

A Parent's Handbook



*Information About Rights and
Responsibilities*

Your Caseworker

Name _____

Phone _____

Caseworker's Supervisor

Name _____

Phone _____

Erie County Office of Children and Youth

Main Switchboard Phone:

(814) 451-6600

(8:30 am to 5:00 pm—Monday thru Friday—except holidays)

Toll Free:

1-800-352-0026 (extension 6600)

For emergencies after hours & weekends:

(814) 451-1503 (Professional Communications)

ask for the Children & Youth staff on call

TDD: (814) 451-6556

Address: Department of Human Services Building

154 West 9th Street ~ Erie, PA 16501-1303

(Revised: October 2013)



OCY Vision Statement

Erie County is a
community where children
thrive because they are safe,
loved and given opportunities
to succeed.

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OCY Mission Statement

The mission of the Erie County Office of Children and Youth is keep children safe and respectfully engage families by using community-based services and supports in order to assist families to successfully care for their children. Our focus is the safety, permanency and well-being of all children and Youth.



About this Booklet

This booklet was developed to provide information to families who are involved with the Erie County Office of Children and Youth (OCY). It is hoped that this booklet will give parents/caregivers a clearer understanding of their rights and responsibilities as a parent/caregiver, their child's right and responsibilities and OCY's mission, services and regulations under the Child Protective Services Law.



The central focus of OCY's mission is to keep children safe and keep families together. OCY believes the best way to carry out that mission is to partner with you in solving problems and improving family life. It is hoped that the information provided will also assist you in understanding your rights and responsibilities as a parent/caregiver, the rights and responsibilities of your child, and the responsibilities of OCY and the legal system.

Any time you have a question or concern, please talk with your Caseworker or your Caseworker's Supervisor. Both of their numbers are listed on page 2 of this booklet. Caseworkers are in and out of the office during the workday, so please leave a message if it is not an emergency. They will return your call as soon as possible. If they are not available and your concerns are immediate, please contact the OCY switchboard and explain your situation to the operator. The operator will connect you with someone who will assist you.

Why OCY is Involved with Your Family

OCY was set up by state law. It exists to protect children from abuse and neglect. OCY receives reports about harm to children. For each report, OCY gathers as much information as possible. The Agency acts when a child is at risk of harm. By law, OCY must protect children and provide services to a family when:



- ◆ children have been injured, abused, or sexually molested by their parents or caretakers.
- ◆ children are not adequately cared for or watched.
- ◆ parents are not able to care for children and no other responsible adult is available.
- ◆ in certain situations, parents need to help with their problems or their children's problems

Child abuse and child neglect are serious matters. If an investigation shows that your child has been abused and/or neglected, OCY has a legal responsibility to provide protection for your child. You must be able to provide a home where your children are free from harm – now and into the future.

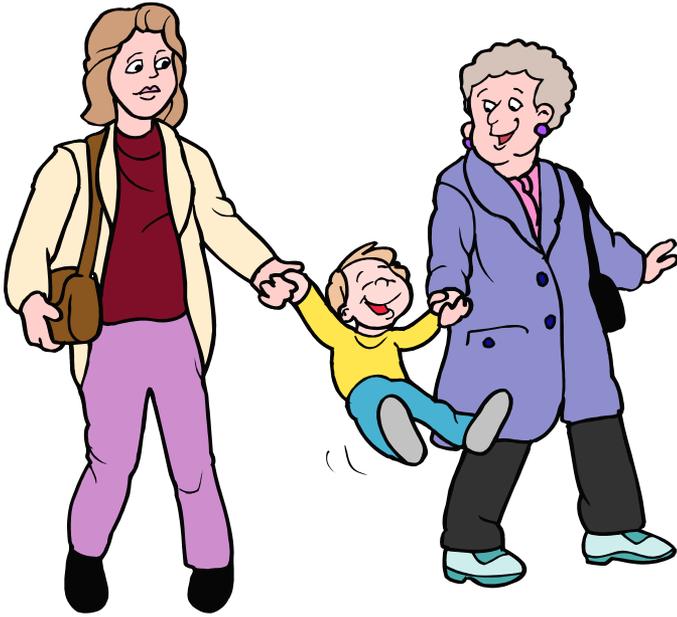
Keeping Families Together

OCY wants to keep families together. Most families involved with OCY continue to live together. When a child is safe living at home, the Caseworker's role is to assist in finding the services and resources necessary to preserve the family and prevent out-of-home placement.

