A PARENT'S HANDBOOK

information about rights & responsibilities

Effective February 2020

Allegheny County Department of Human Services

OFFICE OF CHILDREN, YOUTH AND FAMILIES

YOUR CASEWORKER

Name _____

Phone _____

CASEWORKER'S SUPERVISOR

Name _____

Phone _____

CLINICAL MANAGER

Name _____

Phone _____

CASEWORKER'S REGIONAL OFFICE DIRECTOR

Name _____

Phone _____

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FOR ALL CHILDREN, THEIR FAMILY IS THEIR WORLD, AND THEIR WORLD SHOULD BE SAFE.

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ABOUT THIS BOOKLET

This booklet is for families who are involved with the Allegheny County Department of Human Services Office of Children, Youth and Families (CYF). We want to work with you as a partner to decide on a plan to improve your family life. To be a partner, it is important to have information. This booklet gives you information about the basics of the child welfare system. It also gives information about your rights and responsibilities as you work with CYF. It lists your child's rights and responsibilities. It tells you the responsibilities of CYF and the areas of oversight of our legal system.

Not everything in this booklet may apply to you. For example, you may not be involved with a judge and the courts. Your child may not now, or ever, be in the care of others. But we ask that you read the entire booklet so that you learn about CYF.

GETTING HELP

Any time you need information or have a question or a problem, there is someone you can talk with to provide you with information. You may call your attorney or other legal counsel for advice. At CYF, your caseworker and his or her supervisor will answer your questions. Call them. Their numbers are listed on the inside cover of this booklet. If you have talked with your caseworker and his or her supervisor and you still want more attention given to a difficult problem or concern, call your clinical manager or your caseworker's regional office director also listed on the inside cover of this booklet. If your concern or complaint is not explained or resolved by these calls, please contact the Director's Action Line, or "DAL," at 1-800-862-6783, weekdays between 8:00 am and 5:00 pm.

WHY CYF IS INVOLVED WITH YOUR FAMILY

CYF was set up by state law. It exists to protect children from abuse and neglect. CYF receives reports about harm to children. If justified by the report, CYF conducts an investigation to gather as much information as possible. The investigation is time-limited to 60 days. During the investigation, the caseworker interviews everyone living in the household including all children, parents/caregivers and others. The caseworker also interviews medical, educational and other service providers.

The goals of the investigation are to determine if any maltreatment occurred and what it was, whether the children are safe, if any child is at risk in the household, and if formal child welfare services should be offered to the family.

The agency acts when the investigation shows a child is at risk of harm. By law, CYF must protect children and provide services to the family when:

- children have been physically and/or sexually abused, and/or mentally injured by their parents, caretakers or certain relatives,
- children are not adequately cared for or watched.

Please see the full definition of child abuse on page 21.

CHILD ABUSE AND NEGLECT ARE SERIOUS MATTERS

If an investigation or assessment shows that your child has a need for protective services, CYF will work with you and your family to remedy the conditions that present a risk to the safety and well-being of your child. You may have to make changes to your life or change the way you care for your child.

KEEPING FAMILIES TOGETHER

CYF wants to keep families together and works hard with families to reach this outcome. Most families who are involved with CYF continue to live together under the same roof. If your child can live with you and be safe, he or she will stay with you. While you continue to parent, you may also receive help through programs from CYF. Supportive programs can help family members meet their needs and work toward desired outcomes to improve family life. If CYF must work with your family to strengthen it, your family will be "accepted for services." You may appeal the CYF decision to accept your family for services. See more about this on page 11, point #8.

THE COURTS & YOUR REPRESENTATION

Not all families have "court-active" cases. If you are involved in court hearings, you can choose to be represented by an attorney. It helps to have an attorney with you in court. You can talk with your attorney before every court hearing.

If you can afford to hire an attorney but need help finding one

- call the Lawyer Referral Service at 412-261-5555.

If you cannot afford to hire an attorney, you may qualify for a parent advocate

- call the Allegheny County Bar Foundation, Juvenile Court Project at 412-391-4467.

In either case:

- Contact an attorney quickly so that s/he can meet with you and be prepared to represent you.
- Call your attorney as soon as you know your first court date.
- Give your attorney your caseworker's telephone number.
- Share your family plan with your attorney so s/he can better understand your needs and outcomes.
- Keep all your legal papers, such as petitions, case summaries and family plan, and read them over with your attorney.
- Tell your CYF caseworker the name, address and telephone number of your attorney.

