



FCRB Member **Policy and Procedures Manual**

A program of the Iowa Child Advocacy Board

<https://childadvocacy.iowa.gov>

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Preamble

The Foster Care Review Board (FCRB) provides an essential service for Iowa children who are removed from their homes and placed in foster care. Under Iowa Code Chapter 237, the FCRB is required to review all cases referred to it to determine if satisfactory progress is being made toward the goals of the child's permanency plan. Summarizing the requirements of Iowa law, this involves a thoughtful and thorough process that includes reviewing:

- 1) Past, current and future status of the child as shown in the case plan itself and through review of case progress reports and other reports the Board requires for a thorough review.
- 2) The efforts of the placing agency to locate and provide services to the biological or adoptive parents of the child that would prepare them for successful reunification with the child.
- 3) The efforts of DHS and the placing agency to facilitate reunification or find a suitable alternative placement if reunion is not feasible.
- 4) And investigating any other problems, solutions or alternatives which may affect the best interests of the child.
- 5) Compliance of all interested parties with the requirements of the case plan. This includes the parents and child involved, along with all service providers whether they contract directly with DHS or are collateral resources from the community that are involved in serving the child and family.

All of the factors listed above have an important bearing on the child's hope for a permanent home that is both safe and successful for the long term. A major focus of the training provided by the Iowa Child Advocacy Board (ICAB) for the dedicated volunteers who step forward to serve as Board Members is on how to carry out the five review requirements listed above. The Facilitator trained to assist in conducting its review has experience, knowledge and insight that are available to the FCRB to help ensure that each review requirement is accomplished as thoughtfully and thoroughly as possible and in a way that meets the best interests of the child.

In addition to meeting the requirements of Iowa law, the reviews are constructed to meet federal requirements for a foster care administrative review system. This enables ICAB to draw federal Title IV-E funds to assist in funding the review process. Therefore, accomplishing the review in the manner prescribed in this Policy and Procedures Manual, fully using the assistance of the Facilitator and ICAB Staff is also important to the financial viability of the program.

Section 1: Program Overview

This section provides an overview of the Iowa Foster Care Review Board (FCRB) Program as it relates to the mission, purpose, governance, and affiliations.

1.a. Acknowledgement Letter

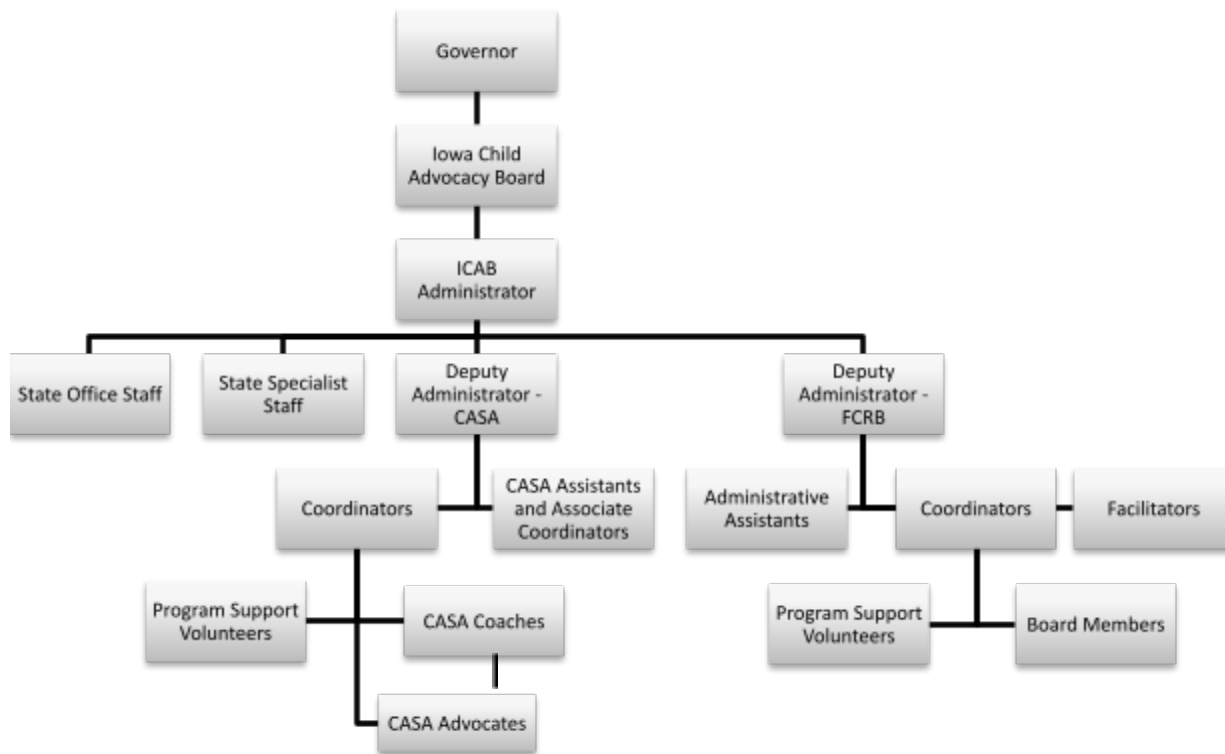
Within 15 calendar days of issuance of this manual or subsequent revisions, all staff and contractors who administer, facilitate and support Foster Care Review Boards and all Board Members are required to review the material and sign a Letter of Acknowledgement. The signed Board Member letter will be kept in the volunteer's record.

1.b. Mission and Purpose of Iowa FCRB Program

- 1) The ICAB establishes local FCRBs and selects its Board Members to review cases of children receiving foster care on issues related to each child's case permanency plan.
- 2) The Iowa FCRB program currently includes 26 Boards that have responsibility for reviewing foster care cases in 52 counties in the state. The ICAB has delegated to the local Coordinators the responsibility for collaborating with Service Area and local Department of Human Services (DHS) offices and the district courts with jurisdiction over the 50 counties to agree on a Protocol for case review that prioritizes the most pressing review needs of the region's DHS offices and Courts. The Protocol identifies the frequency of case review and the specific types of cases to be reviewed by each FCRB. The timing and frequency of a review of each case also considers the permanency goals, placement setting and frequency of any court reviews of the case.
- 3) The child population served by the Iowa FCRB program includes each child receiving foster care within the specific case types included in the Protocol developed between ICAB, DHS and the Courts. The Protocol may include a child, as defined in Iowa Code Section 234.1 who is described by any of the following:
 - a) The child's foster care placement is the financial responsibility of the state pursuant to section 234.35.
 - b) The child is under the guardianship of the department.
 - c) The child has been involuntarily hospitalized for mental illness pursuant to chapter 229.
 - d) The child is at-risk of being placed outside the child's home, the department or court is providing or planning to provide services to the child and the department or court has requested the involvement of the state or local board.
- 4) The Iowa FCRB program selects only qualified and trained community individuals to serve as Board Members of Foster Care Review Boards.

