Reunification Definitions

To Promote Consistency in State Data Reporting for the Timeliness of Reunification Federal Outcome Measures

Third Edition*

Developed by:

Child Welfare League of America
National Working Group to Improve Child Welfare Data (NWG)

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*This edition reflects corrected information on the timeliness of reunification measures as announced by the Children’s Bureau in the Federal Register, Vol. 72, No. 14 (January 23, 2007).

The CWLA National Working Group definitions provided in this paper represent a general consensus of state child welfare agencies, with leadership from a Definitions Work Group and input from other child welfare professionals. The parameters defined here have been developed in the context of the federal guidance to help states voluntarily report the data more consistently. The definitions also provide a reference point that states may use to explain how their data diverge. This work is not federally sanctioned or required.
Acknowledgements

The CWLA National Working Group definitions provided in this paper represent a general consensus of state child welfare agencies, with input from other child welfare professionals.

The National Working Group to Improve Child Welfare Data (NWG) consists of representatives from 51 state child welfare agencies, and is facilitated by the Child Welfare League of America (CWLA). A majority of the states participated in meetings to discuss the definitions and variations, and all had the opportunity to provide feedback. Work groups, with leadership first from Kristen Woodruff and later from Kristen Tromble, developed these common definitions for the term *timely reunification* as it applies to the federal outcome measures of timeliness of reunification. CWLA and the NWG acknowledge the time and contributions of the work group members, listed below:

- Carolyn Bidwell, Colorado Department of Human Services
- Lillian Denton, New York State Department of Family Assistance
- Navina Forsythe, Utah Department of Human Services
- Carrie Friedman, Child Welfare League of America
- Lynette Isbell, Virginia Department of Social Services
- Allon Kalisher, Connecticut Department of Children and Families
- Terry Moore, University of Kansas
- Michelle Rawlings, Wisconsin Department of Health and Family Services
- Kristen Tromble, Child Welfare League of America
- Ros Walter, Massachusetts Department of Social Services
- Kristen Woodruff, Child Welfare League of America*
- Shirley Vassy, Georgia Department of Human Resources

*The first edition of this document was prepared by Kristen Woodruff, past Project Director of the National Working Group to Improve Child Welfare Data, and we are particularly grateful for her contribution to this work. The second and third editions were prepared by Kristen Tromble.*
Introduction

Reunification is a process of reconnecting children in foster care (or substitute care) with their families. When children can be safely reunited, this goal should be achieved in a timely manner, but without increasing the chance of re-entry into placement. The federal government measures timeliness of reunification as part of a series of outcome measures for children served by state child welfare agencies. In the first round of Child and Family Services Reviews (CFSRs), the federal government set a national standard that 76.2% (or more) of children be reunified in less than 12 months from the latest removal from home (US DHHS, 2004).

For the second round of CFSRs, the federal government introduced the permanency composite Timeliness and Permanency of Reunification, which has two components, Timeliness of Reunification and Permanency of Reunification (Federal Register, 2006 and 2007). Definitions related to permanency of reunification are addressed in the publication Permanency of Reunification: Definitions for Foster Care Entry and Re-entry (CWLA, 2007). Definitions related to timeliness of reunification, are addressed in the present document. The timeliness component, as presented in the Federal Register (2007) and labeled in the sample State Data Profile (NRC-CWDT, 2006), consists of the following three measures:

- **Exits to reunification in less than 12 months**: Of all children who were discharged from foster care to reunification in the target 12-month period, and who had been in foster care for 8 days or longer, what percent were reunited in less than 12 months from the date of the latest removal from home?

- **Exits to reunification, median stay**: Of all children who were discharged from foster care to reunification in the 12-month target period, and who had been in foster care for 8 days or longer, what was the median length of stay in months from the date of the latest removal from home until the date of discharge to reunification?

- **Entry cohort reunification in less than 12 months**: Of all children who entered foster care for the first time in the 6-month period just prior to the target 12-month period, and who remained in foster care for 8 days or longer, what percent were discharged from foster care to reunification in less than 12 months from the date of latest removal from home?

In all three of these measures, the calculation of length of stay includes an adjustment for children whose placement setting at the time of discharge was a trial home visit, if certain conditions are met. (See Part 2 for more detail). Data from the Adoption and Foster Care Analysis and Reporting System (AFCARS) are used to calculate the measures for each state.

For the second round of the CFSR, the federal government set national standards for the composites, not the individual measures. See the federal register announcements (2006 and 2007) for more information.

