(s). These funds are used to repay the state for the child's board payment. If funds are left over after the board payment is paid, this money is to be used for any other needs the child may have up to policy requirements/limits. The board payment must be paid from Child's Own Funds- SSA before any other expenses are paid. There is a resource limit of $10,000.00 that a child may have in his/her account. If the child's account goes over the resource limit, his/her Medicaid will be deactivated.

V. Regional Funds

Regional Funds are a combination of Federal and State matching funds budgeted annually and allotted on a quarterly basis. The funds are allocated to each local county based on caseload, availability of local funds and other pertinent factors. Expenditure of these funds are approved by the ASWS or his/her designated appointee.

Regional Funds may be used only for services to a child or on behalf of a child. Regional Funds may be used for the following:

- on behalf of a child to provide services to his/her family when the purpose is protection/prevention of neglect or abuse of the child. This includes mental health services for a parent/guardian to prevent removal of a child from their home;
- keeping the family intact and preventing out-of-home placement of the child; or
- in the provision of post-placement services.

When provided to or on behalf of a child not in DFCS custody the intent of the provision of the payment service is prevention of out-of-home placement of the child though removal may not be imminent.

Regional funds may not be used for any medical expense of a physical nature for any child. County Funds Child, Undesignated Donations, Child's Own Funds – SSI, Child Support, Child's Own Funds-Other may be used or State Funds may be requested for medical services of a physical nature if the medical service is considered an integral but subordinate part of the more comprehensive service such as Prevention, Protection or Placement. State Funds should only be requested if the medical service is not paid by Medicaid or the cost of the medical service is above what Medicaid has paid.

Regional Funds may be used for Mental Health services such as a psychological or psychiatric evaluation, testing or therapy/treatment for a child upon approval by the ASWS.

Regional Funds may be used only in conjunction with one of the following direct services:

- Protection Services/Child
- Prevention Services
- Placement Services

Written justification in MACWIS for the use of Regional Funds is required in case documentation. The funds are requested in MACWIS by the Worker and approved by the ASWS.

W. State Funds

State Funds are a combination of specific federal grants and state general funds, which may be requested to pay for services to meet the needs of foster children. These funds are budgeted annually and allotted on a quarterly basis.

These funds are requested by the Worker in MACWIS, approved by the ASWS and is electronically routed to State Office for approval by staff at the state office level prior to expenditure.

Listed below are some of the sources of State Funds and services which they provide. This listing does not preclude the funding of other services determined to be necessary to meet the needs of a client when that need cannot be met by other funding services.

- Unmet Medical Needs (Doctor)
- Unmet Medical Needs (Other)
- Unmet Medical Nurse
- Unmet Medical Technician
- Unmet Medical Dentist

Unmet Medical Needs (other) is for all other instances that are not listed above.

Covered under “Unmet Medical Needs” (medical only) purchase of an initial examination for a child entering foster care is considered automatic and does not require a prior approval if the cost does not exceed $50.00

If the initial examination for a child exceeds $50.00, it will be necessary to request prior approval in MACWIS for the expenditure of funds.

All other state payment services requests for children must be submitted by worker in MACWIS to the ASWS for approval and is routed electronically to State Office for approval by staff at the state office level prior to expenditure. No approvals will be granted for services already performed.

XV. HUMAN RESOURCES

The SPB governs the Human Resource management of the MDHS, as it does for all state agencies. All personnel processes and procedures shall be made in accordance with the Mississippi State Employee Handbook. This publication can be found on the SPB website: www.SPB.ms.gov.

This employee handbook shall be distributed to all new employees of DFCS as a part of the "New Hire Packet", along with other essential employment information and paperwork. When revisions are made to the Employee Handbook, all DFCS employees will receive a copy through an email link to access the handbook online for review and printing. Each employee is responsible for being aware of and adhering to the personnel policies and procedures. Directors/Supervisors shall be responsible for knowing and following the rules outlined in the SPB Policy and Procedures Manual.

In addition to the Mississippi State Employees Handbook, MDHS has outlined some of the SPB policies within the MDHS Administrative Policies.

DFCS has a personnel office within the division which is responsible for ensuring all personnel action requests are accurate prior to forwarding to MDHS Office of Human Resources for processing. All Personnel Action requests should be routed to this unit. The employees in this branch office are under the supervision of the Director of the Office of Human Resources for human resource matters, and work cooperatively with the Office Directors in DFCS in a support capacity for other matters, (i.e. MACWIS Payroll Input and e-Leave coordination).

A. Work Environment

Policies related to the work environment of DFCS are found in the Mississippi State Employee Handbook at www.SPB.ms.gov . These policies include:

- prohibition of any unlawful discrimination against any person or category of persons;
- prohibition of any personnel from engaging in any form of harassment, as defined by federal and state law; and
- prohibition of preferential treatment and nepotism with regard to hiring, supervision, and promotion.

Please refer to the Handbook for a detailed discussion of these policies. Training on these polices is provided through the Division of Human Resources and is offered at several different locations throughout the year as scheduled on the HR training calendar. This training calendar is distributed to all employees via email quarterly. Employees wishing to attend one of the training sessions must register as instructed in the quarterly email.

B. Human Resources Planning

As a part of the annual strategic planning process, the program areas, field staff and the Workload Management System, in collaboration with DFCS Financial Services, are responsible for planning human resource needs. With this information, recommendations are made to the MDHS administration about DFCS human resource budgetary needs.

C. Recruitment and Selection

Job descriptions for all State positions are listed on the SPB website, and the selection criteria are outlined in the SPB Policies and Procedures Manual. Employees are notified of vacant positions within MDHS through In-House Promotional Opportunities memoranda which are e-mailed to all employees. At the request of the hiring supervisor, the available positions are posted on the State Personnel Board website as well as the MDHS website.

Much of the recruitment efforts outside the DFCS are aimed at the university schools of social work in the state. By working collaboratively with the schools, students are encouraged to consider field placements in DFCS county offices. Often these students in field placement choose to make application for employment. Other recruitment efforts include, but are not limited to, ads in local newspapers in critical needs areas, job fairs and presentations to college classes.

In order to fill a vacant position at the county level, the hiring manager must follow the procedures outlined in the Human Resource section on the DFCS Connection website:

http://dfcsmacweb/DFCSWEB/policy.htm.

1. Additional information required for direct service workers

a) ***Background checks:*** All DFCS employees who have access to children during the performance of their job duties must be free from criminal or abuse history that could pose a safety risk to children. Applicants recommended for new hire or transfer to a DFCS position which involves contact with children will complete

Form MDHS-HR-482A "Release of Information", which gives permission for a criminal background check as well as a Child Abuse Central Registry check.

DFCS Personnel Unit will coordinate with the Division of Program Integrity for a national criminal background check and DFCS Child Abuse Central Registry for a registry check. *See* MDHS AP-46, for more specific information on performing criminal background checks and the collection of fingerprint images.

b) Driver's License and Automobile Liability Insurance: As a condition of employment, all DFCS employees (which includes state and county employees) shall be required to have a current driver's license, a current automobile safety inspection sticker and automobile liability insurance. These items will be checked and validated annually during the employee's performance appraisal review. Failure to maintain either of these requirements will be cause for personnel action, including termination.

c) References

All applicants are required to furnish 3 employment references which will be verified and their comments documented by the interviewer. These references, with comments will be submitted with the new hire paperwork and should be filed in the official personnel file with copies in the applicant's personnel file in the county.

D. Satisfaction and Retention

1. **Communication: Meetings, Information Sharing and Policy Development and Review**
2. **Monthly Meetings:** Directors/Supervisors at all levels shall ensure staff meetings are scheduled and held as often as necessary, but at least monthly, with applicable employees and entities to revisit DFCS's vision, mission, values and goals, explore challenges and to facilitate communication, information sharing and team building.
3. **Schedule and Agenda:** A schedule for monthly meetings shall be established so that employees are aware when meetings will be held and they can arrange their schedules and appointments. A written notice and agenda shall be sent to participants prior to a scheduled meeting. Employees desiring specific topics to be discussed should submit suggestions prior to the meeting for planning the agenda.
4. **Attendance:**
   a) Directors/Supervisors must ensure and encourage employee attendance and participation in the decision-making process through input at meetings as frequently as required for effective performance of their respective job duties.

b) Adequate time must be allowed for discussion of agenda items. A free exchange of ideas and opinions must be encouraged. Management must share departmental information at meetings to keep employees informed and aware of DFCS vision, mission, values and goals. After the meeting, attendees should be able to verify what decisions were made and what actions were taken.

c) The person taking minutes at the meeting will ensure that an attendees list is prepared and signed by all attendees or participants names recorded if attendance is by conference call. The attendees list will be filed along with the meeting minutes.

5. Distribution of Meeting Minutes:

a) All meeting minutes must be kept up-to-date and distributed in a timely manner as applicable and maintained on file. For purposes of cross-functionality and CQI, a request to review meeting minutes will be granted to employees and others that request to review. Meeting minutes will be filed and maintained on file for review for three (3) years.

b) Regional meeting minutes must be forwarded to the Director of Field Operations in the State Office. RDs may include county office meeting minutes with regional meeting minutes.

c) The Director of Field Operations/designee will be responsible for distributing regional/county meeting minutes to designated Office Directors/ Bureau Directors, Division Directors, and Deputy Director at regularly scheduled meetings to facilitate communication, and to enhance policy development, policy review and technical assistance.

6. Monthly Newsletter

DFCS Professional Development Unit (PDU) publishes a monthly newsletter which is posted on the DFCS Connection Website with information about training opportunities, new policies, special projects, new staff and spotlights staff in the field and their work with families and children.

7. Staff Suggestions

DFCS employees are encouraged to make suggestions and recommendations for changes or improvements in all areas of the DFCS, and can do this via email: suggestions@mdhs.ms.gov. The suggestions submitted are presented and discussed at the state office senior management meetings monthly. The identities of the individuals making the suggestions are not revealed at the meetings to preserve their anonymity. Following the discussion, a response is emailed to the employee making the suggestions.

E. Employee Grievances

The State Personnel Board Employee Handbook as well as MDHS AP-11, outlines the procedure for the employee grievance process.

F. Compensation and Benefits

Compensation is tied to the SPB classifications of staff positions and is listed on the SPB website. Benefits available to state employees are negotiated by the State Personnel Board and the Department of Finance and Administration. Information about open enrollment periods for insurance products is communicated to employees by the Division of Human Resources.

G. Performance Appraisals

Every DFCS employee who is employed for twelve (12) continuous months must have a performance appraisal review (PAR) annually. New employees must have a PAR at six months and at the end of the first year. In addition, when supervisors leave or employees are promoted, reclassified, reallocated or transferred to another supervisor they must have a Close-Out PAR.

The current supervisor will complete the Close-Out PAR within ten (10) days of notification of the proposed personnel action and route it directly to the new supervisor. The new supervisor shall complete MDHS-DHR-219 “Request for Transfer” and route it along with the Close-Out PAR to the DFCS Personnel Unit. Detailed instructions for these procedures are outlined in MDHS AP-12.

H. Personnel Records

DFCS employees’ official personnel files are maintained in the MDHS Division of Human Resources. The supervisor of each employee also maintains a Supplemental Employee Performance Folder (SEPF). When an employee moves from one supervisor to another, the current supervisor will close out the employee’s SEPF and the new supervisor will set up a new supplemental file. The employee may view his/her official personnel file at anytime by contacting the Division of Human Resources to request an appointment.

XVI. CONTINUOUS QUALITY IMPROVEMENT

A. State Continuous Quality Improvement Plan

The Continuous Quality Improvement (CQI) Plan outlines and describes the implementation of

the CQI process within the Mississippi DFCS (DFCS). The CQI Plan:

- Assigns responsibility for coordination/implementation of CQI activities, and provision of technical assistance in using the CQI process;
- Sets forth the purpose and scope of CQI activities;
- Establishes how the DFCS periodically reviews essential management and service delivery processes consistent in light of quality priorities;
- Defines stakeholders and how stakeholders will participate in the CQI process;
- Outlines methods and timeframes for monitoring and reporting activities; and
- Includes provision for an assessment of the utility of the CQI program, including any barriers and supports for implementation.

The primary purpose for engaging in CQI activities is to promote positive outcomes for the children and families served by the division by reinforcing the principles of family centered practice and assuring high quality of services. To achieve this goal, it is essential for the division to: 1) institute structured processes in order to examine, evaluate, and act on quality issues within our DFCS and (2) involve all division staff as well as families and stakeholders in these processes.

The CQI process is one that is thoroughly integrated into the DFCS's ongoing work and serves primarily as a means of reinforcing the practices that are currently being implemented in the state. CQI is viewed as a means of keeping the DFCS's mission and vision in clear focus for staff in the field and as a primary means of sustaining the improvements that we achieve in practice and outcomes over time. In order for it to serve that function, it must actually monitor for the practices that are put into place and provide sufficient feedback to staff to inform practice, decision making, and resource allocation.

Our CQI process is designed in accordance with the state's practice model, and thereby supports its implementation and sustainability. Six broad categories of activities in working with children and families have been identified that comprise the essence of the practice model. They are as follow:

- Mobilizing Appropriate Services Timely
- Safety Assurance and Risk Management
- Involving Families and Children in Case Planning and Decision Making
- Strengths and Needs Assessments of Children and Families

- Preserving Connections and Relationships
- Individualized and Timely Case Planning

A monitoring process has been designed that is fully synchronized with our practice model and provides the DFCS with a thoroughly integrated and consistent way of serving children and families.

B. Characteristics of CQI

DFCS' CQI process includes the following characteristics:

- reinforces positive practice at the case level.
- provides analysis of findings at a high enough level to inform the ongoing development and maintenance of the practice model.
- evaluates the capacity of the system to support quality casework practice.
- CQI is an inclusive process.
- coordinates with other oversight and review processes and improvement efforts.
- focused on identifying strengths and needs of practice and supports making needed improvements.
- integrated into the ongoing work of staff in County Departments, rather than being regarded as a special or periodic effort.
- focuses on accountability and improvement.

C. Mississippi's Continuous Quality Improvement Structure

Mississippi's CQI structure includes the following components:

- State Office CQI Unit
- Local (county/regional) CQI processes
- State CQI Team (that is either the State level practice model implementation team or a sub-group thereof)
- Local CQI Teams (that are a sub-group of the regional practice model implementation teams)

Descriptions of the functions of each of these components are as follows:

1. DFCS State Office CQI Unit

The primary entity responsible for administering CQI functions statewide is the State CQI Office, which includes the following:

- Evaluation and Monitoring Unit (EMU);
- Foster Care Review Unit (FCR);
- MACWIS Unit;
- COA coordination activities;
- Court improvement activities.

The State Office CQI Unit maintains responsibility for coordinating CQI work statewide and specifically carries out the following responsibilities:

- Developing and updating the instruments and tools needed to carry out CQI responsibilities, such as review tools, procedures manual, sampling criteria, and data tools;
- Conduct regular CQI reviews of County Departments of Human Services;
- Provide training to participants on the CQI process, including State and local participants;
- Provide case-level feedback to county and regional staff on cases reviewed, and provide feedback to supervisors and administrators on county-wide performance, and to State-level staff and stakeholders on county, regional, and statewide performance;
- Analyze the findings of reviews, including qualitative and quantitative analyses, and compile results into periodic reports that identify the strengths and areas needing improvement identified in the reviews;
- Assist RDs in reviewing and approving county program improvement plans resulting from the reviews, and in determining if the goals and progress measures identified in the plans have been achieved;
- Ensuring that other oversight and monitoring functions within MDHS are coordinated and aligned; and,
- Conduct special studies as needed or requested to evaluate performance and outcomes in specific areas.

2. Local CQI processes

In order for CQI to be integrated into the routine work within counties and regions, it is necessary to have more frequent CQI activity locally to supplement formal State CQI activities. MDHS is adopting a process of ongoing reviews in each county following the same basic protocols of State CQI reviews, and facilitated by the local CQI liaisons.

In order to help ensure that county staff participate in the CQI process and are connected to improvement efforts within the county, county child welfare staff should serve on the Regional CQI committees.

The local CQI liaison and the local Foster Care Reviewer will co-facilitate quarterly CQI Committee meetings and the review process, which includes random case selection within each county. The emphasis is placed on using the committee to support staff in decision-making and offering constructive feedback on interventions, so as to help staff view the process as positive and helpful in improving practice. Direct and prompt feedback will be provided to Workers and supervisors whose cases are selected for review. CQI Committees will request status reports on how their recommendations have been addressed in the cases reviewed.

D. Stakeholders

DFCS and its staff interact on a daily basis with others in an effort to provide quality services to families. In order for the CQI process to truly reflect a complete picture of the service delivery system, the community partners and consumers must be involved.

Community Partners are individuals/entities with whom the division works in conjunction to provide holistic services to the populations we serve. Examples of community partners may include but are not limited to:

- Juvenile Court Representatives
- Foster Parents
- Tribes
- Service Recipients
- Residential or Counseling Service Providers
- Department of Mental Health
- Division of Economic Assistance
- Division of Youth Services

- Division of Child Support and Enforcement
- Guardians ad Litem
- Attorneys
- School Personnel
- Health Care Professionals
- Community or Child Advocates
- Law Enforcement

A strength of the Mississippi DFCS is its strong value for partnering with families and communities. The DFCS has worked diligently to develop partnerships with communities and to be accountable to our citizens through committees such as the Citizen's Review Board, the CJA Panel and the Mississippi Association of Child Caring Agencies.

DFCS is committed to openness, accountability, data driven decision making and working with our partners to improve services and outcomes for children and families. In Mississippi's CFSR PIP, many actions steps included partnerships with the Office of State Court Administrators, Department of Mental Health, Department of Health, state universities, community partnerships and others. DFCS anticipates continued involvement with these entities.

Community partners are selected based on their ability to assist in the process of generating solutions. Participants are purposefully selected who are very familiar with the policy, procedures and practice of the division. This will help avoid spending a substantial amount of time orienting them to the DFCS.

Consumers (clients) are identified as adults and youth involved with DFCS. Their involvement begins at the same level as community partners. The selection of these participants is done very carefully with a goal of selecting individuals who have experience with and knowledge of DFCS. If necessary a staff person who knows the individual may serve as a coach to assist them in understanding their role.

Consumers may be either current or past clients. Youth are selected from the Independent Living Programs (ILP) to provide input through the Strategies for Assessing Independent Living Skills (SAILS) Committee.

E. Measures and Outcomes

The State CQI reviews consist of a review of information from multiple sources, including data reports that track individual performance indicators at the county, regional, and statewide levels,

and an onsite review that includes case reviews of families served by the county/region, supplemented by interviews with key parties to each case. The onsite reviews also include interviews with stakeholders internal and external to MDHS in order to evaluate the systemic capacity of the county/region to support practice consistent with the practice model.

In order to be effective at improving outcomes for children and families, CQI monitors *quantitative information* that provides data on the status of identified indicators, such as numbers of children and families served in various ways, the time frames for critical activities and goal achievement, and the level of available resources. It also monitors *qualitative information* in order to provide information on how well children and families are served, how appropriate various interventions are, and how the values and principles underlying the practice model are integrated into casework practice.

F. Quantitative information

In using quantitative data to evaluate performance, the system needs the capacity to produce reports that reflect not only point-in-time data on the child welfare population, but also foster care entry cohort profiles. This information will be especially useful in evaluating the extent to which the implementation of the practice model is having the desired effects on outcomes.

The production and longitudinal analysis of foster care entry cohorts will provide a basis for determining if the outcomes and experiences of children newly entering foster care in counties that have implemented the practice model differ notably from the cohorts of children who entered foster care either prior to the practice model or in counties that have not yet implemented the model. These data help local implementation/CQI teams, administrators, and other staff and stakeholders evaluate their efforts over time relative to the practice model and use the information to make needed adjustments in strategies, resources, and so forth.

It is very important that the reports are produced for individual counties and for regions within the State, so that administrators and CQI liaisons may track performance over time and make informed decisions about resource development, program improvement efforts, technical assistance, and so forth. RDs and ASWSs have a prominent role in reviewing county and regional-level reports routinely, to address them in staff meetings, and with local CQI teams, in order to evaluate performance, consistency of practice with the practice model, and monitor the resources needed for effective child welfare practice.

G. Qualitative information

In combination with qualitative information, the CQI system reviews for the quality of interventions with children and families, the services they receive, and the adequacy of the systemic supports. The primary means of collecting and reviewing this information is through

regular case reviews that sample families receiving in-home and foster care services, and through surveys with individuals that have first-hand knowledge of the issues under review.

An underlying value regarding qualitative information is that children and families served by the child welfare system should have a voice in how they are served. Although providing children and families with the opportunity to voice their concerns, strengths, needs, and preferences regarding services is very important, it does not imply that the DFCS abdicates its legal responsibilities to protect children and to carry out its legal responsibilities. It simply means that case planning and service delivery are often more effective when they are based on information provided directly by children and families. When the CQI process demonstrates the importance of family input into how they are served, it serves as reinforcement for including children and families in the actual practice of case planning and service delivery.

Case level information: CQI monitors for the effectiveness of casework practice at the individual case level. In order to be as accurate as possible in evaluating practice, reviews include information obtained from documented case files, but also from interviews with parents, children, foster caretakers, service providers, and Workers. Together, the information provides an accurate description of how well each of the six practice model components functions within the individual case. In addition to the information needed to evaluate conformity with the practice model, the review of individual cases also includes indicators that pertain to Federal or State requirements not specifically identified within the practice model.

Cases reviewed consist of in-home and foster care cases, of which includes open and closed cases. Although most of the requirements of the *Olivia Y* settlement agreement pertain specifically to foster care services, the practice model is intended to guide casework practice in both in-home and foster care cases. In order to promote application of the practice model across all cases, those cases monitored are selected randomly. The CQI unit has developed detailed sampling guidance that includes case selection criteria and the number of cases to be reviewed by type (14 foster care cases and 10 in home cases per region) for annual reviews and monthly case reviews (1 foster care case and 1 in-home case).

The Foster Care Review Unit has utilized the Periodic Administrative Determination as the case review instrument since 2005. Every child in foster care in all of Mississippi's 82 counties five months or longer is reviewed with this instrument every five months. A comprehensive review of the MACWIS case record as well as the paper case file is completed with each review.

Additionally, a county conference is conducted in which the social worker, the social work supervisor, the parents, the resource parents, the foster child, the guardian ad litem, grandparents, and any other relevant case members are engaged to provide information related to the child's permanent and concurrent plan.

The Attorney General's Office provides a report of children who have been referred for termination of parental rights. The Permanency Unit provides a report of the children needing an adoptive placement. These reports provide evidence to support the case review findings.

The resulting report from these reviews is forwarded to the county of responsibility and the Regional Director within 15 days of the review for their follow-up. Part B of the Youth Court Hearing and Review Summary is completed in MACWIS by the Reviewer to document the comments made during the county conference and to assist in making findings on the mandated determinations of compliance with case planning, conduciveness/appropriateness/ restrictiveness of the child's placement, progress toward alleviating the causes that led to custody, and continuing need for custody as well as appropriateness of the child's permanent plan.

The Periodic Administrative Determination (PAD) has been automated in MACWIS. This allows the findings from the review to be stored directly in the electronic case file and enhances the county's and region's ability to follow up on case review findings.

The MACWIS Unit also maintains the Data Dashboard, which was implemented in December 2010 as a means for all DFCS employees to view, on the DFCS Connection website, quarterly regional and statewide findings to key data indicators tied to the Practice Model. The validated MACWIS reports produced during the *Olivia Y* Bridge Plan are presented in graph format and provide a vehicle for regions to examine their performance on these indicators and to see statewide performance quarterly.

MACWIS data dashboard reports and management reports are utilized during regional CQI Team meetings to identify trends related to casework on a county and regional level.

Systemic factors: In evaluating systemic performance, the CQI system gauges the capacity of the child welfare "system" to support interventions with children and families that are consistent with the practice model and to help them achieve positive outcomes. Among the systemic factors to be monitored are:

- Training of staff and providers
- Service array
- Placement resources
- Caseloads
- Oversight and monitoring
- Court processes
- Data Quality and Usage

In each county/regional onsite review, CQI reviewers will survey the appropriate stakeholders who have first-hand knowledge of these systemic areas, and review supporting documentation. For example, in evaluating the *service array* systemic factor, CQI will survey service providers, Workers, supervisors, and consumers to determine the extent to which needed services are in place, are readily accessible to children and families, and can be tailored to meet their individualized needs. Information derived from case reviews on the provision of services will be used to supplement information from the stakeholder surveys.

The resulting CQI reports of county/regional reviews identify the findings of case reviews and data reports as well as findings pertaining to systemic factors.

H. Reports and Feedback

Providing timely and useful feedback is essential in making use of CQI findings to gauge progress and make needed improvements. CQI reports and provides feedback at several levels, as follows:

- *Individual Worker feedback:* In order to make the CQI process as constructive as possible, CQI reviewers (from local CQI teams and State CQI reviewers) provide immediate feedback to Workers and supervisors whose cases are reviewed. Feedback can be verbal and should include an identification of strengths and areas of needed improvement in the review findings, and helpful recommendations about how practice might be improved. Where serious concerns emerge for child safety, permanency, or well being emerge through reviews, each local CQI committee and State CQI should have a protocol for notifying responsible parties and requesting immediate action.

- *County/regional feedback on reviews:* Following State CQI reviews and at intervals in local CQI teams' review activities, verbal feedback should be provided to administrators that identifies strengths and areas of needed improvement in practice and systemic functioning. Administrators should be fully engaged in review activities and receive the benefits of immediate feedback in order to monitor performance and systemic capacity within the scope of their responsibilities.

- *County/regional reports of CQI reviews:* Written reports of State CQI reviews should be provided promptly to counties, RDs, State MDHS staff, county/regional implementation and CQI teams, and to the State implementation and CQI teams. The reports should describe the strengths and areas of needed improvement of practice and systemic capacity identified in the reviews, along with recommendations for making the needed improvements. Where responsibilities for making needed improvements lie with stakeholders outside of MDHS, those needs are to be clearly identified in the reports. At

periodic intervals, local CQI committees also summarize the findings of their reviews for the same purposes.

- *State CQI report:* At least every six months, State CQI will issue a comprehensive report of its findings from reviews conducted during the preceding six-month period, along with the status of counties/regions in the State on performance indicators identified through data and other reports. These reports have a broad distribution within and outside MDHS, including the Department's administration and external stakeholders, particularly advisory groups and implementation teams at the State and local levels. The State CQI report should include information from sources other than CQI reviews that also evaluate performance, such as the findings of the Foster Care Reviews, Special Safety Reviews, data from serious incident reports, other State and Federal reviews/audits, and pertinent findings from the Court Monitor's reviews. A combined report of monitoring efforts across MDHS present a more comprehensive picture of the status of children and families served by the Department than only reporting on the findings of CQI reviews.

  A number of requirements included in the State CQI report are addressed by the FCR process and reports, and that information will be needed for the State CQI reports. Further, in order to address reporting requirements for other functions and processes not directly monitored by CQI, there should be coordination and information sharing with the MDHS units responsible for financial management (for information on expenditures of Federal funds), foster care licensure (for information on licensing issues and child safety while in foster care), and contracting (for information on contractors' compliance with settlement agreement provisions), all of which should be included in the State CQI reports.

- *Dashboard data reports:* The state has implemented "dashboard" data reports that provide current data on a number of selected performance indicators to staff and stakeholders on a quarterly basis. These reports permit frequent and updated tracking of outcomes for children and families statewide and locally more often than comprehensive CQI reports. The data indicators identified are relevant to the work of the staff in the field, e.g., the CFSR data indicators, and region-specific and comparable to statewide performance so that staff can easily see how their performance and outcomes compare to the State's performance and outcomes. Using data in this can have some effect on the quality of data entered into the MACWIS system.

I. Special Safety Reviews

1. Purpose:

The Special Safety Review process is a CQI measure which addresses the safety of children in foster care who reside in resource homes or group care facilities. These reviews are not to be confused with special investigations or licensure investigations. The results of these reviews are used to guide further improvements to assure the safety, permanency, and well-being of children while in DFCS custody. The Reviews may result in recommendations and/or corrective action to be taken by DFCS staff and/or by resource home / group facility staff.

2. Procedure:

Group care facilities / resource homes currently providing care to children in DFCS custody are determined for review as a result of meeting one of the following criteria:

a) Resource homes or group care facilities having two or more reports of abuse/neglect by resource parents or facility staff members within the previous three year time frame, as designated by MACWIS report plus any cross-referencing for accuracy deemed necessary by the Director of Evaluation and Monitoring. Substantiated and unsubstantiated reports will be included. Reports of corporal punishment will be included.

b) By special request from a senior DFCS administrator to address safety concerns, on a case-by-case basis

A MACWIS case record review is conducted to obtain history of previous allegations of abuse/neglect, licensure status, and a listing of foster children currently residing in the facilities/resource homes. An unannounced, on-site visit is made by a licensed Worker employed by DFCS to identified facilities and resource homes where foster children and resource parents or facility staff are interviewed. Observations are made of the entire physical environment to assess the safety and well-being of foster children currently residing in the resource home or facility.

Findings of the reviews are entered into an In Care Maltreatment Review instrument, which addresses strengths, areas needing improvement, and recommendations of corrective actions for the facility/resource home and/or DFCS staff. The In Care Maltreatment Review reports are submitted to the Director of Evaluation and Monitoring and to the Director of Family and Children’s Services and Field Operations Director.

The information is then distributed to appropriate DFCS staff (applicable RDs, Independent Living Director, etc.) for implementing and monitoring corrective actions. Notifications of actions taken by DFCS staff or facility staff are forwarded to the Special Safety Reviewers, who then forward the information to the Director of Evaluation and Monitoring, the Director of Family and Children's Services, and the Director of Licensure, and keep track of dispositions. DFCS Director of Field Operations will be responsible for follow-up actions to be conducted by DFCS staff. The Director of Licensure will be responsible for corrective actions to be conducted by resource home or facility staff.

Any situation of imminent risk noted by Special Safety Reviewers will additionally be reported to centralized intake and/or to local DFCS staff, if it is a matter which requires a faster response than normal procedure described above.

Special Safety Reviews will be completed on cases scheduled for each quarter, with DFCS staff and facility staff being given 30 days from the date Special Safety Review results are reported to the DFCS Director and Licensure Director to address needs, complete corrective actions, and report back with actions taken as prescribed above.

XVII. RISK PREVENTION AND MANAGEMENT

A. Risk Management

Risk Management is a systematic process of evaluating and reducing potential risks that may befall personnel, clients, an organization, or a facility. Risk management activities are directed toward reducing an organization's legal and financial exposure, especially to lawsuits.

Individuals responsible for risk prevention and management functions shall be qualified by knowledge and experience to assess and manage risks, which include the Executive Director of MDHS, Deputy Executive Director of MDHS, and Internal Control Coordinator for MDHS.

DFCS shall be adequately insured under the umbrella of MDHS. The MDHS shall annually assess insurance needs, and obtain coverage that is commensurate with the scope and complexity of its services:

a. general liability;
b. Workers' compensation;
c. disability;
d. fire and theft;
e. medical;

f. indemnification
g. professional liability
h. officers' and directors' liability
i. automobile liability;
j. property and casualty;
k. malpractice; and
l. bonding or other forms of employee theft insurance, as appropriate, for all staff who sign checks, handle cash or contributions, or manage funds

DFCS provides, and assumes the cost of, legal assistance to personnel against whom claims are made related to lawful, authorized actions taken within the course and scope of their duties through the Attorney General's Office, Civil Litigation, depending on the act and through the Mississippi Tort Claims Board.

B. Monitoring and Evaluating Risk Prevention and Management at the State Office

MDHS Management shall conduct an internal assessment of overall risk at least annually, which includes:

a. compliance with legal requirements, including licensing and mandatory reporting laws, and fiscal accountability;
b. insurance and liability;
c. health and safety, including use of facilities;
d. contracting practices and compliance;
e. staff training regarding areas of risk;
f. volunteer roles and oversight;
g. research involving program participants and other clients' rights issues;
h. security of information, including client confidentiality;
i. financial risk;
j. fundraising;
k. conflicts of interest;
l. employment practices; and

m. interagency collaborations.

Risks shall be identified and brought to the attention of management through a weekly meeting of the MDHS Executive Director and Division Directors. Each Division Director is responsible for complying with any changes in legal or regulatory requirements. The Legislative liaisons, the MDHS Executive Director, as well as persons designated by the Executive Director, shall attend legislative sessions and committee meetings to track Legislative bills which become law. Each Division Director is responsible for state and federal reporting requirements for their Division and such reports shall be reviewed by the MDHS Executive Director.

a. The office of the Executive Director of MDHS shall ensure compliance with legal requirements, including licensing and mandatory reporting laws and fiscal accountability.

   - Risks regarding fiscal accountability shall be assessed through the Office of Budgets and Accounting and Program Integrity.

b. Insurance and liability risks shall be assessed through the Division of Human Resources. Insurance is renewable annually and reviewed for adequacy prior to such renewal. MDHS is a Lessee of the property at 750 North State Street, Jackson, Mississippi. The Lessor is responsible for liability insurance.

c. Health and safety, including use of facilities, shall be managed through the Division of Human Resources as indicated below.

   - The building shall be inspected once a month for hazards, health and safety issues. Reports of hazards go to the Division of Human Services so the issues may be corrected.
   - Security officers are independent contractors on duty at the front entrances 24 hours a day and at the rear entrance/parking lots 7:00 a.m. to 6:00 p.m. Monday through Friday.
   - One maintenance employee is provided by MDHS and one is provided by the Lessor.
   - Identification badges shall be required for entrance into the building by employees. Visitors must report to the front entrance, sign in and pass through the metal detector.
   - Fire drills, tornado drills and severe weather drills shall be held twice a year.
   - The Jackson Fire Department shall inspect the sprinkler and alarm systems annually.
   - Weekly health tips shall be emailed to all MDHS employees. A Health Committee sponsors health fairs from time to time. Employee health insurance provides for wellness benefits annually when employee completes the survey of medical history.

- Food services are under an independent contractor and licensed by the Mississippi Health Department.
- MDHS does not fall under the Occupational Safety and Health Administration (OSHA) umbrella. However, MDHS works to insure the workplace is safe and has formal workplace safety programs (blood borne pathogens, first aid, etc.). MDHS does fall under the state tort/liability laws. As such, a state loss control manager inspects the workplaces periodically and makes recommendations for changes that make the workplace safer. These inspections follow OSHA guidelines.

d. Contracting practices and compliance shall be managed by the Mississippi State Personnel Board.

e. Agency risk assessment, analysis and training shall be conducted at the human resources, financial and auditing levels by other divisions within the department.

- MDHS has an agency-wide Drug and Alcohol Testing Program and Employee Assistance Program, the details of which may be found at MDHS AP-13 and AP-50. DFCS personnel shall receive training concerning these policies, which include topics such as addictive behavior, sociological and psychological maladies, family and workplace relationship dynamics, various coping mechanisms and the types of available treatment.
- Staff training regarding many areas of risk is offered by Human Resources, DFCS Professional Development Unit and outside medical professionals. Training opportunities shall be posted on the MDHS website.
- Training and preparation for emergencies and disasters shall be conducted annually. Agency personnel receive training in the National Incident Management System, which is exercised annually and placed into actual practice during hurricanes and other disasters. *See* Comprehensive Emergency Management Plan, Emergency Support Function #6, and other Annexes, Appendices and Attachments at http://www.msema.org.

f. Volunteer roles and oversight are managed through DFCS Protection Unit, and volunteers must meet the same criteria as staff regarding criminal background checks and Central Registry checks. Volunteers may not carry caseloads and must be supervised.

g. DFCS does not conduct research on clients as program participants. Further, any data collected regarding services provided to clients is reported in the aggregate without identifying information as to a specific client.

h. Financial risks shall be annually assessed by DFCS in conjunction with the Office of Budgets and Accounting to determine budgetary needs. DFCS must request necessary funding from the legislature for federal IV-B, IV-E, and grants;

i. Conflicts of interest risks are assessed as issues arise. MDHS AP-23 outlines instances of conflicts of interest which are prohibited, a few of which are listed below. Employees are prohibited from: 1) viewing cases in MACWIS for personal purposes; 2) prohibited from investigating cases or performing home studies for relatives or friends; 3) prohibited from using official position for personal gain; 4) prohibited from participation in certain outside activities. As different questions of conflict of interest arise, clearances shall be provided through the chain of command and as policy is revised or a memorandum is issued. *See* MDHS AP-23.

j. Employment practices are assessed as new issues arise in conjunction with the SPB. The Employee Handbook produced by the SPB outlines what employees need to know about their rights and responsibilities. The SPB approves applications of persons seeking employment. Termination and grievance procedures, as well as appeal procedures, are in place for employees and outlined in the Employee Handbook Interagency collaborations on risks occur weekly with the MDHS Executive Director and Division Directors.

- DFCS shall conduct a quarterly review of immediate and ongoing risks that includes a review of incidents, critical incidents, accidents, and grievances related to service modalities or other organizational practices that involve risk or limit freedom of choice; facility safety issues; situations where a person was determined to be a danger to him/herself or others; and serious injuries and deaths.
- Prior to the quarterly review, each County shall complete a Safety Checklist of risks observed and reported. RDs shall designate staff to complete the checklists and results shall be forwarded through the chain of command. The issues identified in the individual counties are analyzed to determine the percentage of the county offices in Mississippi having the same risks. Corrective action plans are developed and timeframes assigned for completing, eliminating, reducing risks or for contacting an agency with authority to make structural or safety improvements.
- Quarterly reviews shall be reported to the Risk Prevention and Management Workgroup (or other designated group) for distribution to persons or agencies for correction or reduction of the identified risk. The results of the quarterly reviews and corrective action plans shall be assessed annually in May and a written report shall be prepared of the findings and decisions.

C. Serious Incident Reports

1. Child Fatalities and Near Fatalities

A DFCS Serious Incident Report (SIR) is used to report any fatality or "near fatality" that occurs involving a child in any open DFCS case (regardless of whether or not maltreatment is suspected). In addition, in situations of non-DFCS involvement where there is alleged maltreatment that results in a fatality or near fatality, a DFCS SIR is also required. A near fatality is defined by CAPTA as an act that, as certified by a physician, places the child in serious or critical condition.

DFCS SIRs are entered through the "online SIR" link on the DFCS Connection website (http://dfcsmacweb/DFCSWEB/index.htm). The SIR should be completed immediately upon receipt of the report of a child fatality or near fatality (from MCI or other source). The DFCS Regional Director is responsible for ensuring timely completion of the SIR. The online SIR form includes detailed instructions and protocol for its completion.

2. Other Serious Incidents

Reports of accidents or runaways involving children in DFCS custody should be completed on the paper form in MDHS AP-45. (In the rare instance that an accident involving a child in custody results in a fatality or near fatality, both a DFCS online SIR and a MDHS AP-45 report should be completed.) Accidents involving staff and threats made against staff, property or others in the course of DFCS work should be reported pursuant to MDHS AP-45. After completion, the MDHS AP-45 report should be forwarded through the normal supervisory channels including the DFCS Regional Director, DFCS Director of Field Operations, DFCS Division Director, and DFCS Deputy Administrator either by electronic mail or facsimile.

3. Media Involvement

In cases of media coverage of alleged maltreatment (regardless of the severity of injuries) the following DFCS management should be notified by telephone or email: the Director of Field Operations, the Division Director, and the Deputy Administrator (This is in addition to the completion of any DFCS SIR or MDHS AP-45 report required by policy.)

D. MDHS Network and Mississippi Automated Child Welfare Information System

MDHS network, managed by the Management Information System (MIS), shall have sufficient capability to support DFCS's operations, planning, and evaluations**.** Once DFCS personnel have security clearances and network system access, they can access MACWIS statewide. MACWIS

allows employees to review information based on their specific profile. Employees are assigned profiles during access setup based on their job title. This profile is requested by the employee's supervisor through the MACWIS Access Request Form included in the new hire packet.

This profile is requested by the employee's supervisor through the MACWIS Access Request Form included in the hire packet. Employees are required to complete Child Welfare Professional Development (CWPD) Training, which includes one and one half days of Introduction to MACWIS training. Once employees access MACWIS, an inquiry process allows them to see demographic records and case information, as well as enter new information and edit existing information.

DFCS shall maintain MACWIS appropriate to its size and complexity and that permits timely access to information about children and families, capturing, tracking, and reporting of financial, compliance, and other business information and that uses clear and consistent formats and methods of reporting and disseminating data. Staff shall have access to MACWIS via computer terminals located in county offices. MACWIS contains confidential information on individual and families for whom DFCS has responsibility, financial records related to these individuals and families, and similar records on resource homes and licensed facilities.

1. Accessing MACWIS from Home

Employees may access the Network/MACWIS system via their personal Home Computer or Laptop by following the Standard Operating Procedures (SOP) located on the DFCS Connection Web/Policy at http://dfcsmacweb/DFCSWEB/index.htm

2. Proxy

When there is a need for one person to complete tasks for another person in MACWIS, written authorization is requested. Authorization for a proxy is obtained by the assigned staff completing a Proxy Request form electronically located at http://dfcsmacweb/DFCSWEB/index.htm and submitting it for approval through the lines of supervision to the RD/designee. Specific duties for the Proxy are listed on the Proxy Request form along with the effective dates which shall not exceed ninety days. The approved Proxy Request form is then forwarded electronically by the RD/designee to the MACWIS Help Desk to request MIS to set-up the proxy in the MACWIS system. The staff who is the proxy must meet the minimum qualifications for the work they will be doing. The person who is proxied for an ASWS must meet the qualifications for ASWS and must have completed the 40 hours of supervisory training.

XVIII. REGULATIONS SAFEGUARDING CONFIDENTIAL INFORMATION

The *Social Security Act* requires that DFCS provide safeguards which restrict the use or disclosure of information concerning applicants and recipients of AFDC, Medicaid, child support or social services to purposes directly connected with the administration of the programs. These regulations also specify that information can be shared with programs administered under Titles IV-A, IV-B, IV-D, IV-E, XIX, XX, XVI and any federal or federally assisted program which provides assistance, in cash or in-kind, or services directly to individuals on the basis of need.

Subject to section 471(c), DFCS has safeguards restricting use of or disclosure of information concerning individuals assisted under the state plan to purposes directly connected with:

- the administration of the Title IV-E plan or any of the state plans or programs under Parts A, B or D of Title IV or under Titles I, V, X, XIV, XVI, XIX or XX, or the supplemental security income program under Title XVI; and
- any investigation, prosecution, or criminal or civil proceeding conducted in connection with the administration of any such plan or program; and
- the administration of any other federal or federally assisted program which provides assistance (in-cash or in-kind) or services directly to individuals on the basis of need; and
- any audit or similar activity conducted in connection with the administration of any such plan or program by any governmental agency authorized by law to conduct such audit or activity.

The safeguards provided prohibit the disclosure to any committee or legislative body (other than an agency referred to in section 471(a)(8)(D) with respect to an activity referred to in such clause) of any information which identifies by name or address any applicant for or recipient of assistance under Title IV-E of the *Act*.

DFCS shall have in place safeguards to prevent the unauthorized disclosure of information in any child abuse and neglect registry maintained by the State, and to prevent any such information obtained pursuant to section 471(a)(20)(C) from being used for a purpose other than the conducting of background checks in foster and adoptive placement cases.

In the use of child welfare records in state court proceedings, section 471(a)(8) of the *Act* shall not be construed to limit the flexibility of a State in determining state policies relating to public access to court proceedings to determine child abuse and neglect or other court hearings held pursuant to Title IV-B or Title IV-E of the *Act*, except that such policies shall, at a minimum, ensure the safety and well-being of the child, parents, and family.

Electronic and printed information shall be protected against intentional and unintentional destruction or modification and unauthorized disclosure or use.

A. Confidentiality of Case Records of Children

Confidentiality of records involving children is established by State law in the Youth Court Act in MISS. CODE ANN. §§ 43-21-257, 43-21-259, 43-21-261 and 43-21-267. Excerpts of these sections pertinent to DFCS appear below.

MISS. CODE ANN. § 43-21-257. Agency Records

(1) Unless otherwise provided in this section, any record involving children, including valid and invalid complaints, and the contents thereof maintained by the Department of Human Services, or any other state agency, shall be kept confidential and shall not be disclosed except as provided in MISS. CODE ANN. § 43-21-261.

(2) The Department of Human Services shall maintain a state central registry on neglect and abuse cases containing (a) the name, address and age of each child, (b) the nature of the harm reported, (c) the name and address of the person responsible for the care of the child, and (d) the name and address of the substantiated perpetrator of the harm reported. The Department of Human Services shall adopt such rules and administrative procedures, especially those procedures to afford due process to individuals who have been named as substantiated perpetrators prior to the release of their name from the registry, as may be necessary to carry out this subsection. The central registry shall be confidential and shall not be open to public inspection. Any person who shall disclose or encourage the disclosure of any record involving children from the central registry without following the rules and administrative procedures of the department shall be subject to the penalty in MISS. CODE ANN. § 43-21-267. The Department of Human Services and its employees are hereby exempt from any civil liability as a result of any action taken pursuant to the compilation and/or release of information on the registry pursuant to this section and any other applicable section of this code. If an employee is determined to have willfully and maliciously performed such a violation, said employee shall not be exempt from civil liability in this regard.

MISS. CODE ANN. § 43-21-259.Confidentiality of Other Records Involving Children

All other records involving children and the contents thereof shall be kept confidential and shall not be disclosed except as provided in MISS. CODE ANN. § 43-21-261.

1. Child – Specific Information

The release of child-specific information will be limited to individuals, agencies, and organizations which demonstrate a "need and right to know" for the purpose of providing services to the child. These individuals, agencies, and organizations include:

- Placement Resources
- Educational providers
- Medical/Dental providers
- Mental Health providers

It is important to note that any person or entity provided access to child-specific information under this policy shall be required to maintain the information in accordance with state and federal laws and regulations regarding confidentiality.

2. Photographs and Interviews

All photographs including videos, media presentations, and publications of foster children are covered under the confidentiality law.

a) Photographs

- A foster child's face cannot be shown, unless there has been a termination of parental rights (TPR)
- A general group setting is permissible, if parental rights have been terminated.
- A child may not be identified as a foster child, unless the situation involves a recognition or honor of the child, then the child can be identified as a foster child. If it is relevant or significant to the honor, and DFCS Worker (with approval from the ASWS), the legal parents if available and the Guardian a*d litem* (GAL) agree, the child may be photographed.
- Photographs of foster children may be released to law enforcement officials, the county or district attorney, and the court in order to protect the child from abuse, neglect, or other harm.

b) Interviews

- A foster child may not be interviewed nor any photographs of him/her published in the DFCS annual report, or any document or publication which would be used as a marketing tool.
- If the Worker agrees that the interview is in the best interest of the child, foster children, 14 years and older, may be interviewed with the written consent of the DFCS COR Worker and ASWS, the birth parents (if TPR has not been achieved) and the GAL.
- The interview must be coordinated with the DFCS Worker and one of the following people must be present during the interview: the Worker, Resource Parent(s), a representative of the private agency if applicable, and the GAL.

MISS. CODE ANN. § 43-21-261. Disclosure of Records

1) *Except as otherwise provided in this section, records involving children shall not be disclosed, other than to necessary staff of the youth court, except pursuant to an order of the youth court specifying the person or persons to whom the records may be disclosed, the extent of the records which may be disclosed and the purpose of the disclosure. Such court orders for disclosure shall be limited to those instances in which the youth court concludes, in its discretion, that disclosure is required for the best interests of the child, the public safety or the functioning of the youth court and then only to the following persons:*
   - a) *The judge of another youth court or member of another youth court staff;*
   - b) *The court of the parties in a child custody or adoption cause in another court;*
   - c) *A judge of any other court or members of another court staff;*
   - d) *Representatives of a public or private agency providing supervision or having custody of the child under order of the youth court;*
   - e) *Any person engaged in a bona fide research purpose, provided that no information identifying the subject of the records shall be made available to the researcher unless it is absolutely essential to the research purpose and the judge gives prior written approval, and the child, through his or her representative, gives permission to release the information;*
   - f) *The Mississippi Department of Employment Security, or its duly authorized representatives, for the purpose of a child's enrollment into the Job Corps Training Program as authorized by Title IV of the Comprehensive Employment Training Act of 1973 (29 USCS Section 923 et seq.). However, no records, reports, investigations or*

information derived therefrom pertaining to child abuse or neglect shall be disclosed; and

g) To any person pursuant to a finding by a judge of the youth court of compelling circumstances affecting the health or safety of a child and that such disclosure is in the best interests of the child.

Law enforcement agencies may disclose information to the public concerning the taking of a child into custody for the commission of a delinquent act without the necessity of an order from the youth court. The information released shall not identify the child or his address unless the information involves a child convicted as an adult.

2) Any records involving children which are disclosed under an order of the youth court or pursuant to the terms of this section and the contents thereof shall be kept confidential by the person or agency to whom the record is disclosed unless otherwise provided in the order. Any further disclosure of any records involving children shall be made only under an order of the youth court as provided in this section.

3) Upon request, the parent, guardian or custodian of the child who is the subject of a youth court cause or any attorney for such parent, guardian or custodian, shall have the right to inspect any record, report or investigation which is to be considered by the youth court at a hearing, except that the identity of the reporter shall not be released, nor the name of any other person where the person or agency making the information available finds that disclosure of the information would be likely to endanger the life or safety of such person.

4) Upon request, the child who is the subject of a youth court cause shall have the right to have his counsel inspect and copy any record, report or investigation which is filed with the youth court or which is to be considered by the youth court at a hearing.

5)

a) The youth court prosecutor or prosecutors, the county attorney, the district attorney, the youth court defender or defenders, or any attorney representing a child shall have the right to inspect and copy any law enforcement record involving children.

b) The Department of Human Services shall disclose to a county prosecuting attorney or district attorney any and all records resulting from an investigation into suspected child abuse or neglect when the case has been referred by the Department of Human Services to the county prosecuting attorney or district attorney for criminal prosecution.

c) Agency records made confidential under the provisions of this section may be disclosed to a court of competent jurisdiction.

d) Records involving children shall be disclosed to the Division of Victim Compensation of the Office of the Attorney General upon the division's request without order of the

youth court for purposes of determination of eligibility for victim compensation benefits.

6) *Information concerning an investigation into a report of child abuse or child neglect may be disclosed by the Department of Human Services without order of the youth court to any attorney, physician, dentist, intern, resident, nurse, psychologist, social worker, family protection worker, family protection specialist, child caregiver, minister, law enforcement officer, public or private school employee making that report pursuant to Section 43-21-353(1) if the reporter has a continuing professional relationship with the child and a need for such information in order to protect or treat the child.*

7) *Information concerning an investigation into a report of child abuse or child neglect may be disclosed without further order of the youth court to any interagency child abuse task force established in any county or municipality by order of the youth court of that county or municipality.*

8) *Names and addresses of juveniles twice adjudicated as delinquent for an act which would be a felony if committed by an adult or for the unlawful possession of a firearm shall not be held confidential and shall be made available to the public.*

9) *Names and addresses of juveniles adjudicated as delinquent for murder, manslaughter, burglary, arson, armed robbery, aggravated assault, any sex offense as defined in Section 45-33-23, for any violation of Section 41-29-139(a)(1) or for any violation of Section 63-11-30, shall not be held confidential and shall be made available to the public.*

10) *The judges of the circuit and county courts, and presentence investigators for the circuit courts, as provided in Section 47-7-9, shall have the right to inspect any youth court records of a person convicted of a crime for sentencing purposes only.*

11) *The victim of an offense committed by a child who is the subject of a youth court cause shall have the right to be informed of the child's disposition by the youth court.*

12) *A classification hearing officer of the State Department of Corrections, as provided in Section 47-5-103, shall have the right to inspect any youth court records, excluding abuse and neglect records, of any offender in the custody of the department who as a child or minor was a juvenile offender or was the subject of a youth court cause of action, and the State Parole Board, as provided in Section 47-7-17, shall have the right to inspect such records when the offender becomes eligible for parole.*

13) *The youth court shall notify the Department of Public Safety of the name, and any other identifying information such department may require, of any child who is adjudicated delinquent as a result of a violation of the Uniform Controlled Substances Law.*

14) *The Administrative Office of Courts shall have the right to inspect any youth court records in order that the number of youthful offenders, abused, neglected, truant and dependent children, as well as children in need of special care and children in need of*

supervision, may be tracked with specificity through the youth court and adult justice system, and to utilize tracking forms for such purpose.

