

POLICY III-B: NOTIFICATION OF RELATIVES AND FICTIVE KIN WHEN A CHILD IS TAKEN INTO CUSTODY BY THE DIVISION

098/201314

According to state and Federal law, (Act 1311 of 2009 and section 471(a)(31) of the Fostering Connections to Success and Increasing Adoptions Act of 2008), the Division shall exercise due diligence to identify and provide notice to all adult grandparents and other adults who are related to the child transferred to the custody of the Division within the third degree of kinship by virtue of blood, adoption, or marriage. Additionally, the Division will provide notice to any other adult relatives suggested by the parents of the child. Per A.C.A. § 9-28-107, the Division may provide notice of a child transferred to the custody of the Division to fictive kin which are persons who have a strong, positive emotional tie to the child and have a positive role in the child's life but are not related by blood, adoption, or marriage. The Division will, on a continuing basis, seek out for the purpose of identifying potential opportunities for permanency, persons with whom the child has meaningful relationships. The Division will document its attempts to provide notice in court reports.

PROCEDURE III-B1: Notice to Relatives and Fictive Kin

089/201314

Notices

- A. The Family Service Worker *will* provide notice using CFS-323-A: Notice to Adult Relatives by Blood, Adoption, or Marriage that a Child Has Been Taken into DCFS Custody to all adult relatives by blood, adoption, or marriage within the third degree of kinship, as well as any other adult relatives suggested by the parents of the child.
 - 1) The Division *should* provide notice using CFS-323-B: Notice to Fictive Kin that a Child Has Been Taken into DCFS Custody to any adults identified as having a positive, meaningful relationship with the child and/or could offer needed services and supports to the child and/or his or her family.
- B. The notice shall be provided within 30 days after the child is transferred to the custody of the Division. Notices shall be sent to additional persons of interest who are identified at any point in time during the child's stay in foster care until permanency is achieved.
 - ~~1) The notice (i.e., CFS-323-A or CFS-323-B as appropriate) shall include:~~
 - ~~a) A statement that the child has been or is being removed from the parent~~
 - ~~b) A statement informing the relative or fictive kin of his or her option to participate in the care of, placement with, and visitation with the child, including any options that may be lost by failing to respond to the notice~~
 - ~~c) The requirements to become a provisional foster home and the additional services and supports that are available for children in a foster home~~
 - ~~d) If Kinship Guardianship is available, how the relative could enter into a Kinship Guardianship arrangement.~~
 - ~~2) 1) The notice need not be sent to any adult relative or fictive kin who has:~~
 - a) A pending charge or past conviction or plea of guilty or nolo contendere for family or domestic violence.
 - ~~b) A true finding of child maltreatment in the Child Maltreatment Central Registry.~~

It is not mandatory that this notice be sent. However, if it is determined that the relative may have a meaningful relationship with the child and the charge, conviction or true finding is such that the relative is not considered to pose a threat to the child, the notice may be sent.
- C. In the Document Tracking Screen in CHRIS, select the CFS-323-A or CFS-323-B, as appropriate, and enter the following information:
 - 1) Date Sent
 - 2) Description text field
 - 3) Comments text field

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- 4) Document Issue on Behalf of Client – select the client
- 5) Document Issued to Recipients – select relative client
- D. The Family Service Worker shall contact by phone any individual to whom CFS-323-A or CFS-323-B was sent within 5 working days of sending the notification. During the phone conversation, the Family Service Worker should more fully explain the options that the specific individual may have in terms of providing a temporary home for or otherwise staying in contact with the child who was taken into DHS custody.
- E. Document the date and time of all phone contact attempts (whether successful or unsuccessful in speaking with the individual) and the result of each attempt in the CHRIS contacts screen.
- F. If, after three attempts of trying to reach an individual to whom CFS-323-A or CFS-323-B was sent, the Family Service Worker is unable to reach him or her, the Family Service Worker may cease trying to contact the individual.
- G. If the individual indicates interest in providing support to the child, enter, as appropriate, the following information on the Relative Interest Tab (selecting the child and the relative) or Fictive Kin Interest Tab, as applicable, within the Court Report Screen in CHRIS:
 - 1) Notified Date
 - 2) Interested in Participating in the Care and Placement of Child:
 - a) Provisional Home – checkbox and text field
 - b) Foster Home – checkbox and text field
 - c) Kinship Guardianship ~~(to include Subsidized Guardianship if appropriate and available)~~ – checkbox and text field
 - d) Desires Visitation – checkbox and text field
 - e) Additional Information – text field

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Court Reports

The FSW will:

- A. Include the following information in the CFS-6011: Court Report:
 - 1) ~~QA~~ Outline of the efforts made by the Division to identify and notify all adult relatives that the child is in the Division's custody.
 - 2) A list of all adult relatives and the response of each relative to the notice, including:
 - a) The adult relatives' interest in participating in the care and placement of the child;
 - b) Whether the adult relative is interested in becoming a provisional foster parent or foster parent of the child;
 - c) Whether the adult relative is interested in visitation.
 - 3) Outline of the efforts made by the Division to identify and notify any fictive kin that the child is in the Division's custody.
 - 4) A list of all fictive kin and the response of each fictive kin to the notice, including:
 - a) Whether fictive kin is interested in becoming a provisional foster parent or foster parent of the child.

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EXCERPTS: POLICY VI-A AND RELATED PROCEDURES

POLICY VI-A: OUT-OF-HOME PLACEMENT CRITERIA

089/20134

The state shall check all appropriate child abuse and neglect registries for information on any prospective foster or adoptive parent and any household member age 14 and up living in the home before the prospective parent may be finally approved for placement of that child. This will be done regardless of whether foster care maintenance payments or adoption assistance payments are to be made on behalf of the child. The state shall also request any other state in which a prospective parent or any household member age 19 and up has resided in the preceding five years to check any child abuse and neglect registry it maintains for such information. The state will comply with any request received from another state to check its own child abuse and neglect registry.

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In addition, a child in the custody of the Department shall not be placed in an approved home of any foster or adoptive parent unless all household members eighteen (18) and one-half years of age and older, excluding children in foster care, have had an Arkansas State Police Criminal Record Check.

A child in the custody of the Department shall also not be placed in an approved home of any foster or adoptive parent unless all household members eighteen (18) and one-half years of age and older, excluding children in foster care, have a fingerprint-based FBI Criminal Background Check performed by the Federal Bureau of Investigation.

In all custodial placements by DCFS, preferential consideration will be given to an adult relative over a nonrelated caregiver if the relative caregiver meets all relevant child protection standards and it is in the best interest of the child to be placed with the relative caregiver. All potential out-of-state relative placements will be given the same opportunity as in-state relative placements to choose to become foster homes.

In order to assist in placing the child with an appropriate relative, the court will order the parent(s) to provide the necessary information to the Department to locate appropriate relatives:

- A. The names, addresses, and phone numbers of any relatives who may be placement resources for the child;
- B. The names, addresses, and phone numbers and other identifying information on any putative father(s) of the child;
- C. Any information regarding possible membership or descent from an Indian tribe;
- D. Information necessary to determine financial eligibility for services or foster care.

If the relative meets all relevant child protection standards and it is in the child's best interest to be placed with the relative caregiver, the worker FSW shall discuss with the relative the following two options for placement of the child in the relative's home:

- A. The relative becoming a DCFS provisional foster home prior to becoming a regular DCFS foster home (if the relative opts to have his or her home opened as a provisional foster home, the relative shall not be paid a board payment until the relative is opened as a regular foster home); or
- B. The relative obtaining legal custody of the child.

EXCERPTS: POLICY VI-A AND RELATED PROCEDURES

For more information on these placement options, refer to Policy VI-B: Consideration of Relatives for Children in Foster Care.

Fictive kin to the child may be an appropriate placement option for a child provided the individual meets all relevant child protection standards and it is in the child's best interest to be placed with fictive kin. Fictive kin are defined as persons not related by blood or marriage but who have a strong, positive emotional tie to the child, and have a positive role in the child's life such as, godparents, neighbors, or family friends. ~~In order for if an appropriate fictive kin to be considered for placement is identified as a placement option for a child, he or she must either become a regular DCFS foster home or obtain legal custody of the child, the FSW shall discuss with the fictive kin the following two options for placement of the child in the fictive kin's home:~~

- ~~A. The fictive kin becoming a DCFS provisional foster home prior to becoming a regular DCFS foster home (if the fictive kin opts to have his or her home opened as a provisional foster home, the fictive kin shall not be paid a board payment until the fictive kin is opened as a regular foster home); or~~
- ~~B. The fictive kin obtaining legal custody of the child.~~

The child shall remain in a licensed or approved foster home, shelter, or facility, or an exempt child welfare agency as defined at A.C.A. § 9-28-402(12), until:

- ~~A. The relative or fictive kin's home is opened as a provisional foster home or regular foster home; or,~~
- ~~B. The court grants custody of the child to the relative or fictive kin after a written approved home study is presented to the court; or,~~
- ~~C. The fictive kin's home is opened as a regular foster home; or,~~
- ~~D. The court grants custody of the child to fictive kin after a written approved home study is presented to the court.~~

Placement or custody of a child in the home of a relative or other person shall not relieve the Department of its responsibility to actively implement the goal of the case.

The court may order a child to remain in a placement if the court finds the placement is in the best interest of the child ~~(with the exception that the court shall not order a child to remain in a placement in a foster home that has been closed or suspended by a child placement agency)~~ after hearing evidence from all parties. The court shall not specify a particular provider for placement or family services, when DHS is the payer or provider; however, the court may order a child to be placed into a licensed approved placement ~~(i.e., no child shall be placed in a foster home that have been closed or suspended by a child placement agency)~~ after a hearing where the court makes a finding that it is in the best interest of the child based on bona fide consideration of evidence and recommendations from all the parties.

If the court orders a child to be placed into a licensed approved placement as outlined above, a IV-E eligible child may still remain IV-E claimable. However, if the court orders a child into a specific placement and it is determined that the court did not make a finding based on bona fide consideration of evidence and recommendations from all parties a IV-E eligible child's IV-E claimability may be affected.

If the health or welfare of a child is in immediate danger while in a court-ordered placement the Division may immediately remove the child from the court-ordered placement. If the Division must move a child from a court-ordered placement due to the health or welfare of a child being in immediate danger, the Division shall notify all parties within 24 hours of the change in placement. Regarding this type of placement change, a hearing may be requested by a party to the case, and the hearing shall be held within five business days of receiving the request.

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EXCERPTS: POLICY VI-A AND RELATED PROCEDURES

PROCEDURE VI-A1: Initial Out-of-Home Placement Determination

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The Family Service ~~Worker~~ ~~Worker~~(FSW) will:

- A. Contact the OCC Attorney immediately if there is any indication that the child is a member of an Indian tribe.
- B. Consider placement with appropriate relatives and/or fictive kin in a licensed or approved foster home. The child is in the custody of the Division, therefore, the child shall remain in an approved foster home or licensed shelter or facility until a relative or fictive kin's home is opened as a provisional home. If potential relative and/or fictive kin placements for foster care are identified, complete CFS-450: Provisional Foster Home Referral, submit to the appropriate Resource ~~Worker~~ ~~Worker~~, and refer to Policy VI-B: Consideration of Relatives and Fictive Kin for Children in Foster Care and subsequent related procedures for more information.
 - Consider appropriate relatives and/or fictive kin who are interested in obtaining legal custody of the juvenile if identified relatives and/or fictive kin are not interested in becoming a provisional foster home. Refer to Policy VI-B: Consideration of Relatives and Fictive Kin for Children in Foster Care and subsequent related procedures for more information.

C.

- 1) If a potential placement with an appropriate relative or fictive kin is identified (as either a potential provisional foster home/approved foster home or as a relative who is interested in obtaining legal custody of the juvenile), refer to Policy VI-B: Consideration of Relatives and Fictive Kin for Children in Foster Care and related procedures.

D.

- C. Consider fictive kin who may have inquired about the placement of a juvenile in his or her home and discuss the following 3 options with the individual(s):

2) Becoming a regular DCFS foster home.

3) Obtaining legal custody of the juvenile.

4) Otherwise maintaining contact with the child (e.g., visitation, transporting).

E. If identified relatives and/or fictive kin are not interested in becoming provisional foster parents or obtaining legal custody of the child, talk with them about otherwise maintaining contact with the child (e.g., visits, transporting).

D-F. If there are no viable placements with appropriate relatives or fictive kin at the time placement is needed, select an available foster home or other out-of-home placement that will serve the child's best interest (see Policy III: Services Case Opening and related procedures for information regarding opening an out-of-home services placement case).

E-G. Continue to discuss with and/or support appropriate relatives' and/or appropriate fictive kin's interest in maintaining connections with the child and/or becoming a DCFS foster home throughout the life of the case if such actions are in the child's best interests.

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PROCEDURE VI-A3: Placement of Infants Born to Incarcerated Mothers

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The Division of Children and Family Services will accept referrals from the Arkansas Department of Correction (ADC) social worker seeking to find appropriate placements for infants born to incarcerated mothers. If the infant has a legal father, DCFS will not take any action unless the legal father refuses to assume responsibility for the child. The ADC social worker will refer the case to DCFS if the female inmate is unable to identify anyone who meets specific ADC guidelines for the assumption of care for the infant.

After referral by the ADC social worker, the DCFS Family Service Worker (FSW) will:

EXCERPTS: POLICY VI-A AND RELATED PROCEDURES

- A. Visit with the mother and discuss possible placements for the child. Options include placement with a family member, a non-family member, or custody placed with DHS.
 - 1) If the mother wants to place the infant with a ~~family member~~relative or fictive kin, the ~~Family Service Worker~~FSW will discuss whether ~~the mother~~she wants:
 - a) Custody placed with DHS, with the ~~family~~relative or fictive kin opened as a provisional foster home; or,
 - b) Full custody given to the ~~family member~~relative or fictive kin.
 - 2) If the mother wants to place the infant with a non-family member, the FSW will discuss whether she wants:
 - a) Custody placed with DHS, with the family opened as a regular foster home; or,
 - b) Full custody given to the non-family member.
- B. Inform the mother of applicable Minimum Licensing Requirements and DCFS ~~P~~olicy if a provisional or regular foster placement with a family or a regular foster placement with a non-family member with custody placed with DHS is being considered. Any foster or adoptive placement with a family or non-family member, wherein DHS is the custodian, must meet the same child welfare licensing requirements as a regular foster home prior to the child being placed in the home as defined at A.C.A. § 9-28-402.
- C. Inform the mother that a home study must be completed on any family or non-family member who is being considered to take full custody of the infant.
- D. When applicable, begin the process for opening any identified family member as a provisional foster home or any identified non-family member as a regular DCFS foster home (see Policy VI-B: Consideration of Relatives for Children in Foster Care and Policy VII: Development of Foster Homes for more information).
- E. When applicable, conduct a home study on the requested placements where consideration for custody is with a family or non-family member, but not with DHS.
 - 1) If the home study is unfavorable, work with the mother to identify other possible placements, or petition for custody of the child upon birth.
 - 2) If the home study is favorable, when the child is born, petition the court for custody to be given to the relative or other person identified by the mother.
- F. Petition the court for custody to be given to DHS for placement when the child is born. The court will assess each case individually and will have a range of options for disposition:
 - 1) Place the child in the identified provisional foster home or regular foster home.
 - 2) Place permanent custody with a relative or other person and close the case with no DHS involvement.
 - 3) Grant guardianship to a relative or other person and close the case with no DHS involvement.
 - 4) Grant custody to DHS and recommend immediate termination of parental rights. If termination of parental rights is granted, the Family Service Worker will follow Policy VIII-D: Termination of Parental Rights.
- G. If applicable, follow DCFS ~~P~~Policy for case opening, placement, and provision of services to the child.
- H. Contact the ADC social worker to arrange visitation between the child placed in an out-of-home setting and the incarcerated mother as stated in Policy VI-C: Maintaining Family Ties in Out-of-Home Placement, unless such visitation is prohibited by the court, physician, Division, etc.

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POLICY VI-B: CONSIDERATION OF RELATIVES AND FICTIVE KIN FOR CHILDREN IN FOSTER CARE

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“Relative” means a person within the fifth degree of kinship to the child by virtue of blood or adoption. In all custodial placements by the Department of Human Services in foster care or adoption, preferential consideration shall be given to an adult relative over a nonrelated caregiver if the relative caregiver meets all relevant child protection standards and it is in the best interest of the child to be placed with the relative caregiver. If these provisions are met, the Department shall discuss with the relative the following two options for placement of the juvenile in the relative’s home:

- A. The relative becoming a DHS provisional foster home prior to becoming a regular foster home; or
- B. The relative obtaining legal custody of the juvenile.

Per A.C.A. § 9-27-354, placement or custody of a juvenile in the home of a relative shall not relieve the Department of its responsibility to actively implement the goal of the case.

“Fictive kin” means a person not related to a child by blood or marriage, but who has a strong, positive, emotional tie to a child and has a positive role in a child’s life. If there are no available and/or appropriate relatives within the fifth degree of kinship to the child, then DCFS shall attempt to identify appropriate fictive kin, to include people beyond the fifth degree of kinship by virtue of blood or adoption, as a placement option for the child. If the fictive kin meets all relevant child protection standards and it is in the best interest of the child to be placed with the fictive kin, the Department shall discuss with the fictive kin the following two options for placement of the juvenile in the relative’s home:

- A. The fictive kin becoming a DHS provisional foster home prior to becoming a regular foster home; or,
- B. The fictive kin obtaining legal custody of the juvenile.

The juvenile shall remain in a licensed or approved foster home, shelter, or facility, or an exempt child welfare agency until the relative or fictive kin’s home is opened as a regular foster home or the court grants custody of the juvenile to the relative or fictive kin after a written approved home study is presented to the court.