A survey conducted by the Child Welfare League of America (CWLA) identified definitional disparities in the way states report the AFCARS data that are used in the timeliness of reunification measures (CWLA, 2005). In order to reach more consistency, CWLA and the National Working Group to Improve Child Welfare Data (NWG) provide definitions in this document for terms relevant to the timeliness of reunification measures. The NWG definitions emanate from and build on federal definitions and guidance for AFCARS reporting and the CFSR measures, but this work is not authorized or approved by the Children’s

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1 Many of these definitions are also relevant to the time to reunification measure used in the first round of CFSRs.
Bureau. State child welfare agencies should continue to contact the Children’s Bureau and NRC-CWDT with questions about how to report the data to AFCARS.

The NWG definitions in this document offer new language to promote consistency, based on results from the reunification survey and subsequent dialogue among representatives from state child welfare agencies, as follows:

- Part 1 describes two milestones associated with a child being “reunified:” the physical return home of the child and the end of the state’s legal authority for placement and care (e.g. legal custody). This section also defines return home on a trial basis and legally reunified.

- Part 2 defines timely reunification according to the federal measures.

- Part 3 recommends specific enhancements to federal language so that states can reach more consistency in the way they report their data to AFCARS.

**Part 1. Points of Reunification**

1.1 Reunification Milestones: Reunification is a process of reconnecting children in foster care (or substitute care) with their families. Two milestones may be associated with a child being “reunified,” and these may occur on the same day or different days depending on the case and the state:

1) the child **physically returns** to parents or to primary caregivers, and

2) the state’s **legal authority for placement and care** of the child **ends** in one of the following ways (e.g. depending on how the child entered care):

   a. the state’s legal custody of the child ends pursuant to a court order, so the child welfare agency no longer has authority over the child’s physical placement; or

   b. temporary protective custody (initiated prior to court involvement) or temporary custody (granted by the court for a limited time) expires and the court does not order the child into state (or local) custody, so the child returns to family; or

   c. a voluntary placement agreement ends and the child exits care to his or her permanent setting (e.g. the child returns to family).

When these two milestones occur on the same day—the child physically returns and legal authority of the state agency for care and placement ends—the child is, of course, considered reunified. When these milestones occur on different days, there are essentially two points of reunification, which the NWG calls return home on a trial basis and legally reunified. Returned home on a trial basis refers to cases in which the child is physically returned but the state retains legal authority, as defined below. Legally reunified, also defined below, include cases in which the milestones occur on the same day or different days, as long as both have occurred. The NWG offers the following definitions for these terms.

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2 The dialogue also included other organizations who received copies of the draft definitions (the Children’s Bureau, the American Public Human Services Association (APHSA), some universities, and federal contractors).

3 In states where legal custody may not be taken by the court, the court orders the agency to have “physical custody” of the child for the purpose of a foster care placement. When the court orders the end of “physical custody,” the agency no longer has the authority over the child’s physical placement. In these states, the child is considered discharged when the physical custody order ends. Any subsequent placement constitutes a removal from the child’s home even when the court continues an order for agency supervision.

4 See the definition for *temporary protective custody* provided in Part 3 (3.4).
1.2 Definitions for Milestones

*Return home on a trial basis* is defined as the physical return of the child from a foster care placement to live with his or her *parents or with the primary caretaker from whom the child was removed* while the state (or local) child welfare agency retains legal authority for the placement and care (e.g. legal custody) of the child, with the plan that the child will be legally reunified with the family after a time period in the home, if the trial period (the timeframe designated by the court or child welfare agency) is successful.

*Legally reunified* is defined as the end of the state agency’s legal authority for the placement and care of a child who has been in foster care, and who has returned home to live with his or her *parents or with the primary caretaker from whom the child was removed* or with other relatives who provide care for the child while the parents have legal custody or who obtain legal custody, except through adoption or guardianship. In reunifications, the end of the state’s legal authority for placement and care occurs when a court order ends state custody, a temporary custody status expires with no further order or placement agreement, or a voluntary placement agreement ends, and the child has entered his or her permanent setting.

The term *legally reunified* includes cases where the two milestones—child physically returns home and the state’s legal authority ends—occur on the same day or different days, as long as both milestones have occurred. In some cases (in some states) the court may order supervision to continue after the state’s authority for placement and care ends. In these cases, the child is still considered *legally reunified*, since it would take a court order, temporary protective custody or voluntary placement agreement to remove the child from home.

Each definition builds on current federal guidance, as detailed in the next section.

**Part 2. Timeliness of Reunification**

The following NWG definition for *timely reunification, for the purpose of the federal timeliness of reunification measures*, integrates the federal measures for round two of the CFSR with relevant AFCARS definitions, federal guidance and clarifying language from the NWG to promote more consistency among states.

