


To: DCF/DMCPS Administrators
DCF Area Administrators
Child Placing Agency Directors
Child Welfare Agency Directors
County Departments of Community Programs Directors
County Departments of Developmental Disabilities Services Directors
County Departments of Human Services Directors
County Departments of Social Services Directors
Group Home Providers
Tribal Social Service/Indian Child Welfare Directors
Private Child Placing Agencies
Residential Care Center Providers
Shelter Care Providers
Tribal Chairpersons

From: Fredi-Ellen Bove 
Administrator

Re: 2015 WI Act 368: Missing from Out-of-Home Care and Child Photograph Requirements

PURPOSE

This memo sets forth policy requirements as established in 2015 Wisconsin Act 368 related to children or juveniles missing from out-of-home care and child photograph requirements. This state legislation was enacted recently to comply with the federal Preventing Sex Trafficking and Strengthening Families Act. Other recent state legislation related to other aspects of the federal law are covered in separate memos.

BACKGROUND

On September 29, 2014, the federal Preventing Sex Trafficking and Strengthening Families Act (H.R. 4980) was enacted into law. The bill has major implications for the public child welfare system and includes a number of provisions to minimize risks, increase opportunities, and improve permanency for foster youth.

In April 2016, the Governor signed into law 2015 Wisconsin Act 368 codifying the federal legislation related to the child photograph requirements and the reporting requirement when a child or youth is missing from out-of-home care.

POLICY AND PROCEDURE REQUIREMENTS

A summary of the new policy requirements in Act 368 are outlined below. The Ongoing Services Standards have been updated to include changes related to child photograph requirements and requirements for when a child or youth is missing from out-of-home care. An updated version of the full Ongoing Services Standards is attached, as well as an "in brief" version of the Ongoing Services Standards which contains only the sections of the Standards affected by the new legislation. The "in brief" version of the Standards highlights the modified sections within the Standards.

Missing from Out-of-Home Care:

When a child or youth is missing from out-of-home care he/she is at heightened vulnerability and risk of becoming a sex trafficking victim. Current policy requires the agency with placement and care responsibility to notify law enforcement when a child or youth has been missing for 8 hours or for a period of time that cannot reasonably be justified by the child's or youth's age, maturity, or emotional capacity, as well as documenting the child's or youth's missing episode in eWiSACWIS within 24 hours.

The new reporting requirements once an agency with placement and care responsibility has determined that a child or youth is missing from out-of-home care include:

- When making a missing person's report, the agency must notify law enforcement if the child or youth is at-risk or has been a victim of sex trafficking.
- Within 24 hours, the agency shall notify the National Center for Missing and Exploited Children (NCMEC) if the child or youth is at-risk or has been a victim of sex trafficking.

The new reporting requirements once a child or youth is no longer missing from out-of-home care include:

- The agency with placement and care responsibility shall notify NMCEC of the child's or youth's return.
- Within 24 hours, the agency with placement and care responsibility shall document in eWiSACWIS that the child or youth is no longer missing from out-of-home care.
- Within one business day of the missing episode, the agency with placement and care responsibility shall do the following:
 - Determine the primary factors that contributed to the child's or youth's missing episode.
 - Determine if the child or youth was a possible sex trafficking victim during the missing episode. If it is determined that the child or youth was a sex trafficking victim during the missing episode, the agency shall document this in eWiSACWIS.
 - Discuss planning for the prevention of future missing episodes.

Child Photograph Requirements:

It is important for agency caseworkers to be able to identify a child in out-of-home care for various reasons. Specifically, when a child or youth is missing from out-of-home care, the efforts to locate the child or youth are enhanced when a recent image of the child or youth can be obtained. 2015 Wisconsin Act 368 requires all children and youth in out-of-home care to have a documented child or youth image. The most recent child or youth image shall be used to assist agencies and the National Center for Missing and Exploited Children in locating children or youth missing from out-of-home care.

