

**Protect Montana Kids Commission**  
**DRAFT – April 25, 2016**  
**Workplace Culture Subcommittee – Recommendations to the Governor**

**I. Purpose:**

Executive Order No. 14-2015 created the Protect Montana Kids Commission (PMK or Commission) to develop recommendations to the Governor that will align the Montana Child Protection System with national standards and best practices in the field of child welfare. Specifically, the Commission must provide recommendations to the Governor regarding:

- Changes in Montana child and abuse statutes necessary to align them with best practices and scientific evidence regarding what is necessary to protect the best interests of children;
- Structural changes and enhancements to the system that may result in improved outcomes for children and families who are served by the child protection system and lead to a decrease in the number of children in Montana being abused or neglected;
- Increasing transparency in the child protection system; and,
- The need for additional resources in the different agencies engaged in the work of protecting children, such as the Child and Family Services Division, the County Attorney's Offices, the Office of the Public Defender, the Attorney General's Office, and the Judicial Branch.

The Commission created the Workplace Culture Subcommittee to specifically evaluate the Montana Child Protection System's needs for structural change and additional resources.

In evaluating the Montana Child Protection System's needs for structural change and additional resources, the Subcommittee's highest priorities were the protection and safety of the children and youth in care; working with families towards reunification; and, the goal of achieving permanency for all children. The Subcommittee worked with stakeholders in this effort and continues to promote system integration, quality of care, and ongoing evaluation.

**II. Findings**

A review of the information provided to the Subcommittee revealed that after seeing a 75% increase in kids in care over the last 8 years the Montana Child Protection System – most notably the Child and Family Services Division – is in crisis. Much of the crisis is due to the CFSD operating well below the national standards and best practices in the field of child welfare for things like caseload and supervisor ratios. The Subcommittee identified the following CFSD workforce issues as contributing greatly to the crisis:

- Unreasonable caseloads
- Turnover and inability to fill open positions
- Lack of sufficient training – to both CFSD staff and external stakeholders (i.e. foster families)
- Need for improved supervision of CFSD field staff
- Difficult workplace culture and environment
- Limited IT and database capacity
- Lack of transparent and effective communication (external and internal)
- Existing resources are inadequate

Based on the above identified workforce issues, the Subcommittee developed recommendations focused on short-term and long-term goals that are designed to stabilize the CFSD, provide for the development of an improvement plan, and ensure improvement efforts are maintained through the development of a long-term strategic plan.

However, many of the Subcommittee’s recommendations will require quantified and substantiated resources from the Montana Legislature. In doing so, CFSD must also thoroughly assess all options including repurposing existing staff and resources. Although the allocation of funds is beyond the charge of the Subcommittee and Committee as a whole, it is our intent that the Montana Legislature seriously consider appropriating additional funding to the CFSD so that the Subcommittee’s recommendations may be successfully implemented. Without additional funding, Montana’s Child Protection System will continue to operate below national standards and best practices in the field of child welfare. *This section needs more work. We need to clarify why the current funding is not adequate not just that “we need more money.”*

### **III. Recommendations**

**Recommendation 1: Stabilize the Child and Family Services Division (CFSD) through the development and implementation of a short-term (12 month) plan that will focus on the following activities:**

- Strategic Communication: Trust and confidence of both internal and external constituencies is critical to success. Such trust and confidence is best developed through clear and consistent messaging to all stakeholders.
  - CFSD can best achieve this by contracting for, hiring or identifying a staff person to serve as the communications officer for the CFSD. The CFSD communication officer should prioritize their efforts to increase transparency and effective communication and engagement of all stakeholders, and the development of a long-term communications plan.

