


POLICY TITLE: Temporary Licensing of Foster Homes for Kin		PAGE 1 OF 10
	CHILD AND FAMILY SERVICES AGENCY Approved by: <u>Debra Porchia-Usher</u> Interim Agency Director Date: <u>September 20, 2011</u>	REVISION HISTORY:
	LATEST REVISION: September 11, 2011	

I. AUTHORITY	<p>The Director of the Child and Family Services Agency (CFSA) adopts this policy to be consistent with the Agency’s mission and applicable federal, District of Columbia, and Maryland laws, including the Code of Maryland Regulations (COMAR), the Child and Family Services Agency Establishment Amendment Act of 2000, DC Law 13-277 (effective April 4, 2001); the Youth Residential Facilities Licensure Act of 1986, DC Law 6-139 (effective August 13, 1986, DC Official Code § 7-2101 <i>et seq.</i>); 29 DCMR Ch. 60, “Foster Homes”; 42 USC § 671(a)(10); 45 CFR § 1355.20(a); the <i>LaShawn A. v. Gray</i> Implementation and Exit Plan (December 17, 2010).</p>
II. APPLICABILITY	<p>All Agency staff and contracted personnel.</p>
III. RATIONALE	<p>The removal of children from their homes is a traumatic event. Exploring appropriate placements that reduce the trauma of separation from parents, siblings, and other significant persons and which promote safety, permanence, and well-being is an essential Agency function. Placement with kin can be beneficial in many ways and, when in the best interests of the child, should be the preferred alternative to non-kin foster care placements. Kinship placements have the potential to provide children with an environment that maintains family and cultural connections and provides for familiarity, stability, and enduring loving relationships.</p> <p>Although kinship placements are preferable, there can be risks and/or unintended consequences that need to be avoided to ensure the safety of the child(ren). To assure that each child in its care and custody has a placement that meets their needs for safety, permanence, and well-being, CFSA has developed and standardized licensing requirements for foster care placements. Because it is often necessary to remove children from their homes on an emergency basis, CFSA has also instituted a process for temporary licensure of foster homes for kin. The purpose of this process is to achieve significantly expedited licensure for the kinship caregivers, which can facilitate the immediate placement of children in the least restrictive, most familial settings.</p>

IV. POLICY	In order to assure the same level of protection for all children who are placed in out-of-home care, kin foster parents (also referred to as “resource parents”) are subject to licensure requirements in accordance with the same laws and regulations established for and applicable to non-kin foster homes. To facilitate its goals of expediting placement of children with kin in exigent situations, CFSA has established a process for <i>temporary</i> licensure of foster homes for kin residing within the District of Columbia and Maryland. A temporary license to allow immediate placement with relative and kinship caregivers may be issued to an eligible kin foster home consistent with the procedures described below. Special considerations may be given to kinship caregivers when making licensing determinations that would be in the best interest of the child.
V. CONTENTS	<ul style="list-style-type: none"> A. Criteria for Temporary Licensure of Kinship Foster Homes B. Process for Temporary Licensure of Kinship Foster Homes in the District C. Process for Temporary Licensure of Kinship Foster Homes in Maryland D. The Interstate Compact on the Placement of Children (ICPC) Referral Process for Maryland Kinship Homes E. License Extension Process F. Suspension/Revocation of License
VI. ATTACHMENTS	<ul style="list-style-type: none"> A. Definitions B. List of Waivable Non-Safety Requirements C. Request for Waiver of Licensing Requirements for Temporary Licenses in DC
VII. PROCEDURES	<p>Procedure A: Criteria for Temporary Licensure of Kin Foster Homes</p> <p>Temporary licensure is a special circumstance that applies only to kinship caregivers.</p> <ol style="list-style-type: none"> 1. CFSA may issue a temporary license to operate a kinship foster home only if the following circumstances apply: <ul style="list-style-type: none"> a. The applicant resides within the District of Columbia or Maryland. b. An assessment by the child’s social worker indicates that the home and the family could meet the requirements for full licensure. c. The applicant has taken the following steps towards licensure: <ol style="list-style-type: none"> i. Received a satisfactory criminal records check from the Interstate Identification Index System, also known as the National Crime Information Center (NCIC). ii. Applied for a criminal records check (FBI and local police clearances) in accordance with 29 DCMR § 6008. iii. Received a satisfactory Child Protective Register (CPR) check in accordance with 29 DCMR § 6009. iv. Received a satisfactory safety assessment of the prospective foster home (<i>see Procedures B and C of this policy</i>). v. Demonstrated the willingness and ability to provide a safe and secure environment for a foster child.