The federal measures define two AFCARS discharge reasons as reunification: *reunification with parents or primary caretakers* and *living with other relatives*. Therefore, the NWG reunification definitions are inclusive of relatives who gain legal custody of the child other than through adoption or guardianship. Relative adoptions and guardianships should be reported with a discharge reason of adoption or guardianship, respectively.

According to federal definitions and guidance for AFCARS, a child who is returned home, but for whom the state agency continues to maintain placement and care responsibility, is to be reported as still in foster care but on “trial home visit” for AFCARS purposes (unless the child has been on trial home visit for more than six months with no end date specified; please see Part 3 for more details).

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5 *Legally reunified* excludes cases in which a foster child is discharged to a relative who adopts the child or obtains legal guardianship. These situations should be reported to AFCARS with the appropriate discharge reason of adoption or guardianship, and are not counted as reunifications in the federal measures.

6 The reunification measure used in the first round of the CFSR essentially measures children who have been *legally reunified*, as defined in Part 1, while children *returned home on a trial basis* are considered still in care.
Each of the timeliness of reunification measures includes a ‘trial home visit adjustment’. This adjustment applies to children who were discharged during the 12-month target period with a reason of reunification with parents or primary caretakers or living with other relatives and who, at the time of discharge, were reported with a current placement setting of trial home visit and had been in that setting for more than 30 days. For these children, length of stay in foster care is calculated as the number of days from the date of latest removal to the date of placement in the trial home visit, plus 30 days.

Also, the timeliness of reunification measures include only children who were in foster care for at least 8 days and exclude youth who were aged 18 or older for the entire year under review. Timely reunification, for the purpose of the federal timeliness of reunification measures, is defined as children who had been in foster care for 8 days or longer who were discharged from foster care to live with their parent(s), primary caretaker from whom they were removed, or other relatives who care for the child while the parent has legal custody or who obtain legal custody (excluding adoption or guardianship), if the discharge occurred in less than 12 months from the time of the latest removal from home, or at the end of a trial home visit (return home on a trial basis) that began at least 30 days prior to the end of the child’s first 12 months in foster care and lasted more than 30 days.

For the purpose of calculating length of stay for children meeting these conditions, a child whose last placement was a trial home visit that lasted more than 30 days is considered reunified 30 days after the date the child was placed in the trial home visit.

Otherwise, a child is reunified on the date the state’s legal authority for placement and care of the child ends, as described below:

- the state or local child welfare agency no longer has legal custody of the child, so the child welfare agency no longer has authority over the child’s physical placement; or

- temporary protective custody (initiated prior to court involvement) or temporary custody (granted by the court for a limited time) expires and the court does not order the child into state (or local) custody, so the child returns to family; or

- a voluntary placement agreement ends and the child exits care to his or her permanent setting (e.g. the child returns to family or is emancipated).

Once the state’s legal authority ends, a court order, temporary protective custody or voluntary placement agreement would be required for the agency to remove the child from home and make a subsequent placement.

The child’s physical return home does not constitute timely reunification unless the criteria above are met.

This definition of timely reunification models the federal standard but offers additional clarifying language. In order to promote consistency in the state data underlying the federal standard, Part 3 suggests enhancements to the definitions for several AFCARS elements.

7 Children in foster care for at least 24 hours and some children over age 18 are reported to AFCARS. However, for the timeliness of reunification measures only those in care for at least 8 days and under age 18 for at least one day of the reviewed year are considered.

8 Children who achieve permanency through either guardianship with relatives or adoption by relatives are not considered to be reunified in the federal definitional context. Guardianship and adoption are separate discharge reasons.

9 In states where legal custody may not be taken by the court, the court orders the agency to have “physical custody” of the child for the purpose of a foster care placement. When the court orders the end of “physical custody,” the agency no longer has the authority over the child’s physical placement. In these states, the child is considered discharged when the physical custody order ends. Any subsequent placement constitutes a removal from the child’s home even when the court continues an order for agency supervision.

10 See the definition for temporary protective custody provided in Part 3 (3.4).
Part 3. Recommendations for AFCARS Definitions to Promote More Consistent Reporting

The NWG recommends that the Children’s Bureau clarify definitions for certain AFCARS elements and values, as specified in this section, in order to promote consistency in state data reporting and improve the reliability of the federal reunification measures. The definitions provided in this section emanate from and build on federal definitions and guidance, but enhancements have been made to reach more clarity and consistency in how states report the data. These recommendations are based upon results from a reunification survey (CWLA, 2005) and subsequent dialogue among representatives from state child welfare agencies, and are not meant to substantially alter existing federal guidance. (See the Appendix to compare existing federal language and NWG modifications.)

