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### Administrative Directive

<b>Transmittal:</b>	10-OCFS-ADM-09
<b>To:</b>	Commissioners of Social Services Executive Directors of Voluntary Authorized Agencies
<b>Issuing Division/Office:</b>	Strategic Planning and Policy Development
<b>Date:</b>	August 25, 2010
<b>Subject:</b>	<b>Requirements for Incorporating Youth Voice into the Annual Renewal of Certified and Approved Foster Homes</b>
<b>Suggested Distribution:</b>	Directors of Services Child Welfare Supervisors Homefinders Staff Development Coordinators CONNECTIONS Implementation Coordinators
<b>Contact Person(s):</b>	Any questions concerning this release should be directed to the appropriate Regional Office, Division of Child Welfare and Community Services: Buffalo Regional Office – Mary Miller (716) 847-3145 <a href="mailto:Mary.Miller@ocfs.state.ny.us">Mary.Miller@ocfs.state.ny.us</a> Rochester Regional Office – Karen Buck (585) 238-8549 <a href="mailto:Karen.Buck@ocfs.state.ny.us">Karen.Buck@ocfs.state.ny.us</a> Syracuse Regional Office – Jack Klump (315) 423-1200 <a href="mailto:Jack.Klump@ocfs.state.ny.us">Jack.Klump@ocfs.state.ny.us</a> Albany Regional Office – Kerri Barber (518) 486-7078 <a href="mailto:Kerri.Barber@ocfs.state.ny.us">Kerri.Barber@ocfs.state.ny.us</a> Spring Valley Regional Office – Pat Sheehy (845) 708-2498 <a href="mailto:Patricia.Sheehy@ocfs.state.ny.us">Patricia.Sheehy@ocfs.state.ny.us</a> NYC Regional Office – Patricia Beresford (212) 383-1788 x 4708 <a href="mailto:Patricia.Beresford@ocfs.state.ny.us">Patricia.Beresford@ocfs.state.ny.us</a> Native American Services – Kim Thomas (716) 847-3123 <a href="mailto:Kim.Thomas@ocfs.state.ny.us">Kim.Thomas@ocfs.state.ny.us</a>
<b>Attachments:</b>	Attachment A: Youth Voice Questions
<b>Attachment Available Online:</b>	Attachment A: Youth Voice Questions <a href="http://ocfs.state.nyenet/admin/forms/Foster_Care/">http://ocfs.state.nyenet/admin/forms/Foster_Care/</a> <a href="http://www.ocfs.state.ny.us/main/forms/foster_care/">http://www.ocfs.state.ny.us/main/forms/foster_care/</a>

**Filing References**

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
		18 NYCRR 441.21, 443.10	SSL 378 and 398		

**I. Purpose**

The purpose of the Administrative Directive is to advise local departments of social services (districts) and voluntary authorized agencies (agencies) of new requirements for incorporating “youth voice” into the annual evaluation process of certified and approved foster homes, and to transmit a series of questions that districts and agencies must ask a youth as part of this evaluation process.

**II. Background**

Over the past several years at youth speak-outs sponsored by the Office of Children and Family Services (OCFS) and the Adolescent Services Resource Network (ASRN), youth have indicated the need for a voice in the evaluation of foster parents. The youth believe that their input will help to improve the overall quality of life for adolescents in foster homes. The OCFS Adolescent Services and Outcomes Workgroup, established in 2003 to strengthen services to adolescents in foster care, seeks youth input on an ongoing basis on child welfare policies and practices. In addition, the workgroup provides support to many of the youth’s recommendations for improving the child welfare system. The Adolescent Services and Outcomes Workgroup (which includes representation from districts, agencies, other state agencies, ASRN and Youth In Progress) recognizes the value of youth voice in improving the quality of life for adolescents in foster homes.

**III. Program Implications**

Recognizing the important role that youth voice provides in improving the child welfare system and outcomes for children and youth in foster care, districts and agencies are now required to incorporate youth voice into the annual renewal process of certified and approved foster homes as part of the process of evaluating the care provided to the youth in the foster home. Information will be gathered from youth on their foster home experience through regular casework contacts with the youth. The requirements set forth in this directive are intended to strengthen the quality and level of the casework contacts with a child established in 18 NYCRR 441.21(c). The information that is gathered will be evaluated as part of the renewal process set forth in 18 NYCRR 443.10(a). This directive does not impact existing casework contact requirements or foster home renewal standards involving the placement of foster children under the age of 14.