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Note: The Director of Child and Family Services Agency, upon written application and for good cause, may waive any provision of 29 DCMR §6027 and §6028 for licensing of kin (residing within the District of Columbia only) that does not adversely affect child safety. (See Attachment B for waivable non-safety requirements). If all other criteria for an Emergency Temporary License have been met and the waiver has been granted, the applicant shall be granted a license within 48 hours of receipt of this signed waiver.

2. An individual who is at least 21 years of age is considered kin to a foster child if either of the following circumstances apply:
 - a. The individual is a relative of the foster child by blood, marriage, or adoption, or
 - b. A relative (as defined above) has identified the individual in a sworn affidavit to have close personal or emotional ties with the foster child or the foster child's family, and this relationship has pre-dated the foster child's placement with the individual.
3. Before a child under the age of 6 can be placed in a home built before March 1, 1978, there must be a certificate indicating no risk from lead-based paint.
4. CFSA may issue a temporary license if there are exigent circumstances. Exigent circumstances exist if a child:
 - a. Must be removed from the home immediately because of suspected or substantiated child abuse or neglect
 - b. Is in the CFSA's custody and must be removed from the current placement immediately or
 - c. Has been removed from his or her home because of child abuse or neglect and
 - i. A petition alleging neglect of the child has been filed before the Superior Court of the District of Columbia Family Court and
 - ii. A disposition of the neglect petition has not yet occurred
4. All persons 18 years of age or older residing in the prospective kin foster home shall also have completed all three of the following procedures:
 - a. Received a satisfactory criminal records check from the NCIC.
 - b. Applied for a criminal records check (FBI and local police clearances) in accordance with 29 DCMR § 6008.
 - c. Received a satisfactory CPR check in accordance with 29 DCMR § 6009.

Procedure B: Process for Temporary Licensure of Foster Homes in the District

1. The child's social worker shall identify, contact, interview and preliminarily screen any relatives who are willing and may be able to care for the child until the parent is able to resume that responsibility. Based on the information collected by the social worker, the Office of Family Licensing Division (FLD) shall determine whether to grant or

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	<p>deny a temporary license. A preliminary assessment, which includes a clinical assessment narrative and a safety check for the home environment of each potential applicant, shall be performed by the child's social worker as quickly as possible, but no later than within 15 days of identifying the applicant. (<i>Social workers shall also refer to CFSA's Quick Reference Guide on Removal Notification to Relatives in order to further identify potential kinship placement resources.</i>)</p> <p>2. The assessment shall include <u>all</u> of the following considerations of the potential applicant's willingness and ability to provide a safe and secure environment for the foster child:</p> <ul style="list-style-type: none"> a. Physical, mental, and emotional capability to meet the child's needs. b. Willingness to take responsibility for providing care for the child. c. Willingness to accept the terms under which the placement would be made. d. Willingness to support the goals established for the child and family, and willingness to work with the Agency as a partner in the concurrent permanency planning process. e. Independent financial resources sufficient to meet the living needs of the applicant's own family without relying on foster care room and board payments. f. Willingness to work cooperatively with CFSA to achieve permanence for the child who is being considered for placement in his or her care. g. Whether the family and child are comfortable with the potential applicant and can have a positive, ongoing relationship with the potential applicant. h. Whether the potential applicant has a network or support system that will assist her or him if an emergency should arise (this information shall be documented in the safety plan and assessment, if placement is approved). i. Whether the potential applicant will agree to work with the Agency to make certain that the visitation plan will be executed as outlined by the Agency. j. A safety assessment of the potential applicant's home to see if it provides a safe and healthy environment for the child. <p>3. Although any potential applicant may apply for full licensure without a referral, CFSA's recommended process for temporary licensure includes a social worker's referral to the FLD program manager or designee based on a preliminary assessment that the potential applicant may be an appropriate temporary foster parent to the child. The child's social worker makes the referral by completing the TLP and hand-delivering it to the FLD program manager or designee.</p> <p>4. If the social worker determines that the potential applicant is not an appropriate temporary foster parent for the child (based on a preliminary assessment), the social worker shall inform the potential applicant that</p>
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s/he still has the right to apply to FLD for a full license even without a referral to FLD for a temporary license.

