

**STANDARD:                    RESOURCE FAMILY LICENSING FOR RELATIVES, FICTIVE KIN, AND  
NON-RELATIVES**

**PURPOSE**

The purpose of this standard is to provide direction and guidance on the licensing and training requirements of relative, fictive kin, and non-relative resource family homes. This standard will address the following:

- Definitions related to the licensing of resource families;
- Resource family licensing standards and requirements;
- Waivers and variances to licensing requirements;
- Expedited relative and fictive kin placement requirements and procedures;
- Ongoing assessment, training and skill building for resource parents; and
- Responsibilities of the Child and Family Services (CFS) social worker/clinician related to placing children in alternate care.

**INTRODUCTION**

Placement of a child in an alternate care setting should be coordinated and structured to minimize trauma to the child and their family, to assure the child will be safe and receive needed services to reduce the long-term negative effects of the child's separation from their parents and to allow for continued connection between the child, their family, and the community. Knowledgeable and skilled resource families and other alternate care providers are integral to providing quality services to children placed outside their family home. Licensing processes and requirements are designed to assess the suitability of potential resource families to safely care for children.

IDHW rules, policies, and standards require that alternate care placements for children are:

- In compliance with Idaho Child Care Licensing Standards (IDAPA 16.06.02);
- The most home-like setting possible; and
- The least restrictive and the most appropriate level of care to meet the child's needs.

**DEFINITIONS**

**Alternate Care** - temporary twenty-four (24) hour care provided outside of the child's family home.

**Code X**— a process for obtaining a federal name-based criminal history background check on an individual to allow for the expedited placement of a child with a relative or fictive kin in exigent circumstances which include:

- At first emergency placement (imminent danger), or;

- No more than thirty (30) days from initial placement when a relative or fictive kin is found, or;
- When the child is in danger of losing their current foster care placement.

**Dual Assessment** - another name for the Resource Family Foster/Adoptive Home Study used to evaluate a prospective family who has applied to become licensed to provide foster care and/or adoption. This dual home study process incorporates the components of the PRIDE mutual assessment process.

**Expedited Placement** - a non-licensed placement that is made in a shorter time frame, with a relative or fictive kin, pending licensure, because it is in the best interest of the child(ren). The rationale for expediting a placement is made on a case-by-case basis, according to how it will benefit the permanency and well-being of the child(ren) considering both the needs of the child(ren) and the family's ability to meet those needs.

**Family Development Plan (FDP)** – an individualized, on-going training plan, developed with the resource family as part of the PRIDE program, to ensure the resource family possesses the knowledge and skills (competencies) necessary to care for children.

**Fictive Kin** - those persons having a significant, family-like relationship with a child but who do not meet the definition of relative/kin. Such individuals may include godparents, previous step-parents, clergy, close family friends, tribal members and others with an established relationship with the child.

**Idaho Central Registry** –a centralized FOCUS database of individuals who receive(d) a valid or substantiated disposition on a referral of child abuse or neglect in Idaho.

**Idaho “Name-based” Background Check**– a local name-based criminal history background check completed through the Idaho State Police for a fee.

**Mutual Assessment of Resource Families** - an assessment of families or individuals applying to be licensed as a resource family. The assessment consists of no less than one (1) consultation with the potential resource family and focuses on the five (5) PRIDE competency categories. The assessment coincides with the content of the pre-service training. Information gathered during this assessment is used in matching the needs of children with the resource family's skills and experiences. During this assessment, the family may self-select out of the licensing process or may be counseled out of the process by the Resource Family Specialist.

**Pre-service Training** - twenty-seven (27) hours of PRIDE pre-service training required prior to licensure as a resource family.

**Pride Competency Categories** – the knowledge and skills resource parents need to perform successfully the tasks of foster and adoptive care. The PRIDE program has established the following five (5) essential competency categories which drive the entire mutual assessment, selection, preparation, support and development process:

1. Protecting and nurturing children;
2. Meeting children’s developmental needs and addressing developmental delays;
3. Supporting relationships between children and their families;
4. Connecting children to safe, nurturing relationships intended to last a lifetime; and
5. Working as a member of a professional team.

**Professional Team** – a team responsible for the safety, well-being, and achievement of permanency for a child. This team works together in the best interest of the child. The team is composed of the child’s social worker, other agency or community representatives, the birth parents and the resource parents.

**Relative/Kin** - an individual having a relationship with a child by blood, marriage, or adoption. Such individuals include grandparents, parent’s spouse, siblings, and extended family members such as aunts, uncles, and cousins.

**Resource Families** – may include foster families, adoptive families, relative or fictive-kin who provide kinship care and legal guardians. The term broadly refers to anyone who provides a safe, stable, loving home for a child when the child’s birth parents are unable to provide one.

**Resource Family Specialist** - an individual responsible for the following:

- Recruitment and assessment of resource families;
- PRIDE pre-service training of resource families;
- Support and retention of resource families;
- Engaging the resource family in completing the Resource Family Development Plan; and
- Team member of the placement decision making team.

**Standard IDHW Criminal History Background Check** – a national fingerprint-based criminal history background check, sanctioned by Department rule and consisting of a web-based application and scheduling of fingerprints of the individual, Federal Bureau of Investigations (FBI) records, the National Criminal History Background Check (NCIC), Bureau of Criminal Identification (BCI), the Idaho Child Abuse Central Registry, Idaho Adult Protection Registry, Idaho Sexual Offender Registry, Idaho Department of Transportation, and Medicaid exclusion list (IDAPA 16.05.06.010.01). This background check is required when IDHW is issuing a foster care license or for adoption purposes.