If the relative or fictive kin chooses to obtain legal custody of the juvenile, a protective services case must be opened on the child and a case plan developed to establish permanency for the child. The Division must provide services similar to the services that would have been provided if the child was placed in foster care, and the case plan must address these services. For example, the child’s health, education, and/or counseling needs should be addressed in the case plan. Relatives and fictive kin have the option of obtaining permanent custody or guardianship if all efforts toward reunification are exhausted and/or to achieve case plan goals for permanency. If the court grants permanent custody, or guardianship is granted, the protective services case will be closed.

If Termination of Parental Rights (TPR) is an option for the case, the relative or fictive kin is eligible to adopt the child and can receive services identified in Policy VIII-I: Adoption Subsidy and related procedures, if the child is eligible.

PROCEDURE VI-B1: Provisional Foster Home Placement for Children in Foster Care

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The Family Service Worker will:

- A. Ask the child’s parent(s) or legal guardian(s) from whom custody was removed to provide information on appropriate relatives and fictive kin to include, as available (if not already provided):

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- 1) The names, addresses, and phone numbers of any relatives or fictive kin who may serve as appropriate placement resources for the child;
 - 2) The names, addresses, phone numbers, and other identifying information of any putative father(s) of the child.
- ~~B.~~ Make a home visit, if possible to any prospective provisional foster home to make an initial determination as to the safety and appropriateness of the home environment in terms of placement for the child.
- ~~C.~~ Complete CFS-450: Provisional Foster Home Referral and provide to the local Resource Worker immediately, within
- ~~B.~~ five days of relative's request.
- ~~D.C.~~ Keep the Resource Worker informed of any changes to the child's need for a provisional placement and any other relevant information.
- ~~E.D.~~ Ensure that the Resource Worker conducts a review of the prospective provisional home to include:
- 1) An expedited Child Maltreatment Central Registry Check (via CFS-316: Request for Arkansas Child Maltreatment Central Registry Check);
 - 2) An expedited State Police Criminal Record check (via CFS-342: State Police Criminal Record Check);
 - 3) A vehicle safety check; and,
 - 4) Submission of the FBI Criminal Record Check (FBI results do not have to be received in order to open the provisional foster home, but results must be received and clear and clear within six6 months in order to make a determination as to whether to approve as a regular DCFS foster home).
 - 5) A visual inspection of the home (via CFS-446: In Home Consultation Visit Report).
- ~~F.~~ Based on the results of the background checks listed above, begin the process for requesting any necessary Alternative Compliances or DCFS Policy Waivers, if applicable.
- ~~G.~~ If the provisional foster home placement appears viable, interview the child, if age appropriate, to assess how the child may feel about placement with the relative and make individualized placements on a case-by-case basis in the best interest of the child.
- ~~G.H.~~ Collaborate with the Resource Worker to evaluate:
- 1) How the other children and adults in the home will affect the successful development of a child in foster care; and,
 - 2) How the child in foster care will impact the other members of the home.
- ~~I.~~ ~~H.~~ If, after the Resource Worker has completed all necessary steps to open the family as a provisional home (see below for more information), it is determined that placement with the family is in the best interest of the child:
- 1) Arrange at least one pre-placement visit for the child before the initial placement and before any subsequent changes in placement if possible and appropriate.
 - 2) Contact the OCC Attorney immediately if child is being moved from one Out-of-Home Placement to another (see Procedure VII-K1) if that placement was not considered to be a temporary placement (see Appendix I: Glossary).
 - 3) Provide the child's parent(s) with PUB-11: What Happens When Your Child and Family Are Involved with DCFS?
 - 4) and Provide the prospective provisional foster family with PUB-151: What Happens When Your Child and Family Are Involved with DCFS? A Relative's Guide to the Arkansas Child Welfare System.
- ~~5) 4)~~ Place the child in the provisional home and:
- a) When a child is placed in a provisional foster home for a 72 hours hold, ensure that the provisional foster parents relative(s) acknowledge ~~that~~ they will not allow the alleged perpetrator access to the child that is not supervised by the Division until the investigation is complete and will not allow any contact with the alleged offender that is not approved or authorized by the Division or the court after the investigation is completed (if found true).
 - b) Ensure that the relative(s) provisional foster parents understand that they must work with their Resource Worker to complete any corrective actions necessary to bring the home into compliance with Minimum Licensing Standards and DCFS Policy within six6 months or their home will be closed and the child removed.

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- c) Document placement selection on the CFS-6010: Case Plan by keying the "Plan Goals" and the "Needs/Svc" screens in the "Treatment" portion of the "Case Plan" section of CHRIS.
- d) Assist the ~~relative's provisional foster parents~~ in applying for benefits if appropriate. Until the ~~relative's provisional foster~~ home is opened as a regular foster home, the relative/~~fictive kin~~ may apply for and receive benefits for which the ~~relative provisional foster parents~~ may be entitled due to the placement of the child in the home, such as benefits under the Temporary Employment Assistance (TEA) Program or the Supplemental Nutrition Assistance Program (SNAP).
- e) Assess the situation with the Resource Worker and Supervisor(s) if the family does not come into compliance within ~~six~~ months of the placement of the child in the home and recommend to OCC on how the case should proceed (i.e., remain in foster care or have a completed approved home study and recommend custody to the relative).
- f) Collaborate with the Resource Worker to ensure that the relative(s) is completing the process for foster home approval. If the relative's home is not fully licensed as a foster home within 6 months of the placement of the child in the home:
 - i. The Department shall remove the child from the relative's home and close the relative's provisional foster home and place child in an approved or licensed placement; or,
 - ii. The court shall remove custody from the Department and grant custody of the child to the relative.
- J. Complete the CFS-6024: Permanency Planning Hearing Court Report and submit to the FSW Supervisor for review and approval.
- K. If approved by the FSW Supervisor, submit CFS-6024: Permanency Planning Hearing Court Report to the OCC attorney, CASA, and all other required parties within 14 days prior to any Permanency Planning Hearing scheduled for the case.
- L. Hold staffings, as needed, in accordance with Procedure IV-B1: ~~(Case Staffings)~~ and update the CFS-6009: Family Strengths, Needs, and Risk Assessment (FSNRA) and CFS-6010: Case Plan.
- M. Invite the Adoption Specialist to the staffing when appropriate.
- N. Conduct a staffing to discuss closure when appropriate.

The Resource Worker will:

- A. Process any received CFS-450: Provisional Foster Home Referral by (see Procedure VII-C1: Background Check Processing for more information):
 - 1) Conducting an expedited Child Maltreatment Central Registry Check (via CFS-316: Request for Arkansas Child Maltreatment Central Registry Check);
 - 2) Conducting an expedited State Police Criminal Record check (via CFS-342: State Police Criminal Record Check);
 - 3) Conducting a ~~V~~ehicle ~~S~~safety ~~P~~rogram (DMV) ~~C~~eheck (driving record points will be computed in DCFS Central Office, and the results, including qualification or disqualification, will be forwarded to the Resource Worker for inclusion in the applica~~ntion~~ file; see Procedure VII-C1 for forms which must be completed); and
 - 4) Submitting the FBI Criminal Record Check (FBI results do not have to ~~be~~ received in order to open the provisional foster home, but results must be received and clear within ~~6~~six months in order to approve as a regular DCFS foster home).
 - 5) Completing a visual inspection of the home (via CFS-446: In Home Consultation Visit Report). See Procedure VII-C2: In Home Consultation Visit for more information.
- B. Explain to the relative(~~s~~)/fictive kin that, if opened as a provisional foster home, they will not receive a board payment until they are opened as a fully approved DCFS Foster Home which must occur within six months of being opened as a provisional foster home.
- C. Explain to the ~~family~~ relative/fictive kin other processes related to becoming a provisional and, ultimately, a regular DCFS foster home (see Policy VII: Development of Foster Homes and related procedures).

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- D. Keep the child's FSW informed of progress and/or any challenges to opening the relative as a provisional foster home.
- E. Collaborate with the child's FSW to evaluate:
 - 1) How the other children and adults in the home will affect the successful development of a child in foster care; and,
 - 2) How the child in foster will impact the other members of the home.
- F. If the relative fictive kin and relative fictive kin's home are appropriate to open as a provisional foster home, complete CFS-452: Provisional Foster Home Verification and CFS-474: Provisional Foster Home Checklist with the family and file in the provider record.
- G. Return a copy of the completed CFS-450 to the child's FSW regardless of whether or not the relative fictive kin's home is opened as a provisional foster home.
- H. Enter at the relative into CHRIS as a Provider opening two placement services: Provisional (Relative) Placement (No Board) Service, and Foster Family Home Service. The Provisional (Relative) Placement (No Board) Service must be quickly approved (once the necessary requirements are received), while the Foster Family Home Service has Applicant Status awaiting compliance (all required checks, certifications and training) for approval. In CHRIS, the relative will have only one Provider Number showing two services provided by the family.
- ~~H.I.~~ Enter fictive kin into as a Provider opening two placement services: Provisional (Fictive Kin) Placement (No Board) Service, and Foster Family Home Service. The Provisional (Fictive Kin) Placement (No Board) Service must be quickly approved (once the necessary requirements are received), while the Foster Family Home Service has Applicant Status awaiting compliance (all required checks, certifications and training) for approval. In CHRIS, the fictive will have only one Provider Number showing two services provided by the family.
- ~~I.J.~~ Request any necessary policy waivers and/or alternative compliances to waive non-safety standards for the relative fictive kins prior to referring ~~them~~ to training.
- ~~J.K.~~ Refer to Policy VII: Development of Foster Homes, to continue with the process of opening the provisional foster home as a regular DCFS foster home.
- ~~K.L.~~ Support the relative fictive kin throughout the process of becoming a provisional and regular DCFS foster home.
- ~~L.M.~~ Assess the situation with the FSW and Supervisor(s) if the relative does not come into compliance within six6 months of the placement of the child in the home.

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The FSW Supervisor will:

- A. Conference with and support the FSW on the case as necessary.
- B. Review and approve CFS-6024: Permanency Planning Hearing Court Report.

The Resource Worker Supervisor will:

- A. Conference with and support the Resource Worker as necessary regarding opening the provisional foster home.

PROCEDURE VI-B2: Relative and Fictive Kin Custody for Children in Foster Care

08/2013

The Family Service Worker will:

- A. Ask the parent(s) or legal guardian(s) from whom custody was removed to provide information on appropriate relatives to include, as available (if not already provided):
 - 1) The names, addresses, and phone numbers of any relatives who may be placement resources for the child;
 - 2) The names, addresses, phone numbers and other identifying information on any putative father(s) of the child.

B. If appropriate relatives cannot be identified or are otherwise not able to serve as a placement resource, ask the parent(s) or legal guardian(s) from whom custody was removed to provide information on appropriate fictive kin to include, as available (if not already provided):

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1) The names, addresses, and phone numbers of any fictive kin who may be placement resources for the child.

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B-C. Interview the child, if age appropriate, to assess how the child may feel about placement with a specific relative or fictive kin.

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D. Complete the home study, to include Central Registry Checks, State Police Criminal Background Checks, and Vehicle Safety (DMV) Program Checks, on all applicable household members, on the relative or fictive kin and submit to the FSW Supervisor for review and approval.

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E. Based on the results of the background checks listed above, request any necessary DCFS Policy Waivers.

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F. If FSW Supervisor approval is attained, submit the home study to the court with the recommendation to place the child with the relative or fictive kin so that the relative or fictive kin may obtain legal temporary custody.

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G. Open a protective services case on the child if the court grants temporary custody to the relative or fictive kin.

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H. Schedule a staffing within 30 days of opening the protective services case.

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I. Invite the child's parents, relatives, the child (if age appropriate) and community providers as appropriate. During the staffing these individuals will determine the permanency goal for the child: reunification, permanent custody with the relative, guardianship, or adoption.

J. Complete or update the CFS-6009: Family Strengths, Needs, and Risk Assessment (FSNRA) within 30 days of opening the protective services case and submit to the FSW Supervisor for review and approval.

K. Develop or update the CFS-6010: Case Plan within 30 days of opening the protective services case and submit to the FSW Supervisor for review and approval.

L. Complete the CFS-6024: Permanency Planning Hearing Court Report and submit to the FSW Supervisor for review and approval.

M. After receiving approval from the FSW Supervisor for the CFS-6024: Permanency Planning Hearing Court Report, submit to the OCC attorney within 14 days prior to any Permanency Planning Hearing scheduled for the case.

N. Submit the CFS-6024: Permanency Planning Hearing Court Report to OCC, CASA and all parties no later than 14 days before the scheduled Permanency Planning Hearing.

O. Hold staffings, as needed, in accordance with Procedure IV-B1: Case Staffings and update the CFS-6009: Family Strengths, Needs, and Risk Assessment (FSNRA) and CFS-6010: Case Plan.

P. Invite the Adoption Specialist to the staffing when appropriate.

Q. Conduct a staffing to discuss closure when appropriate.

The FSW Supervisor will:

- A. Review and approve the home study.
- B. Review and approve the CFS-6009: Family Strengths, Needs, and Risk Assessment (FSNRA) within 30 days of the FSW opening the protective services case.
- C. Review and approve the CFS-6010: Case Plan within the 30 days of the FSW opening the protective services case.
- D. Review and approve the CFS-6024: Permanency Planning Hearing Court Report prior to the FSW's submission of this report to the OCC attorney.
- E. Conference with and support the FSW on the case as necessary.

The Adoption Specialist will:

- A. Attend staffings when invited.
- B. Keep his or her Adoption Supervisor informed of the child's permanency goal and progress toward that goal.

VII. DEVELOPMENT OF FOSTER HOMES

POLICY VII-A: FOSTER HOME PURPOSE AND ROLES

048/20131

The development of quality foster homes is a process essential for ensuring the safety and well-being of children in care while concurrently supporting children's permanency goals. The foster family is part of a team also comprised of DCFS, the child in foster care, the custodial/non-custodial parents and other appropriate community members. When these team members cooperate and understand their own and ~~each other's~~ each other's roles, the quality of the experience for everyone is increased and the well-being of the child and his or her family is positively affected.

There are two types of DCFS foster homes: Provisional Foster Homes and Regular Foster Homes.

Provisional foster homes are identified and recruited by the Family Service Worker, who, in an effort to preserve family connections and expedite placement, may seek to place a child in foster care with a relative or fictive kin. "Relative" means a person within the fifth degree of kinship by virtue of blood or adoption (see POLICY VI-A) if one has been identified and is appropriate. "Fictive kin" means a person not related by blood or marriage, but who has a strong, positive, emotional tie to a child and has a positive role in the child's life if one has been identified and is appropriate.

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The purpose of opening a provisional foster home is to enable DCFS to make an expedited placement for a child with a relative or fictive kin with whom a bond already exists. Therefore, a provisional home may be opened before the results of the FBI Background Check are received, before the provisional foster parents have completed the pre-service training, and before a full home study is finished (however a visual inspection of the home is required before placement in a provisional home). These are the only differences in initial approval requirements, including Minimum Licensing requirements ~~Standards~~, between provisional foster homes and regular foster homes in Arkansas.

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Once opened as a provisional home, DCFS staff works with the foster parents in that home to bring them into full compliance within a six month period. Provisional foster homes that are not in full compliance at the end of six months must be closed and the child(ren) removed, unless the relative has acquired custody.

During the period of time that the home is on provisional status, a foster care board payment is not provided. However, provisional foster parents may apply for and receive benefits for which the relative is entitled due to the placement of the child in the home (e.g., SNAP). Provisional foster homes may also receive child support or any federal benefits (e.g., SSA) paid on behalf of the child, as applicable.

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-If the home is opened as a regular foster home, a foster care board payment will then be provided to help support the needs of the child placed in the home. However, if the home received any child support and/or any federal benefits paid on behalf of the child while the home was on provisional status, those child support payments and/or federal benefits must then be transferred to the Division to reimburse the state for foster care board payments and other expenses as appropriate.

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Once opened as a fully approved foster home, the foster parents may then request to care for children who are not related or not fictive kin ~~non-relative~~ children in foster care with the understanding that additional

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EXCERPT: POLICY VII-A

evaluation of their home would be required to ensure that it would be an appropriate placement for children who are not related or not fictive kin to the foster parent(s). ~~non-relative children.~~

DCFS is licensed to approve foster homes. Regular Foster Homes are approved foster homes that may provide care for both related and non-related children. In addition, a Regular Foster Home may also serve, if desired, as an informal respite home. ~~An informal respite home is an approved DCFS foster home that can provide temporary care (no more than seven continuous days at one time) for children in out-of-home placements when the children's full-time foster family is unable to do so and a member of the foster family's support system cannot assist.~~ (See POLICY VII-G: ALTERNATE CARE).

DCFS staff are only permitted to be agency-approved foster homes for informal respite care purposes but may not serve as an informal respite home for children/youth on their own caseload. ~~The~~ Area DCFS Director or designee must give prior approval to any employee seeking to become an agency-approved informal respite home provider. ~~Each DCFS employee's request to serve as an informal respite care home will be assessed on a case-by-case basis. Staff from a different county or a contract provider must assess and approve the home. Employees shall not use their employment status as a means to obtain information about the child's case, gain services, or receive preferential treatment.~~

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However, in situations where Division staff are relatives of children placed in DHS custody, and it is in the best interest of the child to be placed with the relative, the DCFS Director may grant approval for the relative/employee to serve as a full-time foster home on a case-by-case basis.

For additional information, see PUB-11: What Happens When Your Child and Family Are Involved with DCFS?, PUB-22: Standards of Approval for Foster and Adoptive Homes and PUB-30: Foster Parent Handbook.