5. The TLP must include all of the following documentation:
 - a. The placing social worker’s clinical assessment narrative.
 - b. Completed and signed foster parent application for temporary licensure.
 - c. Completed and signed application for a full license to operate a foster home (for MD homes only).
 - d. Results of Child Protection Register checks, made in accordance with 29 DCMR § 6008, for the applicant and all individuals 18 years of age or older residing in the home.
 - e. Results of NCIC checks for the applicant and all individuals 18 years of age or older residing in the home. A live scan will be conducted within 7 days after the receipt of an NCIC records check.
 - f. Completed and sworn Relative’s Affidavit (when applicable to attesting a relationship between the child and a non-relative interested in being a kinship caregiver).
 - g. Results of the assessment of the potential applicant’s willingness and ability to provide a safe and secure environment for the child.
 - h. Results of the safety assessment of the applicant’s home, including information concerning lead hazards (*see Procedure A.3 above*).
 - i. Letter stating the applicant’s intent to satisfy Foster Parent Training requirements.
6. The social worker shall submit the completed TLP to his or her supervisor for review and approval. All completed TLPs shall have the appropriate authorizing signatures prior to submission to the FLD program manager or designee.
7. The completed TLP shall be hand-delivered to FLD program manager or designee for review and evaluation of the placement for appropriateness no later than 15 calendar days from initiation of the preliminary assessment process.
8. Following a review of the TLP, the FLD program manager or designee shall determine whether to grant or deny the temporary license no later than within two (2) business days of receipt of the completed TLP. *Note: the Emergency TLP shall not be considered “complete” until all clearances and supporting documents have been received by FLD.*
9. If FLD grants the temporary license, the FLD program manager or designee shall assign the licensing referral to a social worker in the Foster Parent Training Units for initiation of the full licensing process and notify the placing social worker of the issuance of the temporary license within 24 hours. *Note: the child cannot be placed with the kin until the temporary license has been issued.*