A JUDGE'S DECISION

Judges review cases of families for many different reasons. Judges always review cases when a child is in an out-of-home placement. Some hearings are held before a hearing officer who works with the judge. If you are scheduled to go to court for a hearing, it is important that you go. Do not miss a hearing.

If you do not show up, the judge may make a decision without being able to hear what you have to say. The judge may also think that you are not interested in your child's well-being.

Call your attorney or caseworker as soon as you can before the hearing if you cannot possibly attend.

At court, the judge reviews your progress on the desired outcomes and needs in your family plan. You may have to prove that you understand the problems and the effect they have had on your child. You must show that you are working hard and making progress on your non-negotiables – the agreed-upon family plan outcomes and changes that must be made to keep your child safe.

YOU & YOUR CYF CASEWORKER

The main person you will talk with from CYF is your caseworker. CYF caseworkers are trained to assist families. They work with many families. Caseworkers understand that family problems, personal problems and money problems are not easy to solve. They understand that it may upset you to have a stranger give you advice. Caseworkers do have things to say, but they also will listen. They will ask you to talk about yourself and your family. Your conversation will help everyone understand your family situation.

Talking can help uncover problems and lead to answers. It can also help identify your needs and how to address them. You may find you have to make changes to your life or change the way you care for your child. You will be asked to work as a partner with your CYF caseworker. You may also work with caseworkers, counselors or social workers from other agencies.

Your caseworker will help you to think about the strengths and resources you and your family have already. S/he will help you to build a helpful team. By talking, you may realize you have sources of help that you have not thought about. Strength and support may come from your relatives, friends, neighbors, religious groups and community agencies.

Your team will work with you to find supportive programs based on your needs and the outcomes you want to achieve.

BUILDING YOUR TEAM / CONFERENCING & TEAMING

You will be participating in a team approach to plan for your future. Through the DHS Conferencing and Teaming process, you will work with your own selected sources of help as well as professionals to assess your family's needs. Your own sources of help might include relatives, friends, neighbors, religious groups and community agencies. The professionals may include Family and Youth Support Partners - adults and youth who have personal experience in the child welfare system.

Your team will also work together to develop and carry out your family plan. Your family plan will include specific desired outcomes that will keep your child safe and strengthen your family. It is important to bring together your most helpful supports and form a good team. This will help you plan better for your family. It may also help you keep CYF from recommending court action.

You can learn more about Conferencing and Teaming in CYF by visiting the DHS website (**www.alleghenycounty.us/dhs/C-and-T-in-CYF**). Please also view our online video that explains Conferencing and Teaming at **www.vimeo.com/107807836.**

SERVICES

The services and supports your CYF caseworker talks with you about will depend on what your family needs, what your team agrees on, or what a judge might order. CYF will provide some of the services. Your team members will also help you meet your needs and desired outcomes.

You may request and/or be asked to go to the following to assess your needs or to strengthen your family:

- parenting classes
- job training
- counseling in home management and home budgeting
- self-help or support groups
- counseling or therapy
- drug and alcohol rehabilitation
- psychological assessments /treatment

- interactional evaluations (to assess parent and child relationships)

Please talk with your caseworker if you have problems with any of the following:

- scheduling your appointments
- transportation to a program's location
- meeting the requirements of a program
- talking to staff in a program or agency

FAMILY PLAN

The first step your team will work on is to come up with a plan to help strengthen your family. This plan is called the family plan. Your family plan is your key to change.

Your team (you, your caseworker, family members and your supports) will agree to meet for a conference to develop your family plan.

At the conference, your team will decide which desired outcomes need to be reached. Team members will also decide what programs and services will be most helpful for your family. When the plan is finished, your team will guide your family through action steps to help you make progress.

Remember to tell your caseworker about any changes in your life such as moving to a different house or starting a new job. When your life changes, your family plan may need to change, too.

The family plan is required by law. Your caseworker and his/her supervisor must sign the plan. When you sign the plan, it means that you agree with it. If you disagree with it, you don't have to sign it. You may appeal your family plan even if you signed it. See more about this on page 11, point #8.

You will receive a copy of your family plan to keep. You should share your family plan with your attorney. Talk often with your caseworker about your progress on your desired outcomes.

Making progress toward your desired outcomes/needs in your family plan is important. You can do this by using the supports you are offered. In the event that your family is court-active, all progress made toward your family plan outcomes will be presented to the court/judge. Court action can be taken when CYF disagrees with your family about the safety of your child. The judge will listen to all parties and make a decision based on the best interest of your child.

