**Section 315.300 Evaluating Whether Children in Placement Should Be Returned Home**

a) When deciding whether to recommend to a court that children in placement should be returned home to their parents' care, the Department or purchase of service agency shall consider whether the parents have made reasonable progress in correcting the conditions that led to the removal of their children from the home. Reasonable progress on the part of the parents may include some or all of the following:

1) they have learned and demonstrated their ability to assure the health, safety and development of the child;

2) increased capacity to parent and to assure the child's health and safety as demonstrated by successful parent-child visits, appropriate involvement in more parental responsibilities (e.g., doctor's appointments, parent-teacher conferences, group therapy, involvement in recreational activities, better financial management, etc.);

3) an ability to care for themselves so that they can meet the needs of the child;

4) an improvement in parental choices, decisions and relationships that lead to a safer and healthier environment for their children;

5) their participation in the recommended services and demonstration of change, such as improved parenting, participation in counseling sessions;

6) their acceptance of responsibility for maltreatment of the child and show of empathy for the impact of the effects of the maltreatment on the child;

7) they have learned to ask for and accept help;

8) a better understanding of themselves resulting in an ability to identify warning signs and ask for help;

9) the presence of an ongoing support network consisting of other family members, neighborhood or community, church, etc.;

10) demonstration of a willingness to develop a service plan that contains a plan for maintaining the safety of the child at home and an understanding of the merits of the plan.

b) The Department or purchase of service agency shall consider the following as examples of a lack of reasonable progress on the part of the parents to correct the conditions that led to the removal of their children from the home and as good reasons to consider alternatives to return home:

1) parent has an ongoing pattern as a perpetrator of domestic violence and refuses to participate actively in treatment services or initiates new relationships in which there is violence; and/or

2) parent continues to reside with someone dangerous to the child and refuses to separate after having been advised of the dangers; and/or

3) parent has an ongoing pattern as a victim of domestic violence and refuses to separate from the batterer or initiates new relationships in which there is violence and refuses to separate; and/or

4) parent fails to remedy, with the assistance of the Department or purchase of service agency and other community resources, housing or housekeeping standards that are a threat to health or safety or to seek suggested economic resources when lack of resources is a major barrier; and/or

5) parent continually misses visits with children, continually coming late for visits, or while visiting appears uninterested or is openly rejecting of the child or abusive or continually upsets children during visitation by verbal abuse, eliciting guilt, or by making unrealistic promises; and/or

6) parent who is restricted in ability to parent due to developmental disability has failed to make efforts or is unable to demonstrate skills necessary to ensure the health and safety of the child; and/or

7) parent's lifestyle continues to center around drugs/alcohol and addiction prevents him/her from parenting; and/or

8) mother gives birth to a second or subsequent substance exposed infant; and/or

9) parent has other children who have been in foster care for 12 months or more, attempts to reunite them have been unsuccessful and conditions have not changed substantially; and/or

10) parent continually misses appointments, cancels appointments with Department staff or purchase of service agency staff or staff of other service or treatment providers, or fails to be involved in the treatment; and/or

11) parent otherwise fails to fulfill the tasks outlined in the service plan or cooperate with the provisions of the service plan or meet conditions established by the court that would, if the parent cooperated, correct the conditions that threatened the health, safety, and well-being of the children.

c) The Department or purchase of service agency shall not recommend returning children home if parental concern for the child is shown only by examples that include but are not limited to:

1) occasional, sporadic visits and contacts;

2) elaborate or expensive gifts on holidays or birthdays; or

3) statements of concern for the children that are not supported by actions consistent with their health, safety and well-being or by preparations for their return home.