The NWG definitions provided in this section relate to discharge and reunification. To help place these definitions in the context of the definitions provided in Part 1, the reader should note the following:

- A child who has returned home on a trial basis is reported to AFCARS as being in care on a trial home visit. A trial home visit is recorded as Current Placement Setting = 8 Trial home visit, Date of Discharge = blank, and Reason for Discharge = blank. However, a child who has been home on a trial basis (trial home visit) for more than six months, with no end date specified by the court or the child welfare agency, is reported as discharged in AFCARS as of the date the trial home visit had lasted six months. If that child later returns to care, he or she is considered a re-entry for AFCARS purposes.

- For the purpose of the federal timeliness of reunification measures, a child whose last placement was a trial home visit may count as reunified prior to the date of discharge from AFCARS if certain conditions are met. See Part 2.

- A child who has been legally reunified is reported in AFCARS as Discharge Date = date state legal authority ends or six months after physical return (as described in a preceding bullet) and Reason for Discharge = 1 Reunification or 2 Living with other relatives. Current Placement Setting = the most recent setting (e.g. trial home visit or family foster home) prior to discharge.

This section defines specific AFCARS elements and values pertaining to reunification and defines several terms that are referenced as part of those definitions. First, definitions relevant to discharge are presented, including date of discharge, discharge, trial home visit, and temporary protective custody. Next, definitions related to reunification are provided, including reason for discharge, reunification with parents or primary caretaker(s), and living with other relatives.

3.1 Date of Discharge from Foster Care (AFCARS FC Element #56) –

Enter data only for children who have exited foster care during the reporting period.

Enter the month, day and year the child was discharged from foster care. If the child has not been discharged from care, leave blank.

See the definition for discharge below, as this is a critical factor in determining the date of discharge. See also definitions for trial home visit and temporary protective custody below.
3.2 Discharge (referenced in Date of Discharge from Foster Care definition) –

A discharge represents that point in time when the child is no longer in foster care and the state no longer has legal authority for placement and care of the child. (The child welfare agency no longer has authority for the child’s physical placement.) The end of the state’s legal authority for placement and care occurs in the following circumstances: a court order ends state legal custody; a temporary custody status expires with no further order or placement agreement; a voluntary placement agreement ends; or an adoption is finalized (in some states).

Once a child is discharged, a court order, temporary protective custody or voluntary placement agreement would be required for the agency to remove the child from home and make a subsequent placement. In cases where the child physically returns home, the child is not considered discharged from AFCARS until one of the above criteria has been met or the following exception occurs:

For AFCARS purposes, children for whom the state retains legal authority for placement and care and who return home on a trial basis (trial home visit) for an unspecified period of time that lasts at least six months, are considered discharged from foster care after a six-month period.

In some cases (in some states) the court may order supervision to continue after the state’s authority for placement and care ends (e.g. end of legal custody). The child is still considered discharged, since a court order, temporary protective custody or voluntary placement agreement would be required to remove the child from home.

3.3 Reason for Discharge (AFCARS FC Element #58) –

The reason for discharge is defined as the outcome or explanation for a child’s exit from care, including reunification, living with other relatives, adoption, guardianship, emancipation, transfer to another agency, death of the child and, in some states, runaway. Enter data only for children who have exited foster care during the reporting period.

A child is discharged from care when he or she is no longer in foster care and the state no longer has legal authority for placement and care of the child. (The child welfare agency no longer has authority for the child’s physical placement.) The end of the state’s legal authority for placement and care occurs in the following circumstances: a court order ends state legal custody; a temporary custody status expires with no further order or placement agreement; a voluntary placement agreement ends; or an adoption is finalized (in some states). Once a child is discharged, a court order, temporary protective custody or voluntary placement agreement would be required for the agency to remove the child from home and make a subsequent placement. In cases where the child physically returns home but the state agency retains legal authority for the placement and care of the child, the child is not considered discharged from AFCARS until one of the above criteria has been met or the following exception occurs:

For AFCARS purposes, children for whom the state retains legal authority for placement and care