The new statute includes new requirements to capture and document child or youth images in eWiSACWIS within the following timelines:

- Within 30 days of the child/youth's entry into out-of-home care, and
- Updated images every 6 months that the child or youth remains in out-of-home care.

eWiSACWIS DOCUMENTATION

The following changes to eWiSACWIS occurred in the February and June 2016 releases, which will assist caseworkers in documenting child photographs and missing from out-of-home care episodes. Following is a summary of the changes that occurred during each release:

February 2016:

- Creation of a new imaging type: Child/Youth Image
 - Note: the Records Retention/Disposition Authorization #1057, pertaining to child welfare case records, has been updated to authorize that any and all record material pertaining to a child welfare case record is permitted to be scanned into eWiSACWIS, including photographs of children and youth.

June 2016:

- Creation of a Missing from Out-of-Home Care Portal
 - A portal between eWiSACWIS and the National Center for Missing and Exploited Children (NCMEC) was created, which automatically notifies NCMEC when a child's or youth's placement status has been changed to missing from out-of-home care.
 - The caseworker will be asked a series of questions when making the report to NCMEC, which will aid NCMEC in assisting with efforts to locate the child or youth.
 - When a child or youth returns to care from a missing episode and their placement status is updated within 24 hours, the portal will automatically notify NCMEC that the child has been located and is no longer missing.
- Creation of assessment questions when a child or youth is no longer missing from out-of-home care to evaluate the child or youth's need for treatment and services by: determining the primary factors that contributed to the child's or youth's missing episode, determine if the child or youth was a possible sex trafficking victim during the missing episode, and discuss planning for the prevention of future missing episodes.

ACTION SUMMARY

Effective immediately, all county agencies and the DMCPs are required to comply with all of the requirements set forth in this memo and the attached policies.

REGIONAL OFFICE CONTACT: DCF Area Administrator

CENTRAL OFFICE CONTACT:
Out-of-Home Care Specialist
Bureau of Permanency and Out-of-Home Care
(608) 422-6937

Attachments <http://dcf.wisconsin.gov/files/cwportal/policy/pdf/ongoing-services-standards.pdf>

Ongoing Services Standards



2015 WI Act 368
Children Missing from Out-of-Home Care
Policy Changes

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Children or Juveniles Missing from Out-of-Home Care

When the whereabouts of children or juveniles living in out-of-home care settings are unknown, the safety and well-being of those children or juveniles cannot be ensured. When children or juveniles are missing from care, they are vulnerable to and at risk of additional emotional and physical trauma (e.g., sexual exploitation, sex trafficking, drug abuse, or criminal activity). Thus, measures to locate the child or juvenile, communicate with critical individuals and agencies involved with the child or juvenile, and plan for the child's or juvenile's safe return must be made.

Requirements:

For additional information, refer to page 196, "Children and Juveniles Missing from Out-of-Home Care."

When a child or juvenile is considered missing from out-of-home care, the case shall not be closed just because the child or juvenile is missing from care. Any decision to close a case with an open court order for a child or juvenile who has not yet attained 18 years of age, or who has attained 18 years of age with an open court order, should be done in consultation with the agency's legal counsel.

Children or Juveniles Missing from Out-of-Home Care

When the whereabouts of children or juveniles living in out-of-home care settings are unknown, the safety and well-being of those children or juveniles cannot be assured. When children or juveniles are missing from care, they are vulnerable to and at risk of additional emotional and physical trauma (e.g., sexual exploitation, sex trafficking, drug abuse, or criminal activity). Thus, measures to locate the child or juvenile, communicate with critical individuals and agencies involved with the child or juvenile, and plan for the child's or juveniles safe return must be made.

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For additional information, refer to page 196, "Children or Juveniles Missing from Out-of-Home Care."