- Increase Staffing:
  - Filling all current open positions within CFSD is an extremely high priority.
  - CFSD cannot perform its function without an adequate workforce. Full staffing must be achieved in order for CFSD to begin to develop long-term improvement plans.
  - Priority should be given to hiring of a new CFSD Administrator and Deputy Administrator.
  - The full-time human resources (HR) staff person that has been hired and funded by CFSD, should be housed in CFSD and in close proximity to the Administrator and Deputy Administrator. The dedication of this HR staff person to filling all open positions is essential.
- Continue Current CFSD Strategic Initiatives and Priorities:
  - Immediate changes to the current CFSD initiatives and priorities prior to the development of an interim and long-term improvement plan would cause further instability to the workforce.
  - Thus, current CFSD strategic initiatives and priorities such as the Safety Science Systems and MCAN training should be maintained while a more comprehensive and integrated plan is developed.
  - CFSD should also continue with its plan to contract with the Council on Accreditation to do an assessment to determine what would be needed for CFSD to meet public child welfare agency accreditation standards.
  - Specific action steps to continue current CFSD strategic initiatives and priorities are identified in Tab A (updated version of draft provided to Subcommittee on 3/24/2016)
- Determine ongoing oversight of CFSD Division: *Determining ongoing oversight of the CFSD Division and the fulfillment of the recommendations from the PMK Commission has been an ongoing discussion and debate within the WPC Subcommittee i.e. mission creep. We need to be realistic about what we ask for.*
  - Identifying existing oversight mechanisms is important before make this decision. Is anything missing?
  - Is a time limited transition mechanism important for continuity and execution of the CFSD plans?
- Options that have been discussed include:
  - Internal oversight
  - Legislative oversight
  - Continue some form of time-limited PMK Commission
  - Ongoing monitoring becomes a function of the State CFSD Advisory Council
  - No ongoing oversight

**Recommendation 2: Develop and implement a long-term comprehensive and strategic plan for CFSD that will address, at a minimum, the following areas:**

- CFSD should meet national benchmarks for caseloads, supervision, and family support.
- Communication:
  - Continue to build open, transparent, and effective communication strategies by increasing opportunities to engage in meaningful communication internally between staff, youth, natural, foster, kin and adoptive families and externally with providers, agencies, the legislature and other stakeholders.
  - Priority should also be given to the development of confidential or anonymous means of communication to alleviate concerns of retaliation by the CFSD towards staff, youth, natural, foster, kin and/or adoptive families and providers.
  - Supporting documents regarding long-term goals for external and internal communication are identified in Tab B.
- Workplace Assessments: Understanding the current workplace environment is essential to addressing problems within the CFSD culture and climate.
  - A longitudinal study should be conducted to understand the workforce culture and climate.
  - Periodic brief web based anonymous workplace culture surveys should be conducted with a plan for immediate follow-up on results and plans to address identified issues.
  - Additionally, a workload study should be conducted that would look at the amount time necessary to complete tasks of particular types of cases.
  - Caseloads should continue to be reviewed in comparison with national standards.
  - CFSD should contract with an external consultant to facilitate CFSD staff through a mission, vision and values process.
  - Specific recommendations regarding workplace assessments are identified in Tab C.
- Worker Recruitment
  - CFSD must continually prioritize the recruitment of staff with an eye towards increasing the number of college educated social workers.
  - Supporting documents regarding long-term goals for worker recruitment are identified in Tab D.
- Worker Retention: Retention of trained staff is critical to maintaining a workforce that can meet the needs of Montana’s children.
  - CFSD should develop opportunities for professional development and career advancement within all positions.
  - Evaluations of the current CFSD pay structure should be conducted.

- Supporting documents regarding long-term goals for worker retention are identified in Tab E.
- Training: The amount and quality of training provided to CFSD continues to be a S
  - CFSD should prioritize training especially for newer workers and supervisors internally.
  - CFSD should consider development of a training unit to address both internal and external training needs.
  - Supporting documents ~~Specific recommendations~~ regarding long-term goals for training are identified in Tab F.
- CFSD Leadership:
  - An ongoing structure for evaluation of CFSD leadership for the central office administrators, region administrators and supervisor levels, should be established and implemented.
  - Supporting documents regarding long-term goals for CFSD leadership and supervision are identified in Tab G.
- CFSD Accountability:
  - A process for tracking and coordinating the multi-agency coordination and integration of care within the Montana Child Protection System is lacking.
  - A culture of collective responsibility for safety and quality care among all participants in the Montana Child Protection System should be encouraged.
  - CFSD should prioritize the coordination of care to include data sharing with providers and other agencies and access to trauma informed treatment.
  - Supporting documents regarding long-term goals for accountability are identified in Tab H.
- CFSD Policies and Procedures:
  - A better and more user friendly on line format should be developed that is convenient and accessible.
  - A review for the updating of forms and protocols is needed
  - ICWA review is needed, with emphasis on permanency and collective responsibility and integration of ICWA and CFSD.
- CFSD Opportunities:
  - CFSD should make a priority to be open to opportunities that can come forth with further partnering and collaboration such as: privatization of functions such as home studies, licensing and training for foster and adoptive families; and stronger relationships with the tribes, reservations and urban Indians in Montana.
- IT and Database Capacity:
  - A review and evaluation of CFSD IT and database capacity should be conducted. The review must include an evaluation of CFSD IT and database adequacy and reliability, with an eye toward being able to share data and information across agencies and systems.