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11 If a child comes into care through temporary protective custody or a voluntary placement agreement, and that ends but the child remains in care thereafter pursuant to a court order, the child is not discharged and just one removal episode is counted.
12 In some states, the agency’s authority is considered to end when the adoptive parents are granted full legal parental rights and obligations, even when this finalization of adoption occurs prior to an order releasing state custody.
13 In the NWG survey on reunification, 10 states have these supervision only cases, and most report them as discharged once parents get legal custody. For this reason, and because a court order, voluntary placement agreement or temporary protective custody would be needed for removal, the NWG recommends changing federal language to specify that supervision only cases should be excluded.
14 If a child comes into care through temporary protective custody or a voluntary placement agreement, and that ends but the child remains in care thereafter pursuant to a court order, the child is not discharged and just one removal episode is counted.
15 In some states, the agency’s authority is considered to end when the adoptive parents are granted full legal parental rights and obligations, even when this finalization of adoption occurs prior to an order releasing state custody.
and who return home on a trial basis (trial home visit) for an unspecified period of time that lasts at least six months, are considered discharged from foster care after a six-month period.

In some cases (in some states) the court may order supervision to continue after the state’s authority for placement and care ends (e.g. end of legal custody). The child is still considered discharged\(^{16}\), since a court order, temporary protective custody or voluntary placement agreement would be required to remove the child from home.

The following values reflect the two discharge categories in AFCARS that are included in the federal timeliness of reunification measures (Federal Register, 2006). NWG definitions for each term are provided below. These definitions integrate federal guidance with federal definitions for greater clarity, and suggest enhanced language for more consistent interpretation.

**Reunification with parents or primary caretaker(s)** (AFCARS FC Element #58, Value 1) –

*The child was returned to his or her parents or to the principal caretaker(s)’ home.*

*Returned* means the child was discharged, so the state no longer has legal authority for the placement and care of the child (a court order, temporary protective custody or voluntary placement agreement would be required to remove the child from home), or the child has been home on a trial basis (trial home visit) for more than six months and the timeframe for the trial home visit is unspecified. See definitions for *date of discharge*, *discharge* and *trial home visit*.

*Parent(s)* includes birth parents and finalized adoptive parents, whether or not they were the caregiver at the time of removal.

*Principal caretaker(s)* includes any of the following who were the primary caretakers for the child at the time of removal: step-parents, relatives, legal guardians and other primary caregivers from whom the child was removed.

**Living with other relatives** (AFCARS FC Element #58, Value 2) –

*The child went to live with a relative other than the one from whose home he or she was removed and the child has been discharged from foster care. This value does not include cases in which a foster child is discharged to a relative who adopts the child or obtains legal guardianship, which should be reported with a value of adoption or guardianship, respectively.*

*Relative other than the one from whose home he or she was removed* includes step-parents and other relatives who were not the principal caregivers at the time of removal. It does not include birth parents or finalized adoptive parents.

*Discharged* means the child welfare agency no longer has legal authority for the placement and care of the child (a court order, temporary protective custody or voluntary placement agreement would be required to remove the child from home.) See definitions for *date of discharge* and *discharge*. When children are discharged to Living with other relatives, the relative gets legal custody of the child or the parent has legal custody while the relative physically cares for the child. If the child is living with relatives under state placement and custody, the child should be reported as in care.

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\(^{16}\) In the NWG survey on reunification, 10 states have supervision only cases, and most report them as discharged once parents get legal custody. For this reason, and because a court order, voluntary placement agreement or temporary protective custody would be needed for removal, the NWG recommends changing federal language to specify that supervision only cases should be excluded.
### 3.4 Temporary Protective Custody

Temporary protective custody is defined as a status in which a child in imminent danger, or a child who has been abandoned, is removed from home and placed in the care of the child welfare agency for a brief period (< 24 hours to 96 hours, depending on the state) without the authority of the court. Depending on the state, law enforcement officers, child protective services workers, physicians or others have authority to remove a child. Some child welfare agencies may not remove a child, but are responsible for caring for the child while she or he is in protective custody status. When temporary protective custody expires, the child returns home unless a court hearing is held in which the judge determines that the child should remain in care.

A child in temporary protective custody for more than 24 hours should be reported in the AFCARS population; the child should be discharged from AFCARS when temporary protective custody expires if the judge has not ordered that the child remain in care and the parent has not signed a voluntary placement agreement.

### 3.5 Trial Home Visit

A trial home visit is defined as a status in which a child has been in a foster care placement, but has been returned to the parent or principal caretaker while the state agency maintains legal authority for placement and care. This status generally occurs for a limited and specified period of time as designated by the court or child welfare agency. If a time period is not specified and the trial home visit lasts at least six months, the child should be identified as having been discharged from AFCARS and returned home at the point at which the trial home visit exceeds six months.