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A child or juvenile is considered to be in "out-of-home care" if the agency has placement and care responsibility for the child or juvenile whether placed under a voluntary Placement agreement (under §. 48.63 or 938.63) or through a court order. This includes a child or juvenile who is placed by the agency with relatives or in court-ordered Kinship Care placements, whether or not payments are being made but the agency maintains placement and care responsibility. It does not include a child or juvenile who is living with relatives (or caregivers other than parents) but who is not under the placement and care responsibility of the agency. The placement types would include:

- Foster care
- Court-ordered Kinship Care
- Unlicensed relatives
- Unlicensed non-relatives
- Group home care
- Residential care
- Supervised independent living
- Secure detention
- Shelter care when a Permanency Plan is required.

Out-of-home care also includes the period of time when a child is on a Trial Reunification. This does not include care provided in a secured correctional facility as defined under §. 938.02(15m), Stats. It also does not include juveniles who are receiving an in-home service of a 72-hour hold or a sanction at a shelter care facility.

Applicability

This standard applies to all cases in which a child or juvenile is living in an out-of-home care setting and the whereabouts of the child or juvenile are either unknown or the child or juvenile does not have permission to be away from the out-of-home care setting. This policy applies beginning at the point a child or juvenile is removed from his or her home and the Department or a county agency has placement and care responsibility.

Agencies must assure that all actions of either the agency or contracted provider staff comply with this policy.

An agency is considered to have the placement and care responsibility of a child or juvenile when the child or juvenile is removed from his or her home by the Department or an agency or when a court enters an order placing a child or juvenile in out-of-home care, whichever occurs first (see DCF Memo Series 2007-13 “Placement and Care Responsibility Language in Court Orders”).

Purpose

The purpose of this policy is to:

- Define when a child or juvenile is missing from out-of-home care.
- Establish requirements for agency response when a child or juvenile is missing from out-of-home care.
- Establish requirements for documenting a child’s or juvenile’s missing status in eWiSACWIS.

Missing from Out-of-Home Care Defined

A child or juvenile is considered “missing from out-of-home care” when he or she is under the placement and care responsibility of the Department or a county agency, is living in an out-of-home care setting, and any of the following criteria are met:

- The child or juvenile is unaccounted for a period of time that cannot reasonably be justified by the child’s or juvenile’s age, maturity, or emotional capacity which shall not exceed eight hours.
- When efforts to locate the child or juvenile have been unsuccessful.
- When it is known or suspected that a child or juvenile has been taken by force or coercion.
- When the child or juvenile is in the company of an unauthorized person or located in an unauthorized place.

An out-of-home care provider does not have to wait eight hours to report a child or juvenile missing from out-of-home care. For young, disabled, or vulnerable children or juveniles, an

unexplained absence for even a short period of time can be an alarming situation and might present significant child, juvenile, or community safety concerns.

The agency responsible for a child or juvenile placed in out-of-home-care must provide to the out-of-home care provider, upon placement, information relating to a child's or juvenile's history of being missing. The information must be updated to reflect any changes.

Confidentiality

Agencies must continue to abide by existing confidentiality standards when implementing this policy (Ref. §. 48.78, 938.78, 48.981(7), Stats.). Agency staff must assure that an out-of-home caregiver or respite provider understands confidentiality requirements as they pertain to children or juveniles missing from care.

Agencies may want to consult with their legal counsel when questions arise regarding confidentiality.

When implementing this policy, the confidentiality of the child or juvenile can be protected by obtaining necessary consents to release information.

Agency Coordination with Out-of-Home Care Providers and Other Caregivers

The agency must assure that the parent, out-of-home caregiver, respite provider, or parent or caregiver when a child is on a home visit or trial reunification understands his or her responsibility to contact an agency representative when a child in his or her care is determined to be missing.

Determining When a Child or Juvenile is Missing

The agency caseworker or representative must assess the situation by gathering information from the out-of-home care provider and other people involved with the case to determine if a child or juvenile is missing.

National Child Search Assistance Act Law and Legal Definition

The National Child Search Assistance Act (NCSA) is a U.S. federal legislation enacted in 1990. This Act requires each federal, state, and local law enforcement agency to report each case of a missing child below the age of 21 to the National Crime Information Center (NCIC). Further, the NCSA states that no agency should maintain any policy establishing a waiting period before accepting a missing child report. The provisions relating to the Act are found under 42 USCS § 5779 and 5780.

