

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
Child and Family Services Agency**



Administrative Issuance: CFSA-06-3

TO: All CFSA Staff
FROM: Uma Ahluwalia, Interim Director
DATE: February 21, 2006
RE: Overnight Stays

This administrative issuance offers guidance to CFSA staff, contract agency staff, and resource parents regarding notifying, requesting, and obtaining approval from CFSA for committed children to have an overnight stay. An “overnight stay” occurs when a child spends one or two nights at the home of the child’s friend or kin of the resource parent, and the resource parent is not present. This may include an overnight stay with a sibling of the child. However, this issuance does not apply to visits with a child’s kin. Those decisions must be approved by CFSA and the court. This framework for decision-making for social workers and resource parents regarding overnight stays cannot anticipate all individual circumstances. Therefore, a collaborative approach that considers the best interests of the child is intended.

This issuance is one of a series of three administrative issuances regarding obtaining consent for foster children to participate in overnight stays (sleepovers), travel, and extracurricular activities.

- Obtaining Permission for Foster Children to Travel with Resource Parents, CFSA-05-4,
- Obtaining Permission for Foster Children to Participate in Activities Requiring a Signed Consent Form or Waiver of Liability, (pending)

Social workers should plan for the medical needs of the child during travel; when appropriate, refer to the Healthcare Management Policy for more information.

Contract agencies with case management responsibility are required to comply with this administrative issuance.

In this administrative issuance, the following terms have the meanings indicated:

“Parent” means the legal parent (biological or adoptive) or legal guardian of a foster child.

“Child” or “youth” means a foster child.

“Resource parent” means foster parent.

If you have any questions about this administrative issuance, please contact the Principal Deputy Director, the Deputy Director for Licensing and Monitoring, or the Office of the General Counsel.

Overnight Stays in General and Local Overnight Stays

1. An overnight stay is considered local if the location of the stay is within 100 miles of the District of Columbia.
2. A resource parent may permit a child to have an overnight stay when all of the following circumstances apply:
 - a. At least one adult (a person over 21 years of age who is responsible for the child) will be in attendance at all times.
 - b. The resource parent has spoken to the adult about the overnight stay.
 - c. The resource parent has concluded that the home is a safe environment for the child.
 - d. The overnight stay does not conflict with any court order or foster care program activity, including, but not limited to meetings, therapy and visitation.
3. Permission or consent from the parent or CFSA is not required for children to have a local overnight stay. However, the resource parent must notify the social worker in advance of any local travel and include the address and date of the local overnight stay. This can be done by calling and leaving a phone message or voice mail.
4. Resource parents are expected to use good judgment as they would with their own children in deciding whether to permit a child to stay overnight. A number of factors may weigh into the resource parent's decision that the home is, or is not, a safe environment for the child. For example:
 - a. The family members, or anyone else participating in the overnight stay, do not have any issues (known to the resource parent) that would put themselves or a child at risk, such as history of inappropriate sexual behavior, substance abuse or inappropriate use of drugs and alcohol use.
 - b. The resource parent has been to the home of the family hosting the overnight stay, when appropriate, and the home appears to be safe. Resource parents should be sensitive to older children's need for privacy and endeavor to assess the family hosting the overnight stay as tactfully as possible.
 - c. The foster family is unaware of any indicators of concern regarding adequate supervision of the hosting family's children.
 - d. The child knows the other children well enough to feel comfortable spending the night.
 - e. The resource family feels confident that the child will be safe and comfortable.
5. The resource parent should call the social worker (or supervisor if the worker is unavailable) if the resource parent has questions about whether the environment is safe or wants assistance in making the decision.
6. When a child participates in an overnight stay for the first time, the resource parent should be available in case the child is uncomfortable or wants to come home. It is always a good idea to call and see how the child is doing or ask the child to call you before they go to bed.
7. Children are not permitted to have contact or overnight stays with any individuals whom they have been forbidden unsupervised contact by court order or by the direction of CFSA.
8. All overnight stay information shall be entered into FACES by the CFSA staff responding to the request or notice.

