



**State of Arkansas
Bureau of
Legislative Research**

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MEMORANDUM

TO: Representative Hammer

FROM: Sarah Creasman, Legislative Attorney, Legal Research and Drafting

DATE: February 22, 2016

SUBJECT: Sibling Placements

QUESTION PRESENTED

What protections are put in place so that sibling groups can stay together when they are removed from their home?

BRIEF RESPONSE

Arkansas has several statutes dealing with sibling placements. In addition, the Division of Children and Family Services has similar regulations to ensure siblings are placed together when possible. Below are the relevant statutes and regulations.

DISCUSSION

I. Sibling Placements: Statutes

• **9-28-1003. Safeguards for children in foster care.**

This statute is part of the Safeguards for Children in Foster Care Act. Under this statute, a child in foster care is entitled to be informed about and have involvement with his or her birth siblings. Sibling relationships are recognized to be unique and separate from the parent-child bond due to the similar history, heritage, culture, and biology of the siblings; and sibling separation is a significant and distinct loss that must be repaired by frequent and regular contact, continuity, and stability during a child's placement in foster care or an out-of-home placement; and each child has the right to know and be actively involved in his or her sibling's lives, absent extraordinary circumstances.

Siblings in foster care or in an out-of-home placement are entitled to the following unless a court specifically finds that it is not in the best interest of the child:

1. To live together in the same placement;
2. To be separated only after an assessment by a mental health professional determines that placement of the siblings together would be detrimental to the

health, safety, or well-being of one or more of the juveniles; or the department presents evidence to the court that there are no available relevant placements near the county where the juvenile resided before entering care;

3. If separated, to be placed in close proximity to siblings in order to facilitate frequent and meaningful contact;
4. If separated, to have visitation with all siblings that is regular and consistent; which includes face-to-face meetings or alternate methods of communication at least one time per week when possible; and outlined in the case plan and approved by the court;
5. To be actively involved in each sibling's life and share celebrations including birthdays, holidays, graduations, and meaningful milestones;
6. To attend extracurricular events of each sibling, including without limitation athletic events, musical performances, scouting ceremonies, and church events;
7. To be included in case plan staffing decisions and permanency planning decisions regarding siblings;
8. To be informed of the expectations for continued contact in the event that a sibling is placed or adopted separately from the sibling;
9. To be notified of a change of placement for a sibling;
10. To be informed when a sibling is being discharged from foster care;
11. If a sibling leaves care, to be allowed to maintain contact with a sibling who remains in an out-of-home placement;
12. To be supported in efforts to maintain relationships with siblings who are not in care or have been adopted or placed in permanent custody or guardianship separately from the child;
13. To not have visitation or contact with a sibling withheld as a behavioral consequence unless there are documented safety concerns; and
14. If separated, to have the sibling's case reviewed by the court at least one time every 90 days for an assessment of the separation and to determine whether there has been a reasonable effort to reunite the siblings and to allow contact between the siblings.

- **9-27-355. Placement of juveniles.**

If a juvenile is placed with a relative or fictive kin, the juvenile and the juvenile's siblings or step-siblings may be placed in the home of a relative or fictive kin on a provisional basis for up to 6 months pending the relative or fictive kin's home being opened as a regular foster home.

If the home of the relative or fictive kin is not fully licensed as a foster home after 6 months of the in the home: (1) DHS will remove the juvenile and any siblings or step-siblings from the relative or fictive kin's home and close the provisional foster home of

the relative or fictive kin; or (2) the court will remove custody of the juvenile and any siblings or step-siblings from DHS and grant custody to the relative or fictive kin.

If the court grants custody of the juvenile and any siblings or step-siblings to the relative or other person, the juvenile and any siblings or step-siblings cannot be placed back in the custody of DHS while remaining in the home of the relative or other person. Further, the juvenile and any siblings or step-siblings cannot be removed from the custody of the relative or other person, placed in the custody of DHS, and then remain or be returned to the home of the relative or other person while remaining in the custody of DHS.

- **9-28-108. Placement of juveniles — Definitions.**

This statute states that DHS must attempt to place a sibling together while they are in foster care and adoptive placement.

For placement with a relative or fictive kin, the juvenile and his or her siblings or step-siblings may be placed in the home of a relative or fictive kin of the juvenile on a provisional basis no more than six 6 months pending the home of the relative or fictive kin being opened as a regular foster home.

