

9560.0606 AGENCY REVIEW.

Subpart 1. **Change in placement.** The local agency must not change a child's placement unless it determines that another placement is in the best interest of the child. For Indian children, best interests must be determined in accordance with placement preferences in the Indian Child Welfare Act. If the local agency changes the placement, it must notify the child's parent or guardian and document the reasons for the change. If placement with a specific foster care provider was ordered by the court, the local agency must obtain the court's permission before changing that placement, except in emergencies. In emergency changes of court-ordered placement, the agency must, as soon as possible, notify the court of the change and bring the matter before the court for its approval of the change.

Subp. 2. **Administrative review.** All cases must be reviewed by an administrative panel at least once every six months. The review must be open to the parent or guardian, the child, and the foster care provider. The review must determine:

- A. whether the placement remains necessary and appropriate;
- B. the extent of compliance with the placement plan;
- C. the extent of progress which has been made toward mitigating the causes for placement in foster care; and
- D. the date by which the child may be returned to the home or a permanent placement may be made.

As an alternative, the local agency may bring a petition for review of a voluntary placement pursuant to Minnesota Statutes, section 260B.141 or 260C.141. A dispositional hearing may substitute for the administrative review as long as administrative review requirements are met, but an administrative review cannot substitute for a dispositional hearing.

Statutory Authority: *MS s 257.071; 257.072; 260C.212; 260C.215*

History: *20 SR 2778; L 1999 c 139 art 4 s 2*

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