If adults and children cannot live together safely, the parents will be asked if there are any family members or close family friends that could care for the children on a temporary basis. If there is no one appropriate, OCY will place children in an agency approved foster home or shelter. OCY will try to keep siblings together and in their home school unless there are safety reasons for not doing so. Children with more severe problems may be placed in a group home or residential facility.

If your child is not living with you, OCY will work with you to help you make changes. These changes will allow you to provide a safe home and bring your family together again. You may have to decide to put your child's needs for safety and nurturing above your own needs. You will have to stay away from destructive people, improve your choices and end addictions. This may be difficult but OCY will offer suggestions and services to help you.





Sources of Strength

It is important to think about the problems you are having that led to OCY's involvement with your family. Think about the help you and your family can use. Talk with OCY about your ideas.

It is also important that you think about the strengths that you and your family have. You may have sources of help that you have not thought about. Strength and support may come from relatives, friends, neighbors, religious groups and community agencies.

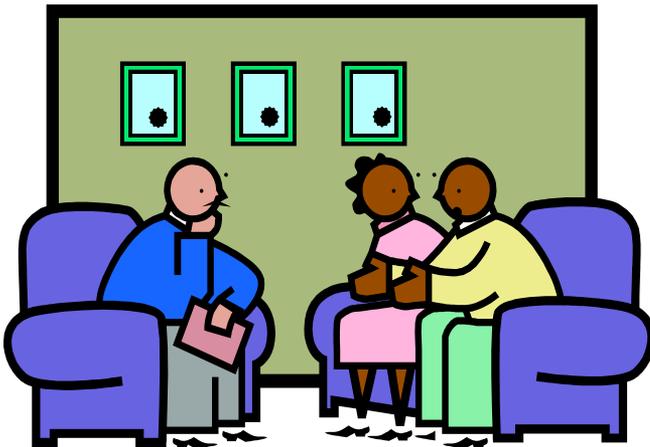
Some families are referred and chose to participate in Family Group Decision Making (FGDM). With FGDM, parents, extended family members and community partners work together to develop and carry out a plan to keep children safe.

You and Your OCY Caseworker

The main person that you will talk to from OCY is your Caseworker. OCY 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. They ask because it helps to talk. Your conversation will help everyone understand your family situation. Talking can help uncover problems and lead to answers. It can also help identify services for you and your family.

You will be asked to work as a partner with your OCY Caseworker. You may also work with Caseworkers from other agencies. OCY provides some services directly to you. It also provides services to you by asking other agencies to work with you.



Family Service Plan

If your family is opened for ongoing services, you and the Caseworker will develop a plan together that will outline family strengths, identify specific problem areas and what needs to be done to solve the problems. This plan is called a Family Service Plan (FSP).



Your FSP is your key to change. You and your caseworker will create goals. The goals will identify the changes you need to make and the services to be provided. It will tell you the time you have to successfully complete a goal. When possible, big tasks will be made into small steps.

The FSP is required by law. It must be signed by your Caseworker and by you. When you sign the plan, it means that you agree with it. If you do not agree with it, you don't have to sign it.

You will receive a copy of your Family Service Plan to keep. Talk often to your Caseworker about your progress on goals. Remember to tell your Caseworker about any changes in your life. When your life changes such as moving to a different house, getting a new household member or starting a new job, your FSP may need to change, too.

Appeals to the Department of Public Welfare (DPW)

The PA Department of Public Welfare's Office of Hearings and Appeals oversees OCY and will review some decisions made by the Agency.