Some provision of the NCSA was amended by the Adam Walsh Child Protection and Safety Act of 2006. Pursuant to the amendment, the NCSA is to require law enforcement to enter

information about missing and abducted children in the NCIC database within two hours of receiving a report.

Additionally, any caseworker who is having difficulty working with their local law enforcement when making reports of children missing from their care, may contact the Wisconsin Clearinghouse for Missing and Exploited Children and Adults which is operated by the Department of Justice.

The Wisconsin Clearinghouse for Missing and Exploited Children and Adults actively assists law enforcement, victim families, the National Center for Missing and Exploited Children and other missing children organizations in cases involving missing children, human trafficking victims and children who are victims of enticement via the Internet. Wisconsin's Clearinghouse provides technical investigative assistance, referrals and advocacy in navigating the criminal justice system, along with other resources, services and information, to victim families of children and adults who are missing and considered endangered in the state of Wisconsin, nationwide and internationally.

The following is the contact information for the Wisconsin Clearinghouse for Missing & Exploited Children and Adults:

17 West Main Street
Madison, WI
Office: 608-266-
1-800-THE HOPE (1-800-843-4673)
www.missingpersons.doj.wi.gov

Responsibilities When a Child or Juvenile is Missing from Out-of-Home Care

Once the agency has determined that a child or juvenile is missing from out-of-home care, the agency must:

- Make efforts to immediately inform the following:
 - The parent/caregiver, legal custodian, and guardian.
 - The out-of-home care provider, if the child or juvenile was not with the provider when he or she went missing.
 - The Indian child's tribe, if applicable.
 - The appropriate Interstate Compact on the Placement of Children (ICPC) or Interstate Compact for Juveniles (ICJ) contact if a child or juvenile is placed in Wisconsin through the ICPC or ICJ.
- Assure that law enforcement has been notified that a child or juvenile is missing.
 - In that notification include whether the child or juvenile is at-risk or has been a victim of sex trafficking.
 - Within 24 hours, notify the National Center for Missing and Exploited Children (NCMEC).
 - Inform NCMEC if the child or juvenile is at-risk or has been a victim of sex trafficking.
 - See Appendix XIII: Information to be provided to the National Center for Missing and Exploited Children for additional guidance about the requirements for making missing reports to NCMEC on page 293.
- Conduct and continue efforts to find the child or juvenile until the child or juvenile no longer meets the definition of missing in care.
- Continue to do Permanency Planning activities according to §. 48.38 and 938.38, Stats.
- Manage bed holds and provider payments.

Within 24 hours, the agency must document the child's or juvenile's missing episode in the child's or juvenile's Placement Status in eWiSACWIS once the child or juvenile has been determined missing. Note: Documenting the child missing placement will send this information directly to NCMEC through the portal when the missing placement is documented in eWiSACWIS.

Agencies must:

- Consult with their court officials (e.g., judges, district attorney, corporation counsel, state public defenders, Guardian ad Litem, etc.) to determine what information on children or juveniles who are missing from care should be shared and the timeframe for doing so.
- Establish policies regarding what actions will occur for ongoing efforts to find the child or juvenile.

An agency may also want to inform the child's or juvenile's school, mental health providers, legal representative, and other service providers working with the child or juvenile and family to coordinate efforts to locate the child or juvenile.

When agencies consult with court officials, agencies may wish to work with judges to include Children or Juveniles Missing from Care policies in the court's policies under §. 48.06(1)(a)2. and (2)(a) and 938.06(1)(a)2. and (2)(a), Stats.

Agencies have the ability to determine the continued efforts to search, as this will vary depending on the circumstances of the missing episode, the individual child or juvenile, and case plan. An agency should consider the following activities in searching for a child or juvenile who has been determined missing:

- Contact with the child's or juvenile's friends, relatives, or significant others for possible information about his or her whereabouts.
- Contact with the child's or juvenile's school if school is in session.
- If the child or juvenile has been missing before, contact any person the child or juvenile was found with or in the location the child or juvenile was located previously.
- Determine whether any of the child's or juvenile's friends or significant others are also missing; if so, whether their families or friends have additional information.
- Determine whether the child or juvenile or anyone taking the child or juvenile left any written information which may indicate where the child or juvenile has gone or been taken.