If the home of the relative or fictive kin is not fully licensed as a foster home after 6 months of the in the home: (1) DHS will remove the juvenile and any siblings or step-siblings from the relative or fictive kin's home and close the provisional foster home of the relative or fictive kin; or (2) the court will remove custody of the juvenile and any siblings or step-siblings from DHS and grant custody to the relative or fictive kin.

If the court grants custody of the juvenile and any siblings or step-siblings to the relative or other person, the juvenile and any siblings or step-siblings cannot be placed back in the custody of DHS while remaining in the home of the relative or other person. Further, the juvenile and any siblings or step-siblings cannot be removed from the custody of the relative or other person, placed in the custody of DHS, and then remain or be returned to the home of the relative or other person while remaining in the custody of DHS.

II. Sibling Placements: Department Regulations

- **Code Ark. R. 016.15.15-6.0. Foster Home Standards.**

When all children in care are from the same sibling group, there will be no more than eight children physically in the home (including the foster parent's biological children and any other children who normally reside in the home of the foster family). The foster home shall not have more than five unrelated minor children in care.

Including the foster parents' biological children, the foster home may have no more than two children under the age of two and no more than three children under the age of six.

The sole exception to the above limits shall be in those instances in which the placement of a sibling group in a foster home with no other children in the home would exceed the limits.

Eight related children from the same sibling group may be placed together in the same foster home. In this instance, the total number of the foster parent's children who reside in the home will determine the number of children from one sibling group that may be placed together in the home.

For example:

One biological child and seven children in care from the same sibling group

Two biological children and six children in care from the same sibling group

Three biological children and five children in care from the same sibling group

- **Code Ark. R. 016.15.4-VIII-L. Subsidized Guardianship.**

When it is in the best interest of each of the children, the Division shall attempt to place siblings together in the same guardianship arrangement. Siblings may be related by biological, marital, or legal ties. A child who meets the eligibility criteria for a subsidized guardianship will qualify his or her siblings for subsidized guardianship as well provided the siblings are placed in the same relative home. The child who qualifies for a guardianship subsidy does not necessarily have to be placed at the same time as his or her siblings in the relative home. The guardianships for each child in the same relative home do not need to be finalized in any particular sequence.

- **Code Ark. R. 016.15.8. Permanency Planning Court Report.**

Part of the permanency planning court report includes the following provision about sibling groups.

Sibling Information: Identify the existence and location of all siblings. Indicate whether siblings are separated and provide a statement of the reason(s) for the separation. If it is appropriate to reunite the siblings, describe the efforts made or that will be made to reunite these siblings as soon as possible to maintain regular contact.

- **Code Ark. R. 016.15.4-VI-C. Contact with Siblings.**

Sibling relationships are emotionally powerful and critically important not only in childhood, but over the course of a lifetime with sibling relationships likely to be the longest relationships most people experience. Siblings include those individuals who would be considered a sibling under state/tribal law if it were not for the disruption in parental rights, such as a termination of parental rights or death of a parent.

- For children in out-of-home placements, sibling relationships can provide a significant source of continuity, stability, and comfort while in foster care. As such, when it is in

the best interest of each of the children and barring extenuating circumstances, siblings are entitled to be placed together in out-of-home placements.

- Siblings may be placed separately only if:
- A. Allegations of abuse between siblings are under investigation and/or have been founded;
- 1) An assessment must be conducted by a mental health professional within five days of placing siblings in different placements due to the abuse allegations between the siblings that are under investigation and/or have been founded.
- a) The siblings may continue in the separated placements if the assessment by the mental health professional supports continuing the separated placements because placing the siblings together would be detrimental to the health, safety, or well-being of one or more of the children as related to the abuse allegations and/or investigation findings;
- B. An assessment by a mental health professional determines that placing the siblings together would be detrimental to the health, safety, or well-being of one or more of the children; or,
- C. The Division presents evidence to the court that there are no available placements that can take the entire sibling group.
- If children must be separated, the Division will attempt to place them in close proximity in order to facilitate regular and meaningful contact. The Division will ensure the reasons for the separation of siblings into different foster homes or other approved placements are regularly reassessed and targeted recruitment efforts continue to reunite the siblings. The case plan must include when siblings will be reassessed to determine if they can be reunited at a later point in time. If the reassessment determines reunification is appropriate, the plan for placing siblings together will be documented in the case plan as well.
- In an effort to maintain sibling connections for those siblings who are placed separately, the siblings' case will be reviewed by the court at least once every 90 days to determine whether there have been reasonable efforts to reunite the siblings and to allow regular and meaningful contact with the siblings. If the court approves a paper review, the 90 day court reviews of separated siblings may be satisfied by such a review and a hearing is not required.
- In addition, siblings who must be placed separately will have consistent and meaningful contact at least weekly when possible. While face-to-face visits in home-like settings or other family-friendly locations are preferred and encouraged, other forms of communication such as phone calls, emails, and Skype or FaceTime (or similar program) conversations are permissible, as age and developmentally appropriate, to meet the weekly contact requirement. However, siblings who are placed separately will have at least bi-weekly face-to-face visits unless a the FSW Supervisor grants a visit