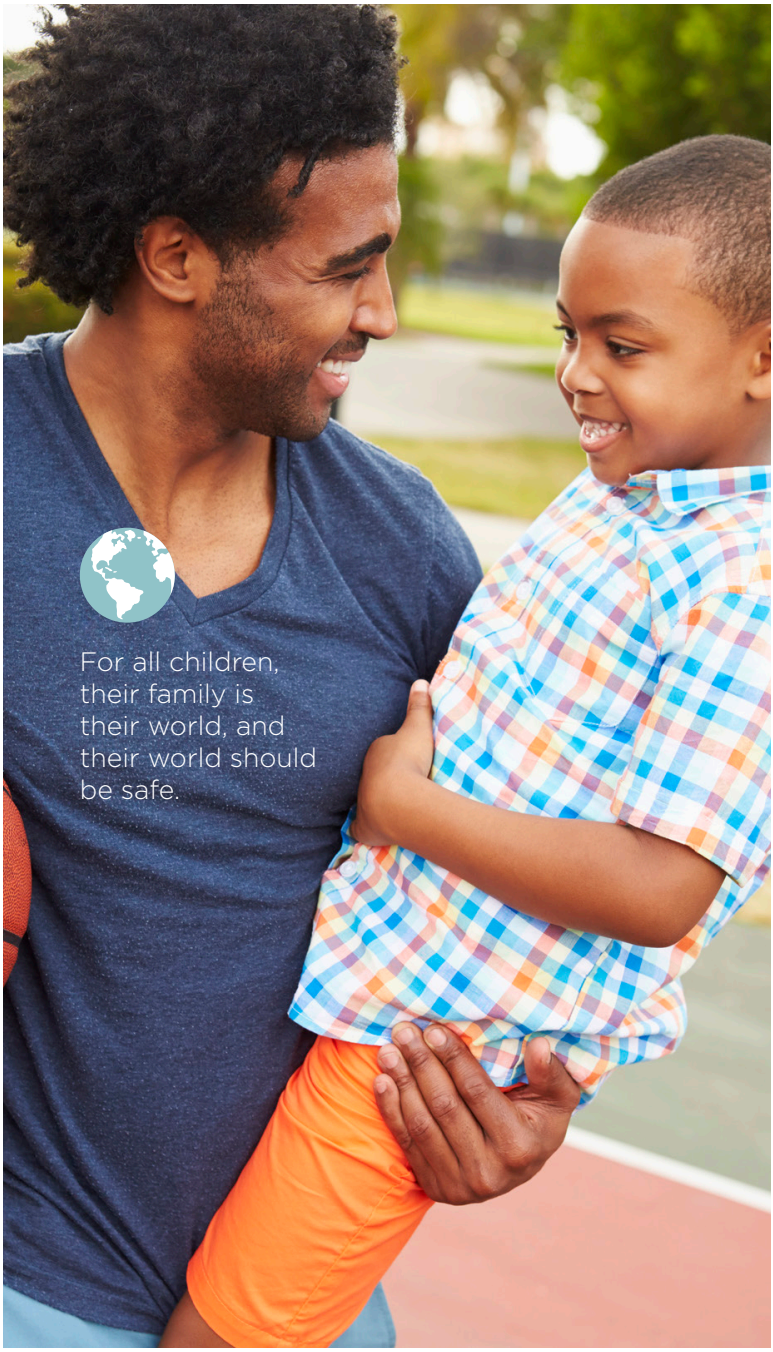
Family plan outcomes should be completed within a reasonable amount of time. If your child is in out-of-home placement, the federal Adoption and Safe Families Act (ASFA) and Pennsylvania's Juvenile Act limit the amount of time you have to complete the outcomes outlined in your family plan. The same laws require CYF to work very hard with you in partnership to get your child back home. If your child is under court supervision and placed outside of your care for 12 months, the court can decide that CYF no longer has to work toward returning him/her to you. It also requires CYF to have a plan in place in case you do not meet your outcomes.

This concurrent plan may include other permanency options such as

- Adoption
- Permanent legal custodianship

The judge decides how much time you have to work on your desired outcomes. The judge also will decide how much time can pass before a permanent plan is made for your child. A permanent plan may mean that your child returns home to your care. This happens when you complete your outcomes. Or, if you do not complete your outcomes, another permanent plan, such as adoption, may be considered. It is important to remember that there are serious and irreversible consequences if family plan outcomes are not met in a timely manner.

Speak to your attorney immediately if you do not understand, or if you disagree with the decision of a judge or hearing officer.


For all children, their family is their world, and their world should be safe.

RIGHTS & RESPONSIBILITIES

Your rights

You have many rights when your family becomes involved with the Office of Children, Youth and Families.

