



State of Florida
Department of Children and Families

Rick Scott
Governor

Mike Carroll
Secretary

DATE: May 30, 2018

TO: Regional Managing Directors
Community Based Care Lead Agency CEOs

FROM: Mike Carroll, Secretary

SUBJECT: Factors to Consider in the Determination of Placement of Children in Out-of-Home Care

PURPOSE: The purpose of this memorandum is to provide reminder guidance on the requirements set forth in Rule 65C-28.004 and Chapter 65C-14, Florida Administrative Code, regarding placement for children placed in out-of-home care.

BACKGROUND: Appropriate placement matching begins prior to the child's placement. When a child is unable to be safely placed with a parent, the most appropriate available out-of-home placement shall be chosen after analyzing the child's age, gender, gender expression, sexual orientation, sibling status, special physical, educational, emotional and developmental needs, alleged type of abuse, neglect or abandonment, community ties and school placement, and potential responsible caregivers who can meet the child's needs.

The Multiethnic Placement Act of 1994, 42 U.S.C.A. §671(a)(18), and the Interethnic Adoption Provisions of the Small Business Job Protection Act of 1996, P.L. 104-188, 110 Stat. 175, require that every placement decision for children in the care or custody of the department be made without regard to the race, ethnicity, color, or national origin of the child or the adult with whom the child is to be placed.

A child-placing agency has the obligation to place each child in the most suitable setting according to that child's individual needs, taking into account maintenance of the child's school stability and the capacity of the placement to meet the child's needs, and the needs of any other children already placed in that setting. No child shall be denied services by any child-placing agency or out-of-home caregiver based on race, religion, gender, gender expression, or sexual orientation.

In reviewing the factors to be considered in determining placement of children in out-of-home care, the department recognized a need for stronger cultural competency training. As a result, the department, in partnership with the Florida Center for Cultural Competence, Inc., offered statewide, train-the-trainer sessions on March 21-22 and April 3-4. Feedback to date has been very positive. While the training is the department's initial efforts to infuse educational supports into the workforce to help them in working special population cases, the department's subsequent actions will involve contracting for more advanced training to address additional special populations. This in-depth curriculum will include special

1317 Winewood Boulevard, Tallahassee, Florida 32399-0700

populations such as human trafficking victims, behavioral health needs, LGBTQ, special needs, sexual abuse victims, and tribal considerations.

For phase one of the training efforts, a consultant known to the child welfare system and with a high level of expertise in the area of cultural competency developed train-the-trainer curriculum that provides trainers with the tools necessary to deliver the curriculum as part of in-service and preservice training. The consultant has started the intense two-day training and the department is committed to continuing to train trainers across the state to ensure there are sufficient trainers to deliver this cultural competency training statewide. This training, and the advanced training to address special populations are designed to heighten child welfare professionals' sensitivity to diverse cultures and provide the skills needed to recognize and meet the needs of Florida's diverse population. These trainings will help child welfare staff to better assess a child's needs and determine early on the best placement for the child.

ACTION NEEDED: Please share this memorandum with all child welfare staff as appropriate to ensure that these factors are taken into consideration prior to the placement of children in out-of-home care and that they are aware of the upcoming training.

CONTACT INFORMATION: If you require additional information or have any questions, please contact Heather Rosenberg, Children's Ombudsman, at heather.rosenberg@myflfamilies.com or 850 717-4505 or Mary Ann White, Office of Child Welfare Training Manager at maryann.white@myflfamilies.com or 850-717-4672.

Cc: David L. Fairbanks, Deputy Secretary
JoShonda Guerrier, Assistant Secretary for Child Welfare
Rebecca Kapusta, Assistant Secretary for Operations