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	<p>10. Except as provided in Procedure C below, the temporary license shall expire 150 days from the date of issuance. During that time, the full licensing process, including foster parent training shall be completed.</p> <p>11. If FLD denies the temporary license, the FLD program manager or designee shall notify the applicant in writing of the Agency’s decision and the reason for denial. The FLD program manager or designee shall notify the placing social worker no later than two (2) business days of receipt of the completed TLP.</p> <p><i>Note: The applicant <u>does not</u> have the right to appeal the decision to deny a temporary license. The applicant may still apply for full licensure.</i></p> <p>12. When a temporary license is denied, the social worker shall offer within 48 hours of the denial to provide and assist the applicant with completion of a <i>Request for Waiver of Licensing Requirements for Temporary Licenses in DC</i> form (see Attachment C).</p> <ol style="list-style-type: none"> a. The applicant shall return the completed waiver request form to the social worker. b. Within 24 hours of receipt of the completed form, the social worker shall review and submit the form with recommendations through the FLD chain of command up to the FLD program manager. c. The FLD program manager shall determine whether the waiver request is justified and inform the social worker as soon as possible but no later than 24 hours of receipt. d. The FLD program manager shall also forward the waiver request to the Agency’s Director for final approval.
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	<p>Procedure C: Process for Temporary Licensure of Kinship Foster Homes in Maryland</p> <p>CFSA and the Maryland Department of Human Resources (MD DHR) have established a program for emergency kinship placements of District children in Maryland. The process is similar to one already used by CFSA to place children with kin on an emergency basis in the District. However, social workers within FLD who are dually licensed in DC and MD will conduct the safety and clinical assessments of kinship homes as opposed to the placing social worker.</p> <p>Under the program, only CFSA’s Maryland child-placing agencies may grant a full license to MD kin who are caring for DC foster children. Once the temporary license is approved by FLD, the family shall be referred to these agencies for full licensure. <i>Note: only children who are case-managed by CFSA are eligible for participation in the MD program.</i></p> <p>If an expedited licensing process is sought and a contracted child-placing agency has identified a MD kinship placement for a child under its care (on behalf of CFSA), the MD kinship home must be referred to CFSA for the temporary licensure. <i>Note: only District children classified under “traditional placements” are eligible for this program.</i></p>
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	<ol style="list-style-type: none"> 1. Temporary licensure for Maryland kin (i.e., Maryland Emergency Temporary Certification) may only be issued if the applicant has satisfied the criteria listed in Procedure A of this policy in addition to completing the following steps: <ol style="list-style-type: none"> a. Received a satisfactory criminal records check (a live scan and a Maryland Criminal Data Base Search). b. Received a satisfactory Maryland Child Protective Register (CPR) clearance in accordance with COMAR. c. All persons 18 years of age or older residing in the prospective kinship foster home have received the following checks: <ol style="list-style-type: none"> i. A criminal records check (a live scan and a Maryland Criminal Data Base Search) ii. A satisfactory Maryland CPR check in accordance with COMAR 2. The child’s social worker is responsible for completing the Maryland Emergency TLP for any kin residing in Maryland who might be willing and able to care for the child until the parent is able to resume that responsibility. 3. The child’s social worker shall obtain a Maryland Emergency TLP from the FLD and meet with the prospective kinship foster parent to complete the TLP, including completion of the Maryland CPR clearance request form. 4. FLD staff shall contact prospective providers to be live-scanned at CFSA for FBI and local police clearances. 5. FLD shall fax the request for a CPR clearance on all persons 18 years and older residing in the prospective kinship foster home located to the Maryland local child welfare office. 6. The Maryland local child welfare office has agreed to prioritize requests for the CPR clearance and to respond by fax or email to the requesting FLD employee within 24 to 48 hours of receipt of the request. 7. Once the TLP is complete and clearances are obtained, FLD staff shall complete the Safety Check and the Clinical Assessment within 48 hours. <i>Note: The Emergency TLP shall not be considered “complete” until all clearances have been received by FLD.</i> 8. A preliminary assessment of each prospective kinship foster parent and the home environment shall be performed within 48 hours by a social worker in FLD with a dual license to practice in DC and Maryland, and supervised by a social worker with an LCSW-C. The preliminary assessment shall include a safety check and clinical assessment. 9. If the FLD social worker determines that the applicant is an appropriate emergency kinship placement for the child, s/he shall submit the TLP
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	<p>within 24 hours to the FLD supervisor for review and approval.</p> <p>10. If the FLD supervisor grants the temporary license, the approval shall be issued immediately. The FLD supervisor shall notify the child’s social worker of the approval no later than two (2) business days of receipt of the completed TLP. All licensing activities shall be documented in FACES within 24 hours of approval.</p> <p>11. The child’s social worker shall make the placement. Within 24 hours of placement, the child’s social worker shall notify the Interstate Compact on the Placement of Children (ICPC) supervisor of the placement via email. The email shall contain the child’s name, the name of the kinship provider, and the date of the placement. <i>Note: the completed TLP shall be forwarded by the social worker to the ICPC supervisor.</i></p> <p>12. Within 48 hours of a temporary license approval by the FLD supervisor, the FLD clerical assistant shall submit the kinship application, the signed DC Corporal Punishment form, all CPR clearances, all criminal background checks, the assessment and the signed temporary license to the FLD licensing worker assigned to Maryland.</p> <p>13. Within 24 hours of the temporary licensure approval by the FLD program manager or designee, the FLD licensing worker assigned to Maryland shall refer the prospective kinship provider to a Maryland child-placing agency for completion of the full licensing process.</p> <p>14. FLD shall contact the prospective kinship foster parent to begin the process of completing full licensure by signing up for the next available foster parent training classes provided by CFSA, conducted twice a week for five (5) weeks.</p> <p>15. When the prospective kinship foster parent has completed training, s/he shall submit the certificate of completion and any other relevant documents to the FLD supervisor who shall review the documentation prior to submission to the assigned child-placing agency in Maryland.</p> <p>16. Per Maryland’s rules, the temporary license shall expire 120 days from the date of issuance. During that time, the full licensing process shall be completed, including foster parent training. <i>Note: expiration for temporary licensing in the District is 150 days.</i></p> <p>17. If FLD denies the temporary license, the FLD Supervisor shall notify the prospective kinship foster parent in writing of the Agency’s decision and the reason for denial. The FLD supervisor shall notify the child’s social worker of the decision no later than two (2) business days of receipt of the completed TLP (including clearances).</p> <p><i>Note: The applicant <u>does not</u> have the right to appeal the decision to deny a temporary license. If the prospective kinship foster parent still wants to be considered, s/he may apply for full licensure through FLD.</i></p>
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Procedure D: The Interstate Compact on the Placement of Children (ICPC) Referral Process for Maryland Kinship Homes