POLICY VII-C: FOSTER HOME ASSESSMENT PROCESS

08/20132

Relationship Stability -

- A. In a two-parent home, ~~each person~~both parents shall be joint applicants and ~~each person~~both applicants shall actively participate in the approval process. The couple shall demonstrate a stable relationship. In assessing relationship stability, considerations may include major life changes such as:
- Death or serious illness among family members
 - Marriage, separation, divorce, or other significant changes in the couple's relationship
 - Addition of household members (e.g., birth, adoption, aging relative moving in)
 - Loss of or change in employment

BACKGROUND CHECKS

In addition to ensuring that homes meet the basic criteria, the Division shall only place children in approved foster homes where the foster parents and appropriate members of the household have been cleared through a series of background checks: the Arkansas Child Maltreatment Central Registry, the Arkansas Adult Maltreatment Central Registry, the Arkansas State Police Criminal Record Check and an FBI Criminal Background Check (with the exception that placements may be made in Provisional Foster Homes before FBI results are received). Any household member who resides in the home for more than ~~three~~three cumulative months in a calendar year (e.g. an adult biological child of the foster parents who is home for the summer and holiday breaks or a relative who visits for ~~six~~six weeks twice a year) must clear all background checks.

Child Maltreatment Central Registry - Foster parents and all other members of the household age ~~140~~140 years and older, excluding children in foster care, must be cleared through the Arkansas Child Maltreatment Central Registry. The Arkansas Child Maltreatment Central Registry Check will be repeated every two years on all appropriate household members. If applicable, a Child Maltreatment Central Registry Check shall also be conducted on each household member age ~~140~~140 years or older in any state of residence in which they have lived for the past ~~five~~six years, and in their state of employment, if different, for reports of child maltreatment.

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Adult Maltreatment Central Registry - Foster parents and all other members of the household age ~~18 and one-half~~18 and one-half years and older, excluding children in foster care, must be cleared through the Arkansas Adult Maltreatment Central Registry. As soon as possible after a household member, excluding children in foster care, reaches his or her 18th birthday, the paperwork to request the Arkansas Adult Maltreatment Central Registry Check must be initiated to ensure results are received by the time that household member reaches 18 and one-half years of age. The Arkansas Adult Maltreatment Registry check will be repeated every two years on all appropriate household members.

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State Police Criminal Record Check - Foster parents and all other members of the household age ~~18 and one-half~~18 and one-half years and older, excluding children in foster care, must be cleared through a State Police Criminal Record Check. As soon as possible after a household member, excluding children in foster care, reaches his or her 18th birthday, the paperwork to request the State Police Criminal Record Check must be initiated to ensure results are received by the time that household member reaches 18 and one-half years of age. The State Police Criminal Record Check shall be repeated every two years on all appropriate household members.

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FBI Criminal Background Check - Foster parents and all members of the foster home who are ~~18 and one-half~~18 and one-half years of age and older, excluding children in foster care, must also clear a ~~fingerprint-based~~fingerprint-based FBI ~~fingerprint-based~~fingerprint-based Criminal Background Check. As soon as possible after a household member, excluding children in foster care, reaches his or her 18th birthday, the paperwork to request the FBI Criminal Background Check must be

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EXCERPTS: POLICY VII-C AND RELATED PROCEDURES

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initiated to ensure results are received by the time that household member reaches 18 and one-half years of age. The FBI Criminal Background Check does not need to be repeated.

PROCEDURE VII-C1: Background Check Processing

08/201~~34~~

If the prospective foster family did not attend an Information Meeting, the Resource Worker must provide the family with a Background Check Packet which includes:

- 1) FBI fingerprint card (if not using harvester)
- 2) CFS-316: Request for Child Maltreatment Central Registry Check
- 3) APS-0001: Authorization for Adult Maltreatment Central Registry
- 4) CFS-341: Certification of Absence of Criminal Record
- 5) CFS-342: State Police Criminal Record Check
- 6) CFS-419: Foster Family Support System Information
- 7) CFS-593: Arkansas State Vehicle Safety Program Additional Requirements for DCFS Drivers
- 8) VSP-1: Authorization to Operate State Vehicles and Private Vehicles on State Business
- 9) VSP-2: Authorization to Obtain Traffic Violation Record
- 10) Arkansas State Vehicle Safety Program Manual

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The Resource Worker will:

- A. Submit the signed CFS-593, VSP-1, and VSP-2 to the Vehicle Safety Program Coordinator along with a clear copy of the driver's license for each prospective foster parent, FFSS member, and applicable teenage driver.
 - 1) Copy the front and back of the driver's license.
 - 2) Document on the Provider Household Member Required Checks Information Screen.
 - 3) The county office must receive the results of the Arkansas State Vehicle Safety Program check before the family can be approved for training.
- B. Submit the completed CFS-316: Request for Child Maltreatment Central Registry Check for each household member and FFSS member age 14~~9~~ years and older, excluding children in foster care. The CFS-316 must be notarized. The Child Maltreatment Central Registry Check shall be repeated every two years.
 - 1) If applicable, a Child Maltreatment Central Registry Check should also be conducted on each household member and FFSS member age ~~10-14~~ years or older, in any state of residence in which they have lived for the past ~~five~~~~six~~ years, and in their state of employment, if different, for reports of child maltreatment.
 - 2) Route each completed CFS-316 to the Central Registry Unit.
 - 3) Document on the Provider Household Member Required Checks Information Screen.
 - 4) File a copy of the results in the foster home record. The county office must receive the results of the Child Maltreatment Central Registry Check before the family can be approved for training.
- C. Submit the completed APS-0001 to Adult Protective Services for each household member age 18 and one-half years and older, excluding children in foster care. The APS-0001 must be notarized. The person must have no history of true abuse and/or neglect.
 - 1) Route each completed APS-0001 to Adult Protective Services.
 - 2) File a copy of the results in the foster home record. The county office must receive the results of the Adult Maltreatment Central Registry Check before the family can be approved for training.
- D. Use CFS-341: Certification of Absence of Criminal Record to obtain written certification from the foster parents that any household member ages ~~14~~~~9~~-17 does not have a criminal record. File a copy in the foster home record.
- E. Submit the completed CFS-342: State Police Criminal Record Check for each household member and FFSS member age 18 and one half years and older, excluding children in foster care. - The CFS-342 must be

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EXCERPTS: POLICY VII-C AND RELATED PROCEDURES

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notarized.- The State Police Criminal Record Check must be completed prior to requesting the FBI Criminal Background Check. The State Police Criminal Record Check shall be repeated every two years.

- 1) Route each completed CFS-342 to the Criminal Records Unit.
- 2) Document on the Provider Household Member Required Checks Information Screen.
- 3) File a copy of the results in the foster home record. The county office must receive the results of the Criminal Record Check before the family can be approved for training.

- F. Process an FBI fingerprint-based Criminal Background Check for all foster parent applicants and all members of the prospective foster home who are 18 and one-half years of age and older, excluding children in foster care.- ~~Encourage the prospective foster parents to submit the FBI Criminal Background Check as early as possible given that processing time may be significant.~~ The fingerprint-based FBI fingerprint-based Criminal Background Check must be submitted prior to the family attending training; however, the results are not required before the family can attend training.

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There are two options for completing the FBI check:

- 1) Electronic Fingerprint Scanning
 - a. Foster parent applicants do NOT need to fill out an FBI fingerprint card, as a request for electronic scanning will be done via CFS-342.
 - b. The Resource Worker will forward the completed CFS-342 to the Criminal Records Unit.
 - c. The Criminal Records Unit will use the CFS-342 to get a transaction number from the State Police.
 - d. The Criminal Records Unit will forward the transaction number to the Resource Worker.
 - e. The Resource Worker will forward the transaction number to the applicants.
 - f. Applicants must go to an approved Electronic Harvester to have fingerprints scanned. Check with the Resource Worker for the closest location.
 - g. Applicants must pay the electronic harvester fee. If applicants are approved and opened as a foster home, they may request reimbursement. A receipt for the harvester fees and a DHS-1914 must be submitted to the Resource Worker's local financial coordinator for reimbursement processing.
 - h. The Resource Worker will document the results on the Provider Household Member Required Checks Information Screen and file a copy of the results in the foster home record.
- 2) Ink Fingerprint
 - a. Foster parent applicants will complete CFS-342 and the FBI fingerprint card with good, unsmudged prints. Take care not to staple through the fingerprints on the FBI fingerprint card.
 - i. If the prints are not readable, the family will have to re-submit. Foster parent applicants may not use an Electronic Harvester if they have already submitted ink fingerprints and the attempt was unsuccessful.
 - ii. If a legible set of fingerprints cannot be obtained after a minimum of two attempts, a name-based FBI check will be conducted instead.
 - b. The Resource Worker will forward the documents to the Criminal Records Unit.
 - c. The Resource Worker will document the results on the Provider Household Member Required Checks Information Screen and file a copy of the results in the foster home record.

POLICY VIII-G: FOSTER PARENT, PROVISIONAL FOSTER PARENT, AND RELATIVE ADOPTION

089/20131

Relationship Stability

- A. In a two-parent home, ~~each person~~both parents shall be joint applicants and ~~each person~~both applicants shall actively participate in the approval process. The couple shall demonstrate a stable relationship. In assessing relationship stability, considerations may include major life changes such as:
- Death or serious illness among family members
 - Marriage, separation, divorce, or other significant changes in the couple's relationship
 - Addition of household members (e.g., birth, adoption, aging relative moving in)
 - Loss of or change in employment
- B. In a single parent home, the major life changes listed above shall also be considered when assessing the person's ability to be an effective adoptive parent.

BACKGROUND CHECKS

Please note that a household member is defined as any person who stays in a foster home for more than three cumulative months in a calendar year (e.g., an adult biological child of the foster parents who is home for the summer and holiday breaks or a relative who visits for six weeks twice a year).

Central Registry Checks

- A. Each member of the household 14 years of age and older, excluding children in foster care, must agree to a Child Maltreatment Central Registry Check in his or her state of residence and any state of residence in which the person has lived for the past five years, and in the person's state of employment, if different. These checks must be made prior to approval and shall be repeated ~~annually every two years~~ thereafter until the adoption decree has been issued at which point repeat checks will no longer be required. However, if the home wishes to continue to keep its adoption service open in order to potentially adopt additional children, the Central Registry checks on all household members 14 years of age and older will continue to be run every two years. The person must have no history of true abuse and/or neglect.
- ~~B. Each member of the household 10 years of age and older, excluding children in foster care, residing out of state shall have a Child Maltreatment Central Registry Check, if available, in their state. These checks must be made prior to approval and shall be repeated annually thereafter until the adoption decree has been issued.~~
- ~~C. B.~~ Each member of the household age 18 and one-half years and older, excluding children in foster care, who resides in Arkansas must be cleared through the Arkansas Adult Maltreatment Central Registry. The Arkansas Adult Maltreatment Central Registry check shall be repeated every two years~~annually~~ thereafter until the adoption decree is issued at which point repeat checks will no longer be required. However, if the home wishes to continue to keep its adoption service open in order to potentially adopt additional children, the Arkansas Adult Maltreatment Central Registry Checks on all household members 18 and one-half years of age and older will continue to be run every two years.

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Criminal Background Checks

- A. Each member of the household 18 and one-half years of age and older, excluding children in foster care, must agree to an Arkansas State Police Criminal Record Check. As soon as possible after a household member, excluding children in foster care, reaches his or her 18th birthday, the paperwork to request the Arkansas State Police Criminal Record Check must be initiated to ensure results are received by the time that household member reaches 18 and one-half years of age. These checks must be made prior to approval and shall be repeated ~~annually every two years~~ thereafter until the adoption decree has been issued at which point repeat checks will no longer be required. However, if the home wishes to continue to keep its adoption service open in order to potentially adopt additional children, the

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EXCERPTS: POLICY VIII-G AND RELATED PROCEDURES

Arkansas State Police Criminal Record Checks on all household members 18 and one-half years of age and older will continue to be run every two years.

- B. Out-of-state adoptive families do not need to do an Arkansas State Police Criminal Record Check if they have never resided in Arkansas. Adoptive parents and each member of the household 18 and one-half years of age and older, excluding children in foster care, residing out of the state shall provide state police criminal record checks from their state of residence. As soon as possible after a household member, excluding children in foster care, reaches his or her 18th birthday, the paperwork to request the state police criminal record check from their state of residence must be initiated to ensure results are received by the time that household member reaches 18 and one half years of age. These checks must be made prior to approval and shall be repeated annually every two years thereafter until the adoption decree has been issued at which point repeat checks will no longer be required. However, if the out-of-state adoptive home wishes to continue to keep its adoption service open in order to potentially adopt additional children from Arkansas, the state police criminal record checks from their state of residence will continue to be run every two years on all household members 18 and one-half years of age and older.
- C. Each member of the household 18 and one-half years of age and older, excluding children in foster care, must agree to a fingerprint-based FBI Criminal Background Check. As soon as possible after a household member, excluding children in foster care, reaches his or her 18th birthday, the paperwork to request the FBI Criminal Background Check from their state of residence must be initiated to ensure results are received by the time that household member reaches 18 and one half years of age. These checks must be made prior to approval and need not be repeated. If a legible set of fingerprints cannot be obtained after a minimum of two attempts, a name-based FBI check will be used instead.

See Appendix 8 for information regarding prohibited offenses for prospective foster and adoptive parents and those offenses requiring Alternative Compliances from the Child Welfare Agency Review Board.

~~Any individual who has pleaded guilty or nolo contendere to, or has been found guilty of any of the following offenses is permanently disqualified from being an adoptive parent per ACA § 901-28-409(h)(1): capital murder, murder in the first or second degree, kidnapping, rape, sexual assault in the first or second degree, endangering the welfare of a minor in the first or second degree, incest, arson, endangering the welfare of an incompetent person in the first degree, and adult abuse that constitutes a felony.~~

~~No child in DHS custody shall be placed in a home where a records check reveals a felony conviction for child abuse or neglect, spousal abuse, domestic battery, a crime against children including child pornography, or a crime involving violence, including rape, sexual assault or homicide. No child in DHS custody shall be placed in a home where a records check reveals a criminal conviction for physical assault, battery, or a drug related offense, if the offense was committed within the past five years.~~

~~A prospective adoptive parent may request an alternative compliance for the following offenses: false imprisonment in the first or second degrees, permanent detention or restraint, battery in the 1st, 2nd or 3rd degree, aggravated assault, assault in the 1st or 2nd degree, terroristic threatening in the 1st or 2nd degree, contributing to the delinquency of a minor, interference with visitation, interference with custody, engaging in conduct with respect to controlled substances, distribution to minors, public display of obscenity, prostitution, promoting prostitution, criminal attempt, criminal complicity, criminal solicitation, criminal conspiracy, any felony or any misdemeanor involving violence, threatened violence or moral turpitude.~~

~~A prospective adoptive parent may request an alternative compliance for a felony conviction for physical assault, battery, or a drug related offense if the offense was not committed within the past five years.~~

~~If an applicant produces evidence that a conviction has been expunged or sealed, this information must be forwarded to OCC for review.~~

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PROCEDURE VIII-G2: Assessment and Preparation

082/20131

The Family Service Worker will:

- A. Ensure, prior to the permanency planning staffing, that the child's out-of-home placement record is up to date and that all attachments which are required for an adoption packet (see Appendix 2-B) are in the child's record, and are copied and forwarded to the Adoption Specialist within three working days of the permanency planning hearing.
- B. Send additional attachments to the Adoption Specialist once the initial adoption packet is completed in order to maintain current information until a decision is made.
- C. Document in the child's out-of-home placement record, and in CHRIS, the efforts to secure needed attachments and the reason for an attachment not being available.
- D. Provide information requested by the Adoption Specialist in the preparation of the child's adoption summary.
- E. Prepare the child for adoption and assist in preparing the foster parent, provisional foster parent, or relative for adoption.
- F. Assure compliance with the Indian Child Welfare Act, if applicable, by notifying and working with the OCC attorney.

The Adoption Specialist will:

- A. Prepare the child's adoption packet (adoption summary and attachments—see Appendix 2) within 30 days from the permanency planning hearing.
- B. Send a copy of the adoption summary to the Family Service Worker.
- C. Provide the following forms as needed to the foster parent, provisional foster parent, ~~or~~ relative, or fictive kin immediately after the staffing that is conducted within ten working days from the hearing that terminates parental rights (if the staffing supports the adoption):
 - 1) FBI Fingerprint card (if not using harvester)
 - 2) APS-0001: Authorization for Adult Maltreatment Central Registry for each household member age 18 and one-half years and older, excluding children in foster care.
 - 3) CFS-316: Request for Child Maltreatment Central Registry Check for each member of the household 14 years of age and older, excluding children in foster care, but including any other state of residence in the last five years and any other state where they work or have worked in the last five years.
 - 4) CFS-341: Certification of Absence of Criminal Record (household members ages 14-17)
 - 5) CFS-342: State Police Criminal Record Check and an FBI fingerprint-based criminal record check for each member of the household 18 and one-half years of age and older, excluding children in foster care.
 - 6) CFS-409: Foster/Adoptive Family Preference Checklist
 - 7) CFS-404: General Medical Report for each member of the household
 - 4) CFS-342: State Police Criminal Record Check and an FBI fingerprint-based criminal record check for each member of the household 18 years of age and older, excluding children in foster care.
 - 5) CFS-316: Request for Child Maltreatment Central Registry Check for each member of the household 10 years of age and older, excluding children in foster care, but including any other state of residence in the last six years and any other state where they work or have worked in the last six years
 - 6) APS-0001: Authorization for Adult Maltreatment Central Registry for each household member age 18 years and older, excluding children in foster care.
 - 7) CFS-455: Request/Consent for Health Department Services, if applicable
 - 8) CFS-480: Alternate Compliance of Water Supply Agreement, if applicable
 - 9) CFS-425: Application for Adoption Subsidy, if applicable
 - 10) CFS-426: Statement of Income and Resources for Adoption Subsidy, if applicable
- D. Document the review and assessment of the home on the CFS-446: In-Home Consultation Visit Report.