1.c. Program Governance

The Foster Care Review Board Program is governed by the Iowa Child Advocacy Board (ICAB) and managed and guided by a Leadership Team that includes the ICAB Administrator and Deputy Program Administrator, along with other members of the planning team. The work of the Foster Care Review Boards (FCRBs) is directly managed and supported by Local Coordinators, FCRB Facilitators, and Administrative Assistants. The chart on the next page depicts the organizational hierarchy:



Following is a summary of the roles of each of these players in the FCRB Program and process along with the role of the FCRBs.

- 1) **Iowa Child Advocacy Board.** The board is a nine member volunteer board appointed by the Governor. The Board establishes policy through adoption of Administrative Rules and provides oversight to both the Court Appointed Special Advocate program and the Foster Care Review Board program. The State Board hires and supervises the ICAB Administrator. The Board is responsible for gathering and evaluating administrative data on foster care and reporting the data to the Governor, Supreme Court, Chief Judge of each judicial district, the Department of Human Services and child placing agencies. One method of tracking data for the children served by the FCRB program is the Iowa Child Advocacy Board's Foster Care Review Board Database (FCRBDB) data system. The State Board makes recommendations to the Governor, Legislature, Supreme Court, Chief Judge of each judicial district, Department of Human Services (DHS), and child-placing agencies on systemic problems in the foster care and juvenile justice systems, specific proposals for improvements that assist the systems in being more cost-effective and better able to protect the best interests of children, and necessary

changes relating to the administrative data it collects. The State Board approves all new and reappointed local Board Members.

- 2) **Program Administrator.** The Administrator supports the State Board in its efforts to develop and monitor strategic vision, mission, goals and objectives for the FCRB program and FCRB program policy. With this direction from the State Board, the Administrator develops and manages operational plans to carry out the State Board's approved policies and strategies for achieving program goals and objectives. This includes management of program design, operational procedures, budget planning and spending, organizational design, personnel administration, training, automated system support for the program, and program measurement and evaluation. The Administrator directly supervises members of the ICAB Leadership Team to provide maximum support for the FCRB program within available resources limits.
- 3) **Deputy Program Administrator.** The Deputy Administrator is the direct formal supervisor of assigned Local Coordinators and Administrative Support staff in the field and ensures program operations comply with policy and are directed as effectively as possible to achieve the State Board's target program performance and outcome goals and objectives. With this knowledge of field operations, the Deputy provides consultation to the Administrator on development of policy, budget, training, organizational design, personnel administration, and automated system development and operation. The Deputy Administrator also guides and directs field staff in the use of measurements and metrics in a manner that increases performance and outcomes. The Deputy Administrator manages implementation of the ICAB strategic plan including the portions of the plan addressing FCRB program goals and objectives. This includes leading other members of the Leadership Team in developing operational plans, indicators of success in achieving program goals and objectives, collection and analysis of data related to the program progress and success and preparation of reports to policy makers highlighting progress. The Deputy Administrator also develops FCRB operational policies and procedures and guides development of training, automation, program improvements, and acts as the lead worker for the operational work of the ICAB Training Specialist, IT Specialist, and administrative support staff. The Deputy serves as Acting Administrator in the absence of the Administrator.
- 4) **Training Specialist.** This Specialist designs and coordinates development and delivery of pre-service and in-service training for Board Members and staff throughout the state. This includes leading ICAB's Training Committee which has responsibility for identifying and prioritizing FCRB training needs, identifying Local Coordinators and Administrative Support staff who will be responsible for leading training development and delivery in each key area of subject matter, coaching staff on elements and methods of training design and delivery, and providing training of trainers/Facilitators to develop the training skills of all staff.
- 5) **Local Coordinator.** A Local Coordinator provides overall coordination and management of the FCRB program in each county or cluster of counties where a Foster Care Review Board is assigned. The Local Coordinator carries out plans developed to recruit, train, supervise and retain Board Members; collaborate with judges, DHS workers and others involved in the community's child welfare and juvenile justice systems; increasing local Board diversity and cultural competence; overseeing FCRB and processes to ensure a high degree of quality; and reviewing/approving FCRB reports for submission to the

Court. The Local Coordinator submits rationale statements and applications for State Board approval of all local Board Members.

- 6) **Foster Care Review Board Facilitator.** A Facilitator is assigned to each local Board to assist with the review process; document the discussion, findings and recommendations of the Board; prepare the Board's report to the Court; and help manage the transmission of case documents to Board Members and retrieval from them upon completion of the review. The Facilitator helps ensure that all considerations in each case are fully covered and that the Board's reports to the Court are of high quality. The Facilitator keeps the Local Coordinator for the Board fully apprised of the Board's work, communicating, in particular, any requests or issues the Board needs the Local Coordinator to consider.
 - 7) **State Office Administrative Assistant.** This position aids ICAB by completing Board Member background checks, agency timesheets, supply orders, billings/invoices, and support for the ICAB state board. The State Office AA provides website management/updates, and produces the quarterly newsletter. Other tasks involve pre-service training registration, internal "help desk" for technology-related ICAB questions and issues, and maintenance of the digital dashboard measuring employee performance.
 - 8) **Administrative Assistant.** The Administrative Assistant (AA) identifies and schedules the foster care cases that need to be reviewed for each meeting, in accordance with the protocol established for the FCRB, notifies the caseworker and all interested parties of the scheduled review time for each case, ensures that each Board Member has complete and updated information for the review, and collects any physical records for safeguarding upon completion of each review. The AA ensures that case and demographic data and records related to the case are entered correctly in ICAB's automated data systems. Any special requests about case reviews from Board Members, Facilitators, Local Coordinators, caseworkers and other interested parties are handled by the AA as well.
 - 9) **Foster Care Review Board Members.** Upon completion of pre-service training requirements **and approval by the state board**, the Board Member begins participation on the local Board at its next meeting. The Board responsibilities are to review the case of each child receiving foster care assigned to the local board by the state board to determine whether satisfactory progress is being made toward the goals of the case permanency plan. The Board operates in accordance with several specific requirements for the review process established in Iowa law. Once all information is gathered, the Board works with the FCRB Facilitator to develop the observations, findings and recommendations that will be included in the Board's report to the court.
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Section 2: Ethical Conduct

This Code of Ethics provides Board Members and staff with guidelines for professional behavior and ethical conduct. Board Members and staff shall abide by this Code of Ethics and all laws and regulations governing their activities.