waiver. The plan for sibling visits and other contact will be outlined in the case plan. Visits or other forms of contact with siblings will not be withheld by DCFS or any placement provider as a behavioral consequence unless there are documented safety concerns for one or more of the siblings.

- Siblings also have the right to remain actively involved in each other's lives. Aside from regularly scheduled visits, the Division, foster parents, and other placement providers will work together to allow siblings to share celebrations including birthdays, holidays, graduations, and other meaningful milestones when possible. The Division, foster parents, and other placement providers will also collaborate to ensure siblings attend each other's extracurricular events such as athletic events, musical performances, and faith-based events when reasonable and practical.
- The Division will ensure siblings are included in one another's case plan staffing decisions and permanency planning decisions as age and developmentally appropriate. Siblings will also be notified when another sibling has a change in placement or exits foster care as age and developmentally appropriate. When a sibling leaves foster care, that sibling will be allowed, as appropriate, to maintain contact with a sibling who remains in an out-of-home placement. The Division will also strive to help children in foster care maintain relationships with their siblings who are not in out-of-home placements or who have been adopted or placed in permanent custody or guardianship.

Section 2

4. Is there an unbiased policy that DCFS uses to determine which home the child/children are placed?

DCFS Policy VI-A: Out of Home Placement Criteria requires that when a child is in the custody of the Department of Human Services, DCFS shall ensure that the out-of-home placement is in the best interest of the child, is the least restrictive possible (i.e., a foster home verses an emergency shelter or other congregate care setting), is matched to the child's physical and therapeutic needs (e.g., caretakers have the skills and training sufficient to meet the child's individual needs), and is close in proximity to the child's parents and the child's school.

To determine what foster home(s) may be in the best interest of children and match the child's needs, DCFS staff use the information provided by foster parents during the application process via CFS-409: Foster/Adoptive Family Preference Checklist. Criteria on this form include, but are not limited to, age, physical and mental/behavioral health characteristics, and educational needs that foster parents are willing to accept or willing to consider accepting. These foster parent preferences are entered in CHRIS, so that when DCFS employees search for a placement for a child, this information can help guide staff in matching a child's needs and characteristics with a foster home's preferences whenever possible. Foster homes may revise their CFS-409: Foster/Adoptive Family Preference Checklist at any time.

For children who may need a higher level of care due to mental, behavioral, or emotional health needs, Therapeutic Foster Care (TFC) home providers contracted by DCFS are utilized when appropriate and available.

West's Arkansas Administrative Code
Title 016. Department of Human Services
Division 15. Division of Children and **Family** Services
Rule 4. Policy and Procedure Manual
Chapter VII. Development of **Foster** Homes

Ark. Admin. Code 016.15.4-VII-C
Alternatively cited as AR ADC 016 15 011

016.15.4-VII-C. **Foster** Home Assessment Process

Currentness

In order to ensure quality **foster** homes, DCFS will complete a thorough home assessment for each prospective **foster family**. The purpose of the assessment process is to educate prospective **foster** parents on the characteristics of children in out-of-home placement and evaluate their ability to meet those needs, as well as evaluate the applicants' compliance with the Minimum Licensing Standards and DCFS policy requirements for **foster** homes. The home assessment is a mutual selection process. It involves several components including, but not limited to, background checks, an in-home consultation visit, pre-service training, a home study, and ongoing consultation with the prospective **foster** parents to ensure that all appropriate criteria related to both compliance and quality are met. Prospective **foster** parents, with the exception of provisional **foster** parents, are highly encouraged to attend an Information Meeting before the In-Home Consultation Visit.

BASIC CRITERIA

Basic criteria for consideration in determining the appropriateness of **foster** homes include, but are not limited to the following.

Age -- Applicant is at least 21 years of age and not older than 65 years of age.