**Variance** – a means of complying with the intent and purpose of a licensing rule in a manner other than that specifically prescribed in the rule (IDAPA 16.06.02.102.01C i-v). A variance may be considered for relatives, fictive kin, and non-relative resource families

on a case-by-case basis.

**Waiver** – the non-application or waiving of a non-safety foster care licensing rule (IDAPA 16.06.02.102.01B i-v) which serves to promote a child’s well-being while not compromising their safety. A waiver is extended to a relative resource family only.

### **STANDARDS:**

Children in the custody of the Department placed with someone other than a parent, and children placed through a voluntary agreement, must be placed in a resource family home that has been licensed by the Department or a licensing agency authorized by the State of Idaho.

### **REQUIREMENTS TO BE LICENSED AS A RESOURCE FAMILY:**

Rules Governing Standards for Child Care Licensing, IDAPA 16.06.02, must be evaluated and satisfied before a foster care license is issued. The following steps are required in the licensing process prior to full licensure regardless of whether the resource family is licensed by CFS, a contractor or other licensed agency authorized by the State of Idaho.

**1. Response to Inquiry.** The person inquiring about being a resource parent is contacted within forty-eight (48) business hours of the receipt of an initial call and the call is logged in FOCUS as a pending licensing inquiry. According to standard, a personal visit and/or follow-up call by CFS or a contractor should take place within thirty (30) days after receipt of the inquiry if no response is received from the prospective resource parent. *See Standard: Response to Inquiries Requesting Information on Becoming a Foster Parent or an Adoptive Parent.*

**2. Response to Application.** A prospective resource family will complete a Resource Parent Application. Action is to be initiated by CFS on all applications within thirty (30) days after receipt.

The resource family application must be completed and submitted to CFS prior to the applicant being registered to attend PRIDE pre-service training.

**3. Conduct Child Abuse and Neglect Central Registry Check(s).** A check of the Idaho Central Registry will be conducted for each adult residing in the prospective resource parent home. The Idaho Central Registry is completed by the CHU as a part of the Standard IDHW Criminal History Background Check. Additionally, the Adam Walsh Protection and Safety Act of 2006 requires a check of the child abuse and neglect central registry in each state the prospective resource parents and any other adult(s) living in the home have resided in during

the preceding five years. These central registry checks must be made regardless of whether Title IV-E foster care maintenance payment or adoption assistance payments are to be made on behalf of the child. Checks of other states' child abuse and neglect registries are made by the Resource Family Specialist or other designated CFS Staff in the region.

The purpose of the central registry checks is to prevent children from maltreatment by individuals who have previously abused or neglected a child. Information in the Idaho Central Registry is held confidential and is only disclosed pursuant to the written consent of the person whose name appears on the registry when he/she is seeking certain types of employment or licensure which involves direct contact with children and requires, by law or rule, a review of the Idaho Central Registry.

If during the process of checking child abuse and neglect registries, any adult member of the household is found to have a valid or substantiated complaint involving child abuse/neglect, no further action shall be taken to license the family until all background information is received and the Department has completed a review to determine suitability of the applicant to be licensed as a resource family.

Upon receipt of the prospective parents' signed consent and release of information, CFS will conduct a central registry check for child welfare agencies in other states to assist them with child abuse and neglect investigations or placement and licensing requirements for potential resource parents. These checks are completed through the IDHW Family and Community Services Division (FACS).

Any fees paid to another state to gain access to information in a state-maintained child abuse and neglect registry may be reimbursed as direct Title IV-E administrative costs.

**4. Conduct Standard IDHW Criminal History Background Check(s).** Although a child may be placed in a home prior to completing the fingerprint-based criminal records check, as in the case of an expedited relative or fictive kin placement, the Social Security Act, Idaho Statute and IDAPA Rule requires CFS to complete a fingerprint-based criminal history background check of all adult household members before licensing a prospective resource family.

All members of the household, eighteen (18) year of age or older, must start the criminal history background check process by logging on to the CHU website at <https://chu.dhw.idaho.gov>. The adult household members must be provided with the agency number before they can access the criminal history unit application. Once the applicant completes the online application,

appointments for fingerprinting are scheduled online. The criminal history background check is initiated when the applicant has submitted his/her fingerprints. The online application alone will not begin the criminal history background check. CFS will verify status of the criminal history background clearance from the Criminal History Unit's database. Verification will include a letter which can be printed from the website or a screen print of the status page stating the applicant's background check is completed and no records were found.

If during the process of checking criminal history background, any adult member of the household is found to have a criminal conviction or withheld judgment for a misdemeanor or felony, no further action shall be taken to license the family until all background information is received and the Department has completed a review to determine suitability of the applicant to be licensed as a resource family.

If at any time after the issuance of a resource family license, CFS receives or discovers information concerning the safety and suitability of a family with whom a child is to be placed or has been placed, CFS retains the authority to immediately revoke a license where such action is determined to be in the best interest of the child.

CFS will not approve or license any prospective resource parent, or claim federal funding for homes where, based on a criminal history background check, a court has determined that the prospective resource parent has been convicted of a disqualifying crime, within the last five years involving (See IDAPA 16.05.06.210.02):

- Physical assault;
- Battery; or,
- A drug-related offense.

