

# Additional Notes: Consideration of RCNO in Individualized Assessment of the Child/Youth's Needs

We recognize that this can sometimes pose a difficult practice issue for workers, especially if an older youth makes a request related to RCNO. If the State doesn't have the age to consent law or policy, the agency must go through the full individualized assessment process and determine whether consideration of RCNO is in the youth's best interest. The youth's request cannot be determinative in such a circumstance as it can when a youth lives in a State where there is an age to consent to adoption law or policy.

Agencies can experience problems if they consider the RCNO of a very young child based on the stated preference of the child for placement with a family of a particular RCNO.

MEPA and Title VI do not require agencies to seek or use outside professionals to conduct individualized assessments; however, securing a professional consultation from an independent psychologist, psychiatrist or social worker may provide further insight into whether the agency should consider RCNO when making a child/youth's placement decision.

In most cases, a child/youth's best interests can be served without consideration of RCNO. Consequently, it would be rare that an individualized assessment would reveal that the agency needs to consider RCNO.

How do you conduct an individualized assessment? In most cases, it will be the regular process of talking to the child or youth to figure out what needs the child/youth has. When it becomes apparent that RCNO may need to be considered as part of the placement decision, the agency needs to proceed cautiously.

An outside consultation can serve two purposes: It can help the agency ascertain whether RCNO really is necessary to consider in order to advance the child/youth's best interests, and it can help explain the agency's actions and decisions.

If an individualized assessment reveals that it is necessary to consider RCNO in order to advance the best interests of a particular child/youth, the agency may do so, but only to the extent necessary to advance the best interests of the child/youth.



In applying this standard, consideration of RCNO should not predominate, unless the individualized assessment reveals that such consideration of RCNO is necessary to advance the child/youth's best interests. The agency also would examine any other factors it deems relevant (e.g., age, membership in a sibling group, health, education, cognitive, or psychological needs, etc. ). The agency has the flexibility to determine how to weigh the factors.

**Here is the bottom line:** If the individualized assessment reveals the need to consider RCNO, that just gets RCNO on the table along with everything else it is going to consider. It does not mean that all of the other factors take a back seat to RCNO or can be ignored. For example, it could be that RCNO is one thing to consider, but the child/youth's therapeutic needs have to predominate. Or, it could be that the RCNO needs must predominate. Either way, the agency should make sure it documents the way it balances any competing factors that it needs to consider.