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EXCERPTS: POLICY VIII-G AND RELATED PROCEDURES

- E. Complete the assessment and preparation process with the foster parent, provisional foster parent, or relative.
- F. Send the adoption home study, recommendations, completed forms, reference letters, child's adoption packet and CFS-414: Change of Status to the Adoption Supervisor within four months of the court hearing that terminates parental rights.
- G. Make at least two visits in person with the prospective adoptive family with at least one visit being in the home. Have a separate, face-to-face interview with each prospective adoptive parent. Interview each household member in person who is 10 years of age or older.
- H. Refer a relative, or fictive kin who has not been approved as a foster parent or provisional foster parent to pre-service training. Complete the assessment and preparation process with ~~the~~ is relative, or fictive kin and send the adoption home study, recommendation, completed forms, reference letters, child's adoption packet, and CFS-414 to the Adoption Supervisor within four to six months of the court hearing that terminates parental rights. ~~(If there may be extenuating circumstance which could lengthen the time frame, such as availability of pre-service training).~~
- I. In CHRIS, complete the Affidavit of Disclosure screen on the child in the child's protective service case. If Foster Parent Adoption, be sure to check the Foster Parents Adoption checkbox.
- J. Prepare and present to the foster parent, provisional foster parent, ~~or~~ relative, or fictive kin, one non-identifying copy of the child's adoption packet and a complete CFS-471: Disclosure for Adoption during the assessment and preparation process.
- K. Review and discuss the adoption packet with the foster parent, provisional foster parent, or ~~relative~~ or fictive kin.
- L. Secure signatures on the CFS-471: Disclosure for Adoption and ensure a copy is provided.
- M. Assist in preparing the child for adoption and prepare the foster parent, provisional foster parent, or relative for adoption.
- N. Notify the foster parent, provisional foster parent, ~~or~~ relative, or fictive kin in writing if the adoption home study cannot be completed within 60 days of the final home visit and explain the reason.
- O. Send a copy of this notification to the Adoption Supervisor and Family Service Worker.
- P. Discuss any delays in completing the assessment and preparation process with the Adoption Supervisor and document reasons.
- Q. Complete the packet to determine eligibility for adoption subsidy, if applicable, during the adoption assessment and preparation process and forward to the Adoption Subsidy Coordinator, Adoption Services Unit.

PROCEDURE VIII-G3: Foster Parent, Provisional Foster Parent, ~~or~~ Relative, or Fictive Kin Adoption Decision

08/2013

The Adoption Supervisor will:

- A. Make a decision to approve or deny the foster parent, provisional foster parent, ~~or~~ relative, or fictive kin's application to adopt within ~~ten~~ 10 working days of receiving the completed adoption home study and send a written notification to the foster parent, provisional foster parent, or relative.
- B. Send a copy of the approval or denial notification to the Adoption Manager, Adoption Specialist, Area Director, Family Service Worker, County Supervisor, and OCC Attorney.
- C. Explain in the written notification the reason(s) for denial and the internal review procedures.
- D. Send a written notification to the foster parent, provisional foster parent, ~~or~~ relative, or fictive kin if a decision to approve or deny the application cannot be made within 60 days of the final home visit and explain the reason(s).
- E. Send a copy of this written notification to the Adoption Specialist and Family Service Worker.

The Family Service Worker will:

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EXCERPTS: POLICY VIII-G AND RELATED PROCEDURES

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- A. Update and transfer the out-of-home placement case record (paper record and CHRIS) to the Adoption Specialist within five working days of receiving the written notification of the approval for foster parent, provisional foster parent, or relative adoption.
- B. In CHRIS:
 - 1) Assign the Adoption Specialist as Primary Worker in the Assign/Transfer Screen. -The child remains in the current foster parent placement until finalization.
 - 2) Enter current foster parent or relative as an adoptive resource completing the Resource Screens.
 - 3) If child is to exit current foster care placement to enter relative's adoptive home, exit child from current foster parent placement and enter child into the relative's adoptive home in the Placement screens in the child's protective service case.

The Adoption Specialist will:

- A. Forward a CFS-414: Change of Status to the Adoption Coordinator, Adoption Services Unit, within five working days of receiving notification of approval to report approval of the placement.
- B. Assume primary case management once written notification of approval has been received.

PROCEDURE VIII-G4: When a Foster Parent, Provisional Foster Parent, ~~or~~ Relative, or Fictive Kin Files a Petition to Adopt Without Prior Knowledge or Consent of DCFS

082/20143

The Family Service Worker or Adoption Specialist, when learning about the petition, will:

- A. Notify immediately the Area Director, Adoption Supervisor, OCC Attorney and Adoption Manager and follow up with written notification.

The child's caseworker will:

- A. Arrange a staffing to determine if adoptive placement is appropriate to consider.
- B. Submit the results and recommendations from the staffing to the Area Director and Adoption Manager.
- C. Direct staff to follow procedures outlined above.
- D. Work with the OCC Attorney in regard to pending litigation if it appears the foster parent, provisional foster parent, ~~or~~ relative, or fictive kin would not be a suitable adoptive parents for the child.
- E. Notify the Adoption Supervisor if information regarding other prospective adoptive families for the child is needed.

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PROCEDURE VIII-G6: Disruption of Foster Parent, Provisional Foster Parent, ~~or~~ Relative, or Fictive Kin Adoption

028/20134

If disruption (prior to finalization) of an adoptive placement is imminent, the family's Adoption Specialist will:

- A. Provide appropriate services to preserve the family and prevent disruption, if applicable.
- B. Notify the Adoption Supervisor, County Supervisor, Family Service Worker, Adoption Manager, OCC Attorney and attorney ad litem.
- C. In CHRIS:
 - 1) Document the staffing, reason for disruption, and all contacts with adoptive family in the Contacts Screen.
 - 2) Exit child from current adoptive home placement selecting Placement Resource Requested Removal or Child Requested Change of Placement in the Enter/Exit Screen.
 - 3) Transfer the case back to the last Primary Assigned Family Service Worker in the Assign/Transfer Screen.

EXCERPTS: POLICY VIII-G AND RELATED PROCEDURES

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- D. Schedule and conduct a staffing to include those listed above and the foster parents, provisional foster parent(s) or relative, any age appropriate child, and any other significant individuals.
- E. Return case management responsibility to the Family Service Worker of the initiating county and transfer primary worker designation in CHRIS back to the Family Service Worker if it is not the plan to immediately select another adoptive family, and disruption occurs. Return the child's paper record back to the Family Service Worker within five working days of the disruption.
- F. Prepare the adoptive family for the disruption and provide casework counseling and referrals for needed services.

POLICY VIII-H: DEVELOPMENT OF ADOPTIVE HOMES

098/20134

The Division provides adoption services to recruit, assess, prepare, and retain adoptive families to ensure that adoption, when that is the best permanency option, is timely, well-supported, and lifelong. The services focus on finding families for children rather than finding children for families. Assessment and preparation of prospective adoptive families are completed according to the need for homes for children. The child's health, safety, and well-being shall be of paramount concern in the development of the adoptive placement.

When appropriate, the child's relatives may be pursued as possible adoptive placements even after TPR. Siblings shall be placed together in the same adoptive home. Siblings may be placed separately upon written documentation by a Mental Health Professional that placement of the siblings together would be detrimental to their best interests or is otherwise not possible at the time of placement.

DCFS employees who are related to children in foster care may be approved to adopt their relatives, if they are an appropriate placement. Other DCFS employees may apply to be adoptive parents. Applications will be considered on a case-by-case basis.

Residence in the home is not required for a minor to be adopted if the minor is in DHS custody if and must reside outside the home to receive medically necessary services.

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In order to ensure quality adoptive homes, DCFS will complete a thorough home assessment for each prospective adoptive family. The home assessment is a mutual selection process that involves several components including, but not limited to, background checks, compliance checks, an in-home consultation visit, pre-service training, a home study, and ongoing consultation between the prospective adoptive parents and Adoption Specialist. Prospective adoptive families are strongly encouraged to attend a local information meeting before the in-home consultation visit but are not required to do so. The purpose of the assessment process is to educate prospective adoptive parents on the characteristics of children waiting for adoptive homes and evaluate the applicants' ability to meet those needs as well as evaluate their compliance with Minimum Licensing Standards and DCFS policy requirements for adoptive homes.

If at any point throughout the home assessment process a prospective adoptive home is found to be out of compliance with a licensing standard or a DCFS policy, this non-compliance issue must be addressed. However, if the Adoption Specialist, or the individual conducting the home study, determines that the non-compliance issue would not endanger the safety or well-being of children placed in the home, an Alternative Compliance or DCFS Policy Waiver may be requested as appropriate. (An alternative compliance is a request for approval from the Child Welfare Agency Review Board to deviate from a minimum licensing standard, while a policy waiver is a request to deviate from a DCFS policy or procedure.) For more information on requesting an Alternative Compliance or DCFS Policy Waiver, see Appendix 9.

If there is a pending child maltreatment report on the family, the Adoption Specialist will stop proceedings until a determination is made. The investigation is to be reviewed and discussed with the Adoption Supervisor.

Relationship Stability

- A. In a two-parent home, ~~each person~~both parents shall be joint applicants and ~~each person~~both applicants shall actively participate in the approval process. The couple shall demonstrate a stable relationship. In assessing relationship stability, considerations may include major life changes such as:

EXCERPTS: POLICY VIII-H AND RELATED PROCEDURES

- Death or serious illness among family members
- Marriage, separation, divorce, or other significant changes in the couple's relationship
- Addition of household members (e.g., birth, adoption, aging relative moving in)
- Loss of or change in employment

BACKGROUND CHECKS

In addition to ensuring that homes meet the basic criteria, the Division shall only place children in approved adoptive homes where the adoptive parents and appropriate members of the household have been cleared through a series of background checks: the Arkansas Child Maltreatment Central Registry, the Arkansas Adult Maltreatment Central Registry, the Arkansas State Police Criminal Record Check and an FBI Criminal Background Check. Any household member who resides in the home for more than three cumulative months in a calendar year (e.g. an adult biological child of the adoptive parents who is home for the summer and holiday breaks or a relative who visits for six weeks twice a year) must clear all background checks.

Child Maltreatment Central Registry - Adoptive parents and all other members of the household age 14 years and older, excluding children in foster care, must be cleared through the Arkansas Child Maltreatment Central Registry. The Arkansas Child Maltreatment Central Registry Check shall be repeated annually every two years thereafter until the adoption decree is issued at which point repeat checks will no longer be required. However, if the home wishes to continue to keep its adoption service open in order to potentially adopt additional children, the Central Registry checks on all household members 14 years of age and older will continue to be run every two years.

If applicable, a Child Maltreatment Central Registry Check shall also be conducted on each household member age 14 years or older in any state of residence in which they have lived for the past six years, and in their state of employment, if different, for reports of child maltreatment.

Adult Maltreatment Central Registry – Adoptive parents and all other members of the household age 18 and one-half years and older, excluding children in foster care, must be cleared through the Arkansas Adult Maltreatment Central Registry. As soon as possible after a household member, excluding children in foster care, reaches his or her 18th birthday, the paperwork to request the Arkansas Adult Maltreatment Central Registry Check must be initiated to ensure results are received by the time that household member reaches 18 and one-half years of age. The Arkansas Adult Maltreatment Central Registry check shall be repeated annually every two years thereafter until the adoption decree is issued at which point repeat checks will no longer be required. However, if the home wishes to continue to keep its adoption service open in order to potentially adopt additional children, the Adult Maltreatment Central Registry Check on all household members 18 and one-half years of age and older will continue to be run every two years.

State Police Criminal Record Check – Adoptive parents and all other members of the household age 18 and one-half years and older, excluding children in foster care, must be cleared through a State Police Criminal Record Check. As soon as possible after a household member, excluding children in foster care, reaches his or her 18th birthday, the paperwork to request the Arkansas State Police Criminal Record Check must be initiated to ensure results are received by the time that household member reaches 18 and one-half years of age.

The State Police Criminal Record Check shall be repeated annually every two years thereafter until the adoption decree is issued at which point repeat checks will no longer be required. However, if the home wishes to continue to keep its adoption service open in order to potentially adopt additional children, the Arkansas State Police Criminal Record checks on all household members 18 and one-half years of age and older will continue to be run every two years.

FBI Criminal Background Check - Adoptive parents and all members of the foster home who are 18 and one-half years of age and older, excluding children in foster care, must also clear a fingerprint-based FBI Criminal

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EXCERPTS: POLICY VIII-H AND RELATED PROCEDURES

Background Check. As soon as possible after a household member, excluding children in foster care, reaches his or her 18th birthday, the paperwork to request the FBI Criminal Background Check must be initiated to ensure results are received by the time that household member reaches 18 and one-half years of age. The FBI Criminal Background Check does not need to be repeated.

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PROCEDURE VIII-H5: Background Check Processing

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If the prospective adoptive family did not attend an Informational Meeting, the Adoption Specialist must provide the family with a Background Check Packet which includes:

- 1) FBI fingerprint card (if not using harvester)
- 2) CFS-316: Request for Child Maltreatment Central Registry Check
- 3) APS-0001: Authorization for Adult Maltreatment Central Registry
- 4) CFS-341: Certification of Absence of Criminal Record
- 5) CFS-342: State Police Criminal Record Check
- 6) CFS-419: Foster Family Support System Information
- 7) CFS-593: Arkansas State Vehicle Safety Program Additional Requirements for DCFS Drivers
- 8) VSP-1: Authorization to Operate State Vehicles and Private Vehicles on State Business
- 9) VSP-2: Authorization to Obtain Traffic Violation Record
- 10) Arkansas State Vehicle Safety Program Manual

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The Adoption Specialist will:

- A. Submit the signed CFS-593, VSP-1 and VSP-2 to the Vehicle Safety Program Coordinator along with a clear copy of the driver's license for each prospective adoptive parent, FFSS member, and applicable teenage driver.
 - 1) Copy the front and back of the driver's license.
 - 2) Document in CHRIS.
 - 3) The county office must receive the results of the Arkansas State Vehicle Safety Program check before the family can be approved for training.
- B. Submit the completed CFS-316: Request for Child Maltreatment Central Registry Check for each household member and FFSS member age ~~10-14~~ years and older, excluding children in foster care. The CFS-316 must be notarized. The Child Maltreatment Central Registry Check shall be repeated ~~annually every two years~~ thereafter until the adoption decree has been issued. The person must have no history of true abuse and/or neglect.
 - 1) If applicable, a Child Maltreatment Central Registry Check should also be conducted on each household member and FFSS member age ~~140~~ years and older in any state of residence in which they have lived for the past ~~fivesix~~ years, and in their state of employment, if different, for reports of child maltreatment.
 - 2) Route each completed CFS-316 to the Central Registry Unit.
 - 3) Document on the Provider Household Member Required Checks Information Screen.
 - 4) File a copy of the results in the adoptive family file. The county office must receive the results of the Child Maltreatment Central Registry Check before the family can be approved for training.
- C. Submit the completed APS-0001: Authorization for Adult Maltreatment Central Registry for each household member age 18 and one-half years and older, excluding children in foster care. The APS-0001 must be notarized. The Adult Maltreatment Central Registry Check shall be repeated ~~annually every two years~~ thereafter until the adoption decree has been issued. The person must have no history of true abuse and/or neglect.
 - 1) Route each completed APS-0001 to Adult Protective Services.
 - 2) File a copy of the results in the adoptive family file. The county office must receive the results of the Adult Maltreatment Central Registry Check before the family can be approved for training.

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EXCERPTS: POLICY VIII-H AND RELATED PROCEDURES

- D. Use CFS-341: Certification of Absence of Criminal Record to obtain written certification from the prospective adoptive parent(s) that any household members aged 14-17 do not have a criminal record. File a copy in the adoptive family file.
- E. Submit the completed CFS-342: State Police Criminal Record Check for each household member and FFSS member age 18 and one-half years and older, excluding children in foster care. The CFS-342 must be notarized. The State Police Criminal Record Check must be completed prior to requesting the FBI Criminal Background Check. Applicants must have no history of convictions for offenses listed in A.C.A. § 9-28-116 (see APPENDIX 8 for more information). These checks must be made prior to approval and shall be repeated every two years-annually thereafter until the adoption decree has been issued.
- 1) Route each completed CFS-342 to the Criminal Records Unit.
 - 2) Document on the Provider Household Member Required Checks Information Screen.
 - 3) File a copy of the results in the adoptive family file. The county office must receive the results of the Criminal Record Check before the family can be approved for training.
- F. Out-of-state adoptive families do not need to do an Arkansas State Police Check if they have never resided in Arkansas. Adoptive parents and each household member age 18 and one-half years and older, excluding children in foster care, residing out-of-state shall provide state police criminal record checks from their state of residence. These checks must be made prior to approval and shall be repeated annually-every two years thereafter until the adoption decree has been issued.
- G. Process a fingerprint-based FBI Criminal Background Check for each household member age 18 and one-half years of age and older, excluding children in foster care. Encourage the adoptive applicants to submit the FBI Criminal Background Check as early as possible given that processing time may be significant. The fingerprint-based FBI ~~fingerprint-based~~ Criminal Background Check must be submitted prior to the family attending training; however, the results are not required before the family can attend training. There are two options for completing the FBI check:
- 1) Electronic Fingerprint Scanning
 - a. Adoptive applicants do NOT need to fill out an FBI fingerprint card. A request for electronic scanning will be done via CFS-342.
 - b. The Adoption Specialist will forward the completed CFS-342 to the Criminal Records Unit.
 - c. The Criminal Records Unit will use the CFS-342 to get a transaction number from the State Police.
 - d. The Criminal Records Unit will forward the transaction number to the Adoption Specialist.
 - e. The Adoption Specialist will forward the transaction number to the applicants.
 - f. Applicants must go to an approved Electronic Harvester to have fingerprints scanned. Check with the Adoption Specialist for the closest location.
 - g. Applicants must pay the electronic harvester fee. If applicants are approved and opened as a foster/pre-adoptive home, they may request reimbursement. A receipt for the harvester fees and a DHS-1914 must be submitted to the Resource Worker's local financial coordinator for reimbursement processing.
 - h. The Adoption Specialist will document the results on the Provider Household Member Required Checks Information Screen and file a copy of the results in the adoptive family file.
 - 2) Ink Fingerprint
 - a. Adoptive applicants will complete CFS-342 and the FBI fingerprint card with good, unsmudged prints. Take care not to staple through the fingerprints on the FBI fingerprint card.
 - i. If the prints are not readable, the family will have to re-submit. Adoptive applicants may not use an Electronic Harvester if they have already submitted ink fingerprints and the attempt was unsuccessful.
 - ii. If a legible set of fingerprints cannot be obtained after a minimum of two attempts, a name-based FBI check will be conducted instead.
 - b. The Adoption Specialist will forward the documents to the Criminal Records Unit.
 - c. The Adoption Specialist will document the results on the Provider Household Member Required Checks Information Screen and file a copy of the results in the adoptive family file.