15) *Upon a request by a youth court, the Administrative Office of Courts shall disclose all information at its disposal concerning any previous youth court intakes alleging that a child was a delinquent child, child in need of supervision, child in need of special care, truant child, abused child or neglected child, as well as any previous youth court adjudications for the same and all dispositional information concerning a child who at the time of such request comes under the jurisdiction of the youth court making such request.*

16) *The Administrative Office of Courts may, in its discretion, disclose to the Department of Public Safety any or all of the information involving children contained in the office's youth court data management system known as Mississippi Youth Court Information Delivery System or "MYCIDS."*

17) *In every case where an abuse or neglect allegation has been made, the confidentiality provisions of this section shall not apply to prohibit access to a child's records by any state regulatory agency, any state or local prosecutorial agency or law enforcement agency; however, no identifying information concerning the child in question may be released to the public by such agency except as otherwise provided herein.*

18) *In every case where there is any indication or suggestion of either abuse or neglect and a child's physical condition is medically labeled as medically "serious" or "critical" or a child dies, the confidentiality provisions of this section shall not apply. In cases of child deaths, the following information may be released by the Mississippi Department of Human Services: (a) child's name; (b) address or location; (c) verification from the Department of Human Services of case status (no case or involvement, case exists, open or active case, case closed); (d) if a case exists, the type of report or case (physical abuse, neglect, etc.), date of intake(s) and investigation(s), and case disposition (substantiated or unsubstantiated). Notwithstanding the aforesaid, the confidentiality provisions of this section shall continue if there is a pending or planned investigation by any local, state or federal governmental agency or institution.*

19) *Any member of a foster care review board designated by the Department of Human Services shall have the right to inspect youth court records relating to the abuse, neglect or child in need of supervision cases assigned to such member for review.*

20) *Information concerning an investigation into a report of child abuse or child neglect may be disclosed without further order of the youth court in any administrative or due process hearing held, pursuant to Section 43-21-257, by the Department of Human Services for individuals whose names will be placed on the central registry as substantiated perpetrators.*

DFCS shall protect confidential and other sensitive information from theft, unauthorized use, damage, or destruction by:

a. limiting access to authorized personnel on a need-to-know basis;
b. backing up electronic data, with copies maintained off premises;
c. using firewalls, anti-virus and related software, and other appropriate safeguards; and
d. maintaining paper records in a secure location.

Security shall be ensured with individual identification numbers assigned to each user. Their sign-in number and password identifies their actions in the case records. Each user will be assigned a profile when their accounts are established. There are times that the user's account profile is changed. This change is documented in MACWIS.

a. Security and navigation are secure enough to deny unauthorized users access to the system. At the same time, the system is flexible enough to guide authorized users to the desired screens.
b. Mississippi Information System (MIS) Operations shall perform a daily partial back-up of data and on the weekend and full system back-up is done. Data shall be stored on tapes and kept offsite at the Information Technology Service (ITS).
c. The DFCS shall provide firewall protection for all the DFCS's computer systems. Symantec is used for the anti-virus software.
d. Documentation is kept in manual in a secure location.

Secure storage of paper records shall include: locked file cabinets; a locked file room with limited access or a gatekeeper system whereby one person or a few people can unlock the file storage area or access the files themselves; or a system using a keypad or keys where only authorized individuals are given the keypad code or copies of the keys. Agencies may also consider using fireproof cabinets; metal file cabinets; a sprinkler system; or not storing records in basements in areas that are prone to flooding.

Adoption records or a summary of all salient information included therein are maintained permanently, and records of children or youth are maintained until the age of majority or a few years beyond, depending on advice of counsel.

Confidential information, when electronically transmitted, shall be protected by safeguards in compliance with applicable legal requirements. The following statement shall appear on outgoing emails from DFCS:

Confidentiality Statement: The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential, proprietary, and/or privileged

material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from all computers.

MISS. CODE ANN. § 43-21-267. Penalty for Violation

> Any person who shall disclose or encourage the disclosure of any records involving children or the contents thereof without the proper authorization under this chapter shall be guilty of a misdemeanor and punished, upon conviction, by a fine of not more than one thousand dollars ($1,000) or by imprisonment in the county jail of not more than one (1) year or by both such fine and imprisonment.
>
> Nothing herein shall prevent the youth court from finding in civil contempt, as provided in Section 43-21-153, any person who shall disclose any records involving children or the contents thereof without the proper authorization under this chapter.

3. Nature of Information to Be Safeguarded

MISS. CODE ANN. § 43-21-261 prohibits any employee of the Department of Human Services, state or local, working in any capacity, from disclosing confidential information concerning any applicant or recipient of assistance or services, except in the administration of the programs as described under REGULATIONS SAFEGUARDING CONFIDENTIAL INFORMATION. The information which shall be considered confidential and shall not be disclosed except in the administration of the laws under which the Agency works shall be:

- Names and addresses of applicants and recipients.
- Lists of applicants and recipients. List of applicants and recipients will on occasion be requested for commercial, personal or political use. Under no condition may a list of clients be disclosed to any person, agency or business organization except as described below.
- Case records, with each and every document included.

Employees shall not disclose information of a confidential nature even though a record of information has not been made.

4. Personnel Action

Disciplinary action will be taken against any DFCS employee violating the regulations pertaining to the safeguarding of information in accordance with the disciplinary policies and procedures of the Department of Human Services and/or the State Personnel Board.

If the representative of an agency or organization to whom information has been disclosed violates the regulations, the Executive Director of the MDHS, after conducting an investigation, will report the employee or representative to the head of the agency involved.

XIX. PERSONS AUTHORIZED TO DISCLOSE INFORMATION

Disclosure of all information, including records of every kind, shall be governed by these regulations as set out below, and the applicable section of the Youth Court Law.

A. State Office

Requests for information from State office records shall be referred to the Director of Family and Children's Services for information on individuals or families who have requested services. The Director of Family and Children's Services will obtain information about the request and make a decision in accordance with the applicable section of the Youth Court Act. *See* MDHS AP-8 Public Records Act Policy.

B. County Office

Requests for information from local DFCS records shall be referred to the ASWS who will investigate the request and release the information in accordance with the applicable section of the Youth Court Law, or deny the request if not in accord. Do not disseminate case record information without a youth court order.

C. Court Subpoenas

When a state or county staff member receives a subpoena for the child's record the Youth Court of the applicable jurisdiction must be contacted to authorize the release of the information. The Worker or the ASWS will also notify the Special Assistant Attorney General for DFCS regarding the receipt of the Subpoena. *See* discussion, Subpoena of Case Records.

D. Requests of Parents/Legal Guardian

The handling of requests by custodial or non-custodial legal parent(s) or legal guardian(s) regarding information from the case record is determined by the purpose of the request as stated below.

- If a custodial or non-custodial legal parent, legal guardian, or legal custodian requests information from the record in regard to an upcoming Youth Court hearing, Section 43-21-261(3) of the Youth Court Act indicates that "Upon request, the parent,

> guardian or custodian of the child who is the subject of a Youth Court cause . . . shall have the right to inspect any record, report, or investigation which is to be considered by the Youth Court at a hearing, except that the identity of the reporter shall not be released, nor the name of any other person where the person or agency making the information available finds that disclosure of the information would be likely to endanger the life or safety of such person".
>
> This information, usually a Worker's court summary, should be made available to a custodial or non-custodial legal parent, legal guardian or legal custodian in order for them to effectively prepare and participate in hearings involving their children and wards. A copy of the summary should be given to the parent/guardian with the name of the reporter(s) removed [redacted] along with any reference to the reporter's identity.

The court summary shall be made available to the youth court, Guardian Ad Litem (GAL) prior to the youth court hearing for the official youth court file. Future access to this information will be determined by the court.

In no case should the entire record be released, unless court ordered. (*See* Subpoena of Case Records.)

E. Disclosure to County or District Prosecuting Attorney and Law Enforcement

The County and District Prosecuting Attorneys and law enforcement shall have access to information from the case records as is stated in MISS. CODE ANN. § 43-21-353(4) as shown below.

"Reports made under subsection (1) of this section by the Department of Human Services to the law enforcement and to the district attorney's office shall include the following if known to the department":

a) The name and address of the child;

b) The name(s) and address(es) of the parent(s);

c) The name(s) and address(es) of the suspected perpetrator(s);

d) The names and addresses of all witnesses, including the reporting party if a material witness to the abuse;

e) A brief statement of the facts indicating that the child has been abused and any other information from the DFCS files or known to the Worker making the investigation,

including medical records or other records, which may assist law enforcement or the district attorney in investigating and/or prosecuting the case; and

f) What, if any, action is being taken by the Department of Human Services.

F. Subpoena of Case Records

When the court issues a subpoena to DFCS RD, ASWS or Worker to personally appear or produce a case record the employee must appear or be held in contempt of court. Follow these procedures:

1. The Worker receiving a subpoena of case records will immediately inform the ASWS, providing a copy of the subpoena for the forwarding to the Special Assistant Attorney General for DFCS.
2. The Worker shall not take the entire case record to court unless ordered to do so by the youth court judge.
3. If child abuse/neglect case records regarding children are involved, the permission of the youth court to disclose these records is necessary.

G. Summons

Immediately forward a copy of the summons and complaint, or any other legal pleadings, other than those to youth court, to the Special Assistant Attorney General for DFCS.

H. Disclosure to Legislative Officials

The federal regulations also provide for the disclosure of such information to a committee or legislative body (Federal, State or local) when such a body certifies that the information is needed in connection with their official duties with regard to the program and that the information will not be used for any other purpose. Refer to MISS. CODE ANN. § 43-21-261 and § 43-21-353 of the Youth Court Act (Supp. 1998).

I. Contracts and Service Agreements

DFCS shall enter into contracts and service agreements with due regard for practices that promote efficient use of resources.

Availability of contract funds is announced through a request for information (RFI)/request for proposals (RFP) or a formal bidding process, which includes, unless prohibited by law or regulation:

1. open, public solicitation of bids;
2. selection/award criteria; and
3. formal procedures for rating proposals, selecting contract providers, and awarding contract
4. DFCS shall follow the procedures stipulated in the MDHS Subgrantee Manual and by the State Personnel Board-Personal Service Contract Procurement Regulations including competitive sealed bidding, competitive sealed proposals.

The following contain comprehensive guidelines regarding this policy and can be accessed at:

1. **Mississippi State Personnel Board-Policy and Procedure Manual:** http://www.spbrez.ms.gov/SPB%20Documents/SPB/Policy%20Proc2010/MSPB_PPM_100110.PDF

2. **Mississippi Department of Human Services-Subgrant Manual:** http://www.mdhs.state.ms.us/dpi_subman.htm

3. **The pursuit of contracts for services is consistent with DFCS's mission and purpose, and DFCS:**

   a. shall establish a system of standardized contracting practices;
   b. conduct due diligence in contracting activities, including review of possible risks; and
   c. assign a qualified individual to oversee contracts.

DFCS shall contract for services in compliance with MDHS Administrative Policy, AP-1 for standardized contracting practices for Personal or Professional Services Contracts and the Subgrantee Manual for subgrants, and will use the standardized agreements for subgrants and personal or professional services.

The MDHS Subgrantee Manual provides guidelines which DFCS must follow regarding standardized contracting practices and oversight.

DFCS has a separate sub-unit solely for contracts and subgrants within the Administrative/ Finance Unit. The Division Director of this unit shall be responsible for oversight of contracts.

4. **Written contracts must contain all significant terms and conditions in accordance with applicable law including, but not limited to the following:**

   a. roles and responsibilities of participating agencies;

b. services to be provided;
c. clearly defined performance goals;
d. measurable outcomes;
e. service authorization, including eligibility criteria;
f. provisions for training and technical support, as necessary;
g. duration of contract, including delineation of follow-up services;
h. policies and procedures for sharing information;
i. methods for resolving disputes;
j. a plan and procedure for timely payment, and consequences for failure to pay;
k. documentation necessary for, and means of reporting to, funding or oversight bodies and
l. conditions for termination of the contract.

All contracts are reviewed by MDHS assigned legal counsel or another qualified individual prior to signing.

5. Non-contractual service agreements include, as appropriate:

a. services exchanged or provided, and/or the goals and objectives of such collaborations;
b. roles and responsibilities of each organization, including reporting responsibilities;
c. procedures for sharing information;
d. confidentiality protections, including signed written consent forms;
e. assignment of case coordination responsibilities;
f. service authorization procedures, including accepting or rejecting cases; and
g. how to resolve communication difficulties.

J. Quality Monitoring of Purchased Services.

DFCS shall monitor and evaluate the quality of social and human services purchased from other provider organizations under the MDHS umbrella as follows:

The MDHS is required to monitor the activities of its subgrantees by following the Single Audit Act Amendments of 1996, the Office of Management and Budget (OMB) Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, and the OMB Circular A-133

Compliance Supplement. MDHS must monitor each project, program, subgrant, function, or activity supported by the Fede3ral award to assure compliance with applicable Federal regulations and that performance goals are achieved.

1. **Contractors who provide human or social services must:**
   a. have sufficient human and financial resources to fulfill the terms of the contract; and
   b. be licensed or otherwise legally authorized to provide the contracted services.

2. **Contracts for DFCS shall include:**
   a. service quality, client satisfaction, and outcomes that accord with DFCS's expectations;
   b. criteria for evaluating vendor performance; and
   c. protocols for routine communication of related data.

DFCS shall routinely monitor contractor progress toward fulfilling the terms of the contract as outlined in the Subgrantee Manual. The Office Directors of the direct services programs, Office Director for Field Operations and Office Director of Monitoring and Evaluation shall coordinate routine and ongoing assessments of the quality and effectiveness of direct services provided through contractors.

In addition, the Division of Program Integrity of MDHS monitors the programmatic, as well as the fiscal portion, when conducting reviews with subtgrantees. Criteria for performance are based on programmatic worksheet(s) submitted by each subgrantee specific to the Scope of Service within the subgrant agreement. DFCS shall re-evaluate the information provided by the subgrantee(s) on the programmatic worksheets to determine that the Scope of Services for each program is met.

3. **When areas of concern are identified, DFCS shall:**
   a. develop an improvement plan in conjunction with the contractor; and
   b. ensure contractor follow-up and remediation

4. **Improvement plans for contracts for DFCS is discussed in the Subgrantee Manual as follows:**

The Initial Report of Findings and Recommendations that is forwarded to the subgrantee and to the MDHS funding division will require a written response from the subgrantee within fifteen working days. Upon receipt of the response from the subgrantee, the Director of the Bureau of Audit and Evaluation and other appropriate staff will assess each response for adequacy. If all

responses are adequate, the response will be accepted by a letter to the subgrantee clearing all findings. If any responses do not adequately address the findings, the subgrantee will be notified in writing by the issuance of a Status Report, which will require a second response from the subgrantee within ten working days.

If the subgrantee fails to satisfactorily resolve all of the monitoring findings, the Bureau of Audit and Evaluation will issue a Final Notice Letter to the subgrantee demanding that the subgrantee refund the amount of questioned costs and advising the subgrantee of the procedures to follow if they wish to request an administrative hearing with the MSHS Executive Director.

If the subgrantee does not respond to the Final Notice Letter, the subgrantee will be referred to the State of Mississippi Office of the Attorney General to recover the unresolved questioned costs, and, the MDHS will begin procedures for debarment and suspension against the subgrantee organization and the subgrantee authorized official.

K. Health and Safety of Service Environments

DFCS is committed to providing healthy and safe administrative and service environments and ensuring the health and safety of its personnel and service recipients.

MISS. CODE ANN. § 29-5-161 (2007) prohibits smoking in any government building, including all MDHS and/or DFCS buildings. All DFCS offices must have and maintain "NO SMOKING" signs posted. Each county office must have an area that is designated for smoking separate from administrative and service areas.

For additional information, please see DFCS Safety and Security Guide at http://dfcsmacweb/DFCSWEB/.

Although DFCS offices are not owned, rented, or leased by DFCS, DFCS employees should do everything possible to ensure that the service environment promotes the health and safety of employees and service recipients. DFCS Facility Walkthrough Checklist must be completed on a monthly basis for each county office by DFCS employees.

An ASWS will be designated in each county location to ensure that ongoing facility inspections are documented and communicated through normal administrative channels. Any deficits found during these regular inspections as well as any preventive maintenance that needs to be done should be discussed with the Division of Economic Assistance's County Director or other MDHS designee who is responsible for the physical plant.

Window guards, security systems, alarms, and keypads shall be installed in counties where a need has been identified. Should ongoing facility inspections reveal the need for full time security guards; the

ASWS will communicate this need through administrative channels. Fire drills shall also be conducted annually to ensure preparedness for a fire emergency.

In the event of an emergency maintenance issue that is not life threatening, DFCS staff shall notify the Economic Assistance County Director or designee, who then handles contacting the appropriate county officials in order to have the issue corrected.

All employees are to consider the environmental impact of their daily operations. When possible, employees shall use environmentally friendly products and reduce waste and energy consumption.

Although most decisions in planning for new buildings is outside of the DFCS's control, DFCS employees should consider the accessibility, availability, and affordability of public transportation; location of other relevant community resources; and the special needs of service recipients and communicate them clearly to those responsible for planning for a new county office.

L. Health and Safety of Employees and Service Recipients

DFCS will issue and update, as needed, safety and security guides for staff. DFCS employees should refer to DFCS Safety and Security Guide on http://dfcsmacweb/DFCSWEB/ for details related to safety and security in the workplace. This Guide serves as a comprehensive tool for safety regarding staff, service recipients, and volunteers.

Each direct services staff member will be provided a cell phone in order to communicate when working off-site. Direct service staff will be provided safety training in the CWPD and the Non-Violent Crisis Intervention training. Direct service workers will be required to complete the CWPD training before carrying a caseload of any type.

DFCS has consulted with the Mississippi State Department of Health regarding blood and airborne pathogen exposure for employees. A video training program is required of all employees. The program has been incorporated into CWPD, to ensure all new direct service staff view the film prior to assuming a caseload and each existing employee will be required to view the DVD annually as a part of ongoing training. Although the program is designed for individuals who work with children, it also covers general universal precautions, blood and air borne pathogens, and exposure control. The risk of exposure to contagious and infectious disease is also covered in the Safety and Security Guide.

Based on epidemiological data analysis from the CDC, direct service staff are not considered to be members of a "high risk" group for Tuberculosis (TB). The vast majority of our service population is not defined as "high risk"; therefore, a mandatory skin testing program for staff will not be implemented. TB testing and Hepatitis B vaccinations are included in MDHS Insurance Wellness benefit and are available for all employees.

Prior to being employed, all prospective employees undergo fingerprinting and background checks which should indicate if a Worker has a felonious driving offense on their record.

Upon commencing employment with DFCS, all employees who may possibly have occasion to transport service recipients will sign the Statement Regarding Transportation when they complete their new hire packet with their supervisor within their first five days of employment. Additionally, when their personnel file is set up within their first thirty days of employment, and they sign their initial duties and standards packet, the Transportation Checklist tracking form will be completed by the Worker's immediate supervisor and filed in the personnel file. For existing employees, the Transportation Checklist tracking form will be reviewed as a part of their Annual Performance Appraisal.

MDHS AP-9, addresses policy for MDHS owned vehicles. Service recipients are not transported in DFCS owned vehicles.

DFCS Worker Safety Guide includes information and instruction for emergency situations and hazardous conditions. Every Worker shall have access to a telephone, either cellular or land based, and should call 911 in a life threatening emergency.

M. Americans with Disabilities

"The Executive Director of MDHS approves and determines all employee requests for reasonable workplace accommodations under the provisions of the Americans with Disabilities Act (ADA). The laws applicable to compliance with the ADA are complex and they interact with other federal and/or state laws. The MDHS has a single point of contact for case resolution, the Division of Human Resources. This serves to ensure continuity, equity and access to legal counsel in the decision making process." (*See* MDHS AP-44)

N. Emergency Response

MDHS Division of Economic Assistance (EA) is the division that is charged with the responsibility of coordinating with all federal, state, and local authorities and emergency responders in the case of a disaster. They have developed the MDHS *Disaster Operations Plan.* DFCS has developed the *Disaster Preparedness Plan* which addresses the evacuation, relocating, and accounting for the location of staff and service recipients. Each county office shall retain a form with pertinent information on all foster children and resource parents/facility regarding placement information and address, contact information which shall be kept in the county office and state office in the permanency unit. Emergency situations which would involve the threat of harm or violence or actual harm or violence are addressed in the Safety Handbook, which includes procedures for numerous situations which may arise.

The MDHS *Continuity of Operations Plan* (COOP) addresses alternate facility operations in the event of a disaster. Both the Family and Children's Services *Disaster Plan*, and the COOP outline procedures for communication with senior management, personnel, service recipients, the public and the media.

For additional information regarding the Emergency Response Plan, please refer to the MDHS Disaster Operations Plan, DFCS Disaster Preparedness Plan, and the MDHS Continuity of Operations Plan which is located at http://www.msema.org/plans/cemp.html.

I. BEHAVIOR SUPPORT AND MANAGEMENT

Behavior support and management are defined as the use of specialized interventions to guide, redirect, modify, or manage behavior of children. Behavior management includes a wide range of actions and interventions used in a broad continuum of settings in which adults are responsible for the care and safety of children. Behavior management includes the entire spectrum of activities from preventative and planned use of the environment, routines, and structure of the particular setting; to less restrictive interventions such as positive reinforcement, verbal interventions, de-escalation techniques, loss of privileges; to more restrictive interventions such as time-out and physical escorts.

Behavior management intervention with children by DFCS employees, licensed resource parents and licensed child caring facilities focuses on using positive means to teach appropriate self-management skills to children, promoting positive behavior and protecting the safety of service recipients and staff. Restrictive interventions that include isolation, manual, mechanical and chemical restraints, and locked seclusion are strictly prohibited. The use of encouragement and praise of positive behavior are seen as better agents for changing behavior in children than the use of punishment and aversive techniques.

The use of behavior management interventions by DFCS staff, licensed resource parents, and licensed child caring facilities shall be guided by State and Federal Statue, as well as generally accepted best practice standards promulgated by national accreditation organizations. All DFCS employees shall receive training on Non-Violent Crisis Intervention within twelve (12) months of the hire date and the annual refresher training thereafter. This training is offered by the Division of Human Resources Staff Development Unit. The supervisor of the DFCS staff member is responsible for providing verification of attendance at the training to the DFCS PDU where training records will be maintained on all DFCS staff. All DFCS licensed resource parents shall receive the Mississippi Parents As Tender Healers (MS PATH) pre-service training, which includes instruction on behavior management in the family setting, prior to being licensed. They are also required to sign an Affirmation of Understanding Regarding MDHS Policy Forbidding the Use of Corporal Punishment By Resource Parents (MDHS-SS-457A – *See* Section F).

<u>Prohibitions</u>

DFCS prohibits the use of any restrictive behavior management interventions and activities that infringe on the civil rights of children in any discipline or behavior management used by staff, licensed resource parents and licensed facilities.

The following forms of discipline **must never be used:**

1. Corporal punishment.
2. Any punishment of a physical nature, such as shaking, striking, spanking or physical abuse.
3. Any punishment that would constitute emotional or verbal abuse, such as humiliation, ridicule, name-calling, cursing or degrading remarks regarding the child or his/her family.
4. Punishment administered by one child to another child.
5. Punishment that consists of making a child complete physical exercises (particularly of a military nature); such as running laps, doing repetitive sets of sit-ups, etc.
6. Denial of meals, snacks, sleep, daily exercise and other daily needs.
7. Denial of visits, telephone calls, or mail contacts with family, attorney, siblings, DFCS worker, or pre-adoptive family.
8. Denial of educational services.
9. Denial of an opportunity to attend religious services and or religious counseling.
10. Assignment of excessive work or work that is age and developmentally inappropriate.
11. Use of manual or mechanical restraints.
12. Punishment as a group based on one individual's behavior.
13. Use of psychotropic medication for the purpose of chemical restraint and behavioral control.
14. Any form of discipline that is out of proportion to the particular inappropriate behavior.
15. Painful or aversive stimuli.
16. Cruel and unusual punishment of any kind.
17. Any intervention designed to inflict psychological harm or physical pain.
18. Locked seclusion as a punishment, consequence or sanction.
19. Isolation.

A. Confidential Information

When it is necessary for DFCS to request information from another organization/agency such as medical or mental health records of foster children, children not in custody, or parent(s)/guardians in order to complete investigations or provide services, the Consent to Disclose Information form must be used. (*See* Form DFCS 528 on the DFCS Connection Website/forms). The following information must be included on the form:

a. The name of the organization/agency who holds the records;
b. The name of the person/position with authority to release the records;
c. The name of the person whose information will be released;
d. The authorization signature of the DFCS worker or parent/guardian if the child is not a foster child;
e. The specific information to be released;
f. The purpose for which the information is to be used;
g. The date the release takes effect;
h. The date the release expires, not to exceed 90 days from the date authorization is given for a one time release of information;
i. The name of the person or position to whom the information is to be released;
j. The original of the form shall be placed in the client's paper file;
k. Blanket release forms cannot be used in service delivery. Each time it is necessary to obtain confidential information, a new form must be completed and signed by the client; and
l. A copy of the form shall be given to the client, if applicable.

1. Release of DFCS Record Material

All information obtained while working with families and children is confidential and will be disclosed by consent from a client or a person legally authorized to consent on behalf of the client or by court order. MISS. CODE ANN. § 43-21-261 is the only exception when disclosure is necessary to prevent serious, foreseeable, and imminent harm to a client or other identified person.

When a request is received for information from a DFCS case file by another agency or by a client, Form DFCS 552, *Release of Information for Disclosure of DFCS Case Record*, shall be

completed and signed by the client/ person legally responsible for the client prior to the release of any DFCS case file information. (*See* Form DFCS 552 on the DFCS Connection Website/forms)

- The original of the form shall be placed in the client's paper file;
- A narrative shall be entered into MACWIS detailing the circumstances of the file release and verifying the client's understanding of the form and its purpose;
- A copy of the form shall be given to the client; and
- A copy of the form shall be sent to the agency receiving the case file information.

II. COMPLAINTS

A complaint is an expression of pain, dissatisfaction, or resentment. A complaint can be the basis for filing a formal grievance, but not all complaints will be handled in a formal way. Many clients may choose to express complaints to the Worker or supervisor without filing a formal grievance.

III. GRIEVANCES

A grievance is a formal statement of complaint for a wrong or hardship suffered. All DFCS clients shall be given the Client's Grievance Procedure during an investigation and/or at case opening and assisted with filing a grievance if assistance is requested. Clients who have a grievance against a decision made should follow the Appeals section of this policy. For this procedure, a client is defined as any client or stakeholder involved in a case.

Clients wishing to file a formal grievance shall be walked through the following steps:

1. The client should be given the formal grievance form and asked to complete Section I of the form.
2. The form should be turned in to the supervisor or their designee. Whoever receives the form should log it into the formal grievance log. Each county shall keep this log and be able to report the number of formal grievances received monthly. The grievances shall be kept in a separate "grievances" file in the county by the supervisor/designee.
3. The supervisor has five (5) business days upon receiving the formal grievance to take appropriate action and contact the client regarding that action. The supervisor may ask the Worker to take appropriate action first. Face to face contact is preferred when contacting the client regarding the grievance. If necessary, phone contact is acceptable. If the complaint is about the Worker, his/her supervisor will handle the grievance (skip to number 5).

4. The client will be asked to sign whether or not he/she agrees with the action taken by the Worker. If he/she does not agree and further action is required, the Worker will give the form to the supervisor.

> If the contact is over the phone, the original form and a copy of the form should be mailed to the client for his/her signature. The original should be signed by the client and the copy is for his/her records. The worker should also keep a copy of the form when mailing the original to the client. The client will have five (5) business days to return the signed form. **If the client states on the phone that he or she would like further action taken on the grievance, please note that on the form and forward it to the supervisor at that time. You do not need to wait on the returned form before forwarding it.

5. The supervisor will have five (5) business days to take appropriate action and to contact the client regarding the action taken.
6. The client will be asked to sign whether or not he/she agrees with the action taken by the supervisor. If the client does not agree and further action is required, the supervisor will give the form to the RD within three (3) business days. If the contact was made by phone, please follow the same protocol as stated above.
7. The RD or their designee will have ten (10) business days to take appropriate action and to contact the client regarding the action taken.
8. The client will be asked to sign whether or not he/she agrees with the action taken by the RD. If the client does not agree and further action is required, he/she must forward the form to the Division Director's office within thirty (30) days requesting an Administrative Hearing for the grievance.

MDHS-DFCS

Attn: Division Director

P.O. Box 352

Jackson, MS 39205

IV. APPEALS

A. Overview

The DFCS provides individuals who disagree with DFCS findings or decisions covered under this policy, a right to appeal the decision. An administrative process has been implemented to offer a fair, impartial, timely and accessible hearing to all persons entitled to this process.

There are three types of appeal hearings conducted:

1) Administrative Hearing for any unresolved formal grievance;

2) Administrative Hearing which is afforded to an individual whose name has been placed into the MS Child Abuse Central Registry as a perpetrator of child abuse or neglect or has a substantiated report of abuse or neglect against them; or

3) Administrative Hearing which is afforded to foster parents, foster parent applicants, or licensed facility providers in the event that an application for licensure or renewal of a license is denied, or a license is suspended, revoked, an application for adoption is denied, or an adoption case is closed, or there is an adverse decision for an applicant or recipient of adoption assistance.

Any decision that is made by the Youth Court cannot be appealed through an Administrative Hearing. For example, a client may not appeal the decision for a child to be placed in the custody of the Department of Human Services as this decision was made by the Youth Court and must be appealed through the Youth Court procedures.

B. Administrative Hearings for Unresolved Formal Grievances

If a client has followed the procedure outlined in the grievance section above and the grievance has not been satisfactorily handled and further action is needed, he/she must forward the Client's Grievance Form to the Division Director's office within thirty (30) days requesting an Administrative Hearing for the grievance.

MDHS-DFCS

Attn: Division Director

P.O. Box 352

Jackson, MS 39205

The Division Director/designee will:

1. Contact the hearing officer to give the individual responsible for conducting the hearing the information regarding the request.
2. Notify the COR of the client that a hearing has been requested.

The hearing officer will:

1. Schedule a date, time, and place for the hearing.
2. Send a written notice of the scheduled hearing via Certified US Mail, Return Receipt Requested, at least thirty (30) days prior to the hearing date. If the individual requesting the appeal cannot appear at the time and location of the hearing, the individual must notify the hearing officer within ten (10) calendar days of receipt of the hearing notice to give explanations and make arrangements for rescheduling.
3. Notify the Division Director/designee of the scheduled hearing.
4. Notify the Division Director designee of any rescheduling of hearings.

The Hearing Officer will then notify the COR of the client regarding the scheduled hearing and request the Worker, ASWS, or any other appropriate staff prepare to be present at the hearing and be prepared to present evidence regarding the grievance if needed.

At the Administrative Hearing, either party may be represented by an attorney. The presiding Hearing Officer shall have the authority to maintain the decorum of the hearing, and shall take reasonable steps to do so when necessary, including clearing the hearing room of any person who is disruptive. The presiding Hearing Officer may clear the hearing room of witnesses not under examination.

The DFCS will present all the evidence which led to the DFCS's actions. The appealing party shall follow, presenting evidence that the reasons for the decision made are not true or not sufficient for the action taken.

If the appealing party, without good cause, fails to appear at the hearing, such failure shall be considered as a withdrawal of the appeal and the presiding Hearing Officer may dismiss the appeal.

After all evidence is heard or received, and the hearing is completed, the presiding Hearing Officer shall prepare and file a written finding of facts within fifteen (15) days of the hearing date.

The Division Director/designee shall review the finding of facts and issue a written statement regarding the final decision of the DFCS to the appealing party.

The decision of the Division Director/designee is final and binding unless overturned by a court of competent jurisdiction.

C. Appeals of the Central Registry

MISS. CODE ANN. § 43-21-257, as amended provides for the establishment of the Central Registry of abuse and neglect cases. The Registry provides a mechanism for the state to protect children from abuse and neglect and to notify child care providers and licensing agencies of individuals who have been substantiated by DFCS as perpetrators of child abuse/neglect. With the establishment of the State Registry, there is also the requirement to establish procedures to afford due process to individuals who have been named as substantiated perpetrators prior to the release of their name from the registry.

When a request for a fair hearing is received by the Protection Unit, State Office, a hearing will be arranged. The administrative fair hearing must be conducted within sixty (60) days after the receipt of the request for a Hearing.

The Protection Unit will:

1. Contact the hearing officer to give the individual responsible for conducting the hearing the information regarding the request.
2. Notify the COR for the child abuse and/or neglect investigation report that a hearing has been requested.

The hearing officer will:

1. Schedule a date, time, and place for the hearing.
2. Send a written notice of the scheduled hearing via Certified US Mail, Return Receipt Requested, at least thirty (30) days prior to the hearing date. If the individual requesting the appeal cannot appear at the time and location of the hearing, the individual must notify the hearing officer within ten (10) calendar days of receipt of the hearing notice to give explanations and make arrangements for rescheduling.
3. Notify the Protection Unit of the scheduled hearing.
4. Notify the Protection Unit of any rescheduling of hearings.

The Protection Unit will then notify the COR for the investigation report of the scheduled hearing and request the Worker or ASWS prepare to be present at the hearing and be prepared to present evidence which led to the individual's name being placed in the registry.

At the Administrative Fair Hearing, either party may be represented by an attorney. The presiding Hearing Officer shall have the authority to maintain the decorum of the hearing, and shall take reasonable steps to do so when necessary, including clearing the hearing room of any

person who is disruptive. The presiding Hearing Officer may clear the hearing room of witnesses not under examination.

The DFCS will be asked to present all the evidence which led to the DFCS's findings. The appealing party shall follow, presenting evidence that the reasons for the decision made are not true or not sufficient for the action taken.

If the appealing party, without good cause, fails to appear at the hearing, such failure shall be considered as a withdrawal of the appeal and the presiding Hearing Officer may dismiss the appeal.

After all evidence is heard or received, and the hearing is completed, the presiding Hearing Officer shall prepare and file a written finding of facts, and a decision on these findings and forward to the Protection Unit, within fifteen (15) days of the hearing date.

If the Administrative Fair Hearing reverses the DFCS's decision the Protection Unit will notify the appealing party in writing that his name shall be removed from the Central Registry by administrative procedures.

The decision of the Hearing Officer is final and binding unless overturned by a court of competent jurisdiction.

D. Appeals of Findings of Abuse/Neglect/Exploitation

The Child Abuse Prevention and Treatment Act (CAPTA) Amendments of 1966, P.L.104.235 (as codified at 42 U.S.C. Section 5106a) requires states to have provisions, procedures, and mechanisms in effect by which individuals who disagree with an official finding of child abuse or neglect can appeal such a finding." This requirement applies to the perpetrator of child abuse or neglect and applies to States receiving funds under a CAPTA state plan.

This requirement is to assure that individuals who have been found by the State to have committed child abuse or neglect are afforded due process. It also requires that individuals be given written notification of their right to appeal, and the method by which they may appeal, at the time they are notified of the official finding of child abuse or neglect; and that the office or individual hearing such appeals cannot be involved in any other state of the case, and that such officer or individual has the authority to overturn a previous finding of abuse or neglect.

E. Administrative Hearings for Resource Homes

An Administrative Grievance Hearing is afforded to individuals who disagree with an DFCS decision and/or action in the event that an application for licensure or renewal of a license is

denied, a license is suspended or revoked, an application for adoption is denied, an adoption case is closed, or there is an adverse decision for an applicant or recipient of adoption assistance.

This process is given to:

1. Foster Parents
2. Foster Parent Applicants
3. Adoptive parents
4. Adoptive applicants
5. Facility licensure applicants
6. Licensed facility providers
7. Licensed child placing DFCS providers.

F. Appeal Process

In the event of a DFCS decision or action as described above under this section, the aggrieved party may file an appeal by submitting, in writing, a request for an administrative hearing. The written notice of appeal is sent to the MDHS/ DFCS, Licensure Unit, P.O. Box 352, Jackson, MS 39205. This request for a hearing must be received by the DFCS within ten (10) working days of the date the DFCS's written notice of action sent to the individual or DFCS.

The administrative hearing shall be held no later than sixty (60) calendar days after the receipt of the request for a hearing.

The Licensure Unit will contact the Hearing Officer giving the officer information regarding the request. The Hearing Officer is appointed by MDHS, but has no involvement with DFCS decisions regarding licensure or approvals for adoption or other matters from which the individual or party appeals other than during the hearing process.

The Hearing Officer shall schedule a date, time and place for the hearing.

At least thirty (30) calendar days prior to the administrative hearing, notices shall be sent via Certified U.S. Mail, Return Receipt Requested, to all involved parties by the appointed Hearing Officer. The appealing party shall be afforded all applicable safeguards of procedural due process.

The Hearing Officer will notify the Licensure Unit and/or the Adoption Unit of the scheduled hearing. The Licensure Unit and/or Adoption Unit as appropriate will notify the appropriate staff person, who is responsible for the case, of the hearing.

The Worker, supervisor or other appropriate DHS staff will be prepared to present the reasons for the DFCS's decision and will be present at the hearing.

At the Administrative Grievance Hearing, each party may be represented by an attorney. The appealing party shall have the right to call, examine and cross examine witnesses. The Hearing Officer may require the presence of witnesses and evidence in behalf of the applicant, licensee, or MDHS.

Each party shall file with the Hearing Officer, a list of witnesses they plan to call to testify at the hearing and produce documentary evidence on his, her, or its behalf. This information must be provided to the Hearing Officer at least ten (10) calendar days prior to the Hearing. The list shall contain the following:

1. Name(s);
2. Current Residence/Address (city, phone number, etc.)
3. Brief description of testimony

Each party will be responsible for notifying his/her, its witnesses of any changes regarding the hearing process and any changes therein.

The presiding Hearing Officer may clear the hearing room of witnesses not under examination.

The presiding Hearing Officer shall have the authority to maintain the decorum of the hearing and shall take reasonable steps to do so when necessary, including clearing the hearing room of any person who is disruptive.

During the Administrative Grievance Hearing, the presiding Hearing Officer shall hear or receive evidence on its case in chief. The appealing party shall follow in presenting the same.

In the Appeal Process, the burden of proof shall be on the MDHS/DFCS.

If there is a withdrawal of the appeal by the appealing party, the appealing party must be required to furnish evidence of the reasons for the withdrawal to the presiding Hearing Officer in order for the appeal to be dismissed.

In order to preserve the record of the hearing, the Hearing Officer will make an electronic recording of the hearing.

After all evidence is heard or received, and the hearing is complete, the presiding Hearing Officer shall, within thirty (30) days of the hearing, prepare and file a written findings of facts with a recommended decision and forward same to the Director, DFCS, who shall make the final decision as to whether the denial, suspension, probation, or revocation is sustained. The decision shall be in writing and shall contain findings of fact and rulings of licensure standards and law, and shall be mailed to each party or when a party if represented by an attorney to his/her attorney by Certified U.S. Mail, Return Receipt Requested. The decision of the Director is final and binding.

V. TRAINING AND SUPERVISION

A. Introduction

DFCS PDU is responsible for providing a comprehensive, family centered child welfare training program for all DFCS staff to prepare them to assume their job responsibilities and enable them to enhance their knowledge, skills and abilities. At a minimum, all DFCS employees shall receive orientation and pre-service training.

Training needs of DFCS staff are identified through regular review of evaluations of training sessions completed by participants, suggestions from state office program staff and senior management, review of reports which reflect Worker performance related to certain critical areas of practice and an annual survey of all DFCS employees to provide feedback about job satisfaction and training needs.

Official training records of each DFCS employee are maintained by the PDU in a database file during the employee's tenure with DFCS. All training courses offered by the PDU shall be recorded in the database file by PDU staff. If an employee attends a training course outside the DFCS, the employee is responsible for providing written verification of completion of the course for entry into the Training Record.

DFCS -PDU is also responsible for Workforce Development and works closely with the accredited schools of social work in the state to recruit professional staff.

VI. TRAINING REQUIREMENTS FOR NEWLY HIRED EMPLOYEES

A. Direct Service Workers/Clerical Staff

All newly employed direct service staff and supervisors shall receive a minimum of 270 hours of pre-service training, including instructional training and supervised field training, prior to assuming responsibility for cases.

The Worker's immediate supervisor is responsible for the initial orientation, field training, and assisting the Worker in the transfer of learning to the job. On the date the new employee reports to work, the supervisor shall ensure the new Worker is provided with the following items:

1. The State Personnel Board Employee Handbook
2. The New Hire Field Instruction Training Manual
3. A complete and current DFCS policy manual.

Exceptions:

1) If the new employee is being re-hired with DFCS, previously completed the pre-service training, and is returning to the DFCS within 12 months of leaving, the pre-service training can be waived.

2) If the new employee is being re-hired with DFCS, but has been gone for more than 12 months, the pre-service training must be completed unless an exception is granted by DFCS Deputy Director, based on education and experience.

3) All clerical staff shall complete two days of Finance/Clerical training.

All requests for waivers/exceptions shall be directed to the Director of the Professional Development Unit.

B. Pre-Service Training

Pre-Service training is competency based and trainees are tested at the end of each week of instructional training. Trainees must receive a score of 70 or above on each of the four tests in order to continue eligibility for the position. If the trainee does not pass with a score of 70 or above, they are required to retake the test the following week. If the trainee does not pass the exam after the retake, the ASWS and Regional Director will be notified and a plan will be made for dismissal or a repeat of the training.

C. Pre-Service Eligibility/Attendance Requirements

To be eligible to attend the Pre-Service training, the following criteria shall be met:

- New Hire completes on-the-job training or meets the criteria for an exception.
- New Hire has an assigned and active Mississippi Automated Child Welfare System (MACWIS) number.

These forms are located on DFCS Connection, http://dfcsmacweb/DFCSWEB/Professional.htm with instructions. The completed forms must be received in the DFCS PDU no later than one week prior to the 1st day of training in order for the new employee to be considered for the specific training group. If special accommodations are required for a new employee, the PDU should be notified immediately.

D. Additional Training Required for New Employees

All newly hired Direct Service Workers and supervisors are required to complete the following training within the first twelve months of employment.

The ASWS shall submit verification of the Worker completing each training directly to the PDU.

- Non-Violent Crisis Intervention (offered by Division of Human Resources)
- Age Appropriate Passenger Restraints System Training (must be delivered by a technician certified by SAFEKIDS US)
- Blood and airborne pathogens (DVD)

VII. ON-GOING TRAINING REQUIRED FOR DIRECT SERVICE WORKERS

It is the Direct Service Worker's responsibility to maintain proficiency in the performance of job duties by attending professional trainings and/or workshops. All Direct Service Workers shall obtain a minimum of 40 hours of on-going job-related training annually. Failure on the part of the Direct Service Worker to complete the 40 hours of annual training for any reason will be grounds for termination of employment.

Training offered by DFCS PDU shall be counted toward the 40 hours. The Worker's supervisor may approve professional conferences, seminars and workshops outside of DFCS that are directly related to an employee's present job duties and responsibilities to be outside of DFCS toward the 40 hours. The Worker must submit documentation of completion of the training to the PDU for recording in the database.

DFCS PDU is a Designated Provider for Social Work Continuing Education (CE), but not all training offered by the unit will receive CEs. The training curriculum and the presentation of the curriculum must meet specific criteria in order for CEs to be awarded. The director of PDU will inform staff if CEs are to be given for a particular training.

The following DFCS- sponsored trainings are mandatory for all DFCS Direct Service Workers and supervisors annually:

- Non-Violent Crisis Intervention Training
- Age Appropriate Passenger Restraints System Training

A. Staff Development/Training Request

An employee planning to attend training not provided by the DFCS is required to submit a Travel Authorization (Form MDHS-AF-13-20-20) at least two (2) weeks in advance of the training to his/her immediate supervisor. The supervisor will then forward the form to the employee's second line supervisor for approval /disapproval.

The second line supervisor will review the Form MDHS-AF-13-20-20 for accuracy and completeness and, when necessary, will consult with the DFCS Training Director with respect to items in question prior to approval. The second line supervisor is authorized to approve any request for On-going Staff Development/Training for time only. Any staff development/training requiring the expenditure of funds shall be forwarded to the DFCS Office Director II for final approval.

DFCS may pay for all or any part of training costs, depending on the availability of funds, as authorized by the DFCS Office Director II. Requests for reimbursement of approved expenses for staff development/training should be submitted with the proper documentation in a timely manner and in accordance with MDHS AP-19.

B. On-Going Training Waiver

With the exception of job orientation and Pre-Service Training for new employees, the DFCS PDU Director may issue a waiver for any course of study validated (MSW course of study) as meeting DFCS requirements of on-going training. The employee must be enrolled in an accredited college, university, or a school in candidacy for CSWE status and the course must be at the graduate level in order to be considered. An employee must submit his/her request for a waiver in writing to his/her supervisor for review. The request must include:

- The course title
- Name of the college, university, or school
- Course dates
- Certificate of completion with a final grade of "B" or better
- Course description and objectives
- Number of academic semester hours

If the employee's request meets these requirements, the supervisor will sign the request and forward it to the DFCS PDU Director for approval.

C. Supervisory Access

Supervisory personnel are involved in all decisions related to child safety and permanency, and workers shall have access to a supervisor by telephone 24 hours a day.

VIII. TRAINING REQUIREMENTS FOR SUPERVISORS

All supervisors hired or promoted by DFCS shall complete a minimum of 40 hours of pre-service instructional supervisory training before they can assume supervisory responsibilities.

In addition to the 40 hours of Clinical Supervisory Training, Mentoring (Level I) and Level II Clinical Supervisory Training are also a part of the supervisory tract.

Supervisors shall receive a minimum of 24 hours annual on-going, in-service training.

A. Mentoring – Upon the completion of the 40 hour supervisory training those employees who will begin serving in a permanent supervisor position will be assigned a mentor to provide one-on-one comprehensive long-term training, to provide guidance and coaching to the new supervisor the first 12 months in the position. The mentor will work through the Level I Clinical Supervisory Training with the supervisor.

- The mentor shall meet with the new supervisor weekly for 24 weeks.
- All new ASWSs shall complete Mentoring Training within twelve months of assuming the position of supervisor.

IX. SUPERVISION

County ASWSs are administratively responsible for DFCS operation, including clerical staff and Workers. This includes, but is not limited to, the following administrative responsibilities:

- Coordinate with county staff in other divisions to promote a positive work environment.
- Organize work space
- Supervise clerical staff
- Make periodic reviews of bookkeeping files

- Ensure workloads are equally distributed among all staff
- Schedule monthly staff meetings with all DFCS staff in the county
- Ensure accurate minutes of staff meetings are recorded
- Forward staff meeting minutes to RD with a copy filed in the Administrative File
- Ensure adequate coverage for office at all times
- Coordinate on-call schedule for county
- Apply data reports to improve client outcomes
- Meet DFCS' quality improvement and evaluation requirements

The following responsibilities are related to the supervision of county Workers:

- Delegating and overseeing work assignments
- Ensuring service delivery is performed according to DFCS' mission, policies and procedures and service philosophy.
- Providing case consultation and in-service training, as appropriate
- Identifying unmet training needs
- Conducting Performance Evaluations
- Providing the Field Training to newly hired staff
- Assisting Workers with transfer of learning from training to the job
- Providing support and enhancing staff's ability to perform their jobs

A. Case Record Review

Case records of all staff under the supervision of the ASWS shall be reviewed monthly, and more frequently as needed, to monitor the progress of families and individuals receiving services. After each case review, the ASWS will provide feedback to the Worker.

B. Individual Conferences with Workers

Weekly individual conferences shall be held with each staff member under the supervision of the ASWS. These conferences must be documented in a log kept by the supervisor and shall be used to staff a portion of the Worker's workload each week to ensure all children and families are receiving needed services, continual progress is being made showing that cases and investigations are current.

In addition to the cases selected, the Worker should be allowed to discuss other cases with current issues.

C. Supervisory Administrative Review

In order to meet the requirements of MISS. CODE ANN. § 43-15-13(3), a mandatory Supervisory Administrative Review (SAR), shall be completed by the COR Supervisor of all cases within 90 days after opening such cases, regardless of the service type.

In developing the SAR, Section 103(E) of the Adoption and Safe Families Act of 1997 was taken into consideration as it speaks to children who have been in custody 15 of the most recent 22 months. A petition to terminate parental rights shall be filed on these children unless it is determined that there are compelling reasons why such filing is not in the best interest of the child. In order to capture outcomes on these children, a second SAR is mandatory when the child has been in custody 15 months. If a Prevention or Protection case remains open for 15 months, the Supervisor shall review cases to determine why the case remains open.

The COR ASWS shall be responsible for completing the SAR on all open cases regardless of the service type within his/her county. The dates for completing this review will be determined by the custody start date for placement cases and by the case start date on non custody cases.

The tickler for the SAR will be specific to the individual person in the case to keep up with the time frames for completing the SAR. This is done to correctly capture each person as they enter and exit a case. To begin the SAR, the Supervisor will receive a tickler that the review is due. The ticklers will generate as discussed below.

D. Custody and Non Custody Cases

Initial SAR –

1. **Initial SAR -** Shall be completed within 90 days from the date of custody or case start date.
   - The ASWS will receive a tickler at 60 days from the custody start date that the SAR is due.
   - The ASWS will have 30 days to complete the SAR
   - If the SAR is not completed within 30 days from the date of the tickler, the RD will receive a tickler that the SAR is due and the ASWS will get an alert that the SAR is overdue.

2. **15th Month SAR** – Shall be completed within 456 days from the custody or case start date.
   - The ASWS will receive a tickler at 425 days from the custody start date that a SAR is due
   - If the SAR is not completed within 30 days from the date of the tickler, the RD will receive a tickler that the SAR is due and the ASWS will get an alert that the SAR is overdue

3. **Subsequent SAR**
   - Subsequent SARs shall be completed every 12 months following the 15 month SAR.

X. PROFESSIONAL ENHANCEMENT SCHOLARSHIP

Information regarding the eligibility criteria for the DFCS scholarship program is located on the DFCS Connection Web under Professional Development http://dfcsmacweb/DFCSWEB/index.htm.

XI. NOTICE OF PARENT/GUARDIAN'S RIGHTS

A. Investigations

You have rights and responsibilities while you are involved with DFCS during an open investigation. The normal hours of operation for DFCS are 8:00 a.m. until 5:00 p.m. Monday through Friday, excluding state holidays. In case of emergencies, contact may be made after hours, weekends, and/or on state holidays at 1-800-222-8000.

YOU HAVE THE RIGHT TO:

1. Know what has been reported to the DFCS about your family.
2. Be informed that a Worker has spoken to your child.
3. Help from your Worker in correcting any problems discovered during the investigation.
4. Have office phone numbers and office addresses for your Worker and your Worker's supervisor.
5. Participate in any court hearings which may result from the investigation.
6. Know the outcome of the investigation.

7. Have your Native American (Indian) ancestry recognized and respected. We will tell the Bureau of Indian Affairs about our involvement with your family and follow the tribe's decisions for handling your investigation.
8. Be treated with dignity and respect and receive services without regard to age, race, color, creed, religion, national origin, sex, disability, or political affiliation.