Additionally, CFS will not approve or license any prospective resource parent, or claim federal funding for homes, where the prospective resource parent has been convicted of a disqualifying crime involving (See IDAPA 16.05.06.210.01):

- Child abuse or neglect;
- Spousal abuse;
- A crime against a child(ren) (including child pornography); or,
- A homicide, but not including other physical assault or battery.

If an adult member of the household is found to have a disqualifying crime listed above, they will be issued an unconditional denial and not allowed to receive licensure.

An applicant has thirty (30) days to challenge the Department's unconditional denial by submitting in writing and providing court records or other information which demonstrates the Department's unconditional denial is incorrect. These documents must be filed with Criminal History Unit.

The Criminal History Unit will issue a conditional denial for criminal or child/adult protection history other than the disqualifying crimes. If a conditional denial is issued, the applicant may request an exemption review hearing to have the matter reviewed by an exemption review officer. The exemption review provides the prospective resource parent and the Department the opportunity to discuss the circumstances around the criminal or child/adult abuse history. The prospective resource parent also is able to present additional information to the hearing officer regarding the items found during the background check.

An exemption review is not an option if a disqualifying offense (unconditional denial) is found.

There are a few exceptions per IDAPA to the requirement for criminal history and background checks. In the following limited circumstances the Standard IDHW Criminal History Background Check is not yet a requirement:

- Youth in foster care who reach the age of eighteen (18) years and continue to reside in the same licensed or approved resource home.
- Youth in a children's residential care facility who reach the age of eighteen (18) years and continue to live in the same licensed residential facility.
- A resource parent's child who continues to live in the home after turning eighteen (18) years of age. The adult child must complete a criminal history background check within fifteen (15) days of turning twenty-one (21) years of age.
- If the adult child leaves the resource home for the purpose of higher education or military service, he/she is not required to complete a criminal history and background check if he returns to the home for less than ninety (90) days. If the adult child returns to live in the resource home as a permanent resident, or longer than ninety (90) days, he/she must complete a criminal history background check within fifteen (15) days of his/her return.

**5. Obtain satisfactory Personal and Medical References.** A medical statement for each prospective resource parent, signed by a qualified medical professional, within the twelve (12) month period prior to initial licensure, indicating the

prospective resource parent is in such physical and mental health so as to not adversely affect either the health or quality of care for children placed in the home must be received and considered by the agency prior to full licensure. Also, the agency must receive three (3) satisfactory personal references, one (1) of which may be from a person related to the prospective resource parent(s). The agency may request, per IDAPA Rule, additional references if needed.

**6. Complete Home Environment Standards Checklist.** An evaluation must be completed early in the licensing/assessment process to determine compliance with Child Care Licensing Standards as they relate to the safety and suitability of the family's home.

**7. Provide Foster/Adopt PRIDE pre-service training.** The prospective family must complete a one hour orientation (IDAPA 16.06.02.408.01) and twenty-seven (27) hours of PRIDE pre-service training. The one hour orientation includes discussion about CFS's discipline policy, foster parent agreement and the roles and responsibilities of all parties involved. The PRIDE pre-service training includes nine (9) training sessions to be conducted simultaneously with, and as an integral part of, the family assessment process. The training presents information about the needs of children in foster care and adoption, and the beginning competencies families must have to meet those needs.

All prospective resource parents must complete PRIDE pre-service training. Resource parents are expected to attend all twenty-seven (27) hours of training missing no more than one (1) session. In two-parent households, if one parent is unable to attend all pre-service training sessions due to his/her work schedule, arrangements will be made to offer PRIDE pre-service training through alternative methods (see *Variances/Waivers to Resource Parent Licensing Standards*), such as:

- Varying the schedule of PRIDE pre-service training
- Arranging for the individual to attend PRIDE pre-service training in a neighboring region if it accommodates their schedule or,
- Arrange for independent learning using the PRIDE curriculum.

Both parents in a two-parent household are still required to participate in the consultations and mutual assessment. Homework assigned during the training must be completed for each session.

Individuals who have been licensed in another state and participated in that state's training program may still be expected to attend and participate in PRIDE pre-service training to learn of program issues specific to Idaho. The region's program manager has the ability to review the family's previous training and, on a case-by-case basis, grant a PRIDE training variance if the family's training is

shown to be substantially equivalent (see *Variances/Waivers to Resource Parent Licensing Standards*).

Generally, only persons committed to caring for children placed by the CFS will be enrolled in PRIDE pre-service training. Resource families licensed by agencies other than CFS that do not accept placement of children by CFS are not required to attend PRIDE pre-service training. When CFS is placing with tribal entities, with alternate care providers in other states, or in other unique situations not requiring licensure by CFS, attendance or completion of PRIDE pre-service training is not required. When a family is selected for the adoption of a CFS child and the family was not previously licensed, the family will be expected to satisfactorily complete PRIDE pre-service training and become licensed as a resource family. However, the pre-adoptive placement of the child will not be delayed pending completion of the PRIDE pre-service training requirement.

Individuals who do not want to adopt or foster a special needs child who is in the custody of IDHW should be referred to a licensed adoption agency or a certified adoption professional (CAP) for a private adoption home study and/or PRIDE pre-service training.

If a family or individual going through the PRIDE pre-service training should select out of the program, a written assessment will not be completed and a signed letter of withdrawal should be placed in the file.