- **Foster Youth Bill of Rights:**
  - The Foster Youth Bill of Rights in Montana (YBRM) is currently in CFSD policies.
  - CFSD/Legislature should work with foster youth and advocates on re-introducing legislation to make the YBRM state law.
  - Supporting documents are included in Tab I.
- **Foster Parent Bill of Rights:**
  - Development of a foster parent bill of rights was also identified as a priority. CFSD/Legislature should work with foster parents and advocates on the development of a bill of rights to become state statute.
  - Supporting documents are included in Tab J.

WPC Subcommittee Draft 4/25/16

**TAB A**

**CFSD Strategic Initiatives & Priorities**

# Montana Child and Family Services Strategic Initiatives



The Child and Family Services Division (CFSD) is continuously working to improve operations and services in order to serve children and families in Montana more effectively and efficiently. Along with the needs of Montana children and families, there are many complex Federal and State laws, rules, and regulations that govern the work of the Division and define the outcomes that this plan targets for tracking and improvement. This document is intended to communicate current strategic initiatives underway within the Division to stakeholders and all Montanans. Furthermore, it is intended to provide a foundation for future work with all division stakeholders aimed at system improvement.

State of Montana  
Department of Public Health and  
Human Services  
Child and Family Services  
Richard Opper, Director  
4/1/2016

# How We Keep Children Safe and Families Strong

The Mission, vision and core values for the Child and Family Services Division form the foundation of all work done in the Division.

**Mission** Keeping Children Safe and Families Strong

**Statement of Purpose**

To protect children who have been or are at substantial risk of abuse, neglect or abandonment. We strive to assure that all children have a family who will protect them from harm. We recognize the protective capacities of families and incorporate them in assessments, decision making and actions with the goal of improving safety, permanency and well-being for children. We encourage our communities to strengthen their prevention efforts and to share responsibility for the safety of its children and families.

**Core Values**

- Children have the right to grow and develop in safe and permanent family environments
- The safety of children is dependent on the actions/omissions of adults
- When families and communities collaborate, the possibility for success is increased
- The safety of children in our care is dependent upon multi-level stewardship of human and financial resources

The following strategies are divided into three key results areas (KRAs). The KRAs are areas in which the Division must excel, in order to stabilize the current workforce shortage and succeed in accomplishing its mission. The strategies are the high-level, ongoing or one-time methods we are employing in our programs that are intended to improve the capacity and performance of the Division in the next 3-5 years.

## Strategies

### Key Results Area: Workforce Excellence

- Utilizing vacancy savings to fund modified positions (43) statewide
- Advance-filling Child Protection Specialist (CPS) positions in offices with the highest turnover rates to maintain the number of CPS in the office and keep caseload averages from increasing
- Hiring a Human Resources Specialist to assist with the recruiting and onboarding of Division staff in an effort to strategically develop the workforce, assist supervisors with hiring paperwork, and reduce delays in the hiring process (complete)
- Utilizing hiring assessments for CPS positions to assist supervisors in hiring workers who are better suited for the work of a CPS
- Implementing Step 1 of a career ladder for CPS positions and working with HR and the labor management committee to complete additional steps in a two track career ladder: one for supervisors and one for master practitioners who wish to remain CPS workers
- Partnering with the University of Montana School of Social Work to offer Federal Title IV-E stipends to partially cover costs of BSW and MSW students' tuition in return for a commitment to work at the CFSD for a specified period of time upon receipt of degree
- Creating a CFSD Deputy Administrator position to oversee the Fiscal and Operations Bureau, the Program Bureau, the

Division Epidemiologist, the Training Unit, and the new electronic case management project