Responsibilities When a Child or Juvenile is No Longer Missing

Once the agency has determined the child or juvenile has been found and is again under the care and supervision of the agency, the agency must:

- Make efforts to immediately inform the following:
 - the parent/caregiver, legal custodian, and guardian,
 - the out-of-home care provider,
 - the Indian child's tribe, if applicable, and
 - the appropriate Interstate Compact on the Placement of Children (ICPC) or Interstate Compact for Juveniles (ICJ) contact if a child is placed in Wisconsin through the ICPC or ICJ.
- Verify that law enforcement has been notified of the child's or juvenile's return if the child or juvenile was listed as a missing person.
- Within 24 hours, the agency must document that the child or juvenile is no longer missing in eWiSACWIS, which will notify NCEMC of the child or juvenile's return to out-of-home care.
- Notify the National Center for Missing and Exploited Children of the child or juvenile's return.
- Manage bed holds and provider payments.
- Inform the court and court officials as specified in inter-agency policies or agreements. Revise the Family Interaction Plan to consider any new safety concerns.
- Obtain any appropriate court restrictions to maintain the child or juvenile safely in out-of-home care.
- Seek any necessary follow-up medical care or counseling for the child or juvenile.
- Assist the child or juvenile in obtaining any educational materials necessary to catch the child up from the time he or she was considered missing if school was missed.

Agencies must evaluate the child's or juvenile's need for treatment and services within **one business day** following an episode of missing from care, by:

- Interview the child or juvenile about the missing episode **to determine the primary factors that contributed to the child's or juvenile's missing episode** and follow-up on any safety or well-being concerns raised by the child or juvenile or his or her caregivers.
 - Assess the child or juvenile to determine if the child or juvenile was a possible sex trafficking victim during the missing episode.
 - Seek any necessary medical attention for the child or juvenile.
 - Discuss planning for the prevention of future missing in care episodes with the child or juvenile and family team to ensure child or juvenile safety, community safety, permanency, and well-being.
 - Note: Caseworkers should be aware of mandatory reporting requirements if a child or juvenile discloses any abuse or victimization that may have occurred while they were missing from out-of-home care during the assessment.

Within 5 business days, the agency must document the primary factors that contributed to the child's or juvenile's missing episode in eWiSACWIS. Documentation of this information will be prompted in eWiSACWIS in the Assessment when a Child or Juvenile is No Longer Missing group box once the child or juvenile's placement status is updated to reflect the child or juvenile is no longer missing.

Documentation

The following must be documented in the child's or juvenile's case record:

- The efforts to locate the child or juvenile, based upon information gathered.
- Notifications and efforts to notify the required individuals and entities that a child or juvenile is missing from out-of-home care.
- Continued efforts to search for a child or juvenile who is considered missing from out-of-home care.
- Notifications and efforts to notify the required individuals and entities that a child or juvenile is no longer considered missing from out-of-home care.
- Document the primary factors that contributed to the child's or juvenile's missing episode and the child's or juvenile's experience(s) while missing. See Appendix XXIV: Assessment when a Child or Juvenile is No Longer Missing for a detailed description of this assessment on page 295.

When a child or juvenile is considered missing from out-of-home care, the case shall not be closed just because the child or juvenile is missing from care. Any decision to close a case with an open court order for a child or juvenile who has not yet attained 18 years of age, or who has attained 18 years of age with an open court order, should be done in consultation with the agency's legal counsel.

The child's or juvenile's missing status must be updated within 24 hours, excluding holidays and weekends, when:

- The child or juvenile has been missing for 24 hours.
- The child or juvenile returns to out-of-home care.

