

# Moving a Child from a Resource Home Notice (RFA/LFH/Relative/NREFM/FFA)

(Revised 09/13/19)

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## Forms

The following forms are referenced in this file:

- 10-41 Notice of Change of Placement or Intended Removal
- 10-62 Request for Grievance Review

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## Background

Assembly Bill (AB) 2247 added Welfare and Institutions Code (WIC) Section 1601.07, mandating that written notice be provided to all caregivers such as Relative/NREFM, LFH, FFA, and approved Resource Families at least 14 days prior to a change of placement or an intended removal, unless certain exemptions exist. (See Change of Placement Requirements COP When Notice is Given to Move a Child/Youth)

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## Policy

The SW must give the resource parent at least 14 calendar days advanced written notice of a Change of Placement (COP) or of the intent to remove a child. The resource parent has the right to request a grievance review hearing if they disagree with the decision.

The “intent” to remove a child exists at the point in which the SW decides to remove the child. A COP occurs after a determination is made that the Placement Preservation Strategy was not successful in preserving the placement.

In the case of an ICWA case, the SW and tribe would be involved in discussions surrounding the intent to move a child.

**IMPORTANT:** The physical removal of a child from a relative to a non-relative home or residential facility is a change in the placement level and requires a 387 petition.

**NOTE:** The SW will ensure the safety and well-being of a child and take appropriate action as necessary regardless of specified timelines to keep the child safe.

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**Resource Home  
Notice Procedure**

The SW will follow these steps to notice the resource parent/home of the COP or intent to remove a child:

Step	When	Action
1	at least 14 calendar days prior to COP or of intended removal	<ul style="list-style-type: none"> <li>• Provide notice to the SCP on the 10-41</li> <li>• Inform the SCP of their right to a grievance review hearing and provide a Request for Grievance Review (10-62), if not in agreement</li> <li>• Explain the grievance review process</li> </ul> <p><b>NOTE:</b> The grievance review process is explained on the 10-62 form.</p>
2	14-day notice period has expired, and the SCP has not requested a grievance review hearing	<ul style="list-style-type: none"> <li>• Move the child</li> <li>• Notify the Court and attorneys of the move</li> </ul>
3	SCP files a grievance  <b>NOTE:</b> A child cannot be removed until the grievance review is completed unless exception criteria is met.	<ul style="list-style-type: none"> <li>• Advise the PSS and CWS Manager</li> <li>• Implement the decision rendered by the appointed hearing officer</li> </ul>

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**Exception Criteria**

Advance notice is not required in the following circumstances:

- The SW has concerns about the placement, and the PSS and CWS Manager have reviewed the case prior to removal and given approval to change the placement
- There is imminent risk to the health and safety of the child
- The child is over the age of 10 and their Child and Family Team (CFT) waive the placement notice  
The child is under 10 and their attorney and their CFT waive the placement notice
- The resource parent has signed a waiver, waiving the 14-day advanced notice
- The Court, on its own initiative, has ordered the child's removal
- An application for a resource home approval or certification request has been denied or revoked.
- The child was placed voluntarily and the parent has requested the child be removed
- The child is being returned to parental care.
- The removal of the child, or notification of services, is the result of an administrative review panel.
- The removal is for direct placement into a prospective adoptive home or potential permanent home
- Prior COP agreement by all parties (e.g. emergency placement pending with a relative/NREFM)

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**Alignment with SET Values**

This policy aligns with SET [Value 2](#) and the guiding principle to seek and create opportunities for biological families, kinship, and resource families to communicate and work together for the child/ youth's best interests and the agency practice to utilize shared decision making with child/youth voice and well-being at the forefront.

It also supports [Value 3](#) and the guiding principle to identify living situations that support children and their relationships as quickly as possible, as well as the agency practice to identify ways to mitigate trauma to children/youth by using a trauma-informed perspective.

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