



Home Study Requirements for Prospective Foster Parents

Laws and policies for licensing or approving family foster homes vary considerably from State to State. First and foremost, the State agency with responsibility for placing children in out-of-home care and supervising those placements must be assured that foster parents are providing safe, nurturing homes that are in the best interests of the foster children.

A licensed family is one that is approved by the State to provide care for children and that meets basic standards of safety set by law and regulation. These standards reduce predictable risks to the health, safety, and well-being of children in out-of-home care. The goal of foster care is to provide a safe, stable, nurturing environment until the child is

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able to return home or until a permanent family is found for the child.

Who May Apply

Adults of any profession and background may apply to be foster parents. In approximately 35 States and the District of Columbia, the foster parent applicants must be at least age 21.¹ In four States, the applicant must be at least age 18.² In Alabama and Nebraska, the parent must be at least age 19.

Either couples or single persons can become licensed foster parents. Seven States require that couples must be legally married to one another.³ Seven States require that applicants be either U.S. citizens or legal residents of the United States.⁴ Kentucky will license only U.S. citizens. In seven States, at least one adult in the household must be able to communicate in English.⁵

Personal characteristics that are important include the ability to provide a safe and nurturing family environment for a foster child, flexibility in dealing with the needs of foster children and their birth families, and a willingness to work with the social services agency in meeting program requirements. To assure a foster child's safety, all members of the foster family household must pass background checks that show no convictions for certain crimes or records of substantiated child abuse or neglect.

In most States, other specific requirements include:

- Sufficient family income to meet the family's needs and financial obligations
- Sufficiently good physical health to be able to meet the demands of caring for children

¹ The word *approximately* is used to stress the fact that States frequently change their laws. This information is current through October 2010. The States that require foster care applicants to be at least age 21 are Arizona, Arkansas, Delaware, Florida, Hawaii, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Minnesota, Mississippi, Missouri, Nevada, New Hampshire, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

² Massachusetts, Michigan, Montana, and New Jersey.

³ Alabama, Arkansas, Illinois, Louisiana, Mississippi, North Dakota, and Utah.

⁴ Colorado, Maryland, Massachusetts, Missouri, New Mexico, Oklahoma, and Utah.

⁵ Alabama, Florida, Massachusetts, New Hampshire, North Carolina, Ohio, and Virginia.

Training Requirements

- Must be free of communicable diseases, illnesses, or disabilities that would either endanger the child or interfere with the provision of care
- No evidence of mental health conditions that would impair the ability to provide safe, consistent care for children
- Possession of a valid driver's license, reliable transportation, and sufficient vehicle insurance

Approximately 46 States and the District of Columbia require in law or policy that prospective foster parents complete a course of orientation and training prior to licensure.⁶ Nineteen States provide a specific course of training.⁷ Twenty-six States and the District of Columbia require the completion of a specific number of hours of training.⁸ Topics addressed in the training typically include:

- Licensure requirements
- Agency policies and procedures
- Roles and responsibilities of foster parents
- Child development
- Behavior management and appropriate methods of discipline
- Cultural sensitivity
- Attachment, separation, and loss issues
- Home and child safety
- The impact of fostering on the foster parents' own families

⁶ Connecticut, Vermont, American Samoa, Guam, the Northern Mariana Island, Puerto Rico, and the U.S. Virgin Islands do not address this issue in law or regulation. Alaska does not specifically require foster parent training; the department is required to make training available. Tennessee does not require the completion of preservice training, but ongoing training is required.

⁷ Delaware, Georgia, Hawaii, Idaho, Illinois, Kansas, Maine, Massachusetts, Michigan, Missouri, New Jersey, New Mexico, New York, Oregon, Rhode Island, Utah, Virginia, Washington, and West Virginia.

⁸ Ohio requires 36 hours of preservice training; Alabama, Arkansas, Iowa, North Carolina, South Dakota, Wisconsin, and the District of Columbia require 30 hours; Colorado and Maryland, 27 hours; Kentucky, 24 hours; Florida, Nebraska, and New Hampshire, 21 hours; Indiana, 20 hours; Montana, 18 hours; Wyoming, 16 hours; South Carolina, 14 hours; Arizona, California, Michigan, Mississippi, and Oklahoma, 12 hours; Nevada and Texas, 8 hours; and Louisiana and Minnesota, 6 hours.

Minimum Standards for Foster Homes

North Dakota requires annual training on fire prevention and safety. In Arizona and Mississippi, training must include information on the Indian Child Welfare Act of 1978. Ten States specifically require training in first aid and CPR.⁹

In general, foster homes must comply with all State and local zoning, building, and fire and safety codes. The home must be kept clean, in good repair, and free from hazardous conditions. Hazardous materials, including medications, household chemicals, tools, and weapons and ammunition, must be stored in a place that is inaccessible to children. Thirty-eight States require that working smoke detectors be installed near sleeping areas.¹⁰ Working portable fire extinguishers are required by 21 States.¹¹ Carbon monoxide detectors are required in 12 States.¹²

The home must be large enough to provide adequate space for living, eating, study, and play for all occupants, including the foster children. The home must have a working telephone; appliances in good working order; adequate heat, lighting, and ventilation; and a working bathroom with hot and cold running water.

The home must have a sufficient number of bedrooms for all family members that are large enough to provide each child adequate space for his or her safety, privacy, and comfort. In 15 States, regulations specify a minimum square footage that

⁹ Alabama, Arkansas, Colorado, Indiana, Kansas, North Carolina, Texas, Virginia, Washington, and Wisconsin.

¹⁰ Alaska, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Massachusetts, Michigan, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

¹¹ Alaska, Florida, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Mexico, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Tennessee, Texas, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

¹² Alaska, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Missouri, Montana, New Jersey, North Carolina, and Wisconsin.

must be provided to each foster child.¹³ In 18 States, regulations specify a maximum number of children allowed in each bedroom.¹⁴

In 32 States and the U.S. Virgin Islands, there must be a sufficient number of bedrooms so that children of the opposite sex do not share a room.¹⁵ In 19 States, children who are older than infants are not allowed to sleep in the same room as an adult.¹⁶ Each child must be provided with his or her own bed; infants must sleep in cribs that meet all relevant safety standards.

Approval Process

The process of approving applicants for foster parent licensure consists of assessments or home studies of the applicant, the applicant's family, and the applicant's home environment to determine whether the home would be safe and appropriate for foster children. Onsite home visits are conducted to assess the suitability of the home to accommodate the needs of all family members, including the foster children. The condition of the home is evaluated to determine whether it is clean, safe, comfortable, and in conformance with agency regulations. Seven States require an inspection by the State health department.¹⁷

¹³ Nebraska and New York require 35 square feet per child. Florida, Indiana, Iowa, Michigan, Texas, and Wisconsin require 40 square feet per child. Massachusetts requires 50 square feet per child. In Illinois, the first child must be provided 40 square feet, and each additional child in the room must have 35 square feet. In Tennessee, the first child must have 65 square feet and additional children 50 square feet each. In Utah, the first child must have 80 square feet and 60 square feet for each additional child. In Wyoming, bedrooms must provide 75 square feet for the first child and 50 square feet for each additional child. In Maine, single-occupancy rooms must be at least 60 square feet; multiple-occupancy rooms must provide 40 square feet per child. In Mississippi, single-occupancy rooms must be at least 70 square feet; multiple-occupancy rooms must provide 50 square feet per child.

¹⁴ Bedrooms may not be occupied by more than four children in Kentucky, Louisiana, Massachusetts, Mississippi, North Carolina, Ohio, Rhode Island, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming. New York limits the occupancy to three children per bedroom unless the children are siblings. In Oklahoma, the regulations state that the number of children preferably should be no more than two.

¹⁵ Alabama, Arizona, California, Georgia, Illinois, Louisiana, Maine, Maryland, Massachusetts, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

¹⁶ California, Georgia, Maine, Missouri, Montana, Nevada, New Hampshire, New Mexico, New York, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, and West Virginia.

¹⁷ Arizona, Arkansas, Maryland, Nebraska, Nevada, South Carolina, and Texas.

Nine States and the District of Columbia require a fire and safety inspection by the fire marshal.¹⁸

In addition, the social worker will conduct interviews with the applicants and all family members to assess their suitability to provide appropriate care for foster children. Personal references are contacted for further information. To ensure that the foster parents are healthy enough to provide appropriate care, 17 States, Puerto Rico, and the Virgin Islands require the results of recent health examinations.¹⁹ Checks of criminal records and child abuse and neglect records also are included in the study.

Grounds for Withholding Approval

Licensure will be denied when the results of the home study indicate that the applicant is not suited to providing care for foster children. Some specific grounds for withholding approval include:

- The applicant does not meet the required regulations for training, experience, or family income.
- The applicant or any family member is found to be of unsuitable character to provide safe and appropriate care.
- The applicant's home is found to be unsafe or inadequate to provide for the needs of foster children.
- The applicant suffers from a physical or mental health condition that would interfere with providing appropriate care for foster children.
- The applicant is found to have provided false or misleading information to the licensing agency.
- The applicant or any member of the household has a record of a criminal conviction of a nature that could put foster children at risk of harm.

¹⁸ California, Maine, Maryland, Nebraska, Nevada, Ohio, Rhode Island, South Carolina, and Texas.

¹⁹ Alabama, Arizona, Arkansas, Idaho, Louisiana, Maine, Massachusetts, Michigan, Missouri, Montana, New Mexico, New York, Ohio, Oregon, South Dakota, Utah, and West Virginia.

Kinship Foster Care

- The applicant or any member of the household has a record of substantiated child abuse or neglect.²⁰

Approximately 26 States give priority to relatives of the child when making an out-of-home placement.²¹ To facilitate the placement of a child with relatives, States may do the following:

- Conduct an expedited home study that focuses on the ability of the relative caregiver to provide appropriate care for that particular child
- Approve a variance from the foster family home regulations for requirements that are not related to safety, such as caregiver age, foster parent training, or size of the caregiver's home

In five States and the District of Columbia, the relative may be issued a temporary, provisional license, but after the temporary license expires, the relative must be able to meet all requirements for full licensure.²² In six States, relative caregivers must comply with all regulations for foster home licensure before a related child may be placed in their care.²³ In Illinois and New Mexico, children may be placed with relatives without formal licensing.

Foster to Adopt

The laws and policies of 28 States provide procedures for the foster parent to adopt when his or her foster child becomes legally free for adoption.²⁴ In 14 States, the foster parent must apply to adopt his or her foster child.²⁵ In five States, the foster

²⁰ For more information on the issue of background checks, including specific crimes that will bar approval, see Information Gateway's *Criminal Background Checks for Prospective Foster and Adoptive Parents* at www.childwelfare.gov/systemwide/laws_policies/statutes/background.cfm.

²¹ Alabama, Alaska, Arizona, Arkansas, California, Colorado, Delaware, Idaho, Iowa, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Jersey, North Carolina, Oklahoma, Oregon, Rhode Island, South Carolina, Tennessee, Texas, Utah, Virginia, and Washington.

²² Connecticut, Maryland, Montana, New Jersey, and New York.

²³ Colorado, Indiana, Massachusetts, Minnesota, Oregon, and Virginia.

²⁴ Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Florida, Georgia, Idaho, Illinois, Louisiana, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, New Mexico, New York, Ohio, Oregon, Rhode Island, Tennessee, Texas, South Carolina, South Dakota, Utah, Virginia, and Wisconsin.

²⁵ Alabama, Arizona, Arkansas, California, Florida, Illinois, Massachusetts, Minnesota, Missouri, Ohio, Oregon, South Carolina, Tennessee, and Virginia.

parent is the preferred placement if he or she qualifies and there are no relatives seeking to adopt the child.²⁶ Ten States require that the child has resided in the foster home for a period of time before the foster parents will be considered for adoptive placement.²⁷ Once they have applied to adopt the child, an abbreviated home study will be conducted to determine the parents' ability to provide a permanent home. The wishes of the foster child regarding the adoption also will be considered.

In three States, foster parents who wish to adopt a child must undergo a full adoption home study and meet all relevant adoption home standards.²⁸ Four States offer a single assessment process for both foster and adoptive parents.²⁹

Six States have 'legal risk' or 'fost/adopt' licensure for foster parents.³⁰ This type of placement is used when the child has a concurrent permanency plan goal of reunification and adoption. The foster parent, who is fully certified as both a foster and adoptive parent, agrees to work with the birth family toward reunification and is committed to adopting the child if reunification efforts fail.

Interjurisdictional Approval

In all States, when the child's best interests require placement outside his or her home State, that placement is subject to the provisions of the Interstate Compact on the Placement of Children. The State where the child is to be placed (receiving State) must conduct a home study on behalf of the State that is placing the child (sending State). The court of the sending State must accept the home study completed by the receiving State and determine whether the proposed placement is in the child's best interests.

²⁶ Illinois, Louisiana, Missouri, South Carolina, and Tennessee.

²⁷ Arizona (6 months), California (6 months), Illinois (12 months), Massachusetts (6 months), Missouri (9 months), Ohio (6 months), Oregon (12 months), South Carolina (6 months), Tennessee (12 months), and Virginia (18 months).

²⁸ Georgia, Idaho, and Wisconsin.

²⁹ Colorado, Connecticut, New York, and Utah.

³⁰ Maryland, Mississippi, New Mexico, Oregon, South Dakota, and Texas.

For More Information

Many States maintain an array of information resources on foster parent licensing requirements on the Internet. Links to these resources, as well as links to the full-text of relevant State agency regulations, are available in this publication.

This publication is a product of the State Statutes Series prepared by Child Welfare Information Gateway. While every attempt has been made to be complete, additional information on these topics may be in other sections of a State's code as well as agency regulations, case law, and informal practices and procedures.

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Alabama**Who May Apply****Ann. Code §§ 38-7-3; 38-7-4; Admin. Code 660-5-29-.02**

A person must be licensed by the Department of Human Resources to operate a foster family home.

In regulation: Foster parents shall be at least age 19. If the couple is related to the foster child, one spouse may be younger than age 19 if the other spouse is at least age 19. Foster parents may be single or married. If living together in a relationship, foster parents shall have been married for at least 1 year.

Foster parents shall be able to:

- Read and write
- Demonstrate an understanding of the needs of children
- Give time and attention to the needs of children
- Provide opportunities for the physical, mental, emotional, and social development of children in care

Foster parents shall be able to be:

- Responsive to the changing needs of children
- Flexible in expectations and attitudes toward children, including those from other cultures
- Participants in any planning and delivery of services required for children in care

Foster parents shall have:

- Income or resources to meet the needs of the foster family, basic household needs, and the additional needs of the foster children
- Special approval by the approving agency for any adult roomers or boarders
- A valid driver's license and motor vehicle insurance
- Reliable, safe transportation when transporting foster children

Training Requirements**Admin. Code 660-5-29-.02**

All foster parents are required to:

- Complete 30 hours of preparation/training as provided by the approving agency prior to being approved. Preparation/training shall consist of the following components:
 - » Child development
 - » Behavior management
 - » The process of grief and loss
 - » The dynamics of attachment and separation
 - » The value of families
 - » Individualized service plans
 - » Identifying the strengths and needs of families and children
 - » Behavior as an expression of underlying needs
 - » The value of partnerships
 - » How children enter the foster care system
 - » Family implications among foster parents
 - » Understanding and valuing cultural differences
- Complete 15 hours of inservice training annually after being approved. This training may include, but is not limited to:
 - » Child safety issues, including CPR and pediatric and infant first aid
 - » Crisis intervention/engaging families
 - » Effects of multiple placements
 - » Cultural sensitivity and responsive services
 - » Significance of birth families
 - » Substance abuse
 - » Gang activity
 - » Universal precautions and infection control
- Obtain and maintain current CPR certification including pediatric and infant first aid/CPR, if a pool is located on the property

Minimum Standards for Foster Homes**Ann. Code § 38-7-7; Admin. Code R. 660-5-29-03**

The department shall prescribe and publish minimum standards for licensing and for approving foster care homes. The standards shall include regulations pertaining to the appropriateness, safety, cleanliness, and general adequacy of the premises, including maintenance of adequate fire prevention and health standards conforming to State laws and municipal codes to provide for the physical comfort, care, well-being, and safety of children.

In regulation: The home and grounds shall be maintained in a clean and safe condition.

- A play space for indoor and outdoor activities will be provided.
- The residence shall have a working telephone, electrical service, gas, comfortably regulated cooling and heating, adequate lighting, and a safe water supply.
- Beds and mattresses shall be of size and quality to allow good sleeping posture.
- Separate sleeping rooms shall be provided for children over age 6 who are of the opposite sex.
- An adequate number of bedrooms shall be provided for all persons residing in the home.
- Sanitary bathroom facilities that provide privacy shall be available for use by family members and foster children.
- Nothing that constitutes a hazard is allowed on the property. There shall be appropriate safeguards against potential hazards.

Approval Process**Ann. Code § 38-7-4; Admin. Code R. 660-5-29-.02**

Upon receiving an application, the department shall examine the premises of the foster family home and investigate the persons responsible for the care of children.

In regulation: Prior to approval, foster parents shall submit required medical information to establish their physical and emotional ability to provide the necessary supervision and guidance to foster children.

At the time of initial application, each applicant for a license and each adult household member shall provide contact information for at least three unrelated persons to serve as references.

The applicant shall obtain a clearance from the State Central Registry on Child Abuse/Neglect for each caregiver, substitute, volunteer, domestic worker, and any other person who has unsupervised contact with the children.

The applicant and each adult household member shall submit, to the Alabama Bureau of Investigation, a request for a criminal history background information check accompanied by the following:

- Two complete sets of fingerprints
- Written consent from the applicant and each adult household member for the release of the criminal history background information to the department
- The required fee
- Identification verification of name, date of birth, race, sex, and Social Security number in the form of a photo identification from any government agency, such as a driver's license, nondriver's identification, or program participation card

Grounds for Withholding Approval**Admin. Code R. 660-5-29-.02**

An application for a license shall be denied if the applicant, a household member, substitute caregiver, domestic worker, volunteer, or any other person who has contact with the children is determined to be of unsuitable character to work with children or to have contact with children.

Convictions for any of the following crimes shall make an applicant ineligible for licensure:

- Murder, manslaughter, or criminally negligent homicide
- A sex crime, including incest, promoting prostitution, rape, sexual abuse, or child pornography
- A crime that involves the physical or mental injury or maltreatment of a child, the elderly, or an individual with disabilities
- A crime committed against a child
- A crime involving the sale or distribution of a controlled substance
- Robbery

A crime listed in the Federal Adoption and Safe Families Act as prohibiting a person from being a foster or adoptive parent shall be deemed to make the convicted person unsuitable for employment, volunteer work, approval, or licensure as a foster or adoptive parent.

Kinship Foster Care**Ann. Code § 38-7-5**

Prior to the emergency licensing of foster homes, the department shall adhere to the settlement agreement reached in the R.C. v. Nachman lawsuit relating to preferential treatment for family members when placing children.

Foster to Adopt**Admin. Code R. 660-5-22-.03(10)(b), (11)**

The department shall decide whether the foster home will be approved as the child's adoptive home, based upon the following factors:

- The child's attachment to the foster parents
- The length of time the child has been in the home
- The age of the child in relation to the age of the foster parents
- The health and income of the foster parents
- Involvement/interference from the birth family
- The appropriateness of the foster home placement

The approved adoptive family must be issued a foster home approval for the particular child to be placed unless the resource is already an approved foster home.

Interjurisdictional Approval**Ann. Code §§ 26-10A-35; 38-7-15**

The person or agency bringing the child into the State to be adopted must first obtain the consent of the department. The department is authorized to designate an agency in the other State to interview the child's parent(s) to obtain social, background, and medical information about the child.

The department shall be authorized to make a thorough investigation of the proposed parents and their home to determine whether or not they are financially able, physically able, and morally fit to have the care, supervision, training, and control of the child.

If the child, subsequent to being brought into the State, becomes dependent, neglected, or delinquent prior to his or her adoption or becoming of legal age of majority, the child shall be subject to the laws of Alabama as if he or she were a resident child of the State.

Links to Resources

Alabama Department of Human Resources, [Introduction to Foster Care](#)

State regulations [full text](#) (PDF - 109 KB)

Alaska**Who May Apply****Alaska Stat. § 47.32.040**

A person shall apply to the Department of Health and Social Services for a license to operate a foster home. The application must be made to the department on a form provided by the department or in a format approved by the department and must be accompanied by any fee established by regulation and the documents and information required by regulation.

Training Requirements**Alaska Stat. § 47.14.115**

If the department has placed a child in a foster home, the department shall, no less often than once quarterly, make available training that will assist the foster parent or parents in providing care that will meet the needs of the child placed in the home and the requirements established by the department in regulation.

Minimum Standards for Foster Homes**Admin. Code Tit. 7, § 10.1005**

Before deciding whether to issue a foster care license to a home, the department may inspect the home to determine whether the home is maintained in a manner protective of life, health, safety, and welfare with respect to:

- Bedrooms to provide 24-hour or overnight care
- Exits to the outside of the home
- Smoke detectors, carbon monoxide detectors, and fire extinguishers
- Storage and disposition of combustible waste material
- Portable heating mechanisms, if any
- Other applicable requirements of this chapter or another applicable statute or regulation

Approval Process**Admin. Code Tit. 7, § 56.550**

The home study process must include at least the following:

- One face-to-face interview with all individuals living in the home
- One onsite home visit
- An assessment of the capabilities, willingness, and readiness of the prospective foster parent to properly parent a foster child

The agency shall obtain available information about the foster home applicants regarding:

- Their motivation for providing foster care
- The level of preparedness for foster care, including how the family responded to orientation and other preparation information
- Their physical, mental, emotional, and other health status
- The results of abuse, violence, and criminal background checks for all adults living in the home
- Their sensitivity to, and feelings about, different socioeconomic, cultural, and ethnic groups in relation to the family's ability to properly parent a child in foster care and to assist in maintaining the cultural or ethnic identity of children from different backgrounds
- The behavior, background, special needs status, or other characteristics of a potential foster child that the family can and cannot accept and why, and a discussion of the prospective foster parents' preparation, willingness, and ability to provide proper care for such a child

Child-placing workers responsible for the foster home study shall evaluate the information obtained during the study process and shall make specific recommendations about the family's capacity to work with children. The recommendations must address characteristics of children appropriate for placement in the foster home, including age, sex, special needs, and number of children.

Grounds for Withholding Approval**Admin. Code Tit. 7, § 10.905**

If a criminal background check reveals that an applicant has been convicted of a barrier crime, as listed below, licensure for foster care will be denied.

The following are permanent barrier crimes, including the attempt, solicitation, or conspiracy to commit any of the following crimes:

- Domestic violence
- A felony that involves a victim who was younger than age 18
- Third-degree assault
- Indecent exposure
- Arson
- Endangering the welfare of a child or vulnerable adult
- Failure to register as a sex offender
- Distribution of child pornography
- Promoting prostitution
- Any sex offense

The following are 10-year barrier crimes:

- Stalking
- Theft, burglary, forgery, or fraud
- Terroristic threatening
- Misconduct involving weapons or criminal possession of explosives
- Controlled substances violations
- Operating any vehicle while intoxicated by any substance if the person has had two or more convictions within the past 10 years
- Refusal to submit to a chemical test if the person has had two or more convictions within the past 10 years

The following are 5-year barrier crimes:

- Fourth-degree assault
- Reckless endangerment
- Custodial interference
- Coercion
- Criminal nonsupport
- Contributing to the delinquency of a minor
- Failure to report a violent crime committed against a child
- Cruelty to animals
- Disorderly conduct

The following are 3-year barrier crimes:

- Criminal trespass
- Criminal mischief
- Violating a protective order
- Harassment

If a person also is subject to Federal criminal history check requirements, and the Federal standards, including standards related to civil findings, are more stringent than those set out in this section, the Federal standards apply.

Kinship Foster Care**Alaska Stat. § 47.14.100; Admin. Code Tit. 7, § 50.055**

When a child must be placed in out-of-home care, the placement shall be with, in the following order of preference:

- An adult family member
- A family friend who meets the foster care licensing requirements established by the department
- A licensed foster home that is not an adult family member or family friend
- An institution for children that has a program suitable to meet the child's needs

To determine whether the home of a relative meets the requirements for placement of a child, the department shall conduct a criminal background check from State and national criminal justice information. The department may conduct a fingerprint background check on any member of the relative's household who is age 16 older when the relative requests placement of the child.

Evidence of good cause not to place a child with an adult family member or family friend includes the failure to meet the requirements for a foster care license. Poverty or inadequate or crowded housing do not constitute good cause.

In regulation: An abbreviated procedure may be applied in granting a variance for a requirement contained in this chapter for a foster home headed by a relative of a child. This procedure applies only for the specific relative child or children. If a different relative or a nonrelative child is to be received in the home, any variance granted must be reviewed and approved by the division.

In evaluating a relative applicant for a license, the licensing representative will discuss with the applicant and document any recommended variance from a requirement. The supervisor will review the evaluation to ensure the health, safety, and well-being of the child is protected and, if approved, will forward the license for issuance under regular procedures.

Foster to Adopt

This issue is not addressed in the statutes and regulations reviewed.

Interjurisdictional Approval**Alaska Stat. § 47.70.010**

Placement of a foster child outside the State of Alaska is subject to the provisions of the Interstate Compact on the Placement of Children.

Links to Resources

Office of Children's Services '[Requirements to Becoming a Foster Parent](#)'

Alaska Center for Resource Families [website](#)

State regulations [full text](#) (PDF - 167 KB)

American Samoa

These issues are not addressed in the statutes reviewed.

Arizona**Who May Apply****Admin. Code R6-5-5823; R6-5-5824**

To qualify for and maintain licensure as a foster parent, a person shall meet the following criteria:

- The person shall be at least age 21 at the time of application.
- The person shall have sufficient income to meet the needs of his or her own household.
- The applicant and adult household members shall be free of conviction, indictment for, or involvement in the criminal offenses listed in R6-5-5802(C).
- The applicant and household members shall not have any physical or mental health conditions that preclude compliance with foster care requirements.
- An applicant's household members shall agree to and support the decision to provide foster care.

To qualify for and maintain licensure as a foster parent, a person shall be a responsible, stable, emotionally mature individual who can exercise sound judgment. A person shall demonstrate the following characteristics:

- The ability to realistically determine which foster children the person can accept and successfully integrate into his or her family
- Knowledge of child development, nutrition, and health
- The willingness and ability to protect children from harm
- Knowledge and understanding of children
- The capacity to give and receive affection and enjoyment in being a parent
- Flexibility in expectations, attitudes, behavior, and use of help when it is needed
- The ability to deal with separation, loss, frustration, and conflict
- The capacity to respect persons with differing life styles and philosophies and persons of different races, cultures, and religious beliefs
- The ability to accept a foster child's relationship with the child's parent and birth family
- The willingness and ability to commit the time necessary to provide a foster child with supervision and guidance in accordance with a foster child's individual needs

Training Requirements**Rev. Stat. § 8-509; Admin. Code R6-5-5825**

The foster parent or parents are required to complete 6 actual hours of approved initial foster parent training. For license renewal, the foster parent or parents must complete 6 actual hours of approved ongoing foster parent training.

In regulation: Before receiving an initial license, an applicant shall complete at least 12 clock hours of initial foster parent training. The training shall cover at least the following subjects:

- Characteristics and needs of foster children
- The role of the foster parent as a member of the care and treatment team
- The importance of birth parent and family involvement in a child's life
- Methods for appropriately addressing the child's cultural, ethnic, and religious needs
- Attachment, separation, and loss issues
- Behavior management
- Confidentiality
- Emergency procedures
- Available resources and support services
- Foster care payment procedure
- Agency contact persons and procedures
- The impact of fostering on the foster parent and the foster parent's own family
- Addressing the impacts of foster parenting
- Specialized topics related to child welfare, health, growth, or development
- The Indian Child Welfare Act of 1978

Each licensing year, prior to license renewal, a foster parent shall attend and complete at least 6 clock hours of ongoing training. Annual training may include:

- Advanced training in the subjects listed above
- Special subjects relating to child health, growth, or development, including:
 - » Child management techniques based on the developmental needs of children in care
 - » Discipline, crisis intervention, and behavior management techniques
- Review of agency policies

Minimum Standards for Foster Homes**Rev. Stat. § 8-504; Admin. Code R6-5-5838; R6-5-5842; R6-5-5843**

The division shall visit each foster home and inspect the premises used for care of children for sanitation, fire, and other actual and potential hazards.

In regulation: The foster home parent shall:

- Keep the foster home safe, in good repair, and sanitary
- Keep the outside area around the foster home free from objects, materials, and conditions that constitute a danger to the occupants

If the foster parent provides care to a child with special physical needs, the foster parent shall equip the foster home with any equipment needed to accommodate the particular child's special needs.

A foster parent shall provide safe sleeping arrangements that accommodate the privacy needs of a foster child.

- The foster family and a foster child shall sleep in bedrooms. An unfinished attic, a basement area, or a space normally and primarily used for passageways and purposes other than sleeping are not bedrooms.
- A bedroom in the foster home shall have a finished ceiling, floor-to-ceiling permanently affixed walls, a door, finished flooring, light, ventilation, and a usable exit to the outdoors.
- A foster parent shall provide each foster child with a bed. The bed shall be appropriate to a child's age and needs.
- A foster parent shall not allow a foster child who is age 6 or older to share a bedroom with a child of the opposite gender.
- Notwithstanding any other provision of this section, a foster child who is a minor parent may share a room with her own child.

A foster home shall have at least one toilet, one washbasin, and one bathtub or shower. A foster home bathroom shall have interior plumbing with both warm and cold water.

Approval Process**Admin. Code R6-5-5802**

An application shall include:

- Personally identifying information on the applicant, all household members, and children who do not live with the applicant
- The applicant's financial assets, obligations, and income
- Medical statements for the applicant and any adult household member
- Immunization records for each child household member
- Employment information
- Family relationships and support systems
- A description of daily routines, activities, and hobbies
- A description of any spiritual or religious beliefs and practices observed in the applicant's home
- Information on administrative or judicial proceedings in which the applicant has been or is a party
- The name, address, and telephone number of at least five references who can attest to the applicant's character and ability to care for children
- A description of the applicant's home and neighborhood
- A statement as to the number and characteristics of foster children the applicant would consider for placement
- A description of the applicant's prior experience, if any, as a foster parent
- A description of the applicant's prior history of adoption certification, if any
- A description of the applicant's child care experience and child-rearing practices
- A statement regarding the applicant's motivation for becoming a foster parent
- A statement describing how all other household members feel about the decision to foster children
- A statement authorizing the licensing agency to:
 - » Verify the information contained in the application
 - » Perform background checks on the applicant and the applicant's household members
 - » Conduct a health and safety inspection of the applicant's home

Grounds for Withholding Approval**Admin Code. R6-5-5819; R6-6-5802(C)**

A license may be denied when an applicant:

- Is not in compliance with foster care requirements
- Fails to provide information required by these rules
- Misrepresents or fails to disclose material information regarding qualifications or experience
- Is unable to meet the physical, emotional, social, educational, or psychological needs of children

A license shall be denied when an applicant or household member has been convicted of the criminal offenses listed below. A license may be denied if the applicant or household member is a person who has a record of substantiated or undetermined child maltreatment in this State or any other jurisdiction.

The applicant and all adult household members shall submit to fingerprinting and a criminal history check. On a form provided by the department, the applicant and each adult household member shall certify whether he or she has ever committed any of the following criminal offenses:

- Sexual abuse of a minor or vulnerable adult
- Incest
- Murder, voluntary manslaughter, kidnapping, or arson
- Sexual assault
- Sexual exploitation of a minor or vulnerable adult
- Felony offenses within the previous 10 years involving the manufacture or distribution of marijuana or dangerous or narcotic drugs
- Robbery or theft
- A dangerous crime against children as defined in § 13-604.01
- Child abuse or neglect or abuse or neglect of a vulnerable adult
- Sexual conduct with a minor
- Molestation of a child or vulnerable adult
- Aggravated assault
- Contributing to the delinquency of a minor

Kinship Foster Care**Rev. Stat. § 8-514.03**

The department shall establish kinship foster care services for a child who has been removed from the child's home and is in the custody of the department. The program shall promote the placement of the child with the child's relative for kinship foster care.

A kinship foster care parent applicant who is not a licensed foster care parent shall be at least age 18. The applicant and each member of the applicant's household who is at least age 18 shall submit a full set of fingerprints to the department for the purpose of obtaining a State and Federal criminal records check. The Department of Public Safety may exchange this fingerprint data with the FBI. The department shall determine if the applicant is able to meet the child's health and safety needs by conducting one or more home visits and interviewing the applicant. The department may interview other household members, review the applicant's personal and professional references, and conduct Child Protective Services central registry checks.

Foster to Adopt**Rev. Stat. § 8-112(E); Admin. Code R6-5-6620**

If the child being considered for adoption has resided with the prospective adoptive parent for at least 6 months and the prospective adoptive parent is a foster parent who is licensed by this State, the social study may consist only of the following:

- The results of the central registry records check
- A review of any material changes in circumstances that have occurred since the previous license renewal that affect the prospective adoptive parent's ability to adopt the child or for the child to be placed in the prospective adoptive parent's home

In regulation: When a foster parent plans to adopt a foster child who is age 5 or older, a case worker from the adoption entity shall privately interview the child and all members of the adoptive family household who are age 5 or older about their feelings toward the adoption, before the adoption consent is signed.

When a child is placed for adoption with a person who has been a foster parent to the child, a case manager from the adoption entity shall conduct home visits at least every 2 months from the time legal consent for adoption has been signed until the finalization of adoption. If the adoptive child is a child with special needs, the case manager shall visit at least once a month.

Interjurisdictional Approval**Rev. Stat. § 8-548; Admin. Code R6-5-8008**

Placements of children in or from another State are subject to the provisions of the Interstate Compact on the Placement of Children.

In regulation: Approval must be obtained from the Compact Administrators in both the sending and receiving States prior to the placement of a child in another compact member State.

Links to Resources

Arizona Department of Economic Security, Division of Children, Youth and Families, ['Steps To Become a Foster or Adoptive Parent'](#)

State regulations [full text](#) (PDF- 133 KB)

Arkansas**Who May Apply****016 15 Code of Rules & Regs. 017, § 6**

Applicants must be age 21 or older. Applicants shall not be approved as a family foster home if one or both spouses are younger than age 21. In a two-parent home, the husband and wife shall be joint applicants. Each shall actively participate in the foster home assessment. This joint family commitment shall be reevaluated annually.

All members of the household must be free of any physical or emotional health conditions that would adversely affect the welfare of a foster child. All members of the household older than age 12 shall receive a tuberculosis test every 3 years as long as test results remain negative.

The family should contain two parents, a mother and a father. Exceptions will be considered for single parent households on the basis of the applicant's special qualifications to fulfill the needs of a particular child in foster care. Homes will not be approved if there are transient roomers or boarders. The family may not consist of two persons who are cohabiting as sexual partners outside of a marriage that is valid under the constitution and the laws of this State. This prohibition applies equally to cohabiting opposite and same-sex individuals. Additionally, there may not be any other adults in the home cohabiting with a sexual partner outside of a marriage that is valid under the constitution and laws of this State.

Training Requirements**016 15 Code of Rules & Regs. 017, § 5**

Family foster parents are required to have a minimum of 30 hours of preservice training. The family foster parent must complete CPR and first aid training and receive certification in both areas prior to approval to become a foster parent.

Minimum Standards for Foster Homes**016 15 Code of Rules & Regs. 017, § 6**

Family foster parents must have the personal characteristics that enable them to assume the responsibility of caring for foster children. These personal characteristics include:

- The capacity to love and care for children and respond to children's needs
- Ethical standards and values that are conducive to the well-being of children
- Emotional stability and stable adult relationships
- Respect for the religious preferences of the foster child and his or her birth/legal family
- Sufficient education to allow the foster parents to function in their community, employment, and home
- Sufficient, reliable income to assure the family's stability and security, without including the board payment
- A working knowledge of child growth and development

The family foster home shall be free from physical and health hazards and accessible throughout the year. Rooms shall be arranged to allow convenient living with adequate space for privacy, play, and study for all family members. The neighborhood/community in which the family foster home is located will provide a healthy environment that is free from health hazards, attractive nuisances, and threats from persons in and about the neighborhood/community. If the foster family does not own the home in which they live, the person who owns the home shall verify that he/she has no objections to the applicant caring for foster children in the home.

The home shall have a continuous supply of clean drinking water and a working telephone. The home shall be reasonably clean and sanitary, with adequate light, heat, ventilation, and plumbing for safe and comfortable living. Bedrooms shall have windows that provide natural light and ventilation.

Approval Process**016 15 Code of Rules & Regs. 017, § 7**

A family foster home assessment shall be completed to determine that applicants meet established standards for family foster homes. The assessment will consist of a minimum of the following steps to assure that the home meets standards:

- Physician's statement of health for all family members
- A Health Department inspection of the home, including the water supply and sewage disposal system
- Divisional inspection of the house and surroundings
- Personal interviews with or written responses from references
- A case record that includes documentation of compliance with standards and documentation that the foster parent(s) completed CPR and first aid training and received certification in both areas prior to approval
- A child maltreatment central registry check of the family foster parent and any others residing in the home age 10 or older
- A criminal record check on all persons age 14 and older residing in the home

Grounds for Withholding Approval**016 15 Code of Rules & Regs. 017, §§ 6 & 8**

The members of the household shall be free of criminal convictions for offenses that have been declared as rendering an applicant ineligible for application or retention of a license, including:

- Murder, voluntary manslaughter, or criminally negligent homicide
- Kidnapping, rape, or indecent exposure
- Sexual abuse of a child, indecency with a child, or incest
- Assault, aggravated assault, or injury inflicted on a child
- Contributing to the delinquency of a minor
- Prostitution or obscenity
- Sale, distribution, or display of harmful material to a minor

In addition, any criminal conviction involving drugs shall be subject to a second party review by the Foster Care Unit, Central Office, prior to approval of the home.

Any applicant who does not meet all standards for approval as a family foster home, or who has received an unfavorable second party review in waiving a standard contained in this document, shall be denied for placement of foster children.

Kinship Foster Care**016 15 Code of Rules & Regs. 017, § 4**

Kinship foster homes are homes in which adult relatives within the first, second, or third degree of kin to the parent or stepparent are recruited by the Family Service Worker to provide 24-hour care for children who are related through blood or marriage. These homes must meet all of the minimum licensing requirements for a family foster home. Relatives who are approved for placement of children in their home may choose to be a kinship foster home or a regular foster home. Kinship foster homes will be approved only for placement of relative children. If the relatives choose to be a regular foster home, they will have the responsibility of caring for relative and nonrelative foster children

There will be no distinction in licensing requirements between kinship foster homes and all other approved foster homes in Arkansas. A waiver on a nonsafety standard can be granted on a case-by-case basis and is subject to approval by the Child Welfare Agency Review Board. The approval of a kinship foster home can be expedited by providing one-on-one preservice training.

Foster to Adopt**016 15 Code of Rules & Regs. 010, § 15**

Once parental rights have been terminated the children may be adopted. A foster parent may apply to the division to adopt a child. A distinction is made between foster parents who apply through the regular adoption program and foster parents who apply to adopt a particular child.

Foster parents applying through the regular adoption program must meet the same requirements as all other adoption applicants. When foster parents are interested in adopting a foster child in their home, the division will consider the benefits provided by them for that child and other certain conditions. The child's desires will be especially considered.

If a foster parent wishes to adopt a child in his or her home, the foster parent should make the request known by requesting and completing a Foster Parent Request for Consideration to Adopt, CFS-489 if one meets the basic qualifications outlined on the form.

Interjurisdictional Approval**016 15 Code of Rules & Regs. 011, Policy VI-G**

When a child requires placement for foster care outside the State, the division shall use the Interstate Compact on the Placement of Children (ICPC) process. The division will ensure all potential out-of-State relative placements are given the same opportunity as in-State relative placements to become foster homes. Homes of relatives approved under the Articles of ICPC will be considered approved foster homes.

Links to Resources

Arkansas Foster Family Services [website](#)

Division of Child and Family Services [Family Foster Parent Handbook](#) (PDF - 950 KB)

State regulations [full text](#) (PDF - 86 KB)

California

Who May Apply

DSS Manual Tit. 22, §§ 89317; 89318

Any adult shall be permitted to apply for a license or approval regardless of age, sex, race, religion, color, political affiliation, national origin, disability, marital status, actual or perceived sexual orientation, gender identity, HIV status, or ancestry.

An applicant shall have the knowledge, ability, and willingness to comply with the applicable laws and regulations and:

- Provide care and supervision appropriate to a child, including communicating with the child
- Maintain or supervise the maintenance of all records that pertain to the child
- Direct the work of others in providing care when applicable
- Apply the reasonable and prudent parent standard as specified in Welfare and Institutions Code §§ 362.04, 362.05, 727, and 89377
- Promote a normal, healthy, balanced, and supported childhood experience and treat a child as part of the family, to the extent possible
- Prepare a child for adulthood
- Attend training and professional development

An applicant for a foster family home license shall complete an orientation provided by the licensing or approval agency.

Training Requirements

Health and Safety Code § 1529.2

Every licensed foster parent shall complete a minimum of 12 hours of foster parent training before the placement of any foster children. In addition, a foster parent shall complete a minimum of 8 hours of foster parent training annually.

The initial preplacement training shall include, but not be limited to, training courses that cover all of the following:

- An overview of the child protective system
- The effects of child abuse and neglect on child development
- Positive discipline and the importance of self-esteem
- Health issues in foster care
- Accessing education and health services available to foster children
- The right of a foster child to have fair and equal access to all available services and to not be subjected to discrimination
- Basic instruction on the existing laws and procedures regarding the safety of foster youth at school

The postplacement annual training shall include, but not be limited to, training courses that cover all of the following:

- Age-appropriate child development
- Health issues in foster care
- Positive discipline and the importance of self-esteem
- Emancipation and independent living skills if a foster parent is caring for youth
- The right of a foster child to have fair and equal access to all available services and to not be subjected to discrimination

Foster parent training may be attained through a variety of sources, including community colleges, counties, hospitals, foster parent associations, the California State Foster Parent Association's Conference, adult schools, and certified foster parent instructors.

Minimum Standards for Foster Homes**DSS Manual Tit. 22, §§ 89373; 89374; 89377; 89378; 89387**

The caregiver shall be responsible for applying the Reasonable and Prudent Parent Standard as defined in Welfare and Institutions Code § 362.04. The caregiver shall provide care and supervision as necessary to meet the needs of a child. At a minimum, the caregiver shall provide those services as specified in the written plan identifying the specific needs and services of the child, placement agreement, and Transitional Independent Living Plan, if applicable.

Telephone service shall be readily accessible in the home at all times, unless alternative telephone access is approved and documented by the licensing or approval agency. The caregiver shall ensure that persons who transport a child use vehicles that are in safe operating condition.

The caregiver shall provide bedrooms in the home that shall meet, at a minimum, the following requirements:

- No more than two children shall share a bedroom.
- Children of the opposite sex shall not share a bedroom unless each child is younger than age 5. A minor parent may share a bedroom with the minor parent's child of the opposite sex.
- Except for infants, children shall not share a bedroom with an adult.
- No room commonly used for other purposes shall be used as a bedroom. Such rooms shall include, but not be limited to, halls, stairways, unfinished attics or basements, garages, storage areas and sheds or similar detached buildings.
- No bedroom shall be used as a public or general passageway to another room.