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PROCEDURE III-F1: Coordination of Services, Care and Case Opening for Infants Born to Juveniles in the Physical Custody of the Division of Youth Services

098/201308

DCFS Responsibilities and Duties

To ensure the well-being of an infant, born to a juvenile in the physical custody of DYS, the DCFS Assistant Director of Community Services or designee shall work collaboratively with DYS and function as the liaison between DYS and DCFS.

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Upon receipt of information from DYS that a juvenile in their custody is pregnant, the DCFS Assistant Director of Community Services or designee will be responsible for contacting and coordinating services with the appropriate DCFS county staff and DYS staff.

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In order to ensure the health and safety of any infant born to a juvenile in the physical custody of DYS, the DCFS Assistant Director of Community Services or designee shall perform the following duties:

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- A. Contact the appropriate DCFS county office to notify them of the referral from DYS.
- B. Forward all information to the appropriate DCFS county office concerning the juvenile and designated caregivers.
- C. Coordinate all information sharing between the county office and DYS. If the county office needs any additional information from DYS, the county must contact the DCFS Assistant Director of Community Services.
- D. Track all referrals to the county office until the infant is placed with a designated caregiver or with DHS. The DCFS Assistant Director of Community Services or designee will develop a log to track all referrals and maintain a status of the referrals.

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In order to ensure the health and safety of any infant born to a juvenile in the physical custody of DYS, the DCFS county office shall perform the following duties:

- A. Contact the identified caregiver(s) to determine their willingness to take custody of the child at birth and to care for the child until the parent is released from DYS.
- B. Explain to the prospective caregiver that:
 - 1) If his or her home study, including a Central Registry Check, a State Police Criminal Background Check, and Vehicle Safety (DMV) Check, is approved, DCFS will petition the court for them to take custody of the child at birth, and DCFS would have no further involvement in the case.
 - 2) A prospective caregiver has the option of becoming a foster family only if they need assistance in the care of the child.
- C. Coordinate the services between other counties if the juvenile identifies more than one potential caregiver and any of the prospective caregivers live in different counties.
- D. Subsequent to declining a prospective caregiver due to an unfavorable home study, contact other county offices as necessary to have those counties conduct home studies on other identified potential caregivers.
- E. Conduct a home study, including a Central Registry Check, a State Police Criminal Background Check, and Vehicle Safety (DMV) Check, on the family that is the most willing to take the infant and willing to work for the best interest of the juvenile. County office staff can use contracts for conducting the home studies if contracts are available.
- F. Once a favorable home study is completed on a prospective caregiver, explain to the prospective caregiver that DCFS will petition the court for them to obtain emergency custody of the child. The home study needs to be completed and approved, if possible, prior to the infant's birth.
- F.G. If the home study is completed and approved within the first or second trimester of the pregnancy, then after the child is born but before placement, complete a walk-through of the prospective caregiver's home to ensure the home remains appropriate (a new home study is not required, only a walk-through). An approved home study is valid for six months.

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G.H. Contact OCC on each case so that there is appropriate court involvement.

H.I. Identify cases as FINS Non-DCFS Involvement as appropriate.

If an appropriate caregiver is willing to take custody of the child, DCFS will not take custody but will file a petition for dependency due to the parent being incarcerated. The petition will ask for emergency custody to be given to the caregiver once the baby is born. -Placement with the approved caregiver will be the requested placement and not placement with DHS.

If there is no appropriate caregiver or if the identified caregiver is not willing to take custody of the child but expresses that they would like to become a foster parent for the child, DCFS will petition the court for custody of the infant and open the caregivers home as a provisional foster home if the approved caregiver is a relative or fictive kin. If the approved caregiver is not a relative or fictive kin and wants to become a foster parent for the infant, the infant will have to be placed in an approved foster home until the caregiver becomes an approved licensed foster home.

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Release of Infant

- A. The DCFS Assistant Director of Community Services or designee will immediately notify the appropriate county office of the juvenile's entry into the hospital for delivery or immediately after the juvenile delivers the infant.
- B. Upon notification, the county office will immediately notify the approved caregiver of the juvenile's entry into the hospital for delivery of the child.
- C. DCFS shall be responsible for initiating any legal proceedings necessary to facilitate the placement or release of the infant(s).

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PROCEDURE VIII-I1: Initial Application for Adoption Subsidy

08/2013~~2~~

The Adoption Specialist will:

- F. Determine what type of adoption subsidies are needed, and complete all application procedures at the same time the adoption assessment is being completed for a foster parent, provisional foster parent, ~~or~~ relative, or fictive kin adoption and within 60 days of placement for all other adoptions.
- Q. Provide the following documentation with the initial adoption subsidy application packet:
 - 1) Emergency Petition
 - 2) Emergency Order or other initial custody court order
 - 3) Petition and Order for Termination of Parental Rights with Power to Consent to Adoption
 - 4) A copy of the CMA Worksheet in CHRIS or, if applicable, award letter for SSI
 - 5) A copy of the approved selection form for an adoption that is NOT a foster parent, provisional foster parent, ~~or~~ relative, or fictive kin adoption that documents efforts to place the child without adoption subsidy. ~~-(n)Not~~ required for a foster parent, provisional foster parent, ~~or~~ relative, or fictive kin adoption.)
- R. Prepare a narrative entitled "Subsidy Family Profile" about the adoptive family to include:
 - 1) Type of adoption (foster parent, provisional foster parent, non-foster parent, relative, fictive kin);
 - 2) Type of subsidy (maintenance, special, non-recurring, non-IV-E Medicaid);
 - 3) Funding source (federal or state);
 - 4) Child to receive subsidy (first name, age, race, developmental information, description of special needs, problems, limitation, reasons for being in out-of-home placement, and brief description of out-of-home placement history);
 - 5) Adoptive father (name, age, education, employment and health);
 - 6) Adoptive mother (name, age, education, employment and health);
 - 7) Other children in family (adopted, birth, custody, out-of-home placement, name, age, education, and health);
 - 8) Others in household (explain if applicable);
 - 9) Marriage (length and comments about the quality of the relationship);
 - 10) Housing (brief description);
 - 11) Income/resources (sources and amounts, health insurance coverage, etc.);
 - 12) Exploration of other resources and assistance that may be available for the child and adoptive family when screening for a subsidy;
 - 13) Family and adoptive child relationship (description to include strengths and challenges);
 - 14) Reason for adoption subsidy (explain reason child needs adoption subsidy and reason for the adoptive parent requesting it);
 - 15) Subsidy request (maintenance costs per month and for not more than a year), special subsidy type of service and costs for not more than a year, legal assistance, if the OCC Attorney is requested to finalize the adoption, court costs, etc., other subsidy requests and costs;
 - 16) Recommendation to approve or deny.

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APPENDIX 8: ALTERNATIVE COMPLIANCE AND POLICY WAIVER PROTOCOL

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“Alternative Compliance” is defined as a request for approval from the Child Welfare Agency Review Board to allow a licensee to deviate from the letter of a regulation. The licensee must demonstrate substantial compliance with the intent of the regulation. This includes, but is not limited to, regulations governing background checks and convictions for prohibited offenses.

“Policy Waiver” is defined as a request to deviate from the letter of the DCFS Policy, and procedures or standards. The DCFS Director approves all policy waiver requests.

Traffic violations, other than DUI or DWI, do not require a policy waiver or alternative compliance as they are dealt with through the vehicle safety program. DUI and DWI violations require a Policy Waiver.

The procedures for requesting a Policy Waiver or an Alternative Compliance are the same, up until the point when the request is given to the Assistant Director of Community Services.

The procedures are as follows:

- A. The FSW will determine if a Policy Waiver or Alternative Compliance should be requested based on their professional judgment. -Issues to take into consideration on criminal convictions would include the time frame and circumstances of the offense. -When an Alternative Compliance is requested for an excluded criminal offense, the police report and any other reports regarding any criminal charges or convictions must be attached as documentation.
- B. If approval is recommended, the FSW will request a Policy Waiver or an Alternative Compliance using the CFS-509B and will attach all appropriate supporting documentation, as applicable:
 - 1) Three personal references
 - 2) CFS-446: In-Home Consultation Visit Report
 - 3) Current home study, if one has been completed
 - 4) Copy of the Child Maltreatment Central Registry Check, State Police Criminal Record Check and/or FBI Background Check resulting in a hit
- C. Within 10 business days of receipt of the request, the Supervisor will determine if the requested Policy Waiver or Alternative Compliance is appropriate for approval. - Issues to take into consideration would include the time frame and circumstances of the offense.
 - 1) If approved, the Supervisor will send it to the Area Director.
 - 2) If denied, the Supervisor will notify the FSW and the family.
- D. Within 10 business days of receipt of the request, the Area Director will determine if the requested Policy Waiver or Alternative Compliance is appropriate for approval. Issues to take into consideration would include the time frame and circumstances of the offense.
 - 1) If approved, the Area Director will send it to the Assistant Director of Community Services
 - 2) If denied, the Area Director will return it to the Supervisor.
 - 3) If denied, the Supervisor will notify the FSW and the family.

At this point, the procedures for requesting a policy waiver differ from the procedures for requesting an alternative compliance. -The Assistant Director for Community Services or designee will determine if the requested Policy Waiver or Alternative Compliance should be approved or denied.

Policy Waivers

When a Policy Waiver has been requested, the Assistant Director of Community Services or designee will, within 10 business days of receipt of the request:

- A. Deny any inappropriate request for a Policy Waiver and return it to the Area Director; or
- B. Approve an appropriate request for a Policy Waiver and send to the DCFS Director for final approval or denial.

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The Director's final decision will be conveyed to the FSW for appropriate action. The following require a Policy Waiver:

- 1) Any misdemeanor convictions, except for minor traffic violations
- 2) Driving under the influence (DUI) or Driving while intoxicated (DWI)
- 3) Any issues that are not in compliance with DCFS Policy

Alternative Compliance

When an Alternative Compliance has been requested, the Assistant Director of Community Services or designee will:

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- A. Deny any inappropriate request for an Alternative Compliance and return it to the Area Director; or
- B. Approve an appropriate request for an Alternative Compliance and send it to the DCFS Director.

The DCFS Director will:

- A. Deny any inappropriate request for an Alternative Compliance and return the request to the Assistant Director of Community Services, or
- B. Approve the request and send it to the PRLU (Placement and Residential Licensing Unit) Manager and staff.

The Placement and Residential Licensing Unit (PRLU) Manager will:

A. Deny any inappropriate request for an Alternative Compliance; or Review the AC request to ensure all required documents are in the packet.

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B. Request any missing documentation be submitted.

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A. If all required documentation is included in the AC packet,

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B. C. Approve the request and place the AC request on the agenda of the next scheduled meeting of the Child Welfare Agency Review Board (CWARB).

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The Foster or Adoptive Parent and FSW who made the original request for an Alternative Compliance will appear before the CWARB to answer questions.

The CWARB will give final approval or denial of the request for the Alternative Compliance.

The following crimes require an Alternative Compliance from the CWARB:

- A. False imprisonment in the first or second degree
- B. Permanent detention or restraint
- C. Battery in the first, second or third degree
- D. Aggravated assault
- E. Assault in the first or second degree
- F. Terroristic threatening in the first or second degree
- G. Contributing to the delinquency of a minor
- H. Interference with visitation
- I. Interference with custody
- J. Engaging in conduct with respect to controlled substances
- K. Distribution to minors
- L. Public display of obscenity
- M. Prostitution
- N. Promoting prostitution in the first, second or third degree
- O. Criminal attempt, criminal complicity, criminal solicitation, or criminal conspiracy
- P. Any felony
- Q. Any misdemeanor involving violence, threatened violence or moral turpitude

(A) Criminal attempt

(B) Criminal complicity

(C) Criminal conspiracy

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[\(D\) Criminal solicitation](#)
[\(E\) Assault in the first, second, or third degree](#)
[\(F\) Aggravated assault](#)
[\(G\) Aggravated assault on a family or household member](#)
[\(H\) Battery in the first, second, or third degree](#)
[\(I\) Breaking or entering](#)
[\(J\) Burglary](#)
[\(K\) Coercion](#)
[\(L\) Computer crimes against minors](#)
[\(M\) Contributing to the delinquency of a juvenile](#)
[\(N\) Contributing to the delinquency of a minor](#)
[\(O\) Criminal impersonation](#)
[\(P\) Criminal use of a prohibited weapon](#)
[\(Q\) Communicating a death threat concerning a school employee or student](#)
[\(R\) Domestic battery in the first, second, or third degree](#)
[\(S\) Employing or consenting to the use of a child in a sexual performance](#)
[\(T\) Endangering the welfare of a minor in the first or second degree](#)
[\(U\) Endangering the welfare of an incompetent person in the second degree](#)
[\(V\) Engaging children in sexually explicit conduct for use in visual or print media](#)
[\(W\) False imprisonment in the first or second degree](#)
[\(X\) Felony abuse of an endangered or impaired person](#)
[\(Y\) Felony interference with a law enforcement officer](#)
[\(Z\) Felony violation of the Uniform Controlled Substance Act](#)
[\(A\)\(A\) Financial identity fraud](#)
[\(B\)\(B\) Forgery](#)
[\(C\)\(C\) Incest](#)
[\(D\)\(D\) Interference with court ordered custody](#)
[\(E\)\(E\) Interference with visitation](#)
[\(F\)\(F\) Introduction of controlled substance into the body of another person](#)
[\(G\)\(G\) Manslaughter](#)
[\(H\)\(H\) Negligent homicide](#)
[\(I\)\(I\) Obscene performance at a live public show](#)
[\(J\)\(J\) Offense of cruelty to animals](#)
[\(K\)\(K\) Offense of aggravated cruelty to dog, cat, or horse;](#)
[\(L\)\(L\) Pandering or possessing visual or print medium depicting sexually explicit conduct involving a child](#)
[\(M\)\(M\) Sexual solicitation](#)
[\(N\)\(N\) Permanent detention or restraint](#)
[\(O\)\(O\) Permitting abuse of a minor](#)
[\(P\)\(P\) Producing, directing, or promoting a sexual performance by a child](#)
[\(Q\)\(Q\) Promoting obscene materials](#)
[\(R\)\(R\) Promoting obscene performance](#)
[\(S\)\(S\) Promoting prostitution in the first, second, or third degree](#)
[\(T\)\(T\) Prostitution](#)
[\(U\)\(U\) Public display of obscenity](#)
[\(V\)\(V\) Resisting arrest](#)
[\(W\)\(W\) Robbery](#)
[\(X\)\(X\) Aggravated robbery](#)
[\(Y\)\(Y\) Sexual offenses](#)
[\(Z\)\(Z\) Simultaneous possession of drugs and firearms](#)
[\(A\)\(A\)\(A\) Soliciting money or property from incompetents](#)
[\(B\)\(B\)\(B\) Stalking](#)
[\(C\)\(C\)\(C\) Terroristic act](#)
[\(D\)\(D\)\(D\) Terroristic threatening](#)

[\(E\)\(E\)\(E\) Theft of public benefits](#)
[\(F\)\(F\)\(F\) Theft by receiving](#)
[\(G\)\(G\)\(G\) Theft of property](#)
[\(H\)\(H\)\(H\) Theft of services](#)
[\(I\)\(I\)\(I\) Transportation of minors for prohibited sexual conduct](#)
[\(J\)\(J\)\(J\) Unlawful discharge of a firearm from a vehicle](#)
[\(K\)\(K\)\(K\) Voyeurism](#)

An alternative compliance may not be requested by any individual who has pleaded guilty or nolo contendere to, or has been found guilty of any of the following offenses as he or she is permanently disqualified from being a foster or adoptive parent per A.C.A. § ~~9-28-409(e)(1)~~ ~~901-28-409(h)(1)~~:

~~A. Abuse of an endangered or impaired person, if felony~~
~~B. Arson~~
~~C. Capital murder~~
~~D. Endangering the welfare of an incompetent person in the first degree~~
~~A-E. Kidnapping~~
~~B-F. Murder in the first or second degree~~
~~C. Kidnapping~~
~~D-G. Rape~~
~~E-H. Sexual assault in the first or second degree~~
~~F. Endangering the welfare of a minor in the first or second degree~~
~~G. Incest~~
~~H. Arson~~
~~I. Endangering the welfare of an incompetent person in the first degree~~
~~J-L. Adult abuse that constitutes a felony~~

An alternative compliance may not be requested by any prospective foster or adoptive parent with a felony conviction for the following offenses, as no foster child in DHS custody may be placed in such an individual's home:

- A. Child abuse or neglect
- B. Spousal abuse or domestic battery
- C. A crime against children, including child pornography
- D. A crime involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery

A prospective foster or adoptive parent may request an alternative compliance for a felony conviction for physical assault, battery, or a drug-related offense if the offense was not committed within the past five years.