YOU HAVE THE RESPONSIBILTY TO:

1. Provide full names, dates of birth, social security numbers for household members and other necessary information requested by your Worker.
2. Cooperate with your Worker and participate in service decisions.
3. Ask for and be a part of all Family Team Meetings.
4. Give to your Worker the names, phone numbers, and addresses of your relatives who may be able to care for your child if necessary.
5. Give your Worker all requested medical and educational information about your child.
6. Pay the cost or part of the cost of some elements of the investigation (such as paying for a drug screen or a medical exam) if requested**.**

CONFIDENTIALITY:

Your family's information is confidential and private. We will not disclose any information without your written permission or by order of the court. However, information may be shared with law enforcement or the Office of the District Attorney without your written permission. We may contact other people to assess the safety of your child.

Confidentiality laws additionally limit the information we can share with you. We are not able to name the reporter in any investigation, tell you what anyone else said, or give you a copy of any investigation.

B. Prevention/Protection

You have rights and responsibilities while you are involved with DFCS and have an open case. The normal hours of operation for DFCS are 8:00 a.m. until 5:00 p.m. Monday through Friday, excluding state holidays. In case of emergencies, contact may be made after hours, weekends, and/or on state holidays at 1-800-222-8000.

YOU HAVE THE RIGHT TO:

1. Participate in decisions affecting your family.
2. Identify and discuss your family's strengths and areas needing improvement with your Worker to develop your Family Service Plan.
3. Have office phone numbers and office addresses for your Worker and your Worker's supervisor.
4. Participate in any court hearings held in your case.
5. Refuse any service or treatment recommended by DFCS unless court ordered.
6. Know when services are about to end.
7. Have your Native American (Indian) ancestry recognized and respected. We will tell the Bureau of Indian Affairs about our involvement with your family and follow the tribe's decisions for handling your case.
8. Be treated with dignity and respect and receive services without regard to age, race, color, creed, religion, national origin, sex, disability, or political affiliation.

_____ / _____ _____

Client(s) initials **Worker initials**

YOU HAVE THE RESPONSIBILITY TO:

1. Provide full names, dates of birth, social security numbers for household members and other necessary information requested by your Worker.
2. Cooperate with your Worker and participate in service decisions.
3. Complete your Family Service Plan**.** This **may include** paying for the cost or part of the cost of a task.
4. Ask for and be a part of all Family Team Meetings.

5. Give to your Worker the names, phone numbers, and addresses of your relatives who may be able to care for your child if necessary.
6. Give your Worker all requested medical and educational information about your child.

CONFIDENTIALITY:

Your family's information is confidential and private. We will not disclose any information without your written permission or by order of the court. However, information may be shared with law enforcement or the Office of the District Attorney without your written permission. We may contact other people to assess the safety of your child.

Confidentiality laws additionally limit the information we can share with you. We are not able to name the reporter in any investigation, tell you what anyone else said, or give you a copy of any investigation.

XII. CLIENTS' RIGHTS FOR PARENTS OR PRIMARY CARETAKERS OF CHILDREN IN CARE

Within five calendar days of case opening, parents or primary caretakers shall receive a written summary of their rights and responsibilities which shall be fully explained using clear and consistent language. Parent/caretaker have the following rights:

- the right to regular visitation and other contacts, such as letters and telephone calls (unless ordered otherwise by the court);
- the responsibility to help financially support the child
- the responsibility to remember the child at birthdays and holidays;
- the right to participate in major decisions affecting the child and to be notified of changes in the casework plan;
- the right to assistance from the Worker to help them alleviate the problems which caused removal from the home;
- the right to participate in the development of an family service plan for parents;
- the responsibilities to fulfill their part of the family service plan for parents;
- the right to participate in the child's case reviews;
- the right to a two week notice prior to changes in the child's placement or visitation schedule;
- the right to know about the state law which mandates DFCS to secure permanency in 6 months;
- the right to attend/participate in child's permanency (dispositional) reviews;
- the responsibility to request/participate in Family Team Meetings.

The original of the signed Rights and Responsibilities form shall be filed in the case record and a copy given to the parent. *See* Policy Section D.

A. Informing Parents of His/her Rights and Responsibilities.

The Worker will mail or deliver to the parent a copy of the Parents Rights and Responsibilities. The Worker will include a self addressed stamped envelope so the parent can sign the R&R and return a copy to DFCS. Once the Parents R&R are received the Worker will document in MACWIS. *See* Policy Section D.

A written summary of client rights and their responsibilities must be posted in the reception areas of all service delivery locations. Client Rights and Responsibilities posters must be displayed prominently in all public areas of the county DFCS offices. Each county office shall designate a

Worker to conduct a monthly facility walk through and to complete a checklist, which includes a question regarding whether the Client Rights and Responsibilities poster is posted in the lobby.

B. Placement Cases

You have rights and responsibilities while you are involved with DFCS of Family and Children's Services (DFCS). These are the rights and responsibilities for parents and/or guardians of children who are in the custody of the MDHS. The normal hours of operation for DFCS are 8:00 a.m. until 5:00 p.m. Monday through Friday, excluding state holidays. In case of emergencies, contact may be made after hours, weekends, and/or on state holidays at 1-800-222-8000.

YOU HAVE THE RIGHT TO:

1. Regular visits and other contact with your child, such as letters and telephone calls. *****
2. Give input into decisions affecting your child.
3. Identify and discuss your family's strengths and areas needing improvement with your Worker to develop your Family Service Plan.
4. Expect your child to be free from abuse, neglect and exploitation.
5. Expect your child not to receive any harsh, cruel, unusual, unnecessary, demeaning, or humiliating punishment. This includes not being shaken, hit, spanked, or threatened, forced to do unproductive work, be denied food, sleep, access to a bathroom, mail, or family visits as punishment.
6. Expect your child to be disciplined in a manner that is appropriate to how mature he/she is, his/her developmental level, and his/her medical condition. Discipline does not include the use of restraint, seclusion, corporal punishment or threat of corporal punishment.
7. Help decide the long term plan for your child and to be notified of changes in the plan.
8. Have help in correcting the problems that caused your child to be placed outside your home.
9. Have office phone numbers and office addresses for your Worker and your Worker's supervisor.
10. Participate in your child's county conferences and court hearings.
11. Refuse any service or treatment recommended by DFCS unless court ordered.
12. Two weeks notice before your child's placement or visit schedule changes.******
13. Ask to meet with your child's Resource Parents.

14. Have your child's Native American (Indian) ancestry recognized and respected. We will tell the Bureau of Indian Affairs about our involvement with your family and follow the tribe's decisions for handling your case.
15. Be treated with dignity and respect and receive services without regard to age, race, color, creed, religion, national origin, sex, disability, or political affiliation.

***** In emergency situations we may not be able to notify you.***

YOU HAVE THE RESPONSIBILITY TO:

1. Help financially to support your child
2. Remember your child on birthdays and holidays with visits, gifts, calls, or cards.
3. Complete your part of your Family Service Plan**.** This **may include** paying for the cost or part of the cost of a task.
4. Ask for and be a part of all Family Team Meetings.
5. Help develop your child's visitation plan.
6. Give 48 hours notice if you can't come to a visit with your child.
7. Give to your Worker the names, phone numbers, and addresses of your relatives who may be able to care for your child.
8. Give your Worker all medical and educational information about your child.

CONFIDENTIALITY:

Your family's information is confidential and private. We will not disclose any information without your written permission or by order of the court. However, information may be shared with law enforcement or the Office of the District Attorney without your written permission. We may contact other people to assess the safety of your child.

Confidentiality laws additionally limit the information we can share with you. We are not able to name the reporter in any investigation, tell you what anyone else said, or give you a copy of any investigation.

C. For Youth 14 or Older in Foster Care

These are the rights and responsibilities for youth fourteen (14) and older in the custody of the MDHS. The normal hours of operation for DFCS are 8:00 a.m. until 5:00 p.m. Monday through Friday, excluding state holidays. In case of emergencies, contact may be made after hours, weekends, and/or on state holidays at 1-800-222-8000.

YOU HAVE THE *RIGHT* TO:

1. Know why you are in foster care and how we will meet your needs.
2. Know what progress your family will have to make before you may return home.
3. Visit with your family unless the youth court judge says that you cannot.
4. Know your worker, to know his/her supervisor, to know their office phone numbers and addresses, and to know how to get help from your Caseworker.
5. Be free from abuse, neglect and exploitation.
6. To fair treatment, whatever my gender, gender identity, race, ethnicity, religion, national origin, disability, medical problems, or sexual orientation.
7. Not receive any harsh, cruel, unusual, unnecessary, demeaning, or humiliating punishment. This includes not being shaken, hit, spanked, or threatened, forced to do unproductive work, be denied food, sleep, access to a bathroom, mail, or family visits as punishment. You will not receive remarks that make fun of you or your family or any threats of losing your placement or shelter.
8. Be disciplined in a manner that is appropriate to how mature you are, your developmental level, and your medical condition. You must be told why you were disciplined. Discipline does not include the use of restraint, seclusion, corporal punishment or threat of corporal punishment.
9. Expect a safe and healthy place to stay while you are away from your home and to know all the rules and regulations of your placement.
10. Take part in decisions made about you, to attend court hearings unless the youth court judge says you cannot, to attend foster care review conferences and to participate in designing your Family Service Plan (FSP).
11. An advocate who represents your best interests in court (GAL) and to have contact information for him/her and the right to counsel.
12. Know when your placement or your visits with your family are about to change. (Your Caseworker will tell you as soon as they know there will be a change.)

13. Participate in Independent Living activities such as skills groups and retreats to help prepare you to live on your own if you cannot return home.
14. Be treated with dignity and respect and receive services without regard to race, color, creed, religion, national origin, sex, age, disability, or political affiliation.

YOU HAVE THE *RESPONSIBILITY* TO:

1. Let someone know if you feel you have been treated unfairly by:
    - Talking with your Caseworker about the problem.
    - If the problem is not resolved, asking your Caseworker or another Caseworker to arrange for you to talk with the ASWS.
    - If the problem is still not resolved, asking the ASWS to let you talk with the RD.
    - If there is still a problem, calling the state complaint/grievance unit at 1-601-359-4330.
1. Participate in Independent Living activities such as skills groups and retreats to help prepare you to live on your own if you cannot return home.
2. Obey the rules and regulations of your placement and know what the consequences will be if you do not.
3. Understand that your behavior can disrupt your placement causing unnecessary moves.
4. Treat others with dignity and respect without regard to race, color, creed, religion, national origin, sex, age, disability or political affiliation.

CONFIDENTIALITY:

Your family's information is confidential and private. We will not disclose any information without your parent's written permission or by order of the court. However, information may be shared with law enforcement or the Office of the District Attorney without your parent's written permission. We may contact other people to assess your safety.

Confidentiality laws limit the information we can share with you. We are not able to name the reporter in any investigation, tell you what anyone else said, or give you a copy of any investigation.

D. Rights and Responsibilities Children 13 and Under in Foster Care

You have rights and responsibilities while you are involved with DFCS of Family and Children's Services (DFCS). These are the rights and responsibilities for children thirteen and under who are in the custody of the MDHS. The normal hours of operation for DFCS are 8:00 a.m. until 5:00 p.m. Monday through Friday, excluding state holidays. In case of emergencies, contact may be made after hours, weekends, and/or on state holidays.

YOU HAVE THE RIGHT TO:

1. You have the right to know why you are in foster care and how we will take care of you.
2. You have the right to visit with your family unless the youth court judge says you cannot do so.
3. You have the right to know your worker, to know his/her boss, to know their phone numbers and to know how to get help from your worker.
4. You have the right to expect a safe and healthy place to stay while you are away from your home and to know all the rules and regulations of the place you are staying.
5. Be free from abuse, neglect and exploitation.
6. To fair treatment, whatever my gender, gender identity, race, ethnicity, religion, national origin, disability, medical problems, or sexual orientation.
7. Not receive any harsh, cruel, unusual, unnecessary, demeaning, or humiliating punishment. This includes not being shaken, hit, spanked, or threatened, forced to do unproductive work, be denied food, sleep, access to a bathroom, mail, or family visits as punishment. You will not receive remarks that make fun of you or your family or any threats of losing your placement or shelter.
8. Be disciplined in a manner that is appropriate to how mature you are, your developmental level, and your medical condition. You must be told why you were disciplined. Discipline does not include the use of restraint, seclusion, corporal punishment or threat of corporal punishment.
9. You have the right to take part in decisions made about you, to know when court hearings are held, and to ask for the help of a lawyer
10. You have the right to know when your place to stay or your visits with your family are about to change. (Your worker will tell you as soon as they know there will be a change.)
11. You have the right to be treated with dignity and respect and receive services without regard to race, color, creed, religion, national origin, sex, age, disability, or political affiliation.

YOU HAVE THE RESPONSIBILITY TO:

Let someone know if you feel you have been treated unfairly by:

1. Talking with your worker about the problem.
2. If the problem is not fixed, asking your worker or someone else to arrange for you to talk with the ASWS (Area Social Worker Supervisor). This person is your worker's boss.
3. If the problem is still not fixed, asking the ASWS to let you talk with his/her boss.
4. After all of that, if there is still a problem, calling the state complaint/grievance unit at 1-800-222-8000.

CONFIDENTIALITY:

Your family's information is confidential and private. We will not disclose any information without your parent's written permission or by order of the court. However, information may be shared with law enforcement or the Office of the District Attorney without your parent's written permission. We may contact other people to assess your safety.

Confidentiality laws limit the information we can share with you. We are not able to name the reporter in any investigation, tell you what anyone else said, or give you a copy of any investigation.

XIII. INHERENT RIGHTS OF CHILD AND FAMILY

In addition, workers must recognize other specific constitutional, legal rights and entitlements of children and families in child maltreatment cases and practice within these boundaries:

The court system accords both parents and children certain legal rights and entitlements, depending on the type of proceeding in which they are involved, including:

- The right to family integrity;
- The right to notice of the proceedings;
- The right to a hearing;
- The right to counsel;
- The right to a jury trial;
- The CAPTA requirement of a GAL or court-appointed special advocate;
- The entitlement to reasonable efforts.

Parents and children must not only be informed of their rights, but they also must understand the protections those rights afford them. Court representatives and workers shall educate families about their rights and help them feel empowered in an otherwise intimidating process.

A. The Right to Family Integrity

The legal framework regarding the parent-child relationship balances the rights and responsibilities among parent, child, and State, as guided by Federal statutes. It has long been recognized that parents have a fundamental liberty interest, protected by the Constitution, to raise their children as they choose. This parent-child relationship grants certain rights, duties, and obligations to both parent and child, including the responsibility of the parent to protect the child's safety and well-being. If a parent, however, is unable or unwilling to meet this responsibility, the State has the power and authority to take action to protect a child from significant harm.

CAPTA is one of the primary pieces of Federal legislation guiding casework and it supports the right of family integrity through community-based grants that aim to strengthen families. Of course, this right is not absolute. A compelling State interest, such as the need to protect children from significant harm, will justify infringement on the right to family integrity.

B. The Right to Notice of the Proceedings

Parents or other custodians of a child have the right to "notice" of any petition filed regarding that child and to be notified of any hearing regarding that petition. The right to notice encompasses the right to be formally given the petition, which also must state what the parent has done or not done that makes court involvement necessary. The right to notice is a fundamental element of the constitutional right to due process. Due process specifies the right to be present in court, representation by an attorney, and procedures that are speedy, fair, and impartial. It applies to both parents, whether or not they are living together. Orders entered without notice are subject to being withdrawn.

Putative fathers (those identified as the biological parent, but whose paternity has not been legally established) also must be identified in the petition and be served. Their relationship to the child needs to be determined as early in the proceeding as possible by formal acknowledgment or by genetic testing. If paternity is established, these fathers or their families may become financial and placement resources for the child.

Petitions may be filed and emergency *ex parte* orders may be entered without advance notice to parents. *Ex parte* is defined as being on behalf of or involving only one party to a legal matter and in the absence of and usually without notice to the other party. For example, an emergency removal of a child from an unsafe home situation may be done through an *ex parte* order. Action must be taken, however, to serve the parents with the petition and order as quickly as possible. Foster parents and kinship care providers also must be notified of pending court hearings and be given an opportunity to be heard during these proceedings.

C. The Right to a Hearing

A fundamental element of due process is the right to a hearing on the merits of a petition, including the right to cross-examine or to question any witness called by DFCS, by the other parent, or on behalf of the child, as well as the right to present evidence on one's own behalf.

D. The Right to Counsel

Parents have a right to retain counsel or seek legal aid or pro bono services in child maltreatment cases.

E. The CAPTA Requirement of a Guardian *ad litem* or Court-appointed Special Advocate

Children who allegedly have been maltreated are entitled to a Guardian *ad litem* (GAL), who is an independent advocate for the children's best interest. States must comply with this requirement in order to satisfy CAPTA State Grant funding requirements.

The GAL role may be fulfilled by the appointment of an attorney, a volunteer who is not an attorney, or both. Volunteers also may be called Court-Appointed Special Advocates (CASA). The volunteers often are professionals trained in other disciplines, such as nursing, psychology, or education. Responsibilities of the GAL or CASA include:

- Meeting the child;
- Exploring the facts of the case;
- Obtaining medical, educational, and other records;
- Determining the child's perspective and needs;
- Identifying appropriate services and resources;
- Monitoring the progress of the case;
- Promoting the child's interests.

Where both an attorney and a GAL are appointed, it is with the expectation that they will function as a team in performing those tasks and in advocating for the child, as well as in making the child's own views known to the court. These advocates can be valuable sources of knowledge and information and important allies when they and DFCS worker concur on how the case should be resolved.

MISS. CODE ANN. § 43-21-121(4) states “The court may appoint either a suitable attorney or a suitable layman as guardian ad litem. In cases where the court appoints a layman as guardian ad litem, the court shall also appoint an attorney to represent the child”. *See* MISS. CODE ANN. § 43-21-121 for a complete description of the duties of a Guardian *ad litem*.

F. The Entitlement to Reasonable Efforts

Except in certain aggravated circumstances, parents and children are entitled under the Adoption Assistance and Child Welfare Act (P.L. 96-272) and Adoption and Safe Families Act (ASFA) (P.L. 105-89) to have State agencies make reasonable efforts to keep them together, or if a child has been removed from the family, to make reasonable efforts to reunify the family. ASFA also

states that children who are not going to be reunited with their families are entitled to reasonable efforts by State agencies or departments to secure a permanent placement for them.

Federal law further requires that judges decide at each critical stage of an abuse or neglect case whether the DFCS has complied with the reasonable efforts requirement. The obligation to make reasonable efforts applies to DFCS workers alone, not to the parents, any other individuals, or service providers.

XIV. EXPECTATIONS OF RIGHTS THROUGH THE EYES OF THE CHILD OR YOUTH

Workers must also recognize inherent Rights of Children and Youth in Foster Care from the child's or youth's perspective:

A. As a Child or Youth in Foster Care, I Have the Right:

- To good care and treatment that meets my needs in the least restrictive setting available. This means I have the right to live in a safe, healthy, and comfortable place. And I am protected from harm, treated with respect, and have some privacy for personal needs.
- To know
  - Why am I in foster care?
  - What will happen to me?
  - What is happening to my family (including brothers and sisters) and how DFCS is planning for my future?
- To speak and be spoken to in my own language when possible. This includes Braille if I am blind or sign language if I am deaf. If my foster parents do not know my language, DFCS will give me a plan to meet my needs to communicate.
- To be free from abuse, neglect and exploitation.
- To fair treatment, whatever my gender, gender identity, race, ethnicity, religion, national origin, disability, medical problems, or sexual orientation.
- To not receive any harsh, cruel, unusual, unnecessary, demeaning, or humiliating punishment. This includes not being shaken, hit, spanked, or threatened, forced to do unproductive work, be denied food, sleep, access to a bathroom, mail, or family visits as punishment. I will not receive remarks that make fun of me or my family or any threats of losing my placement or shelter.

- To be disciplined in a manner that is appropriate to how mature I am, my developmental level, and my medical condition. I must be told why I was disciplined. Discipline does not include the use of restraint, seclusion, corporal punishment or threat of corporal punishment.
- To attend my choice of community, school, and religious services and activities to the extent that it is right for me, as planned for and discussed by my caregiver and worker, and based on my caregiver's ability.
- To go to school and receive an education that fits my age and individual needs.
- To be trained in personal care, hygiene, and grooming.
- To have comfortable clothing similar to clothing worn by other children in my community.
- To have clothing that does a good job of protecting me against natural elements such as rain, snow, wind, cold, sun, and insects.
- To have personal possessions at my home and to get additional things within reasonable limits, as planned for and discussed by my caregiver and worker, and based on caregiver's ability.
- To personal space in my bedroom to store my clothes and belongings.
- To healthy foods in healthy portions proper for my age and activity level.
- To good quality medical, dental, and vision care, developmental and mental health services that are at least adequate enough for my needs.
- To be free from unnecessary or too much medication.
- To visit and have regular contact with my family, including my brothers and sisters (unless a court order or case plan doesn't allow it) and to have my worker explain any restrictions to me and write them in my record.
- To contact my worker, attorneys, Guardians A*d Litem*, probation officer, CASA at any time. I can communicate with my worker, CASA, attorney or Guardians A*d Litem* without limits.
- To see my worker at least monthly and in private if necessary.
- To actively participate in creating my plan for my services and permanent living arrangement, and in meetings where my medical services are reviewed, as appropriate. To be given a copy or summary of my plan and to review. I have the right to ask someone to act on my behalf or to support me in my participation.
- To go to my court hearing and speak to the judge.

- To speak to the judge at a court hearing that affects where I have been placed including status hearings, permanency hearings, or placement review hearings.
- To expect that my records and personal information will be kept private and will be discussed only when it is about my care.
- To have visitors, to keep a personal journal, to send and receive unopened mail, and to make and receive private phone calls unless appropriate professionals or a court says that restrictions are necessary for my best interests.
- To get paid for any work done, except for routine chores or work assigned as fair and/or reasonable discipline.
- To give my permission in writing before taking part in any publicity or fund raising activity for where I am placed or the DFCS, including the use of my photograph.
- To not be forced to make public statements showing my gratitude to the foster home or DFCS.
- To receive, refuse, or request treatment for physical, emotional, mental health, or chemical dependency needs separately from adults (other than young adults) who are receiving services.
- To call the Abuse/Neglect Hotline at 1-800-222-8000 to report abuse, neglect, exploitation, or violation of personal rights without fear of punishment, interference, coercion, or retaliation.
- To be free from threats of punishment for making complaints and have the right to make an anonymous complaint if I choose.
- To not get pressured to get an abortion, give up my child for adoption, or to parent my child, if applicable.
- To hire independent mental health professionals, medical professionals, and attorneys at my own expense.
- To understand and have a copy of the rights of children and youth in foster care.

B. When I Am Age 16 and Older in Foster Care, I Also Have the Right:

- To attend Independent Living (IL) classes and activities as appropriate to my case plan.
- To a comprehensive transition plan that includes planning for my career and help to enroll in an educational or vocational job training program.
- To be told about educational opportunities when I leave care.

- To get help in obtaining an independent residence when aging out.
- To one or more transition planning meetings.
- To take part in youth leadership development opportunities.
- To consent to all or some of my medical care as authorized by the court and based on my maturity level. For example, if the court authorizes, I may give consent:
  - to diagnose and treat an infectious, contagious, or communicable disease
  - to examine and treat drug addiction for counseling related to preventing suicide, drug addiction, or sexual, physical, or emotional abuse for hospital, medical, or surgical treatment (other than abortion) related to the pregnancy if I am unmarried and pregnant

  *If I consent to any medical care on my own, without the court or DFCS involved, then I am legally responsible for paying for my own medical care.

- To request a hearing from a court to determine if I have the capacity to consent to medical care.
- To help with getting my driver's license, social security number, birth certificate, and state ID card.
- To seek proper employment, keep my own money, and have my own bank account in my own name, depending on my case plan and age or level of maturity.
- To get necessary personal information within 30 days of leaving care, including my birth certificate, immunization records, and information contained in my education portfolio and health passport.

C. All Children and Youth in Foster Care Have the Right to …

- Have lifelong family connections, including siblings, grandparents and extended family.
- Youth have a right to visitation, ongoing contact with and/or knowledge of their parents, siblings, extended family, friends, and pets.
- Youth have a right to have a Life Book that is started when they enter care.
- A pregnant or parenting youth has a right to raise and make decisions for their children, as any other citizen does.
- Live with, be loved by and cared for by those they consider family.

- Youth have the right to permanency.
- Youth have the right to be placed in their home communities, live in a safe environment and have pre-placement visits.
- Youth have the right to live with their siblings.
- Youth have the right to keep their personal belongings with them and to expect age appropriate privacy.
- Be who they are.
- Youth have the right to their own identity, values, freedom to express their emotions, hopes, plans and goals, religion/spirituality.
- Youth have the right to learn about their sexuality in a safe and supportive environment.
- Youth have the right to privacy in relation to their personal journal/diary, letters, emails, telephone calls and other personal belongings, except in cases where there is just cause in supervising the youth to prevent self harm or harm to other individuals.
- Youth have the most basic right to receive care and services that are free of discrimination based on race, color, national origin, ancestry, gender, gender identity and gender expression, religion, sexual orientation, physical and mental disability, and the fact that they re in foster care.
- Be included in their case planning with a team of people that advocates with them and for them.
- Youth have a right to have meaningful participation in their Family Team Meetings, treatment team meetings, court, and school meetings.
- Youth have a right to have family members or other supportive people of their choice present at their team meetings.
- Youth have a right to have monthly contact with their DFCS worker and have their phone calls returned.
- Youth should have access resources and be able to seek information about resources.
- Youth have a right to access their case records and expect accuracy in what is recorded in their case record.
- Have an informed choice in the types of physical, dental and mental health care they receive.
- Youth have the right to have a choice and options when a treatment provider is being assigned to them.

- Youth have a right to see and understand their treatment plans, be informed about and have a say in treatment decisions being made.
- Youth have a right to be informed about medications, medication options, and have a voice in decisions about prescription of medication.
- Youth have a right to not be overmedicated, to not be punished for refusal to take medications, and to be made aware of the possible risks that come from refusing to take medication.
- Youth should be able to have visitation with people that are important to them while receiving treatment.
- Youth should be able to receive care and services that are fair, respectful, safe, confidential and free from discrimination.
- Youth have a right to access their medical records.
- Have a qualified advocate (e.g., GAL, surrogate parent, mental health advocate, attorney, etc.) representing them and helping the youth advocate for themselves.
- Youth have a right to know their rights.
- Youth have a right to attend court and speak with the judge overseeing their case.
- Youth have a right to request a change in their GAL.
- Participate in and receive a high quality education, including ability to participate in extracurricular activities.
- Youth have a right to an education, equal to what anyone in Mississippi deserves.
- Youth have a right to receive blanket consent for participation in school activities.
- Youth have a right to participate in activities that all youth enjoy, and not be restricted from these activities simply because of their status in foster care or their particular type of placement.
- Receive the skills, knowledge and resources needed to be a successful adult after they transition from foster care.
- Youth in care have the right to a transition plan and process when they leave DFCS care.
- Youth have a right to obtain identification and personal records, including their social security card and birth certificate.
- Youth have a right to continue relationships when they exit care with individuals who have helped them while in care.

- Youth have a right to expect and receive help in reconnecting with their birth family.
- Youth have a right to learn about how to enter into DFCS extended care agreement prior to their 18th birthday.
- In this Transition Process, youth have a right to give evaluative comments about the services they have received to a neutral person.

D. Written and Oral Communication Needs of Clients

DFCS must accommodate the written and oral communication needs of clients by:

a. communicating, in writing and orally, in the languages of the major population groups served;

b. providing, or arranging for, bilingual personnel or translators or arranging for the use of communication technology, as needed;

c. providing telephone amplification, sign language services, or other communication methods for deaf or hearing impaired persons;

d. providing, or arranging for, communication assistance for persons with special needs who have difficulty making their service needs known; and

e. considering the person's literacy level.

DFCS must create documents that consider the literacy level of clients, and any document such as the Family Service Plan must be created with the literacy level of the client in mind. Client Rights are available in Spanish. *See* MDHS AP-36 regarding Provision of Services to Individuals with Limited English Proficiency and *See* Interpreter Services.

Workers must go over all documents with clients to ensure that they understand them fully before expecting adherence to the requirements or requesting the client's signature. If a client is unable to make decisions, or has difficulty making decisions on his or her own, a family member or other support person must be present in meetings and/or be offered legal representation by the youth court for hearings. Workers have access to the Statewide Relay Services line, also known as TTY which offers services to translate for the hearing and vision impaired.

TRS Provider - AT&T
Address: P O Box 811, Jackson, MS 39205
Customer Service #'s: 800-557-7755(V/T) and 601-371-8020(V/T)
Access #'s: 1-800-582-2233 (V/T)

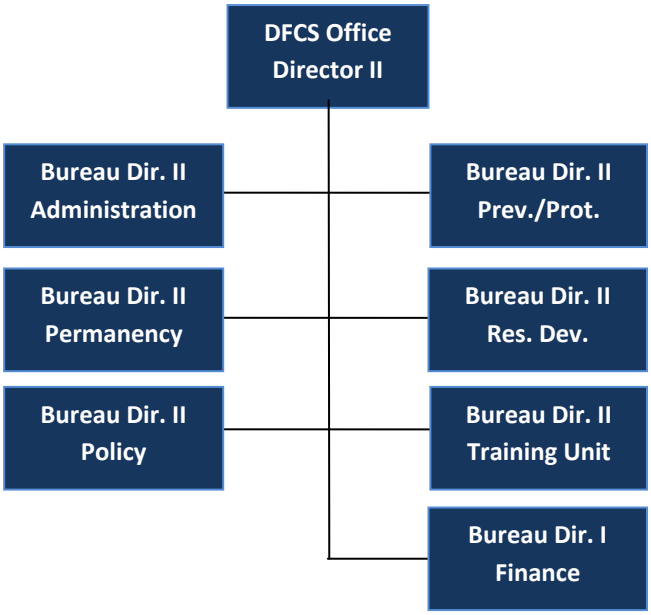
1-800-229-5746 (STS English)
1-866-260-9470 (STS Spanish)

Another toll free service,*211, is offered by the United Way and can assist workers and clients with finding any needed services in the area.

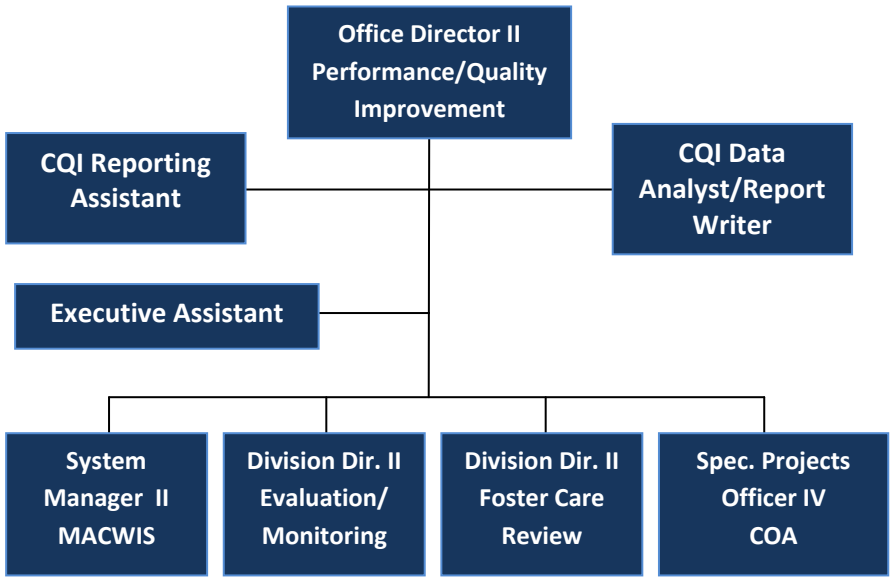
XV. APPENDIX

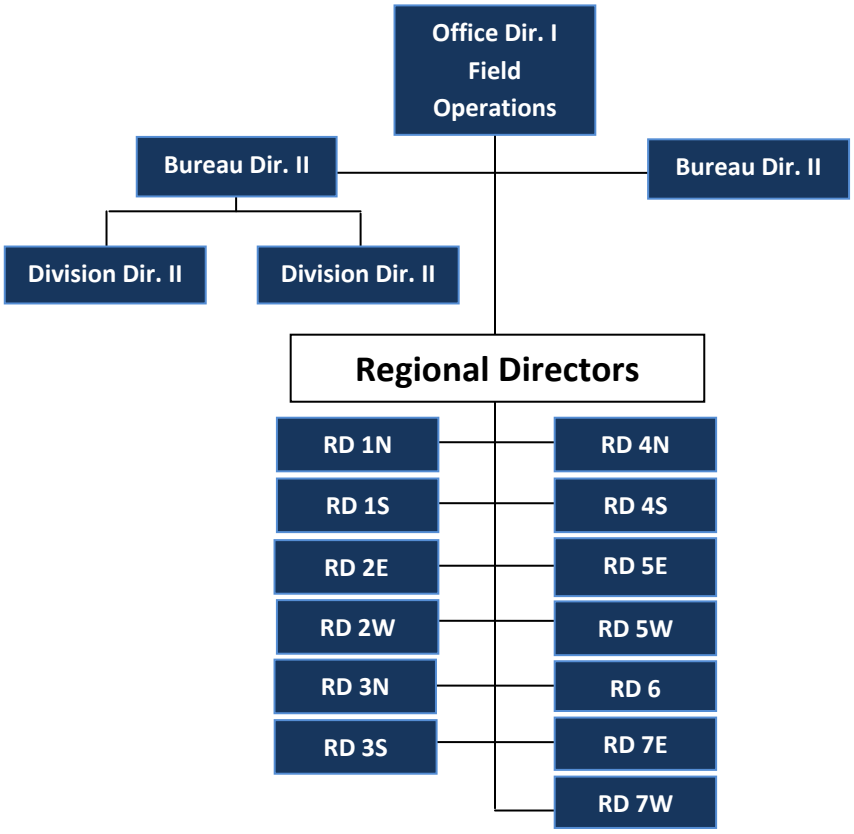
APPENDIX A

Deputy Administrator
DFCS Office Director II
Office Director II Performance/Quality Improvement
Office Dir. I Field Op


DFCS Office Director II
Bureau Dir. II Administration
Bureau Dir. II Prev./Prot.
Bureau Dir. II Permanency
Bureau Dir. II Res. Dev.
Bureau Dir. II Policy
Bureau Dir. II Training Unit
Bureau Dir. I Finance

ADMINISTRATION





STATE OF MISSISSIPPI
DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY AND CHILDREN'S SERVICES

Section A: Administration

ADMINISTRATION

PART I – ADMINISTRATION

I. ADMINISTRATION AND MANAGEMENT 8
A. DFCS Purpose 8
B. DFCS Mission Statement 9
C. DFCS Vision Statement 9
D. DFCS Core Values 9
E. DFCS Administration/Management Philosophy and Strategies 10
F. DFCS Leadership 12
1. The Deputy Administrator.....12
G. DFCS Organizational Charts.....12
H. Scope of Services 12
II. FEDERAL GRANT PROGRAMS AND SERVICES AVAILABLE THROUGH THESE GRANTS 13
A. Title IV-B Subpart I (Child Welfare Services) 13
B. Title IV-B2 Promoting Safe and Stable Families.....14
C. Title IV-E Foster Care.....17
D. Title IV-E Adoption Assistance 18
1. Child Abuse Prevention and Treatment Act (CAPTA) State Grants 18
2. The John H. Chafee Foster Care Independence Program 19
3. Children's Justice Act 19
4. Court Improvement Program.....21
5. Community-Based Grants for the Prevention of Child Abuse and Neglect (CBCAP).21
III. DIRECT SERVICES INTERVENTIONS AND WORKLOAD MANAGEMENT.....22
A. Service-Related Activities and Case Types.....24
B. Service Array.....25
C. Interpreter Service 27
IV. COMMUNITY INVOLVEMENT, ADVOCACY AND REPRESENTATION, AND DFCS OVERSIGHT 30
A. DFCS Partnership and Oversight Teams.....30
1. Citizens Review Panel.....31
2. Administrative Office of Courts, Court Improvement Program 31
3. Multidisciplinary Team Meetings 31
4. Child Fatality Review Panel.....32
5. Foster Care Review Teams.....32
6. State, Regional and local Planning and Implementation Teams 32
B. Memorandum of Understanding (MOU) 32
V. ORGANIZATION OF ADMINISTRATIVE TEAMS.....32
A. Administrative Teams 33
B. Administrative Roles- Ongoing Functions and Communication 34
VI. STRATEGIC PLANNING.....36

A. Child and Family Services Plan 37
B. Annual Progress and Services Report 37
C. Performance Improvement Plans 38
D. CQI Annual Plan 38
E. Strategic Planning Cycle 38
1. Five Year Plan 38
2. Yearly Strategic Plan 39
3. Ongoing Strategic Planning 40
VII. POLICY DEVELOPMENT, REVIEW AND COMMUNICATION 40
VIII. RESOURCE DEVELOPMENT 40
IX. ONGOING ADMINISTRATIVE OVERSIGHT AND PRACTICE 41
A. County and Regional Administrative Procedures 42
B. County and Regional Administrative Reporting Requirements 43
C. Requirements for Travel Approvals and Signatures 43
1. Special Travel Circumstances 44
D. Case Record Files (MACWIS and Paper Files) 45
1. MACWIS 45
2. Case Records 45
X. CASE RECORD DESTRUCTION 46
A. Group I – Non-DFCS Custody Related Cases 47
B. Group II – DFCS Custody Related Cases 47
C. Detailed Procedures 48
D. Client Access to Case Records 48
E. Case File Procedures 49
1. Single Pack Case Folder 50
2. Parent Case File Folder 50
3. Foster Child's Case File Folder 52
4. Resource Home Case Record 54
XI. COUNTY ADMINISTRATIVE PROCEDURES AND CONTROLS 58
A. County Administrative File 58
B. Subject File System 59
C. Classification of Material 59
D. Listing of Material by Classification 59
1. Permanent 60
2. Semi-Permanent (5 years) 60
3. Semi-Permanent (3years) 61
4. Temporary (1 year) 61
E. Issuing and Control of Case Records 65
1. Case Record Charge Out Procedure for Closed Cases 66
2. Control of Case Record 66
3. Transfer Within the County 66

4. Transfer Out of County 67
5. Resource Family Relocation 67
6. Family Moves Out of State 67
XII. CODE OF ETHICS FOR CHILD WELFARE PROFESSIONALS.....67
A. Children and Parents' Natural Rights.....67
B. Society's Representatives.....67
C. Multiple Codes of Ethics Apply to Professionals 68
D. Conflict of Interest.....68
E. Restriction of Staff in Handling Certain Cases 69
XIII. ANTI-RETALIATION POLICY 69
A. Steps for Reporting Retaliation 70
XIV. FINANCIAL MANAGEMENT.....71
A. Financial Management 71
B. Division of Family and Children's Financial Responsibilities 72
C. Internal Control Environment 72
D. Financial Risk Assessment.....73
E. Stable Predictable Revenue.....73
F. Financial Planning.....73
G. Financial Planning for Children 74
H. Financial Assistance Requests.....74
I. Financial Accountability 74
J. Financial Management System 75
K. Department of Finance and Administration Policies 77
L. County Bookkeeping System 78
1. General Instructions 78
2. Funds Account.....78
3. Use of Funds Approval.....80
4. Checks 80
M. Support Services.....83
1. Personal Needs includes the following services: 83
2. Medical Needs include the following services.....89
3. Mental Health/Counseling includes the following services:.....89
4. Independent Living includes the following services:.....90
5. Informational and Referral services include: 91
N. Purchase Order 92
O. County Funds Adult 92
P. County Funds Child.....92
Q. Designated Donations.....92
R. Undesignated Donations.....93
S. Child's Own Funds- SSI.....93
T. Child's Own Funds- Child Support.....93

U. Child's Own Funds- SSA 93
V. Regional Funds 94
W. State Funds 95
XV. HUMAN RESOURCES 95
A. Work Environment 96
B. Human Resources Planning 96
C. Recruitment and Selection 97
1. Additional Information Required for Direct Service Workers 97
D. Satisfaction and Retention 98
E. Employee Grievances 99
F. Compensation and Benefits 99
G. Performance Appraisals 100
H. Personnel Records 100
XVI. CONTINUOUS QUALITY IMPROVEMENT 100
A. State Continuous Quality Improvement Plan 100
B. Characteristics of CQI 101
C. Mississippi's Continuous Quality Improvement Structure 102
1. DFCS State Office CQI Unit 102
2. Local CQI Processes 103
D. Stakeholders 104
E. Measures and Outcomes 105
F. Quantitative Information 106
G. Qualitative Information 106
H. Reports and Feedback 109
I. Special Safety Reviews 110
1. Purpose 110
2. Procedure 110
XVII. RISK PREVENTION AND MANAGEMENT 112
A. Risk Management 112
B. Monitoring and Evaluating Risk Prevention/Management at the State Office 113
C. Serious Incident Reports 116
D. MDHS Network and Mississippi Automated Child Welfare Information System 117
1. Accessing MACWIS from Home 117
2. Proxy 118
XVIII. REGULATIONS SAFEGUARDING CONFIDENTIAL INFORMATION 118
A. Confidentiality of Case Records of Children 119
1. Child – Specific Information 120
2. Photographs and Interviews 120
3. Nature of Information to be Safeguarded 126
4. Personnel Action 127
XIX. PERSONS AUTHORIZED TO DISCLOSE INFORMATION 127

A. State Office 127
B. County Office 127
C. Court Subpoenas 127
D. Requests of Parents/Legal Guardian 128
E. Disclosure to County or District Prosecuting Attorney and Law Enforcement 128
F. Subpoena of Case Records 129
G. Summons 129
H. Disclosure to Legislative Officials 129
I. Contracts and Service Agreements 130
J. Quality Monitoring of Purchased Services 132
K. Health and Safety of Service Environments 133
L. Health and Safety of Employees and Service Recipients 134
M. Americans with Disabilities 135
N. Emergency Response 136

PART II –SERVICE DELIVERY

I. BEHAVIOR SUPPORT and MANAGEMENT 137
A. Confidential Information 139
II. COMPLAINTS 141
III. GRIEVANCES 141
IV. APPEALS 142
A. Overview 142
B. Administrative Hearings for Unresolved Formal Grievances 143
C. Appeals of the Central Registry 144
D. Appeals for Finds of Abuse/Neglect/Exploitation 146
E. Administrative Hearings for Resource Homes 146
F. Appeal Process 147
V. TRAINING AND SUPERVISION 149
A. Introduction 149
VI. TRAINING REQUIREMENTS FOR NEWLY HIRED EMPLOYEES 149
A. Direct Service Workers/Clerical Staff 149
B. Pre-Service Training 150
C. Pre-Service Eligibility/Attendance Requirements 150
D. Additional Training Required for New Employees 151
VII. ON-GOING TRAINING REQUIRED FOR DIRECT SERVICE WORKERS 151
A. Staff Development/Training Request 152
B. On-Going Training Waiver 152
C. Supervisory Access 153
VIII. TRAINING REQUIREMENTS FOR SUPERVISORS 153
A. Mentoring 153

B. ~~Learning Labs~~ 154
IX. SUPERVISION 154
A. Case Record Review 155
B. Individual Conferences with Workers 155
C. Supervisory Administrative Review 155
D. Custody and Non-Custody Cases 156
1) Initial SAR 156
2) 15th Month SAR 156
3) Subsequent SAR 156
X. PROFESSIONAL ENHANCEMENT SCHOLARSHIP 156
XI. NOTICE OF PARENT/GUARDIAN'S RIGHTS 157
A. Investigations 157
B. Prevention/Protection 159
XII. CLIENTS' RIGHTS FOR PARENTS OR PRIMARY CARETAKERS OF CHILDREN IN CARE 161
A. Informing the Parents of His/her Rights and Responsibilities 161
B. Placement Cases 162
C. For Youth 14 or Older in Foster Care 164
D. Rights and Responsibilities Children 13 and Under in Foster Care 166
XIII. INHERENT RIGHTS OF CHILD AND FAMILY 168
A. The Right to Family Integrity 168
B. The Right to Notice of the Proceedings 169
C. The Right to a Hearing 169
D. The Right to Counsel 169
E. CAPTA Requirement of a Guardian *ad litem* or Court-appointed Special Advocate 170
F. The Entitlement to Reasonable Efforts 170
XIV. EXPECTATIONS OF RIGHTS THROUGH THE EYES OF THE CHILD OR YOUTH 171
A. As a Child or Youth in Foster Care, I Have the Right: 171
B. When I Am Age 16 and Older in Foster Care, I Also Have the Right: 173
C. All Children and Youth in Foster Care Have the Right: 174
D. Written and Oral Communication Needs of Clients 177
XV. APPENDICES 179
A. Appendix A: DFCS Organizational Chart 180

The Mississippi Department of Human Services will hereinafter be known as "MDHS" and its Division of Family and Children's Services hereinafter will be known as "DFCS".

IV. ADMINISTRATION AND MANAGEMENT

I. DFCS Purpose

Under the umbrella of the Mississippi Department of Human Services (MDHS), the Division of Family and Children's Services (DFCS) is authorized by state statute to promulgate regulations, policies and procedures necessary to implement the state's child welfare system and to ensure the safety, permanency, and well-being for Mississippi's families and children. DFCS is responsible for the Title IV-B Subpart 1 (Child Welfare Services), IV-B Subpart 2 (Promoting Safe and Stable Families), Title IV-E (Foster Care and Adoption Assistance), Child Abuse Prevention and Treatment Act (CAPTA) as amended by the Keeping Children and Families Safe Act of 2003, Chafee Foster Care Independence Program (CFCIP), Educational Training Voucher (ETV) and other federal and state programs.

MISS. CODE ANN. § 43-1-4

Powers and duties of department

The Department of Human Services shall have the following powers and duties:

f) To provide basic services and assistance statewide to needy and disadvantaged individuals and families.

g) To promote integration of the many services and programs within its jurisdiction at the client level thus improving the efficiency and effectiveness of service delivery and providing easier access to clients.

h) To develop a statewide comprehensive service delivery plan in coordination with the Board of Health, the Board of Mental Health, and the Department of Finance and Administration. Such plan shall be developed and presented to the Governor by January 1, 1990.

i) To employ personnel and expend funds appropriated to the department to carry out the duties and responsibilities assigned to the department by law.

j) To fingerprint and perform a criminal history record check on every employee or volunteer

i. who has direct access to clients of the department who are children or vulnerable adults, or

ii. *who is in a position of fiduciary responsibility. Every such employee and volunteer shall provide a valid current social security number and or driver's license number which shall be furnished to conduct the criminal history record check. If no disqualifying record is identified at the state level, fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check.*

J. DFCS Mission Statement

Our mission is to lead Mississippi in protecting children and youth from abuse, neglect and exploitation by providing services to promote safe and stable families.

The mission statement must appear in training curriculum, conferences, publications, and any other appropriate communications i.e. email formats.

K. DFCS Vision Statement

Our vision is for children to grow up in a loving family environment, safe from harm, without fear of disruption and with the opportunity to experience continuity of relationships, with all children having stability and a sense of belonging. Our goal is that no child experiences abuse or neglect and that the families we serve improve their abilities to protect and nurture their children as a result of our intervention.

L. DFCS Core Values

- *Competence*- To be competent, we have technical skills and knowledge; we work with common sense; we make informed decisions; and we follow through to achieve successful outcomes.
- *Integrity*- To act with integrity we are honest in our interactions; we are accountable for our actions; and we do the right thing.
- *Responsibility*- To be responsible we do what we say we are going to do; we take initiative.
- *Respect*- To be respectful we treat others with kindness, compassion, dignity, and honor differences in our clients and each other.
- *Personal courage*- To be courageous we are loyal to the Mission of MDHS/DFCS; we advocate for our clients; we lead by example even when doing so carries risk.

- *Collaboration*- To collaborate we make decisions for the common good; we share resources based on need; we work together effectively in teams; and work with a collective knowledge of all programs and services.

M. DFCS Administration/Management Philosophy and Strategies

"Administration" or "Management" refers to those activities deliberately designed and practiced that support, guide and ensure successful delivery of the DFCS's direct service interventions. Section A of this manual defines and describes these general Administration/Management activities. Policy Sections B-H defines and describes DFCS' direct service interventions.

Management, supervisory, administrative as well as direct services intervention practice shall be based on a common philosophy and shall be governed by similar expectations. Principles and ethics of the profession of social work will be embedded in all administrative policy and practice guidelines and direct service interventions policy and guidelines.

Family centered, strengths-based practice principles provide the model for child welfare practice with individuals and families, supervision and management of staff within DFCS, and collaboration with community groups and partners.

Engagement, instruction, assessment, planning, evaluation, advocacy and communication shall be practiced at the management/ administrative/supervisory level and at the direct service provision level.

DFCS leaders/administrators/managers/supervisors should model the practices and demonstrate the administrative skills expected of those they supervise.

The expectations for administration, management and supervision of each supervisory unit, DFCS team or family team include the following:

- The team is the focus. Teams should be clearly defined by composition, structure, purpose, functions, roles, and meeting frequency. Team members should be engaged to develop systems of expectations, outcomes or goals, communication, support and services to address DFCS goals and positive outcomes for the children and families we serve. Teams should encourage the individual, personal and professional goals of team members. Relationship and team building activities are essential to success.
- Strengths are emphasized. Teams should identify and assess the skills, abilities and resources available to perform work and achieve goals. The capacity of the team is broadened through a conscious, continual use and reinforcement of these strengths.

- Plans are made by the team rather than for the team. Ongoing strategic planning is a routine practice throughout the DFCS. Problem-solving skills should receive ongoing attention.
- Decisions are shared. To the greatest extent possible, individuals and teams should share in decisions affecting them.
- Continuous feedback is given. Individuals and teams should receive ongoing feedback about achievement of Administrative goals and direct services interventions goals. They should be apprised, by individual and team supervisors, of their individual and team effectiveness in achieving stated outcomes. Ongoing program assessment, Continuous Quality Improvement and individual performance evaluation are employed to ensure success of the DFCS's mission.
- Assessments shall be supported through the use of all available reliable data. Leaders, supervisors, managers and direct services staff should provide instruction and guidance based on DFCS data as well as client, staff and community feedback. Leaders should ensure the validity, integrity and reliability of DFCS data.
- Administrative teams shall be linked with a diverse array of other agencies or community teams, groups or domains that, likewise, develop defined communication and support systems to address DFCS goals and outcomes. These teams could be, but are not limited to, Implementation Teams, clusters of counties, community partnerships formed for specific purposes or DFCS intra-divisional teams.
- Communication is essential and ongoing communication is paramount to individual and team success. Routine, planned team meetings should be held to ensure more uniform application of policies and practice principles. Staff should be apprised of and adhere to the established chain of command. Team supervisors should develop clear communication plans and protocols in consultation with team members.
- Leaders must be visible. Leaders must schedule local site visits in order to solicit feedback, communicate values and vision, and to coach and model practice philosophies.
- Advocacy is basic to child welfare work. Administrative, supervisory and front line staff shall advocate for and clearly communicate the Division's purpose, vision, core values and practice philosophy and principles. Leaders shall intervene on behalf of staff, when necessary, and model and coach effective advocacy. Actual practice shall clearly reflect stated values and principles.
- Documentation ensures accountability. Minutes of team meetings shall be maintained in appropriate administrative files. Documentation in case files shall be thorough, concise and up to date.
- Successes shall be communicated and celebrated. Each core team shall identify successes and recognize successful practitioners.