The home shall be clean, safe, sanitary, and in good repair at all times. The licensee shall take measures to keep the home reasonably free of flies and other insects. All outdoor and indoor passageways, stairways, inclines, ramps, and open porches shall be kept free of obstruction.

The caregiver shall maintain at least one toilet, sink, and tub or shower in safe, clean operating condition.

Approval Process**Health and Safety Code § 1521.5; DSS Manual Tit. 22, §§ 89218; 89219; 89227**

The county welfare director shall, prior to the issuance of any foster family home license, ensure that the county licensing staff, or the placement staff, conducts one or more in-home interviews with the prospective foster parent sufficient to collect information on caregiver qualifications that may be used by the placement agency to evaluate the ability, willingness, and readiness of the prospective foster parent to meet the varying needs of children.

In regulation: The applicant must file a Foster Family Home Application. Additional supporting documents include:

- Information that is required by Health and Safety Code §§ 1520 and 1522.1
- The name, address and telephone number of the city or county fire department, or district providing fire protection services, or State Fire Marshal's Office having jurisdiction in the area where the home is located
- Fingerprint cards and identifying information

All applicants shall obtain a criminal record clearance from the Department of Social Services or county, as appropriate. Such review will require submission of completed fingerprints pursuant to Health and Safety Code § 1522. The licensing or approval agency also will conduct a search of the Child Abuse Clearance Index and child abuse records.

The licensing agency shall complete the following as part of the application review process:

- Conduct a site visit to the proposed foster family home to:
 - » Determine that all requirements have been met
 - » Conduct interviews as specified in Health and Safety Code § 1521.5
- Make a determination that:
 - » The applicant has the ability to comply with regulations.
 - » The home complies with regulations.
 - » The applicant has secured a fire clearance from the State Fire Marshal, if required.

Grounds for Withholding Approval**Health and Safety Code § 1522; DSS Manual Tit. 22 § 89219**

Approval of the application shall be denied if the applicant has convictions that would make his or her home unfit as a foster family home or a certified family home. No exemptions can be granted for any crime listed below:

- Gang-related extortion or intimidation of witnesses or victims
- Murder, attempted murder, or voluntary manslaughter
- Mayhem or felony torture
- Kidnapping
- Robbery, burglary, arson, or carjacking
- Assault with intent to commit mayhem, rape, or sodomy
- Rape or sexual battery
- Sexual exploitation of a minor
- Aggravated assault of a child
- Contributing to the delinquency of a minor
- Willfully inflicting any cruel or inhuman corporal punishment or injury on a child
- Incest, sodomy, or lewd or lascivious act upon a child under age 14
- Felony conviction for distributing lewd material to children
- Sexual abuse of a child
- All crimes for which one must register as a sex offender
- Distributing or possessing child pornography
- Poisoning or adulterating food, drink, medicine, pharmaceutical products, or water supplies
- Elder or dependent adult abuse
- Drawing, exhibiting, or using a loaded firearm
- Molestation of a child younger than age 18
- Any felony punishable by death or imprisonment in the State prison for life
- Any felony that inflicts great bodily injury
- Exploding, igniting, or attempting to explode or ignite any destructive device or explosive with intent to commit murder
- Felony sexual exploitation by a physician, psychotherapist, counselor, etc.

In regulation: An application shall be denied if the criminal record of any applicant discloses a conviction for any crime other than a minor traffic violation for which the fine was less than \$300 and an exemption pursuant to § 89219.1(a) has not been granted.

Kinship Foster Care**Fam. Code § 7950; Welf. & Inst. Code § 16003**

When a placement in foster care is being made, placement, if possible, shall be made in the home of a relative unless the placement would not be in the best interests of the child.

In order to promote the successful implementation of the preference for foster care placement with a relative caregiver, each community college district with a foster care education program shall offer orientation and training to the relative caring for a foster child, including, but not limited to, courses that cover the following:

- The role, rights, and responsibilities of a relative caregiver
- An overview of the child protective system
- The effects of child abuse and neglect on child development
- Positive discipline and the importance of self-esteem
- Health issues in foster care
- Accessing education and health services that are available to foster children
- Relationship and safety issues regarding contact with birth parents
- Permanency options for relative caregivers, including legal guardianship, the Kinship Guardianship Assistance Payment Program, and kin adoption
- Information on resources available for those who meet eligibility criteria, including out-of-home care payments, the Medi-Cal program, in-home supportive services, and other similar resources
- Basic instruction on the existing laws and procedures regarding the safety of foster youth at school

In addition to training described above, the community college shall offer training that includes, but need not be limited to, courses that cover the following:

- Age-appropriate child development
- Emancipation and independent living
- Accessing education and health services available to foster children

Foster to Adopt**Fam. Code § 8730**

If the prospective adoptive parent of a child is a foster parent with whom the child has lived for a minimum of 6 months, an assessment or home study of the prospective adoptive parent may, at the discretion of the department or a licensed adoption agency, unless the court with jurisdiction over the child orders otherwise, require only the following:

- A criminal records check of the foster parent
- A determination that the foster parent has sufficient financial stability to support the child and ensure that any adoption assistance program payment or other government assistance to which the child is entitled is used exclusively to meet the child's needs
- A determination that the foster parent has not abused or neglected the child while the child has been in his or her care and has fostered the healthy growth and development of the child
- A determination that there is no likelihood that the foster parent will abuse or neglect the child in the future, that the foster parent can protect the child, ensure necessary care and supervision, and foster the child's healthy growth and development
- A determination that the foster parent can address racial and cultural issues that may affect the child's well-being
- Interview with the foster parent, each individual residing in the home, and the child to be adopted

Interjurisdictional Approval**Fam. Code § 7906.5**

Within 60 days of receiving a request from another State to conduct a home study to assess the safety and suitability of placing a child who is in the custody of the requesting State, the county child welfare agency shall, directly or indirectly, do both of the following:

- Conduct and complete the home study
- Return to the requesting State a report on the results of the home study that addresses the extent to which placement in the home would meet the needs of the child

Nothing in this section shall be construed to require the county to have completed, within the applicable period, those portions of the home study concerning the education and training of the prospective foster parent or adoptive parent.

The county shall treat any home study report that is received from another State, Indian Tribe, or private agency under contract with another State, as meeting any requirements imposed by the State for the completion of a home study before placing a child in the home, unless, within 14 days after receipt of the report, the county determines, based on grounds that are specific to the content of the report, that making a decision in reliance on the report would be contrary to the welfare of the child.

Links to Resources

Manual of Policies and Procedures, Community Care Licensing Division: Foster Family Homes:

- [Part 1](#) (PDF - 177 KB)
- [Part 2](#) (PDF - 78 KB)
- [Part 3](#) (PDF - 113 KB)

[Manual de prácticas y procedimientos, Division de licenciamiento para ofrecer cuidado en lad comunidad: Hogares de crianza temporal:](#) (PDF - 312 KB)

Colorado**Who May Apply****12 Colo. Code Regs. 2509-6, § 7.500.31**

Foster parents shall be recruited who demonstrate a genuine interest in and knowledge of children and a concern for their proper care and well-being.

The county department of human/social services must verify that the individual is lawfully present in the United States.

Training Requirements**12 Colo. Code Regs. 2509-6, § 7.500.311**

Prior to the placement of a child, initial training shall be provided through the statewide core curriculum, county department, or child placement agency. Each applicant shall complete 12 hours of core training. Core training shall include, at a minimum, the following 10 primary topic areas:

- General overview of foster care
- Administrative and legal issues
- The reasons why children get placed in out-of-home care
- Parenting and family dynamics
- Key concepts of child growth and development
- Importance of the team approach
- Individual differences, such as ethnicity and culture
- Discipline
- Effects of fostering on the foster family
- Working with the birth family

In addition to 27 hours of precertification training, which includes 12 hours of core training, each foster parent must be certified in first aid or the equivalent, and CPR for the ages of the children in placement.

Each applicant shall have 20 hours of ongoing training every year. The training shall be relevant to fostering of children. If there are children in the home and training is not completed, no additional children shall be placed until training is complete. Children who are currently in placement shall not be disrupted due to this requirement.

Minimum Standards for Foster Homes**12 Colo. Code Regs. 2509-8, § 7.708.2**

Requirements for certification include:

- Each foster parent shall demonstrate an interest in and knowledge of foster children and a concern for their proper care and well-being.
- The foster parents shall be able to provide for a foster child's proper physical, mental, and character development.
- Applicants shall demonstrate stability in family relationships.
- The foster parent shall possess basic knowledge of child care and good nutrition.
- Licenses shall not be granted to applicants who are under age 21 or who lack adequate physical stamina to care for children.
- The financial resources of foster parents shall be adequate to assure that the home is in safe repair.
- Applicants must demonstrate the ability to manage a household.
- Each foster parent shall have a health assessment within 1 year prior to certification or within 30 calendar days after certification, in writing, by a licensed health-care professional.
- Children of the foster parents and any other person not placed by the agency and living in the home shall obtain a medical statement from a licensed health-care professional verifying that he or she has no illness or communicable disease that would adversely affect foster children in care.
- The foster home, including indoor and outdoor space, shall be maintained in a clean and safe condition free from hazards to health and safety.
- The home shall be equipped with refrigeration, adequate light, heat, ventilation, plumbing, hot and cold running water, and a working telephone.
- The foster home must be located in an area that is accessible to health resources, public and private utilities, adequate and safe water supplies, sewage disposal, and fire and police protection.

Approval Process**12 Colo. Code Regs. 2509-6, §§ 7.500.2; 7.500.311**

A family assessment is conducted using the Structured Analysis Family Evaluation (SAFE) instrument. The assessment shall include, but not be limited to, the following:

- Separate and joint interviews with the applicant(s), all adults residing in the home (both related and nonrelated to the applicant), and all children residing in the home regarding:
 - » Social history/background, including childhood history, psychiatric history, occupational history, and marriage/domestic partner history
 - » Personal characteristics of the family
 - » Marital and domestic partner relationship
 - » Motivation for child placement
 - » An assessment as to how the child's special needs will impact the family and extended family
 - » Extended family relationships
 - » Physical and social environment
 - » General and specialized parenting experience
- Assessment of the applicant(s)' ability to foster or adopt a child of a different ethnic and cultural background, preserving continuity of the child's ethnic and cultural identity in a positive manner
- Perform an on-site inspection for foster homes to determine compliance with the minimum requirements
- Complete a background check for each adult age 18 and older living in the home for the following:
 - » Child abuse and neglect records in every State where the adult has resided in the preceding 5 years
 - » Fingerprint-based criminal history checks from the Colorado Bureau of Investigation and the FBI

Grounds for Withholding Approval**12 Colo. Code Reg. 2509-6, § 7.500.312**

The application shall be denied for one or more of the following reasons:

- It has been determined that the applicant is not competent to operate a family foster home or is unable or unwilling to comply with the regulations within 3 months of application.
- The applicant has been convicted of any of the crimes listed below:
 - » Child abuse
 - » A crime of violence
 - » Any felony involving unlawful sexual behavior
 - » Any felony act of domestic violence
 - » Any felony involving physical assault, battery, or a drug-related/alcohol-related offense within the preceding 5 years
- The applicant or a person who resides with the applicant has shown a pattern of misdemeanor convictions within the preceding 10 years.

Kinship Foster Care**12 Colo. Code Regs. 2509-4, § 7.304.21**

Requirements for approving kinship care services when the county department has not assumed legal authority for placement or taken legal custody include:

- When the child's parent(s) do not pose an ongoing threat to the child, the county department shall enable the family to make voluntary arrangements for temporary custody or guardianship by kin.
- The county department is not required to complete the kinship care or foster care certification process in these cases. A family assessment using the department's modified Structured Analysis Family Evaluation for uncertified kinship families to determine the character and suitability of the family, appropriateness of the home, and child care practices may be completed.
- The county department shall complete a background check in all cases for each adult (age 18 and older) living in the home for the following:
 - » Child abuse/neglect records in every State where the adult has resided in the 5 years preceding the date of application
 - » Fingerprint-based criminal history checks from the Colorado Bureau of Investigation and the FBI

When the county department has assumed legal authority for placement or taken legal custody of a child and out-of-home placement is necessary, the county department shall determine whether there are available and willing kin to provide for the child. If kin are available and willing, the county department shall assess the suitability of kin in accordance with the foster care certification requirements found at Sections 7.500 and 7.708.

Foster to Adopt**12 Colo. Code Regs. 2509-6, § 7.500.351**

The single assessment completed on a foster family for foster care will be accepted for adoption. The worker will check the adoption box on the single application form and, if appropriate, write a brief update.

Interjurisdictional Approval**12 Colo. Code Regs. 2509-4, §§ 7.304.63; 7.307.52**

All out-of-state placements for kinship, foster, group, or residential care must comply with the Interstate Compact for the Placement of Children (ICPC), Section 7.307.

County departments must follow Federal guidelines and shall not place children out of State who are in care under a placement contract (voluntary placements). Such placements can only be made by a parent or guardian.

When Colorado is the receiving State of an ICPC Request for Placement, all such requests, except for nonpublic adoptive placement requests, shall be sent by the sending State to the Colorado Deputy Compact Administrator who shall forward the request packet to the correct county department or licensed child placement agency.

The county department staff or licensed child placement agency staff assigned to ICPC cases shall complete a home study within 60 calendar days of receipt of the request from the sending State.

Links to Resources

Colorado Department of Human Services website ['Change a Life Forever' -- Foster Care](#)

State regulations [full text](#) (PDF - 213 KB)

Connecticut**Who May Apply****Gen. Stat. § 17a-114; State Agencies Regs. §§ 17a-145-147; 17a-145-151**

No child in the custody of the Commissioner of Children and Families shall be placed with any person unless such person is licensed for that purpose by the department.

In regulation: Foster parents shall have an income sufficient to meet the needs of their family. Money received on behalf of the child shall be expended for the care of the child.

Foster parents shall be physically, intellectually, and emotionally capable of providing care, guidance, and supervision of the child.

Foster parents, members of the household, substitute care providers, and other persons having regular access to children in the home shall give the child humane and affectionate care. They shall be positive role models to the child and instruct the child in appropriate behavior. They shall establish limits and assist the child to develop self control and judgment skills. Children in the home shall be encouraged to assume age-appropriate responsibility for their decisions and actions.

Training Requirements

This issue is not addressed in the statutes and regulations reviewed.

Minimum Standards for Foster Homes**State Agencies Regs. §§ 17a-145-137 through 17a-145-142**

Dwelling and furnishings shall be clean, comfortable, and in good repair. State and local fire codes shall be observed by all foster families. The home and grounds shall be reasonably free from anything that constitutes a hazard to children.

There shall be sufficient indoor and outdoor space, ventilation, toilet facilities, light, and heat to ensure the health and comfort of all members of the household. All foster homes shall have smoke detectors in operating condition in sleep areas, play areas, and the basement. There shall be a working telephone with emergency numbers posted in an easily visible location.

Bedrooms for children shall be used for sleeping purposes and customary children's activities only. Children younger than age 5 shall sleep on the same floor and in close proximity to foster parents or a responsible adult.

The child's clothing shall be kept clean and in good condition in keeping with the standards of the community. Provision shall be made for the safe storage of the child's clothing and personal possessions. Each child shall be afforded privacy appropriate to his or her growth and development.

All food for human consumption, food storage and preparation, personal cleanliness, and general care of the home shall meet generally accepted health standards.

The water supply shall be safe and adequate to meet the needs of the household.

Firearms or other types of dangerous weapons are discouraged in foster homes. All animals shall be kept in a safe and sanitary manner and shall be in compliance with all statutes and regulations regarding vaccination and generally accepted veterinary care.

Approval Process**Gen. Stat. § 17a-114; State Agencies Regs. § 17a-145-132**

Each applicant and any person age 16 or older living in the household are required to submit to State and national criminal history records checks prior to issuing a license. The commissioner also shall check the State child abuse registry for the name of the applicant and the name of any person age 16 or older living in the household.

In regulation: The department and each child-placing agency shall conduct an assessment of any applicant for a foster family license. The assessment shall include the applicant as well as all members of the applicant's household. The assessment shall determine the ability of the applicant to comply with the requirements of agency regulations. The assessment shall include, but not necessarily be limited to:

- The physical condition of the home
- The health of the applicant and other members of the household
- The ability of the applicant to provide an environment that will advance the physical, mental, emotional, educational, and social development of each foster child who may be placed in the home
- The ability of the foster family to work with the department to pursue the child's treatment plan, including reunification with the birth family

Grounds for Withholding Approval**State Agencies Regs. §§ 17a-145-152; 17a-145-154**

A license shall be denied if any member of the household of a foster family:

- Has been convicted of injury or risk of injury to a minor or other similar offenses against a minor
- Has been convicted of impairing the morals of a minor or other similar offenses against a minor
- Has been convicted of violent crime against a person or other similar offenses
- Has been convicted of the possession, use, or sale of controlled substances within the past 5 years
- Has been convicted of illegal use of a firearm or other similar offenses
- Has ever had an allegation of child abuse or neglect substantiated
- Has had a minor removed from their care because of child abuse or neglect

The granting of a license may be denied if any member of the household of a foster family:

- Is awaiting trial, or is on trial, for charges as described above
- Has a criminal record that the department or child-placing agency believes makes the home unsuitable
- Has a current child abuse or neglect allegation pending

A license may be denied if the applicant:

- Fails to comply with applicable statutes and regulations regarding child care and placement
- Fails to comply with applicable State and local laws, ordinances, rules, and regulations relating to building, health, fire protection, safety, sanitation, and zoning
- Violates any of the provisions under which the license has been issued
- Furnishes or makes any false or misleading statements in order to obtain a license
- Refuses or fails to submit reports or make records available when requested
- Fails or refuses to admit to the property or to discuss regulatory issues with the commissioner or child-placing agency as required

Kinship Foster Care**Gen. Stat. § 17a-114; State Agencies Regs. §§ 17a-114-16; 17a-114-17; 17a-114-19**

A child may be placed with a relative who is not licensed for a period of up to 90 days when the placement is in the best interests of the child, provided a satisfactory home visit is conducted, a basic assessment of the family is completed, and the relative attests that he or she and any adult living in the household has not been convicted of a crime or arrested for a felony against a person; for injury or risk of injury to or impairing the morals of a child; or for the possession, use, or sale of a controlled substance. A relative who accepts placement of a child in excess of 90 days shall be subject to licensure, except that any relative who, prior to July 1, 2001, had been certified to provide care for a related child may continue to maintain certification if the relative continues to meet the regulatory requirements and the child remains in the relative's care.

The commissioner may grant a waiver from a procedure or standard, except any safety standard, for a child placed with a relative, on a case-by-case basis, based on the home of the relative and the needs and best interests of the child.

In regulation: A child may be placed with a relative who is not certified for up to 45 days if a satisfactory home visit and a basic assessment of the family is completed.

Dwellings and furnishing shall be reasonably clean, comfortable, in good repair, and safe from fire. Sleeping rooms for children shall be consistent with promotion of children's health and safety.

Certified relatives shall be capable of providing care, guidance, and supervision of the child, including the handling of emergency situations involving the child.

Foster to Adopt**Gen. Stat. § 17a-114**

Any person licensed by the department may be a prospective adoptive parent.

Interjurisdictional Approval**Gen. Stat. §§ 17a-152; 17a-175; State Agencies Regs. § 17a-145-136**

Any person or entity, before bringing or sending any child into the State for the purpose of placing or caring for such child in any home or institution, either free or for board, shall make application to the Commissioner of Children and Families, giving the name, the age and a personal description of such child, the name and address of the person, home or institution with which the child is to be placed, and such other information as may be required by the commissioner.

No sending State shall send, bring, or cause to be sent or brought into any other party State any child for placement in foster care unless the sending agency complies with the Interstate Compact on the Placement of Children and with the applicable laws of the receiving State governing the placement of children.

Prior to sending a child to a receiving State for placement in foster care, the sending agency shall furnish the appropriate public authorities in the receiving State written notice containing necessary information.

The child shall not be sent to the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

In regulation: Each child-placing agency, foster family, or prospective adoptive family shall comply with State statutes and regulations regarding the interstate placement of children prior to accepting placement of a child from out of State.

Links to Resources

Connecticut Office of Foster Care and Adoption Services [Foster/Adopt website](#)

Connecticut Office of Foster Care and Adoption Services [Policy and Regulations](#)

State regulations [full text](#) (PDF - 76 KB)

Delaware**Who May Apply****Code of Regs. 9 200 201, Rules 138 through 150**

Foster parents can be a married couple, an unmarried couple, or a single person with a stable living arrangement.

Foster parents shall be at least age 21 and may be older than age 65 if the agency determines the ability to provide adequate care.

Foster parents shall provide information on the physical and mental health history of every household member. Household members must be free of communicable diseases, illnesses, or disabilities that would either endanger the health of the children or interfere with the capability of the household to provide care.

Foster parents shall have sufficient income to meet their needs and ensure the security and stability of the household independent of foster care maintenance payments. A single foster parent or a foster parent couple who both work outside the home shall obtain approval for their plan for caring for children during their absence.

Foster parents shall demonstrate emotional stability, good character, a responsible adult lifestyle, freedom from excessive use of alcohol or use of illegal drugs, and the ability to provide nurturing care, appropriate supervision, reasonable discipline, and a home-like environment for the children.

Foster parents and all other household members age 18 or older shall be free of convictions, indictment, or substantial evidence of involvement in any criminal activity involving violence against a person; child abuse or neglect; sexual misconduct; possession, sale, or distribution of illegal drugs; gross irresponsibility or disregard for the safety of others; or serious violations of accepted standards of honesty or ethical conduct.

Foster parents shall provide the names and contact information of three persons who may serve as personal references. At least two of the required references shall be persons not related to the foster parents by blood or marriage.

Training Requirements**Code of Regs. 9 200 201, Rule 102**

The agency shall have a written plan for orienting and training foster parents. Orientation training for each person in a parenting role shall include:

- The role of the foster parent as a member of the care and treatment team
- The involvement of birth parents and family in children's lives
- Policy on religious participation and training
- Behavior management policy
- Confidentiality
- Health-care procedures
- Emergency procedures
- Foster care payment procedures
- The agency contact person

The agency shall ensure that each person involved in a parenting role in a foster home receives at least 5 hours of training annually.

Foster parents shall have an annual mutual review conference with agency staff to assess strengths, weaknesses, and training needs of the foster home and to analyze the supportive relationships of agency staff. This conference will result in a brief written plan, including goals and target dates, provided by the agency to all parties, to improve services and relationships.

Minimum Standards for Foster Homes**Code of Regs. 9 200 201, Rules 172 through 178**

A foster home shall be reasonably safe, in good repair, and comparable in appearance and maintenance to other family homes in the community. The home and the exterior around the home shall be free from objects, materials, and conditions that constitute a danger to the children served. It shall be in compliance with State and local standards, ordinances, and regulations for residential use.

A foster home shall be reasonably free from fire hazards. Foster parents shall, at the request of the agency, submit their home to inspection by a fire safety expert.

A foster home shall be equipped with the appropriate number of operating smoke alarms. Foster parents shall ensure that each child, as appropriate to age and developmental level, knows how to evacuate from the home in the event of a fire and shall conduct periodic evacuation drills.

Foster parents shall keep the home clean and free of hazards to the health and physical well-being of the family. The home shall have a continuous supply of drinking water approved by local health authorities.

Approval Process**Ann. Code Tit. 31 § 344; Code of Regs. 9 200 201, Rules 95 through 97**

A license to provide foster care shall not be issued until an agency has made a thorough investigation and has determined in accordance with reasonable standards:

- The good character and intention of the applicants
- That the home meets the physical, social, moral, mental, and educational needs of the child
- That the required criminal background checks are completed and approved

In regulation: A child-placing agency shall conduct at least one home visit and a face-to-face interview with each member of the household during the initial evaluation of foster care applicants. The agency shall complete a final written evaluation that addresses:

- Motivation to become foster parents
- Willingness and ability to work with the agency cooperatively as members of a treatment team
- Attitudes of household members toward accepting foster children
- Attitudes toward birth parents of foster children
- Emotional strengths and weaknesses
- Ability to communicate and solve problems; philosophies on child rearing, discipline, and parental roles; experience with children
- State of marital and family relations
- Family history including descriptions of early home life
- Description of the home
- Experience in coping with special needs, if any
- Recommendations concerning types of children most suitable for placement in the home and types of children not suitable for placement
- Assessment of training needs

The agency shall not approve a foster home unless a final written evaluation has been completed, including documentation that the foster home meets foster home requirements.

Grounds for Withholding Approval**Ann. Code Tit. 31, § 309; Code of Regs. 9 300 301, Rules 26, 27**

All applicants for foster care are required to submit their fingerprints and other necessary information in order for the following to be obtained:

- A report of the individual's entire criminal history record from the Delaware State Police
- A report of the individual's entire Federal criminal history record
- A certification from the Department of Services for Children, Youth and Their Families (DSCYF) as to whether the individual is named in the central register as the perpetrator of a report of child abuse

The department will assess the information obtained and make a determination of suitability for foster care based upon the types of offenses, recency, and record since the offenses. The department must exercise case-by-case judgment on the results.

In regulation: Applicants convicted of a sexually related offense or other offenses against children shall be prohibited from providing foster care without consideration of other criteria. The prohibited offenses shall include, but not be limited to:

- Incest
- Unlawful sexual contact
- Rape
- Continuous sexual abuse of a child
- Sexual exploitation of a child
- Abandonment of child
- Sexual solicitation of a child
- Unlawful dealing with a child
- Unlawfully dealing in material depicting a child engaging in a prohibited sexual act
- Murder of a child
- Endangering the welfare of a child

The Adoption and Safe Families Act of 1997 prohibits individuals from becoming foster parents if they have the following felony convictions:

- Child abuse or neglect; spousal abuse; crimes against children, including child pornography; and crimes involving violence, including rape, sexual assault, and homicide committed at any time
- Physical assault, battery, and drug-related offenses committed within the past 5 years

Kinship Foster Care**Ann. Code Tit. 31, § 356**

DSCYF and the Department of Health and Social Services shall establish and operate the Kinship Care Program that promotes the placement of children with relatives when a child needs out-of-home placement, when such placement is in the best interests of the child, and when the child is not in the custody or care of the State.

The Kinship Care Program shall establish eligibility guidelines for kinship caregivers to qualify for kinship care benefits and services, including the following criteria:

- The caregiver must be related to the child by blood or marriage within the fifth degree of relationship.
- The caregiver must have guardianship of the child or actively pursue guardianship.
- The child must reside in the home of the caregiver.
- The caregiver must have income of no more than 200 percent of the Federal poverty level.
- The parent or parents of a child in the kinship care program may not reside in the home of the kinship caregiver.

Foster to Adopt

This issue is not addressed in the statutes and regulations reviewed.

Interjurisdictional Approval**Code of Regs. 9 200 201, Rule 66**

A child-placing agency shall, when accepting for placement any child who resides in another State or placing a child in another State, comply, as appropriate, with the terms of the Interstate Compact on the Placement of Children.

Links to Resources

DSCYF [Foster Care website](#)

State regulations [full text](#) (PDF - 174 KB)

District of Columbia**Who May Apply****Code of Municipal Regs. § 29-6001**

Foster parents should possess the following characteristics:

- Knowledge of, interest in, and regard for the principles of good child care and understanding of the foster parent's responsibility in providing care for a foster child
- Maturity and personality characteristics that:
 - » Make it possible to provide an emotional climate in which a foster child can benefit
 - » Create an atmosphere in which social skills can be enriched
 - » Help a foster child to understand placement in foster care and the child's own feelings about the placement
 - » Help maintain family ties through regular and consistent family contact in accordance with a case plan
- The flexibility to understand and work with lifestyles different from the foster parent's
- The capacity to value, respect, appreciate, and educate a foster child regarding the child's racial, ethnic, religious, and cultural heritage
- The capacity to understand that it is in the best interests of a foster child of mixed racial parentage to have healthy multiracial experiences
- The stamina to meet the demands of caring for growing foster children
- The willingness to support and encourage a foster child's educational progress
- The ability to provide a nurturing family life and meet the needs of a foster child, notwithstanding any employment outside the home
- Awareness of the way in which a child needs family life to grow and learn and the ability to provide a foster child with the skills and values that a parent customarily provides

A foster parent shall be at least age 21. A foster parent and all household members shall be in good health as documented by a health examination within the previous 24 months. A foster parent shall have sufficient family income to meet the reasonable living needs of his or her own family without relying on foster care board and care payments.

Training Requirements**Code of Municipal Regs. § 29-6026**

An applicant shall participate in an orientation program offered by the agency. In addition to the orientation program, an applicant shall participate in 30 hours of preservice training offered by the agency. Preservice training shall encompass the following areas:

- Roles and relationships in foster care of agency personnel, the foster parent, the foster child, and the foster child's family
- The importance of the foster child's family
- Developmental needs of children in foster care
- Awareness of cultural and religious differences
- Child management and discipline techniques
- Child abuse and neglect, including prevention, reporting, investigation, and services
- Supportive services available in the community for foster children and foster parents and their families
- Self-awareness
- Communication skills
- Problem-solving
- The licensure process, including the agency's internal processes
- The procedures and practices of the Family Division of the District of Columbia Superior Court related to children in foster care

In lieu of the required training, an agency may accept training provided by another child-placing agency and completed satisfactorily by the applicant if the training and participation is properly documented and covers required areas. The agency may offer special sessions to cover any gaps in training.

A foster parent shall participate in 15 hours of inservice training annually to increase his or her skills and parenting abilities. This training shall be appropriate to the age and special needs of the foster children in the foster home and may include formal seminars or workshops, support groups, or one-on-one training.

Minimum Standards for Foster Homes**Code of Municipal Regs. §§ 29-6007; 29-6010; 29-6011; 29-6012**

A foster home shall be free from all safety hazards, including fire, sanitation, and health hazards. It shall have a working, non-coin-operated telephone. All medications, poisonous chemicals, and hazardous materials shall be kept in locked storage out of the reach of children.

A foster parent shall monitor foster children's safety around animals and shall restrict foster children's access to potentially dangerous animals. All foster home pets shall be properly vaccinated and licensed.

The kitchen shall have the necessary equipment for safe food preparation, food storage, serving, and cleanup of meals. A foster home shall have living room or family room space and a designated dining area that are adequately furnished and accessible to all members of the household, including foster children.

A foster child's bedroom shall be sufficient in size to provide for his or her safety, privacy, and comfort. Each foster child shall have his or her own individual bed; each infant foster child shall have his or her own individual crib. The bed may not be a cot, sofa, or any type of portable bed.

A foster home shall have a minimum of one flush toilet, one washbasin with running water, and one bath or shower with hot and cold water for every eight residents.

A foster home shall be free from all fire hazards, including faulty electric cords, unsafe appliances, and unsafe fireplaces and chimneys. There shall be working smoke detectors on each floor and in hallways within 10 feet of each bedroom. The home shall have a portable dry chemical fire extinguisher on every floor.

The home shall be kept clean and free of hazards and debris. All plumbing must be in working order with an adequate supply of hot water for bathing and dishwashing. The house and premises must be kept free of rodents and insects.

Approval Process**Code of Municipal Regs. § 29-6028**

The licensing process includes the following:

- An initial contact between an applicant and the agency
- The applicant's completion of a foster parent application and forms consenting to the release of confidential information
- The applicant's completion of orientation and preservice training
- A home study
- The agency's decision to recommend the licensure or denial of the applicant as a foster parent
- The decision of Child and Family Services Agency (CFSA) to approve or deny the applicant as a foster parent

The home study shall include:

- The applicant's submission of a completed application
- At least two home visits by the agency with the prospective foster parent, one of which may be unannounced, with at least one of the visits including:
 - » The entire household
 - » A discussion of training
 - » A tour of the house
- Obtaining and reviewing at least three written personal references selected from relatives, neighbors, and employers or coworkers, if applicable
- If a school-aged child is in the care of the applicant and resides in the prospective foster home, obtaining and reviewing written references from personnel of the child's school
- Discussing CFSA rules on discipline and control and child abuse and neglect, including the risk of physical or sexual victimization by another child and the responsibility of the foster parent for the safety of all children in his or her care
- Obtaining verification of income and marital status
- Conducting the criminal records check and child protection register check
- Obtaining a fire department inspection
- For homes in which a foster child younger than age 6 may be placed, obtaining a lead-based paint certificate indicating no risk from lead-based paint
- Obtaining verification of current vaccinations for any pets in the home, as applicable

Grounds for Withholding Approval**Ann. Code § 4-1305.06; Code of Municipal Regs. § 29-6029**

An individual shall not be approved to provide foster care if it is determined from the criminal records check that the individual, or an adult residing in the home of the individual, has a felony conviction for any of the following offenses or their equivalents:

- Child abuse or neglect
- An intrafamily offense, as defined in § 16-1001(8)
- A crime against children, including child pornography
- A crime involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery

An individual shall not be approved if it is determined from the criminal records check that the individual, or an adult residing in the home of the individual, has a felony conviction for any of the following offenses or their equivalents committed within the past 5 years:

- Physical assault or battery
- A drug-related offense

In regulation: An application for a license may be denied if it is determined the applicant cannot provide for the health, safety, or welfare of foster children. Factors to be considered in making that determination include, but are not limited to:

- The applicant, household member, or prospective foster home fails to comply with any provision of regulation.
- The applicant knowingly reported false information.
- The applicant has a history of regulatory violations that demonstrate an inability to provide for the health and safety of children.
- A previous license or renewal was denied or revoked.
- The applicant prevents the agency from completing the application or renewal process.
- The applicant or a household member shows evidence of abuse of alcohol or other controlled dangerous substances, mental instability, or ongoing health problems.

The agency may deny an application for a license for other good cause.

Kinship Foster Care**Code of Municipal Regs. § 29-6027**

A temporary license may be issued to operate a foster home only if:

- The applicant is kin to each foster child who would be placed in the home.
- The applicant has submitted an application for a foster care license.
- The applicant has:
 - » Received a satisfactory criminal records check or applied for a records check
 - » Complied with the requirement for a child protection register check
 - » Received a satisfactory safety assessment of the home
- All individuals age 18 or older residing in the home have:
 - » Received a satisfactory criminal records check or have applied for a records check
 - » Complied with the requirement for child protection register checks
- The foster child must be removed from his or her home immediately because of suspected or supported child abuse or neglect.

An applicant is kin to a foster child if he or she is at least age 21 and is:

- A relative of the foster child by blood, marriage, or adoption
- Identified by a relative to have close personal or emotional ties with the foster child or the child's family, which predated the foster child's placement with the individual

A temporary license:

- Permits a foster home to operate prior to issuance of an annual license and while the foster parents attempts to satisfy the requirements for a license
- Expires in 120 days from the date of issuance, unless renewed

A temporary license may be renewed once and for no more than 90 days if the applicant is making a good faith effort to comply with all elements of the foster home licensing process and renewal is needed to complete the licensing process.

A temporary licensee shall actively and promptly take all steps required for full licensure. A foster child who is not kin to the applicant may not be placed in a foster home that has a temporary license.

Foster to Adopt

This issue is not addressed in the statutes and regulations reviewed.

Interjurisdictional Approval**Ann. Code § 4-1422; Code of Municipal Regs. § 29-1635**

Placement of children outside the District of Columbia is subject to the provisions of the Interstate Compact on the Placement of Children.

Prior to sending a child into a receiving State for placement in foster care, the agency shall furnish the appropriate authority in the receiving State written notice of the intention to place the child in the receiving State. The notice shall contain:

- The name, date, and place of birth of the child
- The identity and address of the parents or legal guardian
- The name and address of the person, agency, or institution to which the agency proposes to send the child
- A full statement of the reason for the proposed action and evidence of the authority for the proposed placement

The child shall not be sent to the receiving State until the appropriate authority in the receiving State notifies the sending State, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

In regulation: A child-placing agency in the District of Columbia that is cooperating with agencies or individuals in other States for foster or adoptive placement of a child in the District or in another jurisdiction shall comply with the interstate placement requirements of the States involved during all phases of the placement process.

Links to Resources

Municipal regulations [full text](#) (PDF - 139 KB)

Florida**Who May Apply****Admin. Code § 65C-13.030**

A licensed out-of-home caregiver shall be a stable, responsible, and mature individual who is at least age 21.

At least one caregiver in the home shall be able to read, write, and speak English and be able to effectively communicate with both any children placed in the home and with the supervising agency. The caregiver shall have a stable income sufficient to make timely payment for current shelter, food, utility costs, and other debts without relying on board payments unless the licensed out-of-home caregiver enters into an agreement with a lead agency to provide specialized care. Applicants shall have a source of income independent of child support or alimony.

The caregiver and any household members shall provide written statements from a physician regarding their general health, and whether they have any specific illness, disability, alcohol or other drug dependence, infectious diseases, and other relevant health conditions that could threaten the safety of children in the home.

Training Requirements**Ann. Stat. § 409.175**

As a condition of licensure, foster parents shall successfully complete a minimum of 21 hours of preservice training. The preservice training shall be uniform statewide and shall include, but not be limited to, areas such as:

- Orientation regarding agency purpose, objectives, resources, policies, and services
- The role of the foster parent as a treatment team member
- Transition of a child into and out of foster care, including issues of separation, loss, and attachment
- Management of difficult child behavior that can be intensified by placement, by prior abuse or neglect, and by prior placement disruptions
- Prevention of placement disruptions
- Care of children at various developmental levels, including appropriate discipline
- Effects of foster parenting on the family of the foster parent

Prior to licensure renewal, each foster parent shall successfully complete 8 hours of inservice training. Periodic time-limited training courses shall be made available for selective use by foster parents. Such inservice training shall include subjects affecting the daily living experiences of foster parenting.

Minimum Standards for Foster Homes**Admin. Code § 65C-13.030**

The exterior of the home and premises shall be free from objects, materials, and conditions that constitute a danger to children. The home shall have a safe outdoor play area on the property or within reasonable walking distance.

The home shall have sufficient space and furnishings and be accessible to all members of the family.

Bedrooms shall have adequate space for the number of children sleeping in the room. A minimum of 40 square feet per child is required. Each child shall be provided with a clean, comfortable, permanent bed and mattress of his or her own. Infants shall have their own crib that shall be maintained in good and safe condition and have a clean and comfortable mattress that fits snugly in the crib frame. Children of any age shall not sleep on a living room sofa, cot, or foldaway bed except in extenuating circumstances.

Animals requiring vaccinations shall be current in all vaccinations. All animals shall be well-cared for and maintained. The foster family home shall have a secure method to restrict children's access to potentially dangerous animals.

The home shall be safe from fire hazards. All combustible items shall be stored away from sources of heat. Exits, stairways, and hallways shall be free of obstacles that would hamper an emergency evacuation. The home shall have at least two exits. All doors with locks shall be capable of being opened from the inside.

Each floor in the home shall have a fully-charged fire extinguisher. There also shall be at least one operating smoke alarm on each floor. There shall be a smoke alarm in each bedroom area.

The caregiver shall have transportation available 24 hours a day. All vehicles used to transport children shall be in safe condition, in compliance with applicable motor vehicle laws of the State, and equipped with seat belts and approved car seats for children.

Approval Process**Ann. Stat. § 409.175; Admin. Code §§ 65C-13.023; 65C-13.025**

Upon application, the Department of Children and Family Services shall conduct a licensing study based on its licensing rules, shall inspect the home, and shall interview the applicant.

In regulation: The department shall conduct background screenings for all applicants and all adult household members. These screenings shall, at a minimum, include fingerprinting; State, local, and Federal criminal records checks; child abuse/neglect records checks; and civil court records checks regarding domestic violence complaints and orders of protection. If the applicant or any other adult household member has resided in any other State over the past 5 years, requests for abuse and neglect histories must be made of those States.

The supervising agency completing the home study shall, at a minimum, conduct two visits to the applicant's home, inspect the entire indoor and outdoor premises, document the conditions, and conduct face-to-face interviews with all household members.

Other information that will be collected includes:

- A minimum of three personal references that shall not be related to the applicant and a current employment reference
- Dates of preservice training
- The applicant's motivation to foster and how other family members and extended family feel about the decision to foster
- Family background and social history
- Marital status
- Medical history
- Parenting experience and discipline methods
- A description of family members' personalities and their interpersonal relationships
- A description of vehicles available for transportation and who will be the responsible drivers
- Financial capacity and income

Grounds for Withholding Approval**Ann. Stat. § 435.04; Admin. Code § 65C-13.023**

The following offenses shall disqualify an applicant for licensure:

- Sexual misconduct with developmentally disabled clients and/or mental health patients
- Adult abuse, neglect, or exploitation of aged persons or disabled adults
- Murder, manslaughter, aggravated manslaughter of an elderly person or disabled adult, or aggravated manslaughter of a child
- Vehicular homicide
- Killing of an unborn quick child by injury to the mother
- Felony assault, battery, and culpable negligence
- Assault or battery of a minor
- Kidnapping or false imprisonment
- Sexual battery, unlawful sexual activity with a minors, prostitution, lewd and lascivious behavior or indecent exposure
- Arson, burglary, or felony theft
- Felony fraudulent sale of controlled substances
- Abuse, aggravated abuse, or neglect of an elderly person or disabled adult
- Incest, child abuse, aggravated child abuse, or child neglect
- Contributing to the delinquency or dependency of a child
- Negligent treatment of children

The security background investigation also must ensure that the applicant has not been found guilty of any offense that constitutes domestic violence.

In regulation: The background screenings shall ensure that no out-of-home caregiver licensed by the department and no person residing in a family foster home has been found guilty of any offense listed in § 435.04, or similar statutes of another jurisdiction at any time.

Kinship Foster Care**Ann. Stat. §§ 39.5085; 39.521; Admin. Code § 65C-28.011**

Relatives who qualify for and participate in the Relative Caregiver Program are not required to meet foster care licensing requirements under § 409.175.

If the child has been removed from the home and will be remaining with a relative or other adult approved by the court, a home study report concerning the proposed placement shall be conducted. The home study must include, at a minimum:

- An interview with the proposed legal custodians to assess their ongoing commitment and ability to care for the child
- Records checks of the abuse/neglect history and local and statewide criminal and juvenile records on all household members age 12 or older and any other persons who are frequent visitors in the home
- An assessment of the physical environment of the home
- A determination of the financial security of the proposed legal custodians
- A determination of suitable child care arrangements if the proposed legal custodians are employed outside of the home
- Documentation of counseling and information provided to the proposed legal custodians regarding the dependency process and possible outcomes
- Documentation that information regarding support services available in the community has been provided

In regulation: The home is disqualified in any case in which a criminal records check reveals a felony conviction for child abuse, abandonment, or neglect; for spousal abuse; for a crime against children, including child pornography; or for a crime involving violence, including rape, sexual assault, or homicide but not including other physical assault or battery, if the felony was committed at any time.

The home is disqualified in any case in which a criminal records check reveals a felony conviction for physical assault, battery, or a drug-related offense within the past 5 years.

