



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**
Division of Social Services

ROY COOPER • Governor
MANDY COHEN, MD, MPH • Secretary
WAYNE E. BLACK • Director

September 6, 2018

DEAR COUNTY DIRECTORS OF SOCIAL SERVICES and DIRECTORS OF PRIVATE CHILD PLACING AGENCIES

ATTENTION: Directors, Program Managers and Child Welfare Professionals

SUBJECT: Social Media and Confidentiality

REQUIRED ACTION: Information Only Time Sensitive (MMDDYYYY) Immediate

As the use of social media continues to gain popularity, the Division of Social Services Child Welfare Section is taking this opportunity to address the critical issue of the privacy of children receiving foster care services and social media.

Federal law 42 USC 5106a(b)(2)(B), North Carolina General Statutes § 7B-2901 and NCGS 108A-80 address maintaining the confidential information of children receiving foster care services. Further, North Carolina Administrative Code 10A NCAC 69, 10A NCAC 70E and 10A NCAC 70F specifically address a child's right to confidentiality and requirements for maintaining confidential information.

As partners in providing Child Welfare services, every public and private agency authorized to provide foster care services has a lawful obligation to protect the confidential information of a child placed in their care. Every agency should include specific guidelines regarding the use of social media in their confidentiality policy. It is critical that foster parents are provided with the requirements of confidentiality law and Administrative Code, as well as the agency's confidentiality policy with specific attention to the use of social media.

The use of social media has become an important part of everyday life as a medium where memories and important milestones are shared and celebrated. Social media can help maintain and reestablish connections that may have otherwise been lost. Foster parents should use discretion whenever they use social media, particularly if a child receiving foster care services is included in a family photo or video. If a foster parent posts a photograph or a video containing the image of a foster child, it is imperative that the image is not accompanied by any identifying information or information that indicates that the child is receiving foster care services. Posting a child's image on social media coupled with identifying information is a violation of confidentiality.

Additional information on foster parenting and use of social media can be found in the attached flyer, distributed by the Children's Bureau. This resource also provides information on how foster parents can help youth in their care use social media safely and appropriately.

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF SOCIAL SERVICES • CHILD WELFARE SERVICES

LOCATION: 820 S. Boylan Avenue, McBryde Building, Raleigh, NC 27603
MAILING ADDRESS: 2406 Mail Service Center, Raleigh, NC 27699-2406
www.ncdhhs.gov • TEL: 919-527-6340 • FAX: 919-715-6714

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

Thank you for your attention to this important issue and for acting to protect the privacy of the children and families that we serve.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa Cauley". The signature is fluid and cursive, with the first name "Lisa" and last name "Cauley" clearly distinguishable.

Lisa Cauley, Deputy Director for Child Welfare Services

Cc: Michael Becketts, Assistant Secretary for Human Services
Wayne Black, Division Director of Social Services
Lisa Cauley, Deputy Director for Child Welfare Services
Kristin O'Connor
CWS Section Team Leaders

Attachments: Flyer - Social Media: Tips for Foster Parents and Caregivers

CWS-37-2018