Relationship Stability --

A. In a two-parent home, both parents shall be joint applicants and 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. Marriages and divorces will be verified. Applicants must provide a copy of their marriage license to verify marriage and a copy of their most recent divorce decree to verify divorce.

C. 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.

A foster home may not house or admit any roomer or boarder. A roomer or boarder is:

- A. a person to whom a household furnishes lodging, meals, or both, for a reasonable monthly payment; and,
- B. not a household member.

A household member is a resident of the home who:

- A. owns or is legally responsible for paying rent on the home (household head); or,
- B. is in a close personal relationship with a household head; or,
- C. is related to a household head or a to person in a close personal relationship with a household head.

Any household member who resides in the home for more than 3 cumulative months in a calendar year must clear the following background checks: Arkansas Child Maltreatment Central Registry, Arkansas Adult Maltreatment Registry, Arkansas State Police Criminal Record Check, and FBI Criminal Background Check.

General Physical and Mental Health -- Members of the household must not have a health condition or disability that would interfere with the family's ability to parent the child. Each member of the household shall have a physical examination by a physician within six months prior to the approval of the home study on the prospective foster family, and annually thereafter.

Housing --

- A. Space must be adequate to promote health and safety. Each bedroom should have at least 50 square feet of space per occupant.
- B. All firearms must be maintained in a secure, locked location and stored separately from ammunition.
- C. All water hazards and dangerous pets will be assessed. Safeguard measures will be implemented, as appropriate.
- D. Children of opposite sexes will have their own separate bedrooms if either child is four years old or older, except for a mother in foster care with her child(ren).
- E. Water must be provided by public water system or approved annually by the Department of Health.

F. Prospective foster parents who rent must obtain acknowledgement from their landlord that they plan to foster on landlord's property if they are approved by DCFS to foster.

Smoking Restrictions -- DCFS shall not place or permit a child in foster care 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. If the foster parent indicates smoking will not occur in the presence of a child in foster care, then 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. Second hand smoke is detrimental to a child's health and, as such, it is generally 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. In addition, state law prohibits smoking in a vehicle if a child in the car is under the age of 14.

Resources -- The applicant must have sufficient resources to meet the financial, medical, physical, educational, emotional, and shelter needs of the child without relying solely on state or federal financial assistance (e.g., SNAP, SSI, SSA, etc.) to meet those needs (although these forms of assistance may be used to supplement a family's income). A recent check stub and the previous year's income tax return is required to verify income and employment. While the foster care board payment may be a resource for a child, foster parents should have sufficient resources to care for a child even without a board payment. The foster care board payment shall not be considered a part of the foster family's income.

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 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) must clear all background checks.

Child Maltreatment Central Registry -- Foster 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 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 14 years or older in any state of residence in which they have lived for the past five years, and in their state of employment, if different, for reports of child maltreatment.

Adult Maltreatment Central Registry -- Foster 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 Registry check will be repeated every two years on all appropriate household members.

State Police Criminal Record Check -- Foster 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 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.

FBI Criminal Background Check -- Foster 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 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.

Vehicle Safety Check -- DCFS will check the driving record (violation points) for each prospective foster parent 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.

PRE-SERVICE TRAINING

Foster parents must also complete the Division's pre-service training curriculum which includes 27 hours of Foster/Adopt PRIDE training and three hours of DCFS orientation prior to placement of a child in their home. Central Registry and State Police Criminal Background checks must be cleared and the FBI Criminal Background Check must have been submitted before a prospective foster parent can begin pre-service training. Foster parents must also complete CPR and Standard First Aid Training and receive certification in both areas prior to placement of a child in their home.

HOME STUDY

The home study (a component of the overall home assessment) assists in determining if a family is ready, willing, and able to become a suitable and safe placement resource for a child. At least two home study visits must be conducted in person with the foster parent applicants, including at least one visit to the home. The evaluator shall interview each age-appropriate member of the household.

The home study must evaluate a family's dynamics including but not limited to, motivation for wanting to foster, household composition, housing, safety hazards, income and expenses, health, education, childcare arrangements or plans, child rearing practices, daily schedules, social history, family activities, and support systems, (for more information see PUB-04: Minimum Licensing Standards for Child Welfare Agencies). By learning more about these areas, the home study assists in ascertaining how members of a family function individually and as a unit, and, subsequently, helps inform the conclusions and recommendation as to whether a family should serve as a foster home.