N. DFCS Leadership

The role of DFCS leadership requires responsibility and creativity necessary in organizational and institutional leadership.

2. The Deputy Administrator

The major tasks of the Deputy Administrator are to develop and establish the basic mission and goals of DFCS and to create an organizational culture and structure uniquely adapted to and capable of fulfilling the mission and accomplishing the goals, the Deputy Administrator must:

- promote and defend, build and protect organizational integrity through actions, behavior, and decisions which support and demonstrate the unity of policy, structure, and technology with the values and principles providing the foundation for the DFCS' distinctive competence – the unique and exclusive manner in which DFCS gets the work done in a way that only this organization and no other can get the work done.
- stimulate and engender in staff, and in external partners and stakeholders, trust, faith, and belief in the mission, methods, and values, as well as in organizational leadership.

O. DFCS Organizational Charts

Organizational charts show the official "chain of command" of DFCS and are subject to modification as needs change. Therefore official organizational charts shall be updated at least annually or as requested by the MDHS Division of Human Resources (HR) and will remain on file in that Division. Regional and county overview organizational charts may be developed to illustrate the organizational chain of command as assigned in local, regional, or state offices. (*See* Organizational chart attached as Appendix A)

P. Scope of Services

Direct services interventions provided by DFCS are based on an ongoing assessment of outcomes articulated in DFCS' Child and Family Services Plan. DFCS shall conduct annual updates to this plan after evaluation of success with plan outcomes and the effectiveness of services in achieving these outcomes.

DFCS' Continuous Quality Improvement (CQI) measures will be employed to determine whether modifications need to be made to the scope of services to achieve desired outcomes. DFCS shall evaluate the effectiveness of services purchased from contracted providers by

implementing performance based contracting and develop requests for proposals to improve service delivery.

Performance based contracting involves a contract between DFCS and private service providers, which exchanges increased performance toward better outcomes for children for needed resources and flexibility to achieve the desired outcomes. Performance based contracting employs financial incentives/penalties in the contract to encourage achievement of the outcomes on behalf of children and families.

V. FEDERAL GRANT PROGRAMS AND SERVICES AVAILABLE THROUGH THESE GRANTS

Following are descriptions of federal grant programs and services available through these grants and are examples of services which could constitute DFCS service array supported by these grants. Actual direct services interventions are described later in this section under "Direct Services Interventions". Please see www.acf.hhs.gov, from where the following information was taken, for additional details or updates.

E. Title IV-B Subpart 1 (Child Welfare Services)

Social Security Act [42 U.S.C. 621 § 421]:

PURPOSE: The purpose of this subpart is to promote State flexibility in the development and expansion of a coordinated child and family services program that utilizes community-based agencies and ensures all children are raised in safe, loving families, by:

6. protecting and promoting the welfare of all children;
7. preventing the neglect, abuse, or exploitation of children;
8. supporting at-risk families through services which allow children, where appropriate, to remain safely with their families or return to their families in a timely manner;
9. promoting the safety, permanence, and well-being of children in foster care and adoptive families; and
10. providing training, professional development and support to ensure a well-qualified child welfare workforce.

45 CFR 1357.10:

Child Welfare Services are public social services directed to accomplish the following purposes:

7. Protecting and promoting the welfare and safety of all children, including individuals with disabilities; homeless, dependent, or neglected children;
8. Preventing or remedying, or assisting in the solution of problems which may result in the neglect, abuse, exploitation, or delinquency of children;
9. Preventing the unnecessary separation of children from their families by identifying family problems and assisting families in resolving their problems and preventing the breakup of the family where the prevention of child removal is desirable and possible;
10. Restoring to their families children who have been removed and may be safely returned, by the provision of services to the child and the family;
11. Assuring adequate care of children away from their homes, in cases where the child cannot be returned home or cannot be placed for adoption; and
12. Placing children in suitable adoptive homes, in cases where restoration to the biological family is not possible or appropriate.

F. Title IV-B 2 - Promoting Safe and Stable Families

Social Security Act [42 U.S.C. 629 § 430]:

PURPOSE: The purpose of this program is to enable States [and eligible Tribes] to develop and establish, or expand, and to operate coordinated programs of community-based family support services, family preservation services, time-limited family reunification services, and adoption promotion and support services to accomplish the following objectives:

- prevent child maltreatment among families at risk through the provision of supportive family services.
- assure children's safety within the home and preserve intact families in which children have been maltreated, when the family's problems can be addressed effectively.
- address the problems of families whose children have been placed in foster care so that reunification may occur in a safe and stable manner in accordance with the *Adoption and Safe Families Act of 1997.*
- to support adoptive families by providing support services as necessary so that they can make a lifetime commitment to their children.

Social Security Act [42 U.S.C. 629a § 431]:

(1) Family Preservation Services are services for children and families designed to help families (including adoptive and extended families) at risk or in crisis, including:

- service programs designed to help children-
- where safe and appropriate, return to families from which they have been removed; or
- removed from a family determined not to be safe and appropriate for a child, in some other planned, permanent living arrangement;
- pre-placement preventive services programs, such as intensive family preservation programs, designed to help children at risk of foster care placement remain safely with their families;
- service programs designed to provide follow-up care to families to whom a child has been returned after a foster care placement;
- respite care of children to provide temporary relief for parents and other caregivers (including foster parents); and
- services designed to improve parenting skills (by reinforcing parents' confidence in their strengths, and helping them to identify where improvement is needed and to obtain assistance in improving those skills) with respect to matters such as child development, family budgeting, coping with stress, health, and nutrition; and
- infant safe haven programs to provide a way for a parent to safely relinquish a newborn infant at a safe haven designated pursuant to a State law.

(2) Family Support Services are community based services to promote the safety and well being of children and families designed to increase the strength and stability of families (including adoptive, foster, and extended families), to increase parents' confidence and competence in their parenting abilities, to afford children a safe, stable and supportive family environment, to strengthen parental relationships and promote healthy marriages, and otherwise to enhance child development.

Social Security Act [42 U.S.C. 629a § 431(7)(A)]:

(A) Time Limited Family Reunification Services are services and activities described in subparagraph (B) (see below) provided to:

- a child who is removed from his/her home and placed in a foster family home; and or child care institution; and
- to the parents or primary caregiver of such a child, in order to facilitate the reunification of the child safely and appropriately within a timely fashion. "Timely" means the earliest possible time of the 15 month period that begins on the date that the child, pursuant to §475(5)(f), is considered to have entered foster care.

(B) Services and Activities Described. – The services and activities described in this subparagraph are the following:

- individual, group, and family counseling
- inpatient, residential, or outpatient substance abuse treatment services
- mental health services.
- assistance to address domestic violence.
- services designed to provide temporary child care and therapeutic services for families, including crisis nurseries.
- transportation to or from any of the services and activities described in this subparagraph.

Social Security Act [42 U.S.C. 629a § 431(8)]:

Adoption Promotion and Support Services are services and activities designed to encourage more adoptions out of the foster care system, when the adoptions promote the best interests of children, and include such activities as pre and post adoptive services and activities designed to expedite the adoption process and support adoptive families.

45 CFR Part 1357, Sec. 1357.10 Scope and definitions.

Community-based Services refers to programs delivered in accessible community settings which are responsive to the needs of the community and the individuals and families residing therein. These services may be provided under public or private nonprofit auspices.

Family support services may include:

7) Services, including in-home visits, parent support groups, and other programs designed to improve parenting skills (by reinforcing parents' confidence in their strengths, and helping them to identify where improvement is needed and to obtain assistance in improving those skills) with respect to matters such as child development, family budgeting, coping with stress, health, and nutrition;
8) Respite care of children to provide temporary relief for parents and other caregivers;
9) Structured activities involving parents and children to strengthen the parent-child relationship;
10) Drop-in centers to afford families opportunities for informal interaction with other families and with program staff;
11) Transportation, information and referral services to afford families access to other community services, including child care, health care, nutrition programs, adult education literacy programs, legal services, and counseling and mentoring services; and
12) Early developmental screening of children to assess the needs of such children, and assistance to families in securing specific services to meet these needs.

G. Title IV-E Foster Care

The Federal Foster Care Program provides safe and stable out-of-home care for children until the children are safely returned home, placed permanently with adoptive families or placed in other planned arrangements for permanency.

The program is authorized by title IV-E of the Social Security Act, as amended, and implemented under the Code of Federal Regulations (CFR) at 45 CFR parts 1355, 1356, and 1357. It is an annually appropriated program with specific eligibility requirements and fixed allowable uses of funds. Funding is awarded by formula as an open-ended entitlement grant and is contingent upon an approved title IV-E plan to administer or supervise the administration of the program.

The title IV-E DFCS must submit yearly estimates of program expenditures as well as quarterly reports of estimated and actual program expenditures in support of the awarded funds. Funds are available for monthly maintenance payments for the daily care and supervision of eligible children; administrative costs to manage the program; training of staff and foster care providers; recruitment of foster parents and costs related to the design, implementation and operation of a state-wide data collection system.

H. Title IV-E Adoption Assistance

The Adoption Assistance Program provides funds to States to facilitate the timely placement of children, whose special needs or circumstances would otherwise make it difficult to place, with adoptive families. Authorized under Title IV-E of the *Social Security Act*, and amendments, the Adoption Assistance Program provides federal matching funds of 50% to 83%, depending on the Mississippi's per capita income.

Funding is contingent upon an approved State plan to administer or supervise the administration of the program. Mississippi must submit yearly estimates of program expenditures as well as quarterly reports of estimated and actual program expenditures. Funds are available for a one-time payment to assist with the costs of adopting a child as well as for monthly subsidies to adoptive families to assist with the care of the eligible child.

Additionally, funds are available for: administrative costs to manage the program; training staff and adoptive parents; adoptive parent recruitment; and other related expenses.

6. Child Abuse Prevention and Treatment Act (CAPTA) State Grants

This program provides funds for States to improve their child protection service systems Reauthorized by the *Keeping Children and Families Safe Act of 2003*, the program requires Mississippi to provide assurances in their five-year Child and Family Services Plan that the State is operating a statewide child abuse and neglect program that includes several new programmatic requirements such as:

- Policies and procedures that address the needs of drug-exposed infants;
- Triage procedures for referral of children not at imminent risk of harm to community or preventative services;
- Notification of an individual who is the subject of an investigation about the allegations made against them;
- Training for child protection on their legal duties and parents' rights; and
- Provisions to refer children under age three who are involved in a substantiated case to early intervention services under *IDEA* Part C.

7. The John H. Chafee Foster Care Independence Program (P.L. 106-169)

The John H. Chafee Foster Care Independence Program (CFCIP) offers assistance to help current and former foster care youth achieve self-sufficiency. Grants are offered to states and tribes that submit a plan to assist youth in a wide variety of areas designed to support a successful transition to adulthood. Activities and programs include, assistance with education, employment, financial management, housing, emotional support and assured connections to caring adults for older youth in foster care. The program is intended to serve youth who are likely to remain in foster care until age 18, youth who, after attaining 16 years of age, have left foster care for kinship guardianship or adoption, and young adults ages 18-21 who have "aged out" of the foster care system.

The Educational and Training Vouchers Program (ETV) for youth aging out of Foster Care was added to the CFCIP in 2002. ETV provides resources specifically to meet the education and training needs of youth aging out of foster care. In addition to the existing authorization of $140 million for the CFCIP program, the law authorizes $60 million for payments to states and tribes for post secondary educational and training vouchers for youth likely to experience difficulty as they transition to adulthood after the age of 18. This program makes available vouchers of up to $5,000 per year per youth for post secondary education and training for eligible youth.

8. Children's Justice Act (P.L. 99-401)

The *Children's Justice Act* (CJA) provides grants to assist States in developing, establishing, and operating programs designed to improve:

- The assessment and investigation of suspected child abuse and neglect cases, including cases of suspected child sexual abuse and exploitation, in a manner that limits additional trauma to the child and the child’s family;
- The assessment and investigation of cases of suspected child abuse-related fatalities and suspected child neglect-related fatalities;
- The investigation and prosecution of cases of child abuse and neglect, including child sexual abuse and exploitation; and
- The assessment and investigation of cases involving children with disabilities or serious health-related problems who are suspected victims of child abuse or neglect.

Mississippi must apply for these funds and meet certain eligibility requirements, including receipt of the CAPTA State Grant and establishment of a CJA Task Force as outlined in the legislation. Funds are allocated in the amount of $50,000 per state, plus an additional amount

based on the population of children younger than 18 years of age in the applicant state's jurisdiction. Funding comes from Crime Victims' Fund, which collects fines and fees charged to persons convicted of federal crimes. The Fund is administered by the U.S. Department of Justice, Office of Victims of Crime (OVC) and the grants are awarded by the Administration on Children, Youth and Families, U.S. Department of Health and Human Services, as outlined in **§107** of the Child Abuse Prevention and Treatment Act (CAPTA), as amended, by the *Keeping Children and Families Safe Act of 2003.*

Typical CJA activities:

- Developing curricula and conducting training for personnel in law enforcement and child protection services, as well as health and mental health professionals, prosecutors and judges.
- Establishing or enhancing child advocacy centers and other multidisciplinary programs to serve child victims and their families in order to minimize trauma.
- Establishing and supporting county and/or state child fatality review teams, including multidisciplinary training, team development, and annual reporting.
- Supporting the enactment of laws to improve systems response, including allowing the admission of indirect testimony of children into evidence, making the courtroom setting less intimidating to children, increasing the penalties for sexual offenses against children, requiring mandatory sentencing, shortening the trial process, and permitting victims to make statements prior to sentencing.

To be eligible for CJA funds, Mississippi must be eligible for the CAPTA Basic State Grant and are required to establish and maintain a multidisciplinary task force on children's justice. The task force is comprised of representatives from selected disciplines involved in handling child abuse and neglect cases.

The task force makes policy and training recommendations regarding methods to better handle these cases, with the expectation that it will result in reduced trauma to the child victim and the victim's family, while insuring fairness to the accused.

Every three years after the initial award, the task force is required to conduct a comprehensive evaluation of the state's systems related to the investigative, administrative and judicial handling of child abuse, neglect and exploitation cases and child maltreatment-related fatalities and make recommendations for improvements to those systems.

9. Court Improvement Program (P.L.107-133)

The Court Improvement Program (CIP) was created as part of the Omnibus Budget Reconciliation Act (OBRA) of 1993, which among other things, provided federal funds to states and tribes for preventive services and services to families at risk or in crisis.

The Promoting Safe and Stable Families Amendments of 2001, (P.L. 107-133), reauthorized the Court Improvement Program through FY 2006. The law also expands the scope of the program to: (1) include improvements that the highest courts deem necessary to provide for the safety, well-being, and permanence of children in foster care, as set forth in *ASFA*; and (2) implement a corrective action plan, as necessary, in response to findings identified in a child and family services review MDHS/DFCS.

From any discretionary funding appropriated annually for the *Promoting Safe and Stable Families* program, the law authorizes a 3.3% set-aside for the CIP. The Court Improvement Program authority was transferred to a new § 438 of the *Social Security Act*.

Typical activities include development of mediation programs, joint DFCS-court training, automated docketing and case tracking, linked DFCS-court data systems, one judge/one family models, time-specific docketing, formalized relationships with the child welfare DFCS, improvement of representation for children and families, CFSR program improvement plan (PIP) development and implementation, and legislative changes.

10. Community-Based Grants for the Prevention of Child Abuse and Neglect (CBCAP)

This program provides funding to States to develop, operate, expand, and enhance community-based, prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect. The program was reauthorized, amended and renamed as part of the CAPTA amendments in 2003. To receive these funds, Mississippi's Governor must designate DFCS to receive the funds and implement the program. Some of the core features of the program include:

- Federal, state, and private funds are blended and made available to community agencies for child abuse and neglect prevention activities and family support programs.
- An emphasis on promoting parent leadership and participation in the planning, implementation and evaluation of prevention programs.
- Inter DFCS collaborations with public and private agencies in the States to form a child abuse prevention network to promote greater coordination of resources.

- Funds are used to support programs such as voluntary home visiting programs, parenting programs, family resource centers, respite and crisis care, parent mutual support, and other family support programs.
- An emphasis on promoting the increased use and high quality implementation of evidence-based and evidence-informed programs and practices.
- A focus on the continuum of evaluation approaches which use both qualitative and quantitative methods to assess the effectiveness of the funded programs and activities.

VI. DIRECT SERVICES INTERVENTIONS AND WORKLOAD MANAGEMENT

The official activities of and services provided by DFCS Direct Service Workers – Child Welfare Services – compose DFCS "workload". Workload is measured by computation of the amount of time required to provide or complete defined service-related activities and service types. Each service-related activity and service is assigned a workload value based on established weights and standards derived from the average amount of time determined to be required to adequately and effectively provide or complete the service-related activity or service type measured on a month-by-month basis.

Workload varies, day-to-day, and is measured monthly. By determining the amount of time required each month based on reported workload and dividing the amount of time available by a Direct Service Worker each month to complete the work reported, the number of Direct Service Workers needed is determined. Workload is reported for each Direct Service Worker, each county, each Region, and Statewide, and the number of Direct Service Workers required to complete the work reported at each level – county, region, statewide – is therefore determined each month.

Caseworkers

The official standard for a full caseload at MDHS/DFCS is 100 Caseload Units which constitutes 6,960 workload minutes per month. This standard is derived from a determination that Direct Service Workers have 116 hours (6,960 minutes) of time each month to dedicate to official workload activity – that is, to caseload.

Acknowledgements:

4. Total workload minutes in a caseload will vary month to month. The standard is based on monthly averages.
5. Direct Service Workers will not be assigned cases or service-related activity which results in a caseload exceeding the standard for a full caseload. Caseloads will on

occasion, and at specific points in time, on a Worker-by-Worker basis, fail to reach or may exceed the standard.

6. Workloads shall be measured monthly and adjustments made as needed.

Continuous effort must be expended by the Regional Directors (RDs) and Area Social Work Supervisors (ASWSs) to:

5. Maintain individual caseloads that are within a reasonable range of the standard (within 15 Caseload Units),
6. Assure that no Direct Service Worker remains over the standard for an extended length of time,
7. Document justification for a Direct Service Worker being assigned cases which results in an over-full caseload should be approved by the RD by email or facsimile, and
8. Demonstrate and document (by email or facsimile to the RD) efforts taken by to reduce the caseload to the official standard.

Supervisors

Supervisors shall be directly responsible for supervising no more than five (5) Direct Service Workers. Supervisors shall not be assigned primary responsibility for providing direct casework services for any case, except in cases of extenuating circumstances which shall last for no more than four (4) weeks and have been approved in writing by the Office Director of Field Operations after consultation with the supervisor's RD to ensure the continued proper supervision of the impacted Direct Service Workers.

Regional Directors

RDs shall be responsible for the ongoing validation of cases and validation of workloads. They will ensure that all cases in an open status meet the policy criteria for that case type. They will ensure that valid workloads are distributed as fairly and evenly as possible. This validation will be accomplished through formal case and workload validation plans which will be developed jointly between RDs, ASWSs and state level program staff. These validation plans shall be developed annually and approved by the Office Director of Field Operations.

D. Service-Related Activities and Case Types

Service Types – and the assigned standard for each in minutes and Caseload Units are as follows:

Service Type	Minutes	Caseload Units
Adoption COS	300	4.3
ICPC Incoming	106	1.6
ICPC Outgoing	106	1.6
Placement COR	254	3.7
Placement R&S	507	7.3
Placement COS	253	3.6
Prevention COR	138	2.0
Prevention COS	137	2.0
Prevention R&S	275	4.0
Protection Services COR	210	3.0
Protection Services COS	200	2.9
Protection Services R&S	410	5.9
Case Management Intake	59	0.9
Court Ordered Relative Application	282	4.1
ICPC Application	282	4.1
Investigation Level 2	484	7.0
Investigation Level 3	484	7.0
General Intake	59	0.9
Resource Inquiry	59	0.9
Adoption Addendum	191	2.8
Foster Home Addendum	191	2.8
Resource Home Study	470	6.8
Resource Home Supervision	140	2.0
Resource Renewal	191	2.8

For information on County of Responsibility (COR) and County of Service (COS) and for Adoption, Placement, Prevention/Protection and Interstate Compact Placement of Children (ICPC) *see* Policy Manual Sections C, D, G, and H.

E. Service Array

The following are some of the services that may be available, either through direct service provision, contract, collaboration with, or referral to other service providers.

20. **Prevention of Child Abuse/Neglect Services**
    Prevention Services - provided to families when support services are identified in the initial safety assessment. These services are not court ordered and Workers monitor the family's progress on the Family Service Plan.

21. **Family Preservation Program (FPP)** - services are strength based, child centered and family focused programs. The program is a home based prevention service that provides: parent education, child management training, creative and flexible scheduling, and assists families when there is an eminent risk of removal

22. **Mississippi Centralized Intake (MCI**) - Any person who has reason to suspect the abuse of a child must make a report by telephone to 1-800-222-8000 and the report will be screened to the appropriate county for assignment. Reports may also be sent to www.msabusehotline.mdhs.ms.gov. Additional requests for services, including resource intakes of prospective foster parents, are accepted and screened through the MCI.

23. **Placement Services**- are available for children who cannot be safely maintained in their homes.

    - Emergency Shelters
    - Licensed Relative Homes
    - Licensed Foster Homes
    - Therapeutic Foster Homes
    - Therapeutic Group Homes
    - Residential Treatment Facilities
    - Specialized Treatment Facility (located on the Mississippi Gulf Coast)

24. **Intensive In Home Services-** are presently provided by contracted providers. This service is designed to provide therapeutic services to children who are in the state's custody placed in DFCS foster or adoptive homes who are experiencing behavioral problems.

25. **Reunification Services-** contract services that are designed to provide therapeutic services to children who can remain or return home to their immediate or extended family if they are participating in intensive in-home services. Children must be in the legal custody of DFCS, and be placed in licensed foster homes or adoptive placements prior to or after the adoption finalization to provide stabilization in order to prevent disruption.

26. **MYPAC-** Mississippi Youth Programs Around the Clock is administered by Mississippi Medicaid through outsourced providers. The purpose of this program is to enable children to remain safely in their homes while providing needed therapeutic and residential services.

27. **Family First Resource Centers (FFRC**)- are located throughout the state and provide the following:

    - Individual and Family Counseling
    - Parenting classes
    - After School Programs
    - Tutoring Services
    - Healthy Marriage Classes
    - Fatherhood Initiative

28. **Regional Mental Health Centers -** are available statewide and provide assessments for children and adults and offer counseling, anger management classes, drug and alcohol screenings and treatment programs.

29. **EPSDT-** Early Periodic Screening Diagnosis and Treatment ensures that all Medicaid eligible children receive comprehensive and preventative health care to the maximum extent allowable. These screenings are conducted at county health departments and Medicaid accepted providers.

30. **SNAP/TANF – "**Supplemental Nutrition Assistance Program" and "Temporary Assistance for Needy Families" are available to eligible families at all local Economic Assistance offices (EA).

31. **WIC-** "*Women, Infants and Children*" provides supplemental foods designed to meet the special nutritional needs of low-income pregnant, postpartum women, infants and children up to five years of age who are at nutritional risk. These programs are available to all eligible recipients in each county.

32. **Independent Living Services-(IL) –** provides services to ensure that foster youth fourteen years of age or older are provided an opportunity to acquire basic life skills

which will enable them to live independently, responsibly, and to be self-sufficient by the time their foster care services are terminated.

33. **Service to Promote Timely Adoptions (Adoption Services)**
Contract agencies assist DFCS in promoting timely adoptions by accepting referrals and attending adoption placement meetings in efforts to move children quickly into permanent homes.

34. **Post Adoption Services-** "*Intensive In Home Services*" are available to all adoptive parents to monitor and assist with any problems or disruptions that may arise and to stabilize the placement. This is a contracted service.

35. **Language Interpretation Services and Deaf Interpretation Services-** provides interpretation and translation of foreign languages and interpretation services for the hearing impaired.

36. **Flexible-Funds for Concrete Resources**
When specific individualized needs are identified for a child or parent that are not covered by Medicaid or other funding sources, flexible funds are available through the region or county. Services provided through these funds include private sitters, attorneys' fees, braces, utility bills, food, clothing, tutoring services, speech therapy and others.

37. **County Funds Child-** Funds provided to individual counties by county Boards of Supervisors to be spent for child welfare related goods and services. These funds are allocated annually and may not be available in all counties.

38. **Donated Local Funds-** Counties may accept designated and undesignated funds from private or public sources which can be used as needed. Undesignated funds may be used for any child welfare related need. Designated funds are those donated for a specific purpose or need. Expenditures from any fund category require appropriate supervisory approval.

F. Interpreter Services

When Interpreter Services are needed for any language, the worker is required to contact the Interpreter Supervisor in the Resource Development Unit in State Office during working hours. The contact numbers and a current list of available Interpreter Specialists for each region are listed on the DFCS connection website (http://dfcsmacweb/DFCSWEB/Resource.htm) under Resource Development-DFCS Interpreter Specialist. Interpreters are on call for the Mississippi Centralized Intake Unit at 1-800-222-8000 available 24 hours a day, 7 days a week. DFCS is

committed to providing culturally competent interpreter services to clients with Limited English Proficiency in the areas of prevention, protection and permanency planning.

DFCS has Spanish Interpreter Specialists on staff and a Supervisor over the Interpreter Program. Each Interpreter Specialist will be responsible for providing all interpreting needs to their regions. In the event the language needing interpreting is not Spanish or if an Interpreter Specialist is not available at the time needed; the use of an agency approved contract interpreter could be required. The use of any agency approved contract interpreter will be decided upon by the Interpreter Supervisor. All contracts and their details will be handled by the Interpreter Specialists/Supervisor regarding all agency approved contract interpreters.

4. **Prevention -**
   - Professionally qualified and proficient Spanish interpreters that are on staff with DFCS are also on call 24 hours a day, 7 days a week to respond to the Mississippi Centralized Intake Unit for interpreting incoming calls of abuse and neglect for Spanish speaking reporters.
   - Other reporters with Limited English Proficiency shall be referred to agency approved, interpreters who have completed orientation training through the DFCS Interpreter Program or any contract service organization which offers similar orientation training to their bilingual employees and volunteers.
5. **Protection -**
   - During the investigation of clients with Limited English Proficiency (LEP), all interviews and or direct contact with LEP clients shall be conducted with the assistance of an agency approved interpreter, unless an immediate safety plan must be made in order to maintain the safety of the child prior to the arrival or contact of the approved interpreter.
   - Children or family members who are involved in the case may not be used as interpreters for the agency or the client; however, family members may remain present at the family's request. In the event that there is no agency approved, interpreter available, a family member, other than a child, may be used as an interpreter until the agency is able to provide an agency approved non relative interpreter.
   - All forms that require a client's signature shall be interpreted and/or translated in the client's native language and must be discussed with the client with assistance of an agency approved interpreter present or on the telephone.
6. **Permanency -**
   - An agency approved interpreter must be present or interpreting over the telephone during all case planning activities conducted with clients, including but not limited to,

family team meetings, home visits to discuss case planning activities, family visits, and with the child and/or parents. Family members can be present to represent the family; however, an agency approved interpreter shall be present or interpreting over the telephone.

- **All court proceedings for LEP clients must have an agency approved interpreter present**. Relative interpreters can be present to represent the family; however, an agency approved interpreter shall be present.
- All case planning documents, including court orders, individualized case plans and other documents shall be interpreted and/or translated in the client's native language and discussed with the client with an agency approved interpreter present or over the telephone.

** Efforts to provide bilingual or interpreter services must not delay or interfere with any actions necessary to:

- Protect the children from harm or risk of harm; or
- Comply with legal requirements.

DFCS provides professionally qualified and proficient interpreters to all clients with LEP. Interpreters who are fulltime employees of the agency shall complete Pre-Service Training with frontline Workers in order to better understand and communicate the agency's missions, goals and policies to clients with LEP. Professionally Qualified and Proficient Interpreters are defined as follows:

- **Professionally Qualified Interpreter**- Professionally Qualified Interpreters are individuals who possess an educated, native-like mastery of both English and a second language; display wide general knowledge of the language, characteristic of what a minimum of two years of general education at a college or university would provide; one year of interpreting, and perform the three major types of interpreting: sight translation, consecutive interpreting, and simultaneous interpreting. In order to be employed with the agency, this Worker must possess at least a bachelor's degree from a 4 year university.
- **Proficient Interpreters**- A Proficient Interpreter does not qualify as a professionally qualified interpreter, but can demonstrate the ability to interpret proceedings from English to a designated language and from that language into English.

V. COMMUNITY INVOLVEMENT, ADVOCACY AND REPRESENTATION, AND DFCS OVERSIGHT

DFCS shall ensure that the public continues to be effectively informed of its mission, programs and services through a defined structure of Community Involvement, Advocacy and Representation and DFCS Oversight. The Deputy Administrator, through assigned designees, shall be responsible for developing, modeling, monitoring and evaluating this structure at the state level. RDs shall be responsible for developing, modeling, monitoring and evaluating the defined regional structure and ASWSs shall be responsible for the same at the county level. Modifications should be made as needed based on the DFCS' ongoing strategic planning.

This structure of Community Involvement, Advocacy and Representation and DFCS Oversight includes the following activities, goals and qualities:

- Communicate DFCS' mission, role, functions, capacities and the strengths, needs and challenges of individuals, families and groups that it serves
- Implement all applicable laws and regulations concerning the service population.
- Improve existing services, filling gaps in services
- Assist eligible individuals with access to the full array of services by reducing barriers and improving supports and accommodations for persons with special needs
- Ensure oversight by reflecting the demographics and representing the interests of the communities served
- Ensure that DFCS partnership and oversight teams have experience and skills in policy development, leadership and financial management.
- Effectively connect DFCS to other resources and develop public recognition and respect

C. DFCS Partnership and Oversight Teams

Each year the Annual Progress and Services Report (APSR) should contain an update on the active teams. Active teams will be evaluated through the strategic planning process. DFCS staff team leads will be assigned to each of the active teams. The assigned lead will report and communicate through the chain of command to keep the Deputy Administrator apprised of the activities undertaken and outcomes achieved by each the teams, and to produce reports to be included in the APSR. Examples of these teams are listed and described below.

7. Citizens Review Panel

Pursuant to Child Abuse Prevention and Treatment Act (CAPTA) requirements (42 U.S.C. § 5101[c]), the Mississippi Citizen Review Panel was created by CAPTA which is a key piece of legislation that guides child protection. The Citizens Review Panels (CRP) are composed of citizen-volunteers who are federally mandated by the Child Abuse Protection and Treatment Act to evaluate their state's child protective services agency.

In Mississippi there are three Citizens Review Panels covering the northern, central, and southern parts of the state. They each have the support of a university with a School of Social Work. The Citizens Review Panels report to a State Level Citizens Review Board. Oversight and support are provided by the DFCS Prevention/Protection Unit.

Panel Membership is comprised of 1) providers of services to abused and neglected children and families, including adoption services, and 2) local citizens, including consumers of the Child Protective Services system such as foster parents, former foster children, adoptive parents, parents, interested business and civic representatives, educators, and members of the community at large.

8. Administrative Office of Courts, Court Improvement Program

Pursuant to 1993's *Omnibus Budget Reconciliation Act* (P.L. 103-66), DFCS partners with the Administrative Office of Courts in the "Court Improvement Program". Typical activities include development of mediation programs, joint DFCS-court training, case tracking, linked DFCS-court data systems, formalized relationships with the child welfare DFCS, improvement of representation for children and families, CFSR program improvement plan (PIP) development and implementation, and legislative changes. DFCS should work with the Administrative Office of Courts to implement initiatives such as the Mississippi Youth Court Information Delivery System (MYCIDS) program for DFCS and Court information systems interface. The Division partnered with the Administrative Office of Courts to develop the Uniform Rules of Youth Court Practice.

9. Multidisciplinary Team Meetings

The Multidisciplinary Child Abuse Review Teams were initiated pursuant to the C*hildren's Justice Act* (P.L. 99-401) to develop a standard response to the investigation and prosecution of all child abuse cases and to function in a manner that causes the least possible trauma to the children and their families. The Team accomplishes this by inviting all disciplines involved in child abuse cases to work collaboratively using the team approach. These teams may be formed through agreements between DFCS, the courts and local stakeholders.

10. Child Fatality Review Panel

The Child Fatality Review Panel was created in 2006 pursuant to MISS. CODE ANN. § 41-111-1 to serve as a review board for all child fatalities in Mississippi, including but not limited to abuse related deaths. The goal of this panel is to prevent child fatalities in our state. The local child fatality teams should fully staff all child fatalities in the selected counties to assess the circumstances surrounding the death and will make recommendations to the State Child Fatality Review Panel regarding preventative efforts. An annual report provides data on the number of child deaths in the State and causes of death. These reports contain recommendations for the prevention of child deaths.

11. Foster Care Review Teams

Mississippi's Foster Care Review program was implemented to meet the federal periodic review requirement found in Title IV-E of the *Social Security Act*. (*See* also MISS. CODE ANN. § 43-15-13 (3)). The Foster Care Review program provides clients with an opportunity to participate in their case planning and Workers with an opportunity to discuss their practice on a case-by-case basis. Reviewers are based throughout the state and review each child's case every six months. Parents, their representative support systems, relatives, service providers, children in care and their *guardians-ad-litem* are engaged as a team to oversee, assess and develop appropriate plans for foster care cases.

12. State, Regional and Local Planning and Implementation Teams

These are teams which are organized for the purpose of addressing findings from CQI reviews or responses to needs identified by other administrative or partnership teams at the state, regional or county levels.

D. Memorandum of Understanding (MOU)

The Deputy Administrator will collaborate with appropriate private, state and federal agencies to develop MOUs for the purpose of developing goals to partner with agencies to enhance community involvement, advocacy and representation.

VI. ORGANIZATION OF ADMINISTRATIVE TEAMS

DFCS shall promote clear, ongoing communication and teamwork among all staff. There shall be a formal administrative system designed to facilitate communication and teamwork. Roles and responsibilities shall be clearly documented and communicated to staff. Staff shall receive

timely information concerning the DFCS's mission, vision, values, practice and management philosophies and policies.

Identified administrative teams should exercise leadership through a functional, effective operational structure. Administrative teams are distinct from Implementation teams in that they represent the formal administrative chain of command, and their functions support systematic application of defined administrative practices.

Administrative teams should establish in writing:

4. responsibilities;
5. a process for assessing and implementing responsibilities, such as establishing task forces/committees; and
6. under what conditions and to whom interim authority can be delegated.

Administrative team members should:

4. receive an orientation to the DFCS's mission, history, goals, objectives, structure, methods of operation;
5. become familiar with DFCS activities and be introduced to key staff members; and
6. be furnished electronic or hard copies of the DFCS's Administrative Policies (AP)

Administrative teams should maintain administrative files and manuals that include:

3. the organizational and supervisory configuration with reporting information for all operations; and
4. up-to-date minutes and records of all administrative team meetings.

C. Administrative Teams

Administrative teams shall be developed based on the DFCS's organizational structure of administrative units. The current structure requires the following administrative teams:

- Deputy Administrative team
- Office Administrative team
- Bureau Administrative team
- Division Administrative team

- Regional Administrative team
- County Administrative team

As the administrative organizational structure changes, teams should be restructured to correspond.

The Senior Management team is an additional ongoing Administrative team. This team is composed of the Deputy Administrator, Office Directors, Bureau Directors, RDs and others as required and named by the Deputy Administrator. Meetings of senior Management shall be held no less than bi-monthly.

D. Administrative Roles- Ongoing Functions and Communication

The administrative structure, roles, functions and communication channels are defined through:

- Official MDHS organizational charts
- Succession rosters
- Program functions and goals
- Roles and responsibilities of team members
- Planning calendars
- Meeting minutes

The organizational structure begins with a core team consisting of the Deputy Administrator and Office Directors or others in the line of the Administrator's direct supervision. Master organizational charts, which shall be updated as required by the MDHS Division of Human Resources and made accessible to all DFCS staff, shall be developed to define each successive core team as well as expanded administrative teams at the Office, Bureau, Division, (and similar state office administrative units), Regional and County administrative levels. Each core team shall develop and maintain rosters indicating the succession of authority in the absence of the team supervisor. The team supervisor shall ensure that information needed for updates to organizational charts is communicated through the chain of command and succession rosters are kept current.

The program functions and goals of each Office, Bureau, Division or other state, regional or county level administrative team should be developed and updated, at least, annually.

Roles and responsibilities of individual team members should be developed and updated, at least, annually. Roles and responsibilities should be consistent with official Job Content

Questionnaires and MDHS performance appraisal procedures as defined by the Human Resources Division of MDHS.

Each ASWS, RD and central office administrative and program unit director shall submit to their immediate supervisor, by December 31 each year, information needed to update succession rosters, descriptions of program functions, team members' roles and responsibilities and a projected calendar for administrative team activities and meetings.

The Deputy Administrator's core administrative team, in consultation with the senior management team, will develop an annual administrative planning calendar by January 31 of the following year which shall be provided to all DFCS staff. This planning calendar shall be developed during the annual strategic planning meeting of the senior management team.

The master planning calendar shall be updated as needed, but no less frequently than quarterly, and distributed to all DFCS staff. Monthly work planning calendars shall be developed and provided to the immediate supervisor and staff directly supervised by a team member. Team leaders shall nominate one team member to be responsible for updating calendars.

DFCS organizational charts will be updated as requested by the Division of Human Resources.

Administrative team meetings shall be held as needed, but no less than monthly, face to face, through conference calls, video conferences or a combination of the three.

Agenda items for all regularly scheduled meetings will include, at a minimum, the following:

- Discussion regarding new policies or procedures and/or discussion regarding the need for clarification, changes or updates to existing policy and/or procedures
- Discussion of goal attainment using DFCS data or other sources of information to assess the team's ongoing effectiveness in achieving goals or meeting requirements
- Discussion of the need for changes or improvements in practice to achieve goals
- Identification and communication of issues requiring special attention
- Development of action plans to address areas of identified need

DFCS, at the respective state, regional and county administrative levels, shall maintain administrative files containing organizational charts, succession rosters, description of program functions, general roles of staff, projected schedules for administrative team meetings and minutes from team meetings. Minutes of administrative team meetings shall be provided to team members and to the immediate supervisor of the team leader. There should be a centralized, electronic administrative file organized by administrative unit. It should contain folders for the

maintenance of information required in this section. Team leaders shall nominate one staff member to be responsible for collection, maintenance and distribution of minutes and other administrative files listed in this paragraph.

New administrative team members shall receive an orientation to the DFCS's mission, history, goals, objectives, structure, methods of operation and shall be introduced to key staff members. They shall be provided access to the MDHS DFCS's Administrative Policies, DFCS policies, Child and Family Services Plan (CFSP) and the most recent APSR. They may download copies of these files which should be maintained in the DFCS's electronic administrative files.

VII. STRATEGIC PLANNING

Strategic planning responsibilities include:

- envisioning and setting DFCS' strategic direction; and
- active support for inclusive, management-directed, DFCS-wide involvement in long term planning that occurs every 5 years.

The specific statewide strategic plans include:

- CFSP (5 year plan),
- APSR (due June 30th each year),
- Performance Improvement plans, Child and Family Service Review (CFSR) and Title IV-E State Plan,
- DFCS' CQI Annual Plan,
- Worker visits with child report (due to Children's Bureau by December 15th each year),
- Title IV-B State Plan,
- CAPTA State Plan,
- CFCIP, and
- ETV

The Deputy Administrator shall designate a coordinator for the CFSP.

The coordinator will assemble an implementation team to develop the five year planning conference and draft the CFSP. All plans are reported through the CFSP and APSR.

F. Child and Family Services Plan

The CFSP is a five-year strategic plan that sets forth the vision and the goals to be accomplished to strengthen the States' overall child welfare system.

The goals and objectives of the plan address improved outcomes in the following areas:

- Safety of children;
- Permanency for children;
- Well-being of children and their families; and
- The nature, scope, and adequacy of existing child and family and related social services.

The CFSP shall be developed by DFCS in collaboration with other MDHS divisions and an array of community partners and stakeholders. Stakeholders and partners with statewide jurisdiction or influence will be engaged at a state level strategic planning conference at which time the goals and objectives of the plan are communicated and finalized.

As a result of this process state level teams will be formed as needed. This process should be replicated in each DFCS Region in the state at which time these goals and objectives will be communicated to regional and county stakeholders.

From this process local and regional teams will be formed to develop implementation strategies and to implement practices that will lead to successful child welfare outcomes. These teams shall include, but are not limited to, those described in “Community Involvement, Advocacy and Representation and DFCS Oversight” above.

G. Annual Progress and Services Report

The Annual Progress and Services Report (APSR) due on or before June 30 each year, provides annual updates on the progress made toward the accomplishment of goals and objectives in the CFSP.

Completion of the APSR satisfies the federal regulations by providing updates on a State's annual progress for the previous fiscal year and planned activities for the upcoming fiscal year. These updates should be shared with state and local CFSP team members. To complete the APSR, Worker face-to-face contact data must be provided on or before December 15.

H. Performance Improvement Plans

The periodic CFSR and Title IV-E reviews may contain findings that require Performance Improvement Plans (PIP). The federal Administration for Children and Families (ACF), the CRP, appropriate DFCS staff and representatives of the statewide and community stakeholders identified by the CFSP shall be engaged to develop necessary CFSR and IV-E PIPs.

DFCS will designate PIP team leaders, and for Title IV-E PIP purposes, the Director of Eligibility will coordinate planning and achievement of a PIP. The PIP team designees shall develop a work plan and schedule to ensure:

4. appropriate engagement of key DFCS staff and stakeholders,
5. development of substantive responses to areas needing improvement and
6. completion and timely submission of the PIP.

I. CQI Annual Plan

The DFCS CQI Unit reports all planning and activity through the unit's CQI Plan and CQI Annual Report submitted annually.

J. Strategic Planning Cycle

4. Five-Year Plan

The DFCS Director shall be the designee who maintains responsibility for development of the five-year CFSP. The CFSP shall be developed in partnership with the Citizen's Review Panel, communicated to and finalized by a diverse array of citizens, consumers, foster and adoptive parents, service providers, public leaders, law enforcement, judicial and legal representatives, education and health providers.

The Deputy Administrator, through representatives of Senior Management, shall initiate the five year strategic planning cycle in October preceding the required submission date of the CFSP. The senior management team shall ensure that long term strategic planning includes:

- a review of DFCS' mission, values, and mandates
- an assessment of strengths and areas needing improvement
- measurable goals and objectives that flow from the mission and mandated responsibilities

- appropriate strategies for meeting identified goals, including consideration of the DFCS's continued development and sustainability and possible need to direct, eliminate, or expand service to changing community demographics and needs.

The Citizen's Review Panel shall be engaged in the strategic planning process no later than January preceding the CFSP June submission. The diverse group representative of state level systems or domains shall be engaged in the process no later than March preceding the submission date. Diverse groups representative of regional and county level systems or domains shall be engaged in the process no later than April preceding the submission date.

The five year strategic plan or CFSP shall include a review of a demographic profile of the service population of children and families. This profile should include economic indicators, gender, age, unique cultural attributes, racial/ethnic composition, appropriate services based on religious affiliation and language(s) of choice. This demographic profile may utilize DFCS data and may draw from findings from other external needs assessments.

5. Yearly Strategic Plan

The Deputy Administrator shall convene an annual strategic planning meeting of the senior management team in January each year. Purposes of this strategic planning meeting include, but are not limited to the following:

- provide team members updated organizational charts, succession rosters, descriptions of program functions, team members' roles and responsibilities and a projected schedule for administrative team meetings,
- review annual status reports of case and systemic outcomes, using data from the most recent annual and monthly reporting periods,
- review, and modify as needed, strategies to address case and systemic outcomes,
- review current services available and to assess the effectiveness of these services,
- identify needed services and develop strategies to secure or develop these services,
- review and develop strategies for successful engagement of stakeholders,
- provide clarifications of policy and procedures and to identify the need for changes or additions to policy,
- develop presentations of data and outcomes to share with the Citizen's Review Panel and other regional and local planning and implementation teams,
- collect information which will contribute to the development of a comprehensive APSR, and

- assess workload management effectiveness and strategies, and to certify the validity of active cases

During the annual strategic planning meeting the current year's APSR shall be reviewed and plans for the annual update should be initiated. The Citizen's Review Panel shall be invited to participate in the annual strategic planning meeting.

6. Ongoing Strategic Planning

DFCS shall develop state, regional and local Implementations Teams as needed to address outcomes identified pursuant to the strategic planning process. Ongoing feedback shall be provided through the CQI process and other system sources of data. Stakeholders shall be engaged to participate in planning, implementation and feedback.

X. POLICY DEVELOPMENT, REVIEW AND COMMUNICATION

d) DFCS policies and procedures will be developed when there is a need to regulate, direct, or inform and guide DFCS practices, operations and services to ensure compliance with applicable State and Federal Rules and Laws, Practice Standards, judicial mandates and managerial decision and directives.

e) A comprehensive review of all DFCS policies and procedures and related documents will be performed at least annually, or as often as necessary, and revised accordingly to ensure compliance with applicable State and Federal Rules and Laws, practice Standards, judicial mandates, managerial decisions and directives. (*See* DFCS Policy Flow Chart on the DFCS Connection Website/policy).

f) When new/revised policies and procedures, protocols, manuals or other practice-related documents are implemented, Directors/Supervisors or their designees must provide instruction, interpretation and /or training on those practice documents that are relevant to an employee's position and/or job duties. When new or revised policy has been released to all DFCS staff, documentation via the Policy Acknowledgment form (*See* DFCS Connection Website/ Forms/ Section A) must be maintained in each county office indicating the date policy was reviewed and all DFCS staff signatures.

XI. RESOURCE DEVELOPMENT

The Resource Development Unit was developed to enhance the delivery of an adequate array of services in the state through maximizing the use of existing services and coordinating the development of new services through contracts, collaboration with other agencies and service

providers, and coordination of service/resource related work within DFCS and the state as a whole.

The Resource Development Unit will ensure the compatibility of existing services and newly created services with DFCS' required principles and practices.

The Resource Development Unit, through proactive planning and development, prepares for current and future service needs and implementation of the plan for efficient and effective service delivery. The Unit not only addresses existing service needs within DFCS units, and seeks services that address needs for all children and their families and works to make these services available and easily accessible. Other functions include addressing issues related to service provision, contracting procedures, protocols and practices, and the substance of services provided.

Communication and collaboration are keys to reaching the success desired for all children and their families.

DFCS Regions are responsible for establishing a strategic plan to improve service delivery to DFCS clients. The primary goal is connecting people to resources for the purpose of helping children and families achieve success.

The Resource Development Unit will collaborate with the regions in efforts to strategically increase service delivery in each Region.

XII. ONGOING ADMINISTRATIVE OVERSIGHT AND PRACTICE

The MDHS/DFCS Deputy Administrator shall ensure the ongoing efficient operation of the administrative teams and shall remain informed of the effectiveness of individual team members. The Administrator shall ensure that vacancies or absences of administrative team members are addressed through current succession rosters.

The Deputy Administrator shall:

- ensure that job descriptions accurately reflect actual job duties,
- perform timely and thorough performance appraisals on staff directly supervised by the Administrator, and
- delegate to appropriate Office Directors the responsibility to provide annual:
    - evaluations of staff performance;

- assessments of adherence to MDHS conflict of interest and outside employment policies; (*See* MDHS Administrative Policy)
- assessment of compliance with legal requirements, including licensing and mandatory reporting; laws, and fiscal responsibility;
- report of all contracts and assessment of contracting practices as defined in MDHS policy and regulations of State Personnel Board (SPB) and the Department of Finance and Administration. (*See* MDHS Administrative Policy)
- assessment of the effectiveness of DFCS communication;
- assessment of any research involving service recipients.

E. County and Regional Administrative Procedures

Each county and regional office shall have the following procedures in place:

- sign-in/out procedures that ensure the time of arrival and departure, expected time of return, and departure destination are logged for each employee in county, regional, and state offices
- County Activity records, maintained by employees should include:
  - date,
  - case activities,
  - case identification,
  - individual mileage logs containing specific destinations of travel, and
  - time elapsed during travel
- procedures to ensure that DFCS mail is collected and distributed in a prompt and consistent manner
- each staff member shall submit to their assigned supervisor a monthly Projected Work Plan prior to the third working day of each month
- adequate staff to cover telephone and reception duties
- a monthly on call schedule for after work hours and holidays
- leave requests are managed in a manner to avoid inadequate staff coverage or unnecessary workload burdens
- proper management of travel, time, and other resources

- adequate office space is afforded all county, regional, or state office staff assigned to local offices with assistance from the Director of Field Operations, when needed
- annual budget is prepared and coordinated with other MDHS Divisions to reflect the need for administrative supplies, equipment, and office space and child welfare and adult funds to meet the needs of DFCS staff and clients served by DFCS.

F. County and Regional Administrative Reporting Requirements

Prior to the third working day of each month, all county and regional staff should provide their immediate supervisor with the following:

- a completed County Activity record for the previous month (or similar documents applicable to adoption and resource staff)
- a projected work plan for the upcoming month
- the employee's completed travel voucher for the previous month (*See* Form 13.20.10 on DFCS Connection Website)
- other administrative documents which are required by the County and Regional Administrative Procedures Plan

Prior to the fifth working day each month the supervisor shall have reviewed and approved or pended the administrative documents listed above. Projected Work Plans should include a reasonable forecast of work activities. The work plan must include accurate time, travel and resource management practices consistent with MDHS AP-42 Travel Policy.

Travel approvals shall be contingent on the accuracy and information contained in the travel forms and supporting documentation submitted, as attested by the approving supervisor. Travel requests should be routed to the supervisor along with the County Activity Record or similar documentation as specified above. The supervisor should review and approve travel by ensuring consistency between Sign-in/out sheets, County Activity Record, and travel vouchers. County Activity Record shall include specific addresses or clearly identified sites, such as "*County Youth Court* or *County Hospital*."

The supervisor may conduct periodic reviews by comparing the above-mentioned documentation to case narratives.

G. Requirements for Travel Approvals and Signatures

The immediate supervisor shall **match** the individual travel entries on the travel voucher (13.20.10) with the county Sign-In/Out sheet for the appropriate month, and shall ensure that

each travel episode is documented by an entry on the County Activity Record consistent with the reason for travel. Any client-related/ training/ conference travel episodes shall be documented by the supervisor to have a corresponding narrative recording in the Mississippi Automated Child Welfare Information System (MACWIS) case file.

The immediate supervisor will verify that individual travel episodes contain the following:

- the documented reason for travel is clearly stated on the County Activity Record;
- the approximate distance of travel seems reasonable, and corresponds to the addresses documented on the County Activity Record;
- there is corresponding documentation in case narratives or administrative files (MACWIS or confirmations of community meetings or other administrative activities not case related);
- travel is consistent with job duties, assignments, and activities;
- when narratives indicate that clients are consistently not home, it is the supervisor's responsibility to discuss the issue with the worker;
- documentation on the Sign-In/Out sheets, County Activity Records, case narratives, and Travel vouchers is consistent;
- All requests for travel reimbursement must be submitted during the month immediately following the previous month's travel.

Travel should be approved and signed by each employee's immediate supervisor. Those who are listed as designees in the Succession Roster (*See "Administrative Roles- Ongoing Functions and Communication*") may sign in the absence of and with the approval of the incumbent supervisor. In any event, the succession of authority should be established through formal succession rosters or through other forms of confirmation as needed. For example, if a RD will be on leave and the person(s) named on the formal succession roster is (are) unavailable, the RD may designate someone to sign routine forms in their absence through a confirmation to the staff directly supervised by the RD and to the RD's immediate supervisor.