You may appeal or request that DPW review a decision in these situations:

1. **“Accepted for services”**: You may appeal the OCY decision to accept your family as a client in need of services.
2. **Family Service Plan**: *You may appeal the Family Service Plan within 15 calendar days of receiving it. You may appeal whether or not you signed the FSP.*
3. **Child Line**: *You may appeal a “indicated” or “substantiated” Child Line report if you don't think you abused or neglected your child.*

Ask your attorney or your Caseworker for more information.



Services

The services you will receive will depend on what your family needs, what you ask for, and what the Court may order. Some services will be provided by OCY and others may be provided by another agency.

Examples of services include:

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

Making progress toward the goals in your FSP is important. You can do this by using the services you are offered. The changes you make will help OCY and the Judge decide about your child's future.

Please talk with your Caseworker if you have problems with any service or program, such as:

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

Your caseworker will ask you to sign a release of information for each service you are involved with. These will aide OCY in assuring you and your children are getting the services you need. This is especially important if you have Court Ordered services, as OCY is responsible to obtain service information for the Court.

About Your Child in an Out-of-Home Placement

If your child is not living with you, the service goals shift from preventing your child's placement to returning your child home. OCY will continue to provide and recommend services that will assist you in making the changes necessary to provide a safe environment for your child to return to.

If your child requires an out-of-home placement, give the Caseworker as much information as you can about your child. For example, tell the Caseworker about any allergies, any medicines routinely taken, or other health needs. Give the Caseworker a copy of your child's health and immunization records. Try and partner with your child's foster/kinship parents to make your child's stay out of your home easier for them.

A Child Permanency Plan (CPP) will be developed. It is similar to a Family Service Plan. The CPP outlines the goal for the child and a plan of what services/improvements have to occur to achieve the goal.

Unless restricted by OCY or a Court order, you may choose to 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 Courts and Your Representation

If you become involved in the court process, you have the right to be represented by an attorney at all hearings. Your attorney will help you understand the legal process. He or she can review all legal papers with you.

If you do not have an attorney, call the Lawyer Referral Service at (814) 459-4411 and ask for the name of a qualified attorney. If you cannot afford an attorney, you may contact the Court Administrators Office at (814) 451-6251. If you qualify, through financial guidelines, arrangements can be made to appoint an attorney for you free of charge.

Your child will have a lawyer called a Guardian ad litem (GAL) assigned to them. If you need to know which GAL was assigned to your child, contact your caseworker or the OCY Court Office.

It is important that you make arrangements for an attorney as soon as you learn your first Court date. You should give your OCY Caseworker the name 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. Don't miss a hearing.

If you don't 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 children'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 goals in your FSP/CPP. You may have to prove that you understand the problems and the effect they have had on your children. You must also show that you are actively working to correct your problems.

The Judge decides how much time you have to work on your FSP/CPP goals. S/he also decides 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 FSP/CPP goals. Or, if you do not complete your FSP/CPP goals, another permanent plan, such as adoption, may be considered.

Speak to your attorney immediately if you do not understand, or if you disagree with, the decision of a Judge or Hearing Officer.

Permanency Planning

The Adoption and Safe Families Act (ASFA) was passed in 1998 and contains laws that every parent who has a child in placement should be aware of. Under ASFA, a parent is required to take responsibility for making certain changes in a specific amount of time. The main goal of the Adoption Safe Families Act is to assure a safe, permanent home for children in a timely manner. To help achieve this there will be two permanency goals for your child this is called concurrent planning.

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 all of your rights and duties as a parent. A Judge's 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 the relative or another planned arrangement.

To get more information, talk with your attorney and your Caseworker



What is Concurrent Planning?

OCY must try to reunify your child with you. At the same time, OCY must also create a "back-up plan", known as the concurrent plan, in case your child cannot be returned to you. OCY will develop this plan as soon as your child is removed from your care. This is called *concurrent planning*. You can help OCY develop this concurrent plan by giving the names and addresses of relatives or family friends that might be able to care for your child, if you are not able to have your child returned to you.

