START\_STATUTE8-822.  Removal of child from home; rules and policies; approval; definition

A.  The department shall adopt rules and establish clear policies and procedures, where appropriate, to:

1.  Determine the circumstances under which it is appropriate to remove a child from the custody of the child's parents, guardian or custodian.

2.  Ensure the immediate notification of the child's parents, guardian or custodian regarding the removal of the child from home, school or child care and the timely interview of the child and the child's parent, guardian or custodian.

B.  The department shall apply its rules, policies and safety assessment model prescribed in section 8‑456 uniformly across this state.

C.  Except as provided in subsection D of this section, the department may not remove a child from the custody of the child's parents, guardian or custodian unless both of the following occur before the removal:

1.  The child safety worker who is recommending the removal submits the reasons for removal and supporting information to the worker's supervisor.

2.  The worker's supervisor reviews the reasons and supporting information and approves the removal.

D.  If an emergency exists affecting the health or safety of a child, a child safety worker may remove the child before notifying the worker's supervisor.  The child safety worker shall submit the reasons for removal and supporting information to the worker's supervisor for the supervisor's review and approval within two hours after the removal of the child or, if the removal occurs after regular working hours, by 8:30 a.m. the next day.

E.  For the purposes of this section, "supervisor" includes the permanent supervisor of a child safety worker and a temporary supervisor assigned to the child safety worker in the absence of the permanent supervisor. END\_STATUTE