1. Special Travel Circumstances

When a travel reimbursement request by any employee exceeds one thousand dollars ($1,000.00), approval of such travel shall be contingent on the employee's routing to the immediate supervisor the County Activity Record and the Travel Voucher (*See* form 13.20.10) and any pre-approvals for non-routine (conference, special training, etc) or out-of-state travel and all travel reimbursement requests over $1,000 must be sent to the RD and the Director of Field

Operations for approval. County Activity records should be maintained in the county office and should not be mailed to the Director of Field Operations.

The worker's immediate supervisor shall forward all documentation to the second-level supervisor indicating that certifications above have been completed. If the second level supervisor is the RD he/she shall certify the accuracy and fidelity of the travel request. The RD's signature shall be required for approval of travel. If the RD is other than second level, the second level supervisor shall review and certify the accuracy and fidelity of the travel request by initialing the travel voucher (13.20.10) before routing all required documentation to the RD for approval.

H. Case Record Files (MACWIS and Paper Files)

3. MACWIS

Case numbers are assigned by the MACWIS system. MACWIS provides DFCS with the means to input and maintain information regarding services to clients; electronically submit and document various approvals and screening processes; document home studies and maintain a directory of placement resources; track case plans and child placement histories, and process board payments to placement resources. All children and family records that can be entered into MACWIS must be entered.

DFCS personnel may access MACWIS case records with their personal MACWIS Identification and password. MACWIS is designed for authorized persons to have access (limited or full) based on their position, and MACWIS profile; not all screens are available to every DFCS employee.

4. Case Records

Each individual or family unit determined to be an applicant for service or be the subject of an abuse/neglect investigation may have a paper case folder, if necessary, for the filing of documents that cannot be entered in MACWIS.

Case records must contain sufficient and accurate information to identify the clients; support decisions about interventions or services; and document the delivery of services. DFCS shall maintain a case record for each individual client or family. Case records shall comply with all legal requirements. The case record shall include all information needed to properly serve clients, including, but not limited to the following:

- Demographic and contact information;

p. the reason for requesting or being referred for services;

q. up-to-date assessments;

r. the service plan, including mutually developed goals and objectives;

s. copies of all signed consent forms;

t. all medical, dental, and mental health records, including, but not limited to, evaluations and written orders for medication;

u. a description of services provided directly or by referral;

v. routine documentation of ongoing services;

w. legal documents including guardianship, legal custody, birth/marriage certificates, court reports, legal directives (orders);

x. documentation of routine supervisory review;

y. discharge or aftercare plan;

z. recommendations for ongoing and/or future service needs;

aa. referral of aftercare or follow-up responsibility, if needed; and

bb. a closing summary entered within 30 days of termination of service.

The DFCS Worker must provide copies of the updated medical and educational records, as well as Medicaid cards, of said child to the placement provider at the time of each placement.

Progress notes on all cases including Investigation, Prevention/Protection and Placement cases must be entered into MACWIS within five (5) calendar days.

Service recipients may add a statement to their case records, and:

c. any response by personnel is added with the service recipient's knowledge; and
d. the service recipient is given the opportunity to review and comment on such additions.

At case closing, the case paper file records are reviewed and unsummarized notes, personal observations, and impressions are expunged. (*See also* Policy Section D XI.6 for more information regarding procedures for case closing).

XI. CASE RECORD DESTRUCTION

The RD or designee will determine the schedule for case record destruction based on the regulations below. The destruction of case records involving children will be in compliance with

Section 43-21-265 of the Youth Court Act. (*See* MISS. CODE ANN. § 43-21-265 "Destruction of Records")

When a record is destroyed, the master index shall be checked to see that all birthdates and all unique numbers of individuals and children are correctly entered upon it. The master index should then be marked: "Case Record Destroyed" and the date of destruction.

DFCS case records are divided into two groups to assist in the determination of case record destruction. The two groups are further divided between cases not involving DFCS custody and those where DFCS custody was involved. The client records are further identified by service type (direct services). In cases where more than one service type is involved, the service type requiring the longest retention period should prevail.

F. Group I - Non-DFCS Custody Related Cases:

Three (3) years after closure, case records involving the following service types may be completely destroyed:

- Case Management
- Investigations-unsubstantiated

Ten (10) years after closure, or when the youngest child reaches 21 years of age (whichever occurs last) the case records involving the following service types may be completely destroyed:

- Prevention of Abuse/Neglect of Children
- Protection Services - Child
- Protection Services - Adult
- Interstate Compact Services
- Investigations-substantiated

G. Group II – DFCS Custody Related Cases:

After the youngest child who was in custody reaches age 28, the case record involving the following service types may be completely destroyed.

- Ten (10) years after closure, foster home case records can be completely destroyed.
- When closed because of legal finalization, any case record involving adoption should be submitted in its entirety to the Adoption Unit in State Office. If more than one county record is involved, all should be submitted.

H. Detailed Procedure

Before any records may be destroyed the county must:

1. Secure a blanket order from the county youth court judge permitting destruction of the cases for the present and in the future in compliance with MDHS/DFCS policy and state law.
2. Forward a copy of the order to the Administration Unit for submittal to the Department of Archives and History.

Once the blanket order is obtained, and before the paper folder is destroyed, all medical records and mental health examinations must be removed and retained prior to destruction of the remainder of the record. After the file is destroyed, a written report of compliance must be filed with the youth court by the county office (*See* MISS. CODE ANN. § 43-21-265).

MISS. CODE ANN. 43-21-265. Destruction of Records

The youth court, in its discretion, may order the destruction of any records involving children except medical or mental health examinations as defined in section 43-21-253. This order shall be directed to all persons maintaining the records, shall order their physical destruction by an appropriate means specified by the youth court and shall require the persons to file with the youth court a written report of compliance with the order. No records, however, may be destroyed without the approval of the director of the Department of Archives and History.

When a record is destroyed that contains medical or mental health documents, these documents should be placed in a single pack folder with case name/child's name on the label and placed in locked file cabinet labeled "Medical/Mental Health documents from Closed Cases".

I. Client Access to Case Records

Service recipients or their designated legal representatives may access their case records, consistent with legal requirements. (*See* MISS. CODE ANN. § 43-21-261) The identity of the reporter should be removed.

The following documents, which address case file access, shall be provided to clients, as appropriate.

- Notice of Parent/Guardian's Rights – Investigation
- Notice of Parent/Guardian's Rights – Prevention/Protection

- Notice of Parent/Guardian's Rights – Placement Cases
- Client's Grievance Procedure

Reviews of case records by service recipients shall be:

d. conducted in the presence of DFCS personnel on DFCS' premises; and
e. carried out in a manner that protects the confidentiality of family members and others whose information may be contained in the record.
f. Service recipients may be allowed to add a statement to their case record.

If DFCS determines that it would be harmful for a service recipient to review his/her case record, and if applicable law provides no guidance on case record access, then:

c. DFCS Division Director/ Designee shall review, approve in writing, and enter into the case record the reasons for refusal; and
d. procedures shall permit a mental health professional to review records on behalf of service recipients**, after securing an order from the Youth Court specifying the particular information to be disclosed**, and provided the professional signs a statement that the records are confidential and information determined to be harmful will be withheld and/or the names of reporters have been removed.

J. Case File Procedures

Each child in DFCS custody shall have a five (5) section (ten (10) sided) file folder.

Original documents (including documents that require signatures) shall also be filed in the regular two (2) section (four (4) sided) parent/guardian's case file.

All case files must contain required documents as discussed below in "Service Case Record". Additional documents are required for the case files of children in the custody of DFCS. These are outlined in the following material.

Most case entries and documentation will be found in the MACWIS file. Necessary items, such as documents requiring signature, correspondence, court orders, medical/psychological reports, and school records will be contained in the paper file.

5. Single Pack Case Folder

Material related to a one-time only emergency expenditure of funds or unsubstantiated investigations that contain medical/psychological reports or any other correspondence including Clients Rights and Responsibilities will be filed in a single-pack case record folder.

A completed unsubstantiated investigation is located in the MACWIS system and shall not be printed and filed in a file folder unless requested for a case review, etc.

Left Side:

- Intake information such as medicals completed during the investigation or Initial Safety Plans should be filed from bottom to top in chronological order.

Right Side:

- Signed copies of all Rights and Responsibilities forms and Safety Checklist. All other forms should be filed from bottom to top in chronological order. Any other document or form pertinent to the individual case but not listed above should also be filed on the right side.

6. Parent Case File Folder

All material should be attached in a twin-pack folder (two (2) sections, four (4) sided file folder) and arranged or filed uniformly in the case record in the order described below:

c. First Section:

Left Side: **Legal Material/ Investigation**
Material attached to the left side of the first section should be arranged as follows, from the bottom up, in chronological order (most recent documentation on top):

- Court orders
- Court social summaries
- Investigation Report
- Foster Care Review Reports
- Foster Care Review Invitations

- Copy of the signed Safety Plan
- Other legal documents

Right Side: **Agency Forms**
Material attached to the right side of the case folder, bottom up, in chronological order (most recent documentation on top), shall include:

- Comprehensive Family Assessment (CFA)
- Family Service Plans (FSP)
- Rights and Responsibilities
- Grievance Form
- Temporary Assistance for Needy Families (TANF) forms

d. Second Section

The following forms and documents shall be filed from the bottom up, in chronological order (most recent documentation on top) shall include:

Left Side: **Correspondence**

- Family Team Meeting Letters
- Confidentiality form for Family Team Meetings
- Any correspondence regarding the family

Right Side: **Miscellaneous**
Material pertaining to the entire family unit should be attached in the case record on the right side of the second section in chronological order and as applicable to each case.

- Any certificates of completion
- Medical records
- Mental health records
- School records for children

7. Foster Child's Case File Folder (five divider, ten sided)

f. First Section

Left side:

- Birth certificate
- Social Security card
- Medicaid/Insurance card
- Photographs
- Eligibility form

Right Side:

- Any necessary screen prints from MACWIS
- Comprehensive Family Assessment
- Family Service Plan
- Form MDHS-SS-459, Surrender of Parental Rights and Consent to Adoption to the Department of Human Services
- Form MDHS-SS-459A, Mother's Statement Naming Father of Child
- Form MDHS-SS-459B, Mother's Statement about Unknown Father
- A copy of the completed/signed TPR Checklist shall be filed in the case file.

g. Second Section

Left Side:

- Foster Care Review Invitation Letters
- Foster Care Review Reports
- Court orders
- Court reviews
- Correspondence with the court/ other legal papers

- Referral for Termination of Parental Rights or Request to Accept Voluntary Consent to Adoption
- Court/ Social summaries

Right Side:

- MSDH 913, Medical and Social History
- MSDH 914 and 915, Affidavits of Disclosure
- Background information on natural parents of child to be released for adoption
- Notification letter to persons being named in the Central Registry as perpetrator
- Durable Legal Custody Agreement

h. Third Section

Left Side:

- Child's medical record
- Obstetrical and newborn record
- Copies of all medical Information
- Psychological reports
- Dental records

Right Side:

- Application for SS/Disability
- Clients Rights and Responsibility (13 and younger)
- Clients Rights and Responsibility (14 and older)

i. Fourth Section

Left Side:

- Interstate Compact on the Placement of Children (ICPC) Application Request to Place Child
- ICPC Summary

- ICPC– Prospective Family
- Any other ICPC correspondence

Right Side:

- School Records
- Consent/ Authorization forms

j. Fifth Section

Left Side:

- Independent Living (IL) assessment (If applicable)
- IL progress report (If applicable)
- IL stipend request (If applicable)
- Transitional Living documents (If applicable)

Right Side:

- Miscellaneous documents/ other correspondence

8. Resource Home Case Record

When a resource inquiry is screened in and a home study created, an official resource family case file should be created. The original resource file will be kept in the possession of the Licensure ASWS, with a copy provided to the Licensure Specialist, if needed. The resource family case record should be filed in a twin pack folder.

If at any time additional documents are added to the resource family home study process or re-evaluation, these forms will be added to the application checklist and should be filed in the order of the checklist.

c. First Section

***Left Side*:** Re-evaluation material should be attached to the left side of the folder and should be arranged in chronological order from ~~bottom to top~~ top to bottom and should coincide with the order of the Resource License Re-Evaluation Checklist:

- Re-evaluation Checklist
- Home Environment Checklist
- Medical Update (Statement from physician only used in re-evaluation)
- Financial Statement and proof of income
- Verification of Pet Vaccination, if applicable
- Evacuation Plan, if changes are needed
- Disaster Preparedness Plan, if changes are needed
- MDHS Contract Form 457 (signed and dated)
- MDHS Affirmation of Corporal Punishment Form 457A (signed and dated)
- Confidentiality Agreement
- Family Resource Purchase Order Agreement
- Current Marriage, Divorce, and/or Death Certificates, if applicable
- Transportation Checklist with copy of auto insurance, driver's license, vehicle registration, and inspection sticker
- Criminal Background Checks
    - Central Registry check results
    - City Police background check results
    - Sheriff's Department background check results
    - Live Scan application, permission for background, fingerprints, and FBI results
        - If the applicant had hits, a copy of the Justification Letter and approval from Regional Records Review Committee or Fingerprinting Unit
- In-Service Training Certificates or sign in sheets (Each parent must have 10 hours; 12 hours for Specialized homes)
- CPR Training or Certification Renewal Certificate (Certification is required if there is a swimming pool or body of water on the property)
- Re-evaluation Home study printed from MACWIS
- Resource Home Photos, if applicable

Annual re-evaluation documents should be filed in order of the re-evaluation checklist and separated by a tabbed divider labeled Re-evaluation/year.

Right Side: Material attached to the right side of the folder should be arranged in chronological order from ~~bottom to top~~ top to bottom except:

- License Certificates
- Corrective Action Plans
- ANE Investigations (if applicable)
- Notice of Actions
- In-Service Training Invitations
- Other Resource Parent Re-evaluation Correspondence

d. Second Section

Left Side: Material attached to the left side of the folder should be arranged in chronological order, by section, from ~~bottom to top~~ top to bottom:

- Correspondence between the resource family and the Resource Unit
- Invitations to Orientation and Pre-Service Trainings
- Waiver Requests, if applicable
- Expedited Resource Home Packet from COR Worker

Right Side: Material attached to the right side of the folder should be arranged in chronological order, by section, from ~~bottom to top~~ top to bottom and should coincide with the order of the Resource Application Checklist:

- Checklist
- Application
- Family Resource Form
- Directions to the home
- Color photo of family
- Home Environment Checklist
- Medical Form 4404

- Financial Statement and proof of income
- Personal references
- Employer references and Employer Validation
- Verification of Pet Vaccination, if applicable
- Evacuation Plan/Disaster Preparedness Plan
- MDHS Contract Form 457 (signed and dated)
- MDHS Affirmation of Corporal Punishment Form 457A (signed and dated)
- Confidentiality Agreement
- Resource Family Purchase Order Agreement
- Contingency plan, if applicable
- Current marriage, divorce, and or death certificates
- Transportation checklist with copy of auto insurance, driver's license, vehicle registration, and inspection sticker
- Criminal Background Checks (tabbed and labeled)
    - Central Registry check results
    - City Policy background check results
    - Sheriff's Department background check results
    - Live Scan application, permission for background, fingerprints, and FBI results
        - If the applicant had hits, a copy of the Justification Letter and approval from Regional Records Review Committee or Fingerprinting Unit
- Life stories
- MS PATH and Pre-Service Training Certificates or sign in sheets; including Blood-borne Pathogen, CPR/First Aid, Finance and Travel, and Car seat Safety
- CPR Certification, if applicable (Certification is required if there is a swimming pool or body of water on the property)
- Home study printed from MACWIS (tabbed and labeled)
- Resource Home Photos, if applicable

XII. COUNTY ADMINISTRATIVE PROCEDURES AND CONTROLS

County administrative procedures and controls are essential in order for DFCS to have a systematic method of controlling work flow, handling details, and assigning responsibilities to staff. The administrative procedures should eliminate duplication, safeguard records, define responsibilities and make for an easier and smoother flow of work.

Procedures and controls should be consistent in all counties. This does not prohibit a county from establishing additional control methods and procedures. Most counties differ in some respects, but the controls and procedures described in this section are basic and must be followed by all counties.

F. County Administrative File

The county administrative file for DFCS consists of all material relating to administrative reports, personnel, policy and procedure, supplies, equipment and training, and necessary correspondence. Do not file case file material in the administrative file.

As administrative changes occur at the state level the content of the file may change; however, the information should be filed so that all counties are consistent in their filing procedures.

The material within the county administrative file is classified by subject. Relative documents are accumulated in logical categories defined by the organizational structure and type of operation. The following are given as examples, though not necessarily all inclusive.

- Budgets and Accounting
- CQI
- Data Services (MIS)
- Human Resources (Personnel and Training)
- Internal Audit (Program Integrity)
- Grievances (Client and Provider)
- Division Director
- Deputy Administrator
- Prevention Unit
- RD
- Resource/Placement Unit

- Administration Unit
- Protection Unit

G. Subject File System

The subject file system material is arranged alphabetically.

H. Classification of Material

For the purpose of setting up a schedule for the retention and destruction of material, the following classifications are established:

- *Permanent* - Material that is to be retained permanently or until authorization for destruction is received. Instructions for destruction of material will be issued by DFCS as authorized by the appropriate division or department within the state office.
- *Semi-permanent* - Material that is to be retained for three or five complete fiscal years.

For example: Material classified as inactive (superseded by new material or fiscal year ended) at end of SFY 07, (06-30-07) may be destroyed July 1, 2012, if it is five year semi permanent material. Material may be destroyed earlier if so instructed.

- *Temporary* - Material that is to be retained for one full fiscal year. For example: Material during SFY 11 may be destroyed July 1, 2012.

The material retained in the county office should be filed in metal files with each file drawer clearly marked. However, if files are not available and it becomes necessary to file in boxes or other containers, material should be filed by fiscal year and boxes should be clearly labeled to show the material contained therein and the fiscal year to which the material applies and stored in a locked office/room.

I. Listing of Material by Classification

The following are listings of most material in county departments. For destruction of material not on these lists, clearance should be sought through regular DFCS administrative channels.

5. PERMANENT

Authorization signature for payment or certification, Bulletins and Memoranda (Numbered);

Case Records

- Master cards
- Active DFCS case records
- Active Foster Care Home case records
- Inactive DFCS-case records that may have significance in rendering
- Further service to a child and/or his family, and inactive foster care home case
- Records (*See* CASE RECORD DESTRUCTION)
- Historical Reports
- Property Inventory Printout (Current)
- Active Personnel Records
- Civil Defense Plans (Current)
- Bank Signature Cards

6. SEMI-PERMANENT (5 Years)

- Fiscal journals and ledgers
- Bank statements and cancelled checks
- Monthly summaries
- Receipt book
- Facility Folders

Other

- Property Management Accountability forms
- Furniture and equipment disposition and change forms
- Special administrative or service account records unique to a county

7. **SEMI-PERMANENT** (3 Years)

- Administrative Reviews (State and Federal)
- Annual Reports (County and State)
- Audit Reports
- Burglary and Theft Reports
- FNS Disaster and Emergency Reports
- Special Programs (Local)
- Workers' Compensation Claims

8. **TEMPORARY** (1 year)

- Budget Information
- Non-Medicaid Travel Vouchers
- Purchase of Service (Contracts and Monitoring Reports)
- Statistical Reports
  - Monthly, Quarterly, Semi-Annual and Annual Reports
  - Time Studies
- Computer Printouts
- Complaint log
- Conferences
- County Activity Records
- Area Supervisory Reports
- Personnel Documents
  - Employee Time Record
  - Inactive Personnel Record
  - Insurance
  - Outside Employment Approval and Terminations
  - Recommendations for Personnel Action
  - Retirement

- Staff Allocations and Interviews
- Public Relations Information
- Requisitions (Forms and Supplies)
- Staff Development Minutes
- Volunteer Plans and Reports

j) Cross Referencing

A cross reference is an entry made on another form telling under what name, subject, or number the documents are filed and the location of like papers cards/records.

There are two types of cross reference forms:

- Tabbed Cross Reference Form - This is a permanent cross reference, used when the papers are filed in one place but reference may be made under other captions; for example: name changes, names of subsidiaries, etc. Crimson labels are used on this form.
- Card Cross Reference - This is a card index necessary where the amount of cross reference usually is heavy and a complete or cumulative cross reference must be kept on file. The card index to subject files is referred to as the relative index.

k) Filing

Check the labels carefully for the caption which corresponds to the coding on the label. File the papers in correct sequence in the folder and fastened in the folder at this time. Eliminate duplicates when filing.

l) Folder Labels

A folder label must include the complete caption that identifies the contents of the folder. The caption is typed in the order in which the words are considered in filing. Use no punctuation. In name captions use single-space only between indexing units.

Never abbreviate the first and second filing units. Use abbreviations for other filing units only when necessary. Develop and use standard abbreviations consistently. Crimson labels are used as visible cross references. When a file is set up using crimson labels, any other distinctive folder color should be selected for the cross reference labels.

The major subject is always typed in upper case (all capital letters) and the secondary and remaining subjects in upper and lower case. Name file labels are typed exactly as indexed for filing: surname, then given name, and initial. Index cards are typed identically to folder labels.

m) Miscellaneous File

All correspondence should be checked with the master index rile and the miscellaneous file. Correspondence relating to established case records (active or inactive) should be filed in the case folder.

All correspondence which does not refer to the established files should be filed by name of the person about whom the letter is written or by subject in alphabetical order using one 26-division set of A - Z guides with matching miscellaneous folders.

Material related to particular persons who are not major program applicants or recipients but may have applied for services may be filed in the miscellaneous file. No information relevant to an actual open case for any program should be placed in this file.

Individual folders should be set up by name when correspondence on any one person reaches five or more pieces of paper. Miscellaneous file material may be destroyed after three state fiscal years. A separate miscellaneous file should be maintained in each county DFCS office.

n) Case Record Folder Standards

Case records shall be set up and maintained on the basis of the following:

- Individual folders: To maintain the uniformity of filing arrangement with the transfer of records between counties and to allow for the use of the same folder in the county receiving the transfer, it is necessary to have a standard for individual folders.

The folders, including parent and child folders, are letter-size (8 ½ x 11), guide height with tabs all in center positions. Specifications of folder: Extra heavy 10 ½ to 11 ½ point brown stock with reinforced tab.

o) Labeling Active Cases

Active file folder labels are plain white and should be set up as follows:

- The first word on the label is the letter under which the folder is to be filed.

- It is typed and arranged just as the names are to be considered in filing. For example, Joseph M. Washington is. filed under Washington, ~~then Joseph, then M; therefore, the label is typed~~ and typed as follows with the number of children in the case in parenthesis.
    - WASHINGTON, JOSEPH M. – (# of children)

p) Labeling Foster Child's File Folder

When labeling a child's file folder the parent/primary caretaker's name is typed first, followed by the child's name and date of birth.

- WASHINGTON, JOSEPH M.
  Moore, Sally (D.O.B. 9-10-04)

q) Labeling Inactive File Folders

To promote the withdrawal of records for destruction a gummed label or a removable signal shall be placed on the right back shoulder of the folder at the time the record becomes inactive. The inactive record may be placed in the inactive file.

The colors of the labels designate the year in which the records become inactive. The colors to be used for each year are as follows:

Colors	From	Through
Green	July 1, 2010	June 30, 2011
Yellow	July 1, 2011	June 30, 2012
Blue	July 1, 2012	June 30, 2013
Black	July 1, 2013	June 30, 2014
Brown	July 1, 2014	June 30, 2015
Orange	July 1, 2015	June 30, 2016
Green	July 1, 2016	June 30, 2017
Yellow	July 1, 2017	June 30, 2018
Blue	July 1, 2018	June 30, 2019
Black	July 1, 2019	June 30, 2020
Brown	July 1, 2020	June 30, 2021

Red Labels will be used to designate permanent file folders. If, at a later date, the permanent status of the file changes and the case has been closed, place a label on the case or destroy it based on when the case was closed.

r) Classification and Filing Case Folders

Case record folders should be filed in fire resistant file cabinets. Each ASWS or his designee shall determine the filing plan to be used by the county office.

Case records are to be filed alphabetically based on the filing plan developed by the ASWS/designee. The guidelines given below are to be used for all DFCS case records, including Resource:

DFCS Case Records (Including Resource):

3. Active case records - Active case records are those for individuals or families currently applying for or receiving services, or who have an open DFCS Resource Case Record.

4. Inactive case records - Inactive case records are those for individuals or families who have applied for or received services and the application was rejected or the case closed. Includes case records of unsubstantiated reports of neglect and or abuse, and rejected applications for or closed case records of DFCS Resources.

Work Files

A temporary work file should be set up to assist the Worker in gathering initial case information prior to transferring the information to an official file. The case record for an application or an investigation which has not been officially set up and on which a staff member is actively working may be filed in an individual Worker's "work files." Also, all files should be kept in alphabetical order and maintained in a locked file in a Worker’s office.

Restricted Records

All case records of employees must be kept in a restricted file. DFCS RD or his designees may qualify other case records to be placed in the restricted file. In the case of permanent charge-out, a cross reference sheet shall be filed in the regular place of the record.

J. Issuing and Control of Case Records

It is imperative that strict control be maintained over all case records. The DFCS RD or his designee shall develop a plan to ensure control.

The place for all case records is in a locked file; under no circumstances is any case record to be left out of a file overnight. No record shall be removed from the county except as outlined in material on confidentiality set out in this section.

When a case record is removed from the file, active or inactive, a pocket guide will be inserted in place of the record in the file.

7. Case Record Charge Out Procedure for Closed Cases

A charge-out procedure for the issuance of records from the closed files is necessary to insure control of records, to prevent misplacement of records, and to keep informed at all times of the location of the records in the event the records are wanted by another user.

The staff member who requests a case record from the file is responsible for knowing the whereabouts of the case record. The staff member will request a case record from the staff member designated the responsibility for control and issuance of case records. The clerical staff member will remove the case record, and file the charge out card in the record's place in the file with documentation of the staff name and reason the file has been checked out.

The ASWS/designee is responsible for developing a procedure for issuance of case records. This procedure must insure that staff members retain case records only for the period of time that they are actively working on the case.

Deviations from these principles will be allowed when all active case files are located in the Worker's offices. All files whether active or inactive shall be located in locked filing cabinets.

8. Control of Case Record

The procedures to be followed in the filing, transfer, retainment, and classification of case records are outlined below.

9. Transfer Within the County

When a case is transferred from one Worker to another within the same county, the assigned Worker completes the transfer summary and any other necessary tasks in the MACWIS system, and routes it to the ASWS. The ASWS will review the case and reassign it to another direct services Worker.

10. Transfer Out of County

When a client who is receiving services (not court ordered) from DFCS moves from one county to another, the worker should ascertain the need for further services and if there is a need, the worker should write a transfer summary in the MACWIS system and the ASWS should notify the new county's ASWS regarding the case status and transfer the MACWIS case to that county. The paper case record material should be sent by first class mail to the county where the client has moved.

11. Resource Family Relocation

See Section F (Licensure)

12. Family Moves Out of State

See Section F (Licensure)

XIII. CODE OF ETHICS FOR CHILD WELFARE PROFESSIONALS

F. Children and Parents' Natural Rights

Society values each child's natural right to have basic needs for survival and development met and each child's natural right to live with his/her parents. Society also values each parent's natural right to rear his/her child, but through its child welfare laws, defines certain situations in which the parent's rights can be limited so that the child can be protected.

Society delegates to the child welfare field and to those who become members of the field the authority to intervene in the lives of families with the goals of ensuring the safety of abused and neglected children, assisting parents in meeting minimum parenting standards, and planning alternative permanent care when parents are incapable of or unwilling to meet those standards.

G. Society's Representatives

Child welfare professionals are society's representatives in its attempts to meet the needs of abused and neglected children and their families. The authority delegated to them to intervene in the lives of families is accompanied by the responsibility to act in a professional manner. The Code of Ethics for Child Welfare Professionals is the public acknowledgment and acceptance of that responsibility.

It sets forth the values and ethical principles which form the foundation of the child welfare field and is intended to guide practice decisions both within DFCS and private agencies with which it contracts. It is also a statement of shared commitments held by professionals working to improve the child welfare field and our promise to our clients and to society that we are worthy of their trust.
(*See* http://www.socialworkers.org/pubs/code/default.asp).

H. Multiple Codes of Ethics Apply to Professionals

The national Association of Social Workers (NASW), the professional organization for social workers, has created a Code of Ethics for its members. This Code of Ethics is also used by agencies as a guide for ethical practice for child welfare professionals. This Code can be accessed at http://www.socialworkers.org/pubs/code/default.asp. The expectation for DFCS employees is to adhere to the NASW Code of Ethics in all dealings with clients, co-workers, and other professionals.

Licensed social workers are bound by professional standards in the Social Work Licensing Statues in Mississippi (MISS. Code ANN. 73-53-1) and the Rules and Regulations Regarding the Licensure of Social Workers and Marriage and Family Therapists – (http://www.swmft.ms.gov/swmft/web.nsf). Also, see MDHS AP-27 Code of Ethics.

I. Conflict of Interest

MDHS AP-23 "Conflict of Interest", pursuant to the policies and procedures promulgated by the Mississippi State Personnel Board, requires that state employees must avoid using, or appearing to use, an official position for personal gain, giving unjustified preferences, or losing sight of the need for efficient and impartial decision making in the state's operation. No act should be committed which could result in questioning the integrity of state government.

Employees must not use their official position to secure privileges or advantages for themselves; must not, in their official capacity, act in any matter in which they have personal interest that could in the least degree impair their objectivity; must not accept any gift or favor of a nature to imply any obligation that is inconsistent with the free and objective exercise of their professional responsibilities.

An employee shall not individually or through an interest in any corporation, organization, business, or other entity be a contractor, sub-contractor, or vendor with MDHS. Preferential treatment must not be given to any members, community partners, advisory groups, and consultants as well who apply for DFCS services.

Conflict of interest is addressed in several different places to ensure that employees are aware of all of the above information. See the following for comprehensive conflict of interest policy:

- MDHS AP-23, pages 1-4 of attachment
- MDHS AP-27 (Code of Ethics)
- MDHS AP-51 (Anti-Nepotism)
- MS State Employee Handbook, pages 5-6 of attachment

Mississippi State Personnel Board-Policy and Procedure Manual:
http://www.spbrez.ms.gov/SPB%20Documents/SPB/Policy%20Proc2010/MSPB_PPM_100110.PDF

Mississippi Department of Human Services-Subgrant Manual:
http://www.mdhs.state.ms.us/dpi_subman.htm

J. Restriction of Staff in Handling Certain Cases

Due to the nature of DFCS cases, DFCS staff are restricted from handling certain cases. No member of the county staff, including the ASWS or Worker will be assigned an investigation or a service case when the service recipient is related to the staff member by marriage or by whole or half blood to the third degree.

No member of the county staff, including the ASWS or Worker will be allowed to take the application for licensing of a Relative Resource Home, to determine the eligibility, to conduct the home study, to be assigned the case, re-evaluate or participate in the decision-making process regarding the placement in or the removal of the children from the home. Even if the relative is within a lesser degree of relationship or the person is a close friend who has applied for services, the case must be assigned to another Worker.

When the situation arises that the ASWS is the staff person related to the recipient of services of Resource Parent, the RD or designee will act as the ASWS for that case. If the case is a Resource Home, the RD or designee will act as the ASWS for all aspects of the placement or removal of children in that home.

XIV. ANTI-RETALIATION POLICY

A “whistleblower” is an employee of a business or government agency, who reports alleged unethical behavior to people or organizations that have the power to correct the action. The misconduct is usually a violation of a law, rule, regulation, or a direct threat to public interest, such as: corruption, embezzlement, sexual harassment, or breach of confidentiality. Anti-

retaliation policy is policy that protects employees being subjected to fear tactics as a result of reporting such misconduct.

In accordance with the MDHS Ethics Policy (AP-27), employees of DFCS should report alleged unethical behavior that could affect the integrity of DFCS. Any employee reporting unethical behavior shall have his/her identity kept confidential. No employee will be subjected to retaliation (i.e. being fired, demoted, or transferred, subject of demeaning communication; or "internal exile.") due to his/her compliance with the MDHS Ethics Policy.

Reports of retaliation toward employees as a result of reporting ethics policy violation shall be fully investigated. If evidence of retaliation is found, the retaliating party will be subject to the Mississippi State Employee Handbook rules and regulations regarding disciplinary action. During the investigation of any report of employment-related retaliation against an employee, the supervisor receiving the report shall determine whether such allegation is baseless and include such determination in the written report.

If an employee feels that he/she has been subjected to retaliation due to reporting misconduct, he/she should notify the supervisor of retaliating party. If the employee does not receive resolution after reporting the retaliation to their supervisor, the employee should inform the next level of supervisor in command. The employee may continue to report the retaliation to each level of supervisor until the report reaches the Executive Director. The Executive Director's response to the report is final. The employee will need to keep a copy of detailed verification of submission of the report to each level of supervision. DFCS shall maintain the anonymity of any reporter of misconduct.

B. Steps for Reporting Retaliation

Step 1: Employee shall report the incident of retaliation to the retaliating party's supervisor, orally and in writing, within seven (7) days of becoming aware of the retaliation. The retaliating party's supervisor will have three (3) working days to answer the report in writing.

Step 2: If the matter is resolved by the employee's supervisor, no other action will be taken.

Step 3: If the employee's supervisor does not resolve the matter, the Worker may submit a written description of the retaliatory incident and the supervisor's response. The supervisor is required to give a written decision within three (3) working days.

Step 4: If the employee is not satisfied with the first supervisor's written decision, the employee may report the retaliation to the second level supervisor in command of the retaliatory incident within three (3) working days of receiving the written response.

Step 5: The second level supervisor is required to conduct an investigation of the conduct and to meet with the employee within three (3) working days of the report. The second level supervisor is required to give the employee a written response within three (3) working days of the meeting.

Step 6: If the matter is resolved by the second level supervisor, no other action will be taken.

Step 7: If the employee is not satisfied with the response from the second level supervisor, he/she should report the retaliation to the third level of supervision or designated representative in writing within three (3) working days of receiving the response from the second level supervisor. The third level supervisor is required to investigate the matter and to meet with the employee within three (3) working days of receiving the report. This supervisor is required to give a written response within three (3) working days of the meeting with the employee.

Step 8: If the matter is resolved by the third level of supervision, no other action will be taken.

NOTE: When there is no next level of supervision, the Executive Director or designated representative would be the next person to receive the report.

Step 9: If the employee is not satisfied with the response of the three (3) levels of supervisors, he/she may report the retaliation to the next level of supervision or designated representative within three (3) working days. The fourth supervisor is required to review the report and relevant information and meet with the employee within three (3) working days of the report. The Executive Director is required to present a final answer within ten (10) working days after the meeting.

Step 10: If the employee is a State service employee and not satisfied with the DFCS's final answer by the Executive Director, the employee may file an appeal with the Employees' Appeal Board.

XX. FINANCIAL MANAGEMENT

X. Financial Management

DFCS strives to ensure that all financial practices achieve operational effectiveness, efficiency, accurate reliable financial reporting, and compliance with applicable laws and regulations.

Y. Division of Family and Children's Financial Responsibilities

f. DFCS works in collaboration with the Division of Budgets and Accounting to propose an annual budget and any revisions to that budget,

g. reviews fiscal summaries at least quarterly to evaluate expenditures against revenues,

h. ensures that budget-to-actual variance analyses are performed after year end numbers are finalized,

i. reviews fiscal policy and the recommendations of the organization's auditors and

j. annually evaluates the executive directors management of the organization's fiscal affairs.

These responsibilities extend beyond the State Office and into the county financial responsibilities. These responsibilities include utilizing the county bookkeeping system through MACWIS and the County Clerical Handbook (*See* County Clerical Handbook). The only transactions to be processed through this system will be DFCS funds that are received and disbursed. The purpose of the clerical handbook is to provide clerical and management staff a guide for the county bookkeeping system. This guide includes bookkeeping, purchasing, and property procedures.

Z. Internal Control Environment

DFCS will have an internal controls system that is responsible for the following:

g. reviews by the State Auditor's Office

h. management review by more than one individual

i. assurance that management directives are carried out

j. prevention of error, mismanagement, or fraud

k. safeguarding and verification of assets

l. segregation of duties to the extent possible

These responsibilities are included within the Internal Controls Plan and Assessment, which includes a written mission statement and a Code of Ethics. The mission is to "provide services for people in need by optimizing all available funds."

AA. Financial Risk Assessment

DFCS will annually evaluate the organization's financial capacities, risks, and resources needed to provide services.

BB. Stable Predictable Revenue

DFCS will pursue stable, predictable sources of revenue through diversification and balance in funding streams consistent with our mission, purpose, and programs.

- County Funds Adult
- County Funds Child
- Regional Funds
- State Funds

CC. Financial Planning

Planning for the current fiscal cycle is organization-wide and involves all the necessary staff members.

7. an annual budget serves as a plan for managing DFCS's financial resources
8. the budget planning process includes participation of management and other relevant MDHS participants based on:
    - direct and indirect operating expenditures
    - contractual requirements
    - performance improvement data
    - changing costs and conditions
    - anticipated revenue for the program year
9. the executive director reports to the Legislature on the organization's finances including:
    - current financial status and any anticipated problems
    - financial planning and funding alternatives
10. financial information is routinely analyzed and the information includes:

- a monthly analysis of financial performance against budget projection with budget-to-actual variance analyses performed on interim financial statements of activities
- service revenues and actual service delivery costs
- an annual inventory of significant assets

11. the organization conducts a cost analysis of its various services and can identify
    - the fixed and variable costs of each unit of service at each program and service delivery site
    - the average costs or charges of treatment for identified groups of consumers
    - the contribution of services to the overall revenue base
12. the cost analysis is conducted at intervals established by the organization. The information is used to :
    - analyze operational effectiveness and efficiency
    - monitor trends, current experiences and changes in costs
    - contract
    - budget for the current fiscal cycle

DD. Financial Planning for Children

The Worker should make a financial plan for each foster child at least every six months. If the child is placed outside the COR, the plan must be a joint venture by both counties. A financial plan is a document that reflects the needs of the child which require expenditure of funds. These funds may include but are not limited to, allowances, clothing, therapy, school needs, health needs, dental needs, uniforms, church trips, club dues, and etc.

EE. Financial Assistance Requests

Request for financial assistance for DFCS employees, family members of DFCS employees or DFCS student interns must be routed through the supervisory chain of command by telephone or email to the Director of Field Operations or DFCS Division Director for final approval.

FF. Financial Accountability

DFCS is accountable for the management of its finances to the Legislature, the community, and applicable regulatory bodies.

3. DFCS provides an annual report of fiscal, statistical, and service data that includes summary information regarding its financial position.
4. the Executive Director's office and other relevant divisions of MDHS
    - meets with the independent auditor to review the findings of the audit, accompanying financial information, and any accompanying management letter
    - reviews and formally accepts such reports by the date requested by the auditor
    - works in partnership with the executive director to promptly act on recommendations

GG. Financial Management System

Positive financial outcomes are achieved through a financial management system that receives, disburses, and accounts for funds consistent with sound financial practices.

13. Annual financial statements are prepared in accordance with Generally Accepted Accounting Principles.
14. MDHS reporting system is capable of providing information that:
    - is useful in making business and economic decisions
    - is understandable and will aid in predicting future cash flows
    - includes data about the DFCS's economic resources, claims to those resources, and the effects of transactions, events, and circumstances that change resources and claims to resources
15. Accounting practices and procedures include:
    - prompt, accurate, and complete recording of revenues and expenses
    - an inclusive and descriptive chart of accounts
    - information on all funds, including source information and pertinent regulations
    - timely payment of financial obligations
    - policies for recognizing revenues and expenses
    - disbursement and receipt of monies
16. MDHS seeks to conserve its fiscal resources by:
    - taking advantage of tax exemptions, where applicable
    - maintaining sound practices regarding purchasing and inventory control

- coordinating the purchase of goods or services among internal divisions
- using competitive bidding, when applicable, according to governing body policy and law or regulation

17. Accounting records are kept up-to-date and balanced on a monthly basis, as demonstrated by:
    - reconciliation of the bank statements and subsidiary records to the general ledger within the MACWIS system
    - up-to-date posting of cash receipts and disbursements
    - monthly updating of the general ledger
    - review of the bank reconciliation by at least two personnel in the county office, one of whom is not involved in maintaining the accounting records
18. The organization uses the accrual method of accounting, at least at the end of the year.
19. Oversight and management of the organization's accounting system require:
    - a fiscal officer or clerk who is responsible for maintaining the financial accounts who has prior accounting and bookkeeping experience, and/or an accounting degree, C.P.A. credential, or other recognized accounting/financial certification as appropriate to the size and complexity of the organization
    - all personnel who use the system to receive initial and ongoing training on its use
    - a proper audit trail
    - secure access, controlled by user ID's, passwords, and permissible logon times
20. Where applicable, the organization makes timely payments to, or provides proof of exemption from , the following taxing authorities:
    - the Internal Revenue Service
    - state and local employment tax bodies
    - FICA
    - property tax assessors
21. MDHS assumes fiduciary responsibility for client funds, or disburses client or non-fee-for-service recipients:
    - segregates client funds
    - complies with applicable legislative, regulatory, judicial, and governmental requirements

22. MDHS provides services as a vendor and has established safeguards against over- and under-billing that include:
    - an accurate account of units of services provided
    - timely submission of invoices and required documents
    - compliance with applicable regulations
23. The network management entity:
    - has a process for verifying the accuracy of network services billed by subcontracting service providers
    - maintains a formal mechanism through which subcontracting providers can appeal payment denials and that includes timely written notification of the resolution and an explanation of any further appeal, rights, or recourse
24. Contracted providers are informed in a timely manner if delays in payment of the network by the purchaser may result in delays in payment to providers

HH. Department of Finance and Administration Policies

The DFA polices are documented in the Mississippi Agency Accounting Policies and Procedures (MAAPP) manual and can be accessed through the state website at www.ms.gov. The polices within the MAAPP manual have been developed to assist state agencies with the operation of the Statewide Automated Accounting System (SAAS) and other state accounting issues. Documented in the manual are fiscal policies, accounting principles, controls, operating procedures, and reporting requirements.

This manual assists management of state agencies by:

- Describing the methods for processing accounting information within and between state agencies;
- Documenting the state accounting process required so that the execution of the procedures is not completely dependent on an individual;
- Providing a training device and reference material for operating an supervising personnel;
- Providing a source of information to help eliminate uncertainties and confusion by spoken communications;
- Ensuring consistent applications of accounting policies and procedures;

- Describing the principles, procedures and forms to be used to generate statewide financial statements prepared in accordance with generally accepted accounting principles.

II. County Bookkeeping System

5. General Instructions

The County Bookkeeping System will be used in all counties handling DFCS Funds. The only payments to process through the system will be DFCS Funds received and dispersed. No other funds are to be processed through this account.

6. Fund Account

The County Bookkeeper will maintain two (2) separate bank accounts in MACWIS which is used to deposit and disperse funds. In the main account are the following ledger cards:

- County Funds Child
- County Funds Adult
- Designated Donations
- Undesignated Donations
- Child's own Funds-Child Support
- Child's Own Funds-Special

The second bank account is used for foster children who receive funds from the U.S Treasury (SSI & SSA) only.

This account will contain the following ledger cards for foster children:

- Child's own Funds-SSI (SSI, Railroad, Insurance)
- Child's Own Funds-SSA
- Child's Own Funds-Dedicated

If a child is placed in a Long Term Residential Treatment Facility, and a child receives SSA funds, the county office is to retain $44.00 of the child's funds and the remainder is to be sent directly to the Long Term Treatment Facility where the child is placed. If the SSA funds which the child receives are $44.00 or less, no funds are sent to the facility and the county office should

retain all funds. If the child receives Child Support Funds the same applies. The county is to retain $44.00 of the child's funds and the remainder is to be sent directly to the Long Term Treatment Facility where the child is placed. If the Child Support Funds are $44.00 or less, no funds are sent to the facility and the county office should retain all funds. ~~These funds must be deposited into Child's Own Funds Special to avoid being tagged for a board payment. Child Support funds that are received in excess of $44.00 shall be deposited in Child's Own Funds-Child Support. Child Support funds received that are less than $44.00 shall be deposited in Child's Own Funds- Special. SSA funds that are received in excess of $44.00 shall be deposited in Child's Own Funds-SSA. This is the only time SSA funds are deposited into Child's Own Funds- Special.~~

If a foster child receives a lump sum payment or back payment Social Security requests that we set up a separate account for these funds. Follow instructions from the Social Security Administration for handling of these funds.

Bank Reconciliation

Both bank accounts shall be reconciled monthly by the DFCS Clerk/Bookkeeper or designated DFCS employee. The ASWS/designee shall review, approve and sign/date the bank account reconciliations (bank statements & MACWIS reconciliations). Bank statements and reconciliations should be signed by the DFCS Clerk/Bookkeeper or designated DFCS employee and the ASWS/designee and forwarded (Scanned or faxed) to the DFCS Budget and Financial Planning Unit by the 10th, no later than the 15th of the following month. ~~Signed/Dated bank statements and reconciliations must be forwarded (scanned) to the DFCS Administration Unit no later than the 15th of the following month~~.

Note ~~Exception~~: The June bank statement must be received by the 10th of the following month with no exceptions.

Releasing SSI/SSA/Child Support Funds

When a child is released from the custody of DFCS and there are SSI/SSA funds remaining in a child's account, all funds are to be disbursed back to the Social Security Administration after all outstanding bills are paid. Under no circumstances shall the ASWS/worker release funds to a child or caretaker when there are SSI/SSA funds remaining in the child's account. ~~A hand receipt is required for all funds released.~~

Foster children who leave the custody of DFCS and have funds remaining in their individual account(s) must have the funds returned after all outstanding bills are paid.

Excess funds remaining in Child's Own Funds-Child Support may be released ~~returned~~ to the child's legal guardian ~~parent~~ or caretaker after all outstanding bills are paid. If the child has been emancipated by the court, funds may be released to the child after all outstanding bills are paid. ~~A hand receipt is required for all funds released.~~

Cash Receipts/Donations Log

All checks, direct deposits, cash, donations of goods must be logged in on the appropriate log daily. The ASWS/designee is required to review and approve both logs each month. The DFCS Clerk/Bookkeeper or designated DFCS employee and the ASWS/designee ~~will~~ shall sign and date the approved cash receipt log and donation logs ~~for donations~~. Both logs shall ~~are to~~ be submitted monthly to the DFCS Budget and Financial Planning Unit, ~~Administration Unit~~ along with the bank reconciliations.

Any donations (by cash, check or goods) received in the county office from churches, civic clubs, organizations or individuals should be issued a receipt by the bookkeeper or designee. All donations should be brought to the county office by the donor(s) and logged in the Donation Log. Checks for donations can be mailed to the county office. No DFCS worker (including Family Protection Workers, Family Protection Specialists, clerks, homemakers, ASWS and Regional Director should receive donations (cash, checks or goods) in the field.

Under no circumstances shall any DFCS employee receive donations (by cash, check, or goods) for personal use; all unused donated items shall be returned to the person or entity that the donations were received from.

7. Use of Funds Approval

A request for service funds will designate which funds are to be dispersed. A service request must be made by the COR Worker in MACWIS and approved by the assigned ASWS/designee. All service requests must be entered in MACWIS before goods/services are purchased and must contain a detailed justification of why services are needed entered in the text box of the service request screen. Approval by the ASWS/designee shall not be given without a detailed justification. All service requests should be made separately according to type of service and child/client. ASWS/designee shall not approve a service request that contains 2 or more services needed or a request that is for 2 or more children/clients.

8. Checks

A check must not be written until proper approval is given by the ASWS/designee in MACWIS. Checks for services from Regional and State Funds are not to be written and issued until reimbursements for those requests are deposited into the county's main operating bank account,

unless, there are extenuating circumstances which are deemed an emergency by the ASWS and/or RD. The funds must be available in the main operating bank account. The only exceptions are:

- Payments to Treasury, State of Mississippi for overpayment of State/Regional funds as indicated on the check disbursement report; attach the check reimbursement report and/or any supporting documentation to the check.
- Payments to the Treasury, State of Mississippi, for reimbursement of board payments using the child's funds; attach the check reimbursement report and/or any supporting documentation to the check.

The above two payments do not require itemized receipts or hand receipts. The cancelled check will serve as the receipt.

Checks require two approved signatures consisting of the ASWS and worker(s) who are on the bank account signature card. Only the ASWS and Direct Service workers may be added to the bank account signature card. Bookkeepers/Clerks/Homemakers, RDs or other DFCS employees cannot sign checks or be on the bank account signature cards. Workers who are listed on the bank account signature card shall be removed immediately when they leave DFCS' employment.

Checks must be handwritten, not typed. Checks are not to be signed unless completely filled out with the date, vendor name, and amounts. A short description of the items/services purchased should be included on the memo line of the check. Workers/ASWS should never under any circumstances sign a blank check. Signed blank checks should never be kept in a county office.

If a check is outstanding for 6 months, the vendor shall be contacted. If there is no outstanding bill or amount owed, the check may be voided. A Stop Payment from the bank shall be ordered. The check shall be voided in MACWIS.

Clerks/Bookkeepers have three (3) days after supervisory approval to issue a check unless it involves an emergency situation.

NOTE: In no instance shall a check be issued to a DFCS employee. DFCS workers shall never endorse a check made payable to a foster child or client.

In no instance shall a check for services be written to a resource parent. They shall be written to vendors only; unless written approval is obtained from the DFCS Budget and Financial Planning Unit.

Confidentiality of checks

To maintain confidentiality of the service recipient/child, to the extent possible, checks should not identify the service recipient/child by name (this excludes checks written to the service recipient/child). The purchase order number and /or the case number/case member number can be used to cross match by notation on the lower left corner of the check.

Voiding Checks

The following steps must be taken to void a check:

- Obtain the approval of the ASWS to void the check
- Write VOID across the front of the check
- Cut out the signature line
- Forward a copy of the voided check to the DFCS Budget and Financial Planning Unit ~~Administration Unit~~ along with the signed copy of the bank account reconciliation; and
- File the voided check with the current bank statement

Deposits

All funds received at the MDHS/DFCS County office must be deposited into the appropriate bank account within twenty-four (24) hours of receipt. The ASWS or his/her designee must review and verify all deposits by initialing and dating the deposit slip.

Copies of all checks/money orders received in the county offices are to be made and attached to the appropriate deposit ticket.

All foster children that receive SSI/SSA benefits must be set ~~signed~~ up for Direct Deposit. It is the responsibility of the Direct Service worker to enroll the child for Direct Deposit.

Proper receipts are defined as follows:

An **itemized** receipt must contain all of the following:

- Vendor's name and address
- Date
- Purchase Order Number

- Itemized list of what was purchased with amount spent for each item
- Signature of person making the purchase
- Signature of the person receiving items purchased (client, foster child or Resource Parent)
- Name of child/client

A **hand receipt** must contain all of the following:

- Name and address of DFCS office
- Check number
- Check amount
- Name of person to whom check is made payable to
- Reason for payment
- Signature of person receiving the check and date received

Receipts are to be returned to the Bookkeeper within **10** days. It is the responsibility of the Direct Service Worker to return the proper receipts to the Bookkeeper in the allotted time.

~~Receipts are to be returned to the Bookkeeper within 10 days. It is the responsibility of the Worker to return the proper receipts to the Bookkeeper in the allotted time.~~

JJ. Support Services

Support services are provided to foster children/clients with a variety of basic needs. They may be provided directly to the client either through DFCS staff, through the purchase of services from providers outside DFCS, or by services provided without cost by other agencies and community providers.

Support services are those services needed, in addition to the Worker direct service. Support services provided must relate to the need of the client as identified through the assessment and service planning process and needed to prevent removal from the home.