You should know that OCY, the Court and other parties involved with your child may discuss permanency with your child's caregivers, including relatives. They may discuss adoption and/or permanency plans even while OCY is working with you on reunification. These connections may be valuable even if your child returns to your care.



Visiting your Child who is Living Away from Home

If your children are not living with you, it is important that you visit them regularly, Regular visits will help you and your children keep family ties. Cards, letters and gifts are nice and allowed, but they need to see you in person.

Visits are required by law, even if you are incarcerated, unless the court orders otherwise. You have the right and responsibility to visit at least every other week. If you do not visit as scheduled it will be harder to get your child(ren) back.

Your visits with your children let your Caseworker and the Judge know that:

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

If 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 children.

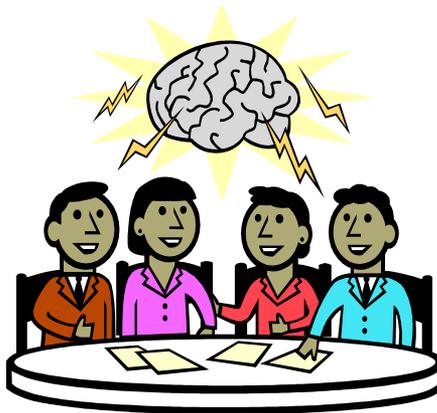
Remember, your children should benefit from your visit.

- 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 visitation, tell your Caseworker

Why do I have to go to so many different meetings?

Having your child removed from your home is very hard for you and your family. You, the OCY caseworker, the attorneys, and the Judge/Master should be focusing on what needs to happen for your child to safely return home. Decisions will be made about you, your child and your family at many different meetings and court hearings. It is very important that you attend **all** meetings and court hearings so that you have a voice in what is happening and so people know how important your family is to you.



Your Child's Rights and Responsibilities

Responsibilities are a part of a child's life. This is true whether your child is living with you, with relatives, or with others. A child will be expected to follow the rules and routines of the placement setting. S/he may be expected to cooperate with therapeutic treatment. Depending on age, s/he will help with the FSP/CPP. If school-age, your child will go to school.

In addition to responsibilities, every child has the right to:

- ◆ Safety and protection from danger
- ◆ A permanent home, food and clothing
- ◆ Age appropriate supervision and discipline
- ◆ Medical and dental care
- ◆ Services to meet any special needs
- ◆ Information about the reasons why s/he is getting help from OCY, and help explaining the situation to others.
- ◆ Go to school (or receive an education)
- ◆ Practice your religion
- ◆ Complain to an OCY caseworker
- ◆ Respectful and courteous treatment
- ◆ Receive help coping with any separation from family.
- ◆ Opportunities to visit with family (unless denied by the court)
- ◆ To agree to adoption (at age 12 years or older)

- ◆ Guidance before the age of 18 years on how to plan for life as an independent adult
- ◆ Keep some personal possessions
- ◆ Be represented by a lawyer a “GAL”
- ◆ Contact OCY quality assurance worker with complaints or concerns that were not resolved by your OCY caseworker or supervisor.

Parental Rights

You do not lose your rights simply because your family becomes involved with the Office of Children, Youth and Families.

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



- The reasons why your family is involved with OCY.
- Your FSP/CPP

- Any treatment or rehabilitation plan
- Any court actions, court orders, or other legal documents

2. Every parent has the right to talk to OCY using:

- Telephone numbers for your Caseworker and his or her Supervisor.
- A 24 hour phone number for OCY: 814-451-1503

- An interpreter, if you do not speak English, or if you are hearing impaired.
3. Every parent has the right to information about:
 - Court proceedings and court actions
 - Actions taken by OCY
 - A Child Line report (Note: You may request a copy from your Caseworker. Some information will be removed.)
 4. Every parent “accepted for services” has the right to services:
 - That meet the standards set by federal, state and local regulations.
 - That are written in the FSP/CPP (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)
 5. Every parent has the right to choose to have an attorney:
 - For legal advice and representation in court.
 - You do not automatically have an attorney. You must hire an attorney. (see page 15 “The Court’s and Your Representation”)
 6. Every parent has the right to complain:

- Contact OCY Quality Assurance Worker if you have a complaint or concern that was not resolved by your OCY caseworker or supervisor.
7. Every parent has the right to be treated with respect, which includes:
- No discrimination based on disability, age, race, sex, religion, ethnic origin, economic status, or sexual orientation.
 - Privacy and confidentiality (within limits set by laws and court orders). (Note: There are exceptions. OCY must tell the proper authorities about any child abuse, criminal activity, or about any person's threat to harm oneself or others.)
8. If your child is in an out-of-home placement, you have the right to:
- Have your child(ren) return home when all of the conditions required by the court and your Family Service Plan (FSP) 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.)
 - Have contact with your child(ren) and information about his/her whereabouts (unless denied by the court).
 - Visit at least every two weeks (unless denied by the court).

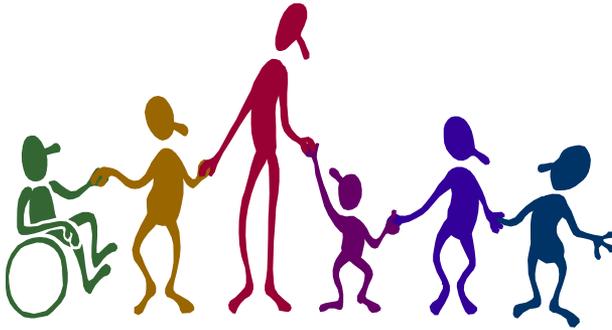
- Send mail and receive phone calls (unless denied by the court).
 - Go with your child to a medical or dental appointment (unless denied by the court).
 - Be told of any change in the child's placement.
9. If your child is in an out-of-home placement, you have the right to be consulted and make decisions about:
- Your child's religion.
 - Your child's general or special education needs. If your child needs and Individual Educational Plan (I.E.P.), your signature is needed to begin the process.
 - Hospitalizations and/or medical and surgical treatment.
 - Out-of-county travel.
 - Your child's involvement in contact sports such as football.
 - Giving photos or information about your child for publication or media purposes.
 - Any waiver of liability (usually part of the forms for sports, trips or camp applications).
 - Your child's marriage or enlistment in the military.
- (Note: For some of these situations, a Judge will consent if you are not available or if your refusal is not in the child's best interests.)

Parental Responsibilities

As any parent, you are responsible 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 receive public assistance (TANF), you will not receive money for your child or children while they are in out-of-home placements.
- ✓ If you have a job, the court will decide the amount you pay.
- Be present in court for all hearings and follow all court orders.
- Meet the goals of the FSP/CPD within the time allowed.
- Identify supports for the family.
- Stay in contact with your child(ren) and participate in case- planning, and medical and educational decision-making for them
- Treat others with courtesy and respect.
- Call if you need to cancel an appointment.
- Obey 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.)



The Office of Children and Youth's (OCY) Responsibilities



For parents, the agency is responsible to:

- Be respectful and courteous
 - Assess your family's needs
 - Meet with you in your home at least once a month.
-
- Plan for appropriate services that help you and your child
 - Tell you about advocacy services
 - Arrange for regular visits with your child.
 - Involve you in writing the Family Service Plan (FSP) and Child Permanency Plan (CPP) and in making any changes to the FSP/CPP
 - Obey all court orders and report any progress to 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, the agency is responsible to:

- Protect children from abuse and neglect.

- Provide for a child's safety, health and well being.
- Plan for a permanent home.
- Include children 14 years of age and older in planning the FSP/ CPP

When a child's placement is needed OCY must:

- Try to place siblings together
- Place children in the most home-like setting possible
- Try to keep in same school placement
- See the child in their placement at least once a month
- 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 Responsibilities

Not all OCY Families have cases that are active with the court. For those families that do the Judge will review all actions taken by OCY and by you.