**8. Complete Mutual Family Assessment.** A home study must be completed on the applicant family (IDAPA 16.06.02.405.01-03). Both the content of the PRIDE pre-service sessions and the content of the mutual family assessment process are based on the five (5) PRIDE competency categories. Prospective resource parents will be assessed on their knowledge and understanding of the PRIDE competencies. A resource family license will not be issued until the applicants are assessed as meeting all competency requirements. The PRIDE mutual assessment model includes one (1) or more mutual assessment meetings, and a final at-home consultation for decision making, however the number of meetings needed to complete the assessment process will vary according to the needs of the family, the number of family members, the complexities of the issues that must be explored, and the length of each meeting. All applicants for licensure as a resource family will participate in as many consultations as necessary to determine their knowledge, understanding and ability to demonstrate the five (5) PRIDE competencies as determined by the Resource Family Specialist or contractor. The family assessment must include a written recommendation for licensure and approval as a resource parent and/or adoptive parent.

The aim of the dual family assessment is to streamline procedures, avoid delays and minimize the moves of foster children. A dual family assessment allows a family to do two (2) things...provide foster care and be an adoptive parent. The dual family assessment means that all prospective resource parents (foster and adoptive) go through the same screening and interview, mutual assessment, training and background check processes, and in the end receive the same approval to provide foster and/or adoptive care. The dual family assessment allows for a resource parent, who has cared for a child for some length of time, to naturally and easily change their role from that of a foster parent to an adoptive parent, without having to go through an entirely new screening, assessment, and training process.

See *Ongoing Assessment, Training and Skill Building for Resource Parents* for further information regarding re-assessments and re-licensure.

**9. Review Agreements.** Prior to placement of a child, the resource family must sign the Resource Family Placement Agreement (Cooperative Agreement) and the Department's Discipline Policy which address expectations of all resource parents.

**10. Issue License.** To comply with requirements and assure the safety of children placed in foster care, the Resource Family Specialist must document completion of the work above in the narrative of the Foster Family Profile screen located in FOCUS. A resource family (foster care) license is considered to be effective only after *all of the above requirements* have been completed and documented. All license requirements must be met regardless of whether the resource family is licensed by Children and Family Service Staff or a contractor.

When all licensing steps have been completed, the date the license is issued (effective date), is recorded on the Foster Family License screen located in FOCUS. For more information please see the e-manual located on the IDHW infonet at [http://inonetdhw/Portals/Manuals/FACS/FOCUS\\_eManual/FOCUS\\_eManual.htm](http://inonetdhw/Portals/Manuals/FACS/FOCUS_eManual/FOCUS_eManual.htm).

#### **VARIANCES/WAIVER TO RESOURCE PARENT LICENSING STANDARDS:**

##### **Waivers:**

According to federal and state policy, a state's licensing standards must be applied to all foster family homes licensed or approved by the state, however, special situations may arise where there are grounds for a waiver of an IDAPA Rule or Standard of Practice for a relative on behalf of a foster child. The term waiver, as it applies to resource family

licensure, is defined as the non-application of a licensing standard extended to a relative resource family which serves to promote a child's well-being while not compromising their safety. Examples of non-safety foster care standards which may be considered for a waiver include, but may not be limited to; training requirements, bedroom and sleeping arrangements and space requirements. To consider the waiver of a foster care standard for any relative family, the following requirements must be satisfied:

- A waiver must only be considered for a relative resource family as defined in IDAPA. No waiver may be approved for fictive kin or non-relatives,
- A waiver may only be considered on an individual basis,
- Only non-safety related standards may be waived. The standards related to safety may not be waived,
- Waivers must be approved by the CFS Program Manager or their designee and the approval must indicate its applicability only to the specific relative child, and
- The continuing appropriateness of a waiver must be reviewed, approved and documented in the family's file at regular intervals not to exceed six (6) months.

***When a foster care standard is waived this information must be documented in the body of the resource parent assessment as either part of the initial assessment or updated assessment.*** The documentation shall describe the reason(s) for issuing a waiver, what standard is being waived, and how child safety will be assured.

Relative foster families who receive a waiver, in accordance with the requirements above, will be considered to have satisfied the requirements for full, regular foster care licensure and is Title IV-E reimbursable.

#### **Variations:**

Federal and state policy also allows a state, under specific circumstances, to meet a standard for licensure in a way other than is specified in rule while still assuring the child's safety and well-being. The term variance, as it applies to resource family licensure, is defined as a means of complying with the intent and purpose of a licensing rule in a manner other than that specifically prescribed. A variance constitutes an alternative equivalent method to meet the standard. For example, a variance may be granted when a family's well does not have potable water, and the family purchases bottled water for drinking. The variance from the original rule still meets the licensing requirement that the home is able to provide safe drinking water. Unlike a waiver, a variance may be considered for relatives, fictive kin, and non-relative resource families. To consider the variance of a foster care standard for a resource family, the following requirements must be satisfied:

- A variance may only be considered on an individual basis,
- The purpose of the licensing standard must be achieved, and the safety of the child maintained,
- Variances must be approved by the CFS Program Manager or their designee, and

- The continuing appropriateness of a variance must be reviewed, approved and documented in the family's file at regular intervals not to exceed six (6) months.

***When a foster care standard is varied this information must be documented in the body of the resource parent assessment as either part of the initial assessment or updated assessment.*** The documentation shall describe the reason(s) for issuing a variance, what standard is being varied and how child safety will be maintained.