2.a. General Ethical Conduct Policy

- 1) Board Members and staff shall uphold the credibility and dignity of the program by conducting all business in an honest, fair, professional and humane manner.
- 2) Board Members and staff shall not use their authority inappropriately, nor condone any illegal act or unethical practice related to the program or community. Employees, FCRB Members and State Board members shall immediately notify the ICAB office of any criminal charges filed against them.
- 3) Board Members and staff shall not use the FCRB program to promote personal gain through the inappropriate use of good/materials, confidential information or by abuse of their position.
- 4) Board Members and staff shall avoid any action that could adversely affect the confidence of the public in the integrity of the program.

2.b. Conflict of Interest Policy

- 1) A conflict of interest occurs when a Board Member or staff is in a situation where their personal involvement or private interest could lead to the disregard or appearance of disregard of the responsibility to discharge an official public duty in an objective and fair-handed manner.
- 2) Board Members and staff shall handle conflicts of interests related to their positions associated with Local FCRB as follows:
 - a) Board Members and staff shall not engage in any activity that might create a conflict of interest with their position as a member of or staff for the Local FCRB.
 - b) If a possible conflict of interest with the FCRB position arises for a Board Member, staff member or facilitator, the person is expected to report the conflict immediately to the Local Coordinator (supervisor if the Local Coordinator is the person with the conflict) and remove the conflict to the satisfaction of the Local Coordinator (supervisor if the Local Coordinator is the person with the conflict) or resign from the position.
 - c) If the Board Member, staff member or facilitator does not 1) report the conflict or 2) fails to remove the conflict or resign the position after reporting the conflict, the Local Coordinator shall report the conflict immediately to the supervisor for the area and Administrator for resolution. In this circumstance, the Administrator shall report the conflict and the manner in which it was handled to the State Board.

- d) If any local Board Member, staff member or facilitator fails to disclose a potential conflict of interest prior to becoming involved in a transaction or decision affected by the conflict, appropriate discipline or dismissal will be implemented.

2.c. Non-Discrimination Policy

- 1) The FCRB program will serve and respond to requests without bias because of race, religion, sexual orientation, gender, age, national origin or handicap.
 - 2) The Board Members and staff shall be trained in the operations of the court, child welfare systems, and in the dynamics of child abuse and neglect.
 - 3) The Board Members and staff must respect a child's inherent right to grow up with dignity in a safe environment that meets the child's best interest, first and foremost with a biological parent if the parent is able to provide a minimum sufficient level of care to the child.
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Section 3: Public Communication and Relations

Local Coordinators will maintain a proactive working relationship with judges, attorneys, DHS, service providers and other parties involved in cases, as well as maintain a positive community presence. Public support is a significant factor in maintaining program credibility and sustainability

3.a. Public Communication Strategy

Lead and Local Coordinators are responsible for conveying information about the FCRB program to the public in their assigned areas. They carry out an ongoing program of public information and education that promotes an understanding of the program's purpose, function and place in judicial proceedings and the child welfare system. The ongoing program includes the following features.

- 1) At least annually, the local Coordinator shall assess the FCRB's working relationship for the counties involved with local judges, county attorneys, children's lawyers and GALs, DHS and contracted service providers.
 - a) The assessment process shall include personal contact with each of these system partners.
 - b) Based on the assessment, local Coordinators shall develop a plan that builds upon the FCRB's successes in advocating for children and addresses any areas needing improvement.
- 2) Outreach to make known the FCRB program's role, functions and capacities to other agencies, community organizations, governmental bodies and corporations as appropriate. Local Coordinators shall perform public speaking engagements in accordance with the public communications strategy.
- 3) The FCRB program works closely with representatives from the legal and social services communities, other child advocacy programs, community service and civic groups as well as with businesses to accomplish its purposes and to foster interagency collaboration and coordination of services. Local Coordinators are encouraged to participate in child welfare collaborations within their communities.
- 4) When using social media for public communication, Board Members and staff shall comply with the written ICAB Social Media Policy. (Resource 1)

3.b. Crisis Management Strategy

ICAB and the FCRB program are committed to a preemptive, agency-wide approach to planning for crisis management:

- 1) All FCRB staff are directly supervised and guided by the ICAB Leadership Team. Staff members shall immediately report to the Program Administrator and Deputy Administrator concerns, questions and information which might have a significant impact on the program's credibility, reputation or funding. Crisis examples may include failure to

adhere to program policy resulting in harm to a child, or media providing negative information about the work of the program.

- 2) The Leadership Team members involved will assess situations with gathered facts, and inform as appropriate other key contacts (e.g. ICAB Chair; Department of Inspections and Appeals (DIA); Iowa Governor's Office; the court, other state agencies) about the developments involving the Iowa FCRB program and the potential significant negative impact on program goals or operations.
- 3) If a crisis arises at a state level which would affect a particular local program, the Administrator or Deputy Administrator shall inform the affected Local Coordinator(s) of the situation.
- 4) Legal and media issues will be directed toward the appropriate state-level personnel. Written responses will be prepared and released in a clear, concise manner with the guidance of DIA/Iowa Governor's Office.
- 5) The involved Leadership Team members shall address the crisis intervention needs of Board Members. Staff needs will be addressed on an individual basis, in consultation with the affected person(s). Intervention shall be initiated within 72 hours of the incident.