The placement of children from the District of Columbia to other states shall be made in accordance with the current terms of the ICPC and shall be referred through the District of Columbia’s Interstate Compact Office located at the Child and Family Services Agency (CFSA ICPC Office). The ICPC is required when CFSA and its contracted agencies (hereinafter CFSA) wish to place a child in its custody into a placement in another state.

1. The FLD social worker shall send a copy of the approved Maryland Emergency TLP to the CFSA ICPC office.
2. Within 48 hours of the placement, CFSA’s ICPC office shall fax the Kinship Emergency Placement form, a copy of the safety assessment narrative, and the Maryland clearances to both the Maryland ICPC Administrator and the Director of the Department of Social Services in the county in which the relative resides.
3. Within seven (7) business days of the placement, the CFSA ICPC office shall send via Express Mail a copy of the safety assessment narrative, the Maryland clearances, and the child’s social information to the Maryland ICPC Administrator.
4. The Maryland ICPC office will review the safety assessment information sent from the CFSA ICPC office and will identify any concerns to the CFSA ICPC office within three (3) business days of receipt.
5. The Maryland ICPC office will forward a copy of the accepted TLP of information to the Maryland jurisdiction where the family resides within three (3) business days of receipt.
6. The licensed Maryland child-placing agency will complete the home study, certifying the home in accordance with COMAR, and continue to monitor the foster home in accordance with ICPC requirements.
7. The FLD shall forward the home study approval (i.e., full license) and Maryland clearances to the CFSA ICPC office within two (2) business days of receipt.
8. The CFSA ICPC office shall complete the ICPC 100-A form and the ICPC Check List and forward the request for ICPC approval to the Maryland ICPC office for final review and approval within three (3) business days of receipt.