The broad categories of support services provided by DFCS are as follows:

6. Personal Needs
7. Medical Needs

8. Mental Health/Counseling
9. Independent Living
10. Referral Services

Note: Under no circumstances shall the vendor for support services be a resource parent, unless prior written approval is received from the DFCS Budget and Financial Planning Unit.

6. Personal Needs include the following services:

o. Initial Clothing

Initial clothing is a one time only service when a child enters custody for the first time. If a child leaves custody and returns to custody, an initial clothing allowance cannot be issued again. If there are extenuating circumstances and a child re-enters custody and is in need of clothing, prior written approval must be obtained from the DFCS Budget and Financial Planning Unit before the service is entered. ~~a child clothing allowance of $80.00 may be issued~~.

Initial Clothing allowance Limits:

Age	Limit
0-2	$100.00
3-6	$140.00
7-12	$200.00
13 & Over	$240.00

An initial clothing allowance is not to be used when a child is moved from one placement to another. The above limits apply regardless of type of funds used.

Itemized receipts are required to be returned to the County Bookkeeper within 10 days for all initial clothing allowances issued.

p. Child clothing

Child clothing allowance can only be used for a child that is in a non-licensed placement that does not receive a board payment, a child that was previously in custody or a child that is placed in a Medicaid (Short or Long Term) Facility. The limit for a child clothing allowance is $80.00 regardless whether you are using Regional, County Funds Child, Child's Own Funds, etc.

~~Child clothing allowance is to be used sparingly and is not a service that is given every month. It is to be used on an as needed basis with written justification notated in the request for service text box in MACWIS.~~

Itemized receipts are required to be returned to the County Bookkeeper within 10 days for all clothing allowances issued.

q. School Supplies

Foster parents receiving a board payment are responsible for providing school supplies for children placed in their homes based on school supply limits.

~~One time only service if needed upon entry into custody.~~ When the child is in a non-licensed placement that does not receive a board payment, school supply limits are based on the foster child's current grade level, regardless ~~whether~~ of using Regional Funds, County Funds Child, or Child's Own Funds, etc.

Kindergarten- 5th grade	$50.00
6th-8th Grade	$40.00
9th-12th Grade	$30.00

Itemized receipts are required to be returned to the County Bookkeeper within 10 days for all school supply allowances issued.

r. Housing, Rent, Utilities

Payment of rent and utilities (water, gas & electric bill), including deposit fees for rent or utilities. The exact service being requested must be specified in the service request text box in MACWIS along with a justification. This is a one time service, however, if additional service is needed due to unusual circumstances written justification is required along with approval from Regional Director.

Itemized receipts are required to be returned to the County Bookkeeper within 10 days for all housing, rent, & utility checks issued.

s. Home Improvement

Purchase of items needed for the home include furniture, appliances, home repair, bedding, cleaning supplies and kitchen items.

Workers cannot purchase beds, cribs, furniture, mattresses for licensed Resource Homes in order to place a child in the home. If the home is licensed, they should have the necessary items for a child to be placed in the home. DFCS may be able to assist a non-licensed relative placement and/or prevention case in an emergency situation with a one time service with the purchase of needed items or services ~~furniture~~.

Itemized receipts are required to be returned to the County bookkeeper within 10 days for all home improvement checks issued.

All furniture/bedding that is purchased by DFCS for a foster child is to be removed from the home at the time the child is removed from the home.

This is a one time service for an Unlicensed Relative Placement up to policy limits or a one time service for prevention cases to prevent removal.

t. Food Needs

Age	Limit
0-1	$100.00 (If formula is needed)
2-5	$75.00
6 & Up	$100.00

The above limits are not per child, they are per household. In the event multiple children are placed in the home, written approval must be obtained for the appropriate amount from the RD.

~~When a child is placed in a relative's home that has not completed the licensing process, DFCS shall provide the child with clothing/personal allowance.~~

Itemized receipts are required to be returned to the County Bookkeeper within 10 days for all food allowance checks issued.

u. Legal Documents

Purchase of legal documents such as birth certificates, death certificates or service of summons.

Itemized receipts are required to be returned to the County Bookkeeper within 10 days for all legal document checks issued.

v. Personal Hygiene Needs

This is a one time service used when a child is placed in custody or for a prevention case management service to prevent removal. Allowable items include:

- Toothpaste
- Toothbrush
- Soap
- Shampoo
- Hair brushes
- Combs
- Lotion
- Deodorant
- Feminine hygiene products
- Diapers
- Diaper wipes
- Shaving items

The limits on personal hygiene are based on age and are as follows:

Age	Limit
0-~~2~~3	$75.00
4 & Up	$50.00

The above limits are per child.

Itemized receipts are required to be returned to the County Bookkeeper within 10 days for all personal hygiene allowances issued.

w. Other Unmet Personal Needs

- Car seat
- Luggage
- Diaper Bags, and
- Any other instances where there is no designated support service listed.

x. Transportation

Transportation is a one time payment for bus tickets and gasoline, unless there are extenuating circumstances that may occur in working with parent/guardian to prevent removal or to reunify children with their families. ~~luggage, car seats, and diaper bags~~.

y. Special Allowances

Up to $100.00 per month, if needed, can be given to a foster child who has a special need that is not met with their board payment or monthly allowance. ~~that is included in their board payment~~. This is not an allowance that is given to a foster child every month regardless if they have their own funds or not. Written justification is required regarding what the special allowance is needed for and why it is needed.

If a foster child is using the special allowance for a trip, a hand receipt is all that is required, however, if a special allowance is given to purchase any other items, itemized receipts are required to be returned to the bookkeeper within 10 days. The check should be made payable to the vendor from which the items are being purchased.

z. Monthly Allowance

Under no circumstances shall counties give a foster child a monthly allowance as monthly allowances are included in board payments to resource homes and facilities.

In cases where the foster child is placed in an unlicensed placement or Medicaid facility DFCS shall be responsible for providing the monthly allowance to the child.

aa. Birthday Allowance

Birthday allowances are based on the age of the foster child and are as follows:

0-2	$10.00
3-5	$15.00
6-12	$20.00
13 & Over	$25.00

The above limits apply regardless of whether you are using the Child's Own Funds, Regional Funds or County Funds Child. For a foster child under the age of 13 the check must be made payable to the Resource Parent and an itemized receipt returned to the bookkeeper within ten days.

For a foster child 13 and over the check should be made payable to the child and a hand receipt is required to be returned within 10 days to the bookkeeper.

bb. Christmas Allowance

Christmas allowances are based on the age of the foster child and are as follows:

0-2	$30.00
3-5	$50.00
6-12	$70.00
13 & Over	$90.00

The above limits apply regardless of whether you are using the Child's Own Funds, Regional Funds or County Funds Child. Regional Funds can only be used if additional monies are allotted by State Office.

For a foster child under the age of 13 the check must be made payable to the Resource Parent and an itemized receipt returned to the bookkeeper within ten days.

For a foster child 13 and over the check should be made payable to the child and a hand receipt is required to be returned within 10 days to the bookkeeper.

7. Medical Needs include the following services:

- Initial medical – completed on all children entering custody
- Unmet needs for hospital, doctor, dentist, nurse, medical technician – when these needs are not paid by Medicaid or private insurance
- Private sitter
- Home health care
- Hospice care
- Maternity home care
- Therapeutic services
- Prescription glasses
- Prescription drugs/medication

- Hearing aids
- Immunizations
- Other unmet medical needs

Itemized receipts shall be returned to the County Bookkeeper within 10 days for all Medical needs.

Prior approval from State Office for the use of state funds is required before any medical services are rendered/ paid. Approval will only be granted for costs above what Medicaid will pay. Workers are responsible for ensuring that each child has Medicaid or private insurance, if applicable, at all times while in care.

8. Mental Health/Counseling includes the following services:

- Psychological evaluation
- Psychiatric evaluation
- Testing/therapy/treatment
- Individual counseling
- Family counseling
- Substance abuse counseling/treatment
- Other counseling services

The above services (Medical Needs and Mental Health Needs) can only be used when a child in custody is not eligible for Medicaid or for a child in custody who is receiving Medicaid and the cost of service exceeds what Medicaid will pay. They also can be used for a child during an investigation or a child in a protection/prevention case if he/she does not have Medicaid or private insurance.

9. Independent Living

c. Independent Living Stipends

The following stipends are available to youth who participate in the Independent Living Program and meet the requirements for each stipend:

- Pre-Assessment Stipend (Initial)

- Post-Assessment Stipend (Final)
- Life Skills Training Stipend
- Youth Retreat Stipend
- Newsletter Stipend
- High School Graduation Stipend
- GED or Certificate of Attendance Stipend
- College Graduation Stipend
- Youth Trainer Stipend

The above stipends require a hand receipt signed by the youth when the stipend is issued.

In addition, the following stipends are available to youth who participate in the Independent Living Program and meet the requirements for each stipend:

- Senior Year Stipend
- College Bound Stipend
- Start Up Stipend

The above stipends require itemized receipts. Also, the above stipends must be issued to the vendor(s). A reimbursement payment may be issued to an individual, including the youth, in the event a purchase was made and proof of payment was rendered.

d. ETV Stipends

- All ETV (Education and Training Voucher Program) monies disbursed require itemized receipts.
- Full time students may receive up to $5,000.00 per year.
- Part time students may receive up to $2,500.00 per year.
- Youth may receive a maximum of $750.00 for computer needs while they are enrolled in school.
- Youth may receive a maximum of $1,000.00 for transportation needs (insurance, repairs, maintenance) while they are enrolled in school.

- Youth may receive $150.00 per month toward off campus housing while enrolled in school.
- Youth may receive a monthly allowance of $150.00 while they are enrolled in school.

The above limits are subtracted from the youth's ETV monies of $5,000.00 or $2,500.00, not in addition to.

10.Informational and Referral services include:

- Housing/shelter
- Energy assistance
- Health/Education Services
- Treatment/Rehabilitation Services
- Legal Services
- Domestic Violence Shelters/Services
- Crisis Counseling
- Home Extension Services
- Civic/Church groups
- Veteran/Military Services
- Other referral services

KK. Purchase Order

A Purchase Order must be used to authorize the purchase of all goods or services. A Purchase Order must be issued in MACWIS based on an approved expenditure by the ASWS or his/her designee. Purchase Orders must be signed by the ASWS or his/her designee, who approved the service and the Bookkeeper. Exceptions: Checks written to the Treasurer, State of Mississippi for board payments and 1412 over payments do not require a Purchase Order.

LL. County Funds Adult

County Funds Adult are funds which may be appropriated by the County Board of Supervisors to the DFCS offices for allocation upon emergency situations to individuals and families in need. Examples of the use of such funds are emergency food needs, utility bills, medication and

housing. Written justification in MACWIS is required and the funds are requested in MACWIS by the Worker for approval by the ASWS or his/her designated appointee.

* Not all counties receive funds from the County Board of Supervisors.

MM. County Funds Child

County Funds Child are funds which may be appropriated by the County Board of Supervisors to the DFCS offices for child welfare services. County Funds Child may be used for a child or on behalf of a child to provide services to his/her family when the purpose is the protection and/or prevention of neglect or abuse of the child. County Funds Child may also be used for a child in DFCS custody. Written justification is required and the funds are requested in MACWIS by the Worker for approval by the ASWS or his/her designated appointee. County Funds Child must be used before Regional Funds, if available.

* Not all counties receive funds from the County Board of Supervisors.

NN. Designated Donations

Designated Donations are funds which are donated locally to DFCS offices by area churches, civic clubs or other organizations. These are donations that are designated to be used for a specific purpose as determined by the donor. Designated Donations cannot be rolled over from year to year and they must be used in a timely manner with the exception of amounts of $10.00 or less. They can only be used when the needs of a child are involved. Written justification is required and the funds are requested in MACWIS by the Worker for approval by the ASWS or his/her designated appointee.

OO. Undesignated Donations

Undesignated Donations are funds which are donated locally to DFCS offices by area Churches, Civic Clubs, other organizations or individuals. These donations are not tagged for a specific purpose; however they can only be used when the needs of a child are involved. Written justification is required and the funds are requested in MACWIS by the Worker for approval by the ASWS or his/her designated appointee.

PP. Child's Own Funds - SSI

Child's Own Funds SSI is Supplemental Security Income that a child in DFCS custody may receive. These funds are received when the child has been diagnosed with a mental or physical disability. These funds are used to repay the state for the child's board payment. The board

payment must be paid from Child's Own Funds- SSI before any other expenses are paid. If funds are left over after the board payment is paid, this money is to be used for any other needs the child may have up to policy requirements/limits. There is a resource limit of $2,000.00 that a child may have in his/her account. If the child's account goes over the resource limit, his/her Medicaid will be deactivated.

QQ. Child's Own Funds – Child Support

Child's Own Funds Child Support is income from a parent(s) that a child in DFCS custody may receive. These funds are used to repay the state for the child's board payment. The board payment must be paid from Child's Own Funds- Child Support before any other expenses are paid. If funds are left over after the board payment is paid, this money is to be used for any other needs the child may have up to policy requirements/limits. There is a resource limit of $10,000.00 that a child may have in his/her account. If the child's account goes over the resource limit, his/her Medicaid will be deactivated.

RR. Child's Own Funds – SSA

Child's Own Funds Other is Social Security income that a child in DFCS custody may receive due to the death or disability of a parent(s). These funds are used to repay the state for the child's board payment. If funds are left over after the board payment is paid, this money is to be used for any other needs the child may have up to policy requirements/limits. The board payment must be paid from Child's Own Funds- SSA before any other expenses are paid. There is a resource limit of $10,000.00 that a child may have in his/her account. If the child's account goes over the resource limit, his/her Medicaid will be deactivated.

SS. Regional Funds

Regional Funds are a combination of Federal ~~Title IV-B~~ and State matching funds budgeted annually and allotted ~~allocated~~ on a quarterly basis ~~annually to each DFCS RD~~. The funds are allocated to each local county based on caseload, availability of local funds and other pertinent factors. Expenditure of these funds ~~is~~ are approved by the ASWS or his/her designated appointee.

Regional Funds may be used only for services to a child or on behalf of a child. Regional Funds may be used for the following:

- on behalf of a child to provide services to his/her family when the purpose is protection/prevention of neglect or abuse of the child. This includes mental health services for a parent/guardian to prevent removal of a child from their home;

- keeping the family intact and preventing out-of-home placement of the child; or
- in the provision of post-placement services.

When provided to or on behalf of a child not in DFCS custody the intent of the provision of the payment service is prevention of out-of-home placement of the child though removal may not be imminent.

Regional funds may not be used for any medical expense of a physical nature for any child. County Funds Child, Undesignated Donations, Child's Own Funds – SSI, Child Support, Child's Own Funds-Other may be used or State Funds may be requested for medical services of a physical nature if the medical service is considered an integral but subordinate part of the more comprehensive service such as Prevention, Protection or Placement. State Funds should only be requested if the medical service is not paid by Medicaid or the cost of the medical service is above what Medicaid has paid.

Regional Funds may be used for Mental Health services such as a psychological or psychiatric evaluation, testing or therapy/treatment for a child upon approval by the ASWS.

Regional Funds may be used only in conjunction with one of the following direct services:

- Protection Services/Child
- Prevention Services
- Placement Services

Written justification in MACWIS for the use of Regional Funds is required in case documentation. The funds are requested in MACWIS by the Worker and approved by the ASWS.

TT. State Funds

State Funds are a combination of specific federal grants and state general funds, which may be requested to pay for services to meet the needs of foster children. These funds are budgeted annually and allotted on a quarterly basis.

These funds are requested by the Worker in MACWIS, approved by the ASWS and is electronically routed to State Office for approval by staff at the state office level prior to expenditure.

Listed below are some of the sources of State Funds and services which they provide. This listing does not preclude the funding of other services determined to be necessary to meet the needs of a client when that need cannot be met by other funding services.

- Unmet Medical Needs (Doctor)
- Unmet Medical Needs (Other)
- Unmet Medical Nurse
- Unmet Medical Technician
- Unmet Medical Dentist

Unmet Medical Needs (other) is for all other instances that are not listed above.

Covered under "Unmet Medical Needs" (medical only) purchase of an initial examination for a child entering foster care is considered automatic and does not require a prior approval if the cost does not exceed $50.00

If the initial examination for a child exceeds $50.00, it will be necessary to request prior approval in MACWIS for the expenditure of funds.

All other state payment services requests for children must be submitted by worker in MACWIS to the ASWS for approval and is routed electronically to State Office for approval by staff at the state office level prior to expenditure. No approvals will be granted for services already performed.

XXI. HUMAN RESOURCES

The SPB governs the Human Resource management of the MDHS, as it does for all state agencies. All personnel processes and procedures shall be made in accordance with the Mississippi State Employee Handbook. This publication can be found on the SPB website: www.SPB.ms.gov.

This employee handbook shall be distributed to all new employees of DFCS as a part of the "New Hire Packet", along with other essential employment information and paperwork. When revisions are made to the Employee Handbook, all DFCS employees will receive a copy through an email link to access the handbook online for review and printing. Each employee is responsible for being aware of and adhering to the personnel policies and procedures. Directors/Supervisors shall be responsible for knowing and following the rules outlined in the SPB Policy and Procedures Manual.

In addition to the Mississippi State Employees Handbook, MDHS has outlined some of the SPB policies within the MDHS Administrative Policies.

DFCS has a personnel office within the division which is responsible for ensuring all personnel action requests are accurate prior to forwarding to MDHS Office of Human Resources for processing. All Personnel Action requests should be routed to this unit. The employees in this branch office are under the supervision of the Director of the Office of Human Resources for human resource matters, and work cooperatively with the Office Directors in DFCS in a support capacity for other matters, (i.e. MACWIS Payroll Input and e-Leave coordination).

I. Work Environment

Policies related to the work environment of DFCS are found in the Mississippi State Employee Handbook at www.SPB.ms.gov . These policies include:

- prohibition of any unlawful discrimination against any person or category of persons;
- prohibition of any personnel from engaging in any form of harassment, as defined by federal and state law; and
- prohibition of preferential treatment and nepotism with regard to hiring, supervision, and promotion.

Please refer to the Handbook for a detailed discussion of these policies. Training on these polices is provided through the Division of Human Resources and is offered at several different locations throughout the year as scheduled on the HR training calendar. This training calendar is distributed to all employees via email quarterly. Employees wishing to attend one of the training sessions must register as instructed in the quarterly email.

J. Human Resources Planning

As a part of the annual strategic planning process, the program areas, field staff and the Workload Management System, in collaboration with DFCS Financial Services, are responsible for planning human resource needs. With this information, recommendations are made to the MDHS administration about DFCS human resource budgetary needs.

K. Recruitment and Selection

Job descriptions for all State positions are listed on the SPB website, and the selection criteria are outlined in the SPB Policies and Procedures Manual. Employees are notified of vacant positions within MDHS through In-House Promotional Opportunities memoranda which are e-mailed to all employees. At the request of the hiring supervisor, the available positions are posted on the State Personnel Board website as well as the MDHS website.

Much of the recruitment efforts outside the DFCS are aimed at the university schools of social work in the state. By working collaboratively with the schools, students are encouraged to consider field placements in DFCS county offices. Often these students in field placement choose to make application for employment. Other recruitment efforts include, but are not limited to, ads in local newspapers in critical needs areas, job fairs and presentations to college classes.

In order to fill a vacant position at the county level, the hiring manager must follow the procedures outlined in the Human Resource section on the DFCS Connection website:

http://dfcsmacweb/DFCSWEB/policy.htm.

2. Additional information required for direct service workers

d) Background checks: All DFCS employees who have access to children during the performance of their job duties must be free from criminal or abuse history that could pose a safety risk to children. Applicants recommended for new hire or transfer to a DFCS position which involves contact with children will complete Form MDHS-HR-482A "Release of Information", which gives permission for a criminal background check as well as a Child Abuse Central Registry check.

DFCS Personnel Unit will coordinate with the Division of Program Integrity for a national criminal background check and DFCS Child Abuse Central Registry for a registry check. *See* MDHS AP-46, for more specific information on performing criminal background checks and the collection of fingerprint images.

e) Driver's License and Automobile Liability Insurance: As a condition of employment, all DFCS employees (which includes state and county employees) shall be required to have a current driver's license, a current automobile safety inspection sticker and automobile liability insurance. These items will be checked and validated annually during the employee's performance appraisal review. Failure to maintain either of these requirements will be cause for personnel action, including termination.

f) References

All applicants are required to furnish 3 employment references which will be verified and their comments documented by the interviewer. These references, with comments will be submitted with the new hire paperwork and should be filed in the official personnel file with copies in the applicant's personnel file in the county.

L. Satisfaction and Retention

8. Communication: Meetings, Information Sharing and Policy Development and Review

9. Monthly Meetings: Directors/Supervisors at all levels shall ensure staff meetings are scheduled and held as often as necessary, but at least monthly, with applicable employees and entities to revisit DFCS's vision, mission, values and goals, explore challenges and to facilitate communication, information sharing and team building.

10. Schedule and Agenda: A schedule for monthly meetings shall be established so that employees are aware when meetings will be held and they can arrange their schedules and appointments. A written notice and agenda shall be sent to participants prior to a scheduled meeting. Employees desiring specific topics to be discussed should submit suggestions prior to the meeting for planning the agenda.

11. Attendance:

d) Directors/Supervisors must ensure and encourage employee attendance and participation in the decision-making process through input at meetings as frequently as required for effective performance of their respective job duties.

e) Adequate time must be allowed for discussion of agenda items. A free exchange of ideas and opinions must be encouraged. Management must share departmental information at meetings to keep employees informed and aware of DFCS vision, mission, values and goals. After the meeting, attendees should be able to verify what decisions were made and what actions were taken.

f) The person taking minutes at the meeting will ensure that an attendees list is prepared and signed by all attendees or participants names recorded if attendance is by conference call. The attendees list will be filed along with the meeting minutes.

12. Distribution of Meeting Minutes:

d) All meeting minutes must be kept up-to-date and distributed in a timely manner as applicable and maintained on file. For purposes of cross-functionality and CQI, a request to review meeting minutes will be granted to employees and others that request to review. Meeting minutes will be filed and maintained on file for review for three (3) years.

e) Regional meeting minutes must be forwarded to the Director of Field Operations in the State Office. RDs may include county office meeting minutes with regional meeting minutes.

f) The Director of Field Operations/designee will be responsible for distributing regional/county meeting minutes to designated Office Directors/ Bureau

Directors, Division Directors, and Deputy Director at regularly scheduled meetings to facilitate communication, and to enhance policy development, policy review and technical assistance.

13. Monthly Newsletter

DFCS Professional Development Unit (PDU) publishes a monthly newsletter which is posted on the DFCS Connection Website with information about training opportunities, new policies, special projects, new staff and spotlights staff in the field and their work with families and children.

14. Staff Suggestions

DFCS employees are encouraged to make suggestions and recommendations for changes or improvements in all areas of the DFCS, and can do this via email: suggestions@mdhs.ms.gov. The suggestions submitted are presented and discussed at the state office senior management meetings monthly. The identities of the individuals making the suggestions are not revealed at the meetings to preserve their anonymity. Following the discussion, a response is emailed to the employee making the suggestions.

M. Employee Grievances

The State Personnel Board Employee Handbook as well as MDHS AP-11, outlines the procedure for the employee grievance process.

N. Compensation and Benefits

Compensation is tied to the SPB classifications of staff positions and is listed on the SPB website. Benefits available to state employees are negotiated by the State Personnel Board and the Department of Finance and Administration. Information about open enrollment periods for insurance products is communicated to employees by the Division of Human Resources.

O. Performance Appraisals

Every DFCS employee who is employed for twelve (12) continuous months must have a performance appraisal review (PAR) annually. New employees must have a PAR at six months and at the end of the first year. In addition, when supervisors leave or employees are promoted, reclassified, reallocated or transferred to another supervisor they must have a Close-Out PAR.

The current supervisor will complete the Close-Out PAR within ten (10) days of notification of the proposed personnel action and route it directly to the new supervisor. The new supervisor

shall complete MDHS-DHR-219 "Request for Transfer" and route it along with the Close-Out PAR to the DFCS Personnel Unit. Detailed instructions for these procedures are outlined in MDHS AP-12.

P. Personnel Records

DFCS employees' official personnel files are maintained in the MDHS Division of Human Resources. The supervisor of each employee also maintains a Supplemental Employee Performance Folder (SEPF). When an employee moves from one supervisor to another, the current supervisor will close out the employee's SEPF and the new supervisor will set up a new supplemental file. The employee may view his/her official personnel file at anytime by contacting the Division of Human Resources to request an appointment.

XXII. CONTINUOUS QUALITY IMPROVEMENT

J. State Continuous Quality Improvement Plan

The Continuous Quality Improvement (CQI) Plan outlines and describes the implementation of the CQI process within the Mississippi DFCS (DFCS). The CQI Plan:

- Assigns responsibility for coordination/implementation of CQI activities, and provision of technical assistance in using the CQI process;
- Sets forth the purpose and scope of CQI activities;
- Establishes how the DFCS periodically reviews essential management and service delivery processes consistent in light of quality priorities;
- Defines stakeholders and how stakeholders will participate in the CQI process;
- Outlines methods and timeframes for monitoring and reporting activities; and
- Includes provision for an assessment of the utility of the CQI program, including any barriers and supports for implementation.

The primary purpose for engaging in CQI activities is to promote positive outcomes for the children and families served by the division by reinforcing the principles of family centered practice and assuring high quality of services. To achieve this goal, it is essential for the division to: 1) institute structured processes in order to examine, evaluate, and act on quality issues within our DFCS and (2) involve all division staff as well as families and stakeholders in these processes.

The CQI process is one that is thoroughly integrated into the DFCS's ongoing work and serves primarily as a means of reinforcing the practices that are currently being implemented in the state. CQI is viewed as a means of keeping the DFCS's mission and vision in clear focus for staff in the field and as a primary means of sustaining the improvements that we achieve in practice and outcomes over time. In order for it to serve that function, it must actually monitor for the practices that are put into place and provide sufficient feedback to staff to inform practice, decision making, and resource allocation.

Our CQI process is designed in accordance with the state's practice model, and thereby supports its implementation and sustainability. Six broad categories of activities in working with children and families have been identified that comprise the essence of the practice model. They are as follow:

- Mobilizing Appropriate Services Timely
- Safety Assurance and Risk Management
- Involving Families and Children in Case Planning and Decision Making
- Strengths and Needs Assessments of Children and Families
- Preserving Connections and Relationships
- Individualized and Timely Case Planning

A monitoring process has been designed that is fully synchronized with our practice model and provides the DFCS with a thoroughly integrated and consistent way of serving children and families.

K. Characteristics of CQI

DFCS' CQI process includes the following characteristics:

- reinforces positive practice at the case level.
- provides analysis of findings at a high enough level to inform the ongoing development and maintenance of the practice model.
- evaluates the capacity of the system to support quality casework practice.
- CQI is an inclusive process.
- coordinates with other oversight and review processes and improvement efforts.
- focused on identifying strengths and needs of practice and supports making needed improvements.

- integrated into the ongoing work of staff in County Departments, rather than being regarded as a special or periodic effort.
- focuses on accountability and improvement.

L. Mississippi's Continuous Quality Improvement Structure

Mississippi's CQI structure includes the following components:

- State Office CQI Unit
- Local (county/regional) CQI processes
- State CQI Team (that is either the State level practice model implementation team or a sub-group thereof)
- Local CQI Teams (that are a sub-group of the regional practice model implementation teams)

Descriptions of the functions of each of these components are as follows:

3. DFCS State Office CQI Unit

The primary entity responsible for administering CQI functions statewide is the State CQI Office, which includes the following:

- Evaluation and Monitoring Unit (EMU);
- Foster Care Review Unit (FCR);
- MACWIS Unit;
- COA coordination activities;
- Court improvement activities.

The State Office CQI Unit maintains responsibility for coordinating CQI work statewide and specifically carries out the following responsibilities:

- Developing and updating the instruments and tools needed to carry out CQI responsibilities, such as review tools, procedures manual, sampling criteria, and data tools;
- Conduct regular CQI reviews of County Departments of Human Services;
- Provide training to participants on the CQI process, including State and local participants;

- Provide case-level feedback to county and regional staff on cases reviewed, and provide feedback to supervisors and administrators on county-wide performance, and to State-level staff and stakeholders on county, regional, and statewide performance;
- Analyze the findings of reviews, including qualitative and quantitative analyses, and compile results into periodic reports that identify the strengths and areas needing improvement identified in the reviews;
- Assist RDs in reviewing and approving county program improvement plans resulting from the reviews, and in determining if the goals and progress measures identified in the plans have been achieved;
- Ensuring that other oversight and monitoring functions within MDHS are coordinated and aligned; and,
- Conduct special studies as needed or requested to evaluate performance and outcomes in specific areas.

4. Local CQI processes

In order for CQI to be integrated into the routine work within counties and regions, it is necessary to have more frequent CQI activity locally to supplement formal State CQI activities. MDHS is adopting a process of ongoing reviews in each county following the same basic protocols of State CQI reviews, and facilitated by the local CQI liaisons.

In order to help ensure that county staff participate in the CQI process and are connected to improvement efforts within the county, county child welfare staff should serve on the Regional CQI committees.

The local CQI liaison and the local Foster Care Reviewer will co-facilitate quarterly CQI Committee meetings and the review process, which includes random case selection within each county. The emphasis is placed on using the committee to support staff in decision-making and offering constructive feedback on interventions, so as to help staff view the process as positive and helpful in improving practice. Direct and prompt feedback will be provided to Workers and supervisors whose cases are selected for review. CQI Committees will request status reports on how their recommendations have been addressed in the cases reviewed.

M. Stakeholders

DFCS and its staff interact on a daily basis with others in an effort to provide quality services to families. In order for the CQI process to truly reflect a complete picture of the service delivery system, the community partners and consumers must be involved.

Community Partners are individuals/entities with whom the division works in conjunction to provide holistic services to the populations we serve. Examples of community partners may include but are not limited to:

- Juvenile Court Representatives
- Foster Parents
- Tribes
- Service Recipients
- Residential or Counseling Service Providers
- Department of Mental Health
- Division of Economic Assistance
- Division of Youth Services
- Division of Child Support and Enforcement
- Guardians ad Litem
- Attorneys
- School Personnel
- Health Care Professionals
- Community or Child Advocates
- Law Enforcement

A strength of the Mississippi DFCS is its strong value for partnering with families and communities. The DFCS has worked diligently to develop partnerships with communities and to be accountable to our citizens through committees such as the Citizen's Review Board, the CJA Panel and the Mississippi Association of Child Caring Agencies.

DFCS is committed to openness, accountability, data driven decision making and working with our partners to improve services and outcomes for children and families. In Mississippi's CFSR PIP, many actions steps included partnerships with the Office of State Court Administrators, Department of Mental Health, Department of Health, state universities, community partnerships and others. DFCS anticipates continued involvement with these entities.

Community partners are selected based on their ability to assist in the process of generating solutions. Participants are purposefully selected who are very familiar with the policy, procedures and practice of the division. This will help avoid spending a substantial amount of

time orienting them to the DFCS.

Consumers (clients) are identified as adults and youth involved with DFCS. Their involvement begins at the same level as community partners. The selection of these participants is done very carefully with a goal of selecting individuals who have experience with and knowledge of DFCS. If necessary a staff person who knows the individual may serve as a coach to assist them in understanding their role.

Consumers may be either current or past clients. Youth are selected from the Independent Living Programs (ILP) to provide input through the Strategies for Assessing Independent Living Skills (SAILS) Committee.

N. Measures and Outcomes

The State CQI reviews consist of a review of information from multiple sources, including data reports that track individual performance indicators at the county, regional, and statewide levels, and an onsite review that includes case reviews of families served by the county/region, supplemented by interviews with key parties to each case. The onsite reviews also include interviews with stakeholders internal and external to MDHS in order to evaluate the systemic capacity of the county/region to support practice consistent with the practice model.

In order to be effective at improving outcomes for children and families, CQI monitors *quantitative information* that provides data on the status of identified indicators, such as numbers of children and families served in various ways, the time frames for critical activities and goal achievement, and the level of available resources. It also monitors *qualitative information* in order to provide information on how well children and families are served, how appropriate various interventions are, and how the values and principles underlying the practice model are integrated into casework practice.

O. Quantitative information

In using quantitative data to evaluate performance, the system needs the capacity to produce reports that reflect not only point-in-time data on the child welfare population, but also foster care entry cohort profiles. This information will be especially useful in evaluating the extent to which the implementation of the practice model is having the desired effects on outcomes.

The production and longitudinal analysis of foster care entry cohorts will provide a basis for determining if the outcomes and experiences of children newly entering foster care in counties that have implemented the practice model differ notably from the cohorts of children who entered foster care either prior to the practice model or in counties that have not yet implemented the model. These data help local implementation/CQI teams, administrators, and other staff and

stakeholders evaluate their efforts over time relative to the practice model and use the information to make needed adjustments in strategies, resources, and so forth.

It is very important that the reports are produced for individual counties and for regions within the State, so that administrators and CQI liaisons may track performance over time and make informed decisions about resource development, program improvement efforts, technical assistance, and so forth. RDs and ASWSs have a prominent role in reviewing county and regional-level reports routinely, to address them in staff meetings, and with local CQI teams, in order to evaluate performance, consistency of practice with the practice model, and monitor the resources needed for effective child welfare practice.

P. Qualitative information

In combination with qualitative information, the CQI system reviews for the quality of interventions with children and families, the services they receive, and the adequacy of the systemic supports. The primary means of collecting and reviewing this information is through regular case reviews that sample families receiving in-home and foster care services, and through surveys with individuals that have first-hand knowledge of the issues under review.

An underlying value regarding qualitative information is that children and families served by the child welfare system should have a voice in how they are served. Although providing children and families with the opportunity to voice their concerns, strengths, needs, and preferences regarding services is very important, it does not imply that the DFCS abdicates its legal responsibilities to protect children and to carry out its legal responsibilities. It simply means that case planning and service delivery are often more effective when they are based on information provided directly by children and families. When the CQI process demonstrates the importance of family input into how they are served, it serves as reinforcement for including children and families in the actual practice of case planning and service delivery.

Case level information: CQI monitors for the effectiveness of casework practice at the individual case level. In order to be as accurate as possible in evaluating practice, reviews include information obtained from documented case files, but also from interviews with parents, children, foster caretakers, service providers, and Workers. Together, the information provides an accurate description of how well each of the six practice model components functions within the individual case. In addition to the information needed to evaluate conformity with the practice model, the review of individual cases also includes indicators that pertain to Federal or State requirements not specifically identified within the practice model.

Cases reviewed consist of in-home and foster care cases, of which includes open and closed cases. Although most of the requirements of the *Olivia Y* settlement agreement pertain specifically to foster care services, the practice model is intended to guide casework practice in

both in-home and foster care cases. In order to promote application of the practice model across all cases, those cases monitored are selected randomly. The CQI unit has developed detailed sampling guidance that includes case selection criteria and the number of cases to be reviewed by type (14 foster care cases and 10 in home cases per region) for annual reviews and monthly case reviews (1 foster care case and 1 in-home case).

The Foster Care Review Unit has utilized the Periodic Administrative Determination as the case review instrument since 2005. Every child in foster care in all of Mississippi's 82 counties five months or longer is reviewed with this instrument every five months. A comprehensive review of the MACWIS case record as well as the paper case file is completed with each review.

Additionally, a county conference is conducted in which the social worker, the social work supervisor, the parents, the resource parents, the foster child, the guardian ad litem, grandparents, and any other relevant case members are engaged to provide information related to the child's permanent and concurrent plan.

The Attorney General's Office provides a report of children who have been referred for termination of parental rights. The Permanency Unit provides a report of the children needing an adoptive placement. These reports provide evidence to support the case review findings.

The resulting report from these reviews is forwarded to the county of responsibility and the Regional Director within 15 days of the review for their follow-up. Part B of the Youth Court Hearing and Review Summary is completed in MACWIS by the Reviewer to document the comments made during the county conference and to assist in making findings on the mandated determinations of compliance with case planning, conduciveness/appropriateness/ restrictiveness of the child's placement, progress toward alleviating the causes that led to custody, and continuing need for custody as well as appropriateness of the child's permanent plan.

The Periodic Administrative Determination (PAD) has been automated in MACWIS. This allows the findings from the review to be stored directly in the electronic case file and enhances the county's and region's ability to follow up on case review findings.

The MACWIS Unit also maintains the Data Dashboard, which was implemented in December 2010 as a means for all DFCS employees to view, on the DFCS Connection website, quarterly regional and statewide findings to key data indicators tied to the Practice Model. The validated MACWIS reports produced during the *Olivia Y* Bridge Plan are presented in graph format and provide a vehicle for regions to examine their performance on these indicators and to see statewide performance quarterly.

MACWIS data dashboard reports and management reports are utilized during regional CQI Team meetings to identify trends related to casework on a county and regional level.

Systemic factors: In evaluating systemic performance, the CQI system gauges the capacity of the child welfare "system" to support interventions with children and families that are consistent with the practice model and to help them achieve positive outcomes. Among the systemic factors to be monitored are:

- Training of staff and providers
- Service array
- Placement resources
- Caseloads
- Oversight and monitoring
- Court processes
- Data Quality and Usage

In each county/regional onsite review, CQI reviewers will survey the appropriate stakeholders who have first-hand knowledge of these systemic areas, and review supporting documentation. For example, in evaluating the *service array* systemic factor, CQI will survey service providers, Workers, supervisors, and consumers to determine the extent to which needed services are in place, are readily accessible to children and families, and can be tailored to meet their individualized needs. Information derived from case reviews on the provision of services will be used to supplement information from the stakeholder surveys.

The resulting CQI reports of county/regional reviews identify the findings of case reviews and data reports as well as findings pertaining to systemic factors.

Q. Reports and Feedback

Providing timely and useful feedback is essential in making use of CQI findings to gauge progress and make needed improvements. CQI reports and provides feedback at several levels, as follows:

- *Individual Worker feedback:* In order to make the CQI process as constructive as possible, CQI reviewers (from local CQI teams and State CQI reviewers) provide immediate feedback to Workers and supervisors whose cases are reviewed. Feedback can be verbal and should include an identification of strengths and areas of needed improvement in the review findings, and helpful recommendations about how practice might be improved. Where serious concerns emerge for child safety, permanency, or

well being emerge through reviews, each local CQI committee and State CQI should have a protocol for notifying responsible parties and requesting immediate action.

- *County/regional feedback on reviews:* Following State CQI reviews and at intervals in local CQI teams' review activities, verbal feedback should be provided to administrators that identifies strengths and areas of needed improvement in practice and systemic functioning. Administrators should be fully engaged in review activities and receive the benefits of immediate feedback in order to monitor performance and systemic capacity within the scope of their responsibilities.

- *County/regional reports of CQI reviews:* Written reports of State CQI reviews should be provided promptly to counties, RDs, State MDHS staff, county/regional implementation and CQI teams, and to the State implementation and CQI teams. The reports should describe the strengths and areas of needed improvement of practice and systemic capacity identified in the reviews, along with recommendations for making the needed improvements. Where responsibilities for making needed improvements lie with stakeholders outside of MDHS, those needs are to be clearly identified in the reports. At periodic intervals, local CQI committees also summarize the findings of their reviews for the same purposes.

- *State CQI report:* At least every six months, State CQI will issue a comprehensive report of its findings from reviews conducted during the preceding six-month period, along with the status of counties/regions in the State on performance indicators identified through data and other reports. These reports have a broad distribution within and outside MDHS, including the Department's administration and external stakeholders, particularly advisory groups and implementation teams at the State and local levels. The State CQI report should include information from sources other than CQI reviews that also evaluate performance, such as the findings of the Foster Care Reviews, Special Safety Reviews, data from serious incident reports, other State and Federal reviews/audits, and pertinent findings from the Court Monitor's reviews. A combined report of monitoring efforts across MDHS present a more comprehensive picture of the status of children and families served by the Department than only reporting on the findings of CQI reviews.

  A number of requirements included in the State CQI report are addressed by the FCR process and reports, and that information will be needed for the State CQI reports. Further, in order to address reporting requirements for other functions and processes not directly monitored by CQI, there should be coordination and information sharing with the MDHS units responsible for financial management (for information on expenditures of Federal funds), foster care licensure (for information on licensing issues and child safety while in foster care), and contracting (for information on contractors' compliance with

settlement agreement provisions), all of which should be included in the State CQI reports.

- *Dashboard data reports:* The state has implemented "dashboard" data reports that provide current data on a number of selected performance indicators to staff and stakeholders on a quarterly basis. These reports permit frequent and updated tracking of outcomes for children and families statewide and locally more often than comprehensive CQI reports. The data indicators identified are relevant to the work of the staff in the field, e.g., the CFSR data indicators, and region-specific and comparable to statewide performance so that staff can easily see how their performance and outcomes compare to the State's performance and outcomes. Using data in this can have some effect on the quality of data entered into the MACWIS system.

R. Special Safety Reviews

3. Purpose:

The Special Safety Review process is a CQI measure which addresses the safety of children in foster care who reside in resource homes or group care facilities. These reviews are not to be confused with special investigations or licensure investigations. The results of these reviews are used to guide further improvements to assure the safety, permanency, and well-being of children while in DFCS custody. The Reviews may result in recommendations and/or corrective action to be taken by DFCS staff and/or by resource home / group facility staff.

4. Procedure:

Group care facilities / resource homes currently providing care to children in DFCS custody are determined for review as a result of meeting one of the following criteria:

c) Resource homes or group care facilities having two or more reports of abuse/neglect by resource parents or facility staff members within the previous three year time frame, as designated by MACWIS report plus any cross-referencing for accuracy deemed necessary by the Director of Evaluation and Monitoring. Substantiated and unsubstantiated reports will be included. Reports of corporal punishment will be included.

d) By special request from a senior DFCS administrator to address safety concerns, on a case-by-case basis

A MACWIS case record review is conducted to obtain history of previous allegations of abuse/neglect, licensure status, and a listing of foster children currently residing in the

facilities/resource homes. An unannounced, on-site visit is made by a licensed Worker employed by DFCS to identified facilities and resource homes where foster children and resource parents or facility staff are interviewed. Observations are made of the entire physical environment to assess the safety and well-being of foster children currently residing in the resource home or facility.

Findings of the reviews are entered into an In Care Maltreatment Review instrument, which addresses strengths, areas needing improvement, and recommendations of corrective actions for the facility/resource home and/or DFCS staff. The In Care Maltreatment Review reports are submitted to the Director of Evaluation and Monitoring and to the Director of Family and Children's Services and Field Operations Director.

The information is then distributed to appropriate DFCS staff (applicable RDs, Independent Living Director, etc.) for implementing and monitoring corrective actions. Notifications of actions taken by DFCS staff or facility staff are forwarded to the Special Safety Reviewers, who then forward the information to the Director of Evaluation and Monitoring, the Director of Family and Children's Services, and the Director of Licensure, and keep track of dispositions. DFCS Director of Field Operations will be responsible for follow-up actions to be conducted by DFCS staff. The Director of Licensure will be responsible for corrective actions to be conducted by resource home or facility staff.

Any situation of imminent risk noted by Special Safety Reviewers will additionally be reported to centralized intake and/or to local DFCS staff, if it is a matter which requires a faster response than normal procedure described above.

Special Safety Reviews will be completed on cases scheduled for each quarter, with DFCS staff and facility staff being given 30 days from the date Special Safety Review results are reported to the DFCS Director and Licensure Director to address needs, complete corrective actions, and report back with actions taken as prescribed above.

XXIII. RISK PREVENTION AND MANAGEMENT

E. Risk Management

Risk Management is a systematic process of evaluating and reducing potential risks that may befall personnel, clients, an organization, or a facility. Risk management activities are directed toward reducing an organization's legal and financial exposure, especially to lawsuits.

Individuals responsible for risk prevention and management functions shall be qualified by knowledge and experience to assess and manage risks, which include the Executive Director of MDHS, Deputy Executive Director of MDHS, and Internal Control Coordinator for MDHS.

DFCS shall be adequately insured under the umbrella of MDHS. The MDHS shall annually assess insurance needs, and obtain coverage that is commensurate with the scope and complexity of its services:

m. general liability;
n. Workers' compensation;
o. disability;
p. fire and theft;
q. medical;
r. indemnification
s. professional liability
t. officers' and directors' liability
u. automobile liability;
v. property and casualty;
w. malpractice; and
x. bonding or other forms of employee theft insurance, as appropriate, for all staff who sign checks, handle cash or contributions, or manage funds

DFCS provides, and assumes the cost of, legal assistance to personnel against whom claims are made related to lawful, authorized actions taken within the course and scope of their duties through the Attorney General's Office, Civil Litigation, depending on the act and through the Mississippi Tort Claims Board.

F. Monitoring and Evaluating Risk Prevention and Management at the State Office

MDHS Management shall conduct an internal assessment of overall risk at least annually, which includes:

n. compliance with legal requirements, including licensing and mandatory reporting laws, and fiscal accountability;
o. insurance and liability;
p. health and safety, including use of facilities;
q. contracting practices and compliance;

r. staff training regarding areas of risk;

s. volunteer roles and oversight;

t. research involving program participants and other clients' rights issues;

u. security of information, including client confidentiality;

v. financial risk;

w. fundraising;

x. conflicts of interest;

y. employment practices; and

z. interagency collaborations.

Risks shall be identified and brought to the attention of management through a weekly meeting of the MDHS Executive Director and Division Directors. Each Division Director is responsible for complying with any changes in legal or regulatory requirements. The Legislative liaisons, the MDHS Executive Director, as well as persons designated by the Executive Director, shall attend legislative sessions and committee meetings to track Legislative bills which become law. Each Division Director is responsible for state and federal reporting requirements for their Division and such reports shall be reviewed by the MDHS Executive Director.

k. The office of the Executive Director of MDHS shall ensure compliance with legal requirements, including licensing and mandatory reporting laws and fiscal accountability.

- Risks regarding fiscal accountability shall be assessed through the Office of Budgets and Accounting and Program Integrity.

l. Insurance and liability risks shall be assessed through the Division of Human Resources. Insurance is renewable annually and reviewed for adequacy prior to such renewal. MDHS is a Lessee of the property at 750 North State Street, Jackson, Mississippi. The Lessor is responsible for liability insurance.

m. Health and safety, including use of facilities, shall be managed through the Division of Human Resources as indicated below.

- The building shall be inspected once a month for hazards, health and safety issues. Reports of hazards go to the Division of Human Services so the issues may be corrected.
- Security officers are independent contractors on duty at the front entrances 24 hours a day and at the rear entrance/parking lots 7:00 a.m. to 6:00 p.m. Monday through Friday.

- One maintenance employee is provided by MDHS and one is provided by the Lessor.
- Identification badges shall be required for entrance into the building by employees. Visitors must report to the front entrance, sign in and pass through the metal detector.
- Fire drills, tornado drills and severe weather drills shall be held twice a year.
- The Jackson Fire Department shall inspect the sprinkler and alarm systems annually.
- Weekly health tips shall be emailed to all MDHS employees. A Health Committee sponsors health fairs from time to time. Employee health insurance provides for wellness benefits annually when employee completes the survey of medical history.
- Food services are under an independent contractor and licensed by the Mississippi Health Department.
- MDHS does not fall under the Occupational Safety and Health Administration (OSHA) umbrella. However, MDHS works to insure the workplace is safe and has formal workplace safety programs (blood borne pathogens, first aid, etc.). MDHS does fall under the state tort/liability laws. As such, a state loss control manager inspects the workplaces periodically and makes recommendations for changes that make the workplace safer. These inspections follow OSHA guidelines.

n. Contracting practices and compliance shall be managed by the Mississippi State Personnel Board.

o. Agency risk assessment, analysis and training shall be conducted at the human resources, financial and auditing levels by other divisions within the department.

- MDHS has an agency-wide Drug and Alcohol Testing Program and Employee Assistance Program, the details of which may be found at MDHS AP-13 and AP-50. DFCS personnel shall receive training concerning these policies, which include topics such as addictive behavior, sociological and psychological maladies, family and workplace relationship dynamics, various coping mechanisms and the types of available treatment.
- Staff training regarding many areas of risk is offered by Human Resources, DFCS Professional Development Unit and outside medical professionals. Training opportunities shall be posted on the MDHS website.
- Training and preparation for emergencies and disasters shall be conducted annually. Agency personnel receive training in the National Incident Management System, which is exercised annually and placed into actual practice during hurricanes and other disasters. *See* Comprehensive Emergency Management Plan, Emergency

Support Function #6, and other Annexes, Appendices and Attachments at http://www.msema.org.

p. Volunteer roles and oversight are managed through DFCS Protection Unit, and volunteers must meet the same criteria as staff regarding criminal background checks and Central Registry checks. Volunteers may not carry caseloads and must be supervised.

q. DFCS does not conduct research on clients as program participants. Further, any data collected regarding services provided to clients is reported in the aggregate without identifying information as to a specific client.

r. Financial risks shall be annually assessed by DFCS in conjunction with the Office of Budgets and Accounting to determine budgetary needs. DFCS must request necessary funding from the legislature for federal IV-B, IV-E, and grants;

s. Conflicts of interest risks are assessed as issues arise. MDHS AP-23 outlines instances of conflicts of interest which are prohibited, a few of which are listed below. Employees are prohibited from: 1) viewing cases in MACWIS for personal purposes; 2) prohibited from investigating cases or performing home studies for relatives or friends; 3) prohibited from using official position for personal gain; 4) prohibited from participation in certain outside activities. As different questions of conflict of interest arise, clearances shall be provided through the chain of command and as policy is revised or a memorandum is issued. *See* MDHS AP-23.

t. Employment practices are assessed as new issues arise in conjunction with the SPB. The Employee Handbook produced by the SPB outlines what employees need to know about their rights and responsibilities. The SPB approves applications of persons seeking employment. Termination and grievance procedures, as well as appeal procedures, are in place for employees and outlined in the Employee Handbook Interagency collaborations on risks occur weekly with the MDHS Executive Director and Division Directors.

- DFCS shall conduct a quarterly review of immediate and ongoing risks that includes a review of incidents, critical incidents, accidents, and grievances related to service modalities or other organizational practices that involve risk or limit freedom of choice; facility safety issues; situations where a person was determined to be a danger to him/herself or others; and serious injuries and deaths.
- Prior to the quarterly review, each County shall complete a Safety Checklist of risks observed and reported. RDs shall designate staff to complete the checklists and results shall be forwarded through the chain of command. The issues identified in the individual counties are analyzed to determine the percentage of the county offices in Mississippi having the same risks. Corrective action plans are developed and timeframes assigned for

completing, eliminating, reducing risks or for contacting an agency with authority to make structural or safety improvements.

- Quarterly reviews shall be reported to the Risk Prevention and Management Workgroup (or other designated group) for distribution to persons or agencies for correction or reduction of the identified risk. The results of the quarterly reviews and corrective action plans shall be assessed annually in May and a written report shall be prepared of the findings and decisions.

G. Serious Incident Reports

4. Child Fatalities and Near Fatalities

A DFCS Serious Incident Report (SIR) is used ~~using the online form is used~~ to report any ~~accident/incident~~ fatality or "near fatality" that occurs involving a child in any open DFCS case (regardless of whether or not maltreatment is suspected). In addition, in situations of non-DFCS involvement where there is alleged maltreatment that results in a fatality or near fatality, a DFCS SIR is also required. A near fatality is defined by CAPTA as an act that, as certified by a physician, places the child in serious or critical condition ~~custody~~.

DFCS SIRs are entered through the "online SIR" link on the DFCS Connection website (http://dfcsmacweb/DFCSWEB/index.htm). The SIR should be completed immediately upon receipt of the report of a child fatality or near fatality (from MCI or other source). The DFCS Regional Director is responsible for ensuring timely completion of the SIR. The online SIR form includes detailed instructions and protocol for its completion.