A child who has returned home while the state agency maintains legal authority for placement and care should be included in AFCARS as being in foster care with a current placement setting of Trial Home Visit. However, if a child is returned home on a trial basis with no specific time period designated, and the state agency maintains legal authority for his or her placement and care, the child should be reported as in foster care for a period of up to six months. After six months such child should be reported as discharged from foster care and returned home and should not be included in subsequent AFCARS reports unless he or she is returned to foster care.

### Summary

Common definitions are needed to measure timeliness of reunification more reliably. The definitions provided in this paper build on federal definitions and guidance, but offer language designed to reach more clarity and consistency in how states interpret and report the data. The NWG definitions provided in this document are not approved by the Children’s Bureau, so state child welfare agencies should continue to contact the Children’s Bureau and NRC-CWDT with questions about how to report the data. The NWG recommends that the Children’s Bureau modify their definitions as presented in this document to promote greater reliability in the current federal measures of timeliness of reunification and other measures to which these definitions apply.

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17 In this paper the term temporary protective custody refers to the brief period in which a child may be in care without the authority of the court, and should not be confused with a temporary custody status granted by the court. States use different terms for this period, including protective custody, temporary custody, emergency custody and others. Some states may not hold a child in placement without the authority of the court, so this status is not applicable to those states.
Appendix. Aligning the Federal and NWG Definitions for Reunification

The National Working Group to Improve Child Welfare Data (NWG) recommends that the Children’s Bureau enhance definitions for certain AFCARS elements and values in order to promote consistency in the way states report their data to AFCARS, improving the reliability of the federal measures for timeliness of reunification and other measures to which these definitions apply. The table on the following pages provides terms relevant to reunification in the first column, followed by existing AFCARS definitions and federal guidance in the second column. The third column provides the NWG definitions while demonstrating additions, modifications and deletions of federal text. The black text represents language from AFCARS definitions and federal guidance; blue text highlights additions and modifications made by the NWG; and black strikethrough text demonstrates federal text the NWG has elected to delete in the NWG definitions. Each of these definitions is found in the NWG Reunification Definitions paper.

The existing AFCARS definitions and federal guidance are compared to the NWG definitions for the following terms:

- **Discharge related terms:**
  - Date of discharge from foster care (AFCARS FC Element #56)
  - Discharge (referenced in *Date of Discharge from Foster Care* definition)
  - Trial home visit (AFCARS FC Element #41 Current Placement Setting, Value 8)

- **Reunification related terms:**
  - Reason for discharge (AFCARS FC Element #58)
  - Reunification with parents or primary caretakers (AFCARS FC Element #58, Value 1)
  - Living with other relatives (AFCARS FC Element #58, Value 2)

The NWG definition for *temporary protective custody*, which is included in the paper, is not included in this Appendix since current AFCARS definitions and guidance do not define the term.
Appendix. Aligning the Federal and NWG Definitions for Reunification, continued