Incorporating the voices of youth ages 14 to 21 into a district's or agency's process of re-certifying foster parents and renewing approval of relative foster parents will help the district or agency gather safety and quality-of-life information in foster homes from a new perspective and a new voice in the home – the voice of the foster youth. This will not only round out the perception of life in the foster home from another focal point, that of the youth, it will also assist districts and agencies in selecting foster parents who would likely do well with meeting the needs of adolescents in out-of-home placement, as well as improving ongoing long-term support for a youth and his or her foster parents. Youth voice will help to improve outcomes for youth in care and for the foster parents who provide care for youth in out-of-home placement.

To assist districts and agencies with the new requirements for incorporating youth voice into their process of re-certifying/reapproving foster homes, the OCFS Adolescent Services and Outcomes Workgroup partnered with Youth In Progress (the OCFS foster care youth leadership and advisory group) and with OCFS training partners that provide technical assistance to districts and agencies through the Foster Parent Recruitment and Retention Project to develop a series of Youth Voice Questions (see Attachment A) for districts and agencies to ask youth ages 14 and older as part of their workers' regular casework contacts with those youth.

#### **IV. Required Action**

1. At the time of recruiting foster parents, and at certification/approval and/or re-certification/renewal of approval, districts and agencies must inform foster parents that youth ages 14 and older will be given the opportunity to respond to questions (referred to as Youth Voice Questions) aimed at getting the youth's perspective about the care he or she receives in the foster home as well as how the youth thinks his or her experiences in the home could be improved. The foster parents must also be informed that any information about deficiencies in relation to foster boarding home requirements may be taken into account during recertification/renewal of approval.
2. At a minimum, at least once each year as part of regular casework contacts with a child carried out in accordance with 18 NYCRR 441.21(c), the child's case planner or the child's caseworker must give each youth age 14 and older placed in a certified foster home or with an approved relative foster parent the opportunity to respond to the Youth Voice Questions contained in Attachment A of this ADM. The Youth Voice Questions may also be accessed on the OCFS website at:  
Internet: [http://www.ocfs.state.ny.us/main/forms/foster\\_care/](http://www.ocfs.state.ny.us/main/forms/foster_care/)  
Intranet: [http://ocfs.state.nyenet/admin/forms/Foster\\_Care/](http://ocfs.state.nyenet/admin/forms/Foster_Care/)

3. The foster parents should not be present for these discussions. Districts and agencies must explain to the youth that their participation in this evaluation process is voluntary and will not have any negative impact on the youth if they decide not to respond to the Youth Voice Questions. The requirements of this directive do not apply to former residents of a foster home. That is, if a child is no longer cared for in the foster home at the time of the casework contact selected for the completion of the questions, the district or agency is not required to search out the child for the purpose of completion of the Youth Voice Questions.
4. Districts and agencies must explain to the youth that the youth voice questions will be used to gather information from the youth regarding the youth's safety and quality of life in their foster home. The information provided by the youth will be used in the annual evaluation process of the foster home as set forth in 18 NYCRR 443.10(a) and to: (a) strengthen the youth's experience and overall quality of life in the foster home; (b) provide on-going and appropriate supports to the youth and their foster family; and (c) enhance the district's or agency's selection and preparation of foster parents who care for teens in out-of-home placement. Information gathered from a youth during the casework contact(s) may be used even if the child was removed from the home prior to the renewal of the certification or approval of the foster home.
5. Districts and agencies must explain to the youth the circumstances under which the foster parents may have access to information provided by the youth. It must be explained to the youth that certified foster parents and approved relative foster parents may have access to information provided by a youth in the following circumstances:
  - (a) When a worker has reasonable cause to suspect that the youth or other children in the household have been abused or maltreated, in accordance with section 413 of the Social Services Law (SSL), a child abuse or maltreatment report must be made to the Statewide Register of Child Abuse and Maltreatment. While a subject of the report is not entitled to the name or other identifying information regarding the source of the report, it is possible that the foster parent may make assumptions as to who the source of the report was based on the nature of the report. The identity of a source of a report may be released by the written consent of the source. Finally, it is possible that the identity of the source may be released by court order.
  - (b) If the district or agency utilizes the information provided by the youth to deny renewal of a certificate or approval and/or removes the foster youth from the home, the identity of the youth may be identified at a fair hearing or court proceeding on the issue of denial or renewal.