3.c. Stakeholder, Media and Legislative Contact Policy

- 1) Board Members and staff shall not comment on any case to the media or legislators and shall not discuss information about cases with the media or make arrangements for interviews of children or parents, regardless of their consent. The FCRB program does not exploit children and families to receive media attention.
- 2) If contacted by the media or a legislator regarding a case or the FCRB program, Board Members shall contact the Local Coordinator, and the Local Coordinator shall contact the supervisor to determine the plan for responding. Board Members may participate in providing the response if deemed appropriate through consultation between the supervisor and local Coordinator. If the Board Member is interviewed by the media or a legislator, the local Coordinator must be present to assist in clarifying any policy and practice points needed to ensure accurate understanding.
- 3) As a local board, any contact with state officials, stakeholders, legislators, members of Congress or their staff must be vetted by the local coordinator. Local coordinators will assess the situation, consult with administration, and work with the board to determine the best course of action. Any written communication from a local review board or local board member, in the member's capacity as a board member, to state officials or media shall be sent to the child advocacy board office and reviewed by the administrator prior to its release. (Iowa Administrative Rule 489, 3.1(3)).
- 4) The policy does not restrict a local board member's or employee's rights as a private citizen or constituent to contact state officials, legislators, members of Congress or their staff to express his or her personal views on an issue. Employees may not make personal legislative advocacy contacts on work time.

Section 4: Promoting Cultural Competence

ICAB is committed to ensuring an equitable and fair outcome for *all* children. Board Members and program staff strive to increase their understanding of cultural differences and to develop competence in working with children and families with cultural backgrounds different from their own. Board Members and staff strive to understand the impact of racial and ethnic differences that may contribute to the disproportionate representation of children and families of color in the child welfare system.

4.a. Cultural Competence and Cultural Humility

Using training resources and other learning opportunities provided by the Training Specialist and ICAB's Local Coordinators, all staff and Board Members are expected to develop:

- 1) A sense of cultural humility, that is, the ability to maintain an approach in interpersonal relationships that is open to the aspects of cultural identity that are most important to the children and families served by the FCRB program, and
- 2) Increased individual and team cultural competence, that is, a set of principles, behaviors and practices that, together, enable the FCRB program to work effectively in cross-cultural situations.

4.b. Community Partnerships

Staff shall identify and promote opportunities for Board Members to partner with child welfare providers and court representatives to increase cultural humility and cultural competence in a manner that helps identify and address the root causes of disproportionality in child welfare and justice systems.

Section 5: Board Member Retention and Training

5.a. Board Member Term

- 1) The term of a local Board Member's appointment shall not exceed three years. The Local Coordinator shall fix the tenure of individual appointments so that fewer than one-third of the membership's terms expire in a given year.
 - a) Prior Board Members or Facilitators, who left the program two or more years ago, must complete all on-boarding and pre-service training requirements prior to serving a three-year term on a local Board.
 - b) Board Members who take a leave of absence during a term may return within the three-year term without any additional screening; the coordinator can determine the need for refresher training.
 - c) Board Members who resign from a local Board but return within one year of leaving a local Board may return without any additional screening or pre-service training; a new three-year term begins.
- 2) ICAB recognizes the significance of having experienced Board Members on local boards. Board Members may be re-appointed for additional terms. There are no term limits.
 - a. Near the end of a three-year term, Board Members will participate in a [progress review](#) with the Local Coordinator.
 - b. If seeking reappointment, the Local Coordinator will submit a rationale statement to the state board with a copy of the completed progress review document for review.
 - c. If seeking reappointment, new background checks are completed with the Board Member. Refusal to sign and consent to background checks will not be accepted for a new term and the Board Member will be dismissed from the program.

5.b. Board Member Training Requirements

- 1) Prior to being sworn in, the prospective Board Member shall schedule and complete mandatory pre-service training with the Local Coordinator. This individualized training is typically provided locally at a time convenient for both the Local Coordinator and the prospective Board Member.
- 2) Continuing Education
 - a) A Board Member shall complete a minimum of six (6) hours of continuing education annually, prorated for the member's start date during the year. The training includes a required session on securing and maintaining confidential information.
 - b) The required annual amount of in-service training time is built into each Board's review schedule. Some of the training topics are selected by the ICAB Leadership

Team as required training topics to be provided on a cyclical schedule. This will include refresher training on such topics as safeguarding confidential hard copy and automated information and documents, Board review and reporting expectations, and frequently occurring child and family issues such as domestic violence, mental health and substance abuse. Most other topics are selected by the Local Coordinator to meet the specific learning needs of the Members of the FCRB.

5.c. Board Member Retention and Recognition

- 1) Local Coordinators shall establish an active plan for recognizing Board Members and rewarding good work.
- 2) Local Coordinators shall maintain a personal, yet professional relationship with the Board Members.
- 3) Local Coordinators will request Board Members to approve or deny permission to take and print Board Member photographs online and in ICAB publications. If ICAB seeks to use Board Member photographs for any other purpose, specific permission will be requested for that purpose.
- 4) The administrator shall develop a local Board Member evaluation process. The local Board Coordinator shall complete the evaluation process at least once for each local Board Member during the member's three-year term. The local Board Coordinator shall consider the results of the evaluation when determining whether to seek appointment of the local Board Member to a successive term. When submitting a written selection rationale statement to the child advocacy board for a local Board Member to serve a successive term, the local board coordinator shall include a **copy of the completed progress review document**.
- 5) A local Board Member may serve continuous successive terms when selected and approved in accordance with this rule.

5.d. Dismissal of a Board Member

- 1) Grounds for removal are:
 - a) Not completing six (6) hours of continuing education sessions annually.
 - b) Missing two consecutive board meetings or four board meetings in a year's period, without justifiable cause as determined by the Local Coordinator.
 - c) Releasing confidential information pursuant to Iowa Code sections 600.16, 217.30, 235A.15, 237.21, chapters 21 and 22 and other statutory provisions requiring confidentiality.
 - d) Any action or behavior that is inconsistent with the purpose and objectives of Iowa Code sections 237.15 to 237.22, the board, and these rules.
 - e) Refusal to sign/consent to background checks during each term of service.
- 2) The Local Coordinator will inform the Administrator if grounds for removal of a Board Member are evident.
- 3) If in agreement, the Administrator shall write a letter requesting the state board to take action with specific cause and nature of the cause for removal of local Board Members.

Copies of this request will be given to all state board members and the person in question at least 15 calendar days in advance of the state board meeting where a decision will be made.

