

POLICY VII-N: CHILD MISSING FROM AN OUT-OF-HOME PLACEMENT

01/2017

Occasionally there are instances when a child or youth may leave an out-of-home placement without authorization. Any of these instances will result in immediate action from the placement provider as outlined for the various circumstances below.

In all instances of missing children, the Division of Children and Family Services (DCFS) will collaborate with the placement provider, law enforcement, and the National Center for Missing and Exploited Children (NCMEC) in an effort to locate the child.

Children in foster care who are located after they run away from Interstate Compact on the Placement of Children (ICPC) approved placements in another state are handled by the DCFS ICPC office. However, if a pick-up order is issued, the Interstate Compact for Juveniles (ICJ) applies.

Neither ICJ nor ICPC are applicable to children who are not in foster care and are kidnapped (by either a custodial or non-custodial parent) in one state and taken to another state. These situations are a matter between the legal custodian and law enforcement. However, for children with whom the Division comes into contact due to an interference with custody issue not related to a child who is in DHS custody, please refer to Policy VI-I: Interference with Custody.

Child Who May Have Been Taken from an Out-of-Home Placement

If the placement provider has reason to believe the child was taken from the placement without authorization by another individual, then the placement provider will immediately notify the youth's primary Family Service Worker (FSW) caseworker and primary FSW caseworker's supervisor. The out-of-home placement provider will also begin an immediate search for the child/youth. The search will entail the following actions:

- A. Searching the immediate premises; and,
- B. Searching the community and contacting the child's friends and other contacts who may know of, or have information regarding the child's whereabouts.

Upon notification from the placement provider, the youth's primary FSW caseworker and primary FSW caseworker's supervisor will ensure the following individuals are notified of the child's disappearance:

- A. Area Director
- B. Assistant Director of Community Services or designee

The primary FSW caseworker will then follow the steps outlined in Procedure VII-N1 below.

The Assistant Director of Community Services or designee will then notify the DCFS Director.

Child Who May Have Run Away

If the placement provider has reason to believe the child left the out-of-home placement of his or her own accord (i.e., run away), then the out-of-home placement provider will begin an immediate search for the child/youth. The search will entail the following actions:

- A. Searching the immediate premises; and,
- B. Searching the community and contacting the child's friends and other contacts who may know of, or have information regarding the child's whereabouts.

If the child is located within one hour of initiating the search, the placement provider will notify the primary FSW caseworker and primary FSW caseworker's supervisor of the incident no later than the next calendar day. The child's primary FSW caseworker will document the incident (i.e., child ran away but was located within one hour) accordingly in CHRIS contacts. The primary FSW caseworker, or secondary FSW caseworker, as appropriate, will

also conduct a visit with the child and placement provider by the next business day to assess why the child ran away and what immediate steps may need to be taken to better support both the child and placement provider.

If the child who is believed to have run away of his/her own accord cannot be located within one hour of initiating the search, then at that point the out-of-home placement provider will immediately notify the youth's primary Family Service Worker (FSW) caseworker and primary FSW caseworker's supervisor. The primary FSW caseworker will then follow the steps outlined in Procedure VII-N1 below, to include ensuring the Area Director is also notified of the child's disappearance.

PROCEDURE VII-N1: When a Child is Reported Missing from an Out-of-Home Placement

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After receiving notification of the child's disappearance by the placement provider, the **primary** FSW caseworker will:

- A. Notify the child's secondary FSW and TYS Coordinator (if applicable) and attorney ad litem within two hours.
 - 1) This notification may occur via email, phone, or text.
- B. Notify the child's custodial/non-custodial parent(s) within two hours, or sooner depending on the age of the child, of the discovery of the child's disappearance by phone or, preferably, a visit to the home if at all possible.
 - 1) If the parents currently reside in a county outside the primary FSW caseworker's county, the secondary FSW caseworker and/or an appropriate FSW supervisor may conduct the home visit to notify the parents that their child is currently missing.
 - 2) If the custodial/non-custodial parent(s) current or correct address or telephone number is unknown, a letter will be written to the parent's last known address.
- C. Notify the state police, local police department, and/or sheriff's office, as applicable, within two hours after receiving information on missing or abducted children or youth. The notification, which may occur via email, text, or phone will include:
 - 1) Child's name;
 - 2) A physical description of the child;
 - a) A picture of the child may be released to assist with identification provided that the child is not identified as a child in foster care.
 - 3) Child's date of birth;
 - 4) Circumstances of the missing child's disappearance, including the date the child went missing or was last seen and if the child indicated a destination (and, if so, what the destination is);
 - 5) Any other factual, biographical, or historical information that may assist with locating the missing child;
 - 6) A request for law enforcement to enter the information into the National Crime Information Center (NCIC) database of the Federal Bureau of Investigation.
- D. Once a police report has been filed, contact the National Center for Missing and Exploited Children (NCMEC) at 1-800-THE-LOST (1-800-843-5678) no later than 24 hours after receiving information on missing or abducted children or youth to provide the following information to NCMEC per the Memorandum of Understanding (MOU) between DCFS and NCMEC:
 - 1) Child's name;
 - 2) Photo of the child, if available;
 - 3) Child's date of birth;
 - 4) Name and contact information of the primary FSW caseworker and FSW supervisor
 - 5) Investigating Law Enforcement Agency Name, Contact Information, and Case Number (i.e., Missing Person Report number);
 - 6) Circumstances of the missing child's disappearance, including the date the child went missing or was last seen;