Resource families who receive a variance, in accordance with the requirements above, will be considered to have satisfied the requirements for full, regular foster care licensure and is Title IV-E reimbursable.

**PROCESS FOR AN EXPEDITED PLACEMENT PENDING FULL LICENSURE (FOR USE WITH RELATIVES OR FICTIVE KIN ONLY):**

While the full licensure of a relative or fictive kin family is the standard of practice, there are times when it is in a child's best interest to place the child with a relative or fictive kin more quickly than the full licensure process will allow when delaying the child's placement would be further traumatizing or otherwise harmful to the child's well-being . The rationale for expediting a placement is made on a case-by-case basis, according to how it will benefit the permanency and well-being of the child(ren). A placement should never be expedited if safety concerns exist with the potential resource relative or fictive kin family.

Below are some examples when it would be inappropriate to expedite a placement, with a relative or fictive kin pending completion of the licensure process:

- The regions have a shortage of foster homes and there has been little or no contact with the prospective relative or fictive kin family to assess their ability to care for the child(ren) or meet the five (5) PRIDE competencies.
- Relatives or fictive kin want to foster a family member but a more comprehensive evaluation is needed to determine the family's ability to address the child's needs according to the five (5) PRIDE competencies. Safety issues were present historically.

Subsequent to an expedited, unlicensed relative or fictive kin placement, all homes must complete the licensing process per IDAPA 16.06.01.480 which requires that all private homes providing care for children must be licensed in accordance with IDAPA 16.06.02, "Rules Governing Standards for Child Care Licensing."

When a relative or fictive kin family is being considered for the expedited placement of a child, the following procedures must be completed and documented in the case record *and* in the narrative of the Foster Family Profile screen in FOCUS prior to the placement of the child:

<b>Expedited Relative and Fictive Kin Placement</b>	
1.	<p>Placing Social Worker documents rationale for expedited placement in FOCUS after identifying a child's relative or fictive kin who appears appropriate and willing to serve as an expedited placement and subsequently a licensed resource family.</p> <ul style="list-style-type: none"> <li>Requires Program Manager signed approval prior to full licensure (file in child's and family's file).</li> <li>Resource Family Specialist to copy FOCUS narrative (rationale) in Family's FOCUS Resource Screen.</li> </ul>
2.	<p>Placing Social Worker checks adult household member's driver's license or other picture ID for proof of identity and age.</p>
3.	<p>Placing Social Worker checks FOCUS Child Abuse/Neglect Registry and Sexual Offender Registry (Idaho State Police Registry) of all adult household members.</p> <ul style="list-style-type: none"> <li>If the placement is <b>not</b> an after-hour emergency placement, initiate step #8 below with step #2.</li> <li>Document the results of the registry checks on the Relative/Fictive Kin Expedited Placement Assessment Form and in FOCUS (child's and family's narrative).</li> <li>If a valid/substantiated history of abuse or neglect is found, the safety of the child(ren) should be evaluated further through the full licensure process.</li> </ul>
4.	<p>Placing Social Worker completes the Code X Process to obtain federal name-based criminal history background checks of all adult household members. See <i>Code X Process</i>.</p> <ul style="list-style-type: none"> <li>If there is a history of unlawful behavior that includes a designated crime or a criminal history that may pose a risk to children, the safety of the child(ren) should be evaluated further through the full licensure process.</li> <li>The Code X Process requires the Placing Social Worker to <u>immediately or within 24 hours</u> fax a copy of the Purpose Code X Request Form &amp; any documents (rap sheet) received from law enforcement to DHW Central Criminal History Unit (CHU) at (208) 332-7991.</li> </ul>
5.	<p>Placing Social Worker conducts a home visit to check the safety of the home environment and assess the ability of relatives or fictive kin to meet the child's needs and the PRIDE competencies.</p> <ul style="list-style-type: none"> <li>The Relative/Fictive Kin Expedited Placement Assessment Form is completed by the Placing Social Worker to document the safety of the expedited placement and serve as the basis for a more thorough PRIDE Mutual Assessment prior to full licensure. The Form should be filed in both the child and family's file.</li> </ul>
6.	<p>Relative or fictive kin family signs, prior to placement, the "Non-licensed Placement Agreement" which includes the relative or fictive-kin's:</p> <ul style="list-style-type: none"> <li>Agreement to complete the Standard IDHW Criminal History Background Check within five (5) days (including a disclaimer to crimes/history and consequences of child's removal prior to full-licensure if history is found).</li> <li>Agreement to complete the child abuse and neglect registry check(s) within five (5) days (including a list of states all adults have resided in previous five years) if not yet completed.</li> <li>Agreement to complete PRIDE pre-service training and the full licensure process (including completion of the resource family application and agreement to required time frames) and other agreements.</li> </ul>