~~This includes reports of maltreatment, corporal punishment, runaway, or a child fatality~~. ~~These SIRs must be completed by accessing the DFCS Connection Website and clicking on SIR online at http://dfcsmacweb/DFCSWEB/index.htm. within 24 hours of receipt of the report~~. ~~When the form appears on the screen, detailed instructions and protocol are located at the top of the form.~~

5. Other Serious Incidents

~~All other reports of accidents or injuries involving DFCS staff should be completed on the paper form located in MDHS AP-45.~~ Reports of accidents or runaways involving children in DFCS custody should be completed on the paper form in MDHS AP-45. (In the rare instance that an accident involving a child in custody results in a fatality or near fatality, both a DFCS online SIR and a MDHS AP-45 report should be completed.) Accidents involving staff and threats made against staff, property or others in the course of DFCS work should be reported pursuant to MDHS AP-45. After completion, the MDHS AP-45 report should be forwarded through the normal supervisory channels

including the DFCS Regional Director, DFCS Director of Field Operations, ~~and the~~ DFCS Division Director, and DFCS Deputy Administrator either by electronic mail or facsimile.

6. Media Involvement

In cases of media coverage of alleged maltreatment (regardless of the severity of injuries) the following DFCS management should be notified by telephone or email: the Director of Field Operations, the Division Director, and the Deputy Administrator ~~On reports of fatalities on non-custody cases or serious maltreatment reports where media is involved, staff must notify the Director of Field Operations and the DFCS Division Director by telephone or electronic mail immediately upon receipt of said information~~. (This is in addition to the completion of any DFCS SIR or MDHS AP-45 report required by policy.)

H. MDHS Network and Mississippi Automated Child Welfare Information System

MDHS network, managed by the Management Information System (MIS), shall have sufficient capability to support DFCS's operations, planning, and evaluations**.** Once DFCS personnel have security clearances and network system access, they can access MACWIS statewide. MACWIS allows employees to review information based on their specific profile. Employees are assigned profiles during access setup based on their job title. This profile is requested by the employee's supervisor through the MACWIS Access Request Form included in the new hire packet.

This profile is requested by the employee's supervisor through the MACWIS Access Request Form included in the hire packet. Employees are required to complete Child Welfare Professional Development (CWPD) Training, which includes one and one half days of Introduction to MACWIS training. Once employees access MACWIS, an inquiry process allows them to see demographic records and case information, as well as enter new information and edit existing information.

DFCS shall maintain MACWIS appropriate to its size and complexity and that permits timely access to information about children and families, capturing, tracking, and reporting of financial, compliance, and other business information and that uses clear and consistent formats and methods of reporting and disseminating data. Staff shall have access to MACWIS via computer terminals located in county offices. MACWIS contains confidential information on individual and families for whom DFCS has responsibility, financial records related to these individuals and families, and similar records on resource homes and licensed facilities.

1. Accessing MACWIS from Home

Employees may access the Network/MACWIS system via their personal Home Computer or Laptop by following the Standard Operating Procedures (SOP) located on the DFCS Connection Web/Policy at http://dfcsmacweb/DFCSWEB/index.htm

2. Proxy

When there is a need for one person to complete tasks for another person in MACWIS, written authorization is requested. Authorization for a proxy is obtained by the assigned staff completing a Proxy Request form electronically located at http://dfcsmacweb/DFCSWEB/index.htm and submitting it for approval through the lines of supervision to the RD/designee. Specific duties for the Proxy are listed on the Proxy Request form along with the effective dates which shall not exceed ninety days. The approved Proxy Request form is then forwarded electronically by the RD/designee to the MACWIS Help Desk to request MIS to set-up the proxy in the MACWIS system. The staff who is the proxy must meet the minimum qualifications for the work they will be doing. The person who is proxied for an ASWS must meet the qualifications for ASWS and must have completed the 40 hours of supervisory training.

XXIV. REGULATIONS SAFEGUARDING CONFIDENTIAL INFORMATION

The *Social Security Act* requires that DFCS provide safeguards which restrict the use or disclosure of information concerning applicants and recipients of AFDC, Medicaid, child support or social services to purposes directly connected with the administration of the programs. These regulations also specify that information can be shared with programs administered under Titles IV-A, IV-B, IV-D, IV-E, XIX, XX, XVI and any federal or federally assisted program which provides assistance, in cash or in-kind, or services directly to individuals on the basis of need.

Subject to section 471(c), DFCS has safeguards restricting use of or disclosure of information concerning individuals assisted under the state plan to purposes directly connected with:

- the administration of the Title IV-E plan or any of the state plans or programs under Parts A, B or D of Title IV or under Titles I, V, X, XIV, XVI, XIX or XX, or the supplemental security income program under Title XVI; and
- any investigation, prosecution, or criminal or civil proceeding conducted in connection with the administration of any such plan or program; and
- the administration of any other federal or federally assisted program which provides assistance (in-cash or in-kind) or services directly to individuals on the basis of need; and

- any audit or similar activity conducted in connection with the administration of any such plan or program by any governmental agency authorized by law to conduct such audit or activity.

The safeguards provided prohibit the disclosure to any committee or legislative body (other than an agency referred to in section 471(a)(8)(D) with respect to an activity referred to in such clause) of any information which identifies by name or address any applicant for or recipient of assistance under Title IV-E of the *Act*.

DFCS shall have in place safeguards to prevent the unauthorized disclosure of information in any child abuse and neglect registry maintained by the State, and to prevent any such information obtained pursuant to section 471(a)(20)(C) from being used for a purpose other than the conducting of background checks in foster and adoptive placement cases.

In the use of child welfare records in state court proceedings, section 471(a)(8) of the *Act* shall not be construed to limit the flexibility of a State in determining state policies relating to public access to court proceedings to determine child abuse and neglect or other court hearings held pursuant to Title IV-B or Title IV-E of the *Act*, except that such policies shall, at a minimum, ensure the safety and well-being of the child, parents, and family.

Electronic and printed information shall be protected against intentional and unintentional destruction or modification and unauthorized disclosure or use.

B. Confidentiality of Case Records of Children

Confidentiality of records involving children is established by State law in the Youth Court Act in MISS. CODE ANN. §§ 43-21-257, 43-21-259, 43-21-261 and 43-21-267. Excerpts of these sections pertinent to DFCS appear below.

MISS. CODE ANN. § 43-21-257. Agency Records

(1) Unless otherwise provided in this section, any record involving children, including valid and invalid complaints, and the contents thereof maintained by the Department of Human Services, or any other state agency, shall be kept confidential and shall not be disclosed except as provided in MISS. CODE ANN. § 43-21-261.

(2) The Department of Human Services shall maintain a state central registry on neglect and abuse cases containing (a) the name, address and age of each child, (b) the nature of the harm reported, (c) the name and address of the person responsible for the care of the child, and (d) the name and address of the substantiated perpetrator of the harm reported. The Department of Human Services shall adopt such rules and administrative procedures, especially those procedures to afford due process to individuals who have been named as

substantiated perpetrators prior to the release of their name from the registry, as may be necessary to carry out this subsection. The central registry shall be confidential and shall not be open to public inspection. Any person who shall disclose or encourage the disclosure of any record involving children from the central registry without following the rules and administrative procedures of the department shall be subject to the penalty in MISS. CODE ANN. § 43-21-267. The Department of Human Services and its employees are hereby exempt from any civil liability as a result of any action taken pursuant to the compilation and/or release of information on the registry pursuant to this section and any other applicable section of this code. If an employee is determined to have willfully and maliciously performed such a violation, said employee shall not be exempt from civil liability in this regard.

MISS. CODE ANN. § 43-21-259.Confidentiality of Other Records Involving Children

All other records involving children and the contents thereof shall be kept confidential and shall not be disclosed except as provided in MISS. CODE ANN. § 43-21-261.

5. Child – Specific Information

The release of child-specific information will be limited to individuals, agencies, and organizations which demonstrate a "need and right to know" for the purpose of providing services to the child. These individuals, agencies, and organizations include:

- Placement Resources
- Educational providers
- Medical/Dental providers
- Mental Health providers

It is important to note that any person or entity provided access to child-specific information under this policy shall be required to maintain the information in accordance with state and federal laws and regulations regarding confidentiality.

6. Photographs and Interviews

All photographs including videos, media presentations, and publications of foster children are covered under the confidentiality law.

c) Photographs

- A foster child's face cannot be shown, unless there has been a termination of parental rights (TPR)
- A general group setting is permissible, if parental rights have been terminated.
- A child may not be identified as a foster child, unless the situation involves a recognition or honor of the child, then the child can be identified as a foster child. If it is relevant or significant to the honor, and DFCS Worker (with approval from the ASWS), the legal parents if available and the Guardian a*d litem* (GAL) agree, the child may be photographed.
- Photographs of foster children may be released to law enforcement officials, the county or district attorney, and the court in order to protect the child from abuse, neglect, or other harm.

d) Interviews

- A foster child may not be interviewed nor any photographs of him/her published in the DFCS annual report, or any document or publication which would be used as a marketing tool.
- If the Worker agrees that the interview is in the best interest of the child, foster children, 14 years and older, may be interviewed with the written consent of the DFCS COR Worker and ASWS, the birth parents (if TPR has not been achieved) and the GAL.
- The interview must be coordinated with the DFCS Worker and one of the following people must be present during the interview: the Worker, Resource Parent(s), a representative of the private agency if applicable, and the GAL.

MISS. CODE ANN. § 43-21-261. Disclosure of Records

21) Except as otherwise provided in this section, records involving children shall not be disclosed, other than to necessary staff of the youth court, except pursuant to an order of the youth court specifying the person or persons to whom the records may be disclosed, the extent of the records which may be disclosed and the purpose of the disclosure. Such court orders for disclosure shall be limited to those instances in which the youth court concludes, in its discretion, that disclosure is required for the best interests of the child, the public safety or the functioning of the youth court and then only to the following persons:

a) The judge of another youth court or member of another youth court staff;

b) The court of the parties in a child custody or adoption cause in another court;

c) A judge of any other court or members of another court staff;

d) Representatives of a public or private agency providing supervision or having custody of the child under order of the youth court;

e) Any person engaged in a bona fide research purpose, provided that no information identifying the subject of the records shall be made available to the researcher unless it is absolutely essential to the research purpose and the judge gives prior written approval, and the child, through his or her representative, gives permission to release the information;

f) The Mississippi Department of Employment Security, or its duly authorized representatives, for the purpose of a child's enrollment into the Job Corps Training Program as authorized by Title IV of the Comprehensive Employment Training Act of 1973 (29 USCS Section 923 et seq.). However, no records, reports, investigations or information derived therefrom pertaining to child abuse or neglect shall be disclosed; and

g) To any person pursuant to a finding by a judge of the youth court of compelling circumstances affecting the health or safety of a child and that such disclosure is in the best interests of the child.

Law enforcement agencies may disclose information to the public concerning the taking of a child into custody for the commission of a delinquent act without the necessity of an order from the youth court. The information released shall not identify the child or his address unless the information involves a child convicted as an adult.

22) Any records involving children which are disclosed under an order of the youth court or pursuant to the terms of this section and the contents thereof shall be kept confidential by the person or agency to whom the record is disclosed unless otherwise provided in the order. Any further disclosure of any records involving children shall be made only under an order of the youth court as provided in this section.

23) Upon request, the parent, guardian or custodian of the child who is the subject of a youth court cause or any attorney for such parent, guardian or custodian, shall have the right to inspect any record, report or investigation which is to be considered by the youth court at a hearing, except that the identity of the reporter shall not be released, nor the name of any other person where the person or agency making the information available finds that disclosure of the information would be likely to endanger the life or safety of such person.

24) Upon request, the child who is the subject of a youth court cause shall have the right to have his counsel inspect and copy any record, report or investigation which is filed with the youth court or which is to be considered by the youth court at a hearing.

25)

a) *The youth court prosecutor or prosecutors, the county attorney, the district attorney, the youth court defender or defenders, or any attorney representing a child shall have the right to inspect and copy any law enforcement record involving children.*

b) *The Department of Human Services shall disclose to a county prosecuting attorney or district attorney any and all records resulting from an investigation into suspected child abuse or neglect when the case has been referred by the Department of Human Services to the county prosecuting attorney or district attorney for criminal prosecution.*

c) *Agency records made confidential under the provisions of this section may be disclosed to a court of competent jurisdiction.*

d) *Records involving children shall be disclosed to the Division of Victim Compensation of the Office of the Attorney General upon the division's request without order of the youth court for purposes of determination of eligibility for victim compensation benefits.*

26) *Information concerning an investigation into a report of child abuse or child neglect may be disclosed by the Department of Human Services without order of the youth court to any attorney, physician, dentist, intern, resident, nurse, psychologist, social worker, family protection worker, family protection specialist, child caregiver, minister, law enforcement officer, public or private school employee making that report pursuant to Section 43-21-353(1) if the reporter has a continuing professional relationship with the child and a need for such information in order to protect or treat the child.*

27) *Information concerning an investigation into a report of child abuse or child neglect may be disclosed without further order of the youth court to any interagency child abuse task force established in any county or municipality by order of the youth court of that county or municipality.*

28) *Names and addresses of juveniles twice adjudicated as delinquent for an act which would be a felony if committed by an adult or for the unlawful possession of a firearm shall not be held confidential and shall be made available to the public.*

29) *Names and addresses of juveniles adjudicated as delinquent for murder, manslaughter, burglary, arson, armed robbery, aggravated assault, any sex offense as defined in Section 45-33-23, for any violation of Section 41-29-139(a)(1) or for any violation of Section 63-11-30, shall not be held confidential and shall be made available to the public.*

30) *The judges of the circuit and county courts, and presentence investigators for the circuit courts, as provided in Section 47-7-9, shall have the right to inspect any youth court records of a person convicted of a crime for sentencing purposes only.*

31) *The victim of an offense committed by a child who is the subject of a youth court cause shall have the right to be informed of the child's disposition by the youth court.*

32) *A classification hearing officer of the State Department of Corrections, as provided in Section 47-5-103, shall have the right to inspect any youth court records, excluding abuse and neglect records, of any offender in the custody of the department who as a child or minor was a juvenile offender or was the subject of a youth court cause of action, and the State Parole Board, as provided in Section 47-7-17, shall have the right to inspect such records when the offender becomes eligible for parole.*

33) *The youth court shall notify the Department of Public Safety of the name, and any other identifying information such department may require, of any child who is adjudicated delinquent as a result of a violation of the Uniform Controlled Substances Law.*

34) *The Administrative Office of Courts shall have the right to inspect any youth court records in order that the number of youthful offenders, abused, neglected, truant and dependent children, as well as children in need of special care and children in need of supervision, may be tracked with specificity through the youth court and adult justice system, and to utilize tracking forms for such purpose.*

35) *Upon a request by a youth court, the Administrative Office of Courts shall disclose all information at its disposal concerning any previous youth court intakes alleging that a child was a delinquent child, child in need of supervision, child in need of special care, truant child, abused child or neglected child, as well as any previous youth court adjudications for the same and all dispositional information concerning a child who at the time of such request comes under the jurisdiction of the youth court making such request.*

36) *The Administrative Office of Courts may, in its discretion, disclose to the Department of Public Safety any or all of the information involving children contained in the office's youth court data management system known as Mississippi Youth Court Information Delivery System or "MYCIDS."*

37) *In every case where an abuse or neglect allegation has been made, the confidentiality provisions of this section shall not apply to prohibit access to a child's records by any state regulatory agency, any state or local prosecutorial agency or law enforcement agency; however, no identifying information concerning the child in question may be released to the public by such agency except as otherwise provided herein.*

38) *In every case where there is any indication or suggestion of either abuse or neglect and a child's physical condition is medically labeled as medically "serious" or "critical" or a child dies, the confidentiality provisions of this section shall not apply. In cases of child deaths, the following information may be released by the Mississippi Department of Human Services: (a) child's name; (b) address or location; (c) verification from the Department of Human Services of case status (no case or involvement, case exists, open or active case, case closed); (d) if a case exists, the type of report or case (physical abuse, neglect, etc.), date of intake(s) and investigation(s), and case disposition (substantiated or unsubstantiated). Notwithstanding the aforesaid, the confidentiality*

provisions of this section shall continue if there is a pending or planned investigation by any local, state or federal governmental agency or institution.

39) *Any member of a foster care review board designated by the Department of Human Services shall have the right to inspect youth court records relating to the abuse, neglect or child in need of supervision cases assigned to such member for review.*

40) *Information concerning an investigation into a report of child abuse or child neglect may be disclosed without further order of the youth court in any administrative or due process hearing held, pursuant to Section 43-21-257, by the Department of Human Services for individuals whose names will be placed on the central registry as substantiated perpetrators.*

DFCS shall protect confidential and other sensitive information from theft, unauthorized use, damage, or destruction by:

e. limiting access to authorized personnel on a need-to-know basis;

f. backing up electronic data, with copies maintained off premises;

g. using firewalls, anti-virus and related software, and other appropriate safeguards; and

h. maintaining paper records in a secure location.

Security shall be ensured with individual identification numbers assigned to each user. Their sign-in number and password identifies their actions in the case records. Each user will be assigned a profile when their accounts are established. There are times that the user's account profile is changed. This change is documented in MACWIS.

e. Security and navigation are secure enough to deny unauthorized users access to the system. At the same time, the system is flexible enough to guide authorized users to the desired screens.

f. Mississippi Information System (MIS) Operations shall perform a daily partial back-up of data and on the weekend and full system back-up is done. Data shall be stored on tapes and kept offsite at the Information Technology Service (ITS).

g. The DFCS shall provide firewall protection for all the DFCS's computer systems. Symantec is used for the anti-virus software.

h. Documentation is kept in manual in a secure location.

Secure storage of paper records shall include: locked file cabinets; a locked file room with limited access or a gatekeeper system whereby one person or a few people can unlock the file storage area or access the files themselves; or a system using a keypad or keys where only authorized individuals are given the keypad code or copies of the keys. Agencies may also

consider using fireproof cabinets; metal file cabinets; a sprinkler system; or not storing records in basements in areas that are prone to flooding.

Adoption records or a summary of all salient information included therein are maintained permanently, and records of children or youth are maintained until the age of majority or a few years beyond, depending on advice of counsel.

Confidential information, when electronically transmitted, shall be protected by safeguards in compliance with applicable legal requirements. The following statement shall appear on outgoing emails from DFCS:

Confidentiality Statement: The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential, proprietary, and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from all computers.

MISS. CODE ANN. § 43-21-267. Penalty for Violation

> Any person who shall disclose or encourage the disclosure of any records involving children or the contents thereof without the proper authorization under this chapter shall be guilty of a misdemeanor and punished, upon conviction, by a fine of not more than one thousand dollars ($1,000) or by imprisonment in the county jail of not more than one (1) year or by both such fine and imprisonment.
>
> Nothing herein shall prevent the youth court from finding in civil contempt, as provided in Section 43-21-153, any person who shall disclose any records involving children or the contents thereof without the proper authorization under this chapter.

7. Nature of Information to Be Safeguarded

MISS. CODE ANN. § 43-21-261 prohibits any employee of the Department of Human Services, state or local, working in any capacity, from disclosing confidential information concerning any applicant or recipient of assistance or services, except in the administration of the programs as described under REGULATIONS SAFEGUARDING CONFIDENTIAL INFORMATION. The information which shall be considered confidential and shall not be disclosed except in the administration of the laws under which the Agency works shall be:

- Names and addresses of applicants and recipients.

- Lists of applicants and recipients. List of applicants and recipients will on occasion be requested for commercial, personal or political use. Under no condition may a list of clients be disclosed to any person, agency or business organization except as described below.
- Case records, with each and every document included.

Employees shall not disclose information of a confidential nature even though a record of information has not been made.

8. Personnel Action

Disciplinary action will be taken against any DFCS employee violating the regulations pertaining to the safeguarding of information in accordance with the disciplinary policies and procedures of the Department of Human Services and/or the State Personnel Board.

If the representative of an agency or organization to whom information has been disclosed violates the regulations, the Executive Director of the MDHS, after conducting an investigation, will report the employee or representative to the head of the agency involved.

XXV. PERSONS AUTHORIZED TO DISCLOSE INFORMATION

Disclosure of all information, including records of every kind, shall be governed by these regulations as set out below, and the applicable section of the Youth Court Law.

O. State Office

Requests for information from State office records shall be referred to the Director of Family and Children's Services for information on individuals or families who have requested services. The Director of Family and Children's Services will obtain information about the request and make a decision in accordance with the applicable section of the Youth Court Act. *See* MDHS AP-8 Public Records Act Policy.

P. County Office

Requests for information from local DFCS records shall be referred to the ASWS who will investigate the request and release the information in accordance with the applicable section of the Youth Court Law, or deny the request if not in accord. Do not disseminate case record information without a youth court order.

Q. Court Subpoenas

When a state or county staff member receives a subpoena for the child's record the Youth Court of the applicable jurisdiction must be contacted to authorize the release of the information. The Worker or the ASWS will also notify the Special Assistant Attorney General for DFCS regarding the receipt of the Subpoena. *See* discussion, Subpoena of Case Records.

R. Requests of Parents/Legal Guardian

The handling of requests by custodial or non-custodial legal parent(s) or legal guardian(s) regarding information from the case record is determined by the purpose of the request as stated below.

- If a custodial or non-custodial legal parent, legal guardian, or legal custodian requests information from the record in regard to an upcoming Youth Court hearing, Section 43-21-261(3) of the Youth Court Act indicates that "Upon request, the parent, guardian or custodian of the child who is the subject of a Youth Court cause . . . shall have the right to inspect any record, report, or investigation which is to be considered by the Youth Court at a hearing, except that the identity of the reporter shall not be released, nor the name of any other person where the person or agency making the information available finds that disclosure of the information would be likely to endanger the life or safety of such person".

  This information, usually a Worker's court summary, should be made available to a custodial or non-custodial legal parent, legal guardian or legal custodian in order for them to effectively prepare and participate in hearings involving their children and wards. A copy of the summary should be given to the parent/guardian with the name of the reporter(s) removed [redacted] along with any reference to the reporter's identity.

The court summary shall be made available to the youth court, Guardian Ad Litem (GAL) prior to the youth court hearing for the official youth court file. Future access to this information will be determined by the court.

In no case should the entire record be released, unless court ordered. (*See* Subpoena of Case Records.)

S. Disclosure to County or District Prosecuting Attorney and Law Enforcement

The County and District Prosecuting Attorneys and law enforcement shall have access to information from the case records as is stated in MISS. CODE ANN. § 43-21-353(4) as shown below.

"Reports made under subsection (1) of this section by the Department of Human Services to the law enforcement and to the district attorney's office shall include the following if known to the department":

g) The name and address of the child;

h) The name(s) and address(es) of the parent(s);

i) The name(s) and address(es) of the suspected perpetrator(s);

j) The names and addresses of all witnesses, including the reporting party if a material witness to the abuse;

k) A brief statement of the facts indicating that the child has been abused and any other information from the DFCS files or known to the Worker making the investigation, including medical records or other records, which may assist law enforcement or the district attorney in investigating and/or prosecuting the case; and

l) What, if any, action is being taken by the Department of Human Services.

T. Subpoena of Case Records

When the court issues a subpoena to DFCS RD, ASWS or Worker to personally appear or produce a case record the employee must appear or be held in contempt of court. Follow these procedures:

1. The Worker receiving a subpoena of case records will immediately inform the ASWS, providing a copy of the subpoena for the forwarding to the Special Assistant Attorney General for DFCS.
2. The Worker shall not take the entire case record to court unless ordered to do so by the youth court judge.
3. If child abuse/neglect case records regarding children are involved, the permission of the youth court to disclose these records is necessary.

U. Summons

Immediately forward a copy of the summons and complaint, or any other legal pleadings, other than those to youth court, to the Special Assistant Attorney General for DFCS.

V. Disclosure to Legislative Officials

The federal regulations also provide for the disclosure of such information to a committee or legislative body (Federal, State or local) when such a body certifies that the information is needed in connection with their official duties with regard to the program and that the information will not be used for any other purpose. Refer to MISS. CODE ANN. § 43-21-261 and § 43-21-353 of the Youth Court Act (Supp. 1998).

W.Contracts and Service Agreements

DFCS shall enter into contracts and service agreements with due regard for practices that promote efficient use of resources.

Availability of contract funds is announced through a request for information (RFI)/request for proposals (RFP) or a formal bidding process, which includes, unless prohibited by law or regulation:

5. open, public solicitation of bids;
6. selection/award criteria; and
7. formal procedures for rating proposals, selecting contract providers, and awarding contract
8. DFCS shall follow the procedures stipulated in the MDHS Subgrantee Manual and by the State Personnel Board-Personal Service Contract Procurement Regulations including competitive sealed bidding, competitive sealed proposals.

The following contain comprehensive guidelines regarding this policy and can be accessed at:

6. **Mississippi State Personnel Board-Policy and Procedure Manual:** http://www.spbrez.ms.gov/SPB%20Documents/SPB/Policy%20Proc2010/MSPB_PPM_100110.PDF
7. **Mississippi Department of Human Services-Subgrant Manual:** http://www.mdhs.state.ms.us/dpi_subman.htm
8. **The pursuit of contracts for services is consistent with DFCS's mission and purpose, and DFCS:**

   d. shall establish a system of standardized contracting practices;

   e. conduct due diligence in contracting activities, including review of possible risks; and

f. assign a qualified individual to oversee contracts.

DFCS shall contract for services in compliance with MDHS Administrative Policy, AP-1 for standardized contracting practices for Personal or Professional Services Contracts and the Subgrantee Manual for subgrants, and will use the standardized agreements for subgrants and personal or professional services.

The MDHS Subgrantee Manual provides guidelines which DFCS must follow regarding standardized contracting practices and oversight.

DFCS has a separate sub-unit solely for contracts and subgrants within the Administrative/ Finance Unit. The Division Director of this unit shall be responsible for oversight of contracts.

9. Written contracts must contain all significant terms and conditions in accordance with applicable law including, but not limited to the following:

a. roles and responsibilities of participating agencies;

b. services to be provided;

c. clearly defined performance goals;

d. measurable outcomes;

e. service authorization, including eligibility criteria;

f. provisions for training and technical support, as necessary;

g. duration of contract, including delineation of follow-up services;

h. policies and procedures for sharing information;

i. methods for resolving disputes;

j. a plan and procedure for timely payment, and consequences for failure to pay;

k. documentation necessary for, and means of reporting to, funding or oversight bodies and

l. conditions for termination of the contract.

All contracts are reviewed by MDHS assigned legal counsel or another qualified individual prior to signing.

10. Non-contractual service agreements include, as appropriate:

h. services exchanged or provided, and/or the goals and objectives of such collaborations;

i. roles and responsibilities of each organization, including reporting responsibilities;
j. procedures for sharing information;
k. confidentiality protections, including signed written consent forms;
l. assignment of case coordination responsibilities;
m. service authorization procedures, including accepting or rejecting cases; and
n. how to resolve communication difficulties.

X. Quality Monitoring of Purchased Services.

DFCS shall monitor and evaluate the quality of social and human services purchased from other provider organizations under the MDHS umbrella as follows:

The MDHS is required to monitor the activities of its subgrantees by following the Single Audit Act Amendments of 1996, the Office of Management and Budget (OMB) Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, and the OMB Circular A-133 Compliance Supplement. MDHS must monitor each project, program, subgrant, function, or activity supported by the Fede3ral award to assure compliance with applicable Federal regulations and that performance goals are achieved.

5. Contractors who provide human or social services must:

c. have sufficient human and financial resources to fulfill the terms of the contract; and
d. be licensed or otherwise legally authorized to provide the contracted services.

6. Contracts for DFCS shall include:

d. service quality, client satisfaction, and outcomes that accord with DFCS's expectations;
e. criteria for evaluating vendor performance; and
f. protocols for routine communication of related data.

DFCS shall routinely monitor contractor progress toward fulfilling the terms of the contract as outlined in the Subgrantee Manual. The Office Directors of the direct services programs, Office Director for Field Operations and Office Director of Monitoring and Evaluation shall coordinate routine and ongoing assessments of the quality and effectiveness of direct services provided through contractors.

In addition, the Division of Program Integrity of MDHS monitors the programmatic, as well as the fiscal portion, when conducting reviews with subtgrantees. Criteria for performance are

based on programmatic worksheet(s) submitted by each subgrantee specific to the Scope of Service within the subgrant agreement. DFCS shall re-evaluate the information provided by the subgrantee(s) on the programmatic worksheets to determine that the Scope of Services for each program is met.

7. **When areas of concern are identified, DFCS shall:**

   a. develop an improvement plan in conjunction with the contractor; and
   b. ensure contractor follow-up and remediation

8. **Improvement plans for contracts for DFCS is discussed in the Subgrantee Manual as follows:**

The Initial Report of Findings and Recommendations that is forwarded to the subgrantee and to the MDHS funding division will require a written response from the subgrantee within fifteen working days. Upon receipt of the response from the subgrantee, the Director of the Bureau of Audit and Evaluation and other appropriate staff will assess each response for adequacy. If all responses are adequate, the response will be accepted by a letter to the subgrantee clearing all findings. If any responses do not adequately address the findings, the subgrantee will be notified in writing by the issuance of a Status Report, which will require a second response from the subgrantee within ten working days.

If the subgrantee fails to satisfactorily resolve all of the monitoring findings, the Bureau of Audit and Evaluation will issue a Final Notice Letter to the subgrantee demanding that the subgrantee refund the amount of questioned costs and advising the subgrantee of the procedures to follow if they wish to request an administrative hearing with the MSHS Executive Director.

If the subgrantee does not respond to the Final Notice Letter, the subgrantee will be referred to the State of Mississippi Office of the Attorney General to recover the unresolved questioned costs, and, the MDHS will begin procedures for debarment and suspension against the subgrantee organization and the subgrantee authorized official.

Y. Health and Safety of Service Environments

DFCS is committed to providing healthy and safe administrative and service environments and ensuring the health and safety of its personnel and service recipients.

MISS. CODE ANN. § 29-5-161 (2007) prohibits smoking in any government building, including all MDHS and/or DFCS buildings. All DFCS offices must have and maintain “NO SMOKING” signs

posted. Each county office must have an area that is designated for smoking separate from administrative and service areas.

For additional information, please see DFCS Safety and Security Guide at http://dfcsmacweb/DFCSWEB/.

Although DFCS offices are not owned, rented, or leased by DFCS, DFCS employees should do everything possible to ensure that the service environment promotes the health and safety of employees and service recipients. DFCS Facility Walkthrough Checklist must be completed on a monthly basis for each county office by DFCS employees.

An ASWS will be designated in each county location to ensure that ongoing facility inspections are documented and communicated through normal administrative channels. Any deficits found during these regular inspections as well as any preventive maintenance that needs to be done should be discussed with the Division of Economic Assistance's County Director or other MDHS designee who is responsible for the physical plant.

Window guards, security systems, alarms, and keypads shall be installed in counties where a need has been identified. Should ongoing facility inspections reveal the need for full time security guards; the ASWS will communicate this need through administrative channels. Fire drills shall also be conducted annually to ensure preparedness for a fire emergency.

In the event of an emergency maintenance issue that is not life threatening, DFCS staff shall notify the Economic Assistance County Director or designee, who then handles contacting the appropriate county officials in order to have the issue corrected.

All employees are to consider the environmental impact of their daily operations. When possible, employees shall use environmentally friendly products and reduce waste and energy consumption.

Although most decisions in planning for new buildings is outside of the DFCS's control, DFCS employees should consider the accessibility, availability, and affordability of public transportation; location of other relevant community resources; and the special needs of service recipients and communicate them clearly to those responsible for planning for a new county office.

Z. Health and Safety of Employees and Service Recipients

DFCS will issue and update, as needed, safety and security guides for staff. DFCS employees should refer to DFCS Safety and Security Guide on http://dfcsmacweb/DFCSWEB/ for details related to safety and security in the workplace. This Guide serves as a comprehensive tool for safety regarding staff, service recipients, and volunteers.

Each direct services staff member will be provided a cell phone in order to communicate when working off-site. Direct service staff will be provided safety training in the CWPD and the Non-Violent Crisis Intervention training. Direct service workers will be required to complete the CWPD training before carrying a caseload of any type.

DFCS has consulted with the Mississippi State Department of Health regarding blood and airborne pathogen exposure for employees. A video training program is required of all employees. The program has been incorporated into CWPD, to ensure all new direct service staff view the film prior to assuming a caseload and each existing employee will be required to view the DVD annually as a part of ongoing training. Although the program is designed for individuals who work with children, it also covers general universal precautions, blood and air borne pathogens, and exposure control. The risk of exposure to contagious and infectious disease is also covered in the Safety and Security Guide.

Based on epidemiological data analysis from the CDC, direct service staff are not considered to be members of a "high risk" group for Tuberculosis (TB). The vast majority of our service population is not defined as "high risk"; therefore, a mandatory skin testing program for staff will not be implemented. TB testing and Hepatitis B vaccinations are included in MDHS Insurance Wellness benefit and are available for all employees.

Prior to being employed, all prospective employees undergo fingerprinting and background checks which should indicate if a Worker has a felonious driving offense on their record.

Upon commencing employment with DFCS, all employees who may possibly have occasion to transport service recipients will sign the Statement Regarding Transportation when they complete their new hire packet with their supervisor within their first five days of employment. Additionally, when their personnel file is set up within their first thirty days of employment, and they sign their initial duties and standards packet, the Transportation Checklist tracking form will be completed by the Worker's immediate supervisor and filed in the personnel file. For existing employees, the Transportation Checklist tracking form will be reviewed as a part of their Annual Performance Appraisal.

MDHS AP-9, addresses policy for MDHS owned vehicles. Service recipients are not transported in DFCS owned vehicles.

DFCS Worker Safety Guide includes information and instruction for emergency situations and hazardous conditions. Every Worker shall have access to a telephone, either cellular or land based, and should call 911 in a life threatening emergency.

AA. Americans with Disabilities

"The Executive Director of MDHS approves and determines all employee requests for reasonable workplace accommodations under the provisions of the Americans with Disabilities Act (ADA). The laws applicable to compliance with the ADA are complex and they interact with other federal and/or state laws. The MDHS has a single point of contact for case resolution, the Division of Human Resources. This serves to ensure continuity, equity and access to legal counsel in the decision making process." (*See* MDHS AP-44)

BB. Emergency Response

MDHS Division of Economic Assistance (EA) is the division that is charged with the responsibility of coordinating with all federal, state, and local authorities and emergency responders in the case of a disaster. They have developed the MDHS *Disaster Operations Plan.* DFCS has developed the *Disaster Preparedness Plan* which addresses the evacuation, relocating, and accounting for the location of staff and service recipients. Each county office shall retain a form with pertinent information on all foster children and resource parents/facility regarding placement information and address, contact information which shall be kept in the county office and state office in the permanency unit. Emergency situations which would involve the threat of harm or violence or actual harm or violence are addressed in the Safety Handbook, which includes procedures for numerous situations which may arise.

The MDHS *Continuity of Operations Plan* (COOP) addresses alternate facility operations in the event of a disaster. Both the Family and Children's Services *Disaster Plan,* and the COOP outline procedures for communication with senior management, personnel, service recipients, the public and the media.

For additional information regarding the Emergency Response Plan, please refer to the MDHS Disaster Operations Plan, DFCS Disaster Preparedness Plan, and the MDHS Continuity of Operations Plan which is located at http://www.msema.org/plans/cemp.html.

XVI. BEHAVIOR SUPPORT AND MANAGEMENT

Behavior support and management are defined as the use of specialized interventions to guide, redirect, modify, or manage behavior of children. Behavior management includes a wide range of actions and interventions used in a broad continuum of settings in which adults are responsible for the care and safety of children. Behavior management includes the entire spectrum of activities from preventative and planned use of the environment, routines, and structure of the particular setting; to less restrictive interventions such as positive reinforcement, verbal interventions, de-escalation techniques, loss of privileges; to more restrictive interventions such as time-out and physical escorts.

Behavior management intervention with children by DFCS employees, licensed resource parents and licensed child caring facilities focuses on using positive means to teach appropriate self-management skills to children, promoting positive behavior and protecting the safety of service recipients and staff. Restrictive interventions that include isolation, manual, mechanical and chemical restraints, and locked seclusion are strictly prohibited. The use of encouragement and praise of positive behavior are seen as better agents for changing behavior in children than the use of punishment and aversive techniques.

The use of behavior management interventions by DFCS staff, licensed resource parents, and licensed child caring facilities shall be guided by State and Federal Statue, as well as generally accepted best practice standards promulgated by national accreditation organizations. All DFCS employees shall receive training on Non-Violent Crisis Intervention within twelve (12) months of the hire date and the annual refresher training thereafter. This training is offered by the Division of Human Resources Staff Development Unit. The supervisor of the DFCS staff member is responsible for providing verification of attendance at the training to the DFCS PDU where training records will be maintained on all DFCS staff. All DFCS licensed resource parents shall receive the Mississippi Parents As Tender Healers (MS PATH) pre-service training, which includes instruction on behavior management in the family setting, prior to being licensed. They are also required to sign an Affirmation of Understanding Regarding MDHS Policy Forbidding the Use of Corporal Punishment By Resource Parents (MDHS-SS-457A – *See* Section F).

Prohibitions

DFCS prohibits the use of any restrictive behavior management interventions and activities that infringe on the civil rights of children in any discipline or behavior management used by staff, licensed resource parents and licensed facilities.

The following forms of discipline **must never be used:**

20. Corporal punishment.
21. Any punishment of a physical nature, such as shaking, striking, spanking or physical abuse.
22. Any punishment that would constitute emotional or verbal abuse, such as humiliation, ridicule, name-calling, cursing or degrading remarks regarding the child or his/her family.
23. Punishment administered by one child to another child.
24. Punishment that consists of making a child complete physical exercises (particularly of a military nature); such as running laps, doing repetitive sets of sit-ups, etc.
25. Denial of meals, snacks, sleep, daily exercise and other daily needs.
26. Denial of visits, telephone calls, or mail contacts with family, attorney, siblings, DFCS worker, or pre-adoptive family.
27. Denial of educational services.
28. Denial of an opportunity to attend religious services and or religious counseling.
29. Assignment of excessive work or work that is age and developmentally inappropriate.
30. Use of manual or mechanical restraints.
31. Punishment as a group based on one individual's behavior.
32. Use of psychotropic medication for the purpose of chemical restraint and behavioral control.
33. Any form of discipline that is out of proportion to the particular inappropriate behavior.
34. Painful or aversive stimuli.
35. Cruel and unusual punishment of any kind.
36. Any intervention designed to inflict psychological harm or physical pain.
37. Locked seclusion as a punishment, consequence or sanction.
38. Isolation.

B. Confidential Information

When it is necessary for DFCS to request information from another organization/agency such as medical or mental health records of foster children, children not in custody, or parent(s)/guardians in order to complete investigations or provide services, the Consent to Disclose Information form must be used. (*See* Form DFCS 528 on the DFCS Connection Website/forms). The following information must be included on the form:

m. The name of the organization/agency who holds the records;

n. The name of the person/position with authority to release the records;

o. The name of the person whose information will be released;

p. The authorization signature of the DFCS worker or parent/guardian if the child is not a foster child;

q. The specific information to be released;

r. The purpose for which the information is to be used;

s. The date the release takes effect;

t. The date the release expires, not to exceed 90 days from the date authorization is given for a one time release of information;

u. The name of the person or position to whom the information is to be released;

v. The original of the form shall be placed in the client's paper file;

w. Blanket release forms cannot be used in service delivery. Each time it is necessary to obtain confidential information, a new form must be completed and signed by the client; and

x. A copy of the form shall be given to the client, if applicable.

~~All information pertaining to children and youth in DFCS custody is confidential. A release of information form for disclosure must be completed. The form DFCS 528, *Consent to Disclose Information*, includes the following elements:~~

~~a. the name of the person whose information will be released;~~
~~b. the signature of the person whose information will be released, or the parent or legal guardian of a person who is unable to provide authorization;~~
~~c. the specific information to be released;~~
~~d. the purpose for which the information is to be used;~~
~~e. the date the release takes effect;~~
~~f. the date the release expires, not to exceed 90 days from when authorization is given for a one time release of information, and not to exceed one year, or as the law or court order~~

~~requires, when a contracted or cooperating service provider requires the release of information for ongoing service provision;~~

~~g. the name of the person or position to whom the information is to be released;~~

~~h. the name of the person or position within the DFCS who is providing the confidential information; and~~

~~i. a statement that the person or family may withdraw their authorization at any time.~~

~~The Consent to Disclose Information form must be used when it is necessary to obtain confidential client information such as medical or mental health records in order to provide services.~~

- ~~Informed consent to release confidential information must be requested from the client to obtain specific records for a specific purpose which is stated on the completed form.~~
- ~~Blanket release forms cannot be used in service delivery. Each time it is necessary to obtain confidential information, a new form must be completed and signed by the client~~
- ~~The original shall be provided to the program from which records have been requested.~~
- ~~A copy must be placed in the client's paper file, and a narrative must be entered in MACWIS detailing the circumstances requiring the release.~~
- ~~A copy must be provided to the client.~~
- ~~Worker must verify client understanding of the form and its purpose.~~

2. Release of DFCS Record Material

All information obtained while working with families and children is confidential and will be disclosed by consent from a client or a person legally authorized to consent on behalf of the client or by court order. MISS. CODE ANN. § 43-21-261 is the only exception when disclosure is necessary to prevent serious, foreseeable, and imminent harm to a client or other identified person.

When a request is received for information from a DFCS case file by another agency or by a client, Form DFCS 552, *Release of Information for Disclosure of DFCS Case Record*, shall be completed and signed by the client/ person legally responsible for the client prior to the release of any DFCS case file information. (*See* Form DFCS 552 on the DFCS Connection Website/forms)

- The original of the form shall be placed in the client's paper file;
- A narrative shall be entered into MACWIS detailing the circumstances of the file release and verifying the client's understanding of the form and its purpose;

- A copy of the form shall be given to the client; and
- A copy of the form shall be sent to the agency receiving the case file information.

XVII. COMPLAINTS

A complaint is an expression of pain, dissatisfaction, or resentment. A complaint can be the basis for filing a formal grievance, but not all complaints will be handled in a formal way. Many clients may choose to express complaints to the Worker or supervisor without filing a formal grievance.

XVIII. GRIEVANCES

A grievance is a formal statement of complaint for a wrong or hardship suffered. All DFCS clients shall be given the Client's Grievance Procedure during an investigation and/or at case opening and assisted with filing a grievance if assistance is requested. Clients who have a grievance against a decision made should follow the Appeals section of this policy. For this procedure, a client is defined as any client or stakeholder involved in a case.

Clients wishing to file a formal grievance shall be walked through the following steps:

9. The client should be given the formal grievance form and asked to complete Section I of the form.
10. The form should be turned in to the supervisor or their designee. Whoever receives the form should log it into the formal grievance log. Each county shall keep this log and be able to report the number of formal grievances received monthly. The grievances shall be kept in a separate "grievances" file in the county by the supervisor/designee.
11. The supervisor has five (5) business days upon receiving the formal grievance to take appropriate action and contact the client regarding that action. The supervisor may ask the Worker to take appropriate action first. Face to face contact is preferred when contacting the client regarding the grievance. If necessary, phone contact is acceptable. If the complaint is about the Worker, his/her supervisor will handle the grievance (skip to number 5).
12. The client will be asked to sign whether or not he/she agrees with the action taken by the Worker. If he/she does not agree and further action is required, the Worker will give the form to the supervisor.

If the contact is over the phone, the original form and a copy of the form should be mailed to the client for his/her signature. The original should be signed by the client and the copy is for his/her records. The worker should also keep a copy of the form when mailing the original to the client. The client will have five (5) business days to return the signed form. **If the client states on the phone that he or she would like further action taken on the grievance, please note that on the form and forward it to the supervisor at that time. You do not need to wait on the returned form before forwarding it.

13. The supervisor will have five (5) business days to take appropriate action and to contact the client regarding the action taken.
14. The client will be asked to sign whether or not he/she agrees with the action taken by the supervisor. If the client does not agree and further action is required, the supervisor will give the form to the RD within three (3) business days. If the contact was made by phone, please follow the same protocol as stated above.
15. The RD or their designee will have ten (10) business days to take appropriate action and to contact the client regarding the action taken.
16. The client will be asked to sign whether or not he/she agrees with the action taken by the RD. If the client does not agree and further action is required, he/she must forward the form to the Division Director's office within thirty (30) days requesting an Administrative Hearing for the grievance.

MDHS-DFCS

Attn: Division Director

P.O. Box 352

Jackson, MS 39205

XIX. APPEALS

G. Overview

The DFCS provides individuals who disagree with DFCS findings or decisions covered under this policy, a right to appeal the decision. An administrative process has been implemented to offer a fair, impartial, timely and accessible hearing to all persons entitled to this process.

There are three types of appeal hearings conducted:

4) Administrative Hearing for any unresolved formal grievance;

5) Administrative Hearing which is afforded to an individual whose name has been placed into the MS Child Abuse Central Registry as a perpetrator of child abuse or neglect or has a substantiated report of abuse or neglect against them; or

6) Administrative Hearing which is afforded to foster parents, foster parent applicants, or licensed facility providers in the event that an application for licensure or renewal of a license is denied, or a license is suspended, revoked, an application for adoption is denied, or an adoption case is closed, or there is an adverse decision for an applicant or recipient of adoption assistance.

Any decision that is made by the Youth Court cannot be appealed through an Administrative Hearing. For example, a client may not appeal the decision for a child to be placed in the custody of the Department of Human Services as this decision was made by the Youth Court and must be appealed through the Youth Court procedures.

H. Administrative Hearings for Unresolved Formal Grievances

If a client has followed the procedure outlined in the grievance section above and the grievance has not been satisfactorily handled and further action is needed, he/she must forward the Client's Grievance Form to the Division Director's office within thirty (30) days requesting an Administrative Hearing for the grievance.

MDHS-DFCS

Attn: Division Director

P.O. Box 352

Jackson, MS 39205

The Division Director/designee will:

3. Contact the hearing officer to give the individual responsible for conducting the hearing the information regarding the request.
4. Notify the COR of the client that a hearing has been requested.

The hearing officer will:

5. Schedule a date, time, and place for the hearing.

6. Send a written notice of the scheduled hearing via Certified US Mail, Return Receipt Requested, at least thirty (30) days prior to the hearing date. If the individual requesting the appeal cannot appear at the time and location of the hearing, the individual must notify the hearing officer within ten (10) calendar days of receipt of the hearing notice to give explanations and make arrangements for rescheduling.
7. Notify the Division Director/designee of the scheduled hearing.
8. Notify the Division Director designee of any rescheduling of hearings.

The Hearing Officer will then notify the COR of the client regarding the scheduled hearing and request the Worker, ASWS, or any other appropriate staff prepare to be present at the hearing and be prepared to present evidence regarding the grievance if needed.

At the Administrative Hearing, either party may be represented by an attorney. The presiding Hearing Officer shall have the authority to maintain the decorum of the hearing, and shall take reasonable steps to do so when necessary, including clearing the hearing room of any person who is disruptive. The presiding Hearing Officer may clear the hearing room of witnesses not under examination.

The DFCS will present all the evidence which led to the DFCS's actions. The appealing party shall follow, presenting evidence that the reasons for the decision made are not true or not sufficient for the action taken.

If the appealing party, without good cause, fails to appear at the hearing, such failure shall be considered as a withdrawal of the appeal and the presiding Hearing Officer may dismiss the appeal.

After all evidence is heard or received, and the hearing is completed, the presiding Hearing Officer shall prepare and file a written finding of facts within fifteen (15) days of the hearing date.

The Division Director/designee shall review the finding of facts and issue a written statement regarding the final decision of the DFCS to the appealing party.

The decision of the Division Director/designee is final and binding unless overturned by a court of competent jurisdiction.

I. Appeals of the Central Registry

MISS. CODE ANN. § 43-21-257, as amended provides for the establishment of the Central Registry of abuse and neglect cases. The Registry provides a mechanism for the state to protect

children from abuse and neglect and to notify child care providers and licensing agencies of individuals who have been substantiated by DFCS as perpetrators of child abuse/neglect. With the establishment of the State Registry, there is also the requirement to establish procedures to afford due process to individuals who have been named as substantiated perpetrators prior to the release of their name from the registry.

When a request for a fair hearing is received by the Protection Unit, State Office, a hearing will be arranged. The administrative fair hearing must be conducted within sixty (60) days after the receipt of the request for a Hearing.

The Protection Unit will:

3. Contact the hearing officer to give the individual responsible for conducting the hearing the information regarding the request.
4. Notify the COR for the child abuse and/or neglect investigation report that a hearing has been requested.

The hearing officer will:

5. Schedule a date, time, and place for the hearing.
6. Send a written notice of the scheduled hearing via Certified US Mail, Return Receipt Requested, at least thirty (30) days prior to the hearing date. If the individual requesting the appeal cannot appear at the time and location of the hearing, the individual must notify the hearing officer within ten (10) calendar days of receipt of the hearing notice to give explanations and make arrangements for rescheduling.
7. Notify the Protection Unit of the scheduled hearing.
8. Notify the Protection Unit of any rescheduling of hearings.

The Protection Unit will then notify the COR for the investigation report of the scheduled hearing and request the Worker or ASWS prepare to be present at the hearing and be prepared to present evidence which led to the individual's name being placed in the registry.

At the Administrative Fair Hearing, either party may be represented by an attorney. The presiding Hearing Officer shall have the authority to maintain the decorum of the hearing, and shall take reasonable steps to do so when necessary, including clearing the hearing room of any person who is disruptive. The presiding Hearing Officer may clear the hearing room of witnesses not under examination.

The DFCS will be asked to present all the evidence which led to the DFCS's findings. The appealing party shall follow, presenting evidence that the reasons for the decision made are not true or not sufficient for the action taken.

If the appealing party, without good cause, fails to appear at the hearing, such failure shall be considered as a withdrawal of the appeal and the presiding Hearing Officer may dismiss the appeal.

After all evidence is heard or received, and the hearing is completed, the presiding Hearing Officer shall prepare and file a written finding of facts, and a decision on these findings and forward to the Protection Unit, within fifteen (15) days of the hearing date.

If the Administrative Fair Hearing reverses the DFCS's decision the Protection Unit will notify the appealing party in writing that his name shall be removed from the Central Registry by administrative procedures.

The decision of the Hearing Officer is final and binding unless overturned by a court of competent jurisdiction.

J. Appeals of Findings of Abuse/Neglect/Exploitation

The Child Abuse Prevention and Treatment Act (CAPTA) Amendments of 1966, P.L.104.235 (as codified at 42 U.S.C. Section 5106a) requires states to have provisions, procedures, and mechanisms in effect by which individuals who disagree with an official finding of child abuse or neglect can appeal such a finding." This requirement applies to the perpetrator of child abuse or neglect and applies to States receiving funds under a CAPTA state plan.

This requirement is to assure that individuals who have been found by the State to have committed child abuse or neglect are afforded due process. It also requires that individuals be given written notification of their right to appeal, and the method by which they may appeal, at the time they are notified of the official finding of child abuse or neglect; and that the office or individual hearing such appeals cannot be involved in any other state of the case, and that such officer or individual has the authority to overturn a previous finding of abuse or neglect.

K. Administrative Hearings for Resource Homes

An Administrative Grievance Hearing is afforded to individuals who disagree with an DFCS decision and/or action in the event that an application for licensure or renewal of a license is denied, a license is suspended or revoked, an application for adoption is denied, an adoption case is closed, or there is an adverse decision for an applicant or recipient of adoption assistance.

This process is given to:

8. Foster Parents
9. Foster Parent Applicants
10. Adoptive parents
11. Adoptive applicants
12. Facility licensure applicants
13. Licensed facility providers
14. Licensed child placing DFCS providers.