- 4) The person in question may enter written or oral information to the state board 10 calendar days in advance for the state board's consideration.
 - 5) The state board shall make the final decision by an affirmative majority vote when a quorum is present, with no further appeal available. Written notice of the decision will be given to the local Board Member and will be reflected in the board minutes.
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Section 6: Safeguarding Staff and Volunteers

6.a. Weapons

- 1) No Department of Inspection and Appeals (DIA) employee shall carry or possess firearms or any other weapons while on duty. See the Violence Free Workplace Policy in the Department of Administrative Services Handbook.
- 2) Regardless of whether a volunteer Board Member possesses a non-professional concealed weapons permit, those volunteering for the FCRB program may not possess a weapon at any time while conducting any work within the scope of FCRB duties. This includes possession of firearms, electroshock weapons, knives, explosives and any chemical whose purpose is to cause harm to another person. Weapons may not be brought onto any property owned or leased by the Child Advocacy Board or brought to any property where an ICAB-sponsored event or training is taking place. Volunteers may not possess weapons on their person while conducting FCRB work.
- 3) Advocates with a Peace Officer or Professional Weapons Permit (i.e. law enforcement officials or members of the military) are encouraged to conduct FCRB-related business off work time.
- 4) **Concealed Weapons Signs:** “Some states that allow residents to carry a concealed weapon (CCW), with or without a required permit, have “opt out” laws that empower a private business to voluntarily create a “weapons free” zone by posting a “no concealed weapons allowed” sign on their premises. Iowa law does not empower a business to create a “weapons free” zone by posting a sign, nor does it explicitly forbid the posting of such signs at businesses or facilities where CCW is forbidden.” *Source: Compliance-Resource Bulletin, State-Iowa.*

6.b. Board Safety

The Child Advocacy Board promotes a culture of safety for facilitators and Board Members and encourages safe practices which include but are not limited to setting up meeting spaces so people can exit easily in potentially violent situations, holding meetings in facilities with secure entrance where available, restricting access to objects that may be used as weapons and having a fully charged mobile phone available during the meeting for emergencies.

Board safety training is provided to FCRB facilitators and volunteers through the pre-service training curriculum and ongoing in-service sessions. Board safety training can include skill building in risk assessment, risk reduction, and verbal de-escalation techniques.

- 1) In the event an incident occurs during a foster care review board meeting, the following steps shall be taken:
 - a) Facilitator uses verbal de-escalation techniques to reduce the risk.

- b) If a situation escalates, the individual shall be asked to leave.
 - c) If any party feels they or others are in imminent danger, the police shall be called.
 - d) The facilitator shall notify the local coordinator as soon as possible following the incident.
 - e) The incident shall be documented in the FCRB report.
- 2) In the event the local FCRB office is notified of the potential that an interested party may become verbally or physically aggressive at a review meeting and request police presence, the FCRB staff shall:
- a) Direct the individual who notified the office of the potential issue to make arrangements with law enforcement.
 - b) Notify the FCRB facilitator and Board Members of the potential risk so precautions can be taken.
 - c) Remind the FCRB facilitator to obtain the names of any law enforcement officials that are present during the review and document his/her presence in the FCRB report.
- 3) In the event the FCRB facilitator or a Board Member contacts the local coordinator or administrative assistant with concerns about the risk for a potentially escalated situation based on documentation in the case file, the administrative assistant shall:
- a) Contact the DHS case manager for more information.
 - b) Share the information with the local coordinator and consult about whether or not police presence is needed.
 - c) If the decision is made to request police presence, the administrative assistant shall contact the local law enforcement office to make arrangements per the local law enforcement protocol.
- 4) In the event an interested party presents at the review and is suspected to be under the influence of alcohol or illegal substances, the following steps shall be taken:
- a) The facilitator consults with the interested parties present to assess the individual's ability to participate in the review.
 - b) If it is determined the individual cannot reasonably participate in the review, then (s)he shall be offered the option of making a statement to the Board before leaving. The Board report shall include the individual's presence, statement if given and documentation that the individual was asked to leave due to suspicion of being under the influence of some substance.
 - c) If it is determined the individual can reasonably participate in the review, then the Board will follow the prior safety procedures if needed.
 - d) If during the review it is made known that the individual is indeed under the influence, the Board report shall reflect the information that was reported.
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Section 7: FCRB Review Process

7.a. Review Preparation

- 1) Board Members will receive a less-paper packet of case file information one month prior to the review day. Approximately 21 days prior to a review day, Board Members will also receive access to a shared Google Drive folder containing additional case file documentation. Board Members will use a gmail account with their own password to access the files. Board Members are expected to read the case file information to become familiar with the cases and be prepared to ask questions during the review process.
- 2) Each case is assigned a Lead Questioner. The Lead Questioner (LQ) is responsible for the following:
 - a) Preparing a case summary to share with the Board prior to the review. The Lead Questioner Form ([Regular Review](#), [TPR-Adoption](#), [APPLA](#)) provides a guide for documenting specific information from the case file and contains findings that the board is responsible for making in each case review; and
 - b) Leading the discussion questions during the review process.
- 3) Board Members need to keep track of time spent on reading files and preparing for the review day. This information is collected at each review day.
- 4) If a Board Member is not able to attend a review day, they must contact the local FCRB office AA or coordinator. Staff needs to ensure quorum for the day and the AA will reassign Lead Questioner responsibilities as needed.

7.b. Conduct of the Review

- 1) Purpose of the review. Iowa law requires each review to consider the following:
 - a) The past, current, and future status of the child and placement as shown through the case permanency plan and case progress reports submitted by the agency responsible for the placement of the child and other information the board may require.
 - b) The efforts of the agency responsible for the placement of the child to locate and provide services to the biological or adoptive parents of the child.
 - c) The efforts of the agency responsible for the placement of the child to facilitate the return of the child to the home or to find an alternative permanent placement other than foster care if reunion with the parent or previous custodian is not feasible. The agency shall report to the board all factors which either favor or mitigate against a decision or alternative with regard to these matters.
- 2) The review steps.
 - a) Facilitator will arrive at the board location to have room set up and signs placed prior to administrative time.
 - b) Facilitator will lead administrative time to see if the Board has any questions, concerns or possible conflicts of interest regarding the day's agenda.