Foster to Adopt**Admin. Code § 65C-16.002**

The current custodian of the child may wish to adopt. If the custodian applies to adopt the child, the application must be evaluated to determine suitability through an adoptive home study. The home study must assess the length of time the child has lived in a stable, satisfactory environment and the depth of the relationship existing between the child and the custodian.

There are some situations in which adoption by the current custodian may not be in the best interests of the child.

Examples of these situations include:

- The current custodians want to adopt a child but not his or her siblings, and it is in the best interests of the sibling group to be placed together.
- The current custodian has returned other adopted children to the department or has arranged for some other out-of-home informal long-term placement for a previously adopted child.

Interjurisdictional Approval**Ann. Stat. § 409.401**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

Department of Children and Family Services website, '[About Foster Care](#)'

State regulations [full text](#) (PDF - 116 KB)

Georgia**Who May Apply****Rules & Regs. r. 290-9-2-.01**

An adult who has a satisfactory criminal history background check determination may apply for licensure as a foster parent.

Training Requirements**Rules & Regs. r. 290-9-2-.07**

The child-placing agency shall provide orientation information in person or in written form to prospective foster parents to assist them in making an informed decision about applying to become a foster parent. The orientation information must include at least the following:

- The agency's purpose and a listing of services provided
- A description of the approval process
- The minimum requirements for foster parenting
- The roles and responsibilities of foster parents
- A description of children served by the agency
- Support services available for foster parents
- Information regarding financial reimbursement for expenses in foster care
- Policies and procedures regarding appropriate behavior management and emergency safety interventions

Once an application to become a foster parent has been submitted, and prior to the approval of an applicant for placement of a child in foster care, the agency shall provide and document training for the applicant in at least the following topics:

- The agency's grievance policies and procedures
- Annual training requirements:
 - » If the child is more than 12 months old, at least 15 hours of training relevant to the type of child placed
 - » If the child is younger than 12 months old, at least 8 hours of training
- The agency's policies and procedures for behavior management techniques and emergency safety interventions
- Child abuse recognition, reporting, and investigation procedures
- Characteristics of children served and their developmental needs, including special needs, when applicable
- The agency's policies and procedures for handling medical emergencies and managing use of medications by children in care

Minimum Standards for Foster Homes**Rules & Regs. r. 290-9-2-.07**

The home study report shall include:

- A description of the neighborhood
- The physical standards of the home, including:
 - » The home is maintained in a condition to ensure the health and safety of children.
 - » Hazardous items are not accessible to children.
 - » Any firearms kept in the home are locked away from children.
 - » If a swimming pool is present at the home, it is fenced with a locked gate to prevent unsupervised access and it meets all applicable community ordinances.
 - » Each level of the home is equipped with a functional smoke alarm.
 - » Water supply and sewage disposal systems that, if other than public systems, have been approved by appropriate authorities.
 - » Domestic pets residing with the family have been inoculated against rabies as required by law.
 - » Gas heaters are vented to avoid fire and health hazards, with any unvented, fuel-fired heaters equipped with oxygen depletion safety shut-off systems.
- Space and sleeping arrangements, such that:
 - » Only bedrooms are used as sleeping space for children.
 - » A maximum of two children sleep in a double or larger bed, and only if they are of the same sex and under age 5.
 - » No child older than age 1 sleeps in a room with an adult.
 - » Children older than age 3 of different sexes do not share a bedroom.
 - » Children sleep in a bedroom with adequate space for clothing and personal possessions.
- An assessment of community resources, including accessibility of schools, churches, recreation, medical facilities, and mental health facilities

Approval Process**Rules & Regs. r. 290-9-2-.07**

The agency shall make a thorough evaluation of each prospective foster family and document this evaluation in a foster home study report. The report shall include at least the following:

- The names of family members, address and telephone number, drivers' license numbers, and proof of automobile insurance, as applicable
- The motivation for foster parenting
- A description of family members
- An evaluation of marriages and family life, parenting practices, and health histories and conditions of family members
- Understanding of and adjustment to foster parenting
- Finances and occupations of family members
- Religion
- The results of a criminal records checks for each prospective foster parent and any adult residing in the home
- Preservice training the prospective foster parent and/or family may have received
- A minimum of three character references
- A description of the type of child desired by the prospective foster family

Foster homes used by the agency shall be located within a reasonable travel distance from the agency so as to be accessible for regular visits by family and agency staff.

Grounds for Withholding Approval**Rules & Regs. r. 290-9-2-.04**

Criminal history background checks are required for all applicants for foster parent licensure. A license shall not be issued if the foster parent or other person residing in the home has a criminal record involving any of the following crimes:

- Murder or felony murder
- Aggravated assault or battery
- Cruelty to children or to a person age 65 or older
- Rape or aggravated sodomy
- Child molestation or enticing a child for indecent purposes
- Sexual assault against persons in custody, detained persons, or patients in hospitals or other institutions
- Aggravated sexual battery
- Armed robbery
- Abuse, neglect, or exploitation of a disabled adult or elder person
- Any other offense committed in another jurisdiction that, if committed in this State, would be deemed to be a crime listed above

Kinship Foster Care

This issue is not addressed in the statutes and regulations reviewed.

Foster to Adopt**Ann. Code § 19-8-3**

Any adult person, including but not limited to a foster parent, meeting the requirements listed below, shall be eligible to apply to the department or a child-placing agency for consideration as an adoption applicant. The person may petition to adopt a child if he or she:

- Is at least age 25 or married and living with his or her spouse
- Is at least 10 years older than the child
- Has been a *bona fide* resident of the State for at least 6 months immediately preceding the filing of the petition
- Is financially, physically, and mentally able to have permanent custody of the child

Interjurisdictional Approval**Ann. Code § 39-4-4**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

Georgia Division of Family and Children Services [Foster Parent Manual](#) (PDF - 478 KB)

State regulations [full text](#) (PDF - 88 KB)

Guam**Who May Apply**

This issue is not addressed in the statutes and regulations reviewed.

Training Requirements

This issue is not addressed in the statutes and regulations reviewed.

Minimum Standards for Foster Homes**Ann. Code Tit. 10, § 2407**

The Department of Public Health and Social Services shall adopt minimum standards for licensing. The standards shall be applicable to all child care facilities, including all foster family homes. The standards shall include the following:

- The operation and conduct of the facility and responsibility it assumes for child care
- The character, suitability, and qualifications of the applicant and other persons directly responsible for the care and welfare of children served
- The general financial ability and competence of the applicant to provide necessary care for children and to maintain prescribed standards
- The number of individuals or staff required to insure adequate supervision and care of the children
- The appropriateness, safety, cleanliness, and general adequacy of the premises, including maintenance of adequate fire prevention and health standards in conformance to existing territorial laws to provide for the physical comfort, care, and well-being of children received
- Provisions for food, clothing, educational opportunities, programs, equipment, and individual supplies to assure the healthy physical, mental, and spiritual development of children served
- Provisions to safeguard the legal rights of children
- Maintenance of records pertaining to the admission, progress, health, and termination of care of children
- Discipline of children
- Protection and fostering of the particular religious faith of the children

Approval Process**Ann. Code Tit. 10, § 2405**

Application for a license to operate a foster family home shall be made to the department upon forms furnished by it.

Upon filing of the application, the department shall examine the home of the applicant. The examination may be made by the Social Services Division or persons designated by the department as its agent for that purpose. If, upon examination, the department is satisfied that the applicant and his or her home reasonably meet the qualifications and standards for which application for license is made, it shall issue a license to the applicant.

Grounds for Withholding Approval

This issue is not addressed in the statutes and regulations reviewed.

Kinship Foster Care

This issue is not addressed in the statutes and regulations reviewed.

Foster to Adopt

This issue is not addressed in the statutes and regulations reviewed.

Interjurisdictional Approval

This issue is not addressed in the statutes and regulations reviewed.

Links to Resources

Guam [Annotated Code](#) (PDF - 27 KB)

Hawaii

Who May Apply

Code of Rules §§ 17-1625-8; 17-1625-17 through 17-1625-21

A married couple desiring to provide foster care for children shall submit a joint application. A single person also may apply. Applicants shall:

- Be responsible, stable, emotionally mature individuals who exercise sound judgment and who can make appropriate decisions
- Know how to promote positive self-esteem in children and how to help children develop healthy personal relationships
- Be knowledgeable of and agree to use appropriate, nonphysical means of discipline
- Have the capacity to respect and accept into their families persons of different backgrounds and cultures
- Have an understanding of a child's special needs
- Not abuse substances, such as illegal drugs or alcohol

Foster parents and all adult household members shall be of reputable and responsible character and shall not have a criminal history record or background that poses a risk to the health, safety, or well-being of children in care. All members of the household shall be free from physical, emotional, or other conditions that may pose a risk to the health, safety, or well-being of foster children.

The income of the foster home shall be reasonably steady and sufficient to maintain an adequate standard of living for the family, independent of the foster care maintenance payments. The employment of the foster parent shall not interfere with the care of children.

Training Requirements

Code of Rules § 17-1625-17

Foster parents shall participate in required trainings provided or approved by the department or agency.

Minimum Standards for Foster Homes

Code of Rules §§ 17-1625-23 through 17-1625-25

The foster home shall comply with acceptable State standards on housing and sanitation as follows:

- The kitchen shall have equipment that is working and in sanitary condition.
- The living room or family room shall have sufficient space and be comfortably furnished and accessible to all members of the family.
- The bedrooms shall be safe, well-lit, well-ventilated, and have adequate space.
- The bathroom shall have a sanitary flush toilet, a washbasin with running water, and a bath or shower with hot and cold water.
- The home shall have adequate fire escape exits, a fire evacuation plan, and smoke detectors installed in or near the bedrooms that are in good working order.
- The premises shall be kept in a sanitary and safe condition.
- There shall be protection from fire hazards, drugs, poisons, harmful household supplies, dangerous tools, weapons, firearms, and potentially dangerous animals.

Each foster child or infant shall be provided with an individual bed or crib, except that two siblings of the same gender may share a double bed, up to age 6. Bunk beds shall be used only as appropriate to the child's age and situation. Each bed or crib shall be of a size and design to ensure the safety and comfort of the child.

No foster child older than age 1 shall sleep regularly in the same room with a married couple or an adult. No foster child over age 6 shall sleep in the same bedroom with children older than age 6 of the opposite sex. No foster child shall sleep in a detached building without supervision or in an unfurnished attic, basement, hallway, or stairwell.

Approval Process**Code of Rules §§ 17-1625-9; 17-1625-17; 17-1625-26**

The agency receiving the application shall conduct a study of the applicants, household members, and the applicants' home to determine that the requirements of regulation are met and that the applicants and household members have the ability and personal qualities to care for foster children.

Applicants, adult household members, and employees shall submit statements indicating whether they were ever convicted of a crime, and provide consents to conduct criminal history, child abuse and neglect registry, background, and any other checks as may be required by the Department of Human Services or State or Federal laws. The agency receiving the application shall conduct criminal history, child abuse and neglect registry checks, background, and any other checks deemed necessary, such as employment checks, on applicants, employees, and household members.

Foster parents and all adult household members shall show evidence of being well-adjusted persons, have sufficient ability, training, and experience in caring for children, and demonstrate the willingness and ability to work with the agency and other agencies and organizations.

Applicants shall provide two references who have adequate knowledge of the family background in terms of character and ability to care for children. Additional references shall be furnished to the agency upon request.

Grounds for Withholding Approval**Code of Rules §§ 17-1625-8; 17-1625-13; 17-1625-17.**

The agency shall deny approval of a foster home when:

- The requirements of regulation are not met.
- The applicant or a household member does not demonstrate the ability, skills, or personal qualities to provide safe and appropriate care for foster children.
- The applicant or a member of the household poses a potential risk to foster children.

Foster parents and adult household members shall not have any of the following:

- A felony conviction, at any time, for child abuse or neglect; spousal abuse; a crime against children, including child pornography; or a crime involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery
- A felony conviction, within the past 5 years, for physical assault, battery, or a drug-related offense

Other grounds for denial of approval include:

- Convictions of any other crimes, the circumstances of which indicate that the foster parent or adult household member poses a risk to the health, safety, or well-being of children
- An employment history indicating violence, alcohol or drug abuse, and any other violation of employer rule or policy, the circumstances of which indicate that the applicant or adult household member may pose a risk to the health, safety, or well-being of children
- Background information that shows that the individual has been identified as and confirmed to be the maltreater of child abuse or neglect or whose parental rights were terminated
- Information that shows that any member of the household may pose a risk to the health, safety, or well-being of a child, including, but not limited to, repeated allegations of child abuse and/or neglect, or arrests for offenses such as driving under the influence, violations of protective orders, or any sex crime

Kinship Foster Care

This issue is not addressed in the statutes and regulations reviewed.

Foster to Adopt

This issue is not addressed in the statutes and regulations reviewed.

Interjurisdictional Approval**Rev. Stat. § 350E-1**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

Hawaii Department of Human Services (DHS) [‘Foster and Adoptive Care’ website](#)

DHS factsheet, [‘Foster Parent Basics’](#) (PDF - 103 KB)

State regulations [full text](#) (PDF - 54 KB)

Idaho**Who May Apply****Admin. Code § 16.06.02.402**

Foster parents must be physically and emotionally suited to care for children and to deal with the problems presented by children placed away from their own parents, family, and homes. An applicant for licensure as a foster parent shall meet all of the following qualifications:

- Be age 21 or older
- Be of good character
- Have the maturity, interpersonal qualities, temperament, and life experiences that prepare the foster parent to provide foster care
- Express a willingness to provide care for the kind of children the children’s agency has available for placement
- Demonstrate an understanding of the care that must be provided to the children served by the children’s agency or express a willingness to learn how to provide that care
- Have adequate time to provide care and supervision for children
- Have a defined and sufficient source of income and be capable of managing that income to meet the needs of the foster family without relying on the payment made for the care of a foster child
- Have the physical, mental, and emotional health to assure appropriate care of children
- Establish and maintain a harmonious home life to give children the emotional stability they need
- Express a willingness and demonstrate the ability to accept a child into the home as a member of the family
- Express a willingness and demonstrate the ability to work with a foster child’s legal family, future family or Indian Tribe
- Demonstrate a willingness and ability to comply with the licensing rules for foster homes

Training Requirements**Admin. Code § 16.06.02.408**

Each foster parent shall comply with the following training requirements:

- Each applicant for a foster home license shall receive an orientation related to the children’s agency foster care program and services.
- Each applicant must complete no less than 10 hours of training no later than 1 year following the issuance of an initial foster care license.
- The foster parent must complete no less than 10 hours of training on an annual basis following the initial training.
- The foster parent must complete any training identified by the children’s agency as meeting the individual needs of the foster parent.
- The foster parent must complete any additional training that may be required by the children’s agency foster parent training plan.

Minimum Standards for Foster Homes**Admin. Code §§ 16.06.02.430 through 16.06.02.445**

The structure, premises, and furnishings of a foster home must be maintained in good repair, in a clean condition, free from safety hazards and dangerous machinery and equipment. Areas and equipment that present a hazard to children must not be accessible by children.

A furnace, fireplace, wood-burning stove, water heater, and other flame or heat-producing equipment shall be properly installed and maintained. Portable heating devices shall not be used during sleeping hours.

There shall be at least one smoke detector on each floor of the home, including the basement; one in each bedroom used by a foster child; and one in areas of the home that contain flame or heat-producing equipment other than domestic stoves and clothes dryers. There shall be at least one carbon monoxide detecting device. A house that does not have equipment that produces carbon monoxide or does not have an attached garage is exempt from this requirement.

Dangerous and hazardous materials that could present a risk to a child shall be stored securely and out of reach of a child, as appropriate for the age and functioning level of the child.

A foster home shall have adequate heat, light, and ventilation. The home shall have a minimum of one flush toilet and one washbasin and one bathtub or shower that have warm and cold running water, all of which shall be in good working order.

A foster parent shall possess a valid Idaho driver's license, be insured in accordance with Idaho law, and abide by all traffic laws including the requirement that all children are in proper safety restraints while being transported.

Unless previously approved by the licensing agency, there shall be an operating telephone in a foster home.

A bedroom occupied by a foster child shall have sufficient space for the storage of clothing and personal belongings. A child shall have a bed that is appropriate for the age and development of the child.

Approval Process**Admin. Code §§ 16.06.02.404; 16.06.02.405**

Each applicant for a foster home license, and any other adult member of the household, must participate in a criminal history and background check.

An applicant shall participate in the process and tasks to complete an initial evaluation for foster care licensure by doing the following:

- Cooperating with the children's agency in conducting an initial foster home study
- Providing a medical statement indicating the applicant 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
- Providing three satisfactory references, one of which may be from a person related to the applicant

An applicant shall provide the children's agency with any information needed to complete the initial family home study, including:

- Education
- Verification of marriages and divorces
- Religious and cultural practices
- A statement of income and financial resources and the family's management of these resources
- Individual and family functioning and interrelationships with each member of the household
- Previous criminal convictions and valid incidents of child abuse and neglect
- Family history, including childhood experiences and the applicant's parents' methods of discipline and problem-solving
- The attitudes toward foster care by immediate and extended members of the family and other persons who reside in the home
- Adequacy of the applicant's house, property, and neighborhood for the purpose of providing foster care as determined by onsite observations

Grounds for Withholding Approval**Admin. Code §§ 16.05.06.210; 16.05.05.230**

An individual is not available to provide direct care when the individual discloses or the criminal history and background check reveals a conviction for a disqualifying crime on his or her record. Disqualifying crimes include:

- Abuse, neglect, or exploitation of a vulnerable adult
- Aggravated, first-degree and second-degree arson
- Crimes against nature, incest, or rape
- Felony or misdemeanor injury to a child
- Kidnapping or felony stalking
- Murder, voluntary manslaughter, assault, or battery with intent to commit a serious felony
- Robbery
- Sexual abuse or exploitation of a child

The Department of Health and Welfare will issue an unconditional denial for an individual who has been convicted of the following crimes within 5 years from the date of the application:

- Aggravated assault or battery
- Arson in the third degree
- Burglary or felony theft
- A felony involving a controlled substance
- Fraudulent use of a financial transaction card
- Forgery and counterfeiting
- Identity theft
- Insurance or public assistance fraud

A conditional denial may be issued when an individual discloses, or the criminal history and background check reveals, a relevant record for any of the below:

- There is a plea, finding, or adjudication of guilt to any felony or misdemeanor, or any crime other than a traffic violation, which does not result in a suspension of the individual's driver's license.
- There is a substantiated child protection or adult protection complaint.
- The department determines there is a potential health and safety risk to vulnerable adults or children.
- The individual has falsified or omitted information on the application form.
- The individual is listed with a finding on the Nurse Aide Registry.
- The department determines additional information is required.

Kinship Foster Care**Admin. Code § 16.06.01.401**

The department will make meaningful reasonable attempts, both verbally and in writing, to inform, in priority order, individuals identified below of the potential imminent placement and the requirements for consideration as a placement resource. The department will place children in a safe and trusted environment consistent with the best interests and special needs of the children. Ideally, placement priority will be given in the following order:

- Immediate family
- Extended family members
- Nonfamily members with a significant established relationship with the child
- Other licensed foster parents

After preliminary screening, within 72 hours of decision to place, departmental staff will make reasonable attempts to inform immediate family members of the way to become a placement resource. Placement will in all cases include consideration of:

- The family assessment conducted in accordance with regulation
- The ability of potential alternate care providers to address and be sensitive to the unique and individual needs of the child and ability to comply and support the plan for the child and his or her family
- The involvement of the family in planning and selecting the placement

The department will use a family unity meeting concept making reasonable efforts to gather immediate and extended family members and other significant supporters to identify family strengths relevant to creating a safe environment for the child. This process will be fully reported to the court along with resulting plans and commitments.

Foster to Adopt**Admin. Code § 16.06.01.790**

The procedure and requirements are the same for all adoptive applicants. This includes foster parents who want to be considered as adoptive parents for a child who has a plan of adoption. These requirements include compliance with the Indian Child Welfare Act, the Multi-Ethnic Placement Act of 199, and the Interethnic Adoption Provisions of 1996.

Interjurisdictional Approval**Ann. Code § 16-2102; Admin. Code § 16.06.01.030**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notifies the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

In regulation: When necessary to encourage all possible positive contacts with family, including extended family, placement with family members or others who are outside the State of Idaho will be considered. On very rare occasion the Department may contract with a residential facility out of State if it best serves the needs of the child and is at a comparable cost to facilities within Idaho. When out-of-State placement is considered in the permanency planning for a child, such placement will be coordinated with the respective interstate compact administrator according to the provisions of the Interstate Compact on the Placement of Children. Placements must be in compliance with all State and Federal laws.

Links to Resources

Idaho Foster Care and Adoption Programs [website](#)

State regulations [full text](#) (PDF - 157 KB)

Illinois

Who May Apply

Admin. Code Tit. 89, §§ 402.12; 402.14

The licensees shall be either a single person or a man and woman married to each other. Each foster parent shall be willing and able to assume appropriate responsibilities for the child or children received for care.

Foster parents shall be stable, law abiding, responsible, mature individuals, at least age 21. All members of the foster family shall be free from active alcohol or substance dependency.

The foster family shall have sufficient financial resources to provide basic necessities for themselves and their own children.

Foster parents and all members of the household shall provide medical evidence that they are free of communicable diseases or physical and mental conditions that affect the ability of the family to provide care. Before licensing, the foster parents shall furnish the supervising agency with a medical report on forms provided by the agency for each member of the household. A medical report shall be obtained for the foster parents, their children, other persons residing in the foster home, and child care assistants. The medical reports shall not be more than 1 year old.

Training Requirements

Admin. Code Tit. 89, § 402.12

As a condition of initial licensure, each foster parent shall complete Prelicensure Foster PRIDE/Adopt PRIDE Training or an equivalent prelicensure foster parent training that has been approved by the department. In addition, each foster parent shall complete, as a condition of license renewal, 6 clock hours of approved inservice training. The foster home license shall not be renewed until each single foster parent and at least one foster parent in a married couple has completed educational advocacy training by the department or approved agency that, if completed in the most recent licensing cycle, may count toward the 16 clock hours of inservice training. Child welfare agencies may require foster families under their supervision to complete additional training as a condition of continued supervision by the agency.

Minimum Standards for Foster Homes

Admin. Code Tit. 89, §§ 402.8; 402.9

The foster home shall be clean, well-ventilated, free from observable hazards, properly lighted and heated, and free of fire hazards. The water supply of the foster family home shall comply with the requirements of the local and State health departments. Licensees in foster family homes with pools, hot tubs, ponds, outdoor fountains, decorative water ponds, fishponds, or the like must have current CPR certification.

Any and all firearms and ammunition shall be locked up at all times and kept in places inaccessible to children. The foster home shall comply with all requirements of the State laws and municipal codes for household pets. Certificates of inoculation for rabies shall be available for inspection.

The foster home shall have an operating telephone on the premises. The foster home shall be equipped with a minimum of one approved smoke detector in operating condition on every floor level, including basements and occupied attics. A foster home shall be equipped with a minimum of one approved carbon monoxide detector within 15 feet of every sleeping room.

Each foster child shall be provided his or her own separate bed or crib. Children under age 6 may share a bedroom with related children of the opposite sex who also are under age 6. Unrelated children under age 2 may share a bedroom with children of the opposite sex who also are under age 2 if each child is provided a separate bed or crib. A foster child may share a bedroom with his or her own children of either sex if each child is provided a separate bed or crib.

There shall be a minimum of 40 square feet, excluding the closet and wardrobe area, for the first child occupying a bedroom and a minimum of 35 square feet for each additional child sharing the room. Sleeping rooms shall be comfortable and shall be furnished suitably for the age and sex of the child.

Approval Process**Admin. Code Tit. 89, §§ 402.12; 402.13**

The capability of the foster parents to provide care shall be considered prior to licensure of the foster family home. A decision to establish the age and number of children permitted in the home shall be based on an assessment of the foster family and shall consider at least the following:

- The foster parents' capability to provide care including an evaluation of the caregivers' health, strength, and mobility
- The caregivers' ability to appropriately care for and adequately supervise the children in the home
- The number of foster parents in the home and the availability and experience of child care assistants

All members of the household age 13 and older (except for foster children) shall have passed the background check.

Foster home applicants shall provide the names and addresses of at least three persons who are not related to them who can attest that the applicants are of reputable and responsible moral character.

As a condition of issuance of a license, foster parents shall furnish information of any offenses, other than minor traffic violations, for which they have been convicted and the disposition of the convictions. The department shall make a determination concerning the suitability of the foster parents in working with the child in accordance with and 89 Ill. Adm. Code 385 (Background Checks).

All members of the foster family who transport foster children shall submit to annual verification of their driver's license, automobile liability insurance, and driving records. Any vehicle used to transport foster children shall be equipped with appropriate safety restraints.

Grounds for Withholding Approval**Comp. Stat. Ch. 225 § 10/4.2**

No applicant may receive a license if that person has been declared a sexually dangerous person or has been convicted of committing or attempting to commit any of the following offenses listed in 89 Ill. Admin Code § 402, Appendix A. This includes, but is not limited to:

- Murder or manslaughter
- A sex offense
- Kidnapping
- Aggravated battery of a child
- Criminal sexual assault or sexual abuse
- Child abandonment

Except as provided below, no applicant may receive a license to operate a foster family home who has been convicted of committing any of the following offenses:

- Kidnapping and related offenses
- Felony aggravated assault
- Felony violation of an order of protection
- Offenses against property
- Felony unlawful use of weapons
- Felony contributing to the criminal delinquency of a juvenile
- Certain drug-related offenses

A license may be issued if all of the following requirements are met:

- The relevant criminal offense occurred more than 10 years prior to the date of application.
- The applicant had previously disclosed the convictions to the department for purposes of a background check.
- After the disclosure, the department either placed a child in the home or the foster family home license was issued.
- During the background check, the department had assessed and waived the conviction in compliance with the existing statutes and rules in effect at the time of the waiver.
- The applicant meets all other requirements and qualifications to be licensed as a foster family home.
- The applicant has a history of providing a safe, stable, home environment and appears able to continue to provide a safe, stable, home environment.

Kinship Foster Care**Admin. Code Tit. 89 § 301.80**

A child may be placed in the home of a relative when the department has reason to believe that the relative can safely and adequately care for the child in the absence of formal licensing, including training. No child under age 18 shall be placed with a relative unless the conditions for placement specified below have been met. Prior to placement with a relative, staff of the placing agency shall visit the home of the proposed caregiver and determine whether the following conditions for placement are met:

- Background checks of the Child Abuse and Neglect Tracking System and Statewide Child Sex Offender Registry have been completed on all adult members of the household and children age 13 and older.
- A check of the Law Enforcement Agency Data System (LEADS) on all adult members of the household is completed. If the results of the LEADS check identify prior criminal convictions listed in Appendix A of 89 Ill. Adm. Code 301 for any adult member of the household, children shall not be placed in the relative's home unless a waiver has been granted.
- The home is free from observable hazards.
- Medicines, dangerous household supplies, and dangerous tools are stored in places inaccessible to children.
- Any firearms and ammunition are locked up at all times and inaccessible to children.
- Sleeping arrangements are suitable to the age and sex of the children.
- The relative can provide basic necessities for themselves and their own children.
- No member of the household appears to have a communicable disease that could pose a threat to the health of the children or an emotional or physical impairment that could affect the ability of the caregiver to provide routine daily care to the children.
- There is no evidence of current drug or alcohol abuse by any household member.
- The relative has immediate access to a telephone when needed.

Foster to Adopt**Comp. Stat. Ch. 750, § 50/15.1; Admin. Code Tit. 89, § 402.28**

Any person over age 18, who has cared for a child for a continuous period of 1 year or more as a licensed foster parent, may apply to the child's guardian for consent to adopt the child. The guardian shall give preference and first consideration to that application over all other applications for adoption of the child, but the guardian's final decision shall be based on the welfare and best interests of the child. In arriving at this decision, the guardian shall consider all relevant factors including but not limited to:

- The wishes of the child
- The interaction and interrelationship of the child with the foster parent
- The child's need for stability and continuity of relationship
- The wishes of the child's birth parent as expressed in writing prior to that parent's execution of a consent for adoption
- The child's adjustment to his or her present home, school, and community
- The mental and physical health of all individuals involved
- The family ties between the child and the foster parent and the value of preserving family ties between the child and the child's relatives, including siblings
- The background, age, and living arrangements of the foster parent
- The criminal background check report

The final determination of the propriety of the adoption shall be within the sole discretion of the court. The court shall base its decision on the welfare and best interests of the child.

In regulation: An adoptive home shall be licensed as a foster family home before placement of an unrelated child for adoption.

Interjurisdictional Approval**Comp. Stat. Ch. 45, § 15/1**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

[Foster Family Handbook](#)

[Manual para Familias de Crianza Temporal](#)

Department of Children and Family Services [Policy Guides](#)

State regulations [full text](#) (PDF - 139 KB)

Indiana**Who May Apply****Admin. Code Tit. 465, § 2-1-3**

Foster parents shall be mature individuals who are capable of exercising and do exercise good judgment in the handling of a child.

The health of all members of the foster family or other individuals living in the home shall be such that it will not be detrimental to the health and welfare of the foster children. A statement from a licensed physician and such other evidence of good health as may be required of the foster family by the State Department of Public Welfare shall be furnished.

There shall be sufficient income and resources in the home to insure a reasonable living standard within the foster home and proper care for the children.

Training Requirements**Admin. Code Tit. 465, § 2-1-16**

As a part of the family preparation process, each foster parent applicant shall successfully complete a 20-hour preservice training course, as specified by the Division of Family and Children, prior to being initially licensed as a foster home.

Each applicant shall submit evidence of the successful completion of a current course in first aid prior to licensure and retake the first aid course every 3 years. An updated Red Cross first aid manual or its equivalent shall be available in the foster home.

If the licensed child-placing agency or county department of public welfare documents an emergency need for licensing to facilitate placement of a foster child when no other home is available, the division may approve a foster parent for licensure who does not comply with the above requirements. Each such foster parent shall complete the preservice training course within 6 months of licensure.

Within 1 year after the 20-hour training requirement has been met, and annually thereafter, each licensed foster parent shall be required to successfully complete 10 hours of inservice training as specified by the division prior to being relicensed as a foster home. Prior foster care training or education in child care or child development may be substituted for a part of the training requirements with prior approval of the division.

Minimum Standards for Foster Homes**Admin. Code Tit. 465, §§ 2-1-4; 2-1-5**

The foster home shall not be located where unusual conditions exist that would be hazardous to the physical or moral welfare of the child. The home shall be heated to provide for comfort, and the heat of all rooms used for infants shall provide at all times a temperature of at least 70 degrees Fahrenheit.

The home shall be kept free from all unnecessary fire hazards. When natural light is insufficient, it shall be supplemented by artificial light properly diffused and distributed so that adequate light will be available at all times.

Facilities for proper bathing shall be provided. The room used for eating shall be sufficiently large to enable the foster children and foster family to eat together as a normal family group.

Sleeping rooms shall have adequate ventilation for health, safety, and welfare of the child. Each child shall have an individual bed equipped with springs, mattress, and suitable bed clothing in a room used exclusively as a sleeping room.

The foster home shall conform to the sanitary laws and ordinances of the State and the city or town in which it is located. It shall be kept clean and in a fit, sanitary condition. Windows and doors shall be screened as required by the climatic conditions.

The milk supply, water supply, and sewage disposal shall conform to the standards set by the State Board of Health.

Approval Process**Ann. Code § 31-27-4-5**

An applicant must apply for a foster family home license on forms provided by the department. The applicant must submit the required information as part of the application.

The applicant must submit with the application a statement attesting that he or she has not been convicted of a felony or a misdemeanor relating to the health and safety of children.

The applicant shall submit the necessary information, forms, or consents for the department to conduct a criminal history check for each applicant and all household members who are age 14 and older.

Grounds for Withholding Approval**Ann. Code §§ 31-27-4-6; 31-27-4-13**

The following constitute sufficient grounds for a denial of a license application:

- A determination of child abuse or neglect by the applicant, an employee of the applicant, or a person residing in the applicant's home who is age 18 or older
- A criminal conviction of the applicant of any of the following:
 - » A felony or a misdemeanor related to the health and safety of a child
 - » A misdemeanor for operating a child care center or foster family home without a license
- A determination by the department that the applicant made false statements in his or her application for licensure
- A determination by the department that the applicant made false statements in the records required by the department
- A determination by the department that the applicant previously operated a child care center or foster family home without a license

The department shall deny a license when an applicant fails to meet the requirements for a license. The department shall deny a license to an applicant who has been convicted of any of the following felonies:

- Murder, voluntary manslaughter, or reckless homicide
- Battery, domestic battery, or aggravated battery
- Kidnapping
- A felony sex offense or incest
- Arson
- Neglect of a dependent
- A felony involving a weapon
- A felony relating to controlled substances
- An offense relating to material or a performance that is harmful to minors or obscene

Kinship Foster Care**Ann. Code § 31-27-4-9**

An applicant may apply for a foster family home license even if the applicant will be providing care and supervision under a juvenile court to a niece, nephew, sibling, or grandchild. If an applicant otherwise qualifies for a foster family home license, the department may issue a foster family home license.

Foster to Adopt

This issue is not addressed in the statutes and regulations reviewed.

Interjurisdictional Approval**Admin. Code Tit. 465, § 2-3-1**

The placement of a child in the custody of an out-of-State court or agency into a licensed foster home in Indiana must be approved by the State Department of Public Welfare. The approval must be made before the placement of the child is made. This approval is based on:

- Review by the department of a current home study of the proposed foster home that was completed by an Indiana county department of public welfare or licensed, child-placing agency
- Review of social, medical, and legal information on the child to be placed that is provided by a licensed out-of-state child placing agency
- An application to place a child that is completed by the sending court or agency and signed by the sending State's Interstate Compact on Placement of Children administrator

Links to Resources

Indiana Department of Child Services, [Foster Care webpage](#)

[Indiana Foster Family Resource Guide](#): (PDF - 1732 KB)

State regulations [full text](#) (PDF - 55 KB)

Iowa**Who May Apply****Admin. Code § 441-113.12(237)**

Foster parents shall be at least age 21. The age of foster parents shall be considered as it affects their ability to care for a specific child and function in a parental role.

The foster family shall have sufficient income and resources to provide adequately for the family's own needs.

The foster parent shall respect the foster child's religious background and affiliation.

Foster parents shall be stable, responsible, physically able to care for the type of child placed, mature individuals who are not unsuited by reason of substance abuse, lewd or lascivious behavior, or other conduct likely to be detrimental to the physical or mental health or morals of the child. They shall exercise good judgment in caring for children and have a capacity to accept agency supervision.

The foster parents shall:

- Provide evidence of marital adjustment and stability
- Have realistic expectations of foster children
- Have time available to parent foster children
- Be able to accept and deal with acting out behavior with realistic expectations and good judgment
- Include foster children in normal family life
- Have the ability to be accepting and loving toward a foster child entering the home
- Be able to support the case permanency plan for the foster child and be willing to cooperate with visits, transportation, or other activities that support the child's connection to and reunification with the child's family
- Ensure that all family members are aware of and in agreement with having foster children in the home

Training Requirements**Ann. Stat. § 237.5A**

As a condition for initial licensure, each applicant shall complete 30 hours of foster parent training offered or approved by the Department of Human Services. If the applicant has completed relevant training or has a combination of completed relevant training and experience, and the department deems such training or combination to be an acceptable equivalent to all or a portion of the initial licensure training requirement, or based upon the circumstances of the child and the applicant the department finds there is other good cause, the department may waive all or a portion of the training requirement.

Prior to annual renewal of licensure, each individual licensee shall complete 6 hours of foster parent training. The training shall include, but is not limited to, physical care, education, learning disabilities, referral to and receipt of necessary professional services, behavioral assessment and modification, self-assessment, self-living skills, and biological parent contact. An individual licensee may complete the training as part of an approved training program offered by a public or private agency with expertise in the provision of child foster care or in related subject areas. The department shall adopt rules to implement and enforce this training requirement.

Minimum Standards for Foster Homes**Admin. Code §§ 441-113.5(237); 441-113.7(237)**

The foster home shall be safe, clean, well-ventilated, properly lighted, properly heated, and free from vermin and rodents. There shall be safe outdoor space provided according to the age and developmental needs of the foster child for active play. The foster child shall be protected against hazards, including, but not limited to, traffic, pools, railroads, waste material, and contaminated water.

All bedrooms used by foster children must have permanent walls; a door that closes; a working window that opens from the inside; and a closet, wardrobe, armoire, or dresser. The minimum bedroom area per child shall be 40 square feet. When sleeping rooms meet only minimum requirements, the home shall provide additional room in other parts of the home for study and play.

All toilet facilities shall be maintained in a clean and working condition. Ventilation shall be provided in all rooms where foster children eat, sleep, and play either by windows that can be opened or by mechanical venting systems. Windows and doors used for ventilation shall be screened.

Any floor of a house, including the basement, used for sleeping of foster children shall be equipped with the following:

- A working smoke detector
- A window exit that opens from the inside and is large enough to allow the foster child to pass easily through it
- Hallways that allow unrestricted access to an exit
- A working carbon monoxide detector

All weapons, firearms, and ammunition shall be inaccessible to a child of any age.

Foster parents shall have a valid Iowa driver's license and adequate motor vehicle insurance. They shall ensure that appropriate child safety restraints, as required by Iowa law, are used for all foster children.

Approval Process**Ann. Stat. § 237.8; Admin. Code §§ 441-113.3(237); 441-113.13(237); 114-113.14(237)**

If a person is being considered for licensure, and if the person has been convicted of a crime or has a record of founded child abuse, the department shall perform an evaluation to determine whether the crime or founded child abuse warrants prohibition of licensure.

In regulation: The worker for the recruitment and retention contractor shall complete a family home study. The worker shall hold at least two face-to-face interviews with the applicant and at least one face-to-face interview with each member of the household. At least one of the interviews shall take place at the applicant's home. A physical inspection of the home is required to verify compliance with the standards in this chapter.

The assessment of the prospective foster family shall evaluate the family's ability to parent a child. The assessment shall include the applicant's motivation for foster care; emotional stability; marital relationship and history; ability to cope with stress; medical, mental, and emotional conditions; and ability to provide for a child's physical, medical, and emotional needs.

Record checks are required for each foster parent applicant and for anyone who is age 14 or older living in the home. The purpose of the record checks is to determine whether any of these persons has any founded child abuse reports or criminal convictions or has been placed on the sex offender registry. Each foster parent applicant also shall be fingerprinted for a national criminal history check. Other adults living in the home may be fingerprinted if the department determines that a national criminal history check is warranted.

At least three additional unsolicited references shall be checked for all foster family home applicants in addition to a minimum of three references provided by the applicant. Reference checks shall include only those areas related to the applicant's ability to care for children.

Grounds for Withholding Approval**Ann. Stat. §§ 237.5; 237.8**

The administrator may deny an application for a license if the applicant or licensee violates this chapter or department rules or knowingly makes a false statement concerning a material fact or conceals a material fact on the license application.

An individual applying to be a foster parent licensee shall not be granted a license and an evaluation shall not be performed if the individual has been convicted of any of the following felony offenses:

- Within the 5-year period preceding the application date, a drug-related offense
- Child endangerment or neglect or abandonment of a dependent person
- Domestic abuse
- A crime against a child, including, but not limited to, sexual exploitation of a minor
- A forcible felony

Kinship Foster Care

This issue is not addressed in the statutes and regulations reviewed.

Foster to Adopt

This issue is not addressed in the statutes and regulations reviewed.

Interjurisdictional Approval**Ann. Stat. § 232.158**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

Iowa [KidsNet](#)

State regulations [full text](#) (PDF - 107 KB)

Kansas

Who May Apply

Admin. Regs. §§ 28-4-802; 28-4-811

Each individual shall meet all of the following requirements to obtain a license and maintain a license:

- Submit a complete application for a license on forms provided by the Department of Health and Environment
- Be at least age 21
- Have sufficient income or resources to provide for the basic needs and financial obligations of the foster family and to maintain compliance with all regulations governing family foster homes
- Participate in an initial family assessment, a family assessment for each renewal, and any additional family assessments conducted by the sponsoring child-placing agency
- Meet all training requirements
- Obtain and maintain ongoing sponsorship by a public or private child-placing agency, including a recommendation by the sponsoring child-placing agency that the home be used for placement of children in foster care

Each caregiver shall be qualified by the temperament, emotional maturity, judgment, and the understanding of children necessary to maintain the health, comfort, safety, and welfare of children in foster care.

Training Requirements

Admin. Regs. § 28-4-806

Before a license is issued, each applicant shall participate in and successfully complete the following:

- A face-to-face, instructor-led family foster home preparatory program approved by the department
- A face-to-face, instructor-led first aid training course that lasts at least 3 hours
- Training in universal precautions
- Medication administration training

Each licensee shall obtain at least 8 hours of training in each licensing year, including at least 2 hours obtained through participation in group training, including workshops, conferences, and academic coursework. The training topics shall provide the opportunity to develop competency in two or more of the following areas:

- Attachment issues and disorders
- Behavior and guidance, including managing aggressive behavior and de-escalation methods, including the use of time-out
- Child development
- Communicating with the families of children in foster care
- Constructive problem-solving
- Health and home safety
- Human sexuality
- Interactions with children
- Regulations governing family foster homes
- Medication administration
- Posttraumatic stress disorder
- Separation issues
- Specific topics related to children with special needs

Each licensee shall participate in any additional or alternative training required by the sponsoring child-placing agency.

Minimum Standards for Foster Homes**Admin. Regs. §§ 28-4-816; 28-4-820; 28-4-821; 28-4-823**

A vehicle used for transporting a foster child must meet the following requirements:

- The driver shall be age 18 or older and hold a valid driver's license.
- The vehicle shall be maintained in a safe operating condition and covered by accident and liability insurance as required by law.
- Each individual shall be secured by the use of a seat belt or a child safety seat when the vehicle is in motion.

Each family foster home shall meet the legal requirements of the community as to zoning, fire protection, water supply, and sewage disposal. The home shall be constructed, arranged, and maintained to provide for the health, safety, and welfare of all occupants and contain sufficient furnishings and equipment to accommodate both the foster family and each child in foster care. At least one bathroom shall have at least one sink, one flush toilet, and one tub or shower. All fixtures shall be working at all times.

A working telephone shall be on the premises and available for use at all times. A smoke detector shall be centrally installed on each level of the home and in each room used for sleeping. One operable carbon monoxide detector shall be installed in an area adjacent to each room used for sleeping.

Sufficient space for sleeping shall be provided to accommodate the number of foster family members and each child in foster care. Each child shall have a separate bed or crib. If bunk beds are used, the upper bunk shall be protected on all sides with rails.

The outside premises of the home shall be free from any objects, materials, and conditions that constitute a danger to the health or safety of a foster child. The play area shall be located, arranged, and maintained to allow for supervision by the caregiver and to reduce the risk of injury. Play equipment shall be located in an area free from hazards, be age-appropriate, and be in good repair.

Approval Process**Admin. Regs. §§ 28-4-802; 28-4-805**

Each family assessment shall include at least one individual interview with each household member who is at least age 7 and at least one visit in the family foster home.