1. Every parent has the right to be treated with respect, which includes:

- being free from discrimination based on race; color; religion; national origin; ancestry or place of birth; sex; gender identity or expression; sexual orientation; disability; marital status; familial status; age (40 and older); use of guide or support animal because of blindness, deafness or physical disability.
- privacy and confidentiality (within limits set by laws and court orders).

  (Note: There are exceptions. CYF must tell the proper authorities about any child abuse, certain criminal activity, or about any person's threat to harm themselves or others.)
- having documents translated into his/her primary language.

2. Every parent who receives services has the right to explanations about:

- the reasons why your family is involved with CYF.
- your family plan.
- any treatment or rehabilitation plan.
- time frames for completing objectives.
- any court actions, court orders or other legal documents.

3. Every parent has the right to talk with CYF using:

- telephone numbers for your CYF clinical manager, your caseworker and his or her supervisor and regional office director (found on the inside front cover of this booklet).
- a 24-hour phone number for CYF: 412-473-2000.
- the DHS Director's Action Line (for questions and complaints) – 1-800-862-6783, Monday through Friday, 8:00 am to 5:00 pm.
- an interpreter, if you do not speak English, or if you are hearing impaired.

4. Every parent has the right to information about:

- court proceedings and court actions.
- actions taken by CYF.
- a ChildLine report.

(**Note:** You may request a copy from your caseworker. Legally confidential information will be removed.)

5. Every parent "accepted for services" has the right to services:

- that meet the standards set by federal, state and local regulations.
- that can help prevent and/or alleviate abuse and neglect as described in the family plan.

(**Note:** A parent does have the right to refuse services. But you are responsible for the result. If you refuse help, you may not be able to meet your child's needs. If your child is in an out-of-home placement, you may not be able to reunify your family.)

6. Every parent has the right to choose to have an attorney:

- for legal advice and representation in court.
- to review and inspect records and documents.

(**Note:** You do not automatically have an attorney. You must hire an attorney if you want one. Or if you meet income guidelines, you may contact a parent advocate. See the Where to Call section on page 26.)

7. Every parent has the right to complain without retaliation:

- by following the steps explained on page 2.

8. Every parent has the right to appeal some decisions made by CYF. Ask your attorney or your caseworker for more information.

- "Accepted for services" – You may appeal the CYF decision to accept your family as a client in need of services.
- Family plan – You may appeal the family plan within 15 calendar days of receiving it. You may appeal even if you signed the family plan.
- ChildLine – You may appeal a "founded" or "substantiated" ChildLine report if you don't think you abused or neglected your child.

Your responsibilities

As a parent, you are responsible to:

- provide information for all assessments and planning.
- be present for teaming meetings a minimum of every three months.
- be present in court for all hearings and follow all court orders.
- meet the goals of a family plan within the time allowed.
- identify supports for the family.
- treat others with courtesy and respect.
- call if you need to cancel an appointment.
- follow all court and agency rules about weapons and threatening behavior.
- provide information to your caseworker.

(**Note:** Your caseworker needs to know about changes in your life, including changes in your address or telephone number, your work, your job, your marital status, your health status or, your household, such as someone moving into or out of your home.)

Responsibilities of the Office of Children, Youth and Families

For parents, CYF is equally responsible to:

- be respectful and courteous.
- help you assess your family's needs.
- help you plan for appropriate services that assist you and your child.
- tell you about advocacy services.
- participate in the Conferencing and Teaming process and the development of your family plan.
- follow all court orders and report any progress to the court.
- protect your family's confidentiality, but report any child abuse to authorities.
- keep, release and destroy records as required by law.

- testify in court about your family (if your family's case is court-active).

For children, CYF is responsible to:

- protect children from abuse and neglect.
- provide for a child's safety, health and nurturing.
- discuss gender identity and expression with children over the age of three who are developmentally and cognitively capable of understanding and discussing gender.
- discuss sexual orientation with children 10 years of age and older who can understand and discuss this information.
- plan for a permanent home.
- include children older than 14 years of age in developing the family plan.

The court's role

Not all CYF families have cases that are active with the court. If your family is court-active, the judge will review all actions taken by CYF and by you.

At court, the judge may rule on whether:

- the parent(s) participate in a psychological evaluation and/or an interactional assessment.
- the child participates in a developmental evaluation and/or an interactional assessment.
- the parent has worked on goals in the family plan.
- CYF made reasonable efforts to prevent a child's placement.

The judge's decisions are based upon information provided by all court participants, including the CYF caseworker, service providers, advocates and you.