<p>7. Child Placed (non-licensed placement)</p> <ul style="list-style-type: none"> <li>• Placing Social Worker provides notification to the Resource Family Specialist Staff as soon as possible and no later than forty-eight (48) hours following placement.</li> <li>• Until the relative or fictive kin family is fully licensed, no foster care costs may be paid using Title IV-E or IV-B funds. The Placing Social Worker should consult with their supervisor to determine the most appropriate funding source of maintenance payments, if any, which may include a TAFI relative grant, Social Service Block Grant Funds, or General Funds. See <i>Foster Care Payments</i>.</li> </ul>
<p>8. Placing Social Worker contacts the appropriate “Adam Walsh” Child Abuse/Neglect Registries in other states if adult household members resided in states other than Idaho during previous five (5) years.</p> <ul style="list-style-type: none"> <li>• This step may have been more appropriately initiated in Step #2 if the placement was <b>not</b> an after-hour emergency placement.</li> </ul>
<p>9. Within five (5) days of the placement, the relative or fictive kin adult household members must initiate the Standard IDHW Criminal History Background Check on line at <a href="http://chu.dhw.idaho.gov">http://chu.dhw.idaho.gov</a>.</p> <ul style="list-style-type: none"> <li>• Adult household members complete the Criminal History Application and schedule their fingerprint appointments online.</li> </ul>
<p>10. Family submits a Resource Parent Application to Licensing Unit prior to PRIDE pre-service training and the PRIDE mutual assessment.</p> <ul style="list-style-type: none"> <li>• The Standard of Practice is to allow a timeframe of thirty (30) days that the relative or fictive kin family has to complete the entire full licensure process following an expedited placement. The CFS Program Manager or designee could extend the time frame based on circumstances outside the family’s or CFS’s control such as obtaining requested abuse and neglect registry checks from other states, etc.</li> </ul>
<p>11. Family signs up and attends PRIDE pre-service training (includes 1 hour orientation)</p> <ul style="list-style-type: none"> <li>• Per Standard of Practice, PRIDE pre-service training can be granted a variance to allow the relative or fictive kin family to complete PRIDE within six (6) months based on the Region’s PRIDE schedule thus not delaying full licensure and status as a IV-E eligible placement. See <i>Variances/Waivers to Resource Parent Licensing Standards</i>.</li> </ul>
<p>12. The Resource Family Specialist documents approval of any Waivers and/or Variances as required. See <i>Variances/Waivers to Resource Parent Licensing Standards</i>.</p>
<p>13. Criminal history clearances received and filed in the resource family file.</p> <ul style="list-style-type: none"> <li>• Each regional CFS office has a staff person designated to access the criminal history website. Clearance screens are posted on the website and must be printed for the family’s licensing file.</li> </ul>
<p>14. Licensing Worker completes full PRIDE mutual assessment with the relative or fictive kin family.</p> <ul style="list-style-type: none"> <li>• Building on the Relative/Fictive Kin Expedited Placement Assessment Form completed by the Placing Social Worker, the Resource Family Specialist completes the PRIDE mutual assessment conducted simultaneously with, and as an integral part of, the PRIDE pre-service training.</li> </ul>

<p>15. License issued with effective date entered in FOCUS.</p> <ul style="list-style-type: none"> <li>• All Rules Governing Standards for Child Care Licensing (IDAPA 16.06.02) must be evaluated and satisfied before a license is issued.</li> <li>• The license effective date <b>can not</b> be made, retroactively, the same date of the child’s expedited placement date.</li> </ul>
<p>16. Expedited Placement becomes a licensed placement and is Title IV-E reimbursable.</p>

**Code X Procedures for Federal Name-based Criminal History Background Checks:**

The Code X search is performed by local law enforcement and allows the Placing Social Worker to receive an immediate state and federal name-based criminal history search in order to make an expedited placement decision in exigent circumstances which include:

- At first emergency placement (imminent danger), or;
- No more than thirty (30) days from initial placement when a relative or fictive kin is found, or;
- When the child is in danger of losing their current foster care placement.

If the Code X Process has been completed on all adults in the home and there is no history of a designated crime(s) or a criminal history that may pose a risk to children, placement, following the Expedited Relative or Fictive Kin Placement Process, may occur.

The Code X Forms are found on the FACS Child Welfare Teamsite. Procedures include:

1. The *Purpose Code X Request Form* is completed by the Social Worker and given to law enforcement. A copy of the completed *Purpose Code X Form* is kept by both Law Enforcement and the Social Worker.
2. Law Enforcement will provide the Social Worker with the results of the search immediately.
3. If the Social Worker runs into barriers with the Law Enforcement Agency performing the checks, he/she should contact the Bureau of Criminal Identification listed on the Code X Instruction Sheet.
4. Once a determination is made, the Purpose Code X Request Form and any findings (rap sheet) received from law enforcement must be faxed to the CHU immediately or by the following morning, if the placement is made after business hours. The Social Worker must destroy the rap sheet after it has been sent to the CHU due to state and federal laws. At no time should the rap sheet end up in the resource family or child’s file.

5. The Social Worker must ensure the adult household members complete an application at the criminal history website within forty-eight (48) hours of using the Code X Process. A criminal history application must be completed by all adults residing in the household and appointments for finger printing must be scheduled within five (5) days whether the child was placed or not. To access the criminal history application each adult member of the household must go to the CHU website: <https://chu.dhw.idaho.gov>. The Social Worker must verify that all adults residing in the home have completed the criminal history application and scheduled an appointment for finger printing. To verify this information:
  - The Social Worker should contact the designated FACS staff in their region that has access to the Criminal History Unit database;
  - The Social Worker may require the applicants to provide their verification number to confirm they have initiated the Standard IDHW Criminal History Background check;
  - Notification, by the Criminal History Unit, will be sent by e-mail to the designated contact persons in each region to inform him/her of applicants status within the process; and/or
  - The Social Worker can call or e-mail the Criminal History Unit to verify information.
6. If a family does not follow through with fingerprinting, the Social Worker should contact the CHU, while simultaneously notifying the family that the child(ren) cannot continue to reside in the home unless they are compliant with the criminal history requirements.