L. Appeal Process

In the event of a DFCS decision or action as described above under this section, the aggrieved party may file an appeal by submitting, in writing, a request for an administrative hearing. The written notice of appeal is sent to the MDHS/ DFCS, Licensure Unit, P.O. Box 352, Jackson, MS 39205. This request for a hearing must be received by the DFCS within ten (10) working days of the date the DFCS's written notice of action sent to the individual or DFCS.

The administrative hearing shall be held no later than sixty (60) calendar days after the receipt of the request for a hearing.

The Licensure Unit will contact the Hearing Officer giving the officer information regarding the request. The Hearing Officer is appointed by MDHS, but has no involvement with DFCS decisions regarding licensure or approvals for adoption or other matters from which the individual or party appeals other than during the hearing process.

The Hearing Officer shall schedule a date, time and place for the hearing.

At least thirty (30) calendar days prior to the administrative hearing, notices shall be sent via Certified U.S. Mail, Return Receipt Requested, to all involved parties by the appointed Hearing Officer. The appealing party shall be afforded all applicable safeguards of procedural due process.

The Hearing Officer will notify the Licensure Unit and/or the Adoption Unit of the scheduled hearing. The Licensure Unit and/or Adoption Unit as appropriate will notify the appropriate staff person, who is responsible for the case, of the hearing.

The Worker, supervisor or other appropriate DHS staff will be prepared to present the reasons for the DFCS's decision and will be present at the hearing.

At the Administrative Grievance Hearing, each party may be represented by an attorney. The appealing party shall have the right to call, examine and cross examine witnesses. The Hearing Officer may require the presence of witnesses and evidence in behalf of the applicant, licensee, or MDHS.

Each party shall file with the Hearing Officer, a list of witnesses they plan to call to testify at the hearing and produce documentary evidence on his, her, or its behalf. This information must be provided to the Hearing Officer at least ten (10) calendar days prior to the Hearing. The list shall contain the following:

4. Name(s);
5. Current Residence/Address (city, phone number, etc.)
6. Brief description of testimony

Each party will be responsible for notifying his/her, its witnesses of any changes regarding the hearing process and any changes therein.

The presiding Hearing Officer may clear the hearing room of witnesses not under examination.

The presiding Hearing Officer shall have the authority to maintain the decorum of the hearing and shall take reasonable steps to do so when necessary, including clearing the hearing room of any person who is disruptive.

During the Administrative Grievance Hearing, the presiding Hearing Officer shall hear or receive evidence on its case in chief. The appealing party shall follow in presenting the same.

In the Appeal Process, the burden of proof shall be on the MDHS/DFCS.

If there is a withdrawal of the appeal by the appealing party, the appealing party must be required to furnish evidence of the reasons for the withdrawal to the presiding Hearing Officer in order for the appeal to be dismissed.

In order to preserve the record of the hearing, the Hearing Officer will make an electronic recording of the hearing.

After all evidence is heard or received, and the hearing is complete, the presiding Hearing Officer shall, within thirty (30) days of the hearing, prepare and file a written findings of facts with a recommended decision and forward same to the Director, DFCS, who shall make the final

decision as to whether the denial, suspension, probation, or revocation is sustained. The decision shall be in writing and shall contain findings of fact and rulings of licensure standards and law, and shall be mailed to each party or when a party if represented by an attorney to his/her attorney by Certified U.S. Mail, Return Receipt Requested. The decision of the Director is final and binding.

XX. TRAINING AND SUPERVISION

B. Introduction

DFCS PDU is responsible for providing a comprehensive, family centered child welfare training program for all DFCS staff to prepare them to assume their job responsibilities and enable them to enhance their knowledge, skills and abilities. At a minimum, all DFCS employees shall receive orientation and pre-service training.

Training needs of DFCS staff are identified through regular review of evaluations of training sessions completed by participants, suggestions from state office program staff and senior management, review of reports which reflect Worker performance related to certain critical areas of practice and an annual survey of all DFCS employees to provide feedback about job satisfaction and training needs.

Official training records of each DFCS employee are maintained by the PDU in a database file during the employee's tenure with DFCS. All training courses offered by the PDU shall be recorded in the database file by PDU staff. If an employee attends a training course outside the DFCS, the employee is responsible for providing written verification of completion of the course for entry into the Training Record.

DFCS -PDU is also responsible for Workforce Development and works closely with the accredited schools of social work in the state to recruit professional staff.

XXI. TRAINING REQUIREMENTS FOR NEWLY HIRED EMPLOYEES

E. Direct Service Workers/Clerical Staff

All newly employed direct service staff and supervisors shall receive a minimum of 270 hours of pre-service training, including instructional training and supervised field training, prior to assuming responsibility for cases.

The Worker's immediate supervisor is responsible for the initial orientation, field training, and assisting the Worker in the transfer of learning to the job. On the date the new employee reports to work, the supervisor shall ensure the new Worker is provided with the following items:

4. The State Personnel Board Employee Handbook
5. The New Hire Field Instruction Training Manual
6. A complete and current DFCS policy manual.

Exceptions:

~~4) If the new employee was a student intern in field placement with DFCS or a contract Worker in DFCS within six months prior to employment she/he may be exempt from the On-the-Job Training prior to reporting for classroom training.~~

5) If the new employee is being re-hired with DFCS, previously completed the pre-service training, and is returning to the DFCS within 12 months of leaving, the pre-service training can be waived.

6) If the new employee is being re-hired with DFCS, but has been gone for more than 12 months, the pre-service training must be completed unless an exception is granted by DFCS Deputy Director, based on education and experience.

7) All clerical staff shall complete two days of Finance/Clerical training.

All requests for waivers/exceptions shall be directed to the Director of the Professional Development Unit.

F. Pre-Service Training

Pre-Service training is competency based and trainees are tested at the end of each week of instructional training. Trainees must receive a score of 70 or above on each of the four tests in order to continue eligibility for the position. If the trainee does not pass with a score of 70 or above, they are required to retake the test the following week. If the trainee does not pass the exam after the retake, the ASWS and Regional Director will be notified and a plan will be made for dismissal or a repeat of the training.

G. Pre-Service Eligibility/Attendance Requirements

To be eligible to attend the Pre-Service training, the following criteria shall be met:

- New Hire completes on-the-job training or meets the criteria for an exception.
- New Hire has an assigned and active Mississippi Automated Child Welfare System (MACWIS) number.

These forms are located on DFCS Connection, http://dfcsmacweb/DFCSWEB/Professional.htm with instructions. The completed forms must be received in the DFCS PDU no later than one week prior to the 1st day of training in order for the new employee to be considered for the specific training group. If special accommodations are required for a new employee, the PDU should be notified immediately.

H. Additional Training Required for New Employees

All newly hired Direct Service Workers and supervisors are required to complete the following training within the first twelve months of employment.

The ASWS shall submit verification of the Worker completing each training directly to the PDU.

- Non-Violent Crisis Intervention (offered by Division of Human Resources)
- Age Appropriate Passenger Restraints System Training (must be delivered by a technician certified by SAFEKIDS US)
- Blood and airborne pathogens (DVD)

XXII. ON-GOING TRAINING REQUIRED FOR DIRECT SERVICE WORKERS

It is the Direct Service Worker's responsibility to maintain proficiency in the performance of job duties by attending professional trainings and/or workshops. All Direct Service Workers shall obtain a minimum of 40 hours of on-going job-related training annually. Failure on the part of the Direct Service Worker to complete the 40 hours of annual training for any reason will be grounds for termination of employment.

Training offered by DFCS PDU shall be counted toward the 40 hours. The Worker's supervisor may approve professional conferences, seminars and workshops outside of DFCS that are directly related to an employee's present job duties and responsibilities to be outside of DFCS toward the 40 hours. The Worker must submit documentation of completion of the training to the PDU for recording in the database.

DFCS PDU is a Designated Provider for Social Work Continuing Education (CE), but not all training offered by the unit will receive CEs. The training curriculum and the presentation of the curriculum must meet specific criteria in order for CEs to be awarded. The director of PDU will inform staff if CEs are to be given for a particular training.

The following DFCS- sponsored trainings are mandatory for all DFCS Direct Service Workers and supervisors annually:

- Non-Violent Crisis Intervention Training
- Age Appropriate Passenger Restraints System Training

D. Staff Development/Training Request

An employee planning to attend training not provided by the DFCS is required to submit a Travel Authorization (Form MDHS-AF-13-20-20) at least two (2) weeks in advance of the training to his/her immediate supervisor. The supervisor will then forward the form to the employee's second line supervisor for approval /disapproval.

The second line supervisor will review the Form MDHS-AF-13-20-20 for accuracy and completeness and, when necessary, will consult with the DFCS Training Director with respect to items in question prior to approval. The second line supervisor is authorized to approve any request for On-going Staff Development/Training for time only. Any staff development/training requiring the expenditure of funds shall be forwarded to the DFCS Office Director II for final approval.

DFCS may pay for all or any part of training costs, depending on the availability of funds, as authorized by the DFCS Office Director II. Requests for reimbursement of approved expenses for staff development/training should be submitted with the proper documentation in a timely manner and in accordance with MDHS AP-19.

E. On-Going Training Waiver

With the exception of job orientation and Pre-Service Training for new employees, the DFCS PDU Director may issue a waiver for any course of study validated (MSW course of study) as meeting DFCS requirements of on-going training. The employee must be enrolled in an accredited college, university, or a school in candidacy for CSWE status and the course must be at the graduate level in order to be considered. An employee must submit his/her request for a waiver in writing to his/her supervisor for review. The request must include:

- The course title
- Name of the college, university, or school
- Course dates
- Certificate of completion with a final grade of "B" or better
- Course description and objectives
- Number of academic semester hours

If the employee's request meets these requirements, the supervisor will sign the request and forward it to the DFCS PDU Director for approval.

F. Supervisory Access

Supervisory personnel are involved in all decisions related to child safety and permanency, and workers shall have access to a supervisor by telephone 24 hours a day.

XXIII. TRAINING REQUIREMENTS FOR SUPERVISORS

All supervisors hired or promoted by DFCS shall complete a minimum of 40 hours of pre-service instructional supervisory training before they can assume supervisory responsibilities.

In addition to the 40 hours of Clinical Supervisory Training, Mentoring (Level I) and Level II Clinical Supervisory Training are also a part of the supervisory tract. ~~DFCS Supervisory Training Program includes two levels in addition to the 40 hour supervisory course: Mentoring and Learning Labs.~~

Supervisors shall receive a minimum of 24 hours annual on-going, in-service training.

B. Mentoring – Upon the completion of the 40 hour supervisory training those employees who will begin serving in a permanent supervisor position will be assigned a mentor to provide one-on-one comprehensive long-term training, to provide guidance and coaching to the new supervisor the first 12 months in the position. The mentor will work through the Level I Clinical Supervisory Training with the supervisor.

- ~~The RD is responsible for overseeing this training and may appoint the Regional ASWS to actually deliver the training.~~
- The ~~RD/ASWS~~ mentor shall meet with the new supervisor weekly for 24 weeks. ~~a minimum of twice a month for training sessions and shall have other contacts as needed.~~
- ~~Quarterly reports on the training, including the dates of face-to-face and other contacts and the content of the discussions, shall be sent by the RD/ASWS to the PDU for entry into the Training Record~~.
- ~~A copy of this report is routed to the RD (if not providing training)~~.
- All new ASWSs shall complete Mentoring Training within twelve months of assuming the position of supervisor.

- ~~Failure on the part of the RD to ensure the accomplishment of this training will result in a written reprimand.~~

C. ~~Learning Labs~~

- ~~Five Supervisory Learning Lab modules are delivered annually within the 13 DFCS regions.~~
- ~~Learning Labs are designed to deliver ongoing training to ASWSs in each region. The topics are selected based on the needs that are identified.~~

XXIV. SUPERVISION

County ASWSs are administratively responsible for DFCS operation, including clerical staff and Workers. This includes, but is not limited to, the following administrative responsibilities:

- Coordinate with county staff in other divisions to promote a positive work environment.
- Organize work space
- Supervise clerical staff
- Make periodic reviews of bookkeeping files
- Ensure workloads are equally distributed among all staff
- Schedule monthly staff meetings with all DFCS staff in the county
- Ensure accurate minutes of staff meetings are recorded
- Forward staff meeting minutes to RD with a copy filed in the Administrative File
- Ensure adequate coverage for office at all times
- Coordinate on-call schedule for county
- Apply data reports to improve client outcomes
- Meet DFCS' quality improvement and evaluation requirements

The following responsibilities are related to the supervision of county Workers:

- Delegating and overseeing work assignments
- Ensuring service delivery is performed according to DFCS' mission, policies and procedures and service philosophy.
- Providing case consultation and in-service training, as appropriate

- Identifying unmet training needs
- Conducting Performance Evaluations
- Providing the Field Training to newly hired staff
- Assisting Workers with transfer of learning from training to the job
- Providing support and enhancing staff's ability to perform their jobs

E. Case Record Review

Case records of all staff under the supervision of the ASWS shall be reviewed monthly, and more frequently as needed, to monitor the progress of families and individuals receiving services. After each case review, the ASWS will provide feedback to the Worker.

F. Individual Conferences with Workers

Weekly individual conferences shall be held with each staff member under the supervision of the ASWS. These conferences must be documented in a log kept by the supervisor and shall be used to staff a portion of the Worker's workload each week to ensure all children and families are receiving needed services, continual progress is being made showing that cases and investigations are current.

In addition to the cases selected, the Worker should be allowed to discuss other cases with current issues.

G. Supervisory Administrative Review

In order to meet the requirements of MISS. CODE ANN. § 43-15-13(3), a mandatory Supervisory Administrative Review (SAR), shall be completed by the COR Supervisor of all cases within 90 days after opening such cases, regardless of the service type.

In developing the SAR, Section 103(E) of the Adoption and Safe Families Act of 1997 was taken into consideration as it speaks to children who have been in custody 15 of the most recent 22 months. A petition to terminate parental rights shall be filed on these children unless it is determined that there are compelling reasons why such filing is not in the best interest of the child. In order to capture outcomes on these children, a second SAR is mandatory when the child has been in custody 15 months. If a Prevention or Protection case remains open for 15 months, the Supervisor shall review cases to determine why the case remains open.

The COR ASWS shall be responsible for completing the SAR on all open cases regardless of the service type within his/her county. The dates for completing this review will be determined by the custody start date for placement cases and by the case start date on non custody cases.

The tickler for the SAR will be specific to the individual person in the case to keep up with the time frames for completing the SAR. This is done to correctly capture each person as they enter and exit a case. To begin the SAR, the Supervisor will receive a tickler that the review is due. The ticklers will generate as discussed below.

H. Custody and Non Custody Cases

Initial SAR –

4. **Initial SAR -** Shall be completed within 90 days from the date of custody or case start date.
   - The ASWS will receive a tickler at 60 days from the custody start date that the SAR is due.
   - The ASWS will have 30 days to complete the SAR
   - If the SAR is not completed within 30 days from the date of the tickler, the RD will receive a tickler that the SAR is due and the ASWS will get an alert that the SAR is overdue.

5. **15th Month SAR** – Shall be completed within 456 days from the custody or case start date.
   - The ASWS will receive a tickler at 425 days from the custody start date that a SAR is due
   - If the SAR is not completed within 30 days from the date of the tickler, the RD will receive a tickler that the SAR is due and the ASWS will get an alert that the SAR is overdue

6. **Subsequent SAR**
   - Subsequent SARs shall be completed every 12 months following the 15 month SAR ~~at times other than the mandatory review dates. A subsequent SAR will not change the dates of the mandatory review dates set by the ticklers~~.

XXV. PROFESSIONAL ENHANCEMENT SCHOLARSHIP

Information regarding the eligibility criteria for the DFCS scholarship program is located on the DFCS Connection Web under Professional Development http://dfcsmacweb/DFCSWEB/index.htm.

XXVI. NOTICE OF PARENT/GUARDIAN'S RIGHTS

C. Investigations

You have rights and responsibilities while you are involved with DFCS during an open investigation. The normal hours of operation for DFCS are 8:00 a.m. until 5:00 p.m. Monday through Friday, excluding state holidays. In case of emergencies, contact may be made after hours, weekends, and/or on state holidays at 1-800-222-8000.

YOU HAVE THE RIGHT TO:

9. Know what has been reported to the DFCS about your family.
10. Be informed that a Worker has spoken to your child.
11. Help from your Worker in correcting any problems discovered during the investigation.
12. Have office phone numbers and office addresses for your Worker and your Worker's supervisor.
13. Participate in any court hearings which may result from the investigation.
14. Know the outcome of the investigation.
15. Have your Native American (Indian) ancestry recognized and respected. We will tell the Bureau of Indian Affairs about our involvement with your family and follow the tribe's decisions for handling your investigation.
16. Be treated with dignity and respect and receive services without regard to age, race, color, creed, religion, national origin, sex, disability, or political affiliation.

YOU HAVE THE RESPONSIBILTY TO:

7. Provide full names, dates of birth, social security numbers for household members and other necessary information requested by your Worker.
8. Cooperate with your Worker and participate in service decisions.
9. Ask for and be a part of all Family Team Meetings.
10. Give to your Worker the names, phone numbers, and addresses of your relatives who may be able to care for your child if necessary.
11. Give your Worker all requested medical and educational information about your child.

12. Pay the cost or part of the cost of some elements of the investigation (such as paying for a drug screen or a medical exam) if requested**.**

CONFIDENTIALITY:

Your family's information is confidential and private. We will not disclose any information without your written permission or by order of the court. However, information may be shared with law enforcement or the Office of the District Attorney without your written permission. We may contact other people to assess the safety of your child.

Confidentiality laws additionally limit the information we can share with you. We are not able to name the reporter in any investigation, tell you what anyone else said, or give you a copy of any investigation.

D. Prevention/Protection

You have rights and responsibilities while you are involved with DFCS and have an open case. The normal hours of operation for DFCS are 8:00 a.m. until 5:00 p.m. Monday through Friday, excluding state holidays. In case of emergencies, contact may be made after hours, weekends, and/or on state holidays at 1-800-222-8000.

YOU HAVE THE RIGHT TO:

1. Participate in decisions affecting your family.
2. Identify and discuss your family's strengths and areas needing improvement with your Worker to develop your Family Service Plan.
3. Have office phone numbers and office addresses for your Worker and your Worker's supervisor.
4. Participate in any court hearings held in your case.
5. Refuse any service or treatment recommended by DFCS unless court ordered.
6. Know when services are about to end.
7. Have your Native American (Indian) ancestry recognized and respected. We will tell the Bureau of Indian Affairs about our involvement with your family and follow the tribe's decisions for handling your case.
8. Be treated with dignity and respect and receive services without regard to age, race, color, creed, religion, national origin, sex, disability, or political affiliation.

_____ / _____ _____

Client(s) initials **Worker initials**

YOU HAVE THE RESPONSIBILITY TO:

7. Provide full names, dates of birth, social security numbers for household members and other necessary information requested by your Worker.
8. Cooperate with your Worker and participate in service decisions.
9. Complete your Family Service Plan**.** This **may include** paying for the cost or part of the cost of a task.
10. Ask for and be a part of all Family Team Meetings.

11. Give to your Worker the names, phone numbers, and addresses of your relatives who may be able to care for your child if necessary.
12. Give your Worker all requested medical and educational information about your child.

CONFIDENTIALITY:

Your family's information is confidential and private. We will not disclose any information without your written permission or by order of the court. However, information may be shared with law enforcement or the Office of the District Attorney without your written permission. We may contact other people to assess the safety of your child.

Confidentiality laws additionally limit the information we can share with you. We are not able to name the reporter in any investigation, tell you what anyone else said, or give you a copy of any investigation.

XXVII. CLIENTS' RIGHTS FOR PARENTS OR PRIMARY CARETAKERS OF CHILDREN IN CARE

Within five calendar days of case opening, parents or primary caretakers shall receive a written summary of their rights and responsibilities which shall be fully explained using clear and consistent language. Parent/caretaker have the following rights:

- the right to regular visitation and other contacts, such as letters and telephone calls (unless ordered otherwise by the court);
- the responsibility to help financially support the child
- the responsibility to remember the child at birthdays and holidays;
- the right to participate in major decisions affecting the child and to be notified of changes in the casework plan;
- the right to assistance from the Worker to help them alleviate the problems which caused removal from the home;
- the right to participate in the development of an ~~individual~~ family service plan for parents;
- the responsibilities to fulfill their part of the ~~individual~~ family service plan for parents;
- the right to participate in the child's case reviews;
- the right to a two week notice prior to changes in the child's placement or visitation schedule;
- the right to know about the state law which mandates DFCS to secure permanency in 6 months;
- the right to attend/participate in child's permanency (dispositional) reviews;
- the responsibility to request/participate in Family Team Meetings.

The original of the signed Rights and Responsibilities form shall be filed in the case record and a copy given to the parent. *See* Policy Section D.

E. Informing Parents of His/her Rights and Responsibilities.

The Worker will mail or deliver to the parent a copy of the Parents Rights and Responsibilities. The Worker will include a self addressed stamped envelope so the parent can sign the R&R and return a copy to DFCS. Once the Parents R&R are received the Worker will document in MACWIS. *See* Policy Section D.

A written summary of client rights and their responsibilities must be posted in the reception areas of all service delivery locations. Client Rights and Responsibilities posters must be displayed

prominently in all public areas of the county DFCS offices. Each county office shall designate a Worker to conduct a monthly facility walk through and to complete a checklist, which includes a question regarding whether the Client Rights and Responsibilities poster is posted in the lobby.

F. Placement Cases

You have rights and responsibilities while you are involved with DFCS of Family and Children's Services (DFCS). These are the rights and responsibilities for parents and/or guardians of children who are in the custody of the MDHS. The normal hours of operation for DFCS are 8:00 a.m. until 5:00 p.m. Monday through Friday, excluding state holidays. In case of emergencies, contact may be made after hours, weekends, and/or on state holidays at 1-800-222-8000.

YOU HAVE THE RIGHT TO:

16. Regular visits and other contact with your child, such as letters and telephone calls. *****
17. Give input into decisions affecting your child.
18. Identify and discuss your family's strengths and areas needing improvement with your Worker to develop your Family Service Plan.
19. Expect your child to be free from abuse, neglect and exploitation.
20. Expect your child not to receive any harsh, cruel, unusual, unnecessary, demeaning, or humiliating punishment. This includes not being shaken, hit, spanked, or threatened, forced to do unproductive work, be denied food, sleep, access to a bathroom, mail, or family visits as punishment.
21. Expect your child to be disciplined in a manner that is appropriate to how mature he/she is, his/her developmental level, and his/her medical condition. Discipline does not include the use of restraint, seclusion, corporal punishment or threat of corporal punishment.
22. Help decide the long term plan for your child and to be notified of changes in the plan.
23. Have help in correcting the problems that caused your child to be placed outside your home.
24. Have office phone numbers and office addresses for your Worker and your Worker's supervisor.
25. Participate in your child's county conferences and court hearings.
26. Refuse any service or treatment recommended by DFCS unless court ordered.
27. Two weeks notice before your child's placement or visit schedule changes.******
28. Ask to meet with your child's Resource Parents.

29. Have your child's Native American (Indian) ancestry recognized and respected. We will tell the Bureau of Indian Affairs about our involvement with your family and follow the tribe's decisions for handling your case.
30. Be treated with dignity and respect and receive services without regard to age, race, color, creed, religion, national origin, sex, disability, or political affiliation.

***** In emergency situations we may not be able to notify you.***

YOU HAVE THE RESPONSIBILITY TO:

9. Help financially to support your child
10. Remember your child on birthdays and holidays with visits, gifts, calls, or cards.
11. Complete your part of your Family Service Plan**.** This **may include** paying for the cost or part of the cost of a task.
12. Ask for and be a part of all Family Team Meetings.
13. Help develop your child's visitation plan.
14. Give 48 hours notice if you can't come to a visit with your child.
15. Give to your Worker the names, phone numbers, and addresses of your relatives who may be able to care for your child.
16. Give your Worker all medical and educational information about your child.

CONFIDENTIALITY:

Your family's information is confidential and private. We will not disclose any information without your written permission or by order of the court. However, information may be shared with law enforcement or the Office of the District Attorney without your written permission. We may contact other people to assess the safety of your child.

Confidentiality laws additionally limit the information we can share with you. We are not able to name the reporter in any investigation, tell you what anyone else said, or give you a copy of any investigation.

G. For Youth 14 or Older in Foster Care

These are the rights and responsibilities for youth fourteen (14) and older in the custody of the MDHS. The normal hours of operation for DFCS are 8:00 a.m. until 5:00 p.m. Monday through Friday, excluding state holidays. In case of emergencies, contact may be made after hours, weekends, and/or on state holidays at 1-800-222-8000.

YOU HAVE THE *RIGHT* TO:

15. Know why you are in foster care and how we will meet your needs.
16. Know what progress your family will have to make before you may return home.
17. Visit with your family unless the youth court judge says that you cannot.
18. Know your worker, to know his/her supervisor, to know their office phone numbers and addresses, and to know how to get help from your Caseworker.
19. Be free from abuse, neglect and exploitation.
20. To fair treatment, whatever my gender, gender identity, race, ethnicity, religion, national origin, disability, medical problems, or sexual orientation.
21. Not receive any harsh, cruel, unusual, unnecessary, demeaning, or humiliating punishment. This includes not being shaken, hit, spanked, or threatened, forced to do unproductive work, be denied food, sleep, access to a bathroom, mail, or family visits as punishment. You will not receive remarks that make fun of you or your family or any threats of losing your placement or shelter.
22. Be disciplined in a manner that is appropriate to how mature you are, your developmental level, and your medical condition. You must be told why you were disciplined. Discipline does not include the use of restraint, seclusion, corporal punishment or threat of corporal punishment.
23. Expect a safe and healthy place to stay while you are away from your home and to know all the rules and regulations of your placement.
24. Take part in decisions made about you, to attend court hearings unless the youth court judge says you cannot, to attend foster care review conferences and to participate in designing your Family Service Plan (FSP).
25. An advocate who represents your best interests in court (GAL) and to have contact information for him/her and the right to counsel.
26. Know when your placement or your visits with your family are about to change. (Your Caseworker will tell you as soon as they know there will be a change.)

27. Participate in Independent Living activities such as skills groups and retreats to help prepare you to live on your own if you cannot return home.
28. Be treated with dignity and respect and receive services without regard to race, color, creed, religion, national origin, sex, age, disability, or political affiliation.

YOU HAVE THE *RESPONSIBILITY* TO:

2. Let someone know if you feel you have been treated unfairly by:
    - Talking with your Caseworker about the problem.
    - If the problem is not resolved, asking your Caseworker or another Caseworker to arrange for you to talk with the ASWS.
    - If the problem is still not resolved, asking the ASWS to let you talk with the RD.
    - If there is still a problem, calling the state complaint/grievance unit at 1-601-359-4330.
5. Participate in Independent Living activities such as skills groups and retreats to help prepare you to live on your own if you cannot return home.
6. Obey the rules and regulations of your placement and know what the consequences will be if you do not.
7. Understand that your behavior can disrupt your placement causing unnecessary moves.
8. Treat others with dignity and respect without regard to race, color, creed, religion, national origin, sex, age, disability or political affiliation.

CONFIDENTIALITY:

Your family's information is confidential and private. We will not disclose any information without your parent's written permission or by order of the court. However, information may be shared with law enforcement or the Office of the District Attorney without your parent's written permission. We may contact other people to assess your safety.

Confidentiality laws limit the information we can share with you. We are not able to name the reporter in any investigation, tell you what anyone else said, or give you a copy of any investigation.

H. Rights and Responsibilities Children 13 and Under in Foster Care

You have rights and responsibilities while you are involved with DFCS of Family and Children's Services (DFCS). These are the rights and responsibilities for children thirteen and under who are in the custody of the MDHS. The normal hours of operation for DFCS are 8:00 a.m. until 5:00 p.m. Monday through Friday, excluding state holidays. In case of emergencies, contact may be made after hours, weekends, and/or on state holidays.

YOU HAVE THE RIGHT TO:

12. You have the right to know why you are in foster care and how we will take care of you.
13. You have the right to visit with your family unless the youth court judge says you cannot do so.
14. You have the right to know your worker, to know his/her boss, to know their phone numbers and to know how to get help from your worker.
15. You have the right to expect a safe and healthy place to stay while you are away from your home and to know all the rules and regulations of the place you are staying.
16. Be free from abuse, neglect and exploitation.
17. To fair treatment, whatever my gender, gender identity, race, ethnicity, religion, national origin, disability, medical problems, or sexual orientation.
18. Not receive any harsh, cruel, unusual, unnecessary, demeaning, or humiliating punishment. This includes not being shaken, hit, spanked, or threatened, forced to do unproductive work, be denied food, sleep, access to a bathroom, mail, or family visits as punishment. You will not receive remarks that make fun of you or your family or any threats of losing your placement or shelter.
19. Be disciplined in a manner that is appropriate to how mature you are, your developmental level, and your medical condition. You must be told why you were disciplined. Discipline does not include the use of restraint, seclusion, corporal punishment or threat of corporal punishment.
20. You have the right to take part in decisions made about you, to know when court hearings are held, and to ask for the help of a lawyer
21. You have the right to know when your place to stay or your visits with your family are about to change. (Your worker will tell you as soon as they know there will be a change.)
22. You have the right to be treated with dignity and respect and receive services without regard to race, color, creed, religion, national origin, sex, age, disability, or political affiliation.

YOU HAVE THE RESPONSIBILITY TO:

Let someone know if you feel you have been treated unfairly by:

5. Talking with your worker about the problem.
6. If the problem is not fixed, asking your worker or someone else to arrange for you to talk with the ASWS (Area Social Worker Supervisor). This person is your worker's boss.
7. If the problem is still not fixed, asking the ASWS to let you talk with his/her boss.
8. After all of that, if there is still a problem, calling the state complaint/grievance unit at 1-800-222-8000.

CONFIDENTIALITY:

Your family's information is confidential and private. We will not disclose any information without your parent's written permission or by order of the court. However, information may be shared with law enforcement or the Office of the District Attorney without your parent's written permission. We may contact other people to assess your safety.

Confidentiality laws limit the information we can share with you. We are not able to name the reporter in any investigation, tell you what anyone else said, or give you a copy of any investigation.

XXVIII. INHERENT RIGHTS OF CHILD AND FAMILY

In addition, workers must recognize other specific constitutional, legal rights and entitlements of children and families in child maltreatment cases and practice within these boundaries:

The court system accords both parents and children certain legal rights and entitlements, depending on the type of proceeding in which they are involved, including:

- The right to family integrity;
- The right to notice of the proceedings;
- The right to a hearing;
- The right to counsel;
- The right to a jury trial;
- The CAPTA requirement of a GAL or court-appointed special advocate;
- The entitlement to reasonable efforts.

Parents and children must not only be informed of their rights, but they also must understand the protections those rights afford them. Court representatives and workers shall educate families about their rights and help them feel empowered in an otherwise intimidating process.

G. The Right to Family Integrity

The legal framework regarding the parent-child relationship balances the rights and responsibilities among parent, child, and State, as guided by Federal statutes. It has long been recognized that parents have a fundamental liberty interest, protected by the Constitution, to raise their children as they choose. This parent-child relationship grants certain rights, duties, and obligations to both parent and child, including the responsibility of the parent to protect the child's safety and well-being. If a parent, however, is unable or unwilling to meet this responsibility, the State has the power and authority to take action to protect a child from significant harm.

CAPTA is one of the primary pieces of Federal legislation guiding casework and it supports the right of family integrity through community-based grants that aim to strengthen families. Of course, this right is not absolute. A compelling State interest, such as the need to protect children from significant harm, will justify infringement on the right to family integrity.

H. The Right to Notice of the Proceedings

Parents or other custodians of a child have the right to "notice" of any petition filed regarding that child and to be notified of any hearing regarding that petition. The right to notice encompasses the right to be formally given the petition, which also must state what the parent has done or not done that makes court involvement necessary. The right to notice is a fundamental element of the constitutional right to due process. Due process specifies the right to be present in court, representation by an attorney, and procedures that are speedy, fair, and impartial. It applies to both parents, whether or not they are living together. Orders entered without notice are subject to being withdrawn.

Putative fathers (those identified as the biological parent, but whose paternity has not been legally established) also must be identified in the petition and be served. Their relationship to the child needs to be determined as early in the proceeding as possible by formal acknowledgment or by genetic testing. If paternity is established, these fathers or their families may become financial and placement resources for the child.

Petitions may be filed and emergency *ex parte* orders may be entered without advance notice to parents. *Ex parte* is defined as being on behalf of or involving only one party to a legal matter and in the absence of and usually without notice to the other party. For example, an emergency removal of a child from an unsafe home situation may be done through an *ex parte* order. Action must be taken, however, to serve the parents with the petition and order as quickly as possible. Foster parents and kinship care providers also must be notified of pending court hearings and be given an opportunity to be heard during these proceedings.

I. The Right to a Hearing

A fundamental element of due process is the right to a hearing on the merits of a petition, including the right to cross-examine or to question any witness called by DFCS ~~CPS~~, by the other parent, or on behalf of the child, as well as the right to present evidence on one's own behalf.

J. The Right to Counsel

Parents have a right to retain counsel or seek legal aid or pro bono services in child maltreatment cases.

K. The CAPTA Requirement of a Guardian *ad litem* or Court-appointed Special Advocate

Children who allegedly have been maltreated are entitled to a Guardian *ad litem* (GAL), who is an independent advocate for the children's best interest. States must comply with this requirement in order to satisfy CAPTA State Grant funding requirements.

The GAL role may be fulfilled by the appointment of an attorney, a volunteer who is not an attorney, or both. Volunteers also may be called Court-Appointed Special Advocates (CASA). The volunteers often are professionals trained in other disciplines, such as nursing, psychology, or education. Responsibilities of the GAL or CASA include:

- Meeting the child;
- Exploring the facts of the case;
- Obtaining medical, educational, and other records;
- Determining the child's perspective and needs;
- Identifying appropriate services and resources;
- Monitoring the progress of the case;
- Promoting the child's interests.

Where both an attorney and a GAL are appointed, it is with the expectation that they will function as a team in performing those tasks and in advocating for the child, as well as in making the child's own views known to the court. These advocates can be valuable sources of knowledge and information and important allies when they and DFCS worker concur on how the case should be resolved.

MISS. CODE ANN. § 43-21-121(4) states “The court may appoint either a suitable attorney or a suitable layman as guardian ad litem. In cases where the court appoints a layman as guardian ad litem, the court shall also appoint an attorney to represent the child”. *See* MISS. CODE ANN. § 43-21-121 for a complete description of the duties of a Guardian *ad litem*.

L. The Entitlement to Reasonable Efforts

Except in certain aggravated circumstances, parents and children are entitled under the Adoption Assistance and Child Welfare Act (P.L. 96-272) and Adoption and Safe Families Act (ASFA) (P.L. 105-89) to have State agencies make reasonable efforts to keep them together, or if a child has been removed from the family, to make reasonable efforts to reunify the family. ASFA also

states that children who are not going to be reunited with their families are entitled to reasonable efforts by State agencies or departments to secure a permanent placement for them.

Federal law further requires that judges decide at each critical stage of an abuse or neglect case whether the DFCS has complied with the reasonable efforts requirement. The obligation to make reasonable efforts applies to DFCS workers alone, not to the parents, any other individuals, or service providers.

XXIX. EXPECTATIONS OF RIGHTS THROUGH THE EYES OF THE CHILD OR YOUTH

Workers must also recognize inherent Rights of Children and Youth in Foster Care from the child's or youth's perspective:

E. As a Child or Youth in Foster Care, I Have the Right:

- To good care and treatment that meets my needs in the least restrictive setting available. This means I have the right to live in a safe, healthy, and comfortable place. And I am protected from harm, treated with respect, and have some privacy for personal needs.
- To know
  - Why am I in foster care?
  - What will happen to me?
  - What is happening to my family (including brothers and sisters) and how DFCS is planning for my future?
- To speak and be spoken to in my own language when possible. This includes Braille if I am blind or sign language if I am deaf. If my foster parents do not know my language, DFCS will give me a plan to meet my needs to communicate.
- To be free from abuse, neglect and exploitation.
- To fair treatment, whatever my gender, gender identity, race, ethnicity, religion, national origin, disability, medical problems, or sexual orientation.
- To not receive any harsh, cruel, unusual, unnecessary, demeaning, or humiliating punishment. This includes not being shaken, hit, spanked, or threatened, forced to do unproductive work, be denied food, sleep, access to a bathroom, mail, or family visits as punishment. I will not receive remarks that make fun of me or my family or any threats of losing my placement or shelter.

- To be disciplined in a manner that is appropriate to how mature I am, my developmental level, and my medical condition. I must be told why I was disciplined. Discipline does not include the use of restraint, seclusion, corporal punishment or threat of corporal punishment.
- To attend my choice of community, school, and religious services and activities to the extent that it is right for me, as planned for and discussed by my caregiver and worker, and based on my caregiver's ability.
- To go to school and receive an education that fits my age and individual needs.
- To be trained in personal care, hygiene, and grooming.
- To have comfortable clothing similar to clothing worn by other children in my community.
- To have clothing that does a good job of protecting me against natural elements such as rain, snow, wind, cold, sun, and insects.
- To have personal possessions at my home and to get additional things within reasonable limits, as planned for and discussed by my caregiver and worker, and based on caregiver's ability.
- To personal space in my bedroom to store my clothes and belongings.
- To healthy foods in healthy portions proper for my age and activity level.
- To good quality medical, dental, and vision care, developmental and mental health services that are at least adequate enough for my needs.
- To be free from unnecessary or too much medication.
- To visit and have regular contact with my family, including my brothers and sisters (unless a court order or case plan doesn't allow it) and to have my worker explain any restrictions to me and write them in my record.
- To contact my worker, attorneys, Guardians A*d Litem*, probation officer, CASA at any time. I can communicate with my worker, CASA, attorney or Guardians A*d Litem* without limits.
- To see my worker at least monthly and in private if necessary.
- To actively participate in creating my plan for my services and permanent living arrangement, and in meetings where my medical services are reviewed, as appropriate. To be given a copy or summary of my plan and to review. I have the right to ask someone to act on my behalf or to support me in my participation.
- To go to my court hearing and speak to the judge.

- To speak to the judge at a court hearing that affects where I have been placed including status hearings, permanency hearings, or placement review hearings.
- To expect that my records and personal information will be kept private and will be discussed only when it is about my care.
- To have visitors, to keep a personal journal, to send and receive unopened mail, and to make and receive private phone calls unless appropriate professionals or a court says that restrictions are necessary for my best interests.
- To get paid for any work done, except for routine chores or work assigned as fair and/or reasonable discipline.
- To give my permission in writing before taking part in any publicity or fund raising activity for where I am placed or the DFCS, including the use of my photograph.
- To not be forced to make public statements showing my gratitude to the foster home or DFCS.
- To receive, refuse, or request treatment for physical, emotional, mental health, or chemical dependency needs separately from adults (other than young adults) who are receiving services.
- To call the Abuse/Neglect Hotline at 1-800-222-8000 to report abuse, neglect, exploitation, or violation of personal rights without fear of punishment, interference, coercion, or retaliation.
- To be free from threats of punishment for making complaints and have the right to make an anonymous complaint if I choose.
- To not get pressured to get an abortion, give up my child for adoption, or to parent my child, if applicable.
- To hire independent mental health professionals, medical professionals, and attorneys at my own expense.
- To understand and have a copy of the rights of children and youth in foster care.

F. When I Am Age 16 and Older in Foster Care, I Also Have the Right:

- To attend Independent Living (IL) classes and activities as appropriate to my case plan.
- To a comprehensive transition plan that includes planning for my career and help to enroll in an educational or vocational job training program.
- To be told about educational opportunities when I leave care.

- To get help in obtaining an independent residence when aging out.
- To one or more transition planning meetings.
- To take part in youth leadership development opportunities.
- To consent to all or some of my medical care as authorized by the court and based on my maturity level. For example, if the court authorizes, I may give consent:
  - to diagnose and treat an infectious, contagious, or communicable disease
  - to examine and treat drug addiction for counseling related to preventing suicide, drug addiction, or sexual, physical, or emotional abuse for hospital, medical, or surgical treatment (other than abortion) related to the pregnancy if I am unmarried and pregnant

  *If I consent to any medical care on my own, without the court or DFCS involved, then I am legally responsible for paying for my own medical care.

- To request a hearing from a court to determine if I have the capacity to consent to medical care.
- To help with getting my driver's license, social security number, birth certificate, and state ID card.
- To seek proper employment, keep my own money, and have my own bank account in my own name, depending on my case plan and age or level of maturity.
- To get necessary personal information within 30 days of leaving care, including my birth certificate, immunization records, and information contained in my education portfolio and health passport.

G. All Children and Youth in Foster Care Have the Right to …

- Have lifelong family connections, including siblings, grandparents and extended family.
- Youth have a right to visitation, ongoing contact with and/or knowledge of their parents, siblings, extended family, friends, and pets.
- Youth have a right to have a Life Book that is started when they enter care.
- A pregnant or parenting youth has a right to raise and make decisions for their children, as any other citizen does.
- Live with, be loved by and cared for by those they consider family.

- Youth have the right to permanency.
- Youth have the right to be placed in their home communities, live in a safe environment and have pre-placement visits.
- Youth have the right to live with their siblings.
- Youth have the right to keep their personal belongings with them and to expect age appropriate privacy.
- Be who they are.
- Youth have the right to their own identity, values, freedom to express their emotions, hopes, plans and goals, religion/spirituality.
- Youth have the right to learn about their sexuality in a safe and supportive environment.
- Youth have the right to privacy in relation to their personal journal/diary, letters, emails, telephone calls and other personal belongings, except in cases where there is just cause in supervising the youth to prevent self harm or harm to other individuals.
- Youth have the most basic right to receive care and services that are free of discrimination based on race, color, national origin, ancestry, gender, gender identity and gender expression, religion, sexual orientation, physical and mental disability, and the fact that they re in foster care.
- Be included in their case planning with a team of people that advocates with them and for them.
- Youth have a right to have meaningful participation in their Family Team Meetings, treatment team meetings, court, and school meetings.
- Youth have a right to have family members or other supportive people of their choice present at their team meetings.
- Youth have a right to have monthly contact with their DFCS worker and have their phone calls returned.
- Youth should have access resources and be able to seek information about resources.
- Youth have a right to access their case records and expect accuracy in what is recorded in their case record.
- Have an informed choice in the types of physical, dental and mental health care they receive.
- Youth have the right to have a choice and options when a treatment provider is being assigned to them.

- Youth have a right to see and understand their treatment plans, be informed about and have a say in treatment decisions being made.
- Youth have a right to be informed about medications, medication options, and have a voice in decisions about prescription of medication.
- Youth have a right to not be overmedicated, to not be punished for refusal to take medications, and to be made aware of the possible risks that come from refusing to take medication.
- Youth should be able to have visitation with people that are important to them while receiving treatment.
- Youth should be able to receive care and services that are fair, respectful, safe, confidential and free from discrimination.
- Youth have a right to access their medical records.
- Have a qualified advocate (e.g., GAL, surrogate parent, mental health advocate, attorney, etc.) representing them and helping the youth advocate for themselves.
- Youth have a right to know their rights.
- Youth have a right to attend court and speak with the judge overseeing their case.
- Youth have a right to request a change in their GAL.
- Participate in and receive a high quality education, including ability to participate in extracurricular activities.
- Youth have a right to an education, equal to what anyone in Mississippi deserves.
- Youth have a right to receive blanket consent for participation in school activities.
- Youth have a right to participate in activities that all youth enjoy, and not be restricted from these activities simply because of their status in foster care or their particular type of placement.
- Receive the skills, knowledge and resources needed to be a successful adult after they transition from foster care.
- Youth in care have the right to a transition plan and process when they leave DFCS care.
- Youth have a right to obtain identification and personal records, including their social security card and birth certificate.
- Youth have a right to continue relationships when they exit care with individuals who have helped them while in care.

- Youth have a right to expect and receive help in reconnecting with their birth family.
- Youth have a right to learn about how to enter into DFCS extended care agreement prior to their 18th birthday.
- In this Transition Process, youth have a right to give evaluative comments about the services they have received to a neutral person.

H. Written and Oral Communication Needs of Clients

DFCS must accommodate the written and oral communication needs of clients by:

f. communicating, in writing and orally, in the languages of the major population groups served;

g. providing, or arranging for, bilingual personnel or translators or arranging for the use of communication technology, as needed;

h. providing telephone amplification, sign language services, or other communication methods for deaf or hearing impaired persons;

i. providing, or arranging for, communication assistance for persons with special needs who have difficulty making their service needs known; and

j. considering the person's literacy level.

DFCS must create documents that consider the literacy level of clients, and any document such as the Family Service Plan must be created with the literacy level of the client in mind. Client Rights are available in Spanish. *See* MDHS AP-36 regarding Provision of Services to Individuals with Limited English Proficiency and *See* Interpreter Services.

Workers must go over all documents with clients to ensure that they understand them fully before expecting adherence to the requirements or requesting the client's signature. If a client is unable to make decisions, or has difficulty making decisions on his or her own, a family member or other support person must be present in meetings and/or be offered legal representation by the youth court for hearings. Workers have access to the Statewide Relay Services line, also known as TTY which offers services to translate for the hearing and vision impaired.

TRS Provider - AT&T
Address: P O Box 811, Jackson, MS 39205
Customer Service #'s: 800-557-7755(V/T) and 601-371-8020(V/T)
Access #'s: 1-800-582-2233 (V/T)

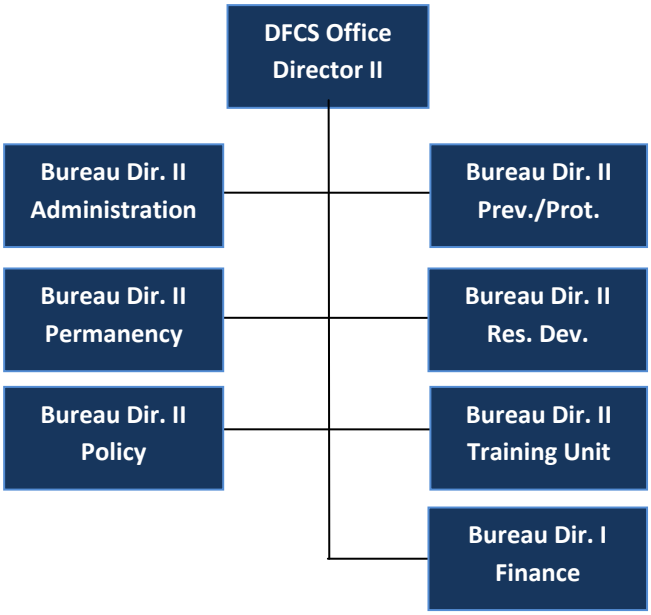
1-800-229-5746 (STS English)
1-866-260-9470 (STS Spanish)

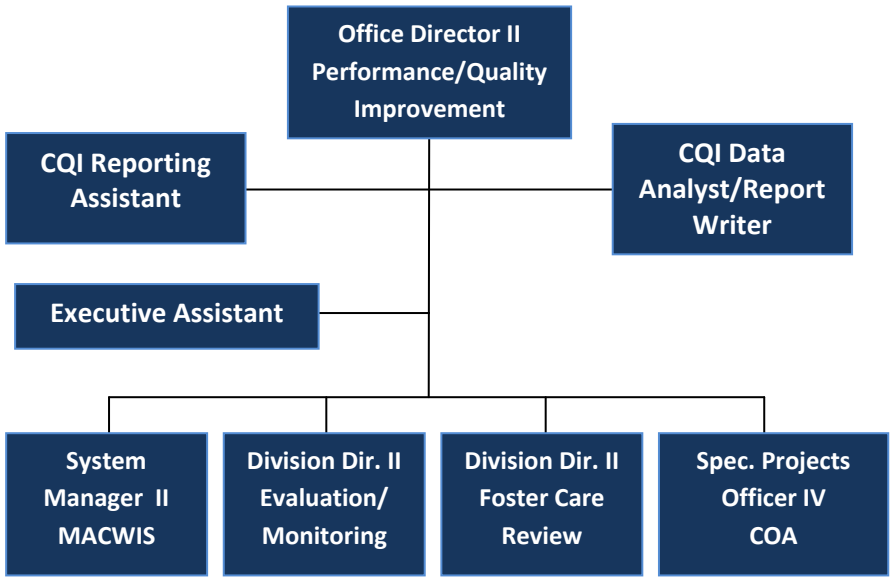
Another toll free service,*211, is offered by the United Way and can assist workers and clients with finding any needed services in the area.

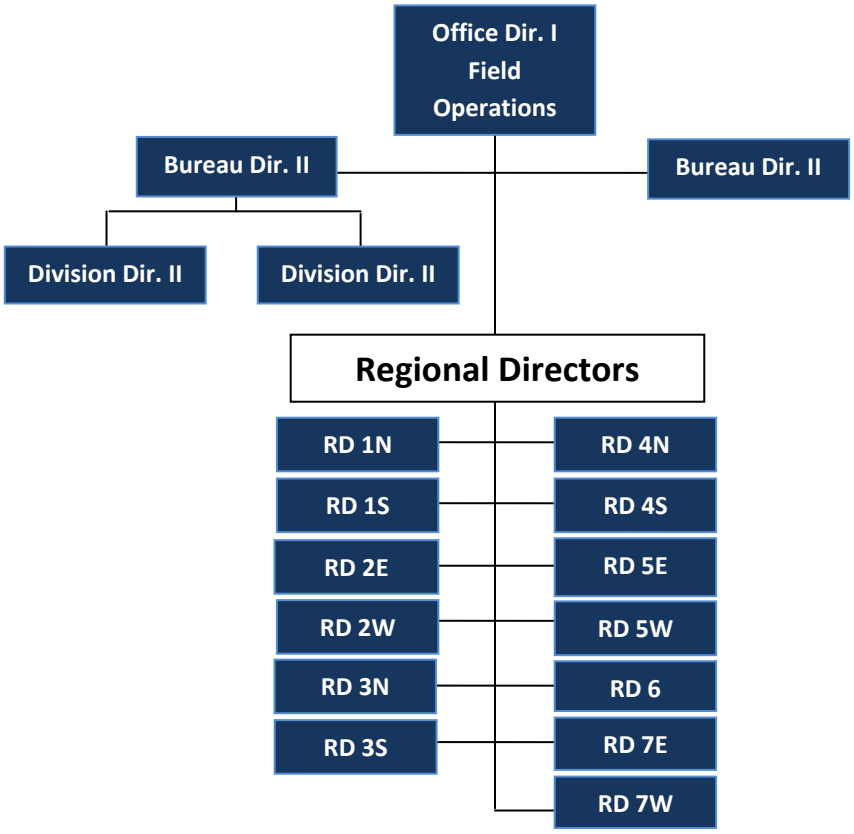
XXX. APPENDIX

APPENDIX A

Deputy Administrator
DFCS Office Director II
Office Director II Performance/Quality Improvement
Office Dir. I Field Op


DFCS Office Director II
Bureau Dir. II Administration
Bureau Dir. II Prev./Prot.
Bureau Dir. II Permanency
Bureau Dir. II Res. Dev.
Bureau Dir. II Policy
Bureau Dir. II Training Unit
Bureau Dir. I Finance


Office Director II Performance/Quality Improvement
CQI Reporting Assistant
CQI Data Analyst/Report Writer
Executive Assistant
System Manager II MACWIS
Division Dir. II Evaluation/ Monitoring
Division Dir. II Foster Care Review
Spec. Projects Officer IV COA


Office Dir. I Field Operations
Bureau Dir. II
Bureau Dir. II
Division Dir. II
Division Dir. II
Regional Directors
RD 1N
RD 1S
RD 2E
RD 2W
RD 3N
RD 3S
RD 4N
RD 4S
RD 5E
RD 5W
RD 6
RD 7E
RD 7W