At court, the Judge will decide whether:

- The parent(s) participate in a psychological evaluation and/or mental health assessment.
- The child participates in a developmental evaluation and/or a mental health assessment

- The parent has worked on goals in the Family Service Plan (FSP) or Child Permanency Plan (CPP)
- OCY made reasonable efforts to prevent a child's placement.
- OCY made reasonable efforts to reunify a family.
- OCY made a temporary out-of-home placement for a child that was appropriate.
- The child should remain in out-of-home care.
- The time has come to decide on a permanent plan for the child.
- The child should be returned to the parents.
- The child should be placed for adoption or permanent legal custodianship (PLC)
- The youth, age 16 years or older, will participate in an independent living program.

The Judges decisions are based upon information provided by all court participants, including the OCY Caseworker, service providers, advocates, and you.



Defining Child Abuse and Neglect

Pennsylvania's laws govern child welfare. These laws provide the legal definitions used by OCY and by the Courts. If you have questions, please talk with your attorney or your Caseworker.



Defining “Child Abuse”: The Child Protective Services Law (CPSL) defines child abuse as the following:

- (i) Any recent act or failure to act by a perpetrator that causes non-accidental serious injury to a child less than 18 years of age.
- (ii) Any act or failure to act by a perpetrator which causes non-accidental serious mental injury to or sexual abuse or sexual exploitation of a child less than 18 years of age.
- (iii) Any recent act, failure to act or series of such acts or failures to act by a perpetrator which creates an imminent risk of serious injury or sexual abuse or sexual exploitation of a child under 18 years of age.
- (iv) Serious physical neglect by a perpetrator constituting prolonged or repeated lack of supervision or the failure to provide the essentials of life, including adequate medical care, which endangers a child's life or development or impairs the child's functioning.

The CPSL allows for differences in parenting based on religious beliefs. If you feel that your parenting decisions are based on your religion, talk with your attorney.

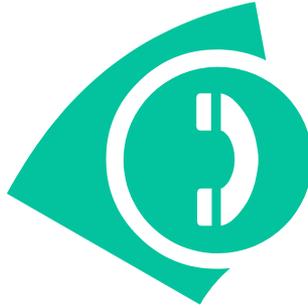




Defining “Child Neglect”: Acts or omissions by a parent or the primary person responsible for the care of the child which result in a failure to provide the essentials of life and which create a potential for harm to the child’s safety, functioning or development.

- (i) Essentials of life include food, clothing, shelter, health care, and personal care, education as required by law, proper supervision and protection from physical, sexual or emotional injury.
- (ii) Primary person who is responsible for the care of a child is a person who provides or arranges ongoing care and supervision for a child in lieu of parental care and supervision.
- (iii) Potential from harm, likely, if permitted to continue, will have a detrimental effect on the child’s health, development or functioning. Injury to the child is not imminent as defined by the CPSL.

No child shall be deemed to be physically or mentally abused or considered neglected based on injuries that result **solely** from environmental factors that are **beyond the control** of the parent or person responsible for the child’s welfare, such as inadequate housing, furnishings, income, clothing and medical care.



Where to Call

To Report Abuse:

Call The Office of Children and Youth (OCY)

From 8:30 am to 5:00 pm Monday thru Friday:
(814) 451-6600 or
1-800-352-0026 (extension 6600)

From 5:00 pm to 8:30 am & on weekends/holidays:
(814) 451-1503 (Professional Communications)

Childline and Abuse Registry:
1-800-932-0313

To Get a Lawyer:

To hire and pay for a lawyer,
call Lawyer Referral Service at (814) 459-4411

If you cannot afford a lawyer
and meet financial guidelines, call (814) 451-6251

To Get Answers to Parenting Questions:

PA Family Support Alliance: 1-800-448-4906

**To Get Assistance Regarding
Food Stamps, Medical Assistance,
or Low Income Heating Assistance:**

Department of Public Welfare: (814) 461-2000

To Talk with Someone if You are Experiencing a Crisis:

Crisis Services: (814) 456-2014
or 1-800-300-9558



The Erie County Office of Children and Youth would like to express their appreciation to the Allegheny County Department of Human Services/ Division of Children and Youth Services, for granting permission for the right to reproduce portions of their parent guide.