**Procedures for Idaho Name-based Criminal History Background Checks:**

A local name-based criminal history background check may be utilized in such cases as:

- Expedited placements with relatives or fictive kin which do not meet the Code X definition of “exigent” when the relative or fictive kin has resided in Idaho for three (3) or more years.
- Live-in boyfriends/girlfriends of a biological parent involved in an active cases;
- Reimbursed child care providers who routinely provide babysitting services for a foster child;
- Biological parents in an active case;
- Relatives, or other adults, from Idaho that are visiting the resource home for an extended visit.

The *ISP Name Based Criminal History Background Check Form* is available at the DHW criminal history website – <https://chu.dhw.idaho.gov>. On the home page click on the Idaho State Police tab, then click on the Idaho State Police request form. Forms are also available at the Idaho State Police website below:

[http://www.isp.state.id.us/identification/crime\\_history/documents/NameCheck.pdf](http://www.isp.state.id.us/identification/crime_history/documents/NameCheck.pdf)

All requests must then be sent to the ISP Meridian office at 700 Stratford Drive, Meridian, ID., 83642. A check for ten (10) dollars must accompany all requests. Results of the ISP Name-based Criminal History Background Check will be available within several days.

Since this is not a federal name-based background check, in the cases of expedited placements obtaining an *ISP Name Based Criminal History Background Check* rather than the Code X search, the expedited placement can only be made if applicants and adult household members have been residents of the state of Idaho for three (3) or more years. Verification of three (3) year residency can be found on income tax information and property tax information. If there is any reported history of unlawful behavior or valid/substantiated child abuse or neglect that would present a safety concern, the placement cannot be expedited but must go through the full licensure process that allows for a more thorough assessment.

#### **Interstate Compact on the Placement of Children (ICPC) with Relatives Out-of-State:**

The Idaho standard of practice is to require full licensure of relative caregivers. There are situations however, where the initial request to the receiving state may be for a relative home study only, rather than for full licensure. Those situations include:

- Court ordered Regulation 7 Priority Placement (refer to Guide to the Interstate compact on the Placement of Children 2002); and
- When delaying a child's placement would be harmful to the child's well-being. Following the completion of the relative home study and the initial placement of a child, a subsequent ICPC request, including a second 100-A requesting a foster care placement, should be made of the receiving state, requesting full licensure of the relative home and placement approval as a relative foster care placement.

Either request to the receiving state will include a request for a criminal history background check, and an assessment of the relative's ability to meet the child's safety and well-being needs. Placement will not occur until receipt of the completed relative home study, including the criminal history background check and written confirmation of ICPC placement approval from the receiving state.

In those exceptions, when a child is placed out-of-state in an unlicensed relative home, the worker placing the child must develop a financial and medical plan that will meet the needs of the child. The plan might include a TAFI relative grant in the receiving state, Social Services Block Grant funds, General Funds, or the relative home agreeing to be financially responsible for the placement pending licensure.

Once the out of state relative is licensed and thus Title IV-E reimbursable a copy of the out of state license must be submitted to the Resource Development Unit (RDU) for a re-determination of the child's IV-E eligibility.

### **ICPC Placements with Relatives In-State**

The laws of the sending state govern the placement and supervision of a child placed in Idaho. Some, but not all states, will request full licensure of the relative home. In the event a placement is made prior to or without a request for licensure, the study of the relative home, including birth parents will require clearance from the standard IDHW Criminal History Background check. An Idaho Name-based Criminal History Background check cannot be used for ICPC placements. In all cases, an ICPC placement, licensed or unlicensed, requires the Standard IDHW Criminal History Background Check for all adults (18 years or older) living in the home.

If the request from the sending state is for licensure of the home, the Idaho home must meet Idaho Child Care Licensing Standards. The relative caregivers will be required to participate and complete PRIDE pre-service training.

If the child has been placed in a relative home prior to licensure, as an approved ICPC relative placement, the family will sign an agreement to participate and complete PRIDE training within six (6) months of the request for licensure.

### **Placing Children in Homes Licensed By the Tribes**

Licensing or approval of resource homes by an Indian tribe is equivalent to licensing or approval by the State in terms of placement. When placing a child in a foster home licensed by the tribe, it is not necessary to re-license the tribal foster home. However, in order for the state to claim Title IV-E foster care maintenance or adoption assistance payments through Title IV-E, the Department must verify first that the tribal licensing process follows the safety precautions of a fingerprint-based criminal history background check and the child abuse and neglect central registry checks prior to using Title IV-E funds. Staff should consult with their supervisor in determining the most appropriate funding source for payments prior to verification of the criminal history and registry requirements. Appropriate funding sources may include a TAFI relative grant, Social Services Block Grant funds, or General Funds. See *Foster Care Payments*.

## **ONGOING ASSESSMENT, TRAINING AND SKILL BUILDING FOR RESOURCE PARENTS**

### **Re-licensure Assessment:**

According to IDAPA, annual re-licensure assessments must be completed and documentation must show how the resource home continues to meet the standards for licensure and approval. Consideration must be given to each point of the standards, including a review of the previous study and original application to determine what changes have occurred.

An application for renewal of a license must be made by the resource parent(s) and filled out prior to the expiration date of the license currently in force. When such application for renewal has been made in the proper manner and form, the existing license will, unless officially revoked, remain in force until the Department has acted on the application for renewal.