- Eliminating the Field Services Administrator position to allow the Division Administrator to directly supervise the Regional Administrators (complete)
- Creating a training unit to improve the development and ongoing education of all staff (complete)
- Partnering with the University of Montana School of Social Work to revise new worker training (online), training for foster parents, and supervisor training
- Implementing a simulation lab as part of the new worker training (complete)
- Hiring a Complaint and Critical Incident Manager and training staff in the application of safety science as a first step to developing a new team-based critical incident response model (complete)
- Creating a Region 6 to respond to the needs in Northwest Montana, which includes hiring a Regional Administrator and other regional staff
- Piloting the Employee Assistance Program's "Resilience" coaching program in one office to determine whether to expand to other employees in the Division

#### **Key Results Area: Practice/Policy Improvements and Initiatives**

- Contracting with the Council on Accreditation to do an assessment to determine what would be needed for CFSD to meet public child welfare agency accreditation standards (scheduled for the onsite review in 2016 after updated standards are finalized and released)
- Ongoing implementation of the SAMS (Safety Assessment and Management System) model, with Montana modifications, to meet statutory timelines and comply with audit findings; as well as, to prepare for Round 3 of the Federal Child and Family Services Review (SAMS was implemented as a requirement of the Federally required CFSR Round 2 Program Improvement Plan)
- Forming separate Intake and Ongoing Units in field offices with sufficient staff to allow for worker specialization
- Implementing and/or training of providers in evidence-based models: Safe Care Augmented home visiting model and Safety, Permanency, Well-Being Round Tables as examples
- Integrating the use of a Universal Checklist to assist in monitoring safety, permanency, and well-being indicators (based on state and federal law) into real-time CQI for cases
- Partnering with the Court Assessment Program on pilot projects across the state to implement Pre-Hearing Conferences and the Court Diversion Pilot Programs in an effort to increase timely permanency for children in the legal system and improve outcomes for children and families
- Updating and reformatting policies and procedures to follow international standards, to allow for policy to better reflect workflow, and to assist staff in readily accessing necessary policies and procedures

#### **Key Results Area: Technology Improvements and Initiatives**

- Providing all CPS staff with mobile tablets and smart phones (complete)
- Working to develop a new State Automated Child Welfare Information System (SACWIS) to allow for case management system with workflow built in that will not require duplicate data entry or use of multiple systems and paper files and will have provider portals for information sharing
- Implementing of "Child and Family Stat" to monitor data in all key results areas: Centralized Intake, Investigations and Assessments, Intervention/Case Management, Resource Families, Workforce Excellence, Operational Excellence, and Child Welfare Stakeholders

**TAB I**

**Foster Youth Bill of Rights**

HOUSE BILL NO. 257

INTRODUCED BY E. MCCLAFFERTY

A BILL FOR AN ACT ENTITLED: "AN ACT DECLARING THE POLICY OF THE STATE OF MONTANA REGARDING YOUTH IN FOSTER CARE AND FOSTER PARENTS."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Declaration of policy -- youth in foster care.** (1) It is the policy of the state of Montana that a youth in foster care:

- (a) receive good care and treatment that meets the youth's needs in the least restrictive setting available;
- (b) to the extent it is known, be informed about the reason the youth is in foster care and what will happen to the youth and the youth's family;
- (c) be free from physical, sexual, or psychological abuse, physical neglect, and exploitation;
- (d) be free from physical punishment, including shaking, hitting, spanking, other forms of corporal punishment, and the denial of food, sleep, or access to a bathroom;
- (e) attend school and receive an education that is appropriate for the youth's age and needs, including choosing classes and schools and, if allowed, receiving tutoring;
- (f) receive quality medical, dental, vision, developmental, and mental health services;
- (g) be free from the administration of medication or chemical substances, unless authorized by a health care provider;
- (h) contact persons outside of the foster care system, including but not limited to teachers, church members, mentors, and friends, unless an appropriate professional or court imposes necessary restrictions in accordance with the youth's best interests;
- (i) participate in age and developmentally appropriate activities;
- (j) attend religious or cultural services and activities of the youth's choice;
- (k) visit and have regular contact with family, including the youth's parent, grandparent, aunt, uncle, brother, or sister, unless restricted by a court order or case plan;
- (l) when appropriate, actively participate in creating the youth's plan for services and permanent living arrangements and participate in meetings when the youth's medical services are reviewed;