Appendix XIII

Information to be provided to the National Center for Missing and Exploited Children

When a child or juvenile has been determined missing from out-of-home care, the agency with placement and care responsibility shall notify the National Center for Missing and Exploited Children (NCMEC) within 24 hours. The Department has created a portal within eWiSACWIS to automatically notify NCMEC when a child or juvenile's placement status has been changed to missing from out-of-home care.

While it is the agency's responsibility to notify NCMEC that a child or juvenile is missing within 24 hours, the agency may utilize a delegate, such as group home or residential care center staff, to make this report. A delegate may make a report of a missing child or juvenile to NCMEC by calling 1-800-843-5678. The following information shall be provided to NCMEC in the missing report. It may be helpful for agencies to share this information with out-of-home care providers to aid in making reports.

Required Information:

- Child or juvenile's first and last name and date of birth
- Child or juvenile's race
- Child or juvenile's gender
- Child or juvenile's height and weight
- Child or juvenile's eye and hair color
- Date and time the child or juvenile was last seen
- The person who reported the child or juvenile missing to the agency
- City, country, and state the child or juvenile was missing from
- NCMEC type: See below for a detailed description of each NCMEC type
 - Family Abduction (FA)
 - Non-Family Abduction (NFA)
 - Endangered Runaway (ERU)
 - Lost, Injured, or Otherwise Missing (LIM)
- Law enforcement agency information
 - Date of the report of missing was made to law enforcement
 - Law enforcement agency the report was made to
 - City and country the agency is located in
- Description of the circumstances surrounding the missing episode.
- Indicators or facts that the child or juvenile was being groomed, recruited, or victimized through sex trafficking.
- Special needs of the child or juvenile, such as medical conditions, allergies, cognitive/developmental delays, behavioral/emotional needs, history with running, history with or at-risk of drug and/or alcohol use, suicide risk, gang involvement, etc.
- Contact information for the agency with placement and care responsibility. This is the person that NCMEC will contact for additional information and follow-up once they receive the missing report.
 - Contact person's name
 - Contact person's phone number, email, and county

- Contact person's agency and the agency's address

Optional Information

- Street address, zip code, and county the child or juvenile was missing from
- A current photograph of the child or juvenile.
- Vehicle information (i.e. make, model, year, color, license plate, etc.) associated with the child or juvenile's missing episode.
- Companion(s)/abductor(s) (i.e. name, sex, race, relationship to child or juvenile, physical appearance, known address, etc.) who may be accompanying the child or juvenile.
- Child or juvenile's nickname(s)/alias(es)
- Child or juvenile's medication(s)
- Child or juvenile's parent(s)/guardian(s) information
- Child or juvenile's cell phone and email address
- Law enforcement contact information who received the missing report:
 - Law enforcement case number
 - Law enforcement contact person's first and last name
 - Law enforcement contact person's email address and phone number
 - Law enforcement agency's street address and zip code
- Confirmation of whether or not the missing report was also made to the National Crime Information Center (NCIC)

NCMEC Type

The following are descriptions of the different NCMEC types, which are required in the missing report that is made to NCMEC, as described above.

- Family Abduction (FA): The taking, retention, or concealment of a child, less than 18 years of age, by a parent, other person with a family relationship to the child, or his or her agent, in violation of the custody rights, including visitation rights, of another parent or legal guardian.
- Non-Family Abduction (NFA): The coerced and unauthorized taking, retention, luring, confinement, or concealment of a child younger than 18 years of age by someone other than a family member.
- Endangered Runaway (ERU): Any missing child younger than 18 years of age who is missing of his or her own accord and whose whereabouts are unknown to his or her parent(s) or legal guardian.
- Lost, Injured, or Otherwise Missing (LIM): Any missing child younger than 18 years of age where there are insufficient facts to determine the cause of the child's disappearance, or any child 10 years of age or younger who is missing on his or her own accord.