OUT-OF-HOME PLACEMENTS

If you and your child cannot live together safely, CYF will find a safe, temporary home for your child. This is called an "out-of-

home” placement. CYF will ask you to suggest supportive family members ("kin") or close family friends (also known as “kin”) to care for your child. If none of these can offer your child a safe home, other placement options will be used. Other temporary homes may be with a foster family. Less often, your child might live in a group home or residential treatment facility.
If your child is removed from your home, a “shelter hearing” will be held before a judge within 72 hours. See page 11, point #6 about your right to an attorney.

In the event your child has been removed from your care, CYF is here to assist you in creating a safe and nurturing environment for them to return to. Your team will work together to prioritize your child's needs even though your child is not living with you. It will be important to think about the problems that led to CYF involvement with your family.

RIGHTS AND RESPONSIBILITIES WHEN YOUR CHILD IS IN AN OUT-OF-HOME PLACEMENT

Your child’s rights and responsibilities

Every child in an out-of-home placement has the right to:

- safety and protection from danger and abuse.
- respectful and courteous treatment that is free from discrimination because of race, color, gender identity, sexual orientation, religion, disability, national origin or age.
- a home that is as culturally competent as may be reasonably provided.
- a home that is accepting of their sexual orientation, gender identity and gender expression.
- proper nourishment.
- clothing that is clean, seasonal and appropriate.
- age-appropriate supervision and discipline.
- participate in activities that are age-, interest-, and ability-appropriate: those that their peers enjoy. (See Reasonable and Prudent Parenting Standards on page 16.)

- medical, dental, vision and behavioral health care.
- opportunity to consent to medical, dental, vision and behavioral health care.
- services to meet any special needs.
- information about the reasons why he or she is getting help from CYF, and help explaining the situation to others.
- to continue to attend their school of origin.
- practice their religion.
- contact information for legal representatives and advocates and the opportunity to contact them.
- complain to a CYF caseworker without retaliation.
- participate in creating their family and individual transition plans.
- transition planning, to live as an independent adult, starting at age 14.
- receive help coping with any separation from family.
- opportunities to visit with family (unless denied by the court).
- agree to adoption (at age 12 years or older).
- remain under CYF supervision until age 21 and get help with higher education, if s/he meets certain criteria. Talk to your CYF caseworker for details.
- keep some personal possessions (Note: In most settings, this may include money).
- be represented in court by an attorney – a "child advocate."
- contact the Director's Action Line with questions, complaints or concerns at 1-800-862-6783.

A child living in an out-of-home placement will be expected to:

- follow the rules and routines of the placement setting.
- cooperate with therapeutic treatment (if court-ordered).
- help with the family plan (depending on age).
- go to school (if school-age).

Your rights and responsibilities

If your child is in an out-of-home placement, you have the right to:

- have your child return home when all the conditions required by the court and your family plan have been met.

(Note: A return home must be in the best interest of the child. This decision is made by a judge at a hearing.)

- contact with your child and information about his/her whereabouts (unless denied by the court).
- visit at least every two weeks (unless denied by the court).
- send mail to your child and receive phone calls from your child (unless denied by the court).
- go with your child to medical or dental appointments (unless denied by the court).
- be told that CYF will make every effort to place your child in a foster home that is accepting of their sexual orientation, gender identity and gender expression.
- be told of any change in your child's placement.

If your child is in out-of-home placement, you have the responsibility to:

- help pay for your child's care. When your child is in an "out-of-home" placement, you contribute to the costs of the placement. If you have a job, the court will decide the amount you pay. **If you receive public assistance (TANF), you will not receive money for your child while they are in out-of-home placements.** When a child is under the direct care of CYF, the Pennsylvania Department of Human Services sends payment to CYF, not to the parents.
- stay in contact with your child and participate in case-planning, and medical and educational decision-making for them.
- support your child's foster parents in decisions related to the activities your child participates in. (See Reasonable and Prudent Parenting Standards, below.)

Reasonable and Prudent Parenting Standards

Decisions need to be made about your child while he or she is in the care of others.

In 2015, Pennsylvania lawmakers came up with Reasonable and Prudent Parenting Standards to guide you and your child's foster

parent(s) or group home residential staff toward decisions that are in the best interest of your child when s/he is in out-of-home placement.

The Standards list the decisions you have the right to make. They also list the decisions others can make without your permission if they follow court orders and do not go against your CYF family plan.

Attending your court hearings, team meetings and staying in contact with your caseworker and attorney can help you stay notified about decisions that might be made by your child's temporary caregivers.