If an applicant produces evidence that a conviction has been expunged or sealed, this information must be forwarded to OCC for review.

A ~~CWAL-PRLU~~ Licensing Specialist will monitor DCFS for continued compliance with CWAL standards and issue a corrective action notice if any deficiencies are found. The notice will state the agreement regarding the corrective action and a reasonable time frame for the violation to be corrected.

STANDARDS OF APPROVAL FOR FOSTER AND ADOPTIVE HOMES

Arkansas Department of Human Services
Division of Children and Family Services

Our mission is to keep children safe and help families.
DCFS will respectfully engage families and youth
and use community-based services and supports
to assist parents in successfully caring for their children.

We will focus on the safety, permanency,
and well-being for all children and youth.

CARE * COMMIT * CONNECT

PUB-22

Revised August 201~~21~~²³

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STANDARDS OF APPROVAL FOR FOSTER AND ADOPTIVE HOMES

TYPES OF FOSTER HOMES

Provisional Foster Homes

In an effort to preserve family connections and expedite placement of children, the Division may place a child in foster care with a relative or fictive kin if one has been identified and is appropriate. Relative means a person within the fifth degree of kinship to the child by virtue of blood or adoption. Fictive kin means a person not related to the child by blood or marriage, but who has a strong, positive, emotional tie to the child and has a positive role in the child's life, such as a godparent, neighbor, or family friend. This type of placement is classified as a Provisional Foster Home. The purpose of opening a provisional foster home is to enable DCFS to make a quick placement for a child with a relative or fictive kin with whom a bond already exists. Provisional foster homes must meet certain requirements, which include an expedited Child Maltreatment Central Registry check, an expedited State Police Criminal Record check, a vehicle safety check, and a visual inspection of the home to verify that the relative /fictive kin and the home meet standards.

Once opened as a provisional foster home, DCFS staff works with the provisional foster parents in that home to bring them into full compliance within six months. Provisional foster homes that are not in full compliance at the end of six months must be closed and the children removed or the relative /fictive kin must have been granted permanent custody by the court. Provisional foster homes will not be paid a board payment until the relative meets all of the licensing requirements and DCFS standards, and is reclassified as a regular foster home.

Children in foster care are in DHS custody and, therefore, must remain in licensed or approved foster homes, shelters, or facilities until a relative's /fictive kin's home is opened as a provisional home, regular foster home, or the court grants custody to the relative or other person after a written, approved home study is presented to the court.

Background Checks: Applicants and all household members 14 years of age and older, excluding children in foster care, must consent to a Child Maltreatment Central Registry Check in all the states in which they have lived in the past five years, and in their state of employment, if different. Household members must have no history of true abuse and/or neglect.

Applicants and all household members 18 years of age and older, excluding children in foster care, must consent to an Adult Maltreatment Central Registry Check. The Division will repeat the Child Maltreatment and the Adult Maltreatment Central Registry Checks every two years on all persons required to have the check.

An FBI fingerprint-based Criminal Background Check will be conducted on applicants and all household members 18 years of age or older, excluding children in foster care. This check need not be repeated.

Applicants and all household members age 18 and one-half years or older, excluding children in foster care, must consent to an Arkansas State Police Criminal Record Check. The Division will repeat an Arkansas State Police Criminal Record Check every two years on any person required to have the check. Household members with criminal convictions may, under some circumstances, request an Alternative Compliance. (See section on Alternative Compliance & Policy Waiver Requests.) Foster parent applicants will complete CFS-341 to certify in writing that household members age 10 through 17 do not have criminal records.

An FBI fingerprint-based Criminal Background Check will be conducted on applicants and all household members 18 and one-half years of age or older, excluding children in foster care. This check need not be repeated.

Vehicle Safety Check: DCFS will check the driving record (violation points) for each applicant and other applicable members of the household. The Arkansas State Vehicle Safety Program sets the maximum number of traffic violation points a foster parent may be allowed.

STANDARDS OF APPROVAL FOR FOSTER AND ADOPTIVE HOMES

ALTERNATIVE COMPLIANCE & POLICY WAIVER REQUESTS

DCFS bases its standards of care and character on the Child Welfare Agency Licensing Act (CWALA). If it is believed that an applicant possesses special abilities or circumstances which would make them good foster parents in spite of their inability to meet a standard, the county office may request an approval for an alternative compliance or a policy waiver.

An **alternative compliance** is a request for approval from the Child Welfare Agency Review Board (CWARB) to allow a licensee to deviate from the letter of a regulation, provided that the licensee has demonstrated how an alternate plan of compliance will meet or exceed the intent of the regulation. What is proposed as an alternative to compliance with policy or standards will comply with the intent, if not the actual requirement.

Child Welfare Licensing requirements state that any person who is required to have a criminal check under the law and who pleads guilty or nolo contendere to, or is found guilty of any of the offenses listed in the licensing standards unless the conviction is vacated or reversed, shall be presumed to be disqualified to be an owner, operator, volunteer, foster parent, adoptive parent, member of an agency's board of directors, student intern, or employee in a child welfare agency after the completion of his or her term of confinement, probation, or parole supervision. This presumption may be rebutted in the following manner:

- 1) The applicant must petition the board to make a determination that the applicant does not pose a risk of harm to any person;
- 2) The applicant must bear the burden of making such a showing; and
- 3) The board in its discretion may permit an applicant to be an owner, operator, volunteer, foster parent, adoptive parent, member of an agency's board of directors, or an employee in a child welfare agency notwithstanding having been convicted of an offense listed upon making a determination that the applicant does not pose a risk of harm to any person served by the facility.

In making this determination, the board will consider the following factors:

- 1) The nature and severity of the crime.
- 2) The consequences of the crime.
- 3) The number and frequency of crimes.
- 4) The relation between the crime and the health, safety, and welfare of any person, such as:
 - a. The age and vulnerability of victims of the crime.
 - b. The harm suffered by the victim.
 - c. The similarity between the victim and persons served by a child welfare agency.
 - d. The time elapsed without a repeat of the same or similar event.
 - e. Documentation of successful completion of training or rehabilitation pertinent to the incident.
 - f. Any other information that bears on the applicant's ability to care for children or any other relevant information.

The following crimes require an Alternative Compliance:

- (A) Criminal attempt
- (B) Criminal complicity
- (C) Criminal conspiracy
- (D) Criminal solicitation
- (E) Assault in the first, second, or third degree
- (F) Aggravated assault
- (G) Aggravated assault on a family or household member
- (H) Battery in the first, second, or third degree
- (I) Breaking or entering
- (J) Burglary
- (K) Coercion
- (L) Computer crimes against minors
- (M) Contributing to the delinquency of a juvenile
- (N) Contributing to the delinquency of a minor

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STANDARDS OF APPROVAL FOR FOSTER AND ADOPTIVE HOMES

(O) Criminal impersonation
(P) Criminal use of a prohibited weapon
(Q) Communicating a death threat concerning a school employee or student
(R) Domestic battery in the first, second, or third degree
(S) Employing or consenting to the use of a child in a sexual performance
(T) Endangering the welfare of a minor in the first or second degree
(U) Endangering the welfare of an incompetent person in the second degree
(V) Engaging children in sexually explicit conduct for use in visual or print media
(W) False imprisonment in the first or second degree
(X) Felony abuse of an endangered or impaired person
(Y) Felony interference with a law enforcement officer
(Z) Felony violation of the Uniform Controlled Substance Act
(A)(A) Financial identity fraud
(B)(B) Forgery
(C)(C) Incest
(D)(D) Interference with court ordered custody
(E)(E) Interference with visitation
(F)(F) Introduction of controlled substance into the body of another person
(G)(G) Manslaughter
(H)(H) Negligent homicide
(I)(I) Obscene performance at a live public show
(J)(J) Offense of cruelty to animals
(K)(K) Offense of aggravated cruelty to dog, cat, or horse
(L)(L) Pandering or possessing visual or print medium depicting sexually explicit conduct involving a child
(M)(M) Sexual solicitation
(N)(N) Permanent detention or restraint
(O)(O) Permitting abuse of a minor
(P)(P) Producing, directing, or promoting a sexual performance by a child
(Q)(Q) Promoting obscene materials
(R)(R) Promoting obscene performance
(S)(S) Promoting prostitution in the first, second, or third degree
(T)(T) Prostitution
(U)(U) Public display of obscenity
(V)(V) Resisting arrest
(W)(W) Robbery
(X)(X) Aggravated robbery
(Y)(Y) Sexual offenses
(Z)(Z) Simultaneous possession of drugs and firearms
(A)(A)(A) Soliciting money or property from incompetents
(B)(B)(B) Stalking
(C)(C)(C) Terroristic act
(D)(D)(D) Terroristic threatening
(E)(E)(E) Theft of public benefits
(F)(F)(F) Theft by receiving
(G)(G)(G) Theft of property
(H)(H)(H) Theft of services
(I)(I)(I) Transportation of minors for prohibited sexual conduct
(J)(J)(J) Unlawful discharge of a firearm from a vehicle
(K)(K)(K) Voyeurism

- 1) ~~False imprisonment in the first or second degree~~
- 2) ~~Permanent detention or restraint~~
- 3) ~~Battery in the first, second or third degree~~

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STANDARDS OF APPROVAL FOR FOSTER AND ADOPTIVE HOMES

- ~~4) Aggravated assault~~
- ~~5) Assault in the first or second degree~~
- ~~6) Terroristic threatening in the first or second degree~~
- ~~7) Contributing to the delinquency of a minor~~
- ~~8) Interference with visitation~~
- ~~9) Interference with custody~~
- ~~10) Engaging in conduct with respect to controlled substances~~
- ~~11) Distribution to minors~~
- ~~12) Public display of obscenity~~
- ~~13) Prostitution~~
- ~~14) Promoting prostitution in the first, second or third degree~~
- ~~15) Criminal attempt, criminal complicity, criminal solicitation, or criminal conspiracy~~
- ~~16) Any felony~~
- ~~17) 1) Any misdemeanor involving violence, threatened violence or moral turpitude~~

An alternative compliance may NOT be requested by any individual who has pleaded guilty or nolo contendere to, or has been found guilty of any of the following offenses as he or she is permanently disqualified from being a foster or adoptive parent per ACA § 901-28-409(h)(1):

- 1) Abuse of an endangered or impaired person, if felony
- 2) Arson
- 3) Capital murder
- 4) Endangering the welfare of an incompetent person in the first degree
- 5) Kidnapping
- 6) Murder in the first or second degree
- 7) Rape
- 8) Sexual assault in the first or second degree
- ~~1) Capital murder~~
- ~~2) Murder in the first or second degree~~
- ~~3) Kidnapping~~
- ~~4) Rape~~
- ~~5) Sexual assault in the first or second degree~~
- ~~6) Endangering the welfare of a minor in the first or second degree~~
- ~~7) Incest~~
- ~~8) Arson~~
- ~~9) Endangering the welfare of an incompetent person in the first degree~~
- ~~10) Adult abuse that constitutes a felony~~

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An alternative compliance may NOT be requested by any prospective foster or adoptive parent with a felony conviction for the following offenses, as no child in foster care may be placed in that individual's home:

- 1) Child abuse or neglect
- 2) Spousal abuse or domestic battery
- 3) A crime against children, including child pornography
- 4) A crime involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery

A prospective foster or adoptive parent may request an alternative compliance for a felony conviction for physical assault, battery, or a drug-related offense if the offense was not committed within the past 5 years.

The board's decision to disqualify a person from being an owner, operator, volunteer, foster parent, adoptive parent, member of an agency's board of directors, or an employee in a child welfare agency under this section will constitute the final administrative agency action and will not be subject to review.

STANDARDS OF APPROVAL FOR FOSTER AND ADOPTIVE HOMES

The DCFS Director will review all available information concerning a request for an Alternative Compliance to ensure that enough documentation is available to comply with the above requirements.

MARKKUP

FOSTER PARENT HANDBOOK

Arkansas Department of Human Services Division of Children and Family Services

Our mission is to keep children safe and help families.
DCFS will respectfully engage families and youth
and use community-based services and supports
to assist parents in successfully caring for their children.
We will focus on the safety, permanency,
and well-being for all children and youth.

CARE * COMMIT * CONNECT

PUB-30
Revised April/August 2013

Provisional Foster Homes

In an effort to preserve family connections and expedite placement of children, the Division may place a child in foster care with a relative or fictive kin if one has been identified and is appropriate. (“Relative” means a person within the fifth degree of kinship to the child by virtue of blood or adoption). Fictive kin means a person not related to the child by blood or marriage but who has a strong, positive, emotional tie to the child and plays a positive role in the child’s life, such as a godparent, neighbor, or family friend. ~~if one has been identified and is appropriate.~~ This type of placement is classified as a “Provisional Foster Home”. The purpose of opening a provisional foster home is to enable DCFS to make a quick placement for the child with a relative or fictive kin with whom a bond already exists. Therefore, a provisional home may be opened before the results of the FBI Background Check are received, before the provisional foster parents have completed the pre-service training, and before a full home study is finished (however a walkthrough of the home is required before placement in a provisional home). These are the only differences in approval requirements, including minimum licensing requirements, between provisional foster homes and regular foster homes in Arkansas.

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Once opened as a provisional home, DCFS staff works with the foster parents in that home to bring them into full compliance within a six month period. Provisional foster homes that are not in full compliance at the end of six months must be closed and the child(ren) removed or the relative must have been granted permanent custody by the court. If the home is opened as a regular foster home, the foster parents may then request to care for non-relative/non-fictive kin children in foster care with the understanding that additional evaluation of their home would be required to ensure that it would be an appropriate placement for non-relative-/ non-fictive kin children. Provisional foster homes shall not be paid a board payment until the relative meets all of the licensing requirements and DCFS standards, and is reclassified as a regular foster home.

The child is in the custody of the Department, therefore, the child shall remain in a licensed or approved foster home, shelter, or facility until the relative or fictive kin’s home is opened as a provisional foster home, regular foster home, or the court grants custody to the relative or other person after a written, approved home study is presented to the court.

Relationship Stability: In a two-parent home, ~~each person~~both people shall be joint applicants and ~~each person~~ shall actively participate in the approval process. The couple shall demonstrate a stable relationship. In assessing relationship stability, considerations may include major life changes such as:

- Death or serious illness among family members
- Marriage, separation, divorce, or other significant changes in the couple’s relationship
- Addition of household members (e.g., birth, adoption, aging relative moving in)
- Loss of or change in employment

Marriages and divorces shall be verified. Prospective foster parents must provide a copy of their marriage license to verify marriage and a copy of their most recent divorce decree to verify divorce.

Single parent households are welcome particularly for those children whose need for a two-parent household is not a crucial aspect of the care required. In a single parent home, the major life changes listed above shall also be considered when assessing the person’s ability to be an effective foster parent.

All foster parents should have a strong support system in order to assist them in their role as foster parents and, in turn, better serve children in foster care. Applicants with professional training, such as nurses, may be desirable for children with special needs. Other adults (grandparents, aunts, etc.) and children who are a part of the

household shall be assessed regarding how they may be affected by the presence of a child in foster care and also the effect they themselves may have on the child in care.

Central Registry - A Child Maltreatment Central Registry Check must be conducted prior to approval on foster parent applicants and each member of the household age 14 years or older, excluding children in foster care, including any state where either the applicant or household member work if different from their state of residence. A registry check will also be conducted in any other state where the applicant has worked or resided during the preceding five years. An Adult Maltreatment Central Registry Check must be conducted prior to approval on foster parent applicants and each member of the household age 18 and one-half years and older. -The Division will repeat the Child Maltreatment and the Adult Maltreatment Central Registry Checks every two years. Successful completion is necessary before referral to pre-service training. Expedited checks will be done on provisional foster homes.

FBI Criminal Background Check – A finger-print based FBI criminal background check must be conducted prior to approval on foster parents and any other members of the household 18 and one-half years of age or older, excluding children in foster care. This check need not be repeated. Conducting a finger-print based criminal record check is not necessary to open a provisional foster home.

Criminal Record Check - An Arkansas State Police Criminal Record Check must be conducted prior to approval on the foster parents and all members of the household age 18 and one-half years and older, excluding children in foster care. The Division shall repeat the Criminal Record Check every two years. Successful completion or approval of alternative compliance is necessary before referral to pre-service training.

Smoking - DCFS policy is that second-hand smoke is detrimental to a child's health and the presumption will be that it is not in a child's best interest to be placed in a foster home that permits smoking in the presence of a child in foster care. ~~To rebut this presumption, the worker must clearly identify why it is in the child's best interest to be exposed to second-hand smoke.~~

~~DCFS shall not place or permit a child in foster care to remain in any foster home if the foster parent smokes or allows anyone else to smoke in the presence of any child in foster care unless it is in the child's best interest to be placed in or remain in the foster home.~~

~~All foster parents will complete CFS 363: Foster Parent Smoking Certification and identify if the foster parents will permit smoking in the presence of a child in foster care.~~

Foster parents will indicate if smokers in the home or who visit the home will be permitted to smoke while in the presence of a child in foster care. ~~If the foster parent indicates smoking will not occur in the presence of a child in foster care, then children in foster care may be placed in this foster home and DCFS will designate the home a "non-smoking" foster home.~~

If a foster parent indicates that smoking will occur in the presence of a child in foster care, the foster home will be designated a "smoking" foster home and no child may be placed or remain in the foster home unless it is in the child's best interest to be placed in or remain in the foster home. The worker must clearly identify why it is in the child's best interest to be exposed to second-hand smoke if a request to place a child in a smoking home is made.