To complete a successful home study, the Division uses the Structured Analysis Family Evaluation (SAFE). SAFE includes a series of interviews guided by questionnaires and then an evaluation using the SAFE Psychosocial Inventory and Desk Guide, which is summarized in the final home study report. The use of these tools ensures a common evaluation process and promotes uniformity in the home studies across the state.

If at any point throughout the home assessment process a prospective foster home is found to be out of compliance with a licensing standard or a DCFS policy, the non-compliance issue must be addressed. However, if the Resource Worker determines that the non-compliance issue would not endanger the safety or well-being of children placed in a home, an Alternative Compliance or DCFS Policy Waiver may be requested as appropriate, particularly for relatives. An alternative compliance is a request for approval from the Child Welfare Agency Review Board to deviate from a minimum licensing standard. A policy waiver is a request to deviate from a DCFS policy or procedure. If the individual conducting the home study finds an area of non-compliance, he or she must notify the Resource Worker who should then take the appropriate steps as outlined in Appendix 9, to address the non-compliance issue.

The successful completion of all home assessment components as outlined above will allow the Division to assess the quality and capability of foster homes. The home assessment process will also assist prospective foster parents in determining if fostering is appropriate for them and, if so, prepare them for their new role.

PROCEDURE VII-C1: Background Check Processing

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

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 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 14 years or older, in any state of residence in which they have lived for the past five 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 14-17 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 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. The fingerprint-based FBI 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. **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.

PROCEDURE VII-C2: In-Home Consultation Visit

The Resource Worker will:

- A. Within 5 working days after clearances on all required background checks have been received, (FBI checks must have been submitted but not completed) contact the prospective **foster family** to schedule an in-home consultation visit with them. The in-home consultation visit should take place within two weeks of the scheduling call.
- B. During the in-home consultation visit:
 - 1) Provide all Information Meeting documents (aside from the Background Check Packet which should have already been completed) to the **family** if they have not yet attended an Information Meeting (see PROCEDURE VII-B4). **Families** are encouraged to attend an Information Meeting but are not required to do so.
 - 2) Review and complete the CFS-446: In-Home Consultation Visit Report. The completed CFS-446 will serve as the first formal step in the application process.
 - 3) Discuss the standards of approval for **foster** homes as outlined in PUB-22 and answer any questions the **family** may have.
 - 4) Inform the prospective **foster family** that they will not be approved until they meet minimum licensing standards, DCFS policy requirements, and any other qualifications deemed appropriate.
 - 5) Discuss training required prior to approval, including completion of CPR and Standard First Aid training and certification (for specific CPR and First Aid requirements, see PUB-30).
 - 6) Review the Arkansas State Vehicle Safety Program (ASVSP) with the **family** and have them complete the following forms, if they have not already done so:

a. CFS-593: Arkansas State Vehicle Safety Program Additional Requirements for DCFS Drivers. Teenage drivers in the home will be subjected to the ASVSP and must be licensed if they will be allowed to transport children in foster care who are placed in the home. The result of the teenager's ASVSP report should not impact the decision to approve the home as long as the parents' ASVSP check is favorable. If teenager does not pass the ASVSP report, he or she will not be able to transport children in foster care.

b. VSP-1: Authorization to Operate State Vehicles and Private Vehicles on State Business

c. VSP-2: Authorization to Obtain Traffic Violation Record

7) If the Background Check Packet for the members of the Foster Family Support System has not been completed and processed, collect and begin processing the CFS-419: Foster Family Support System Information (one per FFSS member family) and each of the following documents for each appropriate member of each FFSS family (following Procedure VII-C1: Background Check Processing):

a. CFS-316: Request for Child Maltreatment Central Registry Check

b. CFS-342: State Police Criminal Record Check

c. CFS-593: Arkansas State Vehicle Safety Program (ASVSP)

d. VSP-1: Authorization to Operate State Vehicles and Private Vehicles on State Business

e. VSP-2: Authorization to Obtain Traffic Violation Record

8) Provide the family with the following documents and review/explain as necessary:

a. CFS-363: Foster Parent, Adoptive Parent or Applicant Smoking Certification.

b. CFS-404: General Medical Report (one for each person residing in the household)

c. CFS-409: Foster/Adoptive Family Preference Checklist

d. CFS-455: Request/Consent for Health Department Services, if applicable. This form should only be utilized if the family uses a well to access drinking water or if the Resource Worker has other concerns related to the drinking water, sanitation, or general health/safety conditions of the home and/or its surroundings that require an inspection by the Health Department.