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Procedure E: License Extension Process

License extensions shall only be granted by the FLD program manager. Subject to the requirements and limitations outlined in 29 DCMR Ch. 60, temporary licenses may be renewed on a one-time basis when all of the following circumstances apply:

1. The applicant has made a good faith effort to comply with all elements of the foster home licensing process (e.g. the applicant has been cooperative and has submitted all required paperwork and training, but is awaiting the completion of inspections or the return of clearances).
2. Renewal is needed to complete the licensing process.
3. The licensing process is not completed for a reason that is beyond the control of the applicant.
4. The applicant has otherwise complied with the foster home licensing requirements.

Note: If all of the above requirements are not met, the temporary license will end or be subject to suspension or possibly revocation.

Reminder: No child can remain in an unlicensed home. The social worker shall provide notice of a change in placement to the foster parents, parents, and GAL at least ten (10) days prior to the placement change.

Procedure F: Suspension and Revocation

1. The process for suspension or revocation of a temporary license shall be the same process set forth in 29 DCMR Ch. 60.
2. The Office of the General Counsel shall be contacted prior to the suspension or revocation of a temporary license.

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ATTACHMENT A

DEFINITIONS

When used in this policy, the following terms and phrases shall have the meanings ascribed:

Affidavit: A written statement signed under oath (which may include signature in the presence of a notary) that:

1. Is made on personal knowledge
2. Sets forth facts that would be admissible in evidence and
3. Shows affirmatively that the individual signing is competent to testify to the matters stated in the affidavit

Applicant: The person(s) applying to be licensed as a foster parent, including as appropriate the person applying for a temporary license, under 29 DCMR Ch. 60.

Business Day: Monday through Friday excluding legal holidays.

Child: A foster child or any other person under eighteen (18) years of age residing in a foster home.

Kin: An individual who is at least 21 years of age and is either:

1. A relative of the foster child by blood, marriage, or adoption or
2. An individual, identified by a relative of the foster child by blood, marriage, or adoption, in a sworn affidavit, to have close personal or emotional ties with the foster child or the foster child's family which pre-dated the foster child's placement with the individual

Live Scan: Is inkless electronic fingerprinting. The fingerprints are electronically transmitted to the Department of Justice (DOJ) for completion of a criminal record check.

Safety assessment: An assessment of an applicant's residence, including but not limited to its general physical environment, sanitation and external environment.

Temporary license: A license to operate a foster home for a temporary period issued to a foster home that has complied with the requirements of 29 DCMR § 6027.

MD Emergency Temporary Certification: Terminology used by MD DHR to refer to the temporary license issued by CFSA (please see Procedure C above).

ATTACHMENT B

List of Potentially Waivable Requirements

Upon receipt of a written application identifying good cause, the director of the Agency (or designee) may waive any provision for licensing of kin as outlined in DCMR Title 29 Chapter 60 providing that child safety is not adversely affected. For purposes of this policy, designees shall include the program manager of the Family Licensing Division (FLD) and the deputy director of Community Services.

DCMR Title 29 Chapter 60	Topic & Foster Parent Regulation	Content of Guidance
Requirements that are Waivable at the Program Manager's Level		
§ 6001.2. § 6027.3(a)	1. Age: A foster parent shall be at least twenty-one (21) years of age	Age twenty (20) and above is considered to be appropriate for kinship foster parents. Kinship foster parents who are younger than 20 may be considered pending a social worker's thorough assessment of the applicant's emotional level of functioning and current situation.
§ 6005.2	2. # Children: Except as provided by § 6005.3 or § 6005.4, the total number of children in a foster home: (a) May not exceed six (6) children; (b) May not exceed two (2) children under two (2) years of age; (c) May not exceed three (3) children under six (6) years of age; and (d) May not exceed three (3) foster children.	When a case is managed by a private agency, more than one child may be permitted in a therapeutic kinship home, depending on results of the clinical safety assessment. Non-therapeutic kinship homes may house as many children as the clinical safety assessment determines and space allows.
§ 6007.14	3. Space: A foster home shall have living room or family room space that is adequately furnished and accessible to all members of the household, including foster children.	
§ 6007.15	4. Space: A foster home shall have a designated dining area.	Foster homes should have suitable accommodations for dining options. Determinations are made on a case-by-case basis.
§ 6007.17	5. Sleeping Arrangements: A foster child under fourteen (14) years of age may not sleep in a bedroom located in the basement.	Finished basements may be considered appropriate living spaces for children if the foster parent's bedroom is located within calling distance or one floor of the child's bedroom. Assessed as clinically appropriate for child to be on a different level as the foster parents or guardians and determined on a case-by-case basis. <i>Note: a foster child's bedroom must have at least two (2) means of egress, each on a different side of the room.</i>