Assessment when a Child or Juvenile is No Longer Missing

When a child or juvenile is no longer missing from out-of-home care, the agency with placement and care responsibility shall interview the child or juvenile about the missing episode to determine the primary factors that contributed to the child's or juvenile's missing episode and follow-up on any safety or well-being concerns raised by the child or juvenile or his or her caregiver(s).

As part of this interview, the agency shall assess the child or juvenile to determine if the child or juvenile was a possible sex trafficking victim during the missing episode, seek any necessary medical attention, and discuss planning for the prevention of future missing in care episodes with the child or juvenile and family team to ensure the safety of the child or juvenile, community safety, permanency, and well-being.

Within 5 business days, the agency must document the primary factors that contributed to the missing episode in eWiSACWIS. The following is a description of the assessment that the caseworker shall document in eWiSACWIS, which may assist the caseworker in preparing for the interview with the child or juvenile.

Assessment when a Child or Juvenile is No Longer Missing

1. Determine if the missing episode was the result of the child or juvenile running away. If the missing episode was due to the child or juvenile running away, the caseworker shall assess the following:
 - a. Frequency of Running
 - b. Consistency of Destination
 - c. Safety of Destination
 - d. Involvement in Illegal Activities
 - e. Likelihood to Return on their Own
 - f. Involvement with Others
 - g. Realistic Expectations

Note: This question is the same question as appears on the Child and Adolescent Needs and Strengths (CANS) tool. However, the response to this question will have no immediate impact on the child's or juvenile's current documented CANS.

2. Determine if the child or juvenile was missing as the result of a perpetrator or exploiter influence, such as being forced or coerced to run away.
3. Determine the child's or juvenile's motivation for running away.
 - a. Determine if the child or juvenile was running to something, such as peers, birth parent(s), or other family members.
 - b. Determine if the child or juvenile was running from something, such as an unsafe environment or unsafe person.

4. Determine if the child or juvenile was a victim of any of the following during the missing episode:
 - a. Sex Trafficking
 - b. Sexual Assault
 - c. Physical Abuse
 - d. Emotional Abuse
 - e. Medical Trauma
 - f. Alcohol and Other Drug Abuse
 - g. Injuries

5. Describe the plan for the prevention of future missing episodes. This plan should be discussed with the child or juvenile; the child's or juvenile's birth parent(s)/legal guardian; the out-of-home care provider; the child's or juvenile's treatment team; the tribe, if applicable; and any other individual(s) who would be taking a role in the prevention of future missing episodes.

Ongoing Services Standards



2015 WI Act 368
Child Photograph Requirements
Policy Changes

Placing a Child in Out-of-Home Care

When a child is placed in out-of-home care under chs. 48 or § 938, the agency having “placement and care responsibility” must ensure that all laws and policies related to children in out-of-home care are adhered to.

At the time of placement the caseworker is responsible to ensure that all necessary legal documents and notifications are made to the child, their parents, the out-of-home provider, relatives, and the legal community. This includes:

- A Temporary Physical Custody Request, Voluntary Placement Agreement or a court order placing the child in out-of-home care, including the date and time of any subsequent court hearings. Prior to the first hearing in a child custody proceeding involving an Indian child, the agency shall notify the tribe through: Notice of Involuntary Child Custody Proceeding of an Indian Child.
 - Voluntary Placement Agreement:
http://dcf.wisconsin.gov/forms/doc/DCF_F_CFS1590.doc
 - Voluntary Placement Agreement for an Indian Child:
http://dcf.wisconsin.gov/forms/pdf/DCF_F_CFS2425.pdf
- Enter into a Placement Agreement with the out-of-home care provider:
 - Foster Home Agreement Child Placed in Out-of-Home Care by Agency::
http://dcf.wisconsin.gov/forms/doc/DCF_F_CFS0107_e.doc
 - Relative Placement Agreement
- Provide information to the child’s out-of-home care provider as required under §. 48.371, Stats. upon placement, but no later than 48 hours if unknown to the agency at the time of placement:
 - Information for Out-of-Home Care Providers Part A:
http://dcf.wisconsin.gov/memos/num_memos/DSP/2016/2016-07.pdf
 - Information for Out-of-Home Care Providers Part B:
http://dcf.wisconsin.gov/memos/num_memos/DSP/2016/2016-07.pdf
- Provide information to the child’s out-of-home care provider regarding specific reasonable and prudent parenting considerations to ensure the child has regular opportunities to engage in age and developmentally appropriate activities.
 - This information is included in Information for Out-of-Home Care Providers Part A.
 - Child specific considerations should also be discussed when providing the Reasonable and Prudent Parent Standard brochure:
<http://dcf.wisconsin.gov/publications/pdf/5105.pdf>.
- Obtain signed consents for:
 - Medical Services Consent
(http://dcf.wisconsin.gov/forms/pdf/DCF_F_CFS0997.pdf)
 - Relatives and other informal supports