With each application, the applicant shall submit a request to conduct a background check by the Kansas Bureau of Investigation and a background check by the Kansas Department of Social and Rehabilitation Services in order to comply with the provisions of K.S.A. 65-516. Each request shall be submitted to the department on a form provided by the department. The request shall list the required information for the following:

- Each individual age 10 and older who resides, works, or regularly volunteers in the family foster home, excluding children placed in foster care
- Each caregiver age 14 and older
- Each resident of a home in which informal visitation occurs who is at least age 10

Each individual who received a family foster home license on or after July 1, 2007 shall obtain the following:

- For each individual age 18 and older residing in the home, a child abuse and neglect background check from each previous State of residence throughout the 5-year period before the date of application
- For each licensee, a fingerprint-based background check from the National Crime Identification Databases

Grounds for Withholding Approval**Ann. Stat. § 65-516; Admin. Regs. § 28-4-803**

No licensed child care facility, including a foster home, may have on the premises a person who has:

- A felony conviction for a crime against persons, including murder, manslaughter, assault, battery, or kidnapping
- A felony violation of any provision of the controlled substances act
- A conviction of any act described in chapter 21, including sex offenses, sexual exploitation, incest, abuse, or endangerment of a child
- Been adjudicated a juvenile offender for any act described above
- Had a child removed from the home based on a finding of physical, mental, or emotional abuse or neglect or sexual abuse
- Had parental rights terminated
- Signed a diversion agreement pursuant to § 22-2906 *et seq.*, involving a charge of child abuse or a sexual offense
- An infectious or contagious disease

In regulation: The granting of a license to any applicant may be refused if the applicant is not in compliance with the requirements in Chapter 65 for licensing child care facilities and all regulations governing family foster homes.

Kinship Foster Care

This issue is not addressed in the statutes and regulations reviewed.

Foster to Adopt

This issue is not addressed in the statutes and regulations reviewed.

Interjurisdictional Approval**Ann. Stat. § 38-1202**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

[Placement Service Standards Manual](#) (PDF - 776 KB)

[Child Welfare: Handbook of Services](#) (PDF - 1353 KB)

State regulations [full text](#) (PDF - 146 KB)

Kentucky**Who May Apply****Admin. Regs. Tit. 92, § 1:310**

The applicant must be age 21 or older unless an exception is granted and a U.S. citizen. He or she must be free of any communicable or infectious disease and any illness or condition that would present a health or safety risk to a child placed in his or her home. The applicant must verify that he or she has a source of income separate from foster care reimbursement.

Training Requirements**Admin. Regs. Tit. 92, § 1:310**

A child-placing agency shall develop and maintain an orientation and preparation curriculum that provides a minimum of 24 hours of orientation and preparation to a prospective foster parent, to include the following:

- Child-placing agency program description with mission statement
- Information about the rights and responsibilities of the home
- Background information about the foster child and the child's family
- An example of an actual experience from a foster parent that has fostered a child
- Information regarding:
 - » The stages of grief
 - » Identification of the behavior linked to each stage
 - » The long-term effect of separation and loss on a child
 - » Permanency planning for a child, including independent living services
 - » The importance of attachment on a child's growth and development and how a child may maintain or develop a healthy attachment
 - » Family functioning, values, and expectations of a foster home
 - » Cultural competency
 - » How a child enters and experiences foster care, and the importance of achieving permanency
 - » The importance of birth family and culture and helping children leave foster care
- Identification of changes that may occur in the home if a placement occurs, to include:
 - » Family adjustment and disruption
 - » Identity issues
 - » Discipline issues and child behavior management
- Specific requirements and responsibilities of a foster parent

The agency must maintain an ongoing foster home preparation and training program that provides a minimum of 6 hours of foster home training annually.

Minimum Standards for Foster Homes**Admin. Regs. Tit. 92, § 1:310**

If an applicant or household member will be transporting a foster child, the individual shall possess a valid driver's license and have automobile or driver's insurance coverage.

The applicant's home must:

- Not present a hazard to the health and safety of a child
- Be well-heated and ventilated
- Comply with State and local health requirements regarding water and sanitation
- Provide in- or out-door recreation space appropriate to the developmental needs of a child placed in the applicant's home

No more than four children, including the applicant's own children, shall share a bedroom. A foster parent shall not share a bedroom with a child in the custody of a State agency unless prior approval is obtained from the State agency. Each child must be provided his or her age- and size-appropriate bed.

The applicant must possess first aid supplies with unexpired dates that are stored in an easily accessible place. The home must have a working telephone and a working smoke alarm within 10 feet of each bedroom.

Approval Process**Rev. Stat. § 199.462; Admin. Regs. Tit. 92, § 1:310**

Before an applicant is approved to provide foster care, the Cabinet for Health and Family Services shall require a criminal background investigation of the applicant and any adult household members by means of a fingerprint check by the Department of Kentucky State Police and the FBI.

In regulation: A child-placing agency shall complete a home study and approve the foster family home prior to the placement of a child. Documentation of the home study shall include the following:

- A personal interview with each member of the applicant's household
- An assessment of the attitude of each member of the applicant's household toward the placement of a child into the home
- Observations of the functioning of the applicant's household, including interpersonal relationships and patterns of interaction
- The applicant's ability to accept a child's relationship with the child's family of origin
- The names of three personal references who are not related to the applicant who shall be interviewed by agency staff in person or by telephone or provide letters of reference
- Verification that the applicant's financial stability has been assessed and approved in accordance with the agency's written policies and procedures
- Proof that the agency performed background checks on the applicant and any member of the applicant's household
- Documentation that the applicant has access to transportation that meets the child's needs

Grounds for Withholding Approval**Admin. Regs. Tit. 922, § 1:490**

An applicant shall not be approved if:

- A criminal records check reveals that the applicant or adult member of the household has a:
 - » Felony conviction involving:
 - A spouse, a child, sexual violence, or death
 - Physical abuse, battery, a drug, or alcohol within the 5-year period prior to application
 - » Criminal conviction relating to child abuse or neglect
 - » Civil judicial determination related to child abuse or neglect
- A child abuse or neglect check reveals that the applicant, adolescent member of the household, or adult member of the household, has been found to have:
 - » Committed sexual abuse or sexual exploitation of a child
 - » Been responsible for a child fatality related to abuse or neglect
 - » Had parental rights terminated involuntarily

Kinship Foster Care**Admin. Regs. Tit. 922, § 1:130**

A relative caregiver and an adult member of the household shall undergo a criminal records check and a child abuse and neglect check and be approved in accordance with department regulation. Each adolescent household member of the relative's home shall undergo a child abuse and neglect check and be approved in accordance with regulation.

The relative caregiver, each adult member of the household, and each adolescent member of the household shall agree to undergo a relative home evaluation. During a relative home evaluation, the cabinet shall consider the relative's:

- Willingness and ability to protect the child from abuse or neglect, assume permanent custody, and participate in the child's case permanency plan
- Access to transportation, telephone, medical services, first aid supplies, and school
- Ability to provide full-time care and accommodate for the child within the home, including:
 - » Providing for the child's sleeping and eating
 - » Maintaining adequate heat and ventilation in the home
 - » Using active smoke detectors in the home
 - » Assuring the child's inaccessibility to medication, alcoholic beverages, poisonous or cleaning materials, ammunition, firearms, and unsupervised contact with a birth parent
- Understanding of the impact that familial abuse, neglect, or substance abuse may have on a child and the child's extended family

To satisfactorily complete the initial eligibility determination, a relative caregiver shall meet the following requirements:

- Achieve a satisfactory relative home evaluation
- Meet approval criteria established in administrative regulation for criminal records checks and child abuse and neglect checks

Foster to Adopt

This issue is not addressed in the statutes and regulations reviewed.

Interjurisdictional Approval**Admin. Regs. Tit. 922, § 1:370**

Children in the custody of the cabinet may be placed in out-of-State facilities after a thorough in-State facility search, documented in the case record, is unsuccessful in finding placement that serves the needs of the child. The out-of-State placement shall take into consideration the following circumstances:

- The facility's ability to meet the child's needs
- The facility's location in relation to the parent's home
- The parent's involvement with the child and their means of transportation
- The permanency goal for the child
- The cost of services is comparable to similar in-State services, when available

No child shall be placed in an out-of-State facility until the agency staff verify that:

- The facility is licensed by and in good standing with licensing authorities in the State in which the facility is located.
- Contact is made with the social service personnel in the State where the facility is located to assess the facility's reputation and the quality of care.
- The commissioner shall approve the placement of children in out-of-State facilities.
- The placement of children in out-of-State facilities shall comply with the Interstate Compact on Placement of Children (ICPC).

Through the ICPC, the Department for Community-Based Services shall request courtesy supervision for each child placed in an out-of-State facility. The department also shall request a report every 6 months as a result of the courtesy supervision. Individuals designated by the facility where the child is placed shall be invited to participate in the case planning conferences, either in person or by telephone conferencing. The permanency hearing for the child shall assess whether the out-of-State placement continues to meet the needs of the child according to the established case plan.

Links to Resources

State regulations [full text](#) (PDF - 189 KB)

Louisiana**Who May Apply****Admin. Code Tit. 67, §§ 6303; 6305**

A foster parent shall be at least age 21. Persons receiving initial approval as foster parents shall be younger than age 65. Foster parents shall be either a single person or a legally married couple.

Foster parents shall have sufficient income to meet their needs and ensure the security and stability of the household, independent of foster care maintenance payments. A single foster parent or a foster parent couple who both work outside the home shall have a plan for caring for client(s) approved by the placing agency.

Foster parents shall demonstrate:

- Emotional stability, good character, a responsible adult life style, freedom from excessive use of alcohol or use of illegal drugs, and the ability to provide appropriate supervision, humane care, reasonable discipline and a home-like environment for children
- A capacity for setting realistic expectations for behavior and performance based on age, abilities, and disabilities of children
- The emotional stability of a healthy adult as evidenced by a willingness to discuss and deal appropriately with their own feelings of anger, frustration, sorrow, conflict and affection and those of others

Training Requirements**Admin. Code Tit. 67, § 6307**

Foster parents shall complete an initial orientation and training program involving at least 6 hours of training activities prior to accepting the first foster child. Exceptions to this requirement may be granted when a child requires emergency placement. In such circumstances, the foster parents shall receive the initial 6 hours of training within 90 days of the child's placement.

Foster parents shall participate in at least 15 hours of approved training and consultation activities each year. These hours may be shared between both persons in a foster parent couple, but each person must receive at least 5 hours of training. Exceptions to this requirement may be granted at the discretion of the placing agency when foster parents are considered sufficiently trained or experienced to provide high-quality foster care.

Minimum Standards for Foster Homes**Admin. Code Tit. 67, §§ 6321 through 6341**

A foster home shall be reasonably safe, in good repair, and comparable in appearance and maintenance to other family homes in the community. The home and the exterior around the home shall be free from objects, materials, and conditions that constitute a danger to the clients served.

A foster home shall have a safe outdoor play area either on the property or within a reasonable distance of the property. Any play equipment on the property shall be safe, well-constructed, and suitable for the clients served.

All cooking areas and equipment shall be in working and sanitary condition. The home shall have a comfortable dining area with sufficient furniture to allow all members of the household to eat together. It shall have living space that is comfortably furnished and sufficiently large to accommodate the various activities of the family.

No more than four children to a bedroom are permitted. Each child shall have his or her own bed, and each infant shall have his or her own crib. Children over age 4 may not share a bedroom with a person of the opposite sex.

A foster home shall have a minimum of one flush toilet and one washbasin and tub or shower with hot and cold running water.

A foster home shall be well-heated and ventilated. Foster parents shall have access to a telephone within a reasonable distance of the home. They shall ensure the safe storage of drugs, poisons, firearms, or other harmful materials.

A foster home shall be free from fire hazards and equipped with an operating smoke alarm on each floor used for sleeping.

A foster home shall have a safe means of transportation adequate to meet the needs of the household. Foster parents shall ensure that any vehicle is properly maintained, licensed, and inspected as required by State law. Any driver shall be properly licensed, and any vehicle shall have sufficient liability insurance.

Approval Process**Admin. Code Tit. 67, § 6305**

Applicants and all other members of the household age 18 or older shall sign a release for a criminal record check. They shall provide the names and contact information of five persons who may serve as personal references. At least three of the required references shall be persons not related to the applicants.

The applicants shall, as required by the placing agency, provide information on the physical and mental health history of every member of the household. They shall, on request, provide a medical statement from a licensed physician verifying that household members are free of communicable diseases, specific illnesses, or disabilities that would either endanger the health of the children or interfere with the capability of the household to provide adequate care. Handicapping conditions of applicants or household members are to be considered only as they affect the ability of the household to care for the children.

Prior to initial approval of the foster home, a licensed physician shall examine the applicants and certify that they are free of tuberculosis and other communicable diseases, specific illnesses, or disabilities that would either endanger the health of the children or interfere with the capability of the foster parents to care for the children.

Grounds for Withholding Approval**Admin. Code Tit. 67, § 6305**

Applicants may not be licensed when they or any member of the household age 18 or older is found to have a criminal record that shows a conviction, indictment, or substantial evidence of involvement in any criminal activity involving violence against a person, serious sexual misconduct, gross irresponsibility or disregard for the safety of others, or serious violations of accepted standards or ethical conduct. Exceptions to this requirement shall be made, at the discretion of the placing agency, when the criminal activity is not recent or is not sufficiently serious to warrant disqualification and poses no current or future threat to the health, safety, or well-being of children.

Licensure also may be denied when any member of the household is found have a communicable disease, specific illness, or disability that would either endanger the health of the children or interfere with the capability of the household to provide adequate care for children.

Kinship Foster Care**Rev. Stat. §§ 46:286.1; 46:283**

When a child has been removed from home and is in the custody of the Office of Children and Family Services, the office shall make reasonable attempts to place the child with a relative for kinship foster care. If the relative is approved to provide foster care services, the relative shall be eligible to receive payment for the full foster care rate.

The eligibility standards for becoming a kinship foster parent include:

- The person must be related to the child's parent or stepparent within the second degree.
- The kinship foster parent shall be age 21 or older.

A person shall be eligible to become a kinship foster parent only upon the completion of an investigation to ascertain whether there is a State or Federal record of criminal history for the prospective kinship foster parent or any other individual residing in the prospective parent's home.

The office shall determine whether the person is able to care effectively for the child by completing all of the following:

- Reviewing personal and professional references
- Observing the kinship foster parent with household members during a home visit
- Interviewing the kinship foster parent

The department may establish separate minimum training requirements for relatives of a foster child. These minimum requirements shall include 10 hours of preservice training, participation with the department in periodic home visits and legally mandated status reviews, and annual training as prescribed in the child's service plan at the status review.

Foster to Adopt**Rev. Stat. § 46:286.13**

Foster parents have the right for first consideration as a placement option for a child previously placed in their home and for a child placed in their home who becomes available for adoption, if relative placement is not available.

Interjurisdictional Approval**Children's Code Art. 1610**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

Department of Children and Family Services, [Foster Parenting website](#)

[Foster Parent Handbook](#) (PDF - 714 KB)

State regulations [full text](#) (PDF - 36 KB)

Maine**Who May Apply****Code of Rules 10-148-016, § 9**

Foster parents must be at least age 21. The members of the foster family having responsibility for caring for the foster children shall be emotionally stable, mature, and law-abiding individuals, able to exercise good judgment in meeting the needs of a child and shall not engage in practices detrimental to the welfare of children.

The relationships within the foster family should be generally positive and adequately meet the social, emotional, and developmental needs of each family member through a combination of family and community relationships and activities and acceptance of diversity.

Members of the household responsible for foster children will have the capacity to understand and meet the developmental and individual needs of children and the flexibility to treat a child in a manner consistent with those needs.

The foster family shall have an ongoing, predictable income to assure that the home is maintained in conformity with the requirements of these regulations.

Training Requirements**Code of Rules 10-148-016, § 9**

Applicants shall have completed an introductory training program for foster parents or its equivalent offered or approved by the Department of Health and Human Services prior to being licensed. Exceptions to the completion of an introductory training may be made when the foster parents are applying for a license with the intent to care for a specific child and have an already established relationship with the child and where no other foster children will be living. Exceptions to this rule must receive prior approval from the Foster Care Licensing Supervisor.

Foster parents shall participate in ongoing training of at least 18 hours for the licensees' combined hours of training, with at least 6 of those hours completed by the secondary foster parent, if applicable, within the 2-year licensing period. The training must be related to the needs of the children in foster care and approved by the licensing agency. At the time of initial and renewal licensure, the Foster Care Licensing Worker will provide the licensees with a list of required training and approved training options. Documentation of required training must be provided to the Foster Care Licensing Worker at the time of license renewal.

Minimum Standards for Foster Homes**Code of Rules 10-148-016, § 9**

The premises must be kept in a state of cleanliness and maintained in a condition insuring health and safety. All potentially harmful materials must be stored in locked storage areas or kept in a place inaccessible to children.

Foster homes shall have indoor plumbing appropriate and adaptable to the needs of the foster children and accessible without passing through a designated sleeping area. The toilet and bath facilities must be in good repair, in sanitary condition, have doors, and provide reasonable privacy.

Foster parents who transport foster children in their own vehicles shall comply with all State laws governing motor vehicle operation, including current driver license, vehicle registration, inspection, insurance, and use of age-appropriate passenger restraint systems.

The foster home shall have adequate heat, light, and ventilation for safe and comfortable occupancy, with adequate family living space for the comfort of family members for meals and recreation. The foster home shall have adequate furniture in good repair for all living areas. The foster home must have a telephone and answering machine or answering service. The dining area shall have adequate space for eating.

Bedrooms shall meet the following criteria:

- Each bedroom used by foster children shall contain at least 40 square feet of floor space per person except that a room for one child shall contain at least 60 square feet of floor space.
- No adult shall share a bedroom with a child over age 1.
- No child over age 5 may sleep in the same room with a child of the opposite sex.
- Each foster child must have a separate bed with adequate, clean bedding.

Approval Process**Code of Rules 10-148-016, §§ 2; 9**

Following the receipt of a complete application the department will evaluate the adequacy of care planned or provided for foster children and the adequacy of the premises in accordance with the applicable laws and regulations. At the time of application, the applicant shall:

- Sign a consent allowing a licensed medical personnel to provide a medical statement that attests that the applicant and any household members are free of any communicable or contagious disease or illness that may affect the quality of child care provided
- Provide names and contact information for three persons who are acquainted with but not related to the applicant to serve as references
- Undergo fingerprinting for fingerprint-based checks of national crime information databases
- Submit releases signed by each adult member of the household to request criminal history records
- Disclose to the department the following information regarding themselves or persons residing in their home:
 - » Arrests or convictions for sexual or violent crimes
 - » Arrests or convictions for operating under the influence or for any other activity that involves substance abuse
 - » Admission to a mental health or substance abuse treatment facility
 - » Any serious physical problems
 - » Whether a child protective services unit has ever investigated the family situation for allegations of child abuse or neglect
 - » Any suspensions or revocations of previous licenses
 - » The removal of children from their care or custody
 - » Any denial of approval to adopt

No license to operate a foster home can be issued until such home passes a satisfactory inspection for fire safety and fire protection.

Grounds for Withholding Approval**Code of Rules 10-148-016, § 9**

The department shall not grant a license to persons convicted of a felony involving child abuse or neglect; spousal abuse; a crime against a child or children, including child pornography; or a crime involving violence, including rape, sexual assault, or homicide.

The department shall not grant a license to persons convicted within the last 5 years of a felony involving physical assault, battery, or a drug-related offense.

An application may be denied if the applicant has an open Child Protective Services case or a closed substantiated and/or indicated Child Protective Services case. An open Child Protective Services case includes a pending disposition of an open report, a case open for assessment, or a case open for services.

Kinship Foster Care**Rev. Stat. Tit. 22, §§ 4003; 4005-E**

A relative may make a request in writing for placement of a related child. In making a decision on the request, the court shall make placement with a relative a priority for consideration if that placement is in the best interests of the child.

There is a rebuttable presumption that that contact with the relative is not in the best interests of the child if the court finds that the relative has been:

- Convicted of domestic abuse in which the victim was a minor at the time of the offense and the relative was at least 5 years older than the minor, except that, if the offense was gross sexual assault, and the minor victim submitted as a result of compulsion, the presumption applies regardless of the ages of the relative and the minor victim at the time of the offense
- Adjudicated of sexually abusing a person who was a minor at the time of the abuse

Foster to Adopt

This issue is not addressed in the statutes and regulations reviewed.

Interjurisdictional Approval**Rev. Stat. Tit. 22, § 4255**

Prior to sending a child to another State for placement, the public child-placing agency in the sending State shall provide a written request for assessment to the receiving State. Upon receipt of a request from the public child welfare agency of the sending State, the receiving State shall initiate an assessment of the proposed placement to determine its safety and suitability. If the proposed placement is a placement with a relative, the public child-placing agency of the sending State may request a determination of whether the placement qualifies as a provisional placement. The public child-placing agency in the receiving State may request from the child-placing agency in the sending State, and is entitled to receive, supporting or additional information necessary to complete the assessment.

Links to Resources

State regulations [full text](#) (PDF - 64 KB)

Maryland**Who May Apply****Code of Regs. 07.02.25.05; 7.02.25.06**

An applicant shall be at least age 21 and a U.S. citizen or legal immigrant admitted for legal residence.

All family members and other household members shall undergo an initial medical examination and formal medical reexaminations at least every 2 years. Family members and other household members shall be free of any physical or mental health problems that might impair the proper care of the foster child.

If a foster parent is age 60 or older, the local department shall observe and document that the foster parent's strength is adequate to meet the needs of children in care.

A foster family shall have sufficient income and financial stability to provide reasonable living conditions for their own family without depending upon the reimbursement for basic foster care.

Desirable foster parent characteristics include:

- Knowledge of, interest in, and regard for the principles of good child care, understanding of the foster parents' responsibility in providing good child care, and the requirements for approval
- Awareness of the way in which a child needs family life to grow and learn and the ability to provide the child with the values that parents customarily provide, including training and opportunities for socialization

While it is desirable to have two foster parents to act as maternal and paternal role models, single persons are encouraged to apply for approval.

Training Requirements**Code of Regs. 07.02.25.13**

A local department shall provide or arrange for a minimum of 27 hours of preservice training during the recruitment and mutual selection process of foster parents before formal approval of a home and before placing a child in the home. This training includes the following:

- Roles and relationships in foster care among local department personnel, the foster parent, the child's birth parent, and the child
- Separation anxiety and the importance of the child's family and the child's communication with them
- Developmental needs of children in care
- Special needs children
- Awareness of cultural and religious differences
- Child management and discipline techniques
- Child abuse and neglect
- Supportive services available in the community for children and foster families
- Self-awareness
- Communication and problem-solving skills

Foster parents shall acquire a minimum of 6 hours of training a year as approved by the administration. The training shall consist of continuing work on the areas listed above for the preservice training and any additional topics as needed.

Minimum Standards for Foster Homes**Code of Regs. 07.02.25.05**

A foster family home shall meet applicable public health and sanitary standards. The local department shall have in writing the approval of the local health department before approving the foster home. A foster home worker shall inspect the home to assure that general safety standards are met.

Prescription and nonprescription drugs, dangerous household supplies, tools, and any other household items that are potentially life-threatening or injurious to children shall be kept in a safe location, inaccessible to children.

The local department shall have in writing the approval of the local or State fire officials that a foster family home meets the safety requirements of the local fire department and any other applicable State or local requirement before approving the foster home.

The family living quarters shall be adequate to provide space for foster children without disrupting the usual sleeping and living arrangements of the family group. A foster child's sleeping and living quarters shall have provision for privacy, study at home, and storage of clothes, toys, and personal possessions.

Each child shall have an individual bed that may not be stacked in vertical bunk bed formation. Except for children younger than age 2, boys and girls may not sleep in the same room. A teenaged parent may share a bedroom with the parent's infant child until the child reaches age 2.

A foster parent who maintains a pet in the home shall assure that the pet is appropriately licensed or registered, vaccinated, and leashed.

A foster parent shall assure that the child has legal and safe transportation.

Approval Process**Code of Regs. 07.02.25.05; 07.02.25.07**

Before a foster home may be approved:

- The applicant and all household members age 18 and older shall apply for a State and Federal criminal background investigation.
- The local department shall review statewide records to determine whether an individual in the family has a prior indicated or unsubstantiated finding of abuse or neglect.

The home study process includes an opportunity for a prospective foster family to assess its potential for foster parenthood and an opportunity for a local department to study and assess a family's potential for foster parenthood, including the number and characteristics of children for whom the family is best suited.

The local department worker shall:

- Conduct at least two home visits, one of which may be unannounced, with each family
- Obtain three written personal references, only one which may be a relative
- Obtain verification of income and marital status, if applicable
- Request a health and sanitary inspection by the local health department in the jurisdiction for each home being considered for approval
- Make certain that fire safety approval is obtained as required by regulation
- Provide preservice training for the prospective foster family and ensure that all material contained in the preservice training is provided to the family
- Review local department records to determine whether an applicant is in arrears on child support payments and, if in arrears, whether the arrearage may be corrected or impacts on the applicant's ability to provide foster care services

Grounds for Withholding Approval**Code of Regs. 07.02.25.05; 07.02.25.17**

The local department may not approve as a foster home any home in which an adult in the household:

- Has a felony conviction for child abuse or neglect, spousal abuse, a crime against children, rape, sexual assault, manslaughter, or homicide or any felony crime that could detrimentally affect the safety of the foster child
- In the 5 years before the date of the application, has a felony conviction, battery, or a drug-related offense

The department may not approve as a foster home any home in which an individual has an indicated child abuse or neglect finding.

The local department may deny an application for approval if:

- The applicant or the home in which the care is provided fails to meet the requirements of regulation.
- An evaluation of the application form reveals that the applicant knowingly reported false information.
- The applicant has a history of regulatory violations that demonstrates an inability to provide for the health and safety of the children.
- The applicant has previously had approval denied or revoked by the local department, unless the local department is satisfied that the condition that was the basis for the denial or revocation has been corrected.
- The applicant prevents the local department from completing its responsibilities for approval.
- Based on substantial, credible evidence the local department concludes that the applicant cannot provide for the health, safety, or welfare of the children in care because of abuse of alcohol or other controlled dangerous substances, mental instability, or any other condition that creates reasonable doubt as to the applicant's ability to provide foster care.

Kinship Foster Care**Code of Regs. 07.02.25.11**

Except as provided below, restricted foster homes shall meet the same requirements as regular foster homes. A restricted foster home can be either that of a relative or nonrelative. In either case, the same eligibility criteria apply.

When a child is taken into foster care on an emergency basis and a restricted foster home is available, the local department may perform an expedited inspection of the home to facilitate a provisional approval of the home. The provisional approval process is as follows:

- An assessment of the home to ensure that there is no apparent risk to the health and safety of the child
- An assessment of the family with particular attention given to the:
 - » Family's relationship with the child and the child's parent
 - » Care provided to other children in the home
 - » Family's knowledge of the circumstances that led to the need for the child's placement
 - » Family's role in the past in helping or protecting the child or preventing maltreatment, including the family's present ability to protect the child
 - » Family's ability to understand the need for protection
- An explanation of the local department's role and authority to supervise the placement
- The attainment of sufficient information necessary to contact character references
- A review of local department records to determine whether any member of the family has a prior indicated or unsubstantiated finding of abuse or neglect
- A certification signed by the parents stating they have no prior criminal record or indicated findings of child abuse or neglect
- An assessment of adequate sleeping space in accordance with regulation

A home that meets the criteria as a restricted foster home is considered approved for 120 days. Restricted homes that continue to provide foster care beyond the 120-day period shall meet the technical foster home requirements on or before the 120th day from the date of application.

Foster to Adopt**Code of Regs. 07.02.25.10**

The intention in a legal risk adoptive home is that the family will adopt the child if guardianship is granted. Homes can be approved as solely legal risk adoptive homes. Characteristics of legal risk adoptive parents are the same as for regular foster parents. Placement in legal risk adoptive homes is made in an effort to facilitate permanent placement for children whose permanency planning goal is adoption.

Eligibility for approval as a legal risk adoptive home is the same as that for regular foster homes as outlined in these regulations, with the additional consideration for:

- Families who have other children
- Families who, in the home study, have been educated to understand as fully as possible what legal risk placement means
- Foster families who have adopted other foster children or have helped other children return to their birth family

Interjurisdictional Approval**Fam. Law § 5-604**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

State regulations [full text](#) (PDF - 112 KB)

Massachusetts**Who May Apply****Code of Regs. Tit. 110, § 7.100**

An individual will be eligible to apply to be a foster parent if:

- The individual's home meets the physical standards as set forth in regulation.
- The individual's schedule would not require that a foster child of preschool age spend in excess of 50 hours per week in child care or that a foster child in the first grade or beyond spend more than 25 hours in child care each week.
- The individual has a stable source of income sufficient to support his/her current household members.
- The individual has a stable housing history.
- The individual possesses the basic ability to read and write in English or in his/her primary language.
- The individual has a working telephone in his/her home for both incoming and outgoing calls
- The individual is at least age 18.
- The individual is a U.S. citizen or has been granted legal permanent resident status.
- The premises of the individual's home are free of any animal that would pose a danger to a foster child.

Training Requirements**Code of Regs. Tit. 102, § 5.10**

The agency shall provide an orientation for foster parent applicants. The orientation shall include general information on the following:

- The characteristics, needs, and number of children available for foster care
- The role of the placement agency, the children served by the agency, and the services provided by the placement agency
- The agency philosophy and policy regarding discipline of children
- Separation and loss and the circumstances under which children require placement
- The legal rights and responsibilities of foster parents
- Fostering children with special needs

The agency shall provide a mandatory ongoing training program to develop foster parents' skills in meeting the needs of foster children and in fulfilling their responsibilities as foster parents. In addition, the agency shall provide or arrange for special training for foster parents caring for children with special needs, including training in physical restraint, if appropriate.

Minimum Standards for Foster Homes**Code of Regs. Tit. 102, § 5.10**

The physical requirements for foster homes shall include, but need not be limited to, the following:

- The home must be clean, safe, free of obvious fire and other hazards, and of sufficient size to accommodate comfortably and appropriately all members of the household and the approved number of foster children to be placed.
- The home shall have:
 - » Adequate lighting and ventilation, hot and cold water supply, plumbing, electricity, and heat
 - » Sufficient furniture to allow each child to sleep in a separate bed and to have adequate storage space for his or her personal belongings
 - » Smoke detectors in working order
- If the home uses well water, it shall be tested and determined safe.

The home shall have bedrooms that provide at least 50 square feet per child and shall accommodate no more than four children per bedroom. No foster child over age 1 shall sleep in the same room with an adult of the opposite sex. No bedroom to be used by foster children shall be located above the second floor unless the floor has two means of egress. No bedroom to be used by foster children shall be located below the first floor unless it contains a ground level, standard door exit and at least one operable window.

Approval Process

Code of Regs. Tit. 102, § 5.10

The agency shall promptly evaluate foster parent applicants. The assessment shall include at least one meeting in the applicant's home. The agency shall interview applicants individually at least once and as often as is necessary to determine the applicants' qualifications to foster a child. Interviews shall be conducted with all other members of the applicants' household, as appropriate to the age of the member of the household.

The assessment shall document the applicants':

- Motivation for fostering
- Emotional stability and compatibility
- Social, education, and health history
- Family composition, including pets; a description of the home, including sleeping areas; and the adjustment of the applicant's own children, if any
- Family's attitude toward accepting a foster child
- Relationships with extended family
- Parenting ability, including child rearing and discipline
- Characteristics of children desired

The assessment also shall include:

- At least three written references
- A written statement from a licensed physician regarding the health of each member of the household
- Evidence of birth certificates, marriage certificates, and/or divorce decrees

Grounds for Withholding Approval

Ann. Laws Ch. 119, § 26A; Code of Regs. Tit. 102, § 5.10

When deciding whether to approve or reject a registration of interest for foster care placement, the Department of Children and Families shall conduct a review of any misdemeanor offense discovered through a criminal offender record information search in order to assist the department in accurately evaluating whether the mere existence of the offense has a substantial effect on the applicant's current or future ability to assume and carry out the responsibilities of a foster parent.

In regulation: The background of the applicant and each adult household member must be free of conduct that in the judgment of the agency bears adversely upon his or her ability to provide for the safety and well being of children. In making this determination, the agency shall consider the following:

- Conduct that results in his or her child being adjudicated in need of care and protection
- Use of alcohol or drugs to an extent or in a manner that impairs his or her ability to care for children properly
- Conduct that results in a Criminal Offender Record Information (CORI) report or any other conduct, criminal or otherwise, that is determined by the agency to impair the individual's ability to care for children

A CORI report shall consist of arrests, pending criminal charges, or criminal charges that have been finally disposed of for any offense involving sexual or physical abuse, any offense involving children, and violent or drug-related crimes, including driving under the influence of alcohol or drugs.

A CORI report also shall consist of the report of restraining orders, violations of restraining orders, and other arrests, pending charges, or findings relative to abuse of adult or child family members.

Kinship Foster Care**Code of Regs. Tit. 110, § 7.101**

The department shall consider, consistent with the best interests of the child, the following placement resources in the following order:

- Placement with a kinship family
- Placement with a child-specific family
- Placement in a family foster care home where the child was previously placed
- Placement in family foster care
- Placement in a shelter/short-term program or group home
- Placement in community residential care

Whenever the department places a child in foster care, the department shall seek from the child's parents the names of relatives or other kin who may be available to become a foster placement for the child. The department also shall begin a search for other relatives of the child or for other adult persons who have played a significant positive role in the child's life in order to determine whether the child may appropriately be placed with a relative or person if, in the judgment of the department, that placement would be in the best interests of the child.

When considering a kinship or child-specific placement, the department shall require that the relative or extended family member or individual chosen by the parents meet the department's requirements, as set forth in regulation.

Foster to Adopt**Code of Regs. Tit. 102, § 5.08**

Whenever a foster child is freed for adoption, the agency shall notify the foster parents in writing. The agency shall consider the child's foster parents as potential adoptive parents if the child has been in their care for 6 months, provided that the foster parents notify the agency of their desire to adopt within 2 weeks after they are notified of the child's release.

Interjurisdictional Approval**Code of Regs. Tit. 102, § 5.08**

No agency shall place a child outside the Commonwealth unless the foster home is approved and supervised by a licensed or otherwise legally authorized agency or unless the residential program is licensed or otherwise legally authorized to operate.

Links to Resources

Massachusetts Department of Social Services, [A Guide for Foster and Pre-Adoptive Parents](#) (PDF - 3255 KB)

State regulations [full text](#) (PDF - 93 KB)

Michigan**Who May Apply****Admin. Code R 400.9201**

A foster home applicant shall meet all of the following qualifications:

- Be age 18 or older
- Be of good moral character
- Express a willingness to provide care for children who are served by the agency
- Demonstrate an understanding of the care that must be provided to the children or express a willingness to learn how to provide that care
- Have adequate time to provide care and supervision for the children
- Have a defined source of income, and be capable of managing that income, to meet the needs of the foster family
- Be of such physical, mental, and emotional health to assure appropriate care of children
- Express a willingness, and demonstrate the ability, to work with a foster child's family or future family
- Demonstrate suitable habits, temperament, and reputation to assure the proper care and safety of children
- Demonstrate a willingness and ability to comply with the licensing rules for foster homes

Training Requirements**Admin. Code R 400.12307; 400.12312**

Foster parent orientation shall consist of all of the following areas:

- Purposes of foster care
- Characteristics and needs of the children placed by the agency
- Attachment and separation issues
- Impact of fostering on the foster family
- Role of the foster family
- Licensing process
- Grievance procedure
- Importance of a child's family
- Parent and sibling visits
- Agency foster care policies and procedures
- Foster parent training requirements
- Supportive services and resources
- Provisions of the Children's Ombudsman Act
- Provisions of the Child Protection Act

An agency shall develop a foster parent training plan with the participation of foster parents. The foster parent training plan shall provide for all of the following:

- The individual training needs of the foster parents
- No less than 12 hours of training to be completed no later than the end of the original 6-month licensing period and before the placement of a child
- No less than an additional 12 hours of training during the next 2 years
- No less than 6 hours of training annually in subsequent years

No more than 6 hours of the orientation may be included as part of the 12 hours of training. The training shall address all of the following areas:

- Characteristics and needs of children
- Safe sleep practices for infants
- Effective parenting
- Behavior management
- Importance of the foster child's family
- Role of the agency
- Emergency procedures, first aid, and fire safety
- Preparation of the foster child for independence

Minimum Standards for Foster Homes**Admin. Code R 400.9301 through 400.9309**

A foster parent shall ensure that the property, structure, premises, and furnishings of a foster home are constructed and maintained in a clean and safe condition and in good repair. The home must have adequate heat, light, and ventilation.

The home must have at least one smoke detector on each floor of the home, including the basement, and one between the sleeping area and the rest of the home. In a home that has more than one sleeping area, a smoke detector must be installed to protect each separate sleeping area.

The home must have at least one carbon monoxide detector that is installed and maintained in an area of the home as recommended by the manufacturer.

The foster home must have at least one flush toilet, one washbasin that has warm and cold running water, and one bathtub or shower that has warm and cold running water, all of which shall be in working order. The water supply for the home must be from a source that is approved for a private home by the health authority.

Bedrooms must:

- Provide an adequate opportunity for both rest and privacy
- Have no less than 40 square feet of floor space per person
- Not be a room that is primarily used for purposes other than sleeping

All bedding and equipment shall be in good repair and shall be cleaned and sanitized before being used by another person.

A foster parent shall ensure that an operating telephone is available in the foster home.

Approval Process**Admin. Code R 400.9205; 400.9206**

A foster home applicant shall provide the agency with the name of, and a signed release to obtain any of the following information about, each adult member of the household:

- Conviction of a crime other than a minor traffic violation
- Involvement in substantiated abuse or neglect of a child or adult
- Placement on court-supervised parole or probation

A foster home applicant shall do all of the following:

- Allow the agency reasonable access to the foster home for licensing and foster child supervision purposes
- Truthfully assist the agency in determining all of the following:
 - » Marital and family status and history
 - » Educational history and any special skills and interests
 - » Employment history and current financial status
 - » Physical, mental, and emotional health of each member of the household
 - » Any history of substance abuse
 - » Parenting skills and methods of discipline
 - » Adjustment and special needs of the applicant's own children
 - » Experiences with own parents and any history of out-of-home care
 - » Reason for applying to be a foster family
 - » Previous experience in providing foster care
 - » Willingness and ability to parent cross-racially or cross-culturally
 - » Capacity and disposition to give a foster child guidance, love, and affection
 - » Family's willingness to work with a foster child's family
 - » Adequacy of the applicant's house, property, neighborhood, schools, and community for the purpose of providing foster care as determined by an onsite visit
- Provide the agency with both of the following:
 - » Three references from persons not related to the applicants
 - » A medical statement for each member of the household that indicates that the member has no known condition that would affect the care of a foster child

Grounds for Withholding Approval**Admin. Code R 400.12314**

An agency shall recommend to the department the denial of license issuance only when both of the following conditions exist:

- The foster parent falsifies information provided during the licensing process.
- The applicant or the foster parent has been informed, in writing, of the facts and the basis for the recommended action.

Kinship Foster Care**Comp. Laws § 722.954a**

If a child has been placed in a supervising agency's care, the supervising agency shall, within 30 days, identify, locate, and consult with relatives to determine placement with a fit and appropriate relative who would meet the child's developmental, emotional, and physical needs as an alternative to foster care.

Foster to Adopt

This issue is not addressed in the statutes and regulations reviewed.

Interjurisdictional Approval**Comp. Laws § 3.711**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

Department of Human Services, [Licensing Rules for Foster Family Homes and Foster Family Group Homes for Children](#) (PDF -277 KB)

State regulations [full text](#) (PDF - 37 KB)

Minnesota**Who May Apply****Admin. Code R. 2960.3060**

At least one of the following must apply to the applicant:

- He or she has at least the equivalent of 2 years of full-time experience caring for or working with the issues presented by the children they will care for, whether they are the applicant's own children or other children.
- He or she agrees to receive training in child care and development as needed in order to meet the individual needs of the children placed in the foster home.
- He or she is related to the child needing foster care.
- He or she is an important friend with whom the child has resided or had significant contact.

The applicant must be at least age 21 at the time of application.

The applicant and household members must provide a signed statement that indicates that they are receiving all necessary medical care, do not pose a risk to the child's health, and are physically able to care for foster children.

The applicant and adult household members must sign a statement that they have been free of chemical use problems for the past 2 years.

Training Requirements

Admin. Code R. 2960.3070

A nonrelative foster parent must complete a minimum of 6 hours of orientation before admitting a foster child. The foster parent's orientation must include:

- Emergency procedures
- Relevant laws and rules, legal issues, and reporting requirements
- Cultural diversity, gender sensitivity, culturally specific services, cultural competence, and information about discrimination and racial bias issues
- The role and responsibilities of the foster parent in the development and implementation of the case plan and in court and administrative reviews of the child's placement
- Requirements of the licensing agency

Each foster parent must complete a minimum of 12 hours of training per year in one or more of the areas listed below or in other areas as agreed upon by the licensing agency and the foster parent. The topics listed are examples of inservice training that could be useful to a foster parent:

- Crisis intervention, including suicide prevention
- Children's psychological, spiritual, cultural, sexual, emotional, intellectual, and social development
- First aid and life-sustaining treatment such as CPR
- Preparing foster children for independent living
- Parenting children who have suffered physical, emotional, or sexual abuse, or domestic violence
- Caring for children with disabilities
- Management of sexual perpetration, violence, bullying, and exploitative behaviors
- Medical technology-dependent or medically fragile conditions

Minimum Standards for Foster Homes

Admin. Code R. 2960.3040; 2960.3050

The foster home must comply with applicable fire, health, building, and zoning codes.

A foster child must be provided with a separate bed suitably sized for the child, except that two siblings of the same sex may share a double bed. A foster child must not be assigned sleeping space in a building, apartment, trailer, or other structure that is separate from the foster family home or in an unfinished attic, an unfinished basement, a hall, or any other room normally used for purposes other than sleeping.

A foster child must have an identified space for clothing and personal possessions with cabinets, closets, shelves, or hanging space sufficient to accommodate clothing and personal possessions.

The dining area must be able to accommodate, at one time, all persons residing in the home.

Prior to licensure, the foster home must be inspected by a licensing agency employee using the home safety checklist. The applicant must correct deficiencies in the foster home that were identified by the agency. The licensing agency may require a health inspection if the foster home's condition could present a risk to the health of a foster child.

The license holder must give the licensing agency a floor plan of the foster home showing emergency evacuation routes. Emergency procedures must include a plan for care of children, evacuation, temporary shelter, and gathering at a meeting place to determine if anyone is missing.

A foster home serving children younger than age 6 must not keep reptiles, chickens, or ducks as pets. A foster home serving children age 6 and older that keeps reptiles, chickens, or ducks as pets must require a thorough hand washing following the handling of the animal, its food, and anything the animal has touched. Pets in family residences must be immunized and maintained as required by local ordinances and State law.

Approval Process**Admin. Code R. 2960.3060**

The applicant and household members must submit to a background study. Background checks conducted by the Department of Human Services must be conducted according to Minnesota Statutes, § 245A.04, subd. 3.