§ 6007.18	<p>6. Sleeping Arrangements: A foster child's bedroom shall be sufficient in size to provide for the safety, privacy, and comfort of the foster child. The following bedroom sizes shall be used as general guidelines for adequate square footage:</p> <ul style="list-style-type: none"> (a) Seventy (70) square feet for one (1) foster child; (b) One hundred (100) square feet for two (2) foster children; and (c) One hundred fifty (150) square feet for three (3) foster children. 	<p>§ 6007.19: CFSA may license a foster home with bedrooms that do not meet the general guidelines in § 6007.18 if CFSA finds and has documented that the available space is adequate to provide for safety, privacy, and comfort of each foster child.</p> <p>Such determinations should be closely evaluated by the FLD supervisor on a case-by-case basis.</p>
§ 6007.20	<p>7. Sleeping Arrangements: No more than three (3) children may share a room regardless of the room's size.</p>	<p>The space must be assessed as adequate and able to pass the fire inspection regulations.</p>
§ 6007.22	<p>8. Sleeping Arrangements: No foster child over eighteen (18) months of age may share a bedroom with an adult.</p>	<p>Allowable for medically-fragile children and should be evaluated on a case-by-case basis for children over the age of 18 months.</p>
§ 6026.1	<p>9. Training: An applicant shall participate in an orientation program offered by the Agency.</p>	<p>No orientation is currently offered or required for temporary kinship applicants. Orientation information is provided during the first five weeks of Foster Parent Training.</p>
§ 6001.6	<p>10. Income: 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.</p>	<p>Determinations of waivable income requirements shall be made on a case-by-case basis.</p>
§ 6008.4(b)(1)	<p>11. Fraud: CFSA may not license an individual as a foster parent if that individual or any person eighteen (18) years of age or older residing in the prospective foster home has a conviction of fraud.</p>	<p>Under certain circumstances, the FLD program manager may determine on a case-by-case basis that certain types of fraud are waivable, including but not limited to welfare or credit card or check fraud.</p>
Requirements that are Waivable at the Deputy Director's Level		
§ 6008.4	<p>12. Criminal Records: Except as provided in § 6008.5, CFSA may not license an individual as a foster parent if that individual or any person eighteen (18) years of age or older residing in the prospective foster home:</p> <ul style="list-style-type: none"> (a) Has a felony conviction for any of the following offenses or their equivalents: <ul style="list-style-type: none"> (1) Child abuse (2) Child neglect 	<p>Social workers or licensing workers may request a waiver for a felony conviction as specified in § 6008.4 based on findings of clinical safety assessment or the home study. Additional felony convictions may include kidnapping, animal mutilation or maltreatment, and aggravated or excessive use of force.</p>