You *have the right to decide about your child's:*

- religious exposure.
- general or special education needs* (Your signature is needed to start the Gifted/Individual Educational Plan (G/IEP) process.)
- non-routine medical and surgical treatment.*
- hospitalizations.*
- non-routine mental health and drug and alcohol services.**
- enlistment in the military.
- image or personal information being given to and used by the media.
- application for a permit or license related to employment, driving or hunting.
- marriage.
- getting tattoos or piercings.
- appearance changing significantly.

Your caseworker will work with you and your team to make sure that your child's health needs are met. So, it is important to give your caseworker as much information as you can about your child. This includes any allergies, any medicines routinely taken, or other health needs. Offer a copy of your child's health records. Tell your caseworker about all regularly scheduled appointments.

Unless restricted by CYF or a court order, you may go to your child's medical and dental appointments. It's a good way to offer support and to continue to know about his or her health care.

* The court may appoint an alternative educational or medical decision-maker if you are unable or unwilling to participate in these decisions. This person keeps the decision-making role until the court rules otherwise.

**Youth 14 years and older have the right to keep their MH treatment private. Youth of any age have the right to keep their D&A treatment private.

Others (foster parent, group home/residential staff, or the child him/herself) can make decisions about your child's:

- personal grooming such as maintaining healthy hair, skin and teeth, and hair length.
- personal fashion choices such as clothing, jewelry and makeup.
- recreation such as community and family events, out-of-county or out-of-state travel, camping and hiking, sporting and water activities with appropriate protective equipment, and hunting after age 12 with proper license.
- social and extracurricular activities such as those related to employment, summer camps, field trips, school, youth organizations, sports, communities, friends (including overnight) and dating.
- any waiver of liability (e.g., for school travel or camp or sports participation).
- communication with friends and family by phone and social media.
- use of social media and the internet.
- use of a car, ATV, snow mobile, personal watercraft (Jet-Ski) or boat after the legal age and requirements of licenses or safety certificates are obtained.

NOTE: If you have strong concerns about an upcoming decision related to your child, please contact your CYF caseworker, his or her supervisor, your attorney or the DAL as soon as possible.

CYF's responsibilities

When a child's placement is needed, CYF must:

- first explore safe placement with kin.

- select the most home-like setting if no kin qualify to provide temporary care.
- make every effort to place your child in a foster home that is accepting of their sexual orientation, gender identity and gender expression.
- arrange for your regular visits with your child.
- review the placement regularly.
- supervise, visit and support temporary caregivers.
- help with a return to the family or, if age-appropriate, a move to independent living.

The court's role

If your child is in out-of-home placement, the judge will determine if:

- CYF made a temporary out-of-home placement for your child that was appropriate.
- CYF made reasonable efforts to find a permanent home for your child.
- your child should remain in out-of-home care.
- CYF made reasonable efforts to reunify a family.
- the time has come to decide on a permanent plan for your child.
- your child should be returned to you.
- your child should be placed for adoption.
- the youth, age 16 years or older, will participate in an independent living program.

Visiting your child who is living away from home

Visits are required by law unless the court orders otherwise. You have the right and responsibility to visit your child at least every other week. It is very important to them. Regular visits will help you and your child keep family ties.

If your child is living in a group home or residential treatment facility, you are encouraged to visit there. You can learn about the program and perhaps join in some activities. Cards, letters and gifts are nice, but your child needs to see you in person.

If you do not visit regularly, as scheduled, it will be harder to get your child back. When you are in court, a judge may ask you if you have visited regularly. Be able to say, "YES." If you do not visit, a judge may think that you are not interested in your child.

You and your team will work together to determine location and times of visits.

Remember, your child should benefit from your visit.

- Enjoy the time you spend with your child.
- Be positive with them during visits.
- Use your best parenting skills.
- If you have complaints, talk about them with your caseworker, not with your child.
- Follow all agency and court rules at visits.
- If you have problems with transportation, tell your caseworker.
- If you have problems with the visitation, tell your caseworker.

Your visits with your child show that:

- your child is important to you.
- you want to be a responsible parent for your child.
- you want to take care of your child yourself.

A permanent home for the child in out-of-home care

By law, your child has a right to a safe and permanent home. If possible, your child's permanent home should be with you. But your child cannot wait forever. Children who are in out-of-home care are meant to be there only temporarily – while parents make changes.

If your efforts to make changes fail, the court may make the permanent, legal decision to end your rights and duties as a parent. Termination of Parental Rights (TPR) allows your child to be adopted. If a child has been staying with relatives, this termination may allow for an adoption by those relatives. If not, another planned arrangement may take place.