- (c) If the foster youth identifies criminal activity on the part of his or her foster parent(s), the district or agency would be expected to bring this to the attention of law enforcement. It is possible that law enforcement would seek to know the source of the information.
6. As is currently required, any information received from a youth that raises concerns related to the health, safety and well-being of the youth in the home must be reported to the proper authorities within the district or agency for appropriate follow-up and any needed actions.
  7. Districts and agencies must not let an existing certificate or letter of approval to board expire solely because the district or agency is waiting for a youth to respond to the Youth Voice Questions. If a district or agency has all of the other documents or information otherwise required for the decision whether to grant renewal or not, but for the response to the Youth Voice Questions, the district or agency must make a decision on renewal without the response to the Youth Voice Questions.
  8. In the event that the response to the Youth Voice Questions is received by the district or agency at a later date, where appropriate, the district or agency is expected to use the youth input as originally intended and as outlined in # 2 of the section, including: to strengthen the youth's experience and overall quality of life in the foster home; to provide on-going and appropriate supports to the youth and their foster family; and to enhance the district's or agency's selection and preparation of foster parents who care for teens in out-of-home placements. Where the information reflects legal issues such as those relating to suspected child abuse or maltreatment or compliance with OCFS foster family boarding home regulations (18 NYCRR Part 443), the district or the agency must take appropriate steps to address such issues. Nothing in this directive is intended to modify the standards for the determination of whether or not to grant renewal of a certificate or approval of a foster home, and is not intended to modify or diminish the level of casework contacts made in regard to foster children under the age of 14.
  9. A youth's responses to the Youth Voice Questions must be documented in Progress Notes pursuant to 18 NYCRR Part 428 or recorded on a template. See Attachment A for a suggested template. Districts and agencies can use whichever of these documentation approaches works best for the district or agency. However, when a district or agency is using the template approach, there must be at least one Progress Note entry, pursuant to 18 NYCRR Part 428, indicating that the worker met with the youth and asked the questions. When a youth refuses to respond to a particular question(s) or all of the Youth Voice Questions, it must be noted on the Progress Note or template. Additionally, when a youth refuses to respond verbally to the Youth Voice Questions, the district or agency must offer the youth the opportunity to respond in writing to the question(s).

**V. Systems Implications**

Youth Voice Questions are not currently available in CONNECTIONS.

**VI. Effective Date**

This release is effective immediately.

*/s/ Nancy W. Martinez*

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**Issued By:**

Name: Nancy W. Martinez

Title: Director

Division/Office: Strategic Planning and Policy Development

## Attachment A

### Youth Voice Questions

**Child's Name:** [Click here to enter text.](#)

**Case Planner/Case worker:** [Click here to enter text.](#)

**Date:** [Click here to enter text.](#)

Each year, as part of the casework contacts, the child's case planner or the child's caseworker must give youth between 14 and 21 years of age the opportunity to participate in the evaluation of his or her foster home by responding to the questions below. The Youth Voice Questions are intended to be used by a worker to guide a youth in discussions about the youth's perspective related to his or her safety and quality of life in their foster home. Workers must not change the intent of the questions but are encouraged to ask the questions in their own words. A worker may need to simplify or clarify questions to assist youth in providing feedback. A worker may discuss the questions with a youth over a period of time or during a single casework contact with the youth.

1. How are you getting along with everyone in the foster home? (Prompt with names of individuals, if applicable.)  
[Click here to enter text.](#)
2. Do you feel welcome in your current foster home? If not, please explain why.  
[Click here to enter text.](#)
3. What do your foster parents do to make you feel comfortable and safe? Is there a way to improve your comfort?  
[Click here to enter text.](#)
4. Do you feel that you can talk to your foster parents and ask them things? Do you feel that they listen to you? Please explain.  
[Click here to enter text.](#)
5. What do you like about living in your current foster home? Is there anything that you dislike?  
[Click here to enter text.](#)
6. Do you have everything you need? What do you need that you do not have? Is there anything I (the interviewer) can help you with? (Define need- such as emotional, physical etc.)  
[Click here to enter text.](#)

7. Do you feel like you are treated like other youth your age or have the same rules as youth your age?  
Please explain.  
[Click here to enter text..](#)
8. How do your foster parents support visits and/or contact with your birth family, brothers, sisters, etc.?  
[Click here to enter text.](#)
9. How do your foster parents support your social life and time with your friends?  
[Click here to enter text.](#)
10. Do you feel your foster parents are supportive and/or involved in your goals and activities regarding:
- Your Permanency Plan
  - After-school, community activities, etc.
  - Service Plan Reviews, meetings, court, etc.
11. Is there anything you would like your foster parents to do to help you succeed? If yes, please explain.  
[Click here to enter text.](#)
12. How do your foster parents assist you in preparing for your future? In what ways?  
[Click here to enter text.](#)
13. Is there anything in general you would like to change or improve in your foster home? If yes, please explain what it is that you would like to change or be improved.  
[Click here to enter text.](#)
14. Would you recommend this family to other youth in foster care who are between 14 and 21 years of age? If no, please explain the reasons for not recommending this family.  
[Click here to enter text.](#)
15. How do you feel now that you have participated in the annual evaluation process of your foster home?  
[Click here to enter text.](#)
16. Is there anything you would like to share that I have not asked or anything you would like to talk about or add?  
[Click here to enter text.](#)