The applicant must help the licensing agency obtain at least three letters of reference that provide information about the applicant's support system, interactions with children, and ability to accept different points of view.

The licensing agency must make a determination as to whether the applicant can provide appropriate structure and is suitable to be licensed if the applicant has had either of the following:

- A child for whom the applicant is legally responsible was removed from the applicant's home and placed in out-of-home care within 1 year prior to the date of application.
- The applicant has a child in voluntary foster care.

The licensing agency may consult with a specialist in such areas as health, mental health, or chemical dependency to evaluate the abilities of the applicant to provide a safe environment for foster children. The licensing agency and the specialist must evaluate each applicant individually.

At minimum, there must be one in-home interview and documented interviews with all household members over age 7. The applicant must demonstrate the ability to:

- Provide consistent supervision and positive and constructive discipline
- Work within agency and State policies
- Share responsibility for the foster child's well-being with the child's social worker, school, and legal parents
- Actively support the foster child's racial or ethnic background, culture, and religion, and respect the child's sexual orientation
- Accept the foster child's relationship with his or her family and to support visitation and family reunification efforts
- Meet the foster child's special needs, if any, including medical needs, disabilities, or emotional disturbance

Grounds for Withholding Approval**Admin. Code R. 2960.3020**

The Commissioner of Human Services shall deny a license if the applicant fails to fully comply with laws or rules governing the program or fails to cooperate with a placing or licensing agency. Failure to fully comply shall be indicated by:

- Documentation of specific foster home deficiencies that may endanger the health or safety of children
- Failure to be approved by fire, building, zoning, or health officials
- Documentation of a disqualification of the applicant for licensure regarding a background study that has not been set aside
- Any other evidence that the applicant is not in compliance with applicable laws or rules governing the program

Kinship Foster Care**Ann. Stat. § 245A.035**

A county agency may place a child with a relative who is not licensed to provide foster care on an emergency basis, provided the requirements of this section are met.

Before an emergency placement may be made, the following requirements must be met:

- The county agency must conduct an initial inspection of the premises where the placement is to be made to ensure the health and safety of any child placed in the home.
- At the time of the inspection or placement, whichever is earlier, the county agency must provide the relative being considered for an emergency placement an application form for a child foster care license.
- Whenever possible, prior to placing the child in the relative's home, the relative being considered for an emergency placement shall provide the information required by § 245C.05.
- If the county determines, prior to the emergency placement, that anyone requiring a background study prior to licensure of the home is disqualified, and the disqualification is one that the commissioner cannot set aside, an emergency placement must not be made.

The relatives with whom the emergency placement has been made shall complete the child foster care license application and necessary paperwork within 10 days of the placement. The granting of a child foster care license to a relative shall be under the procedures in this chapter and according regulation. In licensing a relative, the commissioner shall consider the importance of maintaining the child's relationship with relatives as an additional significant factor in determining whether a background study disqualification should be set aside or a variance should be granted.

Foster to Adopt**Ann. Stat. § 259.41**

In the case of a licensed foster parent seeking to adopt a child who is in the foster parent's care, any portions of the foster care licensing process that duplicate requirements of the adoption home study may be submitted in satisfaction of the relevant requirements of this section.

Interjurisdictional Approval**Ann. Stat. § 260.851**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

State regulations [full text](#) (PDF - 54 KB)

Mississippi**Who May Apply****Code of Rules 11-111-001**

To qualify for licensure as a foster parent, a person shall:

- Be at least age 21
- If applicable, have been legally married to his or her spouse for at least 2 years
- Have resided in the State for at least 1 year
- Have sufficient household income exclusive of the foster care maintenance payment, to meet the needs of the applicant and his or her own household
- Along with all adult household members, be free of conviction or indictment for or involvement in the criminal offenses included, but not limited to, those listed in § 43-15-6 in statute
- Provide evidence that he or she and household members have no medical conditions that may preclude compliance with foster care requirements

To qualify for licensure as a foster parent, a person shall be a responsible, stable, emotionally mature individual who can exercise sound judgment.

Training Requirements**Code of Rules 11-111-001**

Before receiving an initial license or accepting a child into care, an applicant shall complete at least 12 hours of initial foster parent training. The training shall include, but not be limited to:

- Characteristics and needs of children who may be placed in the foster home
- The role of the foster parent as a member of the care and treatment team
- The importance of birth parent and family involvement in a child's life
- Methods for appropriately addressing the cultural, ethnic, and religious needs of a child in care
- Attachment, separation, and loss issues
- Behavior management policies and practices
- Confidentiality as it relates to birth families, children in foster care, and foster parents
- Emergency procedures
- Resources and supportive services available to foster children and foster parents
- Foster care payment procedures
- The impact of fostering on the foster parent and their family and techniques of addressing and coping with the same
- Specialized topics related to child welfare, health, growth, or development
- The Indian Child Welfare Act
- Orientation to the concept of concurrent permanency planning
- Appropriate physical restraint techniques

Each licensing period thereafter the foster parent shall complete at least 12 hours of inservice training as appropriate to the needs of the foster children placed into the home, including, but not limited to:

- Advanced training in the subjects listed above
- Special subjects related to child health, growth, or development

No more than 4 hours of the foster parent's inservice training shall be provided through home-based training modules or videotapes within any licensure period.

Minimum Standards for Foster Homes**Code of Rules 11-111-001**

The foster home shall:

- Be in reasonable proximity to schools, churches, medical care, recreation, and community facilities
- Have adequate space to accommodate all household members, including a foster child placed into the home
- Be well-heated and well-ventilated
- Have a working telephone
- Be safeguarded against hazardous chemicals; cleaning materials; toxic substances; and hazardous materials, objects, and equipment
- Be free of rodents and insects
- Contain a variety of safe play equipment, toys, and supplies for each child based on the age and developmental abilities
- Have a continuous supply of clean drinking water
- Have interior plumbing with running warm and cold water
- Have at least one working smoke detector on each floor and in close proximity to each sleeping area
- Have at least one fire extinguisher
- Have a kitchen with a working refrigerator, stove, and oven
- Have at least one flush toilet, washbasin, and bathtub or shower in good working order

No more than four children shall share a bedroom. A single bedroom shall provide a minimum of 70 square feet of space; shared bedrooms shall provide a minimum of 50 square feet per child. Each child shall be provided with a bed appropriate to his or her age and needs. Children younger than 18 months shall sleep in a crib. Children who are 18 months or older and developmentally delayed shall sleep in a bed that is appropriate to the child's age and needs.

The outside play area should be maintained clean and free of hazards. Animals belonging to the foster family or are routinely present on the premises shall have current vaccinations against rabies.

Approval Process**Code of Rules 11-111-001**

In order to adequately evaluate the foster home applicants, the licensing specialist shall personally interview the applicant and the applicant's household members. The interviews shall occur on at least three separate occasions, at least one of which shall take place at the applicant's residence with each household member, individually and as a group. During the interviews, the licensing specialist shall explore any instances of family problems and how the applicant has overcome problems in their current family and family of origin. The applicant shall assist the licensing specialist in securing required documents and other verifications needed to complete the licensing study.

Law Enforcement and Child Abuse Central Registry clearances shall be obtained for all adult household members who are age 18 and older.

At least four character references must be obtained, one of which must be a close relative and three of which must be nonrelated. It is recommended that at least one of the nonrelated references be from a neighbor. Every adult member of the household must be addressed by at least one reference. For the applicants (both husband and wife) the worker should contact present employer(s) as well as all employers of the past 5 years.

Grounds for Withholding Approval**Code of Rules 11-111-001**

An application may be denied at any point during the application process. The licensing specialist shall determine a particular home either does or does not meet licensing requirements or is not appropriate for the care of foster children. If the licensing specialist does not feel comfortable licensing a home, the applicant shall be denied before completing the study process and thus avoid giving false hope to the applicants. Even though a family may meet requirements such as housing, finances, bed capacity, etc., the professional judgment of department staff shall be utilized in making a determination for licensure. For example, the applicants had marital difficulties during the past year or there has been a recent history of drug or alcohol problems; however, the applicants believe the issues are resolved. Placing a child in a home where past issues can be rekindled by the child's behavior or presence can have serious consequences for the child as well as present serious problems for the applicants.

Kinship Foster Care**Code of Rules 11-111-001**

If it appears that placement is needed and reunification is not feasible within a short period of time, the first choice for placement is placement with relatives. When a child is placed out of the home, it should be in the most familiar environment possible. The extended family of the child is the obvious choice of preference, if such a placement can be identified and safely maintained. All known relative resources must be explored during the child's first 2 months and continue during time in custody, and the results must be documented in the case record.

The Mississippi Code Annotated § 43-15-13(6) stipulates that the Department of Human Services shall give first priority to placing a child in the home of one of the child's relatives within the third degree, as computed by the civil law rule. In placing a child in a relative's home, the department may waive any rule, regulation, or policy applicable to placement in foster care that would otherwise require the child to have a separate bed or bedroom or have a bedroom of a certain size, if placing the child in a relative's home would be in the best interests of the child and such requirements cannot be met in the relative's home.

Foster to Adopt**Code of Rules 11-111-001**

A foster/adopt home shall be offered only for children whose goal or concurrent plan is adoption. This shall include, but not be limited to, abandoned children, children who are in the process of being freed for adoption, and any child designated as a legal risk placement. A foster/adopt home shall care for the number of children according to the capacity and terms of the foster home license. At any given time there shall be no more than six children residing in the home younger than age 18. The foster/adopt family shall have completed application requirements for adoption to be eligible to apply for license as a foster/adopt family. A foster/adopt family shall receive payments based on the regular per diem board rates as related to the child's age and special needs. The licensing specialist and social worker shall maintain at least monthly face-to-face supervisory contacts with the child and the foster/adopt family while the child is in placement. The foster/adopt home shall be reevaluated every 24 months as required by the licensing authority. Foster parent training requirements apply.

Foster/adopt parents will be trained in concurrent permanency planning and must be willing and capable of working with birth parents if this is part of the concurrent plan. If reunification does not occur they must be committed to providing a permanent home for the child.

Interjurisdictional Approval**Ann. Code § 43-18-1**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

Department of Human Services, Division of Family and Children's Services, '[Foster Parent Information](#)'
State regulations [full text](#) (PDF - 73 KB)

Missouri**Who May Apply****Code of State Regs. Tit. 13, § 35-60.030**

Applicants for foster care licensure shall be at least age 21. They must be U.S. citizens, either through birth or naturalization, or be able to verify lawful immigration status.

Foster parents must be able to acquire skills and demonstrate performance-based competence in the care of children, including, but not limited to:

- Protecting and nurturing
- Meeting developmental needs and addressing developmental delays
- Supporting relationships between children and families
- Connecting children to lifetime relationships
- Working as a member of a professional team

Foster parents shall be responsible, mature individuals of reputable character who exercise sound judgment, display the capacity to provide good care for children, and display the motivation to foster.

Foster parents and all foster family members must be determined by a physician to be in good physical and mental health.

Training Requirements**Code of State Regs. Tit. 13, §§ 35-60.010; 35-60.030**

All adults in the household who will have child care responsibility will be required to attend State-approved foster parent training. Prior to licensure each adult with parenting responsibilities is required to successfully complete a competency-based training approved by the licensing agency.

To maintain a foster home license, each foster parent shall meet performance-based criteria as part of a professional family development plan and complete a prescribed number of foster parent training hours as approved by the licensing authority during each 2-year licensure period. The subject of training shall be directly tied to the foster parent professional development plan and related to the needs and ages of children in their care.

Minimum Standards for Foster Homes**Code of State Regs. Tit. 13, §§ 35-60.040; 35-60.050**

The location of the foster home shall have access to schools, recreational, religious, or other community resources.

The home shall be constructed, arranged, and maintained to provide adequately for the health and safety of all occupants. It shall be of size and space and shall have furnishings and equipment to accommodate comfortably both the foster family and foster children. All flammable liquids, matches, cleaning supplies, poisonous materials, medicines, or other hazardous items shall be stored so as to be inaccessible to the children.

The interior of the home shall be free from an accumulation of visible dirt and any evidence of vermin and rodent infestations. All rooms shall have proper lighting and ventilation. The home shall have space for indoor play and access to outdoor play space.

Foster children of the opposite sex, who are age 6 or older, shall not sleep in the same room. Foster children age 2 or older shall not sleep in the bedroom of the foster parents except for special temporary care, such as during a child's illness. Foster children should never sleep in a bed with foster parents. Each bed or crib shall be of a size as to insure comfort of the foster child. Each foster child under age 2 shall have a separate bed.

All foster homes shall have a working telephone in the home or an agency-approved form of emergency contact. An operable smoke detector shall be installed near all sleeping areas. A charged fire extinguisher shall be located near the kitchen area. A carbon monoxide detector shall be required in all homes with gas appliances.

The foster parents shall provide proper insurance coverage if foster children are transported in a private vehicle. Safety standards for the vehicle shall be within the minimum requirements and be operated by a person with a valid operating license. All children shall be secured in the car by car seats or seat belts as required by law.

Approval Process**Code of State Regs. Tit. 13, §§ 35-60.010; 35-60.030**

Any applicant, any household member age 17 and older, and any child younger than 17 who has been certified as an adult for the commission of a crime, or has been convicted of any crime, shall submit signed release forms and two sets of fingerprints for the purpose of obtaining background screening for child abuse and neglect, criminal, and circuit court records.

Foster parents shall cooperate with the division in all inquiries involving the care of the foster children. At the time of application for a license, foster parents shall authorize their physician to submit a statement regarding his/her opinion of the mental health of each foster family member and certifying that a physical examination was completed within the past year and that all household members were free from communicable disease or are not a threat to the health of foster children and are up-to-date on all immunizations.

The home study shall include the following information about the foster family:

- Family size and household composition
- Ethnic and racial background
- Religious preferences and practices
- Lifestyles and practices, including sexual orientation
- Educational practices
- Employment

All information collected for the home study will be condensed to comprise a foster home profile that will be available to team members so that placement decisions can be made in the best interests of the child. The profile will not contain any protected health information, financial information, or information on birth or adopted children of the foster family.

Grounds for Withholding Approval**Ann. Stat. § 210.496**

The Children's Division may refuse to issue either a license or a provisional license to an applicant who:

- Fails consistently to comply with the applicable provisions of Ann. Stat. §§ 208.400 to 210.535 and any applicable rules
- Violates State laws or rules relating to the protection of children
- Furnishes or makes any misleading or false statements to the division
- Refuses to make available any records required by the division in making an investigation
- Fails or refuses to admit authorized representatives of the division at any reasonable time for the purpose of investigation
- Fails or refuses to submit to an investigation by the division
- Fails to provide, maintain, equip, and keep in safe and sanitary condition the premises used for the care of children being served, as required by law, rule, or ordinance applicable to the location of the foster home
- Fails to provide financial resources adequate for the satisfactory care of and services to children being served and the upkeep of the premises

Kinship Foster Care**Ann. Stat. § 210.565**

Whenever a child is placed in a foster home and the court has determined that foster home placement with relatives is not contrary to the best interests of the child, the division shall give foster home placement to relatives of the child. The division shall make diligent efforts to locate the grandparents of the child and determine whether they wish to be considered for placement of the child. Grandparents who request consideration shall be given preference and first consideration for foster home placement of the child.

The preference for placement and first consideration for grandparents or preference for placement with other relatives shall only apply when the court finds that placement with the grandparents or other relatives is not contrary to the best interests of the child considering all circumstances. If the court finds that it is contrary to the best interests of a child to be placed with grandparents or other relatives, the court shall make specific findings on the record detailing the reasons why the best interests of the child necessitate placement of the child with persons other than grandparents or other relatives.

The age of the child's grandparent or other relative shall not be the only factor that the division takes into consideration when it makes placement decisions and recommendations to the court about placing the child with such grandparent or other relative. A grandparent or other relative may, on a case-by-case basis, have standards for licensure not related to safety waived for specific children in care that would otherwise impede licensing of the grandparent's or relative's home.

For any Native American child placed in protective custody, the division shall comply with the placement requirements set forth in the Indian Child Welfare Act (25 U.S.C. § 1915).

Foster to Adopt**Ann. Stat. §§ 210.566; 453.070**

If a child becomes free for adoption while in foster care, the child's foster family shall be given preferential consideration as adoptive parents.

Any adult person or persons age 18 or older, who, as foster parent or parents, have cared for a foster child continuously for a period of 9 months or more and bonding has occurred as evidenced by the positive emotional and physical interaction between the foster parent and child, may apply for the placement of the child with them for the purpose of adoption if the child is eligible for adoption. The agency and court shall give preference and first consideration for adoptive placements to foster parents. However, the final determination of the propriety of the adoption of such foster child shall be within the sole discretion of the court.

Interjurisdictional Approval**Ann. Stat. §§ 210.620; 210.622**

Prior to sending a child to a receiving State, the public child-placing agency shall submit a written request for assessment to the receiving State. The assessment shall evaluate the prospective placement to determine whether the placement meets the individualized needs of the child, including, but not limited to, the child's safety and stability; health and well-being; and mental, emotional, and physical development.

Upon receipt of a request from the public child welfare agency of the sending State, the receiving State shall initiate an assessment of the proposed placement to determine its safety and suitability. If the proposed placement is a placement with a relative, the public child-placing agency of the sending State may request a determination of whether the placement qualifies as a provisional placement.

The public child-placing agency in the receiving State may request from the public child-placing agency or the private child-placing agency in the sending State and shall be entitled to receive supporting or additional information necessary to complete the assessment.

The public child-placing agency in the receiving State shall complete or arrange for the completion of the assessment within the time frames established by the rules of the Interstate Commission.

Notwithstanding the provisions above, the division may enter into an agreement with a similar agency in any State adjoining Missouri that provides for the emergency placement of abused or neglected children across State lines, without the prior approval required by the interstate compact. A request for approval shall be initiated if the placement extends beyond 30 days.

Links to Resources

[Missouri Resource Parent Handbook](#) (PDF - 2128 KB)

State regulations [full text](#) (PDF - 50 KB)

Montana**Who May Apply****Admin. Rules R. 37.51.301**

Foster parents must:

- Be at least age 18
- Be physically, mentally, and emotionally competent to care for children
- Like and understand children
- Be in good general health
- Be of good moral character
- Be able to demonstrate the foster home has sufficient resources to meet the needs of their existing family, independent of foster care reimbursements
- Comply with State laws including those that relate to the possession or use of drugs, alcohol, tobacco, and firearms
- Have lived together for at least 24 months unless an exception is granted by a department regional administrator

No person residing in or visiting the foster home may pose a risk or threat to the safety and well-being of children in the home. The foster home shall protect the foster child from exposure to sexual or violent language and behavior inappropriate to the child's age, including, but not limited to, physical activity, visual or other media depictions, and music, including lyrics.

Training Requirements

Admin. Rules R. 37.51.1401; 37.51.1405

Each applicant shall attend an orientation and preservice training of no less than 18 hours prior to issuance of a regular license. The foster parents must obtain a total of at least 15 hours of training for relicensure.

Annual training is intended to help the foster parents gain further understanding regarding such issues as child maltreatment, child growth and development, family dysfunction, permanency planning, emergency or long-term medical needs of children, and age-appropriate preparation of youth for independent living.

Training must be provided or approved by the department and may include training on the following topics:

- Separation and grieving
- Loss and attachment
- Alternatives to physical discipline and an explanation of the department's policy on physical discipline
- Positive parenting techniques
- The roles and responsibilities of the department and foster parents
- Birth family rights and responsibilities
- How and why children come into foster care
- Types and behaviors of children in foster care
- Confidentiality
- Sexual abuse
- Drugs and alcohol
- Interpersonal communications
- Foster parent insurance

Minimum Standards for Foster Homes

Admin. Rules R. 37.51.816; 37.51.901; 37.51.902; 37.51.1001

Each foster child must sleep in a room designated as a bedroom that provides for privacy. Children of the opposite sex who are age 5 or older must not share a bedroom. Children over age 24 months may not routinely sleep in the same room with an adult unless approved by the department.

Each child must be provided with his or her own bed, which must be at least 30 inches wide and of a length that is adequate for the child's height. Children under age 2 must sleep in a crib.

The home and its premises shall be comparable to other residences of the community and neighborhood in which it is located. The foster parents shall keep the home clean and in good repair, and the premises shall be kept free from objects, materials, and conditions that constitute a danger to the occupants. All foster homes shall be equipped with a telephone. The foster home must have an adequate and safe sewage disposal system.

Any pet or animal present at the home shall not pose a threat to the safety or well-being of any child placed in the home. Guns and ammunition shall be kept in locked storage with guns stored separately from ammunition. Any outdoor play area shall be maintained hazard free.

A working smoke detector shall be located in each bedroom and in the hallway leading to the bedroom with at least one smoke detector on each level of the foster home. Each foster home in which fuel burning heat or appliances are used must have at least one carbon monoxide detector installed in the home. Each foster home must have a workable portable fire extinguisher.

Foster parents and any person transporting foster children shall possess a valid driver's license and shall meet at least the minimum liability insurance coverage requirements set by State law. No vehicle shall begin moving until all children are seated and secured in age-appropriate safety restraints.

Approval Process**Admin. Rules R. 37.51.305; 37.51.310; 37.51.31**

A personal statement of health form provided by the department must be completed for each person in the applicant's household. The form must be submitted to the department with the initial licensure application and a new form must be submitted prior to relicensure.

A satisfactory criminal background, motor vehicle, and child and adult protective services checks are required for each person living in the household. Persons formerly licensed as foster parents will be treated as new applicants if the former foster parents have not been licensed for a period of more than 1 year or if the foster parents have lived out-of-State for any period of time since being licensed in Montana.

If an applicant has children, a child protective services check will be requested from all States in which an applicant has lived since the birth date of the applicant's oldest child. If an applicant does not have children, a child protective services check will be requested from all States in which the applicant has lived in the previous 15 years.

The department may require a psychological evaluation or medical examination, and/or a signed authorization for release of medical or psychological records from any person applying for licensure as a foster parent or any member of the household of a person applying for licensure as a foster parent.

Grounds for Withholding Approval**Admin. Rules R. 37.51.210; 37.51.216**

An applicant against whom child abuse or neglect has been substantiated or who has been convicted of abuse, sexual abuse, neglect, or exploitation of an elderly person or person with a developmental disability shall be denied a foster care license unless an exception is granted by the department, after careful review of extenuating circumstances that justify the issuance of a restricted license.

An applicant whose child has been in foster care shall be denied a foster care license unless an exception is granted because the circumstances leading to the placement no longer exist.

The department shall deny a license upon finding that the applicant or member of the applicant's household has:

- A conviction for a serious crime, including, but not limited to, homicide, sexual assault, aggravated assault, kidnapping, prostitution, robbery, or burglary
- A conviction for a crime pertaining to children or families, including, but not limited to, child abuse or neglect, incest, child sexual abuse, or child pornography
- A felony conviction for a drug-related offense within the previous 5 years
- Been convicted of abuse, sexual abuse, neglect, or exploitation of an elderly person or a person with a developmental disability

The department may deny a license upon a finding that:

- The applicant or member of his or her household has a conviction for misdemeanor partner/family member assault or endangering the welfare of a child.
- The foster home is not in compliance with fire safety standards.
- The foster home or parents are not in compliance with any other licensing requirements.
- The results of a psychological or medical examination provide reasonable grounds to believe that the applicant is not an appropriate caregiver for a child.
- The applicant or anyone living in the home may pose any risk or threat to the safety or welfare of a child.

Kinship Foster Care**Admin. Rules R. 37.51.207**

The department may, at its discretion, issue a provisional license restricted for care of a specific child or children for any period up to 4 months to any license applicant for a youth foster home or kinship foster home that has:

- Met all licensing requirements for fire safety
- Completed and signed a release of information form provided by the department
- Submitted completed fingerprint cards on all adult household members
- A satisfactory child protective and adult protective services check for all adults present in the home
- Agreed in writing to comply fully with all licensing requirements established by these rules prior to the expiration of the provisional license

The department may, at its discretion, renew a provisional license for no more than 2 months if the license applicant shows good cause for unintentional failure to comply fully with all licensing requirements within the time period covered by the prior provisional license.

Foster to Adopt

This issue is not addressed in the statutes and regulations reviewed.

Interjurisdictional Approval**Ann. Code § 41-4-401**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

Department of Public Health and Human Services, Child and Family Services Division, '[Becoming a Foster Parent](#)'
State regulations [full text](#) (PDF - 77 KB)

Nebraska**Who May Apply****Admin. Code Tit. 474, §§ 6-003.24; 6-003.25A; 6-003.25C; 6-003-25D**

All applicants for a foster home license shall meet these regulations to obtain a license. All adults providing foster care shall:

- Be mentally and physically able to provide care and supervision
- Exercise reasonable judgment in caring for children
- Not engage in or have a history of behaviors that would injure or endanger the health or morals of children
- Provide:
 - » Three favorable character references
 - » Health reports indicating they are physically capable of caring for children
- Be at least age 19
- Cooperate with the licensing agency

Training Requirements**Admin. Code Tit. 474, §§ 6-003.34; 6-003.34A**

Each adult who provides foster care shall obtain:

- At least 21 hours of department-approved preservice training before initial licensure
- At least 12 hours of department-approved inservice training annually within the effective dates of his/her license

Each training hour must be approved by the licensing agent and must be directly related to the skills necessary to care for children in out-of-home care.

Each hour spent participating in any of the following types of child care-related activities counts toward preservice and yearly inservice requirements:

- Department-sponsored training
- Workshops
- Inservice training sponsored by professional organizations or educational institutions
- Department-approved reading material
- College courses
- Noncredit course work
- Adult education courses
- Videotaped material

Minimum Standards for Foster Homes**Admin. Code Tit. 474, §§ 6-003.28; 6-003.35**

Foster home licensees shall ensure that safety restraints are available and used for each child transported. Restraints are not required for children transported by public transportation or school bus.

To be licensed, all foster homes must have:

- Rooms that are clean, dry, well-ventilated, in good repair, and easily cleanable
- At least 35 square feet per individual excluding bedrooms, bathrooms, and kitchen
- Facilities for bathing and toileting
- Bedrooms with at least 35 square feet for each child occupying them

The licensee shall ensure that:

- Rooms primarily used for other purposes are not used as a bedroom for foster children.
- Separate bedrooms are provided for children of opposite sexes.
- Drugs, cleaning agents, poisons, and other potentially hazardous items are inaccessible to youth.
- All weapons and firearms are deactivated and locked or stored in a locked cabinet or area.
- Outdoor areas are clean, well-drained, and hazard-free.
- Garbage is collected in covered containers and disposed of regularly.
- The water supply is obtained from a source which is properly located, constructed, and operated to protect it from contamination and pollution.
- Every room, including storerooms, hallways, stairways, inclines, ramps, and entrances are adequately lighted.

Approval Process**Rev. Stat. § 71-1903; Admin. Code Tit. 474, §§ 6-003.10A; 6-003.14; 6-003.25B2; 6-003.25B3**

Before issuance of a license, the department shall conduct an investigation to determine if the character of the applicant or any member of the applicant's household and the place where the foster care is to be furnished are such as to ensure the proper care and treatment of children. The department may request the State Fire Marshal to inspect such places for fire safety. The department may conduct sanitation and health standards investigations. The department also may, at any time it sees fit, have an inspection made of the place where any licensee is furnishing foster care to see that such service is being properly conducted.

Before the foster care placement of any child, the department shall require a national criminal history record information check of the prospective foster parent and each member of the prospective foster parent's household who is age 18 or older.

In regulation: The licensing agent shall evaluate all initial applications through an onsite visit and completion the appropriate checklist.

Each household member, age 13 and older, must be checked with the State Central Register of child protection cases. Each household member age 18 or older must be checked with the Adult Protective Services (APS) Central Registry. Each household member, as appropriate to age, must be checked with the State Patrol Sexual Offenders Registry.

Grounds for Withholding Approval**Admin. Code Tit. 474, §§ 6-003.19; 6-003.19A; 6-003.19A; 6-003.25B1**

The decision to deny a license is made by department staff based on the documentation and recommendation provided by the licensing agent. If a license is denied, the applicant has the right to reapply at any time s/he is in compliance with requirements. The licensing agent shall recommend the denial of an applicant who does not comply with requirements through inability, unwillingness, or exceeding time allowed for compliance.

The department shall deny licensure to any applicant currently charged, indicted, or convicted for any of the following crimes:

- Aggravated or armed robbery
- Arson
- First or second degree assault
- Child abandonment, abuse, neglect, or molestation
- Sexual abuse or commercial sexual exploitation of a minor
- Criminal nonsupport
- Domestic violence
- Exploitation of a minor involving drug offenses
- Felony controlled substances offenses
- Felony violation of custody
- Incest
- Kidnapping
- Murder
- Sexual assault
- Sexual exploitation of a minor, including child pornography
- Voluntary manslaughter

The department shall deny licensure to any applicant convicted in the last 5 years of any of the following crimes:

- Burglary
- Driving under the influence
- Misdemeanor controlled substances offenses
- Misdemeanor contributing to the delinquency of a child

The department shall deny licensure if any household member is identified as a perpetrator on the APS Central Registry.

Kinship Foster Care**Rev. Stat. § 71-1904; Admin. Code Tit. 474, § 6-003.3**

The required training may be waived in whole or in part by the department for persons operating foster homes providing care only to relatives of the foster care provider. Such waivers shall be granted on a case-by-case basis upon assessment by the department of the appropriateness of the relative foster care placement.

In regulation: A waiver of all or part of the training requirement may be granted only if the following conditions are met:

- A waiver will not compromise the child's safety.
- The relative foster parent is willing and able to understand and deal with the emotional, physical, and medical needs of the children to be placed; issues related to parents, siblings, or other relatives, including visitation; discipline; and any special needs that the child might have.
- The relative foster parent understands his or her role with the department, child, and child's other relatives.
- The relative foster parent is willing and able to cooperate with the department's case plan.
- The placement is appropriate for the child and in the child's best interests.

In some instances, when specific training needs are identified, the department's formal training curriculum may be waived while still requiring child-specific training or some other form of training.

Foster to Adopt

This issue is not addressed in the statutes and regulations reviewed.

Interjurisdictional Approval**Rev. Stat. § 43-1103; Admin. Code Tit. 474, § 6-003.33**

Prior to sending a child to a receiving State, the public child-placing agency shall submit a written request for assessment to the receiving State. The sending State and the receiving State may request additional information or documents prior to finalization of an approved placement.

Upon receipt of a request from the public child-placing agency of the sending State, the receiving State shall initiate an assessment of the proposed placement to determine its safety and suitability. If the proposed placement is a placement with a relative, the public child-placing agency of the sending State may request a determination for a provisional placement.

The public child-placing agency in the receiving State shall approve a provisional placement and complete or arrange for the completion of the assessment within the timeframes established by the rules of the Interstate Commission.

In regulation: If the Interstate Compact on Placement of Children applies to the placement, the foster parent shall obtain approval from the compact administrator before accepting a foster child. The compact applies when children come from another State and are placed in a nonrelative home.

Links to Resources

Department of Health and Human Services, '[Foster Care](#)'

State regulations [full text](#) (PDF - 88 KB)

Nevada**Who May Apply****Admin. Code §§ 424.255 through 424.265**

Foster home parents shall:

- Be competent adults with a demonstrated ability to exercise sound judgment and decision-making
- Be willing to be a team member with the agency in establishing and carrying out agency goals for the child
- Possess skills necessary to live amiably as a family group
- Have the character and personality to give care to children
- Accept and respect each child as an individual
- Be kind and friendly
- Have knowledge and understanding of child care and problems of children
- Be flexible in their approaches to child care
- Participate in and effectively apply training as required
- Be prepared to serve as an appropriate role model for foster children and their parents
- Present a positive image to the community
- Maintain good community relationships

The integrity and conduct of foster home parents shall be above reproach, especially as regards to their role as foster caregivers.

An applicant to be a foster parent must be age 21 or older. The age of the foster parent should be considered only as it affects his or her physical energy, flexibility, or ability to care for a specific child, and in relation to the probable duration of the care of a particular child.

The foster family must have demonstrated sound money management practices and financial responsibility. Households receiving aid to dependent children or food stamps may apply to become foster parents but should contact their eligibility worker to determine how the foster care payment will affect their benefits under those programs.

Training Requirements**Admin. Code § 424.270**

Applicants for a license to operate a foster home must attend at least 8 hours of training in foster parenting provided or approved by the agency that provides child welfare services. If the home has a pool, hot tub, another free-standing body of water, or a sauna, the applicants also must complete training in CPR and pool safety before licensure.

Foster parents must attend 4 hours annually of training in foster parenting that is provided or approved by the agency that provides child welfare services.

The annual training or portions of the annual training may for good cause, as determined by the agency that provides child welfare services, be obtained from another agency that places foster children, as a substitute for the training provided by the agency that provides child welfare services, if at least one foster parent participates in the training.

Minimum Standards for Foster Homes**Admin. Code §§ 424.350 through 424.425**

A foster home should be reasonably accessible to educational and religious facilities, medical care, recreational facilities, special facilities for training and guidance of children to be served, fire services and visits from parents and agency staff. The grounds of a foster home must include outdoor space as a recreational area suitable for the size, number, and age of the children accepted for foster care.

The foster home must have at least 200 square feet of living space per occupant, including foster children. All rooms used as living or sleeping quarters, including kitchens and lavatories, must be clean, lighted, well-ventilated, and heated. Rooms must have furnishings comfortable and suitable for use by children as appropriate.

Rooms used by children for sleeping must have a minimum of 35 square feet per child and 3 feet of floor space between beds. Children of the opposite sex who are age 5 or older must not share a bedroom, and children over age 12 months must not sleep in the same room with an adult.

Each child must be provided with his or her own bed that must be at least 30 inches wide and of a length that is adequate for the child's height.

A family foster home must have:

- At least one toilet and one tub or shower and at least one washbasin with hot and cold running water
- Portable fire extinguishers on each story of the structure
- Smoke detectors in every room where foster children sleep
- A telephone, where available

Approval Process**Rev. Stat. §§ 424.031; 424.033; Admin. Code §§ 424.120; 423.130; 424.275**

The licensing authority shall obtain from appropriate law enforcement agencies information on the background and personal history of each applicant and resident of a foster home who is age 18 or older to determine whether the person has been arrested for or convicted of any crime.

For each person being investigated, the licensing authority shall conduct a child abuse and neglect screening in every State in which the person has resided during the immediately preceding 5 years.

In regulation: A licensing authority representative shall conduct a fair and impartial investigation of each foster home after receipt of an application for licensure and shall investigate the home to determine whether the licensing requirements are met. A licensing authority representative may visit the foster home at any time, announced or unannounced, to determine compliance with licensing requirements and must be available for consultation as appropriate. The licensing authority representative shall visit each foster home at least once during the annual licensing period. That visit may be conducted as part of the initial issuance of a license or the renewal of a license.

A licensing authority representative shall conduct a fair and impartial inspection of each foster home at initial licensing and at least one visit annually thereafter. The licensing authority representative may request any health, fire, building, or other inspection if he or she has any reason for concern regarding the health or safety of the foster home.

Adults who provide foster care for children shall provide evidence of their character and ability to care for children. The licensing authority must have received at least five satisfactory references for such a person.

Grounds for Withholding Approval**Admin. Code §§ 424.110; 424.185 through 424.195**

Intentional misrepresentation or omission of information on a foster home application is cause for the immediate denial of the application or revocation of the license. Such a denial or revocation is not subject to appeal.

The licensing authority shall deny a license to operate a foster home for a failure or refusal to comply with the licensing requirements for a foster home. The licensing authority shall evaluate that compliance based on information gathered as well as on its interpretation of that information considering its experience with foster children and foster homes. The first responsibility of the licensing authority is to ensure licensed foster homes can provide for foster children. The licensing authority is not required to prove noncompliance in those areas which are a matter of judgment but may deny, suspend, or revoke licensure based on reasonable doubt.

Any applicant who has a finding of substantiated abuse or neglect of a child or whose own children have been in foster care or otherwise placed outside of the home for the purpose of adoption or foster care must be denied a license to operate a foster home.

A license to operate a foster home must not be issued if the applicant or a household member has ever had a felony conviction for:

- Child abuse or neglect
- Spousal abuse
- Any crime against children, including child pornography
- Any crime involving violence, including rape, sexual assault, or homicide, but not including any other physical assault or battery
- Physical assault, battery, or a drug-related offense, if the offense was committed within the last 5 years

Kinship Foster Care

This issue is not addressed in the statutes and regulations reviewed.

Foster to Adopt

This issue is not addressed in the statutes and regulations reviewed.

Interjurisdictional Approval**Rev. Stat. § 127.330**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notifies the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

State regulations [full text](#) (PDF - 68 KB)

New Hampshire

Who May Apply

Admin. Rules, He-C 6446.03

Any person, regardless of race, sex, religion, ethnicity, marital status, sexual orientation, national origin, or physical or mental disability may apply for a foster family care license or permit. The applicant or at least one applicant if more than one person is applying together shall:

- Be at least age 21 as of the date of the application
- Have sufficient income to meet monthly expenses of the household and the foster home and to provide for the needs of children in care
- Be able to communicate in English
- Have a high school diploma or its equivalent
- If the applicant will transport children in care, show proof of possession of:
 - » A valid New Hampshire driver's license
 - » An automobile that has passed its most recent State inspection
 - » Automobile liability insurance

Each applicant shall demonstrate his or her ability to:

- Provide a child in care with a safe, nurturing, and stable family environment that is free from abuse and neglect
- Provide for the basic needs of a child in care, including those for food, clothing, shelter, and supervision
- Honor and uphold the bill of rights for children in foster care
- Promote the physical, mental, educational, and emotional development of a child in care
- Show respect for the linguistic, ethnic, spiritual, and cultural background of a child in care
- Demonstrate freedom from physical, mental, or emotional illness that would impair his or her ability to provide for the care of children

Training Requirements

Admin. Rules, He-C 6446.11; 6446.19

Prior to the issuance of an initial license, the applicant shall attend in its entirety prelicensing training required by the department. The prelicensing training shall consist of a total of at least 21 hours of training that shall include, but is not limited to:

- An orientation to the foster care system
- A review of the laws and regulations pertaining to foster care
- The impact of trauma on child growth and development
- Understanding grief and loss
- Maintaining family connectedness
- The guidance and positive discipline of children
- The impact of sexual abuse and maintaining a safe environment

Each foster parent shall complete a minimum of 16 hours of competency-based inservice training during the 2-year licensing period. The inservice training shall:

- Be approved by the licensing agency
- Be offered in units of training that are a minimum of 1 hour in duration
- Offer skill and competency building to foster parents to meet the needs of the children in care related to:
 - » Child growth and development
 - » Foster family management, including household organization, setting standards, and stress management
 - » Family systems

Minimum Standards for Foster Homes**Admin. Rules, He-C 6446.08**

The foster home shall be constructed, arranged, maintained, and furnished to provide for the health and safety of household members and all children in care. The foster home shall:

- Include a minimum of one indoor bathroom for every eight persons in the household
- Include at least one telephone for incoming and outgoing calls
- Provide a separate bed for each child in care
- Include a bedroom separate from adults for each child in care who is older than age 1
- Provide a bedroom separate from children of the opposite gender who are over age 5
- Have documentation from the local or State fire inspector that the foster home conforms to the fire safety code
- Be equipped with an approved smoke detector outside each separate sleeping area and on each floor and at least one working fire extinguisher
- Have documentation by a local health officer that the home conforms to the applicable local building, sanitation, and maintenance standards

If the applicant is the owner of the foster home, he or she shall provide proof of possessing current homeowner's insurance that includes liability coverage. If the applicant rents the foster home, he or she shall provide proof of possessing current renter's insurance that includes liability coverage.

All weapons and firearms in the foster home shall be kept in a locked cabinet, storage container, or be secured with trigger locks. Ammunition shall be stored and locked separately from the weapon or firearm.

Approval Process**Admin. Rules, He-C 6446.06; 6446.07; 6446.09; 6446.10**

The applicant and all household members age 17 and older shall be subject to a criminal records search through State and local police and other States if the individual has not resided in New Hampshire for the preceding 7 years.

The applicant and all household members age 17 and older shall be subject to a central registry check to determine if their name appears as a perpetrator in the central registry.

The applicant and all household members shall meet in the foster home with representatives of the licensing agency at least once prior to the issuance of a permit and at least twice prior to the issuance of a license for a sufficient amount of time to allow representatives of the licensing agency to evaluate the foster home and assess the abilities of the applicant. The applicant and all household members shall cooperate with the licensing agency during the home study and family assessment process.

Grounds for Withholding Approval**Rev. Stat. §170-E:35; Admin. Rules, He-C 6446.27**

The department may refuse to issue a license to any person who:

- Neglects or abuses children in his or her care
- Is unable to meet and maintain standards adopted by the commissioner
- Furnishes or makes any misleading or any false statement to the department or child-placing agency
- Fails to submit any records required for making an investigation of the facility for licensing purposes
- Fails to submit to an investigation or the required visits
- Fails to admit representatives of the department at any reasonable time for the purpose of investigation or visit
- Fails to provide, maintain, equip, and keep in safe and sanitary condition premises used for child care
- Fails to maintain financial or other resources adequate for the satisfactory care of children

In regulation: In addition to the reasons specified above, the department shall deny an application for a license if the applicant:

- Is the subject of a founded report of child abuse or neglect in any State
- Has been convicted of felony child abuse or neglect, spousal abuse, any crime against children, child pornography, rape, sexual assault, or homicide
- Has been convicted of felony physical assault, battery, or a drug-related offense that was committed within the past 5 years
- Has been convicted of a violent or sexually-related crime against a child or a crime that shows the person might reasonably be expected to pose a threat to a child
- Has a motor vehicle record that shows the applicant might reasonably be expected to pose a threat of harm to a child
- Does not fully comply with foster family care licensing requirements
- Had a foster family care license or permit denied
- Presents a set of qualifications that, when taken as a whole, does not affirmatively show a commitment to the purposes of foster family care

Kinship Foster Care

This issue is not addressed in the statutes and regulations reviewed.

Foster to Adopt

This issue is not addressed in the statutes and regulations reviewed.

Interjurisdictional Approval**Rev. Stat. § 170-A:1**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

Department of Health and Human Services, ['Becoming a Foster Parent'](#)

State regulations [full text](#) (PDF - 80 KB)

New Jersey**Who May Apply****Admin. Code §§ 10:122C-2.1; 10:122C-5.1**

An applicant for an initial license shall be at least age 18 and a resident of New Jersey. If there is more than one resource family parent applicant in the household, the applicants shall submit a single application for a single license. Each applicant shall meet all requirements for licensure. When a couple lives together, both partners shall be considered to be resource family parents who shall meet the requirements contained in this chapter.

The resource family parent shall:

- Be of good character
- Possess skills, attributes, and characteristics conducive to caring effectively for a child in placement
- Be in sufficient physical, mental, and emotional health to perform his or her duties satisfactorily
- Be free of serious contagious diseases that may put a child in placement at risk
- Demonstrate reasonable and mature attitudes toward professional figures and institutions
- Have sufficient income so that they are economically independent of board subsidy payments
- Be able to provide daily care and supervision for each child in placement, as appropriate to the child's age and needs

Training Requirements**Admin. Code § 10:122C-5.6**

Prior to the issuance of a license, each applicant shall complete preservice training, provided or approved by the Department of Children and Families, that will adequately prepare the applicant with the appropriate knowledge and skills to provide for the needs of the children who are or may be placed in the home.