e. CFS-480: Alternate Compliance of Water Supply Agreement, if applicable. If the **family** will use bottled water (and purified water for bathing if infants or children under the age of 5 will be placed in the home), this must be noted on the CFS-480, signed by the **foster** parents, and updated annually. Neither a policy waiver nor an alternative compliance is required to accompany CFS-480 if the agreement to use bottled water is noted on this form and signed by the **foster** parents.

f. CFS-484: Landlord Notification of Potential Tenant **Foster** Care Services

g. PUB-30: **Foster** Parent Handbook

h. SAFE Questionnaire I

9) Inform the **family** that three positive confidential references are required.

a. Request that the **family** provide the names and addresses of three references.

b. Mail the SAFE Reference Letter Templates and the SASE envelope (to either their area MidSOUTH Training Academy c/o **Foster** Parent Program or contract provider, as appropriate) to each of the references that the **family** provides. Include a brief cover letter that:

i. Introduces the Resource Worker

ii. Explains the reason for the SAFE Reference Templates

iii. Instructs the reference to mail the completed SAFE Reference Templates using the envelope provided.

iv. Informs the reference that they are not to share the completed SAFE Reference Letter with the prospective **foster** family.

c. Inform the prospective **foster** family that the individual writing the reference letter must mail it directly to the agency listed on the stamped addressed envelope provided. The prospective **foster** family shall not view the reference letters.

10) Begin completing CFS-475-A: Initial **Checklist** for **Foster**/Adoptive Home Assessment.

11) Determine whether the **family** would be willing to serve as an informal respite home in addition to a regular **foster** home (see Policy VII-G: Alternate Care).

12) If the **family** is being opened as a provisional **foster** home, also:

- a. Complete the CFS-452: Provisional Foster Home Verification with the family.
- b. Provide a copy of the CFS-452 to the family and file the original in the foster home record.
- c. Complete the CFS-474: Provisional Foster Home Orientation Checklist with the family.
- d. Once all signatures are obtained, provide the family with a copy of CFS-474.
- e. File the original CFS-474 in the foster home record.

Provisional foster parents are not required to complete CFS-409. However, they must complete CFS-363, CFS-404, CFS-455 (if applicable), and CFS-480 (if applicable) prior to the end of the 6 month provisional period but not necessarily before the relative child is placed in their home.

The Area Director or designee will:

- A. Sign the CFS-474: Provisional Foster Home Orientation Checklist.
- B. Return the signed CFS-474 to the Resource Worker.

PROCEDURE VII-C3: Initiation of Pre-Service Training

In order to approve applicants for Pre-Service Training, within 10 working days of successfully completing the In-Home Consultation Visit (which must include the results of the cleared Child Maltreatment Central Registry Checks, Adult Maltreatment Central Registry Checks, and State Police Criminal Record Checks), the Resource Worker will:

A. Submit the signed and completed CFS-446: In Home Consultation Visit Report to the Area Director or designee with one of the following recommendations:

- 1) Invite the applicant to attend Pre-Service Training, OR
- 2) Do not invite the applicant to Pre-Service Training and provide an explanation.

B. If the Area Director approves the recommendation to send the applicant to Pre-Service Training:

- 1) Complete the contact purpose of "In-Home Consultation/Approval for Training?" in the Provider Contact Information Screen.

2) Log receipt of the CFS-446 on the DCFS Foster/Adopt Home in CHRIS.

3) Submit a copy of the following to the prospective foster parents and to MidSOUTH (unless one-on-one pre-service training has been arranged):

a. The CFS-446 approving the family to attend Pre-Service Training.

b. Cover letter to the prospective foster family that will:

i. Inform the prospective foster parents of approval to attend Pre-Service Training.

ii. Inform the prospective foster parents that the MidSOUTH trainer will contact them to schedule Pre-Service Training.

4) Select the "In-Home Consultation/Approval for Training Purpose" which you entered in the Provider Contact Information Screen. *It is important to select this checkbox prior to the family attending training in order to assist MidSOUTH with pre-service training. Once it is selected, the system will automatically notify MidSOUTH of approval status.*

C. When an applicant is NOT approved:

1) Send letter to applicants who were not approved to attend Pre-Service Training.

2) Forward a copy of the letter to the Area Director.

3) Log notice of non-selection on the Provider Household Member Required Checks Information Screen.