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The Area Director will sign and submit the CFS 363 along with any supporting documentation for review and signature to the Assistant Director of Community Services requesting a finding that it is in the child's best interest to be placed in or remain in a smoking foster home. No child in foster care shall be placed in a smoking foster home without a waiver from the Assistant Director of Community Services.

State law prohibits smoking in a vehicle if a child in the car is under the age of six and weighs less than 60 pounds¹⁴. Thus, no foster parent or DCFS employee may smoke in the vehicle when transporting a child in foster care who is under the age of six and weighs less than 60 pounds¹⁴. Per DCFS policy, foster parents are strongly prohibited from discouraged from smoking in a vehicle when a child 14 and older who is in foster care is present.

In accordance with A.C.A. 20-27-1804, smoking is prohibited in all vehicles and enclosed areas owned, leased, or operated by the State of Arkansas, its agencies, and authorities. -Therefore, DCFS staff may not smoke in a state vehicle OR in their private vehicle when a child in foster care is present or receiving other services from the Division is present. Foster parents are strongly discouraged from smoking in a vehicle when a child in foster care is present.

Volunteer Foster Parent Ombudsman Liaison

The Volunteer Foster Parent Ombudsman Liaison is an experienced foster parent who serves on a voluntary basis as a statewide advocate for other foster parents and assists with providing training, updates, and support to the Foster Parent Associations when they have specific needs or questions about resources. Some of the Volunteer Foster Parent Liaison duties include:

- serving as a statewide contact to identify resources needed by foster parents and children in care;
 - developing a list of resources for foster parents;
 - assisting foster parents in navigating the child welfare system;
 - advocating for children's educational needs;
 - tracking trends /issues/concerns and sharing those with the DCFS Foster Care Manager;
 - maintaining the foster parent website;
 - assisting with recruitment and retention activities.
- Receiving phone calls, emails, or letters regarding complaints and problems the foster parents are experiencing (wide range of calls and issues such as licensing standards, staff complaints, travel reimbursement, adoption issues)
 - Attending and facilitating Foster Parent Association support group meetings (provide training/continuing education, updates on DCFS policies, answer general questions about the agency)

The Volunteer Foster Parent Ombudsman Liaison may be contacted if the foster parent has a complaint; however, the Ombudsman Volunteer Foster Parent Liaison is not part of the official grievance-Internal Review of Adverse Action procedure: (See the section on Family Foster Parents Grievance Procedure-Internal Review of Adverse Action for further clarification-). In addition, this is not a position that will respond to or mediate specific case issues or personnel issues. Those issues will continue to be handled through the Division chain of command.

To obtain the current Volunteer Foster Parent Liaison name and contact information, please ask your Resource Worker.

Visits to the Foster Home

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The Family Service Worker overseeing the care of individual children in the foster home will make at least weekly visits in the home during the first month of placement. After the first month, the FSW must make weekly contact with the child at school, or during sibling or parental visits, but must continue to visit the home at least monthly. More frequent visitation may be made to the home to help solve any problems that arise.

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The visits will be used to relay necessary information to the child and to allow the foster parents to voice their feelings about the placement and subsequent adjustment jointly, as well as, privately, and to ascertain if the needs of that particular child are being met. Each visit will include a private conversation with the child away from the foster parent. Visits may be scheduled or unannounced.

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The Resource Worker will visit the home at least quarterly to monitor continued compliance with licensing standards and to check in with you to make sure you are receiving the support you need as a foster parent.

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You may also have a visit from a Licensing Specialist from the Placement and Residential Licensing Unit (PRLU) of the DHS Division of Child Care and Early Childhood Education. The role of the Licensing Specialist is to ensure that DCFS is meeting its requirements as a child welfare placement agency rather than evaluating you as an individual foster home. More frequent visitation may be made to the home to help solve any problems that arise.

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~~The visits will be used to relay necessary information to the child and to allow the foster parents to voice their feelings about the placement and subsequent adjustment jointly, as well as, privately, and to ascertain if the needs of that particular child are being met. Each visit will include a private conversation with the child away from the foster parent. Another purpose of home visits is to monitor continued compliance with licensing standards.~~

Child Care for Children in Foster Care

~~Generally pre-school age children in foster care should not be placed in a two-parent foster home where both of the foster parents are employed outside the home, or, in a single-parent foster home where the sole parent is employed outside the home. Child care may be authorized and routinely provided for a child in foster care if both parents work outside of the home or if it is child care is determined to be appropriate as part of the case plan or if court-ordered. Appropriate reasons include: 1) socialization, kindergarten readiness, and/or therapeutic benefits for the child; or, 2) to ensure the child may be placed in a foster home in his/her county or in close proximity to his home, illness or other emergency in the foster home, 2) socialization and therapeutic benefits for the child, or 3) to ensure the child may be placed in a foster home in his/her county or in close proximity to his home. In the case of illness or other emergency in the foster home, the possibility and impact of another foster home placement upon the child should be weighed along with the anticipated length of the existing problem in the home. When seeking approval for child care in order to help the child in foster care with socialization and assist with therapeutic purposes, the opinion of a physician shall be obtained to support the need for the child care services. The service may be authorized for up to three months at a time and. Child care can only be provided by DCFS when resources are available.~~

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Child care providers must be on the voucher system and licensed by The Division of Child Care and Early Childhood Education (DCCECE) or on the Voluntary Child Care Registry. If the child was enrolled in child care prior to coming into care, the child should remain in that particular child care facility (provided it is licensed by DCCECE or on the Voluntary Child Care Registry) if at all possible. This in an effort to provide the child with consistency in his/her daily caregivers and reduce the amount of trauma a child experiences when coming into foster care.

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If a child was not enrolled in child care prior to coming into care or if a new child care facility must be used, the Division and foster parents shall make every effort to place the child in a high quality child care center. For more information on high quality child care centers, visit the Better Beginnings website at <http://www.arbetterbeginnings.com/>.

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Enrollment in overnight daycares is not allowed. Likewise, late night pick ups (i.e., after 8:00 p.m.) from child care centers that have extended hours are also unacceptable with only possible exceptions for relative/fictive kin foster parents on a case-by-case basis.

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~~Child care may be routinely provided as a part of an out-of-home placement case. Child care providers must be on the voucher system and licensed by The Division of Child Care and Early Childhood Education or on the Voluntary Child Care Registry. Every attempt should be made to place children in care in a quality child care setting.~~

Child care ~~for children~~ may also be provided as a part of an out-of-home placement case to provide assistance to foster parents for non-routine circumstances that relate to the retention and/or support of the foster home such as foster parent training. Child care provided for such purposes may be reimbursed by the Division when funding is available.

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ALTERNATE CARE

Alternate care for children in out-of-home placement may be used to provide assistance to foster parents when circumstances requiring supervision by an appropriate adult other than the foster parents exist, e.g., if both foster parents work, during foster parent training, transporting a child in foster care for medical purposes, need for short-term, temporary care to provide relief to the foster parent from the on-going responsibility of care, etc. Alternate care is as follows:

Normal Age-Appropriate Activities – Children in foster homes should be encouraged to participate in normal age-appropriate activities such as overnight visits with friends, extra-curricular activities, church activities, and short-term summer camps. Foster parents shall exercise careful consideration when determining whether a child may participate in any normal age-appropriate activity. Foster parents shall notify the FSW if the child will spend more than 24 continuous hours outside the foster home when participating in said activities.

Babysitting – Babysitters may be used to provide occasional care for children in the foster home for no more than six continuous hours at one time. Foster parents shall exercise careful consideration when evaluating the character and competence of any individual asked to babysit. Foster parents may reimburse the baby-sitter if they choose to do so. The Division will not reimburse for baby-sitting services. Babysitters shall not transport children. Background checks are not required.

Foster Family Support System – The Foster Family Support System (FFSS) may be comprised of up to three other households identified by the foster family. FFSS members may provide care for children when the foster parent is unable to do so on the occasion of anticipated or unanticipated events.

Foster parents shall exercise careful consideration when evaluating the character and competence of any household asked to serve as an FFSS member. FFSS members must be at least 21 years of age. There is not a standard maximum age limit for FFSS members, but FFSS members must be physically, mentally, and emotionally

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| capable of caring for children for up to 72 hours. Foster parents may reimburse an FFSS member if they choose to do so. The Division will not reimburse FFSS members.

Members of a Foster Family Support System may transport children and care for children in the foster home or in the home of the FFSS member. However, an FFSS member shall not provide care for more than 72 continuous hours at one time regardless of the location in which care is provided and/or regardless of which FFSS member is providing care. No extensions may be granted for FFSS care of a child. The FSW shall be notified when an FFSS member will provide care for more than 24 continuous hours. FFSS members taking children out-of-state for overnight trips are prohibited.

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The Foster Family Support System shall not be used in place of respite care or as an out-of-home placement. The number of children placed in an FFSS member household must meet all Minimum Licensing and DCFS Policy requirements.

All prospective FFSS members must be cleared through the Child Maltreatment Central Registry and a State Police Criminal Record Check. The Division will request any other state where the prospective FFSS member has resided in the preceding five years to check its child abuse and neglect registry. The Division will provide documentation in the case record that the Child Maltreatment Central Registry and State Criminal Record Checks were conducted on the prospective FFSS member.

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Documentation of at least one visual inspection of the home for evaluation purposes is required of all prospective FFSS members.

The Division will check the driving record (violation points) for each potential FFSS member. The Arkansas State Vehicle Safety Program sets the maximum number of traffic violation points an FFSS member foster parent may be allowed.

Foster Care Payment and Eligibility for Assistance and Food Stamps

Board payments, made by DCFS for the care of children in homes of public assistance recipients, are not considered as a resource in determining eligibility for assistance or the amount of the grant. This payment is designated for certain purposes and is not available to the foster parents. For any foster parent applying for the Supplemental Nutrition Assistance Program (SNAP; formerly known as food stamps), a re-evaluation of stable income will take place. This may impact the approval status of the foster home.

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Comprehensive Health Assessment

A comprehensive health assessment should be completed within 60 days of placement. The comprehensive health assessment includes assessments of cognition/achievement, speech/language development, hearing, vision, medical, emotional and behavioral development. The University of Arkansas for Medical Sciences Project for Adolescent and Child Evaluation (UAMS PACE) Program is responsible for conducting the comprehensive health assessments. The Comprehensive Health Assessment should be completed by a Multidisciplinary Team (MDT). The MDT should address and attempt to integrate the medical examination, a vision and hearing screening, speech and language assessment, and emotional, developmental, educational, social, and cultural aspects of the child's well being. Medications should be provided as necessary.

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Within the first 60 days, a dental examination should be completed for signs of infection, gross abnormalities, malocclusion, painful areas, inflammation of the gums, plaque deposits, decayed or missing teeth, and an assessment

of the continuing dental hygiene practices for the child. -All follow-up dental work that is recommended by the provider shall be completed in 30 days.

Birth/legal parents or relevant members of the extended family should be encouraged, when appropriate, to participate in the Comprehensive Health Assessment.

After the Comprehensive Health Assessment, there will be a written summary of the medical, mental health, educational, dental and social status and needs of the child. -The ~~MDT shall complete the~~ Child's Health Services Plan should be completed at the Comprehensive Assessment. -The Family Service Worker or Health Service Unit shall provide copies of the health plan and updates to the child's birth/legal parents, foster parents, and the child, if age 10 or older within seven days.

The immunization schedules shown above should serve as a guideline only; acceptable alternate schedules do exist, and consultation may be required in some cases.

Extended Foster Care

Youth may choose to remain in foster care past the age of 18 for education, treatment, work, or other programs and services as determined appropriate by the youth and his/her Transitional Team and if:

- The child is completing secondary education or a program leading to an equivalent credential; or,
- The child is enrolled in an institution which provides post-secondary or vocational education; or,
- The child is participating in a program or activity designed to promote, or remove barriers to, employment; or,
- The child is employed for at least 80 hours per month; or,
- The child is incapable of doing any of the above described activities due to a medical condition.

~~In order to be eligible for extended foster care, youth must meet one of the following criteria:~~

- ~~1. Youth must have been in foster care at or before age 17, OR~~
- ~~2. Youth must have entered care at age 17 or after due to dependency neglect, OR~~
- ~~3. Youth must have entered foster care at age 17 or after with a prior dependency neglect status.~~

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Arkansas Department of Human Services
Division of Children and Family Services

Notice to Fictive Kin that a
Child Has Been Taken into DCFS Custody

To: _____

Address: _____

From: _____

Email: _____

Phone: _____

Date: _____

Dear FICTIVE KIN NAME, NAME OF RELATIVE OR FICTIVE KIN,

You have been identified as an individual having a strong, positive, emotional tie to CHILD'S NAME and a positive role in CHILD'S NAME's life. Pursuant to A.C.A. §9-28-107, this is your notice that this child is now in the custody of the Arkansas Department of Human Services' Division of Children and Family Services (DCFS). DCFS has removed or is removing the above-named child from the home of NAME OF PERSON FROM WHOM CHILD WAS REMOVED. We believe that relatives and other individuals with whom a child shares a positive, meaningful relationship play an important role in a child's life, especially a child who must be temporarily cared for by someone other than a parent. Children do better when they can temporarily live with or stay connected in other ways to people who know and care about them.

We are contacting you as someone who could offer services needed by CHILD'S NAME and/or his or her family such as offering a temporary home for or otherwise supporting CHILD'S FIRST NAME by staying in contact while he or she is in custody. In the next few days, I or someone from my agency will call you to review your options for helping to care for CHILD'S FIRST NAME.

~~Pursuant to Arkansas Code Ann. §9-27-325, this is your notice that you may have the option to (1) Participate in the care and placement of the child, (2) Become a foster parent, and/or (3) Visit the child.~~

If you would like to bring the child into your home, you may ask to become a Provisional Foster Parent. DCFS may approve your home as a Provisional Foster Home after conducting (1) a health and safety check, which includes background checks, and (2) a visual inspection of your home. A Provisional Foster Home may remain as such for six months, after which time one of the following must take place:

1. You must be approved as a Regular Foster Home.
2. You must receive permanent custody of the child.
3. Your Provisional Foster Home must be closed and the child must be removed.

Requesting to be considered as a possible Provsional Foster Home, does not guarantee that you will be asked or approved to ulimately serve as a Provisional Foster Home for CHILD'S FIRST NAME. However, if your home is opened as a Provisional Foster Home, you will receive benefits for which you may become entitled after placement of the child in your home, such as Supplemental Nutrition Assistance Program (SNAP—formerly known as food stamps). If your home is approved as a Regular Foster Home within six months of becoming a Provisional Foster Home, DCFS will provide all

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services and supports available to every child in foster care, such as monthly board payments for each child and Medicaid.

~~If you would like to bring the child into your home and you meet the requirements of a Regular Foster Home, you may apply to become a Foster Parent. Requirements include background checks and a home assessment. If you become a Foster Parent, you will receive all services and supports available to every child in foster care, such as monthly board payments and Medicaid.~~

If you are not able to provide a temporary home for CHILD'S FIRST NAME, there are other ways for you to stay involved in his or her life and maintain important connections. ~~You might visit regularly, arrange regular weekend or holiday visits at your home, or offer to transport CHILD'S FIRST NAME to and from school, medical appointments, or other activities.~~

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We will call you in the next few days to explore your options, but feel free to contact me sooner. My phone number and email address are listed above. We need to communicate with you at your earliest convenience by phone, mail, email, or in person, to determine if you are interested in (1) Participating in the care and placement of the child, (2) Becoming a foster parent, and/or (3) Visiting the child. Contacting me will help ensure that you do not lose the opportunity to connect with CHILD'S FIRST NAME now or in the future.

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Signature



Arkansas Department of Human Services
Division of Children and Family Services
CERTIFICATION OF ABSENCE OF CRIMINAL RECORD
(For Youth Age ~~10~~14-17)

Parent/Guardian Name: _____

Parent/Guardian Name: _____

Child's Name: _____ DOB: _____

Child's Name: _____ DOB: _____

Child's Name: _____ DOB: _____

Child's Name: _____ DOB: _____

Child's Name: _____ DOB: _____

Child's Name: _____ DOB: _____

I hereby verify that my child(ren) age ~~14~~17 listed above do(es) not possess a criminal record.