Requesting Permission for a Foster Child to Miss a Court-Ordered Activity in an Emergency Requiring an Overnight Stay

1. If a resource parent has an emergency requiring the resource parent to make arrangements for a child to have an overnight stay and the stay would result in the child missing a court ordered activity, permission from the court to miss the activity may need to be obtained.
2. In the event that the activity could be rescheduled, the social worker and resource parent will work collaboratively to ensure that the activity is rescheduled prior to travel. Some activities cannot be rescheduled; the social worker will work with the resource parent and notify the court as appropriate. The social worker will be cognizant of how frequently scheduled activities are rescheduled and raise the issue with the chain of command as necessary.
3. The resource parent must immediately request the social worker's decision whether to seek permission from the court to miss the court-ordered activity. When making the request, all of the following information shall be provided by the resource parents:
 - a. The specific emergency that would cause the foster care program activity to be missed.
 - b. The address and phone number of the child's location.
 - c. The dates that the child will be staying overnight.
 - d. The foster care program activity that would be missed.
 - e. The date, time and location of the foster care program activity.
 - f. A phone number where the social worker can reach the resource parent for the duration of the emergency.
4. The social worker shall determine whether to seek permission from the court to miss a court-ordered activity. However, in the event that the activity could be rescheduled, the social worker and resource parent shall work collaboratively to ensure that the activity is rescheduled prior to the child having the overnight stay. Some activities cannot be rescheduled; the social worker shall work with the resource parent and notify the court as appropriate. The social worker shall be cognizant of how frequently scheduled activities are rescheduled and raise the issue with the chain of command as necessary.
5. The social worker shall contact the AAG to request permission for the child to miss the court-ordered activity as soon as the worker has made all of the following determinations:
 - a. The overnight stay is in the child's best interests, (safe, enjoyable, the child should be able to cope emotionally with the situation).
 - b. The court-ordered activity that would be missed can easily be rescheduled or alternate arrangements can likely be made.
 - c. There are no apparent concerns about the safety of the location.
6. The social worker shall inform the resource parent within 24 hours of the request whether the foster child may participate in the overnight stay.
7. In some cases, securing permission on an emergency basis for the child to miss the activity will not be possible depending upon the activity that will be missed, the needs of the child, and the nature of the overnight stay. Under these circumstances, CFSA shall ensure that arrangements are made for the care of the child (respite) during the emergency. Resource parents shall work collaboratively with the social worker to ensure that the child is placed in respite.

Overnight Stays of More than Two Nights or Stays that are More than 100 Miles from DC

1. An overnight stay of more than two nights or more than 100 miles from the District requires prior approval from CFSA. An overnight stay more than 100 miles from the District of Columbia also requires parental permission.
2. The request for approval may be made via the telephone as long as the resource parent speaks directly with the social worker or supervisor to obtain permission. Generally, requests should be made at least 10 business days in advance.
3. When making the request, all of the following information shall be provided by the resource parents:
 - a. The date, time and location of the overnight stay.
 - b. The reason for the overnight stay.
 - c. Why the overnight stay is in the child's best interests.
 - d. The resource parent's assurance that:
 - i. At least one adult (a person responsible for the child who is over 21 years of age) will be there at all times;
 - ii. The resource parent has spoken to the adult about the overnight stay; and
 - iii. The hosting location is a safe environment for the child.

Obtaining Permission from the Parent for Overnight Stays of More than 100 Miles from DC

1. Once the resource parent has made the request, and the social worker has determined that the overnight stay is in the child's best interests, the social worker shall attempt to obtain parental consent for the overnight stay.
2. Parents can consent for children to travel, unless the travel is prohibited by court order.
 - a. Consent should be sought first from the parent who has been the primary caregiver for the child prior to the child's removal.
 - b. However, either parent can legally consent to travel.
 - c. Parental consent is not required if parental rights have been terminated.
3. If the parent decides not to consent to the overnight stay, the social worker shall accede to the wishes of the parent. However, if the social worker believes the parent's decision not to consent to the travel is not in the child's best interests, they may raise the issue to the chain of command. When a parent refuses permission for a child to travel for an overnight stay and the social worker accedes to the parent's wishes, the resource parent may also raise the issue to the chain of command.

Special Requirements for Contract Agencies with Case Management Responsibility

1. An overnight stay of more than two nights or more than 100 miles from the District requires prior approval from the Program Director of the contract agency. An overnight stay of more than 100 miles from the District of Columbia also requires parental permission.
2. If the parent cannot be located, the contract agency shall fax their request to the Supervisory Monitor for review and the Supervisory Monitor shall request approval from the Program Manager.
3. All overnight stay information shall be entered into FACES by contract agency staff.