Each resource family parent shall complete annual inservice training, provided or approved by the department, that will provide the resource family parent with the appropriate knowledge and skills to continue to provide for the needs of the children placed in the home.

Minimum Standards for Foster Homes**Admin. Code §§ 10:122C-4.1; 10:112C-4.2; 10:122C-4.3; 10:122C-8.1**

In order to receive and maintain an initial or renewal license, the resource family home shall be in compliance with all applicable local and State laws, including the New Jersey Uniform Construction Code, as specified in N.J.A.C. 5:23, and the New Jersey Uniform Fire Code, as specified in N.J.A.C. 5:70, with respect to occupancy of a dwelling and health and fire safety provisions.

A telephone shall be in service in the home at all times when a child in placement is present.

At least one toilet, one washbasin and one bathtub or shower shall be provided in the home and shall be in good working order.

Each child in placement shall be provided with his or her own bed, bassinet, or crib, as age-appropriate, that is located in a bedroom and kept in a sanitary condition. The bedroom shall have natural light and ventilation provided by one or more windows opening directly to the exterior. Each child in placement shall sleep in a bedroom that is sufficient in size to provide for the safety, privacy, and comfort of the child.

A battery-operated or hard-wired smoke detector shall be installed on each floor of the home and operable at all times. A carbon monoxide detector must be in operation adjacent to each bedroom area if the home contains fuel-burning appliances or has an attached garage used for motor vehicles.

Each resource family parent, household member, or other person known to the resource family parent who provides transportation to a child in placement shall have a current driver's license, automobile insurance coverage, and a vehicle with ample space, seatbelts, and age-appropriate safety seats for each child. Each resource family parent providing transportation to a child placed with him or her shall maintain current automobile insurance throughout his or her career as a resource family parent.

Approval Process**Admin. Code § 10:122C-2.1**

The applicant shall cooperate with the department or contract agency in the completion of all components of the home study process. The components of the home study process for an initial license shall include:

- Inspection of the resource family home and surrounding area
- Interviews with each resource family parent, child, and other household member
- Completion of preservice training
- Completion and submission by the applicant of the following:
 - » Resource Family Parent Home Study/Licensing Application
 - » Consent for release of information
 - » Medical, personal, employment, school/day care, and child care references
 - » Information necessary for a State and Federal criminal history fingerprint-based background check for each applicant and household member age 18 or older
 - » Information necessary for a child abuse record check for each applicant and household member age 18 years or older
 - » Disclosure of any convictions for crimes or disorderly persons offenses for each applicant and each household member age 14 or older
 - » A Resource Family Care Agreement
 - » An agreement not to use unacceptable methods of discipline, including corporal punishment, hitting and shaking, abusive language, ridicule, humiliation, other forms of degradation, deprivation of meals or sleep, forcing a child to do strenuous physical work or exercise, denying the child communication or mail, removing or threatening to remove the child from the home, denying or threatening to deny family visits, or denying the child access to needed treatment services or medication
 - » A statement of financial resources

Grounds for Withholding Approval**Admin. Code § 10:122C-2.5**

The Office of Licensing shall deny an application if the applicant or any household member age 18 or older has been convicted of a crime or offense specified in N.J. Statute § 30:4C-26.8.

The Office of Licensing is authorized to deny an application for good cause, including, but not limited to, the following:

- Failure to comply with the provisions of this chapter
- Fraud or misrepresentation in obtaining a license
- Refusal to permit an authorized representative of the department to gain admission to the home or to conduct an inspection or investigation
- A conviction by the applicant or a household member age 18 or older for any crime or offense
- A determination that a report of child abuse or neglect by the applicant or a household member has been substantiated
- Any conduct, engaged in or permitted, that presents a serious hazard to the education; health; safety; general well-being; or physical, emotional, and social development of a child, or that otherwise fails to comply with the standards required for the provision of resource family care to a child and the maintenance of a resource family home

Kinship Foster Care**Ann. Stat. § 30:4C-12.1; Admin. Code § 10:122C-2.1**

In any case in which the Department of Children and Families accepts a child in its care or custody, including placement, the department shall initiate a search for relatives who may be willing and able to provide the care and support required by the child. The search shall be initiated within 30 days of the department's acceptance of the child in its care or custody. The department shall complete an assessment of each interested relative's ability to provide the care and support, including placement, required by the child.

In regulation: Kinship care providers must be licensed. An applicant seeking to provide kinship care may be approved to care for a child prior to the issuance of a license, provided that all of the following conditions are met:

- A life/safety inspection of the home reveals no health, safety, or fire hazards in the physical facility of the home and the premises where the home is located.
- A child abuse and neglect records check reveals that no adult residing in the home has been responsible for an incident of sexual abuse of a child, child abuse or neglect that caused serious injury or harm to a child, death to a child through abuse or neglect, or put a child at risk of serious injury or harm.
- A check of court records reveals that no person residing in the home has been convicted of a crime specified in N.J. Statutes § 30:4C-26.8.
- The applicant submits an application for licensure within 5 days following the placement of a child in the home.

Foster to Adopt

This issue is not addressed in the statutes or regulations reviewed.

Interjurisdictional Approval**Ann. Stat. § 9:23-5**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

Department of Children and Families, ['Become a Foster Parent: Requirements'](#)

Department of Children and Families, ['Kinship Care'](#)

State regulations [full text](#) (PDF - 146 KB)

New Mexico**Who May Apply****Admin. Code § 8.26.4.12**

All foster care applicants are assessed for their suitability to care for children who might be placed in their home.

Training Requirements**Ann. Stat. § 32A-18-1**

A person who serves as a foster parent shall receive periodic training, to the extent of available resources, to develop his or her knowledge about children, the physical and psychological formation of children, and the impact of ethnicity on a child's needs. The training shall include study of:

- Cross-cultural dynamics and sensitivity
- Child development
- Family composition and dynamics
- Parenting skills and practices
- Culturally appropriate treatment plans
- Alternative health practices

Minimum Standards for Foster Homes**Admin. Code § 8.26.4.13**

A foster home shall have an adequate supply of sanitary water. It shall be kept clean and free of dirt, waste, and infestations of insects and rodents. Toilet and bathing facilities shall be provided and maintained in a sanitary manner.

A foster home shall have a separate bedroom for the foster parents and for any other adults living in or frequently residing in the home. This shall not preclude a foster child under age 18 months from sleeping in the same room with his or her foster parents provided that bedroom space is available for the foster child when he or she reaches age 18 months.

There shall be a separate bed provided for each foster child, except that two children of the same gender may sleep in the same double bed. A foster child over age 5 shall not share a bedroom with another nonrelated child of the opposite gender.

A foster home shall have access to a safe indoor and outdoor designated play area. All outdoor play space and toys, swings, and other outdoor equipment shall be maintained in a sound state of repair and free of projecting sharp edges, splinters, or other hazards.

A foster home shall have at least one fire extinguisher and smoke detectors appropriate for the square footage.

At initial licensure, the licensing agent will check the list of properties on clandestine drug laboratories in New Mexico to verify the home has not been listed as a contaminated property. This verification shall be documented in the home study. Homes that are listed as contaminated properties shall not be licensed.

At initial licensure the licensing agent will check the statewide methamphetamine contamination registry to verify the home has not been registered. This verification shall be documented in the home study. Homes that appear on the registry shall not be licensed.

Approval Process**Admin. Code § 8.26.4.12**

Although any previous foster care assessments and home studies that are obtainable shall be considered, the licensing agent shall conduct an independent assessment and home study. In addition to the criminal records checks and abuse and neglect checks, the minimum documentation required for the assessment process includes:

- A physical exam report that certifies that all adult household members are in good mental and physical health
- Immunization records for any child residing in the home
- A copy of the applicant's driver's license and proof of motor vehicle insurance
- A copy of the applicant's current marriage license
- Proof of school enrollment or home schooling for all school-aged children residing in the home
- Proof of the applicant's U.S. citizenship or permanent residency
- A signed release of information form
- A signed foster parent agreement

The licensing agent shall contact the three references provided by the applicant and shall contact any adult children living out of the parental home. The purpose of the contact is to assist in determining the applicant's suitability to become a foster parent. The licensing agent shall conduct at least one individual interview with each adult living in the applicant's home. This includes children and any relatives or other adults living in the home. If any person who lives in the home declines to be interviewed, the foster home shall not be licensed or certified. A minimum of two home visits shall be made to the proposed foster or adoptive home.

Grounds for Withholding Approval**Admin. Code §§ 8.26.4.19; 8.8.3.12; 8.8.3.13; 8.8.3.14**

An application may be denied based on a documented professional assessment that the applicant cannot adequately provide safety, permanency, and well-being for children or when in the professional opinion of the licensing agent, conditions in the prospective foster home are not conducive to the fostering of children. Licensure may not be granted if a background check of the licensee reveals an unreasonable risk. The following information shall result in a conclusion that the applicant is an unreasonable risk:

- A conviction for an offense involving moral turpitude, and the criminal conviction directly relates to whether the applicant can provide a safe, responsible, and morally positive setting
- A conviction for an offense involving moral turpitude, and the criminal conviction does not directly relate to whether the applicant can provide a safe, responsible, and morally positive setting for care recipients if the department determines that the applicant has not been sufficiently rehabilitated
- A conviction, regardless of the degree of the crime or the date of the conviction, of trafficking in controlled substances, criminal sexual penetration, or related sexual offenses or child abuse
- A substantiated referral, regardless of the date, for sexual abuse or for neglect characterized by a failure to protect against sexual abuse

In determining whether an applicant poses an unreasonable risk, the department need not limit its reliance on formal convictions or substantiated referrals, but nonetheless must only rely on reliable evidence, such as:

- Disclosures by the applicant or a victim of abuse or neglect
- Domestic violence orders
- Child or adult protection investigative evidence that indicates a likelihood that an applicant engaged in inappropriate conduct

Kinship Foster Care**Admin. Code § 8.8.3.9**

Relative care providers are not required to be licensed or registered.

Foster to Adopt**Admin. Code § 8.26.2.23**

The Protective Services Division (PSD) shall attempt to place foster children with concurrent plans of adoption in foster homes that have been identified as concurrent families. PSD completes the preplacement home study for foster parents and treatment foster parents who have been selected as adoptive parents for children in PSD custody.

Interjurisdictional Approval**Ann. Stat. § 32A-11-1**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

State regulations [full text](#) (PDF - 62 KB)

New York**Who May Apply****Code of Rules & Regs. Tit. 18, § 443.2**

Each foster parent must be age 21 or older. Each member of the household of the foster family must be in good physical and mental health and free from communicable diseases. Each applicant must understand the role of a foster parent and possess the ability, motivation, and psychological readiness to be a foster parent.

Training Requirements**Code of Rules & Regs. Tit. 18, § 443.2**

Authorized agencies must orient applicants who have been accepted for a home study or, in the case of relatives who are in the process of a home study, to:

- The social, family, and personal problems that lead to family breakdown and the need for the placement of children
- The problems and reactions of children upon separation
- The nature of the relationship of agency staff to foster parents and children, including definitions of the function and responsibility of the social workers assigned to the children and their families
- The payments to foster parents for care and expenses
- The definition of foster family care and certification or approval of the home
- The rights and responsibilities of a foster parent

Authorized agencies must provide training to each certified or approved foster parent in a training program approved by the Office of Children and Family Services that will prepare foster parents to meet the needs of children in their care so that the best interests of the children placed by the agency will be met.

Before a child is placed in a foster home, the agency must prepare the foster parent with appropriate knowledge and skills to provide for the needs of the child. Such preparation must be continued, as needed, after the placement of the child.

Minimum Standards for Foster Homes**Code of Rules & Regs. Tit. 18, § 443.3**

The physical facilities of the foster home or relative foster home must be in good condition and present no hazard to the health and safety of children. The foster home must be in substantial compliance with all applicable provisions of State and local laws, ordinances, rules, and regulations concerning health and safety. The physical space, construction, and maintenance of the foster home and premises must be in good repair and kept in a sufficiently clean and sanitary condition so that the physical well-being as well as a reasonable degree of physical comfort is assured the members of the foster family.

Separate bedrooms are required for children of the opposite sex older than age 7 unless the children are siblings or half-siblings sharing the same bedroom and the alternative sleeping arrangement is consistent with the health, safety, and welfare of each of the siblings or half-siblings and is necessary to keep the siblings or half-siblings placed together in the same foster home. No more than three persons may occupy any bedroom where children sleep unless the children are siblings or half-siblings.

No child older than age 3 may sleep in the same room with an adult of the opposite sex. Children must not sleep together in the same bed with an adult. Each child must have sleeping space of sufficient size for the child's safety, comfort, and privacy. Each child must have a separate bed or crib of sufficient size and cleanliness for the comfort and well-being of the child.

There must be an adequate and safe supply of water for drinking and household use. Adequate bathing, toilet, and lavatory facilities must be provided and kept in sanitary condition. The home must be free from fire hazards and equipped with at least one smoke detector.

Approval Process**Code of Rules & Regs. Tit. 18, § 443.2**

Each applicant and each person over age 18 currently residing in the home must provide:

- Fingerprints for the purpose of a criminal history record check
- Completed forms for the agency to inquire whether any of them are the subject of an indicated child abuse or maltreatment report on file with the Statewide Central Register of Child Abuse and Maltreatment and, where applicable, to request child abuse and maltreatment information from the applicable child welfare agency of a State where the person resided in the 5 years preceding the application

Each agency must establish a procedure to review and evaluate the backgrounds of and information supplied by all applicants for certification or approval. As part of this procedure, applicants must be required to submit all of the following information:

- Employment history
- References who can verify the applicant's employment history, work record, and qualifications
- At least three personal references, other than relatives, who can attest to the applicant's character, habits, reputation, and personal qualifications
- A sworn statement by the applicant indicating whether, to the best of his or her knowledge, he or she or any other person over age 18 currently residing in the home has ever been convicted of a crime in New York State or any other jurisdiction
- A medical report regarding the foster family's general health; the absence of communicable disease, infection, or illness; or any physical conditions that might affect the proper care of a foster child
- The result of a tuberculosis screening

Grounds for Withholding Approval**Code of Rules & Regs. Tit. 18, §§ 443.2 ; 443.8**

An agency may deny an application for certification when the Office of Children and Family Services has notified the agency that the applicant is the subject of an indicated report of child abuse or maltreatment on file with the Statewide Central Register of Child Abuse and Maltreatment.

An application for certification as a foster parent will be denied when a criminal history record of the prospective foster parent reveals:

- A felony conviction at any time involving:
 - » Child abuse or neglect
 - » Spousal abuse
 - » A crime against a child, including child pornography
 - » A crime involving violence, including rape, sexual assault, or homicide, other than a crime involving physical assault or battery
- A felony conviction within the past 5 years for physical assault, battery, or a drug-related offense

Kinship Foster Care**Code of Rules & Regs. Tit. 18, § 443.7**

The home of a relative of a foster child may be approved as an emergency foster home if the social services district documents a compelling reason why such home needs to be approved on an emergency basis and an eligible relative or nonrelative volunteers to provide foster care to the child. An eligible nonrelative may include, but is not limited to, a child's godparent, neighbor, family friend, or an adult with a positive relationship with the child.

Before placing a foster child with an eligible relative on an emergency basis, the agency must perform a home study of the relative's home and family on an expedited basis to assess the relative's home to ensure that there is no apparent risk to the health and safety of the child. As part of the home study, the agency must:

- Obtain information necessary to contact character references
- Review agency records to determine whether or not the relatives have a prior history of abuse or maltreatment

If the home is found suitable after the requirements above have been completed, it will be approved as an emergency foster home or an emergency relative foster home for 90 days from the date of placement of the child in the home.

The agency must obtain a completed State Central Register Clearance form if the applicant or other person age 18 or older who resides in the home of the applicant resided in another State at any time during the 5 years preceding the emergency approval. The foster parents and each person age 18 or older currently residing in such home must submit fingerprint cards to the agency within 2 weeks for the purpose of a State and Federal criminal history record check.

For an emergency foster home to receive final certification or approval, all requirements for certification or approval as a foster home must be met within 90 days from the date of placement.

Foster to Adopt**Code of Rules & Regs. Tit. 18, § 443.9**

At the time of application for certification or approval as a foster parent, an applicant is authorized, but not required, to also apply for approval as an adoptive parent. Nothing herein may be deemed to require an individual to apply for concurrent certification/approval. The standards for studying an individual for approval as an adoptive parent are the same as those for the certification or approval of a foster parent. An applicant for concurrent foster home certification/approval and adoptive parent approval will not be required to submit dual documentation to the authorized agency.

In addition to the standards referenced above, the authorized agency must apply the marital standards as set forth in § 421.16(d) of this Title.

An authorized agency may reject an applicant if it is determined, after a thorough adoption study, that:

- The applicant is physically or emotionally incapable of caring for an adopted child.
- The applicant's approval would not be in the best interests of the children awaiting adoptions.

Interjurisdictional Approval

Code of Rules & Regs. Tit. 18, § 443.2

When the Office of Children and Family Services, through the Interstate Compact on the Placement of Children, receives a request to conduct a home study for the certification or approval of persons in New York as foster parents for the placement of a foster child from another State, the office will transmit the request to the social services district in which the prospective foster parents reside for the purpose of conducting a home study and approving the prospective foster parents in accordance with these regulations. The social services district must complete and return the home study to the Office of Children and Family Services and to the State or local agency that submitted the request within 60 days.

The term 'home study' means an assessment of the safety and suitability of placing the child in the home of the prospective foster parents based on an evaluation of a home environment conducted in accordance with applicable requirements of regulation to determine whether the proposed placement would meet the individual needs of the child, including the child's safety; permanency; health; well-being; and mental, emotional, and physical development.

When a social services district proposes to place a foster child with prospective foster parents in another State, the social services district must treat a home study received from another State, Indian Tribe, or private agency under contract with the other State as meeting the requirements imposed by New York State for the completion of a home study before placing a child or children in the home, unless within 14 days of receipt of the home study, the social services district determines, based on the content of the home study, that making a decision in reliance on the home study would be contrary to the welfare of the child.

Links to Resources

New York State [Foster Parent Manual](#) (PDF - 1246 KB)

New York State [Foster Parent's Guide to Adoption](#): (PDF - 1387 KB)

State regulations [full text](#) (PDF - 129 KB)

North Carolina

Who May Apply

Admin. Code Tit. 10A, § 70E.1104

Foster parents shall be persons whose behaviors, circumstances, and health are conducive to the safety and well-being of children. The foster parent must be age 21 or older.

The foster family shall be in good physical and mental health as evidenced by:

- A medical examination completed within the last 12 months
- Documentation that each adult member of the household has had a tuberculosis skin test or chest x-ray
- A medical history form completed on each member of the household
- No indication of alcohol abuse, drug abuse, or illegal drug use by a member of the foster family
- No indication that a member of the foster family is a perpetrator of domestic violence
- No indication that a member of the foster family has abused, neglected, or exploited a disabled adult
- No indication that a member of the foster family has been placed on the North Carolina Sex Offender and Public Protection Registry
- No indication that a member of the foster family has been placed on the Health Care Personnel Registry
- No indication that a member of the foster family has been found to have abused or neglected a child

Foster parent applicants shall have graduated from high school, received a GED (Graduate Equivalency Diploma), or have an ability to read and write.

Foster parent applicants who are married are presumed to be co-parents in the same household and both shall complete all licensing requirements. Adults age 21 or older, living in currently licensed or newly licensed foster homes who have responsibility for the care, supervision, or discipline of the foster child, shall complete all licensing requirements.

Training Requirements**Gen. Stat. § 131D-10.6A; Admin. Code Tit. 10A, § 70E.1117**

The Division of Social Services, Department of Health and Human Services, shall require a minimum of 30 hours of preservice training for foster care parents, either prior to licensure or within 6 months from the date a provisional license is issued, and a minimum of 10 hours of continuing education for all foster care parents annually after the year in which a license is obtained.

In regulation: Preservice training shall include:

- Communication skills
- Understanding the dynamics of foster care
- Separation and loss; attachment and trust
- Child and adolescent development
- Behavior management
- Working with birth families and maintaining connections
- Lifebook preparation
- Planned moves and the impact of disruptions
- The impact of placement on foster families
- Teamwork to achieve permanence
- Cultural sensitivity
- Confidentiality
- Health and safety

Training in first aid, CPR, and universal precautions shall be provided to foster parents before a foster child is placed with the foster family.

Child-specific training shall be provided to the foster parents as required in the out-of-home family services agreement or person-centered plan as a condition of the child being placed in the foster home.

Prior to licensure renewal, each foster parent shall successfully complete at least 20 hours of inservice training. This training may be child-specific or may concern issues relevant to the general population of children in foster care. A foster parent may complete training provided by a community college, a licensed supervising agency, or other departments of State or county governments.

Minimum Standards for Foster Homes**Admin. Code Tit. 10A, §§ 70E.1108 through 70E.1112**

Before a home is licensed, it shall be inspected and receive a passing rating on the fire and building safety inspection report completed by the local fire inspector. All homes shall have:

- A fire extinguisher
- Smoke alarms installed in or near every sleeping area
- A carbon monoxide detector
- Telephone service

The home and yard shall be maintained and repaired so that they are not hazardous to the children in care. The house shall be kept free of uncontrolled rodents and insects.

The kitchen shall be equipped with an operable stove and refrigerator; running water; and eating, cooking, and drinking utensils to accommodate the household members. Household equipment and furniture shall be in good repair.

Flammable and poisonous substances, medications, and cleaning materials shall be stored out of the reach of children placed for foster care.

Each home shall have a family room to meet the needs of the family including children placed for foster care. The kitchen shall be large enough for preparation of food and cleaning of dishes. Each home shall have a dining area to meet the needs of the family including children placed for foster care.

Each child shall have his or her own bed. The sleeping room shall not be shared by children of the opposite sex except by children age 5 and younger. When children share a bedroom, a child under 6 shall not share a room with a child over 12, except when siblings are placed together. No more than four children shall share a room.

The home shall have an indoor, operable sanitary toilet and hand-washing and bathing facilities.

Approval Process**Admin. Code Tit. 10A, §§ 70E.0802; 0803; 0804; 1116**

The mutual home assessment shall be carried out in a series of planned discussions between the supervising agency staff, the prospective foster parent applicants, and other members of the household. The family shall be seen by the social worker in the family's home and in the supervising agency's office. For two-parent homes, separate as well as joint discussions with both parents shall be arranged.

A mutual home assessment shall include a family history of applicants, including information about parents, siblings, marriages and family support systems; ability to cope with problems, stress, frustrations, crises, and loss; disciplinary methods; personal experiences of abuse and neglect and domestic violence; criminal convictions; drug or alcohol abuse; emotional stability and maturity; ability to give and receive affection; religious orientation, if any; and educational and employment history.

An assessment shall be made of the applicants' skills and abilities to provide care for children. All members of the household shall be assessed with respect to their commitment to providing care for children. The foster home shall be assessed to determine if there is space to accommodate the number of children recommended for the license capacity. The applicants shall be assessed with respect to their financial ability to provide foster care.

References shall be used to supplement the information obtained through interviews and observation regarding the applicants. All adult members of the foster home shall provide three references to the supervising agency.

The supervising agency shall conduct a local criminal history check through accessing the Administrative Office of the Courts and the Department of Corrections Offender Population Unified System and submit the results of the criminal history checks to the licensing authority.

Grounds for Withholding Approval**Admin. Code Tit. 10A, §§ 70E.1114; 70E.1115**

An applicant shall not be licensed if the applicant or any member of the applicant's household age 18 or older refuses to consent to a criminal history check.

An applicant or any member of the applicant's household is not eligible for licensure if the applicant or any member of the applicant's household has been convicted of a felony involving:

- Child abuse or neglect
- Spouse abuse
- A crime against a child, including child pornography
- A crime involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery

An applicant or any member of the applicant's household is not eligible for licensure if the applicant or any member of the applicant's household has within the last 5 years been convicted of a felony involving physical assault, battery, or a drug-related offense.

An applicant is not eligible for licensure if the applicant has within the last 5 years been substantiated for abuse or serious neglect and is placed on the Responsible Individuals List.

Kinship Foster Care**Gen. Stat. § 7B-505**

In placing a child in out-of-home care, the court shall first consider whether a relative of the child is willing and able to provide proper care and supervision of the child in a safe home. If the court finds that the relative is willing and able to provide proper care and supervision in a safe home, then the court shall order placement of the child with the relative unless the court finds that placement with the relative would be contrary to the best interests of the child.

Foster to Adopt

This issue is not addressed in the statutes and regulations reviewed

Interjurisdictional Approval**Gen. Stat. § 7B-3800; Admin. Code Tit. 10A, § 70E.0710**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

In regulation: The use of out-of-State foster homes for the placement of children in the custody of a North Carolina county Department of Social Services shall be in accordance with the following:

- Prior to placement into an out-of-State foster home, the county department placing the child in the out-of-State facility shall determine that the foster home is licensed according to the standards of that State.
- The county department shall monitor the licensing and relicensing of the out-of-State foster home to ensure that no child for whom they have responsibility is in an unlicensed foster home.
- The county department shall submit to the licensing authority written documentation that an out-of-State foster home has been licensed and that an Interstate Compact for the Placement of Children form for the child to be placed out of state has been signed by both States in order for the foster home to be issued a license identification number for foster care reimbursement purposes.

Links to Resources

Division of Social Services, '[Foster Care](#)'

State regulations [full text](#) (PDF - 63 KB)

North Dakota**Who May Apply****Admin. Code § 75-03-14-04**

A person residing in the home may not have a present condition of substance abuse or emotional instability. A resident of a foster home, who has a past condition of substance abuse or emotional instability, should have had no incidents of substance abuse or emotional instability for a period of at least 12 months prior to licensure.

A person residing in the home may not have been the subject of a child abuse or neglect assessment where a services-required decision was made unless the foster care supervisor, after making appropriate consultation with persons qualified to evaluate the capabilities of the home's resident and imposing any restrictions deemed necessary, approves the issuance of a license, and:

- The home's resident can demonstrate the successful completion of an appropriate therapy.
- The home's resident can demonstrate the elimination of an underlying basis precipitating the neglect or abuse.

All foster parents, prior to licensing and annually thereafter, must submit a declaration of good health, including all residents of the home, in a manner and form determined by the department. The department may require a physical examination or psychological testing of any resident of the home as deemed necessary.

Physical disabilities or age of foster parents do not affect licensing of the home provided that the applicant can show that these factors do not significantly inhibit the ability of the foster parents to efficiently carry on the duties required of them.

A person openly and notoriously living with a person of the opposite sex as a married couple without being married to the other person may not be eligible for licensure.

Training Requirements**Cent. Code § 50-11-01.5**

Before initial licensure and each renewal, each foster parent shall complete a course of instruction related to fire prevention and safety. The State fire marshal shall design the course in cooperation with the Department of Human Services. The course must be available on videotape or any equivalent medium as designed by the department. The department shall offer the course throughout the State.

Minimum Standards for Foster Homes**Admin. Code § 75-03-14-03**

The home must be a dwelling, mobile home, housing unit, or apartment occupied by an individual or a single family. The home should have an operational telecommunications device and must have available to it some means to make immediate contact with authorities in emergencies.

The home shall have sleeping rooms adequate for the foster care family and the foster children. All sleeping rooms must be outside rooms and have ample window space for light and ventilation. Basements may be used for sleeping accommodations for children age 12 and older. Basement bedrooms must be equipped with the appropriate fire alarms and smoke detectors.

The house and premises must be clean, neat, and free from hazards that jeopardize health and safety. Firearms must be kept in locked storage or trigger locks must be used and ammunition must be kept separate from firearms.

The home must be equipped with adequate light, heat, ventilation, and plumbing for safe and comfortable occupancy. The house and grounds must be in compliance with any applicable State and local zoning requirements.

If required by the department, the home must satisfactorily complete a fire inspection by the local fire inspector. The home must be equipped with fire extinguishers, smoke detectors, and smoke alarms as recommended by the local fire inspector or State fire marshal. They must be in working condition at all times. In an apartment building, the fire extinguisher, smoke detectors, and smoke alarms must be inside the apartment.

Approval Process**Cent. Code § 50-11-02; Admin. Code § 75-03-14-02**

Before licensing or approving a facility providing foster care for children, the department shall seek a criminal history record when required by this chapter. The department shall consider any criminal history record information available at the time a licensing or approval decision is made.

In regulation: The foster home licensing process requires completion and documentation of the following items:

- Application form
- Compliance with fire and safety requirements
- Reference letters
- Medical history self-declaration
- Background check
- Home visits
- Home assessment

In those cases where the home of a Native American family, not subject to the jurisdiction of the State of North Dakota for licensing purposes, is located on a recognized Indian reservation in North Dakota, an affidavit from an agent of the Tribal child welfare agency or an appropriate Tribal officer must be accepted in lieu of a licensing procedure if the affidavit represents the following:

- An investigation of the home was completed by the Tribe's child welfare agency or Tribal council.
- The prospective home is in compliance with the standards required by North Dakota Century Code § 50-11-02.

Grounds for Withholding Approval**Admin. Code §§ 75-03-14-02; 75-03-14-04.1**

After reviewing an individual's application for family foster home licensure, the department may deny a license if:

- The application contains fraudulent information, an untrue representation, or is incomplete
- The home is in an unsanitary condition.
- The home is not properly equipped to provide for the health and safety of the children served.
- The applicant is not in compliance with the regulations prescribed by the department for the operation of a family foster home for children.

A family foster care applicant or members of the family foster care home must not have been found guilty of, pled guilty to, or pled no contest to:

- Homicide
- Assault, threats, or coercion
- Kidnapping
- Sexual imposition, corruption or solicitation of minors, sexual abuse of wards, or sexual assault
- Robbery or burglary, if a class B felony
- Promoting or facilitating prostitution or child procurement
- An offense, other than an offense listed above, if the department determines that the individual has not been sufficiently rehabilitated

Kinship Foster Care**Cent. Code § 50-11-01; Admin. Code § 75-02-01.2-02.2**

No person may furnish foster care for children for more than 30 days a year without first procuring a license. This provision does not apply when the care is provided in the home of a person related to the child by blood or marriage. A relative providing care shall submit to a criminal history record investigation as required under § 50-11-06.8.

In regulation: Kinship care provides a monthly maintenance payment to a child residing outside the child's parental home with a caregiver who is related to that child within the fifth degree of kinship. Before placing a child in kinship care for more than 30 days, the child's custodian must have completed a family study, a child abuse and neglect background check, and other investigations as the department may determine necessary to demonstrate that:

- The home in which care is provided is in fit and sanitary condition and properly equipped to provide good care to the child.
- The caregiver and other adults residing in the home properly qualify to carry out the duties and responsibilities of a kinship care provider.
- Kinship care provided in the home is for the public good in accordance with sound social policy and with due regard to the health, morality, and well-being of all children cared for in the home.
- The home is maintained according to standards prescribed for its conduct by the department.

For purposes of this section, a relative is within the fifth degree of kinship if the relative by birth, marriage, or adoption, is the child's sibling, niece, nephew, grandniece, grandnephew, grandparent, aunt, uncle, first cousin, first cousin once removed, great-grandparent, great-aunt, great-uncle, parent's first cousin, great-great-grandparent, great-great-aunt, great-great-uncle, or great-great-great-grandparent.

Foster to Adopt

This issue is not addressed in the statutes and regulations reviewed.

Interjurisdictional Approval**Cent. Code § 14-13-01**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

[Foster Parent Handbook](#) (PDF - 4963 KB)

State regulations [full text](#) (PDF - 41 KB)

Northern Mariana Islands**Who May Apply**

This issue is not addressed in the statutes reviewed.

Training Requirements

This issue is not addressed in the statutes reviewed.

Minimum Standards for Foster Homes**N.M.I. Comm. Code Tit. 1, § 2374(h)**

Certification is required for prospective foster parents in order to ensure a safe, healthy, and moral environment for the juvenile.

Approval Process

This issue is not addressed in the statutes reviewed.

Grounds for Withholding Approval

This issue is not addressed in the statutes reviewed.

Kinship Foster Care

This issue is not addressed in the statutes reviewed.

Foster to Adopt

This issue is not addressed in the statutes reviewed.

Interjurisdictional Approval

This issue is not addressed in the statutes reviewed.

Links to Resources

No resources are available online.

Ohio**Who May Apply****Admin. Code § 5101:2-7-02**

An applicant shall be at least age 21 at the time of initial certification. At least one applicant in the home shall be able to read, write, and speak in English or be able to effectively communicate with any child placed in their home and with the recommending agency.

An applicant may be a legally married couple, single person, or co-parent. An applicant shall have an income sufficient to meet the basic needs of the household and to make timely payment of shelter costs, utility bills, and other debts.

An applicant and all members of the applicant's household shall be free of any physical, emotional, or mental condition that would endanger a child or seriously impair the ability of the applicant to care for a foster child.

An applicant and all other persons age 18 or older who reside with the applicant shall not have been convicted of or pleaded guilty to any of the offenses listed in Appendix A.

Training Requirements**Rev. Code §§ 5103.031; 5103.032; 5103.033; 5103.035; 5103.039; 5103.011**

A prospective foster caregiver must successfully complete at least 36 hours of preplacement training through a preplacement training program approved by the Department of Job and Family Services.

The department may not renew a foster home certificate unless the foster caregiver successfully completes at least 40 hours of continuing training in the preceding 2-year period in accordance with the foster caregiver's needs assessment and continuing training plan.

For homes that will be caring for children who are less than 6 months old on the date of placement, the prospective foster caregiver must successfully complete at least 12 hours of preplacement training and at least 24 hours of continuing training every 2 years.

The agency shall develop and implement a written needs assessment and continuing training plan for the foster caregiver.

A preplacement training program shall consist of courses in the role of foster caregivers as a part of the care and treatment of foster children, including:

- The legal rights and responsibilities of foster caregivers
- Policies and procedures regarding foster caregivers
- The department's criteria for certifying foster homes
- The effects of placement, separation, and attachment issues
- The effects of abuse and neglect on growth and development
- Behavior management techniques
- Effects of caregiving on children's families
- Cultural issues in placement
- Prevention, recognition, and management of communicable diseases
- Community health and social services available to children and their families

A preplacement training program for prospective foster caregivers who will be caring for children younger than 6 months also shall address infant care and early childhood development.

Minimum Standards for Foster Homes**Admin. Code §§ 5101:2-7-05; 5101:2-7-12**

The presence of a foster child in a foster home shall not cause any other resident of the home to be deprived of a bed or bedroom. A bedroom for foster children shall accommodate no more than four children and provide a safe and comfortable sleeping area ensuring reasonable privacy and access to adult supervision, as appropriate to the age and functioning level of each foster child.

A foster child shall not share a bedroom with a child of the opposite sex, except when all children sharing the room are younger than age 5 or when a foster child who also is a parent is sharing a bedroom with his or her own child. Each foster child shall be provided with a clean, comfortable, permanent bed and mattress of his or her own. A permanent bed is one that cannot be converted to any other form.

A bunk bed in use shall be equipped with safety rails on the upper tier for a child younger than age 10 or for any child whose physical, mental, or emotional condition indicates the need for such protection. A bed shall not be bunked higher than two tiers. A child younger than age 6 shall not sleep on the upper bunk of a bunk bed.

A foster home and all structures on the grounds of the home shall be maintained in a clean, safe, and sanitary condition and in a reasonable state of repair. A foster home shall have:

- A working telephone
- A continuous supply of safe drinking water
- Working bathroom and toilet facilities located within the home and connected to an indoor plumbing system
- A working smoke alarm and portable fire extinguisher

Approval Process**Rev. Stat. §§ 5103.0324; 5103.0327; Admin. Code § 5101:2-7-02**

A public children's services agency, private child-placing agency, or private noncustodial agency to which the duty to inspect and approve a family foster home or treatment foster home has been delegated shall provide for an assessor to conduct a home study of the home.

Any physical examination required in the determination of foster home placement may be conducted by any individual authorized to conduct physical examinations, including a physician assistant, a clinical nurse specialist, a certified nurse practitioner, or a certified nurse-midwife.

In regulation: A criminal records check shall be requested for the foster care applicant and each adult who resides with the foster care applicant. The results shall be reviewed prior to the agency's recommendation for certification to the department.

An applicant shall obtain an approved inspection by a State-certified fire safety inspector or the State fire marshal's office certifying that the foster home is free from conditions hazardous to the safety of foster children. The approval must have occurred within 6 months prior to the initial recommendation for certification of the applicant's home by the agency and within 90 days of any change of address of the foster home.

An applicant shall complete all required preplacement and continuing training and any additional hours of training required by the recommending agency's written training plan.

Grounds for Withholding Approval**Admin. Code § 5101:2-7-02**

No person who has been convicted of or pleaded guilty to an offense listed below shall be certified as a foster caregiver or be an adult resident of the foster caregiver's household unless the recommending agency finds that person has met all of the following conditions:

- If the offense was a misdemeanor, at least 3 years have elapsed from the date the person was fully discharged from any imprisonment or probation arising from the conviction.
- If the offense was a felony, at least 10 years have elapsed.
- The person's certification as a foster caregiver or the person's residency in the foster caregiver's household will not jeopardize in any way the health, safety, or welfare of the children the agency serves.

Except as provided above, an applicant or other adult resident of the foster caregiver's household shall not have been convicted of or pleaded guilty to any offense listed in Appendix A, including homicide, assault, sex offenses, or drug offenses.

If any of the following have a felony conviction for spousal abuse, rape, sexual assault, or homicide, the foster home shall not be certified and no rehabilitation standards exist for:

- An adult resident in the household of a foster caregiver or applicant
- A foster caregiver or foster care applicant

Kinship Foster Care**Admin. Code § 5101:2-42-18**

Prior to placing a child with the relative or nonrelative substitute caregiver, the agency shall do the following to approve the placement:

- Collect identifying information on the prospective caregiver and others residing within the home
- Assure that a search of the statewide automated child welfare information system and the central registry of abuse and neglect has been completed for the prospective caregiver and others residing within the home
- Assess the safety of the home by checking on the:
 - » Cleanliness of the home
 - » Absence of hazardous conditions
 - » Proper heating, lighting, and ventilation
 - » Condition of indoor plumbing and toilet facilities
 - » Installation of a working smoke alarm on each level of the home
 - » Adequacy of each child's bedding and appropriateness to his or her needs
 - » Availability of a working telephone
- Provide the prospective caregiver with known information regarding educational, medical, child care, and special needs of the child, including information on how to access support services
- Assess the prospective caregiver's ability and willingness to provide care and supervision of the child and to provide a safe and appropriate placement for the child
- Submit fingerprints for the prospective relative or nonrelative caregiver and all adults residing within the home obtain criminal records checks

The agency shall not approve the placement if the relative or nonrelative had his or her parental rights involuntarily terminated or if the relative or nonrelative or other adults residing within the home have been convicted of or plead guilty to any offenses identified in rule 5101:2-7-02 of the Administrative Code.

Foster to Adopt**Rev. Code § 3107.012**

A foster caregiver may apply to obtain the services of an agency to arrange an adoption for the foster caregiver if he or she seeks to adopt the foster child who has resided in the foster caregiver's home for at least 6 months.

The department shall prescribe an application for a foster caregiver to use. The application shall not require that the foster caregiver provide any information the foster caregiver already provided the department, or undergo an inspection the foster caregiver already underwent, to obtain a foster home certificate.

An agency that receives an application for adoption from a foster caregiver shall not require, as a condition for accepting or approving the application, that the foster caregiver undergo a criminal records check as a prospective adoptive parent. The agency shall inform the foster caregiver that the foster caregiver must undergo the criminal records check before a court may issue a final decree of adoption or interlocutory order of adoption.

Interjurisdictional Approval**Rev. Code § 5103.23**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

State regulations [full text](#) (PDF - 87 KB)

Oklahoma

Who May Apply

Admin. Code § 340:75-7-12

All applicants must:

- Be at least age 21 and preferably no more than 55 years older than the child considered for placement
- Be residing lawfully in the United States
- Have healthy relationships whether married, single, separated, or divorced
- Have the ability to manage personal and household financial needs without relying on the foster care reimbursement
- Provide verification that all household members are in sufficiently good physical and mental health to provide for the individual needs of each child placed
- Demonstrate the basic competencies that are to:
 - » Protect and nurture children who have been abused, emotionally maltreated, or neglected
 - » Meet the medical and developmental needs of these children
 - » Support relationships between children and their parents, siblings, and kin, as specified by the Department of Human Services
 - » Connect children to safe, nurturing relationships
 - » Collaborate with the department as a team member
- Provide a home that is clean and safe
- Have extended family or friends to provide support and child care other than, or in addition to, licensed child care paid by the department

Training Requirements

Ann. Stat. Tit. 10A, § 1-9-116

Prior to placement of a child in foster placement other than kinship care, each foster parent shall have completed the training approved by the department. A foster parent providing kinship foster care shall, if possible, complete the training for kinship foster care prior to placement. The training must take place no later than 120 days after placement of the child for the kinship foster parent to be eligible to receive any payment for providing foster care services.

Approved training shall require a minimum of 12 hours of study related, but not limited to:

- Physical care
- Education and learning disabilities
- Procedures for accessing necessary professional services
- Behavioral assessment and modification
- Independent living skills
- Parent-child conflict resolution techniques
- Stress management

Foster parent training programs may include, but not be limited to:

- Inservice training, workshops, and seminars developed by the State agency
- Seminars and courses offered through public or private education agencies
- Workshops, seminars, and courses pertaining to behavioral and developmental disabilities
- The development of mutual support services for foster parents

Minimum Standards for Foster Homes**Admin. Code § 340:75-7-18**

The resource home must:

- Be accessible to school, medical, and recreational resources
- Be clean and safe
- Have adequate and safe indoor and outdoor space for play activities
- Have age-appropriate child care equipment, such as beds, high chairs, and toys that are in good repair
- Have a working telephone

The applicant must maintain an automobile in working order, carry the statutorily mandated automobile liability insurance, possess a valid Oklahoma driver license, and have a current, valid license tag. Every driver must use a child passenger restraint system that meets Federal standards when transporting a child who is younger than age 6.

The home must provide a separate bed for each child with the exception of siblings younger than age 6 who exhibit a need for mutual support. Preferably, no more than two children will share a bedroom. Children older than age 6 who are of the opposite sex must not share a bedroom.

Animals that are in good health; do not show evidence of carrying disease; and do not present a threat to the health, safety, or well-being of children, are permitted.

Approval Process**Admin. Code §§ 340:75-7-15; 340:75-7-18**

Background investigations are conducted at the time of application and include, but are not limited to:

- A State criminal history search, including the Sex Offender Registry, of the applicant and any adult living in the applicant's household
- A national criminal history search, based on the fingerprints of the applicant and any adult members of the household
- A search of any court involvement
- A search of all department records for past confirmation of child maltreatment involving the applicant and any adult living in the household
- A search of all applicable out-of-State child abuse and neglect registries for any applicant or adult household member who has not lived continuously in Oklahoma for the past 5 years
- A search of juvenile justice records for any child older than age 13 in the applicant's household

The resource family assessment consists of an evaluation of the results of the background investigation, house assessment, reference checks, and any previous foster care experience. The written assessment depicts the family based on complete, consistent, and truthful information gathered by the resource specialist in conjunction with the family.