CYF must file for TPR if your child has been out of your care for any 15 of the most recent 22 months. Exceptions to this rule are granted by a judge. For instance, a TPR can be filed sooner if the court determines that CYF need not, or no longer must, make "reasonable efforts" to reunify your family because of "aggravated circumstances."

To get more information about TPR and aggravated circumstances, talk with your caseworker and your attorney.

PENNSYLVANIA LEGAL DEFINITIONS RELATED TO CHILD WELFARE

Pennsylvania laws govern child welfare and provide definitions used by CYF and the court.

Listed below are some of the most important definitions as defined by the Pennsylvania Child Protective Services Law (CPSL). Please talk with your attorney if you have any questions after reading the summary of definitions below.

Child abuse

The term child abuse shall mean intentionally, knowingly or recklessly doing any of the following:

- causing bodily injury to a child through any recent (within 2 years) act or failure to act
- fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act
- causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of such acts or failures to act
- causing sexual abuse or exploitation of a child through any act or failure to act
- creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act

- creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act
- causing serious physical neglect (defined on page 24) of a child
- engaging in any of the following recent (within 2 years) acts:
  - kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child
  - unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement
  - forcefully shaking a child under one year of age
  - forcefully slapping or otherwise striking a child under one year of age
  - interfering with the breathing of a child
  - causing a child to be present at a location while a violation of 18 Pa.C.S. § 7508.2 (relating to operation of methamphetamine laboratory) is occurring, provided that the violation is being investigated by law enforcement
- knowingly leaving a child unsupervised with an individual, other than the child's parent, who:
  - is required to register as a Tier II or Tier III sexual offender under 42 Pa.C.S. Ch.97 Subchapter H (relating to registration of sexual offenders), where the victim of the sexual offense was under 18 years of age when the crime was committed
  - has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.24 (relating to assessments) or any of its predecessors
  - has been determined to be a sexually violent delinquent child as defined in 42 Pa.C.S. § 9799.12 (relating to definitions)
- causing the death of the child through any act or failure to act (no time limit)
- engaging a child in a severe form of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (114 Stat. 1466, 22 U.S.C. § 7102)

Perpetrator

The Office of Children, Youth and Families investigates reports of child abuse and gets involved when the accused is a perpetrator according to the CPSL.

A perpetrator is a person who has committed child abuse (as defined above) AND is:

- a parent of the child,
- a spouse or former spouse of the child's parent,
- a paramour or former paramour of the child's parent,
- a person 14 years of age or older and responsible for the child's welfare,
- an individual 14 years of age or older who resides in the same home as the child
- engaging a child in a severe form of trafficking in persons or

  sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (114 Stat. 1466, 22 U.S.C. § 7102)
- an individual 18 years of age or older who does not reside in the same home as the child but is related within the third degree of consanguinity or affinity by birth or adoption to the child OR
- an individual 18 years of age or older who engages a child in severe forms of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (114 Stat. 1466, 22 U.S.C. § 7102)

Only certain people can be considered a 'perpetrator' of child abuse for failing to act under the CPSL, including:

- a parent of the child.
- a spouse or former spouse of the child's parent.
- a paramour or former paramour of the child's parent.
- a person 18 years of age or older and responsible for the child's welfare.
- a person 18 years of age or older who resides in the same home as the child.

Serious physical neglect

Serious physical neglect is defined as any of the following when committed by a perpetrator that endangers a child's life or health, threatens a child's well-being, causes bodily injury or impairs a child's health, development or functioning:

- a repeated, prolonged or egregious (could be one time) failure to supervise a child in a manner that is appropriate considering the child's developmental age and abilities
- the failure to provide a child with adequate essentials of life, including food, shelter or medical care

Note: You can find the meaning of many of the terms above in the Definitions section of the CPSL. Find it on this site: www.legis.state.pa.us/. Click on Consolidated Statutes, then search for Title 23, Chapter 63, Section 6303. Or, ask your attorney or caseworker.

OTHER DEFINITIONS

Accepted for Services – the individual/family becomes a client of CYF

Adoption and Safe Families Act (ASFA) – Federal law that limits the amount of time a child can live without a safe, permanent home

Advocate – See child advocate, CASA, guardian ad litem, parent advocate and conflict attorney.

Age–appropriate – refers to the child's expected mental and physical capacities

Assessments – Caseworkers have conversations with family members to determine the strengths and needs of the family. These include safety and risk assessments and may include the CANS, ANSA, ASQ and FAST. Your caseworker will give you more details about assessments.

CASA – Court-Appointed Special Advocate – He or she advocates for a child's interests in court. A CASA is not an attorney. He or she does not represent or advocate for the parent(s) and may agree or disagree with the parent(s) in court.