1 (m) when appropriate, receive and review a copy or summary of the case plan for the youth;

2 (n) engage in age and developmentally appropriate work and job skills training, maintain possession of  
3 the youth's personal earnings, and receive payment for any work done for an employer;

4 (o) when appropriate, receive a comprehensive transition plan that includes participating in training for  
5 independent living skills, planning for a career, and assistance in enrolling in an educational or vocational job  
6 training program;

7 (p) receive assistance in obtaining an independent residence if the youth is aging out of foster care;

8 (q) if residing in a youth placement facility, be informed of the facility's search policies and forbidden items  
9 and receive documentation of any belongings removed from the youth's possession;

10 (r) contact and communicate privately with the youth's caseworker, attorney, guardian ad litem, probation  
11 officer, or court-appointed special advocate;

12 (s) when appropriate, attend or participate in court hearings that affect where the youth is residing,  
13 including status hearings, permanency hearings, and placement review hearings, or provide information directly  
14 to the court;

15 (t) call the child abuse hotline to report abuse, neglect, exploitation, or violations of personal rights,  
16 without fear of punishment, interference, coercion, or retaliation; and

17 (u) complain, anonymously if the youth chooses, to the department if the youth believes the youth's rights  
18 have been violated or ignored, without fear of being punished or threatened with punishment.

19 (2) This section does not create a new or separate cause of action.

20

21 **NEW SECTION. Section 2. Declaration of policy -- foster parents.** (1) It is the policy of the state of  
22 Montana that a foster parent:

23 (a) be treated with dignity, respect, trust, and value and be considered a primary provider of foster care  
24 and a member of the professional team caring for youth in foster care;

25 (b) be free from discrimination based on age, race, religion, or creed;

26 (c) receive the information described in this section;

27 (d) receive a concise, written explanation of the roles of the foster parent, the birth parents and family  
28 members, the guardian ad litem and other providers, and the department in providing foster care;

29 (e) provide input to social workers and other providers in identifying resources and services that would  
30 help meet the needs of a youth in the foster parent's care and to advocate for these resources and services;

- 1 (f) receive in a timely manner an explanation of the plan for placing a youth in the foster parent's home;
- 2 (g) receive on an ongoing basis information regarding the youth that will affect the foster parent's home
- 3 or family life during the care of the youth;
- 4 (h) be notified of any changes affecting the youth's placement in the foster parent's home;
- 5 (i) accept or refuse placement of or request the removal of a youth from the foster parent's home;
- 6 (j) provide information to the professionals who are working directly with the youth;
- 7 (k) to the extent permitted under 41-3-205, be informed of any allegations of abuse against the foster
- 8 parent or a member of the foster parent's household; and
- 9 (l) request a new social worker or licensing worker.
- 10 (2) This section does not create a new or separate cause of action.

11

12 **NEW SECTION. Section 3. Notification to tribal governments.** The secretary of state shall send a

13 copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell

14 Chippewa tribe.

15

16 **NEW SECTION. Section 4. Codification instruction.** [Sections 1 and 2] are intended to be codified

17 as an integral part of Title 41, chapter 3, part 1, and the provisions of Title 41, chapter 3, part 1, apply to [sections

18 1 and 2].

19 - END -



State of Montana  
Department of Public Health and Human Services  
Child and Family Services Division

**THE POLICY OF THE STATE OF MONTANA REGARDING RIGHTS OF YOUTH IN FOSTER CARE**

It is the policy of the state of Montana that Child and Family Services Division (CFSD) will adequately address the expectations listed below for all youth in foster care. Also, foster youth age 14 and older will have the opportunity to meet with the CPS staff assigned to their case to review this list and have the expectations explained to the youth in a developmentally and age appropriate manner. Youth age 14 and older will receive a copy of these rights along with contact information for the Foster Care Program Officer. If a youth believes their rights have been violated or impeded they will be informed to contact the Foster Care Program Officer, who will be responsible to follow-up on their concerns.