### **Family Development Plans:**

The purpose of completing the Family Development Plan (FDP) with resource parents is to:

- Assess the resource family's continued learning needs and annual training goals;
- Identify non-training barriers to the resource family's performance of the essential tasks of fostering;
- Develop a plan to build upon the resource family's knowledge and skills;
- Identify support the agency can provide for the development of the resource parent, and
- Guide planning for enhancing the development and competencies of resource parents.

A Family Development Plan (FDP) will be written in collaboration with the resource family. The initial Family Development Plan will be completed with the resource family within one (1) month from the approval for licensure.

The Family Development Plan (FDP) and progress toward meeting plan objectives will be evaluated at least annually or otherwise as necessary to support the development of core competencies.

### **Ongoing Training:**

Resource parents must complete ten (10) hours of training annually that is relevant to their Family Development Plan (FDP). CFS will advise resource parents of training opportunities as they become available. It is the responsibility of the resource family to document any training they have participated in on their Family Development Plan and report the training to the Resource Family Specialist no later than their annual licensing review.

Failure to complete the required ten (10) hours of annual training may result in revocation of the resource family license.

Training and skill building training for resource families will be documented in FOCUS to track resource parent's training.

### **SOCIAL WORKER'S RESPONSIBILITIES WHEN PLACING A CHILD WITH A RESOURCE FAMILY:**

The placing social worker must explore all possible relative/kinship placement options and follow priority placement procedures as outlined in IDAPA 16.06.01.401 "Considerations for Placement in Alternate Care." According to Department policy, placement priority shall be given in the following order: a) immediate family; b) extended family members; c) non-family members with a significant established relationship with the child; d) other licensed resource family. It is important to involve the family in planning and selecting the placement options for a child. Additionally, the social worker will consider interstate placements in permanency planning decisions, when appropriate.

Siblings should be placed in the same resource family home unless there are safety or health concerns associated with placing siblings in the same home. If siblings are placed in different homes, the reasons and rationale for that decision must be documented in the alternate care plan under "Preserving Connections: Sibling Contact."

When placement of a child with a resource family in another region is being considered, the CFS Program Manager of the sending region will contact the receiving region's CFS Program Manager prior to the placement. The social worker will disclose all information regarding any behaviors, concerns, and issues that may present a risk to the child or members of the resource family.

The placing social worker will provide the resource family with all relevant information regarding the child including the following:

- medical history,
- immunization records,
- allergies,
- educational information,
- the reason for the child's placement,
- the child's placement history,
- information regarding visits or contact with family members and others,
- the estimated length of the placement,
- transportation needs,
- religious preferences,

- information regarding the child’s vulnerability to mistreatment,
- any propensity of the child to pose a risk to self or others, and
- scheduled court hearings or other appointments.

### **Building a Team Approach with the Resource Family, Birth Family, and CFS Social Worker**

A family meeting with the child’s birth family, the child’s resource parents, and the child’s social worker should be held as soon as possible after placement of the child and in preparation for completion of the alternate care plan. The goal of the meeting is to begin developing a relationship between the resource family, the birth family, and the social worker and to develop strategies on how the resource family and birth family will work together for the best interest of the child. In a few cases the meeting may be contra-indicated due to safety concerns. In these cases, the reasons for not meeting must be clearly documented in the child’s file.

### **Resource Family Support Post Placement**

- Resource parents must be treated as members of a professional team. This relationship requires respectful interaction and frequent communication.
- The assessment of the resource family’s needs must be ongoing. Services to support the resource family, such as counseling, respite, crisis intervention, and/or specialized training, should be offered, as needs indicate.
- The resource parents participation in case staffings and court hearings should be encouraged.
- The resource parents shall be provided information regarding the permanency plan for the child and may serve as mentors/trainers for the birth family working toward reunification.
- IDHW shall notify and encourage resource families to attend case reviews and court hearings. (*See Standard regarding Resource Parent Notification of Reviews and Court Hearings.*)

### **Foster Care Payments**

Although unlicensed, expedited relative or fictive kin placements may or may not receive reimbursement prior to completion of the licensing process , relatives or fictive kin **licensed** as a foster family must be afforded the opportunity to receive foster care payments for any children placed through the Department. A relative or fictive kin family may also, at their discretion, choose not to accept foster care reimbursement

and/or apply for a “relative grant” through the TAFI program or they may provide for the child’s care using their own financial resources.

**No foster care payments can be made using Title IV-E or IV-B funds with the following:**

- **Expedited placement with relatives or fictive kin until the full foster care license has been issued;**
- **A placement with unlicensed ICPC relatives in another state until a foster care license has been issued.**
- **A placement with a family licensed by an Indian tribe where a fingerprint-based criminal history and child abuse and neglect registry check has not been completed.**

Staff should consult with their supervisor in determining the most appropriate funding source for payments prior to licensure, which may include a TAFI relative grant (Self Reliance Program), Social Services Block Grant funds, or General Funds.

#### **Eligibility Determination for Foster Care Payments**

When any child is placed in the home of a relative or fictive kin caregiver, regional staff should submit a foster care eligibility packet to the Resource Development Unit (RDU) at Central Office in order for an eligibility determination to be completed. This will assure utilization of the appropriate funding source to pay the costs associated with foster care and maximize services for the foster child and family.

**Any variance to these standards shall be documented and approved by the Division Administrator, unless otherwise noted.**