- 7) Any other factual, biographical, or historical information that may assist with locating the missing Child.
- E. Upon NCMEC's request, release to NCMEC any additional requested information and/or records in its possession that are relevant to locating the missing child.
- F. Keep NCMEC informed with up-to-date information regarding the missing child.
- G. Contact local OCC and request OCC to complete and file a pick up order for the child no later than 24 hours after receiving notification of a missing child.
 - 1) The motion requesting the pick up order and the proposed order will put the court on notice that the child is missing.
- H. Update the child's placement information in CHRIS within two business days, to include completion of fields regarding the required reports made to local law enforcement and NCMEC.
 - 1) Even when the child is placed on runaway status, the child's Medicaid case will remain open. If the child is still on runaway status at the time of his/her Medicaid redetermination (i.e., the anniversary of his/her entering foster care), then the Medicaid case will be closed at that time.
- I. Communicate regularly with the child's secondary FSW caseworker and TYS Coordinator, if applicable.
- J. When an Arkansas child in foster care has run away and is located in another state, notify the Administrator of the Interstate Compact for Juveniles (ICJ) of the Division of Youth Services.
 - 1) ICJ will process all out-of-state runaways probationers, runaways, and children in foster care.
- K. If the child is not found:
 - 1) Continue to call previously contacted parties and inquire for information, furnish further information that becomes available, and if appropriate, extend the search to other counties and states.
 - 2) Update the custodial/non-custodial parents to assure them that the search continues no less than weekly when current contact information for the custodial/non-custodial parents is available. This requirement does not apply to parents whose parental rights have been terminated.

After receiving notification of the child's disappearance by the placement provider, the secondary FSW (if applicable) will:

- A. Notify the local police department and/or sheriff's office, as applicable, within two hours after receiving information on missing or abducted children or youth. The notification, which may occur via email, text, or phone will include:
 - 1) Child's name;
 - 2) A physical description of the child;
 - a) A picture of the child may be released to assist with identification provided that the child is not identified as a child in foster care.
 - 3) Child's date of birth;
 - 4) Circumstances of the missing child's disappearance, including the date the child went missing or was last seen and if the child indicated a destination (and, if so, what the destination is);
 - 5) Any other factual, biographical, or historical information that may assist with locating the missing child;
 - 6) A request for law enforcement to enter the information into the National Crime Information Center (NCIC) database of the Federal Bureau of Investigation.

After receiving notification of the child's disappearance by the placement provider, the FSW supervisor will:

- A. Notify the Area Director and Assistant Director of Community Services or designee of the child's disappearance.
- B. Conference with the FSW as needed.

PROCEDURE VII-N2: When a Child Missing from an Out-of-Home Placement is Located

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When a child missing from an out-of-home placement is located, the primary FSW will:

- A. Ensure the child has a physical exam by his/her primary care physician, if possible, within 72 hours of locating the child or immediately in the case of a medical emergency.
- B. Notify immediately (but no later than 24 hours after the child has been located) all parties and individuals previously notified of the child's disappearance that the child has been located to include, but not limited to:
 - 1) Secondary FSW, if applicable
 - 2) TYS Coordinator, if applicable
 - 3) FSW Supervisor
 - 4) Area Director
 - 5) Placement provider
 - 6) Local OCC attorney
 - 7) Child's attorney ad litem
 - 8) Custodial and/or non-custodial parents
 - 9) Law enforcement
 - 10) NCMEC
 - a) This notification may occur via email, phone, or text as appropriate.
- C. Conduct a visit with the child and placement provider by the next business day after the child has been located to determine what immediate needs the child and/or placement provider may have and what immediate steps may need to be taken to better support both the child and placement provider (this visit may be conducted by the secondary FSW caseworker as appropriate).
- D. Update the child's placement screen in CHRIS within two business days of locating the child.
- E. Determine the primary factors that contributed to the child's running away or otherwise being absent from foster care to include:
 - 1) Updating the child's CANS assessment including completion of the runaway CANS module within 30 days of locating the child; and,
 - 2) Determining if the child is a possible sex trafficking victim based on responses to the updated CANS and any other information gathered.
 - a) If there is reason to believe the child is, or is at risk of being, a victim of sex trafficking:
 - i. Document accordingly in CHRIS and conference with the FSW supervisor to determine appropriate next steps for additional screening related to sex trafficking victims and/or referral to appropriate services.
 - ii. Report information on children or youth who have been identified as being a sex trafficking victim to local law enforcement immediately, and in no case later than 24 hours after receiving the information.
 - iii. Document in CHRIS contacts when local law enforcement is notified of a child being identified as a sex trafficking victim.
- F. Communicate regularly with the child's secondary FSW caseworker and or TYS Coordinator, if applicable.