As a child/youth in foster care I have the right to the following:

**1. Physical, Mental and Emotional Health to Include:**

- Having an identified physician provide appropriate medical and dental care, including examinations and treatment, as needed.
- Receiving psychiatric, psychological, and counseling services, including diagnosis and treatment, as determined necessary by CFSD.
- Being provided healthy foods that meet dietary needs and in portions that are appropriate for the foster youth's age and activity level.
- Having age and developmentally appropriate input and consultation on all treatments provided and medications administered.
- Being prescribed and administered medications only as necessary and to not be over medicated.
- Being afforded the opportunity to successfully parent children of their own while in foster care and not be pressured to get an abortion or place a child for adoption.
- Not being exposed to secondhand smoke in the foster parents' home or vehicle. This is not intended to interfere with Native American ceremonies involving tobacco.

**2. Education to Include:**

- Being afforded the opportunity to attend school and to keep up with course work in order to allow the foster youth to graduate high school with their graduating class.
- Whenever possible, ensuring continued attendance at the same school even if the youth is placed in multiple settings.
- Being afforded the opportunity to explore postsecondary educational opportunities with the assistance from CFSD staff, foster parents, facility staff, contracted service providers and other parties as identified by the youth.

**3. Contact w/ Family & Visitation to Include:**

- Whenever possible, placing foster youth with their siblings who are also in foster care. If foster youth are not placed with siblings they will be told why in a developmentally and age appropriate manner.
- Providing information and regular updates, in an age and developmentally appropriate manner, on the foster youth's birth family. This includes information on siblings and extended family.
- Being permitted and encouraged to have regular contact visitation birth family unless the court or the treatment plan does not allow visits. This includes visits with siblings in different foster care placements and those residing with the birth parents.

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- CFSD staff providing a developmentally and age appropriate explanation to the foster youth in instances where visits with parents or siblings cannot take place for safety reasons or because the court or treatment plan do not allow for visits.
- CFSD staff continuing to actively search for a foster or kinship placement that will allow foster youth and their siblings to be placed together.

**4. Court and Case Planning to Include:**

- CFSD staff providing a developmentally and age appropriate explanation on: why the youth is in foster care, the court process and the reunification or other permanency plan for the child.
- CFSD staff providing an explanation of any restrictions placed on the child by the court or as part of the treatment plan and documenting those restrictions in the case record.
- Being afforded the opportunity to attend status hearings, permanency hearings, or other hearings where placement issued will be discussed and to speak to the judge or provide written information to the court regarding placement decisions and where the youth is living.
- Being afforded the opportunity, in a developmentally and age appropriate manner, to actively participate in creation of case plans, service planning and permanency plans.
- Being afforded the opportunity, in a developmentally and age appropriate manner, to actively participate in meetings where services regarding the youth's physical, mental and emotional health are being discussed.
- Having the opportunity to meet routinely with CASA/GAL assigned to the youth's case.
- Being provided a copy or summary of case plans and treatment plans for the youth's review.
- Being afforded the opportunity to ask someone, who is not the CPS worker or the foster parent, to support the youth in their participation of meetings and court hearings.

**5. Transition Planning to Include:**

- Providing foster youth, age 14 and older, a copy of their credit reports each year. Also, the youth will be provided an explanation of the contents of the report and CFS staff will work with credit reporting agencies to resolve any inaccurate or incorrect information on the youth's credit reports.
- Transition planning will occur prior to aging out of care and the youth must be actively engaged and involved in the transition planning.
- Being provided education, by a medical professional, regarding medications, medical needs and medical history prior to exiting foster care.
- Providing all foster care youth aging out of care with the following: an official or certified copy of their United States birth certificate, a social security card issued by the Commissioner of Social Security, health insurance information, a copy of their medical records, and a driver's license or identification card issued by the State of Montana.

**6. Safety and Discipline to Include :**

- Providing services to foster youth in an environment that is free of stigma, anger and hateful treatment due to actions of their biological parents. Remembering that the actions of adults, not the youth, are the cause of the youth being removed from their home and entering foster care.
- Being placed in a foster home or facility that is safe, free from abuse, neglect, exploitation, and harassment from any person in the household or facility.