- c) Facilitator will pass out necessary documents
- [Chair Meeting Summary](#)
 - [Chair Announcement to IPs](#)
 - [Hours/Miles Tracking Sheet](#)
- d) Previewing the first case of the day immediately follows with the LQ reading information to the Board Members from the LQ Form. The information is to familiarize the Board Members with the case particulars. The Board will review the Findings together prior to the start of each review. If any Findings are Unknown, the LQ will ask for information from the interested parties to ensure a Finding can be made by the conclusion of the review. The Worksheet information is to be largely completed by the LQ from information in the case file materials. As additional or corrected information comes from information/statements, the LQ updates the Worksheet. The Facilitator also distributes any late-arriving written information regarding the pending review, and alerts the Board Members to any recorded reports to be played during the review.
- e) Facilitator will go to the waiting area to greet the IPs, and lead them to the meeting room. If an interested party brings a support person outside of the nuclear family (relative, friend, significant other, etc.), the Facilitator will ask the Interested Parties if they are in agreement to the individual sitting in on the review.
- If there are no objections, the Facilitator will have the IPs sign the Release Form and have the individual sign a confidentiality agreement before the individual participates in the review. Confidentiality forms need to be signed by all persons 18 years or older who are not interested parties to the case and were not invited to the review by the local FCRB office.
 - If there are objections, the individual can provide a statement to the Board prior to the review discussion and after providing the statement, the individual needs to leave or remain in the waiting area until the conclusion of the review if they came with an IP.
- f) Facilitator will introduce interested parties by name and relationship to the child; introduce any foster parent by first name only if the placement is sequestered, per information from DHS reports or communications.
- g) Board chairperson will read statement regarding confidentiality and board experience [If all IPs have previously participated in a review, the Chairperson will still read the first paragraph but the rest of the statement is then optional]
- h) Board Chairperson will hand off review to the Lead Questioner (LQ) for the case.
- i) Lead Questioner will use the LQ Form to guide the review. Lead Questioner will ask the Facilitator if there is any recorded or written statements.. If parents or youth are present, the LQ should begin by asking them for updates or specific questions before asking other Interested Parties for information.

- j) At the conclusion of the review the Facilitator will provide a readback that includes:
- The child's entry date and reason for entry into foster care
 - The next court date
 - The next FCRB review date
 - The date of the CPP reviewed by the Board
 - A summary of the information presented during the review
 - Review Barriers to Permanency if discussed prior to the readback. If Barriers were not discussed prior to the readback, the Facilitator will instruct the Board Members and Interested Parties to look at the [Barriers Reference Sheet](#) and discuss which barriers relate to the case. The facilitator will document the barriers in the FCRB report.
 - The Facilitator will then ask for the Board's recommendations. Unknown or "No"-answered Findings and identified Barriers are key indicators for case specific recommendations by the Board.
 - If it appears to the Facilitator or any Board Member that private discussion before completing the Findings and Recommendations would be helpful, the Facilitator may ask if the Board wants five minutes for private discussion before making its findings and recommendations:
 - If yes, the Facilitator will escort the Interested Parties to the waiting area. Keep the break to the five minute limit.
 - Write the Findings and Recommendations.
 - Facilitator will bring Interested Parties back to the meeting room and read the Findings and Recommendations.
 - Facilitator will guide Interested Parties to the door, and hand out Comment Cards for completion in the waiting area.
 - Facilitator will thank Interested Parties for their participation.
 - If a five minute break is not needed, the Facilitator will continue. If the FCRB had made recommendations in the previous review of this child/sibling group, the Facilitator will read back each Prior Recommendation and ask the FCRB if it should be marked "Achieved," "Not Achieved," "Ongoing," or "No longer applicable."
- k) Prior to starting the next review on the agenda, the LQ will summarize the case including a discussion about the [Findings](#). The Facilitator will see if there are any questions or concerns. Repeat the above process for next reviews.
- l) At the conclusion of the review day the Facilitator will ensure that Comment Cards are collected from participants, that Board Members submit time (preparation, board day and travel time) spent and mileage for the Board day and confirm Lead Questioner assignments for the next meeting.
- m) Facilitator will go over Comment Cards received during the day's review.

- n) Per the agenda, the Facilitator will deliver the training topic.
- 3) Dealing with threats, violence or safety concerns.
- a) Sometimes written reports or other information supplied by DHS or other sources indicates that a person or persons invited to participate in a child's review has a past history of violence. In such instances, it is prudent for the Local Coordinator to consult with the Facilitator and the Chairperson to determine whether to alert local law enforcement of the time and location of the review, for quick intervention if needed.
 - b) Occasionally a review situation may produce an overt or perceived threat to the welfare of persons involved in the review setting. Threatening or violent behavior is not to be tolerated. The Facilitator is to inform the person of the need to demonstrate control of their behaviors; if that is not workable, the person can be dismissed from the review, or the review cancelled altogether.
 - c) Safety is a primary concern for all participants, and prudent action by the Facilitator and Board Members is expected. Devising a safety plan in advance (eg, arrangement of the room to allow unobstructed exit, available cell phone for dialing 911) is advised.
- 4) Board Members and Facilitators will handle conflicts of interest related to their participation in case reviews by a local board as follows:
- a) If a Facilitator has a conflict of interest regarding a child or family, they will contact the Local Coordinator to arrange for the review to be conducted by staff or another contract facilitator.
 - The Coordinator will notify the AA of any facilitator changes.
 - The AA will amend facilitators' invoices to reflect any necessary changes.
 - The AA will ensure that the substitute facilitator has case file documentation for any case they will facilitate.
 - The Facilitator with the conflict will leave the meeting room for the duration of the review, and will not participate in any portion of information sharing, deliberation or Board Report findings or recommendations.
 - b) If a Board Member has a conflict of interest regarding a child or family, they will notify the AA and Local Coordinator of the need to be recused from the identified review.
 - The AA will ensure a quorum for the review.
 - The AA will reassign lead questioner responsibility if needed.
 - The AA will notify the Facilitator.
 - The Board Member with the conflict will leave the meeting room for the duration of the review, and will not participate in any portion of information sharing, deliberation or Board Report findings or recommendations.
- 5) Dealing with Interested Party requests to tape record a foster care review board meeting
- a. Due to the need to maintain the confidentiality of the information shared during a foster care review board meeting, ICAB does not allow any participant to record

the meeting with the exception of the FCRB facilitator who may record his/her read back of the information that will be in the foster care review board report.

- i. If a Facilitator chooses to record his/her read back, (s)he must disclose to the interested parties that the read back is being recorded to assist in writing the board report.
 - ii. Any recordings of read backs must be erased when reports are distributed at 15 calendar days post-review.
- 6) Handling a case when no Interested Parties participate or provide written or recorded statements.
- a. Foster care review board reports will be submitted for scheduled reviews where there is no interested party attendance or written/recorded information.
 - b. The Facilitator will document lack of attendance and/or participation and include recommendations by the Board based on what information was available in the file.
 - c. Facilitators are paid for the report.
 - d. AA will reschedule the review.