Child Abuse – See the legal definition, based on the Child Protective Services Law, on page 21.

Child abuse report – A report of child abuse is "indicated" when an investigation by CYF or Pennsylvania Department of Human Services determines that substantial evidence of the alleged

abuse by a perpetrator exists based on an admission of the acts of abuse by the perpetrator, available medical evidence, or the Child Protective Service investigation.

Child advocate – a term that refers to the legal representative for a child in Juvenile Court. This person can be a 'guardian ad litem' or 'counsel' depending on the circumstances.

Child Protective Services (CPS) – those services and activities provided by the Pennsylvania Department of Human Services and each county agency for child abuse cases

Concurrent planning – refers to working toward family reunification while working toward an alternate permanency plan with the goal of providing a safe, permanent home for a child in out-of-home placement. CYF is required by the state to do concurrent planning.

Conferencing and Teaming – the DHS standard of practice that engages individuals, families, supports and professionals in assessing strengths and needs and developing a plan for keeping children, teens and adults safe and healthy while continually integrating individual and family actions with professional services

Conflict attorney (a.k.a conflict counsel) – Although a child will always have an attorney that is not the same person as the parent's attorney, sometimes a 'conflict attorney' is appointed for either the child or parent in situations such as when one parent does not agree with the wishes of the other parent, etc.

Court-active case – when a child is under the jurisdiction of the Allegheny County Court of Common Pleas, Family Division, Juvenile and/or Children's Court Section

Court order – a legally binding document issued by a judge

Family plan – a plan of services for the family developed together with family members, other supportive persons of the family's choosing and professionals

Foster care – round-the-clock, residential substitute care for children placed away from their parents or guardians and for whom the state agency has placement and care responsibility, which includes, but is not limited to, placements in foster family homes, foster homes of kin, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes

General Protective Services (GPS) – those services and activities

provided by each county agency for cases not requiring child protective services as defined in Pennsylvania regulations

Guardian ad litem – an attorney that represents the legal interests and the best interests of the child

Hearing officer – an attorney with delegated authority to hear and make recommendations for juvenile delinquency matters

Kinship placement – a child's temporary foster care placement with a relative or friend of the family

Non-negotiables – come from court-orders and state-defined factors that can affect immediate safety and risk of future harm to the child

Out-of-home placement – See foster care.

Parent advocate – an attorney who represents the parent or legal guardian in court

Permanency – The Adoption and Safe Families Act (ASFA) requires that every child have a legally-permanent home in a timely manner. It also refers to the process of developing, reviewing and revising plans for children in the custody of CYF. (See also concurrent planning.)

Perpetrator – See page 23.

Rights and responsibilities – See page 10 and 14.

Termination of Parental Rights (TPR) – a legally binding court decision, issued by a judge, ending a person's parental rights

WHERE TO CALL

To report the abuse or neglect of a child

- Call the DHS Office of Children, Youth and Families (CYF). 412-473-2000 (24/7)
- Call the Pa. ChildLine and Abuse Registry. 1-800-932-0313 (24/7)

To get an attorney

- To hire and pay an attorney, call Allegheny County Bar Foundation Lawyer Referral Services. 412-261-5555
- If income guidelines are met, free legal help through a 'Parent Advocate' can be obtained by calling Allegheny County Bar Foundation Juvenile Court Project. 412-391-4467

To get answers to parenting questions

- Call Special Kids Network (if your child has a disability).
  1-800-986-4550

To complain about or investigate a service you're receiving through CYF or DHS

- Call the Director's Action Line (DAL) Monday through Friday, 8:00 am to 5:00 pm.
  1-800-862-6783

To ask general human services questions, call PA 2-1-1 SW. By dialing 2-1-1, you will be connected with a person who can help you find answers about local services and supports including:

- child care
- domestic violence intervention
- drug and alcohol treatment services
- food assistance (including food stamps)
- health insurance
- housing
- medical Assistance
- mental health (crisis) services
- pre-Kindergarten education
- rental/mortgage assistance
- utility assistance (LIHEAP)

You may also visit the PA 2-1-1 SW website at **www.pa211sw.org** to do your own search for services that you and your family may need.

MORE INFORMATION

The Child Protection section of the DHS website has more details about being involved with CYF.

Please visit **alleghenycounty.us/dhs/child-protection** to learn more.

Allegheny County Department of Human Services
One Smithfield Street
Pittsburgh, Pennsylvania 15222
www.alleghenycounty.us/dhs

General Administration Phone Number:
412-350-5701

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