When a child missing from an out-of-home placement is located, the secondary FSW caseworker will:

- A. Collaborate with the primary FSW as needed to ensure:
 - 1) The child has a physical exam by his/her primary care physician, if possible, within 72 hours of locating the child.
 - 2) All appropriate parties are notified that the child has been located.

The FSW Supervisor(s) will:

- A. Conference with the FSW(s) as needed.
- B. Notify the Assistant Director of Community Services or designee.

PROCEDURE VII-L4: When Child in Foster Care Runs Away

Out-of-home placement providers (foster parents, shelters, and residential facilities) need to be aware that there are instances when a child will leave a placement without authorization (run away). If it is suspected that a child has run away, the out-of-home provider should begin an immediate search for the child. The search will entail the following actions:

- A. Searching the immediate premises
- B. Searching the community and contacting the child's friends and family members who may know of, or have clues about, the child's whereabouts.

If the child cannot be located within hours, the out-of-home provider shall notify their Family Service Worker or the DCFS County Supervisor. (If a child in foster care is placed in a facility or shelter outside of the initiating county, the Family Service Worker in the resident county shall be responsible for notifying the initiating county Family Service Worker of the child's runaway status, in accordance with Procedure III-A4.)

After notification of the child's disappearance by the foster parent, shelter or residential facility, the Family Service Worker or DCFS County Supervisor will:

- A. Notify the Area Director.
- B. Notify the local police Department, state police, sheriff's office and the child's attorney ad litem, give a description of the child and contact OCC for a pick-up order. A picture of the child can be released to assist with identification provided that the child is not identified as a child in foster care.
- C. Contact OCC who will then notify the judge who has jurisdiction. If the child is from another county, the resident county Family Service Worker will notify the initiating county Family Service Worker to contact OCC.
- D. If the child's home is in another county, or if the custodial/non-custodial parent(s) or relatives live in another county, the Family Service Worker in the family's resident county should be notified to alert the local police and sheriff's Department to look for the child.
- E. Notify the child's custodial/non-custodial parent(s) within two hours, or sooner depending on the age of the child, of the discovery of the child's disappearance by phone or visit to the home. If the custodial/non-custodial parent(s) current or correct address or telephone number is unknown, a letter should be written to their last known address. If the custodial/non-custodial parent(s) are in another county the Family Service Worker in that county will assume responsibility for notifying the custodial/non-custodial parent(s).
- F. If the child has indicated a destination, the police in the designated area should be notified to look for the child and whom to notify if the child is picked up.
- G. Update the child's placement information in CHRIS. Updating the placement information will open a response window to notify the DCFS Eligibility Unit of the placement change.
- H. Complete and transmit the DHS Incident Reporting Screen data fields in IRIS to the DCFS Director's office and the DHS Director's office, via the Client Advocate, no later than the end of the second business day following the incident. (See DHS Policy 1090 "Incident Reporting".)
- I. As soon as the child is found, call, or email, each person, and unit that has been alerted, and let them know the child has been located.
- J. When an Arkansas child in foster care has run away and is located in another state, the Administrator of the Interstate Compact for Juveniles (ICJ) should be notified. The Division of Youth Services administers the Interstate Compact for Juveniles.
- K. ICJ will process all out-of-state runaways probationers, runaways, children in foster care.
- L. Children in foster care who are located after they run away from Interstate Compact on the Placement of Children (ICPC) approved placements are handled by the DCFS ICPC office. However, if a pick-up order is issued, ICJ is responsible.
- M. Neither ICJ nor ICPC are responsible for children that are kidnapped (by either a custodial or non-custodial parent) in one state and taken to another state. These situations are a matter between the legal custodian and law enforcement.
- N. If the child is not found, continue to call previously contacted parties and inquire for information, furnish further information that becomes available, and if appropriate, extend the search to other counties and

states. Advise the court of jurisdiction of the status of the runaway child in foster care. Frequent contacts, not less than monthly, should be made with the custodial/non-custodial parents to assure them that the search continues.

- O. Submit a follow-up or final report on the DHS-1910, in IRIS, as warranted by the circumstances. The follow-up report should be submitted to the DCFS Director and DHS Director's office as soon as additional information becomes available.
- P. Update the child's placement status in CHRIS.

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