7.c. Case File Management

- 1) Facilitators and Board Members will access all case file documents from a secure shared digital platform provided by the local Administrative Assistant. All boards will use a paperless process for case file management.
- 2) As new information is available for the reviews, the documents will be uploaded and available for review.
- 3) Board Members will maintain their case notes and protect the confidentiality of the notes.

7.d. FCRB Hearing Cancellation

- 1) Cancellation of individual reviews.
 - a) When a child/group scheduled for review returns home or is adopted prior to the review day, the AA will remove the child/group from the agenda and revise the agenda accordingly. The revised agenda will be sent to appropriate DHS staff and Facilitator and Board Members.
 - b) If the child goes home within 2-3 calendar days of the scheduled review, then the AA will enter "training" into the vacant slot instead of changing other review times due to short notice.
- 2) Cancellation of FCRB meetings, due to inclement weather.
 - a) For weather-related issues, the Local Coordinator will consult with the Facilitator and Chairperson to make a determination about delaying or canceling an FCRB meeting day.
 - b) If a change is determined to be necessary, the Local Coordinator will inform the AA who will immediately notify the Board Members and IPs about the delay/cancellation.
 - c) The Local Coordinator/AA will also notify the meeting facility about the cancellation.

- 3) Cancellation of FCRB meetings due to meeting facility issues.
 - a) If the facility used for the FCRB meeting is closed on the day of the meeting with little notice, the Facilitator will consult with the Local Coordinator to determine whether another convenient, alternate facility is available. If no facility is available, the Facilitator will notify the Board Chairperson relaying that the FCRB meeting will be cancelled.
 - b) Local Coordinator will inform the AA who will immediately notify the other Board Members and the IPs about the cancellation.
- 4) Rescheduling a cancelled FCRB meeting.
 - a) When a meeting day is cancelled, the Local Coordinator will determine a new date for the reviews to be held after checking with the Board Members, meeting location and Facilitator about availability. The Local Coordinator will notify the AA of the new date.
 - b) AA will revise the agenda and send it to the agenda recipients and Board Members, and will send new notifications to IPs.

7.e. Foster Care Review Board Leadership

- 1) Annually (generally during December/January) every FCRB will hold an election for the positions of Chairperson and Vice Chairperson. The Facilitator will guide the process.
- 2) At the end of a Board Member's term, the Board Member will participate in a progress review of their service to the FCRB.
- 3) It is important for the Facilitator to meet the needs of the Board Members and to complete the requirements in the contract with ICAB. To assist with this process, evaluations will be completed at least annually, and more often as desired by ICAB. The forms used to help compile information are the Board Member Assessment of Facilitator Services and the Staff Assessment of Facilitator Services. Results will be shared with the Facilitator by the Local Coordinator. This is intended to help maximize performance and satisfaction with the services under contract.

Section 8: Records

8.a. Case Record Management

- 1) The FCRB program utilizes a Foster Care Review Board DataBase (FCRBDB) to maintain complete, accurate and current records for each case reviewed. Case data is entered into the FCRBDB system.
- 2) Board Members may take handwritten notes from electronic records they review for use in review meetings. At the conclusion of the hearing, the Board Members will **keep their notes and secure them to protect confidentiality. Follow the “Use of Technology” policy in 8.d.**
- 3) An ICAB staff member, contractual Facilitator or Board Member who is authorized to have paper copies of records or handwritten notes of records in their possession shall make concerted efforts to store those records when not in use in a locked container within a locked area where the records are not accessible to others.
- 4) FCRB case records are stored in electronic form **until the child turns 23** for purposes of program and systemic analysis.
- 5) When a Board Member discontinues a term on the Board, the Local Coordinator shall make timely arrangements to retrieve **all confidential documents or obtain verification that all confidential information has been properly destroyed.**

8.b. Confidentiality of FCRB Records and Data

- 1) All program staff and Board Members must respect the child’s right to privacy by maintaining the confidentiality of each case record. All data, records and documents collected or created by ICAB or the FCRB are confidential and may be released only in compliance with federal and state laws, regulations and rules. In addition, confidentiality shall be maintained in accordance with the requirements of the Memorandum of Understanding (MOU) between ICAB (as an attached unit of the DIA) and the DHS.
- 2) Board Members shall sign and take an Oath of Confidentiality to commit to maintaining confidentiality of FCRB data and records in accordance with all provisions of this manual.
- 3) Iowa Code Chapter 237 establishes the FCRB program and the requirements under which it operates.
 - a) Sub-Sections 2a and 4a establish specific requirements for distribution of FCRB reports, as follows
 2. a. Submit to the appropriate court within fifteen days after the review under subsection 1, the findings and recommendations of the review. The local board shall ensure that the most recent report is available for a court hearing. The report to the court shall include information regarding the case permanency plan and the progress in attaining the permanency goals. The report shall not include issues that do not pertain to the case permanency plan. The findings and recommendations shall include the proposed date of the next review by the local

board. The local board shall notify the persons specified in subsection 4 of the findings and recommendations.

4. a. Notify the following persons at least ten days before the review of a case of a child receiving foster care:

- (1) The person, court, or agency responsible for the child.
- (2) The parent or parents of the child unless termination of parental rights has occurred pursuant to section 232.117.
- (3) The foster care provider of the child.
- (4) The child receiving foster care if the child is fourteen years of age or older. The child shall be informed of the review's purpose and procedure, and of the right to have a guardian ad litem present.
- (5) The guardian ad litem of the foster child. An attorney appointed as guardian ad litem shall be eligible for compensation under section 232.141, subsection 2.
- (6) The department.
- (7) The county attorney.
- (8) The person providing services to the child.
- (9) The child's attorney.

b) Iowa Code Section 237.21 sets forth specific confidentiality requirements for FCRB records:

237.21 CONFIDENTIALITY OF RECORDS -- PENALTY.

1. The information and records of or provided to a local board, state board, or court appointed special advocate regarding a child receiving foster care and the child's family when relating to the foster care placement are not public records pursuant to chapter 22. The state board and local boards, with respect to hearings involving specific children receiving foster care and the child's family, are not subject to chapter 21.