D. Arrange and/or provide one-on-one pre-service training to the family if group training sessions are unavailable locally.

The Area Director or designee will:

A. Either approve or disapprove as appropriate the recommendation within five working days of receipt of the CFS-446 from the Resource Worker.

B. Return the signed CFS-446 to the Resource Worker.

PROCEDURE VII-C4: Pre-Service Training

The prospective foster family will:

A. Complete a minimum of 27 hours of Foster/Adopt PRIDE training and three hours of DCFS orientation (individually or in a group) prior to placement of a child. All make-up sessions shall also be completed in order for a family to fully complete pre-service training.

B. Complete CPR and Standard First Aid Training and receive certification in both areas.

C. Submit the completed SAFE Questionnaire I to their Pre-Service Trainer on the first day of training.

D. Submit the following completed forms to the Resource Worker before completing Pre-Service Training (do not submit to the Pre-Service Trainer):

1) CFS-363: Foster Parent, Adoptive Parent or Applicant Smoking Certification. Note that if the foster home is designated as a smoking foster home, the Area Director will sign and submit the CFS-363 along with any supporting documentation (explaining why it would be in the child's best interest to be placed in a smoking foster home) to the Assistant Director of Community Services. No child in foster care will be placed in a smoking foster home without a policy waiver.

2) CFS-404: General Medical Report (one for each member residing in the household)

3) CFS-409: Foster/Adoptive Family Preference Checklist

4) CFS-455: Request/Consent for Health Department Services, if applicable. This form should only be utilized if the family uses a well to access drinking water or if the Resource Worker has other concerns related to the drinking water, sanitation, or general health/safety conditions of the home and/or its surroundings that require an inspection by the Health Department.

5) CFS-480: Alternate Compliance of Water Supply Agreement, if applicable.

6) CFS-484: Landlord Notification of Potential Tenant Foster Care Services

E. Ensure that the individuals providing references have mailed their letters to the agency responsible for the home study before completing Pre-Service Training. Each person providing a reference should mail the reference letter directly to the appropriate MidSOUTH Training Academy (c/o Foster Parent Program) or the contract provider agency as appropriate using the pre-stamped, pre-addressed envelope provided (i.e., all reference letters shall remain confidential; prospective foster family shall not handle a completed reference letter).

The Resource Worker will:

A. Document the CPR Training and First Aid Training Effective and Expiration Dates in the Provider Household Members/ Requirements Tab in CHRIS.

B. File all completed forms in the **foster family** record (CFS-404; CFS-455, if applicable; CFS-480, if applicable; CFS-484, if applicable).

C. Enter prospective **foster family preferences** (based on their selections on CFS-409) in the **Preferences Tab** in the **Provider Services/Admission Criteria Button**.

D. Attend the last training module and as many other training modules as possible.

E. Hold the Area or County Orientation Session using the CFS-465: **Foster Parent Orientation Checklist** to guide the orientation session.

The Area Director or designee will:

A. Attend the Area or County Orientation Session whenever possible.

PROCEDURE VII-C5: Home Study

The home study may be conducted by designated Division staff, by staff contracted through the MidSOUTH Training Academy or other contract providers, or by volunteers trained by designated DCFS staff. The evaluator will complete the home study in accordance with established SAFE protocols.

The individual conducting the home study will:

A. Conduct an initial face-to-face interview with the prospective **foster parent(s)** using the applicants' responses to SAFE Questionnaire I (to have been completed and submitted by the prospective **foster parents** by the first day of pre-service training) to guide the conversation.

B. Evaluate the first interview and note responses that will require further clarification and/or development.

C. Conduct a second face-to-face interview with the applicant(s).

D. During the second interview, provide SAFE Questionnaire II to the prospective **foster parents** who will complete this questionnaire in the presence of the home study evaluator. In the case of joint applicants, each applicant should complete and discuss their responses to the SAFE Questionnaire II with the home study evaluator separately, before holding another couple interview to discuss shared issues.

E. Evaluate the second interview and note responses that will require further clarification and/or development.

F. Conduct additional face-to-face interviews with the prospective **foster parent(s)** and/or other household members to further explore topics noted during the evaluation process.

G. Interview each household member separately who is 10 years of age or older. Observe younger children and interview if appropriate.

H. Review the 3 reference letters and ensure that all 3 letters are positive references.

I. Using information collected during the interviews and SAFE Reference Templates, along with the Desk Guide, complete the SAFE Psychosocial Inventory.