The resource specialist solicits and reviews the comments of personal, employer, and school references identified by the applicant regarding the applicant's parenting strategies and skills. A minimum of six references is required.

Applicants who have previously served as foster parents in another State or with a private agency must authorize release of all previous foster home assessments, reports, and training records from the State or agency.

The applicant must provide verification that he or she can manage personal and household financial needs without relying on the foster care reimbursement.

Grounds for Withholding Approval**Admin. Code § 340:75-7-18**

The decision to deny approval requires an explanation to the applicant by the resource specialist regarding the reasons the assessment is denied. If approval of a kinship home is denied, the child in department custody in the home shall be moved immediately. Reasons for denying an assessment may include, but are not limited to:

- The applicant lacks a stable, adequate income to meet the applicant's own or total family needs or poorly manages available income.
- The home is inadequate to accommodate the addition of children to the home or presents health or safety concerns.
- The applicant or any person residing in the home has a history of alleged or confirmed child abuse, neglect, or both.
- The applicant or any person residing in the home has a history of arrests or convictions per Admin. Code § 340:75-7-15.
- The age, health, or any other condition of the applicant impedes the applicant's ability to provide appropriate care for a child.
- Relationships in the household are unstable and unsatisfactory.
- The mental health of the applicant or other family or household member impedes the applicant's ability to provide appropriate care for a child.
- References are guarded or have reservations in recommending the applicant.
- The applicant fails to complete the application, required training, or verifications in a timely manner as requested or provides information that is incomplete, inconsistent, or untruthful.

Kinship Foster Care**Ann. Stat. Tit. 10A, § 1-9-106**

When a child has been removed from the child's home, the department shall attempt to place the child with a person who has a kinship relationship with the child, if that placement is in the best interests of the child. Priority shall be given to the noncustodial parent of the child unless that placement is not in the best interests of the child. Otherwise, a person related by blood, marriage, adoption, and by tie or bond to a child, and/or who has a family relationship role with the child's parents or the child may be eligible for approval as a kinship foster care parent.

Prior to placement, a State criminal records search must be completed for the prospective kinship foster parent or any other adult residing in the home. Following placement, a fingerprint-based national criminal history records search must be completed.

The department shall determine whether the person is able to effectively care for the foster child by:

- Reviewing personal and professional references
- Observing during a visit to the home of the kinship foster care family
- Interviewing the kinship foster care parent

When the kinship foster parent is finally approved by the department, the kinship foster care family shall be eligible to receive payment for the full foster care rate for the care of the child and any other benefits that might be available to foster parents, whether monetary or in services.

Foster to Adopt

This issue is not addressed in the statutes and regulations reviewed.

Interjurisdictional Approval**Ann. Stat. Tit. 10, § 571**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

[‘How to Become an OKDHS Foster Parent’](#)

State regulations [full text](#) (PDF - 81 KB)

Oregon

Who May Apply

Admin. Rules § 413-200-0308

To provide care for a child or young adult, an applicant must:

- Be at least age 21
- Possess the ability to exercise sound judgment and demonstrate responsible, stable, emotionally mature behavior
- Possess the ability to manage the applicant’s home and personal life
- Maintain conditions in the home that provide safety and well-being for the child or young adult
- Have supportive relationships with adults and children living in the household and with others in the community
- Have a lifestyle and personal habits free of criminal activity and abuse or misuse of alcohol or drugs
- Have adequate financial resources to support the household independent of the monthly foster care payments
- Have the physical and mental capacity to care for a child or young adult

Training Requirements

Admin. Rules §§ 413-200-0349; 413-200-0379

Relative caregivers must attend orientation training prior or within 30 days after placement of the child in their home. Relative caregivers must annually attend a minimum of 10 hours training approved by the department that is directly related to the needs of the child as stated in the child’s case plan. The training shall aim to further enhance the relative caregiver’s knowledge, skills, and abilities in safely caring for children in the custody of the department.

When relative caregivers have particular needs that cannot be met by attending 10 hours of training, the caregivers may meet the training requirements by completing an individual training plan. Relative caregivers who provide only adoption or permanent foster care may complete an individual training plan or attend 10 hours of training.

An applicant must participate in the department’s orientation prior to receiving a certificate of approval or within 30 days after the placement of a child in a home that has been issued a child-specific certificate of approval.

Each applicant and certified family must complete the Foundations of Relative Care, Foster Care, and Pre-Adoptive Care training before or within 12 months after the date on which the Certificate of Approval was issued, or have written documentation of completion of equivalent training content from another licensed child-caring agency within 2 years of an applicant’s dated application.

The certified family and the department certifier must develop a training plan for each individual certified in the family to complete at least 30 hours of training during each 2-year certification period. The department may require a certified family to obtain more than the 30 hours of training for a 2-year certification period depending on the needs of the child placed in the home or the knowledge, skills, and abilities of the certified family.

Minimum Standards for Foster Homes**Admin. Rules § 413-200-0335**

The home must be the primary residence of the certified family. It must:

- Have adequate space for each member of the household, including space for safe and appropriate sleeping arrangements
- Have safe and adequate drinking water
- Have access to a working telephone
- Have the necessary equipment for the safe preparation, storage, serving, and clean-up of food
- Have a safe, properly maintained, and operational heating system
- Comply with State and local ordinances
- Establish the necessary safeguards around potential water hazards, outdoor play equipment, outdoor tools, chemicals, or potentially dangerous hazards
- Have at least one working smoke alarm on each floor and one in each bedroom where a child sleeps
- Have at least one operable fire extinguisher
- Have at least one means of emergency exit and one means of rescue from the home
- Have a barrier around fireplaces, wood stoves, or other heating systems that may cause burns to a child developmentally unable to reasonably follow safety rules regarding such devices

A certified family must have available a safe and reliable method of transportation. Any member of the household transporting a child must have a valid driver's license and current insurance. A child must use a seat belt or age- and size-appropriate safety seat.

Approval Process**Admin. Rules § 413-200-0381**

All applicants for approval must:

- Provide names and addresses of at least four persons as references
- Provide information about any current or previous licenses, certifications, or applications for relative care, foster care, day care, or adoption
- Consent to a criminal history check for all members of the household over age 18
- Provide information about:
 - » All previous or current criminal charges, arrests, and/or convictions for adults living in the home
 - » All previous and/or current criminal and/or juvenile delinquency charges for minor children living in the home
 - » Any known previous and/or current allegations of abuse or neglect for all members of the household
- Complete a statement of physical and mental health
- Demonstrate sufficient income to meet their basic needs and to ensure the stability and financial security of the family

Grounds for Withholding Approval**Admin. Rules § 413-200-0395**

The Department of Human Services may deny an application for a certificate of approval if an applicant fails to provide requested information within 90 days of a written request from the department. The department may deny an application when:

- The applicant does not meet one or more of the requirements specified in the administrative rules.
- The department discovers an applicant has falsified information.
- An applicant or certified family fails to provide information to or inform the department of any disqualifying condition that arises after the certificate of approval has been issued.

The department must revoke a certificate of approval when a certified family violates one or more of these rules, and, at the conclusion of a child protective services assessment, the department determines that a child is unsafe and the certified family cannot or will not protect the child.

Kinship Foster Care**Rev. Stat. § 419B.192; Admin. Rules § 413-200-0301**

If the court finds that a child is in need of placement substitute care, there shall be a preference given to placement of the child with relatives and persons who have a caregiver relationship with the child, as defined in Rev. Stat. § 419B.116. The department shall make diligent efforts to place the child with such persons and shall report to the court the efforts made by the department to effect that placement.

In regulation: The criteria for becoming a certified relative caregiver are the same as for a foster parent. The individual may be an adult related to the child or an unrelated adult with an existing relationship to the child.

Foster to Adopt**Admin. Rules § 413-120-0541**

A foster parent may request consideration as a current caregiver for a child in the legal custody of the department when the requirements of all of the following sections are met:

- Adoption is the child's identified permanency or concurrent permanency plan and the department determines it is in the best interests of the child to proceed with identifying potential adoptive resources.
- The child has been in the physical custody of the foster parent for the most recent 12 consecutive months.
- The foster parent is willing to be considered as the adoptive resource for the child's siblings currently in substitute care who also have adoption as an identified permanency or concurrent permanency plan.
- The caseworker and the caseworker's supervisor have complied with the requirements of both of the following subsections:
 - » Reviewed the department's diligent efforts to identify, contact, and place a child with relatives and to place siblings together
 - » Have confirmed there are no pending department actions to:
 - Identify a child's relatives or a sibling's current guardian, relative, current caregiver, or adoptive resource with whom the sibling is currently living
 - Assess a relative who has either expressed an interest in and needs to be or currently is being assessed as a permanency resource

Interjurisdictional Approval**Rev. Stat. § 417.200**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

[Certification Standards for Foster Care, Relative Care, and Pre-Adoptive Families](#) (PDF - 1213 KB)

State regulations [full text](#) (PDF - 61 KB)

Pennsylvania**Who May Apply****Admin. Code Tit. 55, § 3700.62**

Foster parents shall be at least age 21. Foster parents shall pass an initial medical appraisal by a licensed physician prior to being approved. The appraisal must establish that the foster parents are physically able to care for children and are free from communicable disease. Further medical examinations may be required by the agency if the agency has reason to believe that additional medical appraisal is appropriate.

Training Requirements**Admin. Code Tit. 55, § 3700.65**

A foster parent shall participate annually in a minimum of 6 hours of agency-approved training.

Minimum Standards for Foster Homes**Admin. Code Tit. 55, §§ 3700.66; 3700.67**

The foster family residence must have:

- At least one flush toilet, one washbasin, and one bath or shower with hot and cold running water
- An operable heating system
- An operable telephone

Sleeping areas shall meet the following criteria:

- No unsuitable area such as a hall, stairway, unfinished attic or basement, garage, bathroom, eating area, closet, shed or detached building may be used as a sleeping area for children.
- Foster children of the opposite sex who are age 5 or older may not share the same bedroom.
- Each foster child shall be provided with a clean, comfortable mattress and clean linens, blankets, and pillow.

Foster home safety requirements include:

- Medication and poisonous, caustic, toxic, flammable, or other dangerous materials shall be inaccessible to children younger than age 5.
- Fireplaces, stoves, and free-standing space heaters, if allowed by local ordinance, shall be installed, equipped, and operated according to manufacturers' specifications and requirements specified by local ordinance.
- An operable smoke detector shall be placed on each level of the residence.
- A portable fire extinguisher shall be available in the kitchen and other cooking areas.
- Protective safety caps shall be placed in electrical outlets accessible to children younger than age 5. Exposed electrical wires are prohibited.

Approval Process**Cons. Stat. Ch. 23, § 6344**

Applicants for approval as foster parents shall submit the following information:

- A report of criminal history record information from the State police
- A certification from the department as to whether the applicant is named in the central register as the perpetrator of a founded or indicated report of child abuse
- A report of Federal criminal history record information

In addition, the foster family care agency shall consider the following when assessing the ability of applicants:

- The ability to provide care, nurturing, and supervision to children
- Mental and emotional well-being
- Supportive community ties with family, friends, and neighbors
- Existing family relationships
- The ability of the applicant to accept a foster child's relationship with his or her own parents
- The ability to care for children with special needs

The department shall require information in the following areas:

- Composition of the resident family unit
- Protection from abuse orders filed by or against either parent
- Drug-related or alcohol-related arrests or hospitalizations within the last 5 years
- Evidence of financial stability, including income verification and employment history
- Number of and ages of foster children and other dependents currently placed in the home
- Detailed information regarding children with special needs currently living in the home
- Previous history as a foster parent, including number and types of children served
- Related education, training, or personal experience working with foster children or the child welfare system

Grounds for Withholding Approval**Cons. Stat. Ch. 23, § 6344**

A foster family care agency may not approve a prospective foster parent if the prospective foster parent or an individual age 14 or older who resides for at least 30 days in a calendar year with the prospective foster parent meets either of the following:

- He or she is named in the central register as the perpetrator of a founded report of child abuse committed within the immediately preceding 5 years.
- He or she has been found guilty of an offense listed in subsection (c)(2) of this section.

Kinship Foster Care

This issue is not addressed in the statutes and regulations reviewed.

Foster to Adopt

This issue is not addressed in the statutes and regulations reviewed.

Interjurisdictional Approval**Ann. Stat. Tit. 62, § 761**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

Department of Public Welfare, [‘Foster Care in Pennsylvania’](#)

State regulations [full text](#) (PDF - 25 KB)

Puerto Rico**Who May Apply****Ann. Laws Tit. 8, § 69**

Candidates for licensure shall be persons who:

- Have appropriate health conditions
- Are well behaved in the community
- Have not been convicted of a felony, including crimes against public decency, corruption of minors, mistreatment and neglect of minors, child abuse, abandonment of minors, or domestic violence
- Have participated in rehabilitation programs, treatment for use of controlled substances, drunkenness, and have complied with their conditions

Persons who have been judicially declared incompetent or who are undergoing treatment for medical conditions, including mental, emotional, and nervous conditions that render them unable to perform their duties adequately, may not provide child care services. For purposes of this provision, violations to vehicle and traffic laws shall not be considered as crimes, except gross and wanton negligence when driving a motor vehicle.

Training Requirements

This issue is not addressed in the statutes reviewed.

Minimum Standards for Foster Homes**Ann. Laws Tit. 8, § 76**

The regulations to determine the granting of licenses for the care of children shall specify, among others, the requirements to be met with regard to the following:

- Financial resources
- Physical facilities of equipment and materials
- Sanitary conditions of the premises and surroundings
- Space, light, and ventilation
- Firefighting safety devices
- Safety and accessibility of transportation

Approval Process**Ann. Laws Tit. 8, §§ 69; 71**

Every candidate shall present to the department a certificate of his or her physical and mental health, each year, indicating their physical and mental capacity to render services or to continue to render services, and a certificate of criminal record, at least every 6 months. The candidate shall authorize the department to investigate his or her physical and mental health and conduct, with the proper guarantees of confidentiality and due process of law.

The department, through its authorized representatives, shall inspect each home providing care for children at least two times a year in order to ascertain that they are functioning in accordance with the provisions of this chapter and department rules and regulations.

Grounds for Withholding Approval**Ann. Laws Tit. 8, §§ 73; 482**

The secretary shall deny an application for licensure for any person who does not fulfill the requirements of this chapter and the applicable regulations.

No person may function as a care services provider for children unless he or she has certification indicating that he or she is not registered in the Registry of Persons Convicted of Sex Crimes and Child Abuse, the Criminal Record Register of the Puerto Rico Police, or the Criminal Justice Information System as convicted of any violent sex crime or child abuse. The department shall be required to obtain certification that the person has not been convicted of any of the felonies listed in this section, including:

- Murder
- Aggravated assault
- Sexual aggression
- Production, possession, and distribution of child pornography
- Abandonment of minors
- A violation of the Controlled Substances Act

Kinship Foster Care

This issue is not addressed in the statutes reviewed.

Foster to Adopt

This issue is not addressed in the statutes reviewed.

Interjurisdictional Approval**Ann. Laws Tit. 8, § 549**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

Puerto Rico laws [full text](#) (PDF - 49 KB)

Rhode Island

Who May Apply

Code of Rules § 03 000 021

An applicant shall demonstrate through the licensing process an ability and willingness to assure that the child's physical, emotional, developmental, educational, cultural, and spiritual needs are met.

A foster parent shall be at least age 21. Exceptions may be considered for relative caregiver(s) aged 18 through 20.

The applicant and all members of the household shall not have a physical or mental health condition that the Department of Children, Youth and Families determines may adversely affect the child or the child's care. The applicant shall submit the name of a physician who is familiar with the applicant's medical history and who is available to comment to the department upon the applicant's health and ability to foster.

The applicant shall demonstrate that the household has sufficient income and appropriate fiscal management to maintain its stability and security without a foster board payment.

One or two adults as head of household may receive a foster care license. All children and adults residing in the household shall be considered in terms of how they might be affected by, or have an effect upon, a foster child in the household.

Training Requirements

Code of Rules § 03 000 021

The applicant for an original license shall successfully complete a course of preservice orientation as required by the agency. Relative applicants may be exempt from this requirement. Child-specific applicants may be exempt from this requirement by the licensing administrator. This decision shall occur on a case-by-case basis, taking into account the nature of the placement and relationship.

Minimum Standards for Foster Homes

Code of Rules § 03 000 021

The house and the premises of the applicant shall be free of hazards to the safety of a child and shall conform to necessary State and local codes and ordinances. The residence and all structures associated with it shall be maintained in a clean, safe, and sanitary condition and in a reasonable state of repair.

The residence shall:

- Be adequately heated and safely lighted and ventilated
- Have telephone service that must be maintained
- Have a continuous supply of safe drinking water
- Have working smoke detectors placed in appropriate locations

Bathroom and toilet facilities used by the child shall be located inside the residence, connected to an indoor plumbing system, maintained in good working order.

Living rooms, dining rooms, and halls shall not be used as bedrooms for the foster child or any other member of the household. An exemption may be made for relative caregivers. Attics and basements must meet all codes and regulations to be used as bedrooms.

Each foster child shall have his or her own bed of a type and size appropriate to the child's stage of development. Each infant shall have his or her own full size crib that must conform to all safety regulations.

Except for children younger than age 1, sufficient sleeping space shall be available so that neither the parent's own child nor the foster child shares the bedroom of any adult. A child older than age 3 shall not share a bedroom with any child of the opposite sex.

Each sleeping room shall provide at least 50 square feet per child in a junior-size bed or 24 square feet for a child in a crib. No more than four children shall be permitted to sleep in one bedroom.

Approval Process**Code of Rules § 03 000 021**

The agency will conduct a child abuse and neglect record check on all prospective foster parents and all other persons living in the home. Records of the department shall be checked to determine if the applicant or other members of the household have a history of substantiated child abuse or neglect. Each applicant and adult household member shall have his or her name cleared for evidence of a criminal record.

Fire and safety inspections shall be conducted by the authorities having jurisdiction for fire inspections.

Each applicant shall participate in a home study conducted by the agency to assess his/her ability to provide quality foster care for a child. The applicant shall make all members of the household available for interviews. The assessment shall take into account the following:

- Motivation for becoming a foster parent
- Existing family relationships
- Capacity to provide for child's needs while giving proper consideration to natural or adopted children
- Realistic assessment of positive and negative aspects of foster parenthood
- Willingness to comply with the provisions of the foster care regulations
- Ability to understand, participate in, and assist in carrying out the child's plan, as appropriate
- Personal characteristics necessary to provide continuity of care throughout the placement
- Flexibility to meet changing needs over the course of the placement
- Ability to accept the child's relationships with his or her birth family, including visitations
- Ability to help a child return home or be placed for adoption and to gain satisfaction when appropriate, from the experience
- Ability and initiative to work with the child's birth parents, when appropriate, toward the goal of reunification

Grounds for Withholding Approval**Code of Rules § 03 000 021**

A license/certification shall be denied for the following reasons:

- The applicant or other member of the household has a documented history of child abuse or neglect.
- The applicant or other member of the household has a past or current history of agency intervention deemed to be detrimental to the care of children.
- The applicant or other member of the household has a past or current history of substance abuse deemed to be currently detrimental to the care of children.
- The applicant or other member of the household has been arrested, convicted of, or is serving an active probationary sentence for a crime listed in Appendix 1 of this rule.
- The applicant fails to cooperate with the agency in its licensing investigation, including the falsification or omission of facts.
- The applicant fails to comply with any of the regulations.
- The applicant fails to demonstrate the ability to foster.

Certification will not be granted when the child's natural parents or legal guardian resides with the applicant for the child.

The agency will not select as a foster family any household in which an adult has a substantiated criminal record of child abuse or spouse abuse or a criminal conviction, as evidenced by Federal, State, and local criminal record checks for any crimes against children or for any violent crimes, including rape, felony assault, murder, and any felony drug-related offense. Convictions of nonviolent felonies or misdemeanors should be handled on a case-by-case basis, taking into account the nature of the offense, the length of time that has elapsed since the event, and the individual's life experience during the ensuing period of time.

Kinship Foster Care**Code of Rules § 03 240 802**

Kinship care is the full time care of the child by a relative, member of a Tribe or clan, godparent, stepparent, or any adult who has a kinship bond with the child. For the purposes of this policy, 'kin' or 'relative' means an individual who is related to the child by blood, marriage, or adoption. In addition to relationships by blood or marriage, consideration also may be given to placing a child with an individual who is part of the family support system such as a nonrelated godparent, close family friend, neighbor, clergy, or other adult who has a close and caring relationship with the child.

The department must assess the appropriateness of the relative placement within 30 days of the child's placement in temporary custody. If the department determines that the relative is a fit and proper person to have placement of the child, the child shall be placed with that relative unless the particular needs of the child make the placement contrary to the child's best interests.

All kinship care placements must be licensed and are subject to criminal records checks, including fingerprinting, foster care regulations, and interstate compact approval, if necessary. A relative placement is subject to the same licensing standards and foster parent training that apply to a nonrelative foster home. Under certain circumstances, a waiver may be granted regarding particular licensing requirements. Waivers are granted by the licensing administrator on a case-by-case basis for requirements other than those relating to safety.

Foster to Adopt**Code of Rules § 03 240 802**

Whenever the court determines that permanent placement or adoption is in the best interests of a child, a fit and willing relative who has been awarded placement of the child shall be given priority over a nonrelative.

Interjurisdictional Approval**Gen. Laws § 40-15-1**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

Department of Children, Youth and Families, ['Foster Care'](#)

[Steps Required to Obtain a Foster Care License](#)

[Foster Parent Handbook](#) (PDF - 190 KB)

State regulations [full text](#) (PDF - 108 KB)

South Carolina**Who May Apply****Code of Regs. § 114-550**

The applicants shall:

- Be at least age 21
- Have knowledge of the needs of children, be capable of meeting the needs of foster children, and provide adequate foster care services
- Be capable of handling an emergency situation
- Be cooperative with the Department of Social Services or child-placing agency staff in furthering the best interests of the child
- Provide all relevant and factual information to the department or the child-placing agency

The applicant's income shall be reasonably secure and not dependent upon foster care boarding payments.

All applicants and household members shall submit an initial medical report by a duly licensed physician or licensed nurse practitioner verifying that such individuals are in reasonably good health, including an evaluation as to any communicable or contagious diseases.

Training Requirements**Code of Regs. § 114-550**

Foster parents must each have a minimum of 14 hours of appropriate foster care preservice training that includes training on licensing requirements and expected standards of care prior to licensure. The foster parents will each subsequently be required to complete a minimum of 14 hours training each year or 28 hours prior to each subsequent relicensure.

Viewing standard television programs or reading popular news or magazine articles will not be accepted for training hours. The training shall be provided by the department or via another source that is approved by the department.

Minimum Standards for Foster Homes**Code of Regs. § 114-550**

The foster family home shall be able to comfortably accommodate a foster child in addition to the foster family.

Each child in care shall be provided with his or her own bed and storage space. No child may routinely share a bed or a bedroom with an adult except for a child under age 1. Children of opposite sex sleeping in the same bed must be limited to siblings younger than age 4. Children of opposite sex sleeping in the same room must be limited to children under age 4.

No birth children of the foster family shall be displaced and made to occupy sleeping quarters prohibited in regulation because of a foster child being placed in the home.

Firearms and any ammunition shall be kept in a locked storage container except when being legally carried upon the foster parent's person; being used for educational, recreational, or defense of self or property purposes by the foster parent; or being cleaned by the foster parent.

The applicant must be able to secure/supervise access to in-ground or above-ground swimming pools and maintain adequate supervision during periods of swimming.

All pets must be kept current with rabies vaccinations and proof of such provided. Pets must not pose a safety concern.

Foster parents shall transport children in accordance with State public safety laws.

Approval Process**Code of Regs. § 114-550**

All members of the household older than age 6 shall be assessed and interviewed in order to determine their willingness to accept a child and to evaluate the stability of the family unit. A minimum of one family interview and one interview per individual shall be conducted in the home with the prospective applicant, spouse, their children, and other household members.

Background checks shall be conducted, including a review of abuse and neglect history, criminal history found with the State Law Enforcement Divisions and the FBI, and the Sex Offender Registry.

The applicant's home and property shall be inspected by licensing or child-placing agency staff, State Fire Marshal authorities, and health authorities.

The department or the child-placing agency has the authority to request a psychological report on an applicant or household member, at the expense of the applicant, pursuant to securing information during the assessment study process that could indicate a need for professional consultation.

A minimum of three written letters of reference shall be initially obtained in regard to foster parent applicants. References should have known the applicants 3 years prior to the application and, unless specifically requested, should not be related to the applicants.

Grounds for Withholding Approval**Code of Regs. § 114-550**

The applicant cannot be considered for licensure if he or she and/or any household member older than age 18 has a substantiated history of child abuse and/or neglect and/or convictions of those crimes listed in S.C. Code 20-7-1642 and/or is listed on the Sex Offender Registry.

A license will not be issued if licensing requirements are not met or if, in the opinion of the department, it would be detrimental for children to be placed in the home.

Kinship Foster Care**Ann. Code §§ 63-7-2320; 63-7-2330; Code of Regs. § 114-550**

Relatives within the first, second, or third degree to the parent or stepparent of a child who may be related through blood, marriage, or adoption may be eligible for licensing as a kinship foster parent.

The kinship foster parent must be age 21 or older, except that if the spouse or partner of the relative is at least age 21 and living in the home and the relative is between age 18 and 21, the department may waive the age requirement.

A person may become a kinship foster parent only upon the completion of a full kinship foster care licensing study. Residents of the household who are age 18 or older must undergo State and Federal fingerprint reviews. The department shall apply the screening criteria in § 63-7-2350 to the results of the fingerprint reviews and the licensing study.

The department shall determine, after a thorough review of information obtained in the kinship foster care licensing process, whether the person is able to care effectively for the foster child.

When the department places a child with a relative who is licensed to provide foster care, the agency must provide the same services and financial benefits as provided to other licensed foster homes.

In regulation: Relatives being licensed must be licensed in accordance with the same requirements as nonrelative applicants. The department may waive, on a case-by-case basis, for relatives or nonrelatives, nonsafety elements as appropriate. Safety elements such as history of child abuse/neglect and State and/or Federal criminal history checks must not be waived. The department must note on the standard license if there was a waiver of a nonsafety element and identify the element being waived.

Relatives are given preference in placement options provided such placement is in the best interests of the child.

Foster to Adopt**Code of Regs. § 114-550**

Foster parents may apply to adopt a foster child. Foster families who have been approved for adoption will be given first consideration for the adoption of a foster child under the following conditions:

- The child has been in the same foster home for a consecutive 6 months period of time or more.
- The child is legally free for adoption.
- Placement for adoption with the foster family is deemed to be in the best interests of the child.

Interjurisdictional Approval**Ann. Code § 63-9-2200**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

Department of Social Services, '[Foster Care Requirements](#)'

State regulations [full text](#) (PDF - 50 KB)

South Dakota**Who May Apply****Admin. Code § 67:42:05:06**

A family foster care applicant must meet the following criteria for licensure:

- The applicant is at least age 21 and resides in South Dakota.
- No household member age 10 or older other than a foster child has on record a substantiated report of child abuse or neglect.
- No member of the applicant's household has had a conviction for any of the crimes specified in § 67:42:01:05.01.
- The applicant is capable of providing good care for children.
- The applicant has income that meets the needs of the existing family, independent of the foster care maintenance payments.
- The applicant's children, if any, are willing to accept a foster child as a member of the family.
- The applicant's family composition, needs, and relationships may not adversely affect a child in care.
- If the applicant or foster parent is employed outside the home, the child-placing agency must have approved the applicant's or foster parent's child care plan.

The applicant must have the ability to parent a child. This entails a basic understanding of the child's physical and mental or emotional development and the ability to fulfill the child's needs. The applicant must have the ability to offer continuing care and guidance to a child throughout the stages of development in a manner consistent with the social and cultural heritage norms of the child. The applicant must be able to continue meeting the needs of the applicant's own children, if any. The applicant must display the capacity to provide good care for children.

Training Requirements

Admin. Code § 67:42:05:03

Foster parent applicants must complete at least 30 hours of orientation training before receiving an initial license. The training must include instruction in at least the following areas:

- The impact of separation on child development
- How attachments are formed
- The importance of the birth family
- Techniques of managing behavior
- Permanency planning for children
- Child development

Licensed foster parents must complete at least 6 hours of approved training annually before license renewal. If the foster parent cares for a child with a handicap or a behavioral or emotional disorder, an additional 12 hours of training to meet the needs of the specific child are required. Upon prior approval, the Department of Social Services may reimburse a foster parent for this type of training. Reimbursement is limited to per diem, training costs, and child care. Evidence of education, experience, or professional background in the specific area may be substituted for training to meet a child's specific needs.

Minimum Standards for Foster Homes

Admin. Code §§ 67:42:05:11; 67:42:05:19; 67:42:05:10.01; 67:42:05:10.03; 67:42:05:10.04

The family foster home shall be kept clean, neat, and free of litter and rubbish. Hazardous cleaning solutions, chemicals, and poisons shall be labeled and kept in an enclosed cabinet that is not accessible to children. Garbage and refuse shall be kept in durable, easily cleanable containers that do not leak and do not absorb liquids. Garbage and refuse shall be disposed of often enough to prevent the development of odor and the attraction of insects and rodents. Sewage shall be disposed of by means of a public sewage disposal system, a septic system, or an outdoor toilet facility and may not constitute a source of contamination of food, equipment, or utensils or otherwise create an unsanitary condition or nuisance.

Family foster homes shall have sufficient sleeping space to accommodate comfortably a child in care as well as the provider's family. Children of different sexes over age 6 may not sleep in the same room. Children over age 3 may not share a bed with an adult.

A family foster home shall:

- Be equipped with a smoke detector which shall be provided on each level of the building
- Have water from a community water system or from a water system that is tested at least annually
- Have a working heating system

Approval Process

Admin. Code §§ 67:42:01:05.01; 67:42:01:05.02; 67:42:01:07; 67:42:05:06

The department shall secure a criminal record check to obtain information concerning convictions for criminal offenses by a prospective foster parent as well as any other adult living in the prospective foster home.

The department shall screen a provider applicant, family members, and other household members who are at least age 10, to determine if the individual has been involved in any substantiated incidents of child abuse or neglect.

An applicant for family foster care must have a physical examination. A physical examination completed within the 12 months preceding the date of the application is acceptable. The applicant also must present evidence to the department that each household member under age 18 meets the Department of Health's requirements for immunizations against measles, mumps, and rubella; diphtheria, tetanus, and pertussis; Haemophilus influenzae type b; Hepatitis B; and polio.

The department may require a psychological evaluation and the submission of medical records if questions arise during the application process or during the period of licensure regarding the applicant's or foster parent's emotional stability or the emotional stability of another household member.

Grounds for Withholding Approval**Admin. Code §§ 67:42:01:05.01; 67:42:05:06.01**

An individual is not eligible to receive a foster home license if the individual or any other adult living in the prospective foster home has a conviction for any of the following:

- A crime that would indicate harmful behavior toward children
- A crime of violence as defined by Codified Laws § 22-1-2 or a similar statute from another State
- A sex crime
- Within the preceding 5 years, a conviction for any other felony

If a substantiated report of child abuse or neglect, a conviction of child abuse, or a conviction of a sex offense involving a household member is located, the department shall deny the application and notify the household of the denial.

Kinship Foster Care

This issue is not addressed in the statutes and regulations reviewed.

Foster to Adopt**Admin. Code § 67:42:05:01**

A 'fost/adopt' family is an approved adoptive home that has agreed to accept the placement of a child who is not yet legally free for adoption. The family is committed, as is the placing agency, to make the placement permanent when legal termination of parental rights is completed.

Interjurisdictional Approval**Ann. Stat. § 26-13-1; Admin. Code § 67:14:24:09.01**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

In regulation: A study and evaluation of an out-of-State placement facility shall be made by an agency licensed or authorized for child placement. The study and evaluation shall be based on the other State's child placement standards and shall be submitted by the out-of-State agency to the department prior to placement of a child.

Links to Resources

South Dakota Department of Social Services 'Foster Parenting' [website](#)

State regulations [full text](#) (PDF - 56 KB)

Tennessee**Who May Apply****Ann. Code § 37-5-502**

The applicant must be capable in all substantial respects to care for children and have the ability and intent to comply with the licensing law and regulations.

Training Requirements**Rules & Regs. R. 0250-4-9-.07**

Agencies shall require foster parents to participate in ongoing training including parenting techniques and discipline and the detection, intervention, prevention, and treatment of child sexual abuse.

Minimum Standards for Foster Homes**Rules & Regs. R. 0250-4-5-.09**

There must be a living room or den for each group of children.

Each child must have a separate bed of suitable size. Children older than age 5 of the opposite sex must not sleep in the same room. Children must not sleep in the same room with adults. Exceptions may be desirable on infrequent occasions and for short periods of time in case of illness or temporary emotional upset. The sleeping area must provide 65 square feet of floor space for the first child and 50 square feet for each additional child. There shall be no more than four children per sleeping room.

The kitchen must be equipped to insure sanitary conditions with a satisfactory method of refrigeration. Cooking and eating utensils must be kept in storage space that is protected from dust, insects, and other pests. Space that is secured and well out of the reach of children must be provided for storage of all bleaches, corrosives, or poisons.

Toilet and bathing facilities must be in the home. Toilets must be of the flush type. There must be adequate and sanitary sewage disposal. The water supply must be obtained from a source or system approved by the Department of Health and Environment.

There must be adequate smoke detectors and fire extinguishers to insure fire safety.

Approval Process**Ann. Code § 37-5-511; Rules & Regs. R. 0250-4-9-.07**

Each applicant is subject to a State and Federal criminal history records check. The agency also shall conduct an inquiry of the Department of Health's vulnerable persons registry for a review of the person's status on such registry.

In regulation: The agency shall make a study of foster home applicants prior to approval of the home for use. The study shall be in writing before children or pregnant women are placed in the home. The foster home study shall be based on consideration of the following points:

- Information obtained through interviews with all members of the family living in the home
- The applicants' motivation to provide foster care
- The applicants' financial security
- Information obtained through contacts with references, including nonrelatives
- The physical and mental health of the foster parents and other family members
- The character, values, and ethical standards of the foster family
- The foster family's understanding of the need of children in foster care
- The foster family's ability to work cooperatively with the agency
- Health and fire safety conditions within the home

There shall be at least one visit to the home. The foster home study shall include the caseworker's evaluation of the applicants' suitability as a resource and recommendations as to approval of the home.

Grounds for Withholding Approval

An applicant shall be disqualified from licensure if he or she:

- Has a conviction of an offense or a finding in a juvenile proceeding involving the physical, sexual, or emotional abuse or gross neglect of a child
- Has a conviction of an offense or a finding in a juvenile proceeding involving violence against a child or any person
- Has a conviction of an offense determined by the department to present a threat to the health, safety, or welfare of children
- Has any pending warrants or indictments or pending juvenile proceedings for such offenses or acts as a juvenile
- Is listed on the Department of Health's vulnerable persons registry

Kinship Foster Care**Ann. Code § 37-2-414**

When a child has been removed from his or her home, the department shall attempt to place the child with a relative for kinship foster care. If the relative is approved by the department to provide foster care services and a placement with the relative is made, the relative may receive payment for the full foster care rate for the care of the child and any other benefits that might be available to foster parents, whether in money or in services.

The department shall establish eligibility standards for becoming a kinship foster parent:

- Relatives within the first, second, or third degree to the parent or stepparent of a child who may be related through blood, marriage, or adoption may be eligible for approval as a kinship foster parent.
- The kinship foster parent shall be age 21 or older, except that if the spouse or partner of the relative is at least age 21 and living in the home and the relative is between age 18 and 21, the department may waive the age requirement.
- A person may become a kinship foster parent only upon the completion of an investigation to ascertain if there is a State or Federal record of criminal history for the prospective kinship foster parent or any other adult residing in the prospective parent's home.

The department shall determine whether the person is able to care effectively for the foster child by:

- Reviewing personal and professional references
- Observing during a home visit of the kinship foster parent with household members
- Interviewing the kinship foster parent

Foster to Adopt**Ann. Code § 37-2-415**

The department shall consider the foster parents as the possible first choice permanent parents for the child, who after being in the foster parents' home for 12 months, becomes free for adoption or a planned permanent living arrangement.

Interjurisdictional Approval**Ann. Code § 37-4-201**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

Department of Children's Services, 'Foster Care' [website](#)

State regulations [full text](#) (PDF - 110 KB)

Texas**Who May Apply****Admin. Code Tit. 40, §§ 749.2403; 749.605; 749.2447**

Each applicant must:

- Be at least age 21
- Meet the requirements relating to background checks
- Have a record of a tuberculosis (TB) screening showing that he or she is free of contagious TB
- Be physically, mentally, and emotionally capable of providing care for children
- Have at least a high school diploma or its equivalent
- Have the ability to provide nurturing care, appropriate supervision, reasonable discipline, and a home-like atmosphere for children

Training Requirements**Admin. Code Tit. 40, §§ 749.831; 863; 881; 883; 931; 941; 981**

Prior to having contact with children in care, each caregiver must have orientation that includes:

- An overview of the relevant and applicable rules
- Agency philosophy, organizational structure, policies, services, and programs
- The needs and characteristics of children served

Caregivers must complete 8 hours of preservice training before the person can be the only caregiver responsible for a child in care. The preservice training curriculum must include:

- Topics appropriate to the needs of children for whom the caregiver will be providing care
- The different roles of caregivers
- Measures to prevent, identify, treat, and report suspected occurrences of child abuse (including sexual abuse), neglect, and exploitation
- Procedures to follow in emergencies
- Preventing the spread of communicable diseases

Each caregiver providing care for children younger than age 2 must receive training on:

- Recognizing and preventing shaken baby syndrome
- Preventing sudden infant death syndrome
- Understanding early childhood brain development

For homes with two foster parents, the foster parents must receive a total of 20 hours of annual training, of which 4 hours must be on training specific to the emergency behavior interventions allowed by the agency. For all other caregivers, each caregiver must receive 20 hours of annual training. The training must be in areas appropriate to the needs of children for whom the caregiver provides care, which may include:

- Developmental stages of children
- Constructive guidance and discipline of children

The caregiver must be certified in:

- First aid, with rescue breathing and choking
- CPR for infants, children, and adults

Minimum Standards for Foster Homes**Admin. Code Tit. 40, §§ 749.3021 through 749.3041; 749.2909; 749.2913**

A bedroom must have at least 40 square feet of space for each occupant and no more than four occupants per bedroom are permitted. Only a room that provides adequate opportunities for rest and privacy may be used as a bedroom.

Children may not sleep in the same bed with an adult unless the adult is the child's parent and the child is between age 1 and 10. A child may share a bedroom with an adult caregiver if the child is younger than age 3 and it is in the best interests of the child. Foster children age 6 or older must not share a bedroom with a person of the opposite sex, except for a child sharing a bedroom with his or her minor parent.

Each foster child shall have his or her own bed and mattress. Each child must have accessible storage space for clothing and personal possessions.

A foster home must have one lavatory, one tub or shower, and one toilet for every eight household members. All lavatories, tubs, and showers must have hot and cold running water.

Children must have indoor areas for their use. There must be at least 40 square feet for each child. This does not include bedrooms, kitchens, bathrooms, utility rooms, unfinished attics, or hallways.

The foster home must ensure that:

- The home, including outdoor areas, is safe for children, kept clean, and in good repair.
- Equipment and furniture are safe for children, kept clean, and in good repair.
- Flammable or poisonous substances are stored out of the reach of children unless caregivers have evaluated a child as capable and likely to use such items responsibly.
- The home is free of rodents and insects.

The home must have working smoke detectors near sleeping rooms and on each level of a home with multiple levels. A foster home must have a fire extinguisher in the kitchen and on each level of the home.

Approval Process**Admin. Code Tit. 40, §§ 749.2447; 749.2449; 749.2471**

Persons applying to foster children and any person, excluding foster children, age 14 or older who will regularly or frequently be staying or present at the home, must obtain a criminal history and central registry background check. The prospective foster parents also must provide information regarding each domestic violence call any law enforcement agency responded to at their residence during the previous 12 months.

Interviews for a foster home screening must include at least:

- One individual interview with each prospective foster parent, each child age 3 or older living in the home either full or part time, and each other person living full or part time with the family
- One joint interview with the prospective foster parents
- One family group interview with all family members living in the home
- One interview, by telephone, in person, or by letter, with any minor child age 12 or older or adult child of the prospective foster parents not living in the home

Verification also includes obtaining the following:

- A floor plan of the home showing dimensions and purposes of all rooms in the home and identifying indoor areas for children's use
- A sketch or photo of the outside areas showing buildings, driveways, fences, storage areas, gardens, recreation areas, pools, ponds, or other bodies of water
- An approved fire inspection
- An approved health inspection

Grounds for Withholding Approval**Admin. Code Tit. 40, §§ 745.651; 745.655**

The following types of criminal convictions may preclude a person from being approved as a foster parent:

- A misdemeanor or felony offense against the person or family, robbery, public indecency, stalking, criminal solicitation of a minor, or failure to stop or report aggravated sexual assault of a child
- Any of the following misdemeanor or felony offences committed within the past 10 years:
 - » A controlled substances-related act
 - » Improper sexual activity with a person in custody
 - » Cruelty to animals
 - » Dog fighting
 - » Making a firearm accessible to a child
 - » Intoxication and alcoholic beverage offenses
 - » Furnishing alcohol to a minor

The following central registry findings may preclude a person from being approved as a foster parent:

- Any sustained finding of child abuse or neglect, including sexual abuse, physical abuse, emotional abuse, physical neglect, neglectful supervision, or medical neglect
- Any central registry finding of child abuse or neglect (whether sustained or not), when it is determined the presence of the person in a foster home poses an immediate threat or danger to the health and safety of children

Kinship Foster Care**Fam. Code §§ 264.751 through 264.754; 264.760**

A 'designated caregiver' is a person who has a longstanding and significant relationship with a child who is appointed to provide substitute care for the child but is not licensed by the department. A 'relative caregiver' is a relative who has been appointed managing conservator but who is not licensed by the department. The department shall develop a program to:

- Promote continuity and stability for children by placing them with relative or other designated caregivers
- Facilitate relative or other designated caregiver placements by providing assistance and services

The department shall expedite the completion of the background and criminal history check, the home study, and any other administrative procedure to ensure that the child is placed with a qualified relative or caregiver as soon as possible after the caregiver is identified. Before placing a child with a proposed relative or other designated caregiver, the department must conduct an investigation to determine whether the proposed placement is in the child's best interests.

A relative or other designated caregiver who becomes licensed by the department or verified by a licensed child-placing agency or the department to operate a foster home may receive foster care payments, beginning with the first month in which the relative or other designated caregiver becomes licensed or is verified.