<table>
<thead>
<tr>
<th>Terms</th>
<th>Federal Definitions (NRC-CWDT, September 2005)</th>
<th>NWG Definitions</th>
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<tbody>
<tr>
<td>DISCHARGE</td>
<td><strong>DATE OF DISCHARGE FROM FOSTER CARE</strong>&lt;br&gt;Date of Discharge From Foster Care (Definition for Foster Care Element #56):&lt;br&gt;“Enter data only for children who have exited foster care during the reporting period.”&lt;br&gt;Enter the month, day and year the child was discharged from foster care if the child has not been discharged from care, leave blank.”</td>
<td><strong>Date of Discharge from Foster Care:</strong>&lt;br&gt;Enter data only for children who have exited foster care during the reporting period.&lt;br&gt;Enter the month, day and year the child was discharged from foster care. If the child has not been discharged from care, leave blank.&lt;br&gt;See the definition for discharge, as this is a critical factor in determining the date of discharge. See also definitions for trial home visit and temporary protective custody.</td>
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<tr>
<td>DISCHARGE</td>
<td><strong>CWPM: AFCARS, 1.2B.3, Question 3:</strong> Please clarify the meaning of the terms removal, placement, episode, and discharge.&lt;br&gt;“A Discharge represents that point in time when the child is no longer in foster care under the care and responsibility or supervision of the State agency.”&lt;br&gt;For AFCARS purposes, situations in which the State retains supervision of a child and the child returns home on a trial basis, for an unspecified period of time, are considered a discharge from foster care after a six-month period.”</td>
<td>A discharge represents that point in time when the child is no longer in foster care under the care and responsibility or supervision of the State agency and the state no longer has legal authority for placement and care of the child. (The child welfare agency no longer has authority for the child’s placement.) The end of the state’s legal authority for placement and care occurs in the following circumstances: a court order ends state legal custody; a temporary custody status expires with no further order or placement agreement; a voluntary placement agreement ends 18; or an adoption is finalized (in some states) 19. Once a child is discharged, a court order, temporary protective custody or voluntary placement agreement would be required for the agency to remove the child from home and make a subsequent placement. In cases where the child physically returns home, the child is not considered discharged from AFCARS until one of the above criteria has been met or the following exception occurs: For AFCARS purposes, situations in which the state retains legal authority for the placement and care of a child supervision of a child and the child returns home on a trial basis (a trial home visit) for an unspecified period of time that lasts at least six months, are considered a discharge from foster care after a six-month period. In some cases (in some states) the court may order supervision to continue after the state’s authority for placement and care ends (e.g. end of legal custody). The child is still considered discharged 20, since a court order, temporary protective custody or voluntary placement agreement would be required to remove the child from home.</td>
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18 If a child comes into care through temporary protective custody or a voluntary placement agreement, and that ends but the child remains in care thereafter pursuant to a court order, the child is not discharged and just one removal episode is counted.
19 In some states, the agency’s authority is considered to end when the adoptive parents are granted full legal parental rights and obligations, even when this finalization of adoption occurs prior to an order releasing state custody.
20 In the NWG survey on reunification, 10 states have these supervision only cases, and most report them as discharged once parents get legal custody. For this reason, and because a court order, voluntary placement agreement or temporary protective custody would be needed for removal, the NWG recommends changing federal language to specify that supervision only cases should be excluded.
### Appendix. Aligning the Federal and NWG Definitions for Reunification, continued

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| TRIAL HOME VISIT           | **Foster Care Element #41 Current Placement Setting**  
“Identify the type of setting in which the child currently lives.”  
**Foster Care Element #41 Current Placement Setting Value 8 – Trial Home Visit**  
“The child has been in a foster care placement, but, under State agency supervision, has been returned to the principal caretaker for a limited and specified period of time.”  
CWPM: AFCARS, 1.2B.7, Question 5  
Please provide a more inclusive definition of Pre-Adoptive Home, Foster Family Home (Non-Relative), Institution and Trial Home Visit.  
“A Trial Home Visit occurs when the child has been in a foster care placement, but, under continuing State agency supervision, is then returned to the principal caretaker for a limited and specified period of time. If a time period is not specified the child should be identified as having been returned home at the point at which the trial home visit exceeds six months.”  
CWPM: AFCARS, 1.3, Question 11: Are children at home (i.e., trial home visits) to be included in the AFCARS reporting population?  
**Answer:** Yes. Any child who is returned home on a trial home visit, for a specifically limited period of time and for whom the State agency continues to maintain placement and care responsibility or supervision should be included in AFCARS as being in foster care with a current placement setting of Trial Home Visit. However, if a child is returned home on a trial basis with no specific time period indicated, and the state agency maintains legal authority for his or her placement and care responsibility or supervision, the child should be indicated reported as in foster care for a period of up to six months. After six months such child should be indicated reported as discharged from foster care and returned home and should not be included in subsequent AFCARS reports unless the child he or she is returned to foster care. |

The child has been in a foster care placement, but under State agency supervision has been returned to the parent or principal caretaker while the state agency maintains legal authority for placement and care. This status generally occurs for a limited and specified period of time as designated by the court or child welfare agency. A Trial Home Visit occurs when the child has been in a foster care placement, but, under continuing State agency supervision, is then returned to the principal caretaker for a limited and specified period of time. If a time period is not specified and the trial home visit lasts at least six months, the child should be identified as having been discharged from AFCARS and returned home at the point at which the trial home visit exceeds six months.

A child who has returned home while the state agency maintains legal authority for placement and care. Any child who is returned home on a trial home visit, for a specifically limited period of time and for whom the State agency continues to maintain placement and care responsibility or supervision should be included in AFCARS as being in foster care with a current placement setting of **Trial Home Visit**. However, if a child is returned home on a trial basis with **no specific time period indicated** designated, and the state agency maintains legal authority for his or her placement and care responsibility or supervision, the child should be indicated reported as in foster care for a period of up to six months. After six months such child should be indicated reported as discharged from foster care and returned home and should not be included in subsequent AFCARS reports unless the child he or she is returned to foster care.
### Appendix. Aligning the Federal and NWG Definitions for Reunification, continued