	<p>(3) Spousal abuse (4) A crime against children, including child pornography (5) A crime involving violence, including but not limited to, rape, sexual assault, homicide, assault, or battery</p> <p><i>Note: additional felony convictions involving violence may include but are not limited to kidnapping, animal mutilation, etc.</i></p> <p>(b) Has a felony conviction for any of the following offenses or their equivalents committed within the past five (5) years:</p> <p>(1) Fraud (2) A drug-related offense.</p>	
§ 6009.3	<p>13. Child Protection Register: Except as provided in § 6009.4, CFSA may not license an individual as a foster parent if that individual or any person eighteen (18) years of age or older residing in the prospective foster home is:</p> <p>(a) Identified as a possible abuser or neglecter in an open child abuse or neglect case; or (b) Identified as the abuser or neglecter in a supported case of child abuse or neglect.</p>	<p>§ 6009.4: Notwithstanding § 6009.3, CFSA may license an individual as a foster parent if it determines, after the individual's satisfactory completion of all other requirements of this chapter of the DCMR and a review of the child abuse or neglect case and current circumstances, that the individual would be able to provide care for foster children consistent with this chapter of the DCMR and the health, safety, and welfare of the children.</p> <p>More flexibility may be applied for older youth in foster care depending on the results of the clinical safety assessment.</p>

ATTACHMENT C

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Child and Family Services Agency



[Insert Date]

Request for Waiver of Licensing Requirements for Temporary Licenses in DC

Applicant _____ Applicant _____
Address _____ Telephone _____

Name of child(ren) _____

I applied for an Emergency Temporary Foster Care License in the District of Columbia and was informed on [Insert date] that the license will be denied because the following requirement(s) was/were not met:

[Insert requirement that was not met]; 29 DCMR Chapter § [Insert section] (*This section shall be completed by the social worker*).

I am seeking a waiver of the above requirement(s), based on the following reason(s):
(Please provide a detailed explanation of why you believe the requested waiver will not impact the safety and well-being of the child(ren) as well as any other explanation you wish the Agency to consider in reviewing this request.)

[Large shaded area for providing a detailed explanation of the waiver request.]

Signature of applicant

Signature of applicant

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Child and Family Services Agency



[Insert Date]

Request for Waiver of Licensing Requirements for Temporary Licenses in DC

From: [Social Worker]

To: Director, Child and Family Services Agency

Via: Deputy Director for Community Services
Program Manager, Family Licensing Division

[Insert name(s) of Prospective Kinship Foster Parent(s)] has/have applied for an Emergency Temporary License in the District of Columbia on [Insert Date]. He/she/they did not meet the requirement(s) for licensure based on 29 DCMR Chapter § [Insert Regulation # and entire text for each item to be waived] and is/are seeking a waiver. Please see the attached request.

I am recommending that the Director **Grant** **Deny** a waiver of the licensing requirement(s) to Insert Prospective Kinship Foster Parent's Name based upon the following justification:

Please provide a detailed narrative that addresses the issues cited above and specifies how this is a requirement that can still be waived. Be as detailed as possible. Attach additional pages as needed.

Supervisor Review and Comment: I have reviewed this matter and recommend that the waiver to the licensing requirement be **Granted** **Denied** based upon the following:

Program Manager Review and Comment: I have read the above statements and recommend that the waiver to the licensing requirement be **Granted** **Denied** based upon the following:

Blank lines for Program Manager comment.

Administrator Review and Comment: I have read the above statements and recommend that the waiver to the licensing requirement be **Granted** **Denied** based upon the following:

Blank lines for Administrator comment.

General Counsel Review and Comment: I have read the above statements and find that the requested waiver of the licensing requirement is **Legally Sufficient** **Not Legally Sufficient** based upon the following:

Blank lines for General Counsel comment.

Deputy Director for Agency Programs Review and Comment: I have read the above statements and recommend that the waiver to the licensing requirement be **Granted** **Denied** based upon the following:

Blank lines for Deputy Director comment.

I have read the applicant's request for a waiver and the above statements and based upon the request and considering the recommendations above, the waiver to the licensing requirement as set forth in 29 DCMR Chapter 60 is:

- GRANTED because it was deemed to have been in the best interest of the child(ren).
- DENIED because it was deemed to have not been in the best interest of the child(ren). A copy of this waiver request shall be retained in the applicant's file.

(Insert Director)
Child and Family Services Agency

Date