J. Within 45 working days of the family completing pre-service training, complete and submit the final SAFE Home Study Report to the Resource Worker for review and assessment.

The Resource Worker will:

A. Review the final SAFE Home Study Report and other assessment documents.

B. Based on the review, submit the recommendation to approve or deny the home to the Area Director or designee within 7 working days of receiving the final SAFE Home Study Report.

C. Document the Initial Home Study Completed Date on the Provider Service Details Screen in CHRIS.

D. Notify the applicant in writing if a determination to approve or deny the home based on the final SAFE Home Study Report and other assessment documents cannot be completed within 60 working days of the family completing pre-service training and explain the reason.

E. Provide a copy of the final SAFE Home Study Report to the family regardless of approval or denial.

The Area Director or designee will:

A. Review and assess the completed final SAFE Home Study Report and other assessment documents as well as the Resource Worker's recommendation to approve or deny.

B. Approve or deny the home within 7 working days of receipt of all final documents from the Resource Worker.

PROCEDURE VII-C6: Final Approval of Foster Homes

The Resource Worker will:

A. Ensure the CFS-475-A: Initial Checklist for Foster/Adoptive Home Assessment is completed, that any safeguard measures deemed necessary have been implemented, and that any requested alternative compliances or policy waivers have been approved.

B. Invite the County Supervisor to accompany them on the final face-to-face visit with the prospective foster parents and final visual inspection of the home.

C. Conduct a final face-to-face visit with the prospective foster parents and a final visual inspection of the home (preferably with the County Supervisor).

D. Provide the family with an Approval Packet.

E. Review the Approval Packet content with the foster parents. The Approval Packet will include:

- 1) Stamped envelopes addressed to the appropriate county office
- 2) Examples of the completion of travel documentation that must be submitted monthly
- 3) Copy of the Code of Ethics
- 4) Copy of the Arkansas Practice Model
- 5) CFS-381: Training Record Log
- 6) Medication Log
- 7) Child Inventory Log
- 8) Fire Drill Log
- 9) CFS-352: Medical, Dental, Vision, Hearing and Psychological Episodic Visits
- 10) After hours contact sheet
- 11) Foster Care Board Sheet
- 12) Appropriate Foster Parent Association contact information

F. Complete the CFS-462: Initial Foster Family Agreement with the family.

G. File the CFS-462: Initial **Foster Family** Agreement in the **foster** home record.

H. Enter a disposition as to the approval/denial of the **foster** home within three working days of receipt of the Area Director's approval or denial.

1) If the recommendation is approval, then:

a. If the orientation has not already taken place, schedule a date for a County or Area Orientation Session for newly approved **foster** parents.

b. Complete Provider Alternate Care Screen in CHRIS if family has determined they are willing to serve as an Informal Respite Home and, using CFS-419, enter all appropriate identified **Foster Family** Support System Individual Members including information on their cleared background checks (see POLICY VII-G: Alternate Care).

c. Enter Begin Date on Availability Status on Provider Service Status Screen and Request Approval on Provider Service Detail Screen in CHRIS.

d. If the **family** has indicated interest and been approved to **foster** children/youth with specific characteristics, identify the appropriate Disability Willing to Accept selection under the **Preferences** Tab in the Provider Services/Admission Criteria Button.

e. File the approval letter in the **foster** home record.

2) If the recommendation is denial, then:

a. Send a "Letter of Denial" to the applicants who were not approved. See POLICY VII-D: Denial of a **Foster** Home and document in Provider Contact Information Screen in CHRIS.

b. End Date the **Foster Family** Service on the Provider Services Tab selecting the appropriate Reason for End Date.

c. Specify why the home was denied in the comment box on the Provider Services Tab.

The County Supervisor or designee is encouraged to:

A. Participate in the final face-to-face visit with the prospective **foster** parents and final visual inspection of the home with the Resource Worker.

The Area Director or designee will:

A. If appropriate, approve the Resource Worker's Request for Approval in Provider Service Detail Screen in CHRIS to finalize the approval of the **Foster Family**. Upon approval, CHRIS automatically provides the **Foster Family Approval Letter** to be printed, mailed, and filed in the **foster home record**.

The Resource Worker will:

A. Develop and maintain a record for each **foster home** that contains all information and documentation as required by Minimum Licensing Standards and DCFS policy. The **foster home record order** will include the items listed in Appendix 4: **Foster Home Record Order**.

Credits

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