2. Information and records relating to a child receiving foster care and to the child's family shall be provided to a local board or the state board by the department or child-care agency receiving purchase-of-service funds from the department upon request by either board. A court having jurisdiction of a child receiving foster care shall release the information and records the court deems necessary to determine the needs of the child, if the information and records are not obtainable elsewhere, to a local board or the state board upon request by either board. If confidential information and records are distributed to individual Members in advance of a meeting of the state board or a local board, the information and records shall be clearly identified as confidential and the Members shall take appropriate steps to prevent unauthorized disclosure.

3. Members of the state board and local boards, court appointed special advocates, and the employees of the department and the department of inspections and appeals are subject to standards of confidentiality pursuant to sections 217.30, 228.6, subsection 1, sections 235A.15, 600.16, and 600.16A.

Members of the state and local boards, court appointed special advocates, and employees of the department and the department of inspections and appeals who disclose information or records of the board or department, other than as provided in subsection 2, are guilty of a simple misdemeanor.

- 4) The MOU between DIA (ICAB) and DHS requires that DIA (ICAB) will assure the Confidentiality of the Child Advocacy Board and the FCRB, as follows
- a) Child Advocacy Board and FCRB personnel and volunteers who disclose information or records of the Child Advocacy Board, FCRB, or DHS other than as provided in Iowa Code subsection 237.20(2), may be guilty of a serious misdemeanor.

Protected information includes:

- The names and addresses of applicants and recipients and types of services and amounts of assistance provided (unless excepted under Iowa Code 217.30(4));
 - Information related to the social and economic conditions or circumstances of a particular individual including wage information (see Iowa Code Section 217.30) obtained from the agency administering the state unemployment compensation laws or from the Social Security Administration;
 - Agency evaluation of information about a particular individual;
 - Medical or psychiatric data, including diagnosis and past history of disease or disability, concerning a particular individual; and
 - Child abuse information as defined in Iowa Code Section 235.13.
- b) In the event of the issuance of a subpoena for DHS records or for a Child Advocacy Board or FCRB representative to testify regarding the client, the Child Advocacy Board or FCRB will call the Court's attention through the Attorney General to the federal and state law provisions against release of information.
- c) The same policies and procedures will be applied for requests from government bodies, the courts, or a law enforcement official as with any other outside source.
- d) Procedures for safeguarding information apply to computer system data as well as hard copy of foster care administrative review files.
- e) In accordance with Iowa Code Section 217.30, Child Advocacy Board and FCRB personnel have no independent authority to release confidential data other than as required by Iowa Code.
- 5) Subpoenas. A subpoena is a writ, generally issued by a court, to compel testimony or evidence. The case records and information made available to Board Members, Facilitators, and staff is privileged and confidential per Iowa code. In the event that a subpoena is issued with regard to the FCRB program:
- a) Immediately bring the subpoena to the attention of the ICAB Administrator or Deputy Administrator, and provide a copy.
- b) Do not respond to, contact or discuss the matter with the issuing/serving party without further guidance.

- c) The ICAB program has legal counsel available to provide guidance to Board Members, Local Coordinators and administration throughout the subpoena process. A motion to quash (make null and void) the subpoena will likely be filed on behalf of FCRB. Should other steps be required, specific guidance will be provided.

8.c. Board Member Records

- 1) The FCRB program maintains a record for each Board Member that may be reviewed by the Board Member with the exception of confidential reference documentation and record checks. The Board Member record contains, at minimum:
 - a) Application with emergency contact information and employment history
 - b) Confidential reference documentation.
 - c) Training records (pre-service and continuing education).
 - d) Documentation of personal interview.
 - e) Copy of the FCRB Confidentiality Oath
 - f) Signed Board Member Letter of Policy & Procedures Acknowledgement
 - g) Resignation or dismissal documentation
 - h) Exit Survey
- 2) Each Board Member shall have name and contact information and other required information entered in CAB's data system. This information can be updated by staff as needed by using the Volunteer Management functions of the data system.
- 3) Closing a Board Member Record
 - a) Written documentation of resignation or voluntary or involuntary dismissal of a Board Member will be kept in the Board Member's record.
 - b) An exit survey shall be completed by the Board Member and maintained in the Board Member's record.
- 4) Board Member records shall be maintained indefinitely in CAB's data system following the Board Member's completion of service.

8.d. Use of Technology

Staff and Board Members shall complete the annual Security Awareness Training curriculum. Reasonable precautions must be taken to guard confidential issues in regard to the use of technology such as email, electronic and social media sites, computers, and cell phones.

- 1) Staff and Board Members shall install passwords on any device they use for FCRB business and on any files containing information related to FCRB business. Passwords shall not be provided to or shared with any other person.
- 2) Board Members will annually complete Security Awareness in-service training as provided by staff.
- 3) Local coordinators shall document completion of the Security Awareness training in CAB's data system for each Board Member.
- 4) Local coordinator shall ensure all Board Members complete the annual Security Awareness in-service training module.

8.e. Statistical Data

ICAB staff shall maintain complete case and volunteer data for program reporting requirements.

Section 9: Liability protection for volunteers

9.a. State Liability

1. Iowa Code 232.13, for purposes of chapter 669, the following persons shall be considered state employees:
 - a. A child given a work assignment of value to the state or the public or a community work assignment under this chapter.
 - b. A court appointed special advocate and the members of the child advocacy board created in section 237.16 or a local citizen foster care review board created in accordance with section 237.19.
2. The state of Iowa is exclusively liable for and shall pay any compensation becoming due a person under section 85.59.

9.b. State Tort Claims

1. [Iowa Code 669 State Tort Claims](#)
2. Iowa Code excerpts,

669.24 STATE VOLUNTEERS.

A person who performs services for the state government or any agency or subdivision of state government and who does not receive compensation is not personally liable for a claim based upon an act or omission of the person performed in the discharge of the person's duties, except for acts or omissions which involve intentional misconduct or knowing violation of the law, or for a transaction from which the person derives an improper personal benefit. For purposes of this section, "*compensation*" does not include payments to reimburse a person for expenses.

669.25 LIABILITY.

A person who performs services for a fair, as defined in section 174.1, and is not a full-time employee of the fair is not personally liable for a claim based upon an act or omission of the person performed in the discharge of the person's duties, except for acts or omissions which involve intentional misconduct or knowing violation of the law, or for a transaction from which the person derives an improper personal benefit.