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- Being provided discipline in a manner that is appropriate to the youth's level of maturity, developmental level, and medical condition to provide the youth with an explanation of why they are being disciplined.
- Ensuring discipline does not include: withholding of prescribed medications, the use of restraint, seclusion, corporal punishment, threat of corporal punishment or being placed in a locked room.
- Be provided discipline that is free of any harsh, cruel, unusual, unnecessary, demeaning, or humiliating punishment. This includes being shaken, hit, spanked, threatened, or forced to do unproductive work. This also includes being denied: food, sleep, access to a bathroom, mail, or family visits.
- Ensuring no foster youth is subjected to verbal abuse, derogatory remarks about themselves or members of their family, or threats to expel the youth from the foster home or facility.
- CFSD ensuring no youth in out-of-home placement is deprived of meals, mail, or family visits as a method of discipline.
- Ensuring no foster youth is punished for bed wetting or any other toilet training issue.

**7. Normalcy to Include Clothing, Reasonable and Prudent Parenting Standard:**

- Providing an opportunity to participate in activities that are age and developmentally appropriate.
- Actively participating, in a developmentally and age appropriate manner, in major decisions that affect the youth's life.
- Being made aware of the on-site designated staff in congregate care facilities who are trained in and can authorize the application of the reasonable and prudent parenting standard.
- Ensuring each youth is supplied with their own clothing suitable to the youth's age and size.
- Ensuring the clothing provided to the youth is comparable to the clothing of other youths in the community.
- Ensuring the youth is given appropriate choice in the selection of their clothing.
- Being immediately given all personal belongings, including clothing, whenever the youth moves out of a foster home or facility as a result of a change in placement or exiting care.

**8. Privacy and Personal Space:**

- Ensuring a space in the home is provided to display the youth's socially appropriate creative works and symbols of identity.
- Allowing the youth to keep all money earned or received as a gift and if the youth chooses to open a bank account.
- Allowing the youth to refuse to make public statements showing their gratitude to a foster home or agency.
- Providing each youth with personal space, safe and appropriate sleeping arrangements, and an adequate space to store clothes and belongings.
- Ensuring the youth has reasonable access to their personal space, belongings, house or residence.
- Ensuring a level of privacy including keeping a personal journal, sending and receiving unopened mail, making and receiving private phone calls, unless an appropriate professional or a court says that restrictions are necessary and is in the youth's best interests.

**9. Religion and Culture:**

- Ensuring the youth has the opportunity to voluntarily practice their religion or tribal ceremonies. Foster parents shall allow each youth to attend available religious services or tribal ceremonies of the child's or

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birth parent's choice and to visit with representatives of the child's faith and/or tribal elders or spiritual leaders.

- Ensuring religious beliefs or practices, including tribal spiritual beliefs and practices, are respected by the foster parents or agency where the youth is placed.
- Ensuring the youth is encouraged and afforded opportunities to identify with their own cultural heritage.
- Ensuring participation or nonparticipation by the youth in religious activities or tribal ceremonial activities is not used as a form of discipline.

**10. Express Concerns About Treatment or Care:**

- Ensuring youth are made aware of their ability to report to CFSD staff, specifically the Foster Care Program Officer, or others involved in their case (e.g. CASA/Gal, therapist, Chafee service providers, judges) anytime the youth believes any of the above expectations have not been adhered to by CFSD staff, foster parents or facility staff. Also, ensuring the youth is not punished or threatened with punishment for making these reports. Youth can report concerns anonymously if they choose to do so.
- Ensuring youth are made aware that they have the ability to notify CFSD staff, the judge, CASA/GAL or the Foster Care Ombudsman if someone is hurting them or acting inappropriately so the youth can be reasonably protected without fear of retaliation.
- Ensuring the youth are made aware of the process to issue their concerns with the individuals mentioned above.

**\*\*\*\*\* TO BE COMPLETED BY ALL YOUTH AGE 14 AND OLDER \*\*\*\*\***

I acknowledge that I have received a copy of the rights above and that these rights have been explained to me in a developmentally and age appropriate manner. I further understand that anytime I believe my rights have been impeded or not provided to me or I can bring my concerns to the Child and Family Services Foster Care Program Officer by calling 406-841-2400. I do not need to notify the CPS staff assigned to my case or my foster parents or the congregate care facility staff prior to contacting the Foster Care Program Officer. When issuing my concerns to the Foster Care Program Officer I can remain anonymous if I choose to do so.

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Youth Signature	Youth Printed Name	Date
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**A copy of this signed document must be placed in the youth's case plan and the youth must also receive a copy. The youth can receive another copy of this list and ask to have the rights explained to them again upon the youth's request.**