Parent/Guardian Signature

Date

Parent/Guardian Signature

Date

County of _____ State of Arkansas

Acknowledged before me, this _____ day of _____, _____

Notary Public

My commission expires: _____



**Arkansas Department of Human Services
Division of Children & Family Services
Initial Checklist for Foster/Adoptive Home Assessment**

Resource Worker/Adoption Specialist:

County:

Initiated Date of Review:

Applicants' Names:

Provider Number:

Completed Date:

Have you completed the following steps and/or filed appropriate documentation in the foster/adoptive home record?	Yes	No
1. Verification of marriage or divorce, if applicable?	☐	☐
2. Results of the CFS-316: Request for Child Maltreatment Central Registry Check for each household member age 10-14 years and older, all information received and, in the case of a report of violation, a summary of the face-to-face discussion, determination, and reasons for determination?	☐	☐
3. Results of the APS-0001: Authorization for Adult Maltreatment Central Registry for each household member age 18 <u>and one-half</u> years and older, all information received and, in the case of a report of violation, a summary of the face-to-face discussion, determination, and reasons for determination?	☐	☐
4. CFS-341: Certification of Absence of Criminal Record, if applicable?	☐	☐
5. Results of the CFS-342: State Police Criminal Record Check for each household member age 18 <u>and one-half</u> years and older, all information received and, in the case of a report of violations, a summary of the face-to-face discussion, determination, and reasons for determination?	☐	☐
6. Results of the ASVSP check for each applicant and each applicable teenage driver?	☐	☐
7. Results of the FBI Criminal Background Check for each household member age 18 <u>and one-half</u> years and older?	☐	☐
8. Have you received CFS-419: Foster Family Support System Information and submitted the appropriate background checks for each FFSS member?	☐	☐
9. CFS-446: In-Home Consultation Visit Report?	☐	☐
10. CFS-363: Foster/Adoptive Applicant Smoking Certification?	☐	☐
11. CFS-404: General Medical Report for each household member?	☐	☐
12. CFS-409: Foster/Adoptive Family Preference Checklist?	☐	☐
13. CFS-455: Request/Consent for Health Department Services, if applicable?	☐	☐
14. CFS-480: Alternate Compliance of Water Supply Agreement, if applicable?	☐	☐
15. CFS-484: Landlord Notification of Potential Tenant Foster Care Services, if applicable?	☐	☐
16. Did you provide the family with SAFE Questionnaire I?	☐	☐
17. Did you click on the "In-Home Consultation/Approval for Training Purpose" in CHRIS so	☐	☐

MidSOUTH will be notified of approval status?		
18. Applicants have participated in a minimum of 30 hours of pre-service training & orientation?	☐	☐
19. Applicants have received certification in CPR and Standard First Aid?	☐	☐
20. Three completed, positive SAFE reference letters?	☐	☐
21. Assessment included at least two separate visits, one of which was a home visit?	☐	☐
a. A separate interview was conducted with each age-appropriate household member?	☐	☐
b. An interview was conducted with all household members present?	☐	☐
22. SAFE Home Study Final Report and supporting documents (e.g. SAFE Questionnaires I&II, Psychosocial Inventory)?	☐	☐
23. CFS-462: Initial Foster Home Agreement, if applicable?	☐	☐
24. Approval/Denial Letter?	☐	☐
a. Was the approval/denial letter sent within 60 days from completion of pre-service training or, where applicable, was the applicant notified in writing of the reasons for the delay?	☐	☐
b. In the case of denial, does the letter indicate the reasons for denial?	☐	☐
c. In the case of denial, does the record indicate there was a face-to-face conference with the applicants to discuss the reasons for denial?	☐	☐
25. Family and their physical surroundings meet all standards of approval as outlined in PUB-22 (and documented on CFS-446)?	☐	☐
26. Alternative compliance or policy waiver approval, if applicable?	☐	☐
27. Did you provide and review the approval/orientation packet with the family?	☐	☐
28. Did you provide a copy of the final SAFE Home Study Report to the family, regardless of approval or denial?	☐	☐
For Provisional Foster Homes only:		
29. CFS-474: Provisional Foster Home Orientation Checklist?	☐	☐
30. CFS-452: Provisional Foster Home Verification?	☐	☐

Comments:

Resource Worker/Adoption Specialist Signature: _____

Date: _____

Name of Supervisor/Designee: _____

Date: _____

Supervisor/Designee Signature: _____

MARKYUP



**Arkansas Department of Human Services
Division of Children & Family Services
Reevaluation Checklist for Foster/Pre-Adoptive Home**

While this form is to be used for both foster and pre-adoptive homes, for the sake of brevity, references are only made to foster home, foster parent, etc. rather than foster or adoptive home, foster or adoptive parent, etc.

Resource Worker/Adoption Specialist:

County:

Date of Review:

Foster Parents' Names:

Provider #:

Date Home Opened:

Type of Reevaluation: ☐ Annual ☐ Death/Serious illness ☐ Marriage ☐ Separation ☐ Divorce ☐ Loss of/ change in employment ☐ Change in residence ☐ Suspected child maltreatment ☐ Addition of household members

STANDARDS OF APPROVAL

<i>Does the foster family continue to meet the following standards of approval?</i>	Yes	No
Age:		
1. Has a policy waiver been approved if either foster parent has turned 65? <i>Policy waiver for age requirement must be resubmitted annually.</i>	☐	☐
Health:		
2. Have foster parents kept the agency informed concerning any changes in their physical or mental health?	☐	☐
3. If applicable, has a physical disability in a foster parent or household member been evaluated by a physician, along with how it affects his/her personality and whether it may have significance to a specific child in the home?	☐	☐
4. Have foster parents cooperated with the Division in medical and dental care planning for the children in their care and do they make medical and dental appointments as needed?	☐	☐
5. Have foster parents accompanied children in their care to medical appointments?	☐	☐
Relationship Stability:		
6. Have approved foster parents demonstrated a continued stable relationship?	☐	☐
7. If applicable, was a reevaluation conducted when an approved single foster parent married?	☐	☐
8. If applicable, was a reevaluation conducted when approved foster parents divorced?	☐	☐
9. Has the family maintained a stable support system (e.g., extended family, neighbors, friends, church, community)?	☐	☐
Family Composition:		
10. Are there no more than 8 children in the home, including the foster parents' own children? <i>There may be no more than 5 unrelated children in care. Up to 8 children from the same sibling group may be placed in the same home. If a sibling group of more than 5 children is placed together, that foster home shall not have more than 8 children including the foster parents' own children.</i>	☐	☐
11. Are there no more than 2 children under age 2 in the home and no more than 3 children under age 6 in the home? <i>This count includes children who normally reside in the home of the foster family and children in foster care.</i>	☐	☐
12. If applicable, have other children and adults (grandparents, aunts, nieces, cousins, etc.) who are part of the household been taken into consideration as to how they are affected by or have an effect on children in foster care?	☐	☐

13. Do foster parents have legal custody or guardianship of any children in the home (other than children in foster care) that are not birth/legal children or relatives?	☐	☐
14. Are foster parents keeping children for more than one child-placing agency?	☐	☐
15. Are foster parents providing day care services on a regular basis in their home?	☐	☐
Religion/Ethnic Heritage:		
16. Do foster parents recognize, encourage, and support the religious beliefs, ethnic heritage, and language of children in their care?	☐	☐
17. Do foster parents arrange transportation to religious services or ethnic events including those that may be different from their own, if the child desires to attend such events?	☐	☐
18. Do foster parents coerce children into participation in religious activities or ethnic events against their will?	☐	☐
Education:		
19. Do foster parents take part in the selection and arrangement for educational programs appropriate for the child's age, abilities, and case plan?	☐	☐
20. Do foster parents attend school conferences concerning children in their care and plan with school personnel when there are school problems?	☐	☐
21. Do foster parents report serious situations to the Division (e.g. any situation that may affect the case plan or puts the child in jeopardy of suspension or expulsion)?	☐	☐
22. Do foster parents have a positive attitude toward both academic and vocational education and are they willing to meet the individual needs of the children in their care?	☐	☐
Employment/Financial Stability:		
23. If both foster parents are employed, do they have suitable plans for care and supervision of children in their care before and after school, during holidays and vacations, and when children are ill and absent from school?	☐	☐
24. If employment is seasonal, does the family have compensatory income or savings for the off season?	☐	☐
25. Is the family's current financial stability verified (current pay stubs, income tax returns)?	☐	☐
26. Have any changes to the family's financial status been filed in the foster home record?	☐	☐
Home Requirements—Interior:		
27. Is the interior of the home clean and free of physical and health hazards?	☐	☐
28. Does the home have adequate light, heat, ventilation, and plumbing for safe and comfortable living?	☐	☐
29. Is there adequate space for privacy, play, and study for all family members?	☐	☐
30. Is there sufficient seating for the family to eat together?	☐	☐
31. Does each child in foster care have adequate space for storing clothing and personal belongings, in or near his/her bedroom?	☐	☐
32. Are heating devices such as radiators, fireplaces, wood stoves, gas or electric heaters, and steam and hot water pipes within reach of children screened or otherwise protected?	☐	☐
33. Have fire hazards, such as dangerous or defective heating equipment, flammable materials, defective electrical appliances or electric cords, excessive use of extension cords, etc., been eliminated or corrected?	☐	☐

34. Are interior halls and doors free from clutter and not blocked, ensuring easy passage/exit?	☐	☐
35. Is all garbage and other waste kept in a suitable covered receptacle and disposed of in such a way as not to constitute a health or safety hazard?	☐	☐
36. Does the home have at least one flush toilet, one sink with running water, and one bath or shower with hot and cold running water?	☐	☐
37. Are cleaning supplies, insecticides, gasoline, hazardous tools, knives, or similar dangerous objects stored out of reach of children or kept in locked closets or drawers?	☐	☐
38. Are liquor and other alcoholic beverages kept out of reach of children?	☐	☐
39. Are all firearms unloaded; maintained in a secure, locked location; and stored separately from ammunition?	☐	☐
40. Are operational smoke detectors located within 10 feet of the kitchen and each bedroom?	☐	☐
41. Is there an operational chemical fire extinguisher in the cooking area?	☐	☐
42. Does the home have an operational telephone or working cellular phone that is accessible to all children?	☐	☐
43. Are emergency phone numbers (911, fire, ambulance, and responsible adult to contact in case of emergency) posted near each telephone?	☐	☐
Sleeping Arrangements:		
44. Do children sleep in a bedroom, not in a living room, dining room, or other room where others must pass through?	☐	☐
45. Does each bedroom have at least 50 square feet of floor space per occupant?	☐	☐
46. Do bedrooms have windows which provide natural light and ventilation?	☐	☐
47. Does each bedroom used for a child in foster care have a window to the outside which is capable of serving as an emergency escape?	☐	☐
48. Can bars, grilles, grates, or other items that block access to the window be removed from the inside without the use of a key, tool, or force greater than that required for normal operation of the window?	☐	☐
a. In this event, does each such bedroom contain a working smoke detector?	☐	☐
49. Do no more than 4 children share a bedroom?	☐	☐
50. Is each child in foster care provided with a comfortable bed, in good condition?	☐	☐
51. Do children of the opposite sex share the same bedroom, if either child is 4 years old or older, except for a mother in foster care with her child?	☐	☐
52. Do children share a bed if either child is 4 years old or older?	☐	☐
a. Are any applicable children sharing a bed the same sex?	☐	☐
53. Does any child under age 6 occupy a top bunk?	☐	☐
54. Are children in foster care, except infants under the age of 2, sharing a sleeping room with adults? <i>In the case of a grandparent to a child, the age would increase to 4.</i>	☐	☐
55. Is each child's bedding clean, in good condition, and laundered at least weekly, or as needed?	☐	☐
Home Requirements—Exterior:		
56. Is the home accessible to community resources needed by the children in foster care?	☐	☐

57. Are the premises of the house, including the yard, garage or carport, any storage areas, and the basement and attic (if applicable and accessible), free from physical hazards which would endanger the safety of children?	☐	☐
58. Is the yard free of dangerous debris, trash, uncovered cisterns, etc.?	☐	☐
59. Is the yard large enough to provide ample play space for children?	☐	☐
60. Is there a fence or barrier to prevent a child's access to a busy street or highway, body of water, or dangerous area?	☐	☐
61. If applicable, is the manufactured home properly installed and stabilized?	☐	☐
a. If the manufactured home is located in a mobile home park, is there sufficient fenced play space outside?	☐	☐
62. Is outdoor play equipment safe, hazard-free, and properly anchored?	☐	☐
63. Does the home have at least 2 exterior doors situated to provide safe exit, or does the home have a written statement from the Fire Department that an alternative escape route is approved?	☐	☐
Home Requirements—Other:		
64. Does the home have a continuous supply of sanitary drinking water?	☐	☐
65. If water source is not a municipal water system, has the water been tested and approved annually by the Health Department?	☐	☐
66. If a water supply is not approved, has an alternate compliance of water supply agreement (CFS-480) been established with the foster family and approved?	☐	☐
67. Does the home have a safe sewage disposal system?	☐	☐
68. Does the family have a plan for evacuating the house in the event of fire and a plan for seeking shelter during a storm or tornado?	☐	☐
a. Is the escape plan posted within the home?	☐	☐
69. Do foster parents practice and document emergency evacuation drills with each new child entering the home, and at least quarterly thereafter (date/time/persons involved/length of time needed to clear the home)?	☐	☐
70. Does the family have adequate toys that are safe and developmentally appropriate for children in foster care placed in the home?	☐	☐
71. Is the number of children placed in the foster home limited by the number of persons who can satisfactorily live within the physical limits of the home?	☐	☐
72. Is there a safety plan in place?	☐	☐
a. If yes, please identify which type:		
Transportation:		
73. Do foster parents have their own mode of transportation available for children in their care to participate in necessary school, recreation, and medical activities?	☐	☐
74. Do all vehicles owned by the foster parents have liability insurance?	☐	☐
75. Is any vehicle used to transport children in foster care insured and maintained in compliance with motor vehicle laws?	☐	☐
76. Do foster parents, and anyone else transporting children in foster care, have a valid driver's license?	☐	☐

77. Are children transported according to Arkansas law, including but not limited to, use of safety belts, child safety seats, and smoking restrictions? <i>Children who are 5 and younger and children who weigh less than 60 pounds require a child safety seat. All other children must be restrained by safety belts. Smoking is prohibited in any motor vehicle in which a child who is less than 14 years of age is a passenger.</i>	☐	☐
Medications:		
78. Are all over-the-counter medications stored in an area not readily accessible to children, and are all prescription medications locked?	☐	☐
79. Are foster parents aware of possible side effects of all medications and administer medications only in accordance with directions on the label?	☐	☐
80. Are all medications logged by the foster parent at the time they are administered and do the logs include child's name; time and date; medication and dosage; and initials of the person administering the medication?	☐	☐
81. Are age-appropriate children provided a daily supply of medication (over-the-counter or prescription) for use when the child is away from the home during times the dose is needed? <i>Examples include pain relievers, fever reducers, and anti-inflammatory and other related medications, or prescribed antibiotics or inhalers. These medications must be logged at the time they are given to the child.</i>	☐	☐

DOCUMENTATION:

<i>Is the following, or its equivalent, filed in the foster home record?</i>	Yes	No
1. SAFE update report?	☐	☐
2. Updated CFS-409: Foster/Adoptive Family Preference Checklist, if foster parents chose to make changes?	☐	☐
3. Updated CFS-419: Foster Family Support System Information, if foster parents chose to make changes?	☐	☐
4. Updated FFSS background checks for each FFSS household member, as appropriate?	☐	☐
5. CFS-451: Foster Parent Reevaluation?	☐	☐
6. CFS-455: Request/Consent for Health Department Services, if applicable?	☐	☐
7. CFS-480: Alternate Compliance of Water Supply Agreement, if applicable?	☐	☐
8. CFS-484: Landlord Notification of Potential Tenant Foster Care Services, if applicable?		
9. Any alternative compliance or policy waiver approvals, if applicable?	☐	☐
10. CFS-462A: Foster Home Agreement Addendum on each child currently placed in the foster home?	☐	☐
Background Checks:		
11. Current results of the CFS-342: State Police Criminal Record Check for each household member age 18 <u>and one-half years</u> and older (which must be repeated every 2 years)?	☐	☐
12. Current results of the CFS-316: Request for Child Maltreatment Central Registry Check for each household member age <u>10-14</u> and older (which must be repeated every 2 years)?	☐	☐
13. Current CFS-341: Certification of Absence of Criminal Record (which must be completed when any child turns <u>10-14</u>), if applicable?	☐	☐
14. Current results of the APS-0001: Authorization for Adult Maltreatment Central Registry check for each household member age 18 <u>and one-half years</u> and older <u>(which must be</u>	☐	☐

<u>repeated every two years</u>)?		
15. Current results of an FBI Criminal Background Check for each household member age 18 <u>and one-half years</u> and older? <i>Only original results are required as FBI check need not be repeated.</i>	☐	☐
Training:		
16. Documentation of a minimum of 15 hours of continuing education (Division or non-Division) that each foster parent has received in the last year, including the names of the courses and the dates of attendance?	☐	☐
17. Documentation that the foster parents maintain current certification in both CPR and Standard First Aid?	☐	☐
18. Documentation of an individualized training plan developed for the foster parents taking into consideration the age and characteristics of children for whom the foster parents have expressed preferences?	☐	☐
19. Documentation of the provision or identification of training opportunities for the foster parents to increase their skills and abilities as foster parents?	☐	☐
Health:		
20. Updated CFS-404: General Medical Report for each household member?	☐	☐
21. Current record of health immunizations for each child in the home?	☐	☐
Safety:		
22. Documentation of current auto insurance?	☐	☐
23. Documentation of current homeowner's or renter's insurance & general liability insurance?	☐	☐
24. If foster parents do not own the home, written approval from the owner that he/she has no objections to the foster parents caring for children in foster care in the home?	☐	☐
25. Documentation of current rabies vaccinations for all household pets, if applicable?	☐	☐
26. Current floor plan of the home with room dimensions?	☐	☐
27. Agency-approved safety plan for any noted hazards, if applicable?	☐	☐
28. Agency-approved safety plan for tornado safety?	☐	☐
29. Fire Department-approved alternate fire escape route, if applicable?	☐	☐
Recommendations:		
30. Does the closing summary include recommendations regarding age, sex, number, sibling group, special characteristics of children who should be placed in the home, and problems which can and cannot be handled?	☐	☐
31. Letter of continued approval or letter of notification of closure (in the case of closure, the reasons for closure stated and the foster family's right to appeal the decision)?	☐	☐

Foster Parent Signature: _____

Date: _____

Foster Parent Signature: _____

Date: _____

Resource Worker/Adoption Specialist Signature: _____

Supervisor/Designee Name: _____

Date: _____

Supervisor/Designee Signature: _____