- Other service providers the child may be utilizing including, but not limited to school, child care facility, therapists, physicians, private agencies involved, etc.
- Obtain medical services coverage either through the health insurance of the child's parent or Medicaid.
 - Ensure that parents and relative caregivers are aware of eligibility changes to Medicaid when a child is removed from or enters their care: http://dcf.wisconsin.gov/memos/num_memos/2008/2008-03.pdf
- If a child is identified as an Indian child and WICWA applies, the agency is required to notify the child's tribe within 24 hours the child's name and address or expectant mother's name and address.
 - Notification is completed by sending the following forms to the child's tribe:
 - Screening for Child's Status as Indian: http://dcf.wisconsin.gov/forms/pdf/DCF_F_CFS2322_e.pdf
 - Child's Biological Family History: http://dcf.wisconsin.gov/forms/pdf/DCF_F_CFS2323.pdf
 - Request for Confirmation of Child's Indian Status: http://dcf.wisconsin.gov/forms/pdf/DCF_F_CFS2016_e.pdf
- Notify all adult relatives that the child or juvenile has been placed into out-of-home care. Anytime that a child or juvenile is removed from their parent(s)' home under a court order and is not returned within 30 days, the notice must be sent. http://dcf.wisconsin.gov/forms/doc/DCF_F_2473_e.doc
- Notify the clerk of the school district in which a foster home is located when a school-age child is placed in that foster home, as required under §. 48.64 (1r), Stats. The notification shall include all of the following:
 - The name, address, and phone number of the foster parent.
 - The name of the foster child.
 - Information about the child required by the school, as allowed under any applicable confidentiality laws.
- Ensure the child is properly enrolled in an educational setting as required by law.
- Document the child's placements into out-of-home care into eWiSACWIS within five days.
- Provide the child with a copy of Handbook for Youth in Foster Care. Document the date the child received the Handbook for Youth in Foster Care in the child's Permanency Plan, which describes the rights of the child with respect to education, health, visitation, and participation in court proceedings.
- Document the child's current photograph in eWiSACWIS within 30 days.
 - The child's photograph shall be updated in eWiSACWIS every 6 months while the child remains in out-of-home care.
 - The photograph shall be a picture of the child which does not have any item obstructing the child's face, such as a mask or a hat.
 - If the child regularly wears eyeglasses, these should be captured in the image.
 - The photograph shall be taken close enough to the child as to be able to identify the child.
 - It is important to capture an image of the child's full body if the child has

missing limbs, uses a wheelchair or other assistive device, etc.

- The child shall be the only person in the photograph.
- The photograph may be taken by someone other than an employee of the agency with placement and care responsibility, but must be uploaded into eWiSACWIS every 6 months.
- Agencies shall develop their own agency policy pertaining to capturing child photographs (i.e. using an agency-issued phone or camera).

The reason for sending the notice to all adult relatives is not solely for finding an appropriate placement. Research shows that children who are removed from the caregivers and placed into out-of-home care often experience loss and trauma resulting from the separation from their family. When children are able to stay connected to their families they experience more placement stability and shorter stays in out-of-home care. In addition, by including the natural support systems, families are provided more lasting supports and children have better long-term outcomes when the child welfare system is no longer involved