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| REASON FOR DISCHARGE      | Foster Care Element #58 Reason for Discharge “Enter data only for children who have exited foster care during the reporting period.”                                    | Reason for Discharge: \[The reason for discharge is defined as the outcome or explanation for a child’s exit from care, including reunification, living with other relatives, adoption, guardianship, emancipation, transfer to another agency, death of the child and, in some states, runaway. Enter data only for children who have exited foster care during the reporting period.\]
|                           | A child is discharged from care when he or she is no longer in foster care and the state no longer has legal authority for placement and care of the child. (The child welfare agency no longer has authority for the child’s physical placement.) The end of the state’s legal authority for placement and care occurs in the following circumstances: a court order ends state legal custody; a temporary custody status expires with no further order or placement agreement; a voluntary placement agreement ends22; or an adoption is finalized (in some states)23. Once a child is discharged, a court order, temporary protective custody or voluntary placement agreement would be required for the agency to remove the child from home and make a subsequent placement. In cases where the child physically returns home but the state agency retains legal authority for the placement and care of the child, the child is not considered discharged from AFCARS until one of the above criteria has been met or the following exception occurs: \[For AFCARS purposes, situations in which the state retains legal authority for the placement and care of a child and the child returns home on a trial basis (a trial home visit) for an unspecified period of time that lasts at least six months, are considered a discharge from foster care after a six-month period.\]
|                           | In some cases (in some states) the court may order supervision to continue after the state’s authority for placement and care ends (e.g. end of legal custody). The child is still considered discharged24, since a court order, temporary protective custody or voluntary placement agreement would be required to remove the child from home.                                                                                     |

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21 The federal reunification measures include two values from Reason for Discharge: 1) Reunification with parents or primary caretaker(s) and 2) Living with other relatives (Federal Register, 2006).
22 If a child comes into care through temporary protective custody or a voluntary placement agreement, and that ends but the child remains in care thereafter pursuant to a court order, the child is not discharged and just one removal episode is counted.
23 In some states, the agency’s authority is considered to end when the adoptive parents are granted full legal parental rights and obligations, even when this finalization of adoption occurs prior to an order releasing state custody.
24 In the NWG survey on reunification, 10 states have these supervision only cases, and most report them as discharged once parents get legal custody. For this reason, and because a court order, voluntary placement agreement or temporary protective custody would be needed for removal, the NWG recommends changing federal language to specify that supervision only cases should be excluded.
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<td><strong>REUNIFICATION WITH PARENTS OR PRIMARY CARE-TAKERS</strong></td>
<td>Foster Care Element #58 Reason for Discharge Value 1 – Reunification with parents or primary caretaker(s) &quot;The child was returned to his or her parents or to the principal caretaker(s)' home.&quot;</td>
<td>Reunification with parents or primary caretaker(s): The child was returned to his or her parents or to the principal caretaker(s)' home. Returned means the child was discharged, so the state no longer has legal authority for the placement and care of the child (a court order, temporary protective custody or voluntary placement agreement would be required to remove the child from home), OR the child has been home on a trial basis (trial home visit) for more than six months and the timeframe for the trial home visit is unspecified by the court or the child welfare agency (see definitions for date of discharge, discharge and trial home visit). Parent(s) includes birth parents and finalized adoptive parents, whether or not they were the caregiver at the time of removal. Principal caretaker(s) includes any of the following who were the primary caretakers for the child at the time of removal: step-parents, relatives, legal guardians and other primary caregivers from whom the child was removed.</td>
</tr>
<tr>
<td><strong>LIVING WITH OTHER RELATIVES</strong></td>
<td>Foster Care Element #58 Reason for Discharge Value 2 - Living With Other Relatives &quot;The child went to live with a relative other than the one from whose home he or she was removed.&quot;</td>
<td>Living With Other Relatives: The child went to live with a relative other than the one from whose home he or she was removed and the child has been discharged from foster care. This value does not include cases in which a foster child is discharged to a relative who adopts the child or obtains legal guardianship, which should be reported with a value of adoption or guardianship, respectively. Relative other than the one from whose home he or she was removed includes step-parents and other relatives who were not the principal caregivers at the time of removal. It does not include birth parents or finalized adoptive parents. Discharged means the state or local child welfare agency no longer has legal authority for the placement and care of the child (a court order, temporary protective custody or voluntary placement agreement would be required to remove the child from home). (See definitions for date of discharge and discharge). When children are discharged to Living with other relatives the relative gets legal custody of the child or the parent has legal custody while the relative physically cares for the child. If the child is living with relatives under state placement and custody, the child should still be reported as in care.</td>
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References