Foster to Adopt**Admin. Code Tit. 40, §§ 749.3201; 749.3203; 749.3221**

Applicants may be approved as a foster-adoptive home. All rules for verifying a foster family home and for approving an adoptive home must be followed. The foster home screening and preadoptive home screening may be combined into one screening report as long as requirements for each screening are covered.

A 'legal risk placement' exists when:

- A child that is not available for adoption because his or her parent(s)' rights have not been terminated.
- A child has been placed into a home that has been jointly verified as a foster home and approved as an adoptive home.
- The placement is intended to change from foster care to adoption once the child is eligible for adoption.

A legal risk placement does not exist when a child is placed with foster parents who want to adopt the child but have not been approved as an adoptive home.

Interjurisdictional Approval**Fam. Code § 162.102**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

Department of Family and Protective Services, 'Foster Care' [website](#)

State regulations [full text](#) (PDF - 153 KB)

Utah**Who May Apply****Admin. Code R501-12-6**

Personal characteristics of foster parents shall include the following:

- Foster parents shall be in good health and able to provide for the physical and emotional needs of the child.
- Foster parents shall be emotionally stable and responsible persons over age 21. Legally married couples and single individuals may be foster parents.
- Foster parents shall document and verify legal residential status when appropriate.
- Foster parents shall have the ability to help the child grow and change in behavior.
- Foster parents shall not be dependent on the foster care payment for their expenses beyond those associated with foster care and shall allocate funds as directed by division policy. Verification of income shall be submitted with the application to the Office of Licensing or agency on an annual basis.

Training Requirements**Admin. Code R501-12-5; R512-302-3**

Applicants shall attend training required and approved by the applicable Department of Human Services division or other approved entity and submit verification of completed training to the Office of Licensing or agency annually. At least one spouse shall complete the entire training series in order for the home to be licensed. The other spouse shall attend at least one third of the training.

Child and Family Services or the contract provider shall provide the required preservice training after the provider has held an initial consultation with the individual or couple to clearly delineate duties of caregivers. The curriculum for preservice and inservice training shall be developed by the contract provider and approved by Child and Family Services according to Child and Family Services' contract with the provider.

Child and Family Services or the contract provider shall verify in writing a caregiver's completion of training required for licensure. Child and Family Services or the contract provider also shall verify in writing a caregiver's completion of supplemental training required for serving children with more difficult needs.

Minimum Standards for Foster Homes**Admin. Code R501-12-7**

The foster home shall be located in an area in which school, church, recreation, and other community facilities are reasonably available. The physical facilities of the foster home shall be clean, in good repair, and shall provide for normal comforts in accordance with accepted community standards.

The foster and proctor home shall be free from health and fire hazards. Each foster and proctor home shall have a working smoke detector on each floor and at least one approved fire extinguisher.

There shall be sufficient bedroom space to provide for the following:

- Rooms are not shared by children of the opposite sex, except infants under age 2.
- Children do not sleep in the parents' room, except infants under age 2.
- Each child has his or her own solidly constructed bed adequate to the child's size.
- A minimum of 80 square feet is provided in a single-occupant bedroom, and a minimum of 60 square feet per child is provided in a multiple-occupant bedroom.
- No more than four children are housed in a single bedroom.

Sleeping areas shall have a source of natural light and shall be ventilated by mechanical means or equipped with a screened window that opens. Closet and dresser space shall be provided within the bedroom for the children's personal possessions and for a reasonable degree of privacy.

There shall be adequate indoor and outdoor space for recreational activities. All indoor and outdoor areas shall be maintained to ensure a safe physical environment. Areas determined to be unsafe, including, but not limited to, steep grades, cliffs, open pits, swimming pools, hot tubs, high voltage boosters, or high speed roads, shall be fenced off or have natural barriers.

All furniture and equipment shall be maintained in a clean and safe condition. Furniture and equipment shall be of sufficient quantity, variety, and quality to meet individual needs.

Approval Process**Admin. Code R501-12-4**

At the time of application, each potential foster parent shall obtain a medical reference letter, completed by a licensed health-care professional that assesses the physical ability of the individual to be a foster parent. A psychological examination of a potential foster parent may be required by the Office of Licensing or the agency if there are questions regarding the individual's mental status, which may impair functioning as a foster or proctor parent.

The applicant shall submit the names of no more than four individuals, two not related and one related, who may be contacted for a reference. These individuals shall be knowledgeable of the ability of the potential foster parents to nurture children.

A criminal background screening must be successfully completed for all child foster care applicants and persons age 18 or older living in the home. The child abuse and neglect licensing database also shall be screened for each applicant and persons age 18 or older living in the home to see if a report of a severe type of abuse and neglect has been substantiated by the juvenile court.

There shall be a current home study report on record prepared, or reviewed and signed off, by a licensed social worker. A home study shall be completed for each potential foster home. The home study shall be updated annually with a home visit.

Grounds for Withholding Approval**Ann. Code § 62A-2-120; Admin. Code R501-12-4**

The application of a prospective foster parent shall not be approved if he or she has been convicted of a felony involving conduct that constitutes any of the following:

- Child abuse
- Commission of domestic violence in the presence of a child
- Abuse or neglect of a disabled child
- Endangerment of a child
- Murder, manslaughter, child abuse homicide, or homicide by assault
- Kidnapping
- A sexual offense
- Sexual exploitation of children
- Aggravated arson, burglary, or robbery
- Domestic violence

A prospective foster parent shall not be approved if, within the previous 5 years, he or she has been convicted of a felony involving conduct that constitutes any of the following:

- Aggravated assault, aggravated assault by a prisoner, or mayhem
- A violation of the Controlled Substances Act, Drug Paraphernalia Act, Imitation Controlled Substances Act, Controlled Substance Precursor Act, or Clandestine Drug Lab Act

In regulation: Following preservice training and submission of all required documentation, the home study and an assessment of an applicant shall be completed. A license shall be issued for applicants who meet licensing rules. The decision to approve or deny the applicant shall be made on the basis of facts, health and safety factors, and the professional judgment of the agency or the Office of Licensing.

No person may be denied a foster care license on the basis of race, color, or national origin of the person or the child.

Kinship Foster Care**Admin. Code R512-500-4; R512-500-5; R512-500-6**

The following order of preference applies to placement of a child:

- A noncustodial parent
- A relative
- A friend designated by the custodial parent or guardian of the child, if the friend is a licensed foster parent
- A former foster placement, shelter facility, or other foster placement

A decision to place a child with a kinship caregiver will include background screening, assessment of the kinship caregiver's willingness and ability to care for a child and to keep the child safe, a limited home inspection, and background screening. A kinship caregiver must meet background check requirements. Assessment of safety will be based on:

- Potential threats of harm
- Vulnerabilities of the child
- Protective capacities of potential kinship caregivers and their support system

The limited home inspection determines if the following are met:

- The home is free from observable health and fire hazards.
- There are adequate sleeping arrangements to meet the specific needs of each child.
- Any firearms, ammunition, hazardous chemicals, and/or medications are secured and not accessible to children.

References may be contacted to obtain input regarding placing the child with the potential kinship caregiver or information about other available relatives or friends who may care for the child.

The kinship caregiver may be evaluated for their capacity for ongoing care of the child. The components of the evaluation process include:

- Results of the background screening
- A child-specific home study, including assessing the ability of the home to meet required safety standards
- Providing information to the kinship caregiver on options for ongoing care of the child, including becoming a licensed foster care placement for the child
- Obtaining positive written references from two different people known to the kinship caregiver

Foster to Adopt**Ann. Code § 62A-4a-602**

Beginning May 1, 2000, the division, as a licensed child-placing agency, may not place a child in foster care with any individual or individuals that would not be qualified for adoptive placement pursuant to the provisions of §§ 78B-6-117, 78B-6-102, and 78B-6-137.

Interjurisdictional Approval**Ann. Code §§ 62A-4a-701; 62A-4a-710**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The State of Utah may request a home study report from another State or an Indian Tribe for purposes of assessing the safety and suitability of placing a child in a home outside of the jurisdiction of the State of Utah.

The State of Utah may not impose any restriction on the ability of a State agency administering, or supervising the administration of, a State program operated under a State plan approved under Section 42 U.S.C. 671 to contract with a private agency to conduct a home study.

When the State of Utah receives a home study report, the home study report shall be considered to meet all requirements imposed by the State of Utah for completion of a home study before a child is placed in a home, unless, within 14 days after the day on which the report is received, the State of Utah determines, based on grounds that are specific to the content of the report, that making a decision in reliance on the report would be contrary to the welfare of the child.

Links to Resources

Department of Human Services, [Foster Care Program](#)

[Utah Foster Care Foundation](#)

State regulations [full text](#) (PDF - 94 KB)

Vermont**Who May Apply****Code of Rules § 13-162-007**

Household members in a foster home must be responsible, emotionally stable, emotionally mature people of good character as exemplified by past performance and general reputation. Applicants and licensees shall exhibit:

- Healthy patterns of social and interpersonal relationships
- Knowledge of child development and the needs of children
- The ability to apply discipline in a constructive and educational manner
- Realistic expectations regarding the behavior of foster children
- Sound judgment
- Current freedom from substance abuse and effective resolution of any past abuse of alcohol or other substances

Each child-caring adult in the home shall exhibit the ability to be an appropriate model for children. All members of the household shall be free from physical conditions, mental limitations, or emotional problems that would have an adverse effect on the physical or emotional well-being of foster children.

Primary caregivers shall be at least age 21. Foster parents shall demonstrate that they have sufficient income to support the family, exclusive of foster children, without reliance on the basic foster care reimbursement.

Training Requirements

This issue is not addressed in the statutes and regulations reviewed.

Minimum Standards for Foster Homes**Code of Rules § 13-162-007**

The foster parent shall maintain the house, grounds, and outside equipment and shall assure that they are reasonably free from any undue hazard or risk. The foster home shall:

- Be adequately heated and ventilated
- Have telephone service
- Have a kitchen with a sink with running water and all other necessary equipment for safe food preparation and storage
- Have a minimum of one indoor bathroom with a flush toilet, a washbasin with running water, and one bath or shower with hot and cold water

The home shall be free of dangers that constitute an obvious fire hazard, such as faulty electrical cords, overloaded electrical sockets, or an accumulation of papers, paint, or other flammable material stored in the home. The home shall have smoke detectors that are located in the basement and on each floor that is used as living space. A portable fire extinguisher shall be placed in the cooking area of the home.

Each foster child shall be provided with his or her own bed or crib. No foster child over age 2 shall sleep in the same room with an adult. No child over age 5 shall sleep in the same room with a child of the opposite sex when either child is a foster child. There shall be no more than four children designated to sleep in a bedroom when any of them is a foster child.

Foster parents shall maintain vehicles used to transport foster children in a safe condition and shall assure that such vehicles are properly registered, inspected, and insured. Foster children shall be transported only by a person possessing a valid driver's license. A foster child who weighs less than 40 pounds or is younger than age 5 must be properly secured in a federally approved infant or child passenger restraining system. All other foster children must be properly secured in seatbelts when being transported.

Approval Process**Code of Rules § 13-162-007**

The individual or couple applying for licensure shall submit a written application on the form prescribed by the State licensing authority. Married couples living together must submit a joint application. Applicants shall:

- Provide complete and truthful information on the licensing application and in the licensing process
- Cooperate fully with the licensuror(s) in determining if all licensing regulations have been met
- Cooperate fully with any licensing investigation

Grounds for Withholding Approval**Code of Rules § 13-162-007**

A license may be denied if the applicant fails to meet any licensing regulations. A license may be denied if the applicant or other member of the household:

- Has been charged with or convicted of a criminal offense
- Has current, unresolved problems with alcohol or other chemicals
- Has abused or neglected a child

A license may be denied or limited if an unusually stressful situation exists in the foster home that affects the appropriate care of children. Such situations include, but are not limited to, divorce, separation, death, unemployment, serious illness or injury, or the entry of a new member into the household.

Kinship Foster Care

This issue is not addressed in the statutes and regulations reviewed.

Foster to Adopt

This issue is not addressed in the statutes and regulations reviewed.

Interjurisdictional Approval**Ann. Stat. Tit. 33, § 5903**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

Department for Children and Families, [Licensing Regulations for Foster Care](#) (PDF - 311 KB)

State regulations [full text](#) (PDF - 50 KB)

Virgin Islands**Who May Apply****Code of Rules 34-005-000, § 104-77**

The study as a whole shall determine that:

- All members of the household have a good reputation and are a harmonious family group.
- The foster parents have definite religious convictions and agree to permit the child to continue in his or her own faith.
- All members of the household can present a medical certificate attesting that they are free from tuberculosis and communicable diseases, are in good physical and mental health, and able to provide all necessary care for the child.
- The foster parents are young enough to be able to provide good physical care for the child. This shall normally be interpreted to mean that the father shall not be more than 55 years older than the child and the mother not more than 45 years older than the child.
- The foster parents agree to accept supervision of and cooperate with the agency relative to all aspects of good child care.

Training Requirements

This issue is not addressed in the statutes and regulations reviewed.

Minimum Standards for Foster Homes**Code of Rules 34-005-000, § 104-77**

The study as a whole shall determine that:

- The home is not overcrowded and that the addition of a foster child would not cause:
 - » Sharing of a bedroom by a child age 5 or older with an older person
 - » Sharing of a single bed under any circumstances or sharing a double bed with any person except a child of the same sex
 - » A crib being shared by infants
- The home is properly ventilated.
- The home has refrigeration for necessary storage and preservation of food.
- The home can provide outdoor play space suited to the age and needs of the child.
- The home is reasonably accessible to schools, churches, public recreation facilities, and neighbors.
- The standards of cleanliness and housekeeping are adequate.
- Water supply and sanitation complies with all requirements of the Department of Health.

Approval Process**Code of Rules 34-005-000, § 104-77**

Each prospective foster home must be carefully studied prior to placement of a child. A comprehensive, objective evaluation of the home shall be recorded in a folder set up under the name of the foster parents. All contacts with the foster parents shall be properly recorded in this record.

The detailed study shall include the following social data about each of the foster parents:

- Complete health examination, including general health information, that rules out the existence of tuberculosis, other communicable diseases, and mental or nervous disorders
- Sufficient detailed information to show the reason they desire to foster a child

Relatives and children of the foster parents must favor the placement and should join in welcoming the child in the home. The foster parents must have sufficient income for family maintenance without having to depend on the board payment.

Interviews will be conducted to establish a relationship with the division that will help the foster parents talk about what they have to offer and decide whether they are ready to accept all of the responsibilities and obligations involved in boarding children. Several visits shall be made to the home in order to have a personal interview with every member of the household to determine that everyone will welcome a child into the home and that the foster parents are emotionally stable and mature people.

An evaluation on each foster home shall be made once each year and shall be properly recorded in the foster parent's record. This shall include a current medical report on every member of the family.

Grounds for Withholding Approval**Code of Rules 34-005-000, § 104-77**

Refusal of the foster parents to undergo a home study is sufficient grounds for the rejection of their application.

Kinship Foster Care

This issue is not addressed in the statutes and regulations reviewed.

Foster to Adopt

This issue is not addressed in the statutes and regulations reviewed.

Interjurisdictional Approval**Ann. Code Tit. 34, § 121**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

State regulations [full text](#) (PDF - 18 KB)

Virginia**Who May Apply****Admin. Code Tit. 22, §§ 40-141-30; 40-141-60**

Providers shall be at least age 21. They shall have either a bachelor's degree in a field related to family services, child care and development, social work, or education, or a high school diploma or a G.E.D. and at least 1 year of experience providing care to children in the age range to be placed in the home. Providers who accept children with special needs shall have experience or training directly relevant to the developmental levels and special needs of the children in care.

The provider and any assistants shall be:

- Able to speak, read, and write in English sufficient to understand and carry out the responsibilities and requirements to ensure the care, safety, and protection of children
- Knowledgeable about and physically and mentally capable of providing the necessary care for children
- Able to sustain positive and constructive relationships with children in care
- Able to handle emergencies with dependability and good judgment
- Responsible, of good character and reputation, and shall display behavior that demonstrates stability and maturity

The provider shall have the financial income to meet the basic needs of the provider's own family as well as to meet the needs of each child in placement if the parents are unable to pay for the child's care. The provider shall demonstrate marital stability, if married.

Training Requirements**Admin. Code Tit. 22, § 40-141-70**

When such training is available from the Department of Social Services, local departments of social services, or licensed child-placing agencies, the provider shall complete an initial foster parent orientation and training session within the first 6 months of initial licensure.

The provider, any assistants, and any other adult expected to be alone in the home with children shall receive, prior to licensure or employment, certification in first aid and CPR appropriate to the age of children in care, from an approved source such as the American Red Cross, the American Heart Association, National Safety Council, or an equivalent resource approved by the department.

The provider shall attend at least 20 hours of related training each year. The provider shall maintain documentation of training attended.

Minimum Standards for Foster Homes**Admin. Code Tit. 22, §§ 40-141-190; 40-141-200**

The home shall be clean and have sufficient space and furnishings for each child receiving care in the home to include:

- Bedrooms that are not used as passageways
- Indoor bathing and toilet facilities in good working order with a door for privacy
- At least one toilet, basin, and tub or shower for every eight persons
- A separate, comfortable bed for each child and sufficient bedding to ensure cleanliness and comfort

No more than four children shall occupy one bedroom. Children of the opposite sex over age 2 shall not share a bedroom. Children shall not share a bed or bedroom with the provider or other adult. There shall be at least 3 feet between each bed and sufficient space for each child to move about safely.

The home and grounds shall:

- Be in good physical repair
- Be free of litter, debris, peeling or chipped paint, hazardous materials, and infestations of rodents and insects
- Present no hazard to the health and safety of the children receiving care

The provider shall keep cleaning supplies and other toxic substance stored away from food and locked or out of the reach of children under age 3. The provider shall comply with the requirements for State-regulated care facilities relating to smoke detectors and fire extinguishers.

Infants shall be placed to sleep on a firm, tight-fitting mattress in a crib that meets current safety standards. To reduce the risk of suffocation, soft bedding of any kind shall not be used under or on top of the infant, including, but not limited to, pillows, quilts, comforters, sheepskins, or stuffed toys.

Approval Process**Admin. Code Tit. 22, §§ 40-141-40; 40-141-50; 40-141-60; 40-141-80**

The applicant for licensure, adult household members, and any other adult who is involved in the day-to-day operations of the independent foster home or will be alone with, in control of, or supervising one or more children placed in the home shall receive and provide to the licensing representative the results of a criminal history record check and a search of Virginia's Child Protective Services central registry. The applicant also shall submit a sworn disclosure statement or affirmation disclosing whether the person has a criminal conviction or is the subject of any pending criminal charges within or outside the Commonwealth and whether the person has been the subject of any founded complaint of child abuse or neglect within or outside the Commonwealth.

The applicant shall provide three references from unrelated persons who have knowledge of the person's character and reputation and ability, skill, and experience in the provision of services to children. The applicant shall submit information on his or her employment history.

The applicant shall complete the required Home Study Assessment form provided by the department and submit the completed form with the initial application for licensure.

Within 90 days prior to the initial application, the applicant for licensure as an independent foster home provider, each assistant, and each adult member of the household shall undergo an assessment for risk of tuberculosis infection and disease.

Grounds for Withholding Approval**Admin. Code Tit. 22, § 40-141-40**

An applicant will not be approved when:

- The results of a criminal history record check conducted by the Virginia State Police through the Central Criminal Records Exchange reveal an offense described in § 63.2-1719 of the Code of Virginia.
- The results of a search of Virginia's Child Protective Services central registry reveal a founded child abuse or neglect record.

Kinship Foster Care**Ann. Code § 63.2-900.1**

The local board shall, in accordance with regulations adopted by the State Board, determine whether the child has a relative who is eligible to become a kinship foster parent. Kinship foster care placements shall be subject to all requirements of, and shall be eligible for all services related to, foster care placement.

The kinship foster parent shall be eligible to receive payment at the full foster care rate for the care of the child.

Foster to Adopt**Ann. Code § 63.2-1229**

A foster parent may adopt the foster child that is placed in his or her home when:

- The child has resided in the home of the foster parent continuously for at least 18 months.
- The birth parents' rights to the child have been terminated.

The circuit court shall accept the petition filed by the foster parent and shall order a thorough investigation of the matter to be made pursuant to § 63.2-1208. The court may refer the matter for investigation to a licensed child-placing agency other than the agency holding custody of the child. Upon completion of the investigation and report and filing of the consent of the agency holding custody of the child, the circuit court may enter a final order of adoption waiving visitation requirements, if the circuit court determines that the adoption is in the best interests of the child.

Interjurisdictional Approval**Ann. Code § 63.2-1000**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

State regulations [full text](#) (PDF - 34 KB)

Washington**Who May Apply****Admin. Code §§ 388-148-0515; 388-148-0535; 388-148-0050**

An applicant for foster care licensure must be age 21 or older. In addition, the applicant must have:

- Sufficient regular income to maintain his or her own family without the foster care payments made for the children in care
- A negative tuberculosis test or an x-ray

Training Requirements**Admin. Code § 388-148-0520**

To receive a foster home license, the applicant must attend required orientation and preservice training programs that the department sponsors or that the licensed child-placing agency offers. The applicant must provide proof of completion for:

- Current first aid/CPR training that is geared for the ages of the foster children being sought for placement
- HIV/AIDS training

The primary caregivers must complete all required department-approved training after licensing.

Minimum Standards for Foster Homes**Admin. Code §§ 388-148-0155; 0160; 0165; 0210; 0135; 0140; 0160; 0265; 0170; 0275; 0315**

The equipment and the physical structures in the foster home must be safe and clean for the children served. The caregiver must:

- Maintain the premises and equipment in a clean and sanitary condition, free of hazards, and in good repair
- Furnish the home appropriately based on the age and activities of the children under care
- Make reasonable attempts to keep the premises free from pests, such as rodents and insects using the least toxic methods

The foster home must:

- Be located on a well-drained site, free from hazardous conditions
- Have at least one telephone on the premises for incoming and outgoing calls
- Have at least one indoor flush-type toilet, one nearby hand-washing sink with hot and cold running water, and a bathing facility
- Have a working smoke detector in each bedroom or in areas close to where children sleep
- Have readily available at least one approved all-purpose fire extinguisher

Any vehicle used to transport children must be kept in a safe operating condition. The driver must have a valid driver's license and automobile insurance. All persons in the vehicle must use seat belts or approved child passenger restraint systems, as appropriate for age.

An adult must be on the same floor or within easy hearing distance to where children under age 6 are sleeping. Bedrooms must have unrestricted direct access to hallways, corridors, living rooms, day rooms, or other common-use areas. For children age 6 and older, separate sleeping quarters must be provided for each gender. Children in care must not share the same bed.

A child over age 1 must not share a bedroom with an adult who is not the child's parent. There must be no more than four persons to a bedroom.

Each child in care must have a bed of his or her own. An infant must be provided with a crib that ensures the safety of the infant and complies with the Infant Crib Safety Act.

Approval Process**Admin. Code §§ 388-148-0050; 388-06-0150**

The applicant must submit a completed background check on anyone on the premises having unsupervised access to a child who:

- Is at least age 16
- Is not a foster child or an individual age 18 through 20 authorized to remain in foster care

The applicant must submit a completed FBI fingerprint form on any individual in the home who has lived outside Washington State within the last 3 years.

The department must review criminal convictions and pending charges based on identifying information provided by the applicant. Background checks conducted for children's administration also include:

- A review of child protective services case files information or other applicable information system
- Administrative hearing decisions related to any license that has been revoked, suspended, or denied

In addition to the requirements above, background checks for placement of a child in out-of-home care, including foster homes, adoptive homes, relative placements, and placement with other suitable persons, include the following for each person over age 18 residing in the home:

- Child abuse and neglect registries in each State a person has lived in the 5 years prior to conducting the background check
- Washington State Patrol and FBI fingerprint-based background checks regardless of how long the person has resided in Washington

Grounds for Withholding Approval**Admin. Code §§ 388-06-0170; 388-06-0180; 388-06-0200**

A person will be permanently barred from being licensed to provide care for children if he or she has a felony conviction for any of the following:

- Child abuse and/or neglect
- Spousal abuse
- A crime against a child, including child pornography
- A crime involving violence, including rape, sexual assault, or homicide but not including other physical assault

A person will be disqualified for licensure if it has been less than 5 years from a conviction for the following crimes:

- Any physical assault not included above
- Any sex offense not included above
- Any felony conviction not included above
- A felony violation of the following drug-related crimes:
 - » The Imitation Controlled Substances Act (for substances that are falsely represented as controlled substances)
 - » The Legend Drug Act (prescription drugs)
 - » The Precursor Drug Act (substances used in making controlled substances)
 - » The Uniform Controlled Substances Act (illegal drugs or substances)
 - » Unlawfully manufacturing, delivering, or possessing a controlled substance with intent to deliver, or unlawfully using a building for drug purposes

The department will not license a person who has a criminal charge pending.

Kinship Foster Care**Admin. Code §§ 388-25-0445; 388-25-0450**

When the department determines that a child needs to be placed outside the home, the department must search for appropriate relatives to care for the child before considering nonrelative placements. The department reviews and determines the following when selecting a relative placement:

- The child would be comfortable living with the relative.
- The relative has a potential relationship with the child.
- The relative is capable of caring for the child and is willing to cooperate with the permanency plan for the child.
- The relative is able to provide a safe home for the child.
- Each child has his or her own bed or crib if the child remains in the home beyond 30 days.

The department may consider nonrelated family members as potential resources if these family members become licensed to provide foster care.

The department may exclude relatives who have criminal histories as included in the Adoption and Safe Families Act (ASFA) regulations. A relative will be excluded if the department finds that, based on a criminal records check, the relative or a member of the household has been convicted of a felony involving:

- Child abuse or neglect
- Spousal abuse
- A crime against a child or children, including child pornography
- Crimes involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery

The department may not approve a relative placement if the department finds the relative, or a member of the household, has, within the last 5 years, been convicted of a felony involving physical assault, battery, or a drug-related offense.

Foster to Adopt

This issue is not addressed in the statutes and regulations reviewed.

Interjurisdictional Approval**Rev. Code § 26.34.010**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

State regulations [full text](#) (PDF - 104 KB)

West Virginia**Who May Apply****Code of State Rules § 78-2-13**

An agency shall accept applications from and recruit foster parents with the life experiences, personal characteristics and temperament suitable for working with children in need of care and shall provide verification of marital status, if applicable, upon request. Foster parents shall:

- Be nurturing, responsible, patient, stable, flexible, mature, healthy adults capable of meeting the individual and specific needs of children referred for placement services
- Be no younger than age 21 and no older than age 65 unless a waiver is granted by the secretary
- Provide the agency with documentation of sufficient income and financial resources to meet their financial obligations

Training Requirements**Code of State Rules § 78-2-20**

As a condition of approval, an agency shall require that each foster parent participate in specified training curriculum. An agency shall develop and implement a written plan for the orientation, annual training, and child-specific training for foster parents. An agency shall document in the foster parents' record the date, subject, and a brief description of the training, its duration, and the name and title of the training instructor.

Prior to the placement of a child, the agency shall complete foster parent orientation on the placement process; the agency's services and programs; legal aspects of foster care; the agency's discipline policies; behavior management; crisis de-escalation and intervention; and first aid training, including cardiac pulmonary resuscitation (CPR).

In addition to orientation training, an agency shall provide foster parents with a minimum of 15 hours of ongoing training during the first year of approval. After the first year of approval, an agency shall provide foster parents with a minimum of 12 hours of ongoing annual training in addition to training in first aid and CPR.

An agency shall provide child-specific training to assist foster parents in implementing a child's service plan or a specific treatment objective.

Minimum Standards for Foster Homes**Code of State Rules §§ 78-2-13; 78-2-15**

All vehicles used to transport children must be maintained in safe running condition and in compliance with State law. The vehicles must be covered by liability insurance, and all licensed drivers must be included in the policy. Anyone who transports children must have a valid driver's license.

The physical facilities of a foster home must be free of any health or safety hazards, and they must be sufficiently clean and comfortable to ensure the well-being and respect of the family in the community. Homes must have indoor and an outdoor recreation areas free of unsanitary or hazardous items and have toys available to children that are appropriate for their ages.

For sleeping:

- Each child shall have an individual bed that is not a cot or roll-away bed.
- A maximum of four children may share a bedroom.
- A child shall not share a bedroom or a bed with an adult or a child of the opposite sex.

The foster home must have an operative telephone.

Household items, including cleaning supplies, toxic or flammable materials, medicines, and alcoholic beverages that may be hazardous to a child, must be stored in areas inaccessible to children.

The home must have:

- A battery-operated smoke detector located near the child's bedroom
- A fire extinguisher located in the kitchen

Approval Process**Code of State Rules §§ 78-2-13; 78-2-16**

Prior to approval, foster parents shall provide the agency with a medical exam report from a physician for the foster parents and all other household members certifying they are in good health, free of communicable diseases, and have had a tuberculin risk assessment or skin test.

Foster parents shall provide the agency with the names of no less than four references from persons who are not related to them. The agency shall ensure that three of the four references are interviewed face-to-face or by telephone to discuss in detail their responses and any related information.

Prior to approval, all adult household members shall complete a Statement of Criminal Record form, a Statement of Child Abuse or Neglect History form, and a signed release authorizing the department to verify the information.

An agency shall conduct a comprehensive written home study with the prospective foster or adoptive parents and all household members prior to placing a child in the home, including a minimum of one individual in-person interview for each parent and two joint interviews. The study shall describe the family's:

- Household composition and relationships
- Attitudes and values
- Hobbies, community activities, and social life
- Financial situation
- Motivation to become foster parents
- Attitudes about having a foster child in the home
- Methods of discipline

The home study shall identify the foster parents' strengths, attributes, abilities, weaknesses, potential problem areas, or concerns as the basis for approval. The home study shall make a recommendation regarding the number, ages, and gender of children for which the home may be approved for placement and any other special conditions or circumstances that may apply.

Grounds for Withholding Approval**Code of State Rules § 78-2-13**

An agency shall not approve foster parents whose health, behavior, or emotional or psychological make-up may endanger the well-being of a child. An agency shall not approve a foster home unless all references for the foster parents are positive in nature.

An agency shall not approve a home for foster care if a household member has any convictions other than minor traffic violations. Special circumstances may allow a waiver to be granted by the secretary.

Kinship Foster Care**Code of State Rules §§ 78-20-4; 78-20-6; 78-20-7; 78-20-8**

The department shall issue an initial certificate of registration to an informal or relative family child care home upon application and self-certification of compliance with this rule. An informal or relative family child care home may request a waiver or variance of any requirement in this rule if the health, safety, or well-being of children in the home is not adversely affected.

The caregiver shall be:

- At least age 18
- Able to read and write or have another adult present in the home during the hours of care who is able to read and write

The caregiver shall obtain a statement of good health from a licensed physician within 30 days of application for a certificate.

A caregiver shall complete an initial 2 hours of approved health or safety training within 30 days of application. Thereafter, a caregiver shall annually complete at least 1 hour of self-directed study related to child development.

At the time of application, a caregiver and each adult household member shall sign a statement of criminal record and consent to check department records for child and adult abuse and neglect. The secretary shall not grant a certificate if the caregiver or a household member is an active recipient of child or adult protective services, has a history of substantiated child or adult abuse or neglect, or has been convicted of any crime listed in regulation.

An informal or relative family child care home shall have:

- Working heat, electricity, indoor plumbing, a cook stove, a refrigerator, and access to a working telephone or communications device
- A properly functioning digital carbon monoxide detector installed in a central location in the home
- One working smoke detector be installed on every level of the home
- A multipurpose fire extinguisher available in the home at all times

Foster to Adopt

This issue is not addressed in the statutes and regulations reviewed.

Interjurisdictional Approval**Ann. Code § 49-2A-1**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

State regulations [full text](#) (PDF - 75 KB)

Wisconsin

Who May Apply

Admin. Code DCF § 56.05

A foster care provider shall be a responsible, mature individual who is fit and qualified, who does not abuse alcohol or drugs, or have a history of a civil or criminal conviction or administrative rule violation that substantially relates to caring for children or operating a foster home, and who exercises sound judgment and displays the capacity to successfully nurture foster children.

The applicant for foster care licensure must be no younger than age 21. The applicant and all members of the household shall be free of physical or mental conditions that would interfere with the ability of the family to provide care for a foster child or threaten the health or safety of a foster child.

The applicant must have:

- A stable income sufficient to meet the foster family's obligations without reliance on the basic maintenance payments received for the care of foster children
- Current vehicle liability insurance coverage if he or she will be transporting foster children
- Homeowner's or renter's liability insurance

Training Requirements

Admin. Code DCF §§ 56.13; 56.14

Each foster parent shall complete a minimum of 6 hours of preplacement training prior to the placement of any child in the home and complete a minimum of 30 hours of initial licensing training during the initial licensing period. Subsequent to the initial licensing period, the foster parent shall complete 10 hours of ongoing training in each 12-month period of licensure.

The preplacement training for foster parents shall include the following:

- Foster care overview
- Expectations of foster parents
- Caring for children in foster care
- Developing and maintaining family connections
- Foster family self-care

The initial licensing training for foster parents shall include:

- Permanency
- Cultural dynamics in placement
- Child abuse and neglect
- The impact of maltreatment on child development
- Attachment
- Separation and placement
- The importance of maintaining a foster child's family connections
- Guidance and positive discipline
- Access to resources

At the time of renewal of a license to operate a foster home, the licensing agency and the foster parent shall evaluate the foster parent's overall performance and develop an individualized training plan for the foster parent based on his or her demonstrated need for training in particular topics or in managing specific case situations.

Minimum Standards for Foster Homes**Admin. Code DCF §§ 56.07; 56.08**

A foster home shall be constructed, arranged, and maintained to be safe and healthy for all occupants. The home shall be large enough and its living areas large enough for the number and ages of the foster children and other household members. The home shall have furnishings and equipment necessary to adequately accommodate the foster children and other persons living in the home. The foster home property shall be maintained in a state of good repair and in a sanitary condition.

A foster home shall provide:

- A minimum of 200 square feet of living area for each household member including each foster child
- At least one complete bathroom for every eight household members including foster children
- Each foster child with a separate bed
- Each infant child with a separate crib, bassinet, or playpen

No foster child age 6 or older may regularly share a bedroom with another child of the opposite sex. Each bedroom occupied by a foster child shall have a minimum floor space of 40 square feet per child. No more than four children may regularly occupy one bedroom.

The foster home shall have:

- At least one operating telephone
- Outdoor recreation and play space either on the premises or nearby
- Smoke detectors at the head of every open stairway, on each floor of the home, and in each sleeping room
- A fire extinguisher in or near the kitchen
- A carbon monoxide detector in the basement and on each floor level

Materials and equipment that may be hazardous to children, such as power tools, flammable or combustible materials, insecticides, poisons, plastic bags, detergents, alcohol, tobacco products, and medications, shall be stored in areas not readily accessible to foster children.

Any person who transports foster children must have a valid driver's license. A child younger than age 8 must be seated and restrained in a child car safety seat appropriate to the child's age and weight.

Approval Process**Admin. Code DCF § 56.05; 56.13**

In determining whether a person is fit and qualified, the licensing agency shall consider the person's qualifications and any history of civil or criminal violation of statutes, regulations, or ordinances. A comprehensive home study shall include interviews with foster family members, the use of formalized assessment systems, and communication with references. The applicant must demonstrate an adequate understanding of what it means to be a foster child and a recognition of a child's strengths and weaknesses consistent with the child's age and abilities, or a motivation to learn.

Before a foster home license is issued, the applicant and any nonclient resident of that person's home who is age 12 or older shall complete the background information disclosure form, written authorization for the licensing agency to make inquiries about the subject, and a set of fingerprints. The licensing agency shall do all of the following:

- Conduct criminal and other background checks
- Check any child abuse and neglect reports or findings from any State in which the person has resided within the last 5 years
- Conduct a search of the Wisconsin sex offender registry

An applicant shall submit at least three favorable reference letters written by persons unrelated to the applicant. A reference letter shall include a statement indicating how long the person giving the reference has known the applicant, under what circumstances he or she knows the applicant, and his or her knowledge of the applicant's characteristics.

Grounds for Withholding Approval**Ann. Stat. § 48.685; Admin. Code DCF § 56.05**

The department may not license a foster home if the department knows or should have known any of the following:

- The person has been convicted of a serious crime.
- There has been a finding that the person has abused or neglected any client or misappropriated the property of any client.
- A determination has been made that the person has abused or neglected a child.

In regulation: The applicant or licensee shall give truthful and sufficient information to enable the licensing agency to verify whether or not he or she meets the requirements for licensure. Giving false information or withholding relevant information shall constitute grounds for denial of the license.

Kinship Foster Care**Ann. Stat. § 48.57; Admin. Code DCF §§ 56.02; 56.05; 56.13**

A child may be placed with a kinship care relative if the department determines that the placement is in the best interests of the child. The department will conduct a background investigation to determine if the kinship care relative or adult resident has any arrests or convictions that could adversely affect the child or the relative's ability to care for the child.

In regulation: The licensing agency or the department may grant a waiver to certain nonsafety-related requirements for the relative of a child without an alternative provision to meet the intent of the requirement. The types of permissible waivers include requirements regarding:

- Employment history and homeowners' or renters' liability insurance
- Minimum interior living space and outdoor play area
- Sleeping arrangements for the foster child

A person age 18 to 20 may be licensed to provide foster care for a relative.

A Level 1, 'child-specific' license may be issued to a relative of a child or an individual who has a previous existing relationship with the child or the child's family. Each foster parent who operates a foster home with a Level 1 certification shall complete a minimum of 6 hours of preplacement training within 6 months after the date of initial licensure.

Foster to Adopt**Ann. Stat. §§ 48.833; 48.88; Admin. Code DCF § 56.14**

The department or a licensed child welfare agency may place a child for adoption in a licensed foster home without a court order if the proposed adoptive parents have completed the preadoption preparation required under § 48.84(1).

If the petitioner was required to obtain an initial license to operate a foster home before placement of the child for adoption, the agency making the investigation shall obtain a criminal history search and a child abuse and neglect records check. If the petitioner has been convicted of any of the offenses specified in § 48.685 (5) (bm) 1 to 4, the agency may not report that the petitioner's home is suitable for the child.

In regulation: A foster parent who is licensed solely for the purpose of adoption of a domestic infant or a foreign child will not be required to complete the foster parent training if the foster parent completes the preadoption preparation training required under § DCF 51.10.

Interjurisdictional Approval**Ann. Stat. §§ 48.988; 48.98**

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

No person may bring a child into the State or send a child out of the State for the purpose of placing the child in foster care without a certificate from the department that the home is suitable for the child.

Links to Resources

[Wisconsin Foster Parent Handbook](#)

State regulations [full text](#) (PDF - 118 KB)

Wyoming

Who May Apply

Code of Rules 049-080-005, § 3; 049-080-007, § 2

Foster parents shall be older than age 21. An orientation program for foster parents must be completed before they work directly with the children in care.

Foster parents must demonstrate:

- Financial stability, as verified by personal references and/or credit review
- Physical and emotional capability to provide foster care, as verified by a physician
- An ability to understand the concept of foster family care; the role of the agency in foster care; working cooperatively with the placing agency and the parents of origin, adoptive parent, and the child for the stability and permanence in the care of the child, as verified through foster home study process and written report prepared by the agency

Training Requirements

Code of Rules 049-080-007, § 2

Prior to certification, all prospective foster parents must complete a foster parent orientation program of at least 16 hours, including, but not limited to, the following topics:

- The purpose, philosophy, organizational structure, and goals of the agency
- Information about the strengths and needs of children and their families who require family foster care services
- Information about the critical nature and impact of separation and loss for all parties involved in foster care
- The family assessment and home study process and criteria for being approved as a foster parent
- The laws, regulations, policies, and values that direct the family foster care program
- The rights and responsibilities of foster parents and the agency
- Policies on discipline, confidentiality, substance abuse, and HIV/AIDS
- Health and safety procedures, including first aid, CPR, HIV/AIDS precautions, psychotropic medication, and emergency procedures
- The knowledge and practice skills necessary to be a foster parent
- Foster home licensing requirements
- Information about the role of the social worker and the foster parents' relationship with the social worker
- Information about the need of the foster parents to work with the parents of origin
- Information about educational and other community resources

Foster parent inservice training shall be scheduled for the convenience of the foster parents, 16 hours annually, and at no cost to the foster parents. Topics may include helping children develop self-esteem; helping children learn appropriate behaviors; and helping children with family reunification, adoption, or preparation for young adult life.

Minimum Standards for Foster Homes**Code of Rules 049-080-006; 049-080-005, § 8**

The home shall have sufficient bedroom space to allow at least 75 square feet for the first occupant of a bedroom and 50 square feet for each additional occupant. There shall be no more than four children to a bedroom. Children of the opposite sex shall not sleep in the same room. All children shall have an individual bed.

There shall be documentation that the foster home's premises and equipment are safe and functional for use by children, personnel, and visitors. The foster home shall comply with all fire regulations and codes and the regulations of the State or local fire safety authority.

Foster parents shall have a telephone in their home. The home shall be equipped with the appropriate number of portable fire extinguishers and smoke detectors. Combustible and flammable materials and liquids shall be properly stored and shall not create a fire hazard.

Vehicles used to transport children shall be maintained in safe condition and comply with applicable motor vehicle laws. Drivers must have valid driver's licenses, and the vehicle must have liability insurance. Each child passenger who is age 2 or younger, or who weighs less than 40 pounds or is 40 inches tall or less, shall be secured in a child safety restraint system. All other children must wear seat belts.

Approval Process**Code of Rules 049-080-005; 049-080-007, § 2**

For each foster care applicant, the Department of Family Services shall complete:

- An abuse/neglect Central Registry check and a Division of Criminal Investigation (DCI) criminal history record prescreen
- A background check through the local law enforcement agency

The family foster care home study process shall include five or more contacts with the applicants. Two interviews should be conducted at the home with all family members present so that an assessment can be made of family functioning and how foster children will be included and integrated into the home. During the visits, the worker should see the house and where a foster child would sleep and keep his/her belongings and observe the home concerning safety for children. A minimum of three references must be included in the study.

Grounds for Withholding Approval**Code of Rules 049-080-003, § 8**

The department may deny certification upon proof of noncompliance or violation of any Federal, State or local law or the rules. This includes noncompliance with health or fire inspections. Reasons for the denial of certification include, but are not limited to:

- Consistently failing to maintain rules prescribed and published by the department
- Furnishing or making any misleading or false statement to a department employee
- Failing to maintain, equip, and keep the home in a safe and sanitary condition
- Any staff being convicted of an act of child abuse, neglect, or sexual offense or being the subject of a substantiated abuse or neglect investigation
- Failing to have completed all required training as specified by the rules

Kinship Foster Care

This issue is not addressed in the statutes and regulations reviewed.

Foster to Adopt

This issue is not addressed in the statutes and regulations reviewed.

Interjurisdictional Approval

Ann. Stat. § 14-5-101

Any out-of-home placement of a child outside the State is subject to the provisions of the Interstate Compact on the Placement of Children.

The child shall not be sent into the receiving State until the appropriate public authorities in the receiving State notify the sending agency, in writing, that the proposed placement does not appear to be contrary to the interests of the child.

Links to Resources

State regulations [full text](#) (PDF -108 KB)