

<b>Protection and Safety Procedure Update #18-2013</b>	
<b>Regarding:</b>	Placement of children in relative and kinship (formerly known as child specific) homes in emergency and non-emergency situations
<b>Date Effective:</b>	May 30, 2013 (Replaces Administrative Memo #16-2012 Requirement for Licensure of All Foster Homes Not Related to the Child by Blood, Marriage or Adoption)
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<b>Issued by:</b>	Thomas D. Pristow, Director <i>VMaca for T. Pristow</i>

**Philosophy:**

The Federal Fostering Connections Act of 2008 requires notification of relatives for possible placement when a child is removed from the family home. Every effort should be made to locate relatives first, however in the event that relatives are unavailable, or unable to care for children, every effort shall be made to place children in a kinship (formerly known as child specific) home.

**Definition:**

**Emergency Placement with Relative or Kin:** An emergency exists when placement must occur immediately based on a safety threat identified in the family home that cannot be controlled with a safety plan, and a relative or kinship home is available and transitioning the youth to the relative or kin is determined to be in the child’s best interest.

**Urgent Placement with Relative or Kin:** An urgent placement exists when a child is residing in a licensed foster home, not previously known to them, and a relative or kinship home has been identified, is available and able, and it is in the child’s best interest to be placed there.

**Non-Urgent Placement with Relative or Kin:** A non-urgent placement exists when a Child and Family Services Specialist (CFSS) does not believe there is sufficient information to approve a relative or kinship home on an urgent basis, and believes a more thorough assessment, which includes a home study, needs to be completed prior to a decision to place child in that home.

**Relative Home:** A relative home means a home where a child or children receive foster care and at least one of the primary caretakers is related to the child or children, or to a sibling of such child or children pursuant to section 43-1311.02, in his or her care by blood, marriage, or adoption or, in the case of an Indian child, at least one of the primary caretakers is an extended family member as defined in section 43-1503.

**Kinship Home:** A kinship home means a home where a child or children receive foster care and at least one of the primary caretakers has previously lived with or is a trusted adult that has a pre-existing, significant relationship with the child or children or is a sibling of such child or children pursuant to section 43-1311.02.

**Procedure:**

Prior to any placement of a child or children in a non-licensed relative home or kinship home, the following must be assessed and completed in order for an approval to be considered:

1. Through a home visit and discussion with the potential relative or kin:
  - a. The overall physical safety of the home and whether or not the physical needs of the child can be met in this home, and
  - b. Does the relative or kin have the ability to meet the child's immediate educational needs? Will the child continue in the same school or does this placement equate to a change in schools? If yes, does the placement continue to be in the best interest of the child?
  - c. Does the relative or kin have an understanding of the immediate health/medical needs of the child? Does the relative or kin have the ability to meet the immediate health/medical needs of the child?
  - d. Does the relative or kin have an understanding of the developmental needs of the child? Does the relative or kin have the ability to provide for the developmental needs of the child?
  - e. Does the relative or kin have an understanding of the child's emotional needs? Does the relative or kin have the ability to meet the emotional needs of the child?
  - f. Does the relative or kin have the willingness and ability to provide a safe, stable, and nurturing environment for the child?
2. Completion of a criminal background check to include:
  - a. For household members age 13 and older the background check must include:
    - i. CPS Central Register;
    - ii. APS Central Registry.
  - b. For household members age 18 and older the background check must include:
    - i. CPS Central Register check;and
    - ii. APS Central Registry check; and
    - iii. Sex Offender Registry check; and
    - iv. Local law enforcement agency check; and
    - v. Emergency, name-only check with the NE State Patrol
3. The CFSS will complete a mandatory consultation with a Child and Family Services Supervisor, providing all of the information listed in 1 and 2 in order to obtain approval for placement.
4. The CFSS shall document all information contained in 1 and 2 listed above within 24 hours of placement. Document this information in the CFS Program Case Narrative, under Worker Recommendation, Child's Social History.

5. Approval by the Service Area Administrator is required if the results of the background checks on children or adults in the home shows that any household member is:
  - a. On the CPS Central Register or APS Central Registry as a perpetrator,
  - b. Is under an investigation as an alleged perpetrator,
  - c. Has a felony conviction for any crime, or
  - d. Appears on the Sex Offender Registry,

Approvals for exceptions should be documented on the form included as Attachment A.

**Actions required within the first 24 hours of placement:** The following must be completed and submitted to the Division of Child and Family Services Resource Development Staff:

1. Completed IRS W-9 “Request for Taxpayer Identification Number and Certification Form”, completed by the potential foster parent;
2. Completed “Background Check Request Form”;
3. Completed “Contracted Home Study Referral/Request to Load on N-FOCUS” Form;

**Action required within the first 72 hours of placement:** Placement must be created and documented in Detail Program Case in N-FOCUS.

**Action required within 7 calendar days after placement:** CFSS must assure that the potential caregiver and others required to do so have submitted to fingerprinting for the State and National Criminal History Checks.

**Action required within 30 calendar days of placement:**

The required home-study must be completed.

**Actions required within 60 calendar days of placement:**

National Criminal History Checks should be received from Nebraska State Patrol and all supporting documentation (as indicated above) of placement should be received by the Division of Children and Family Services.

CFSS will take action to update/amend the Home Study if the results of the National Criminal History Checks are not documented in the original home study.

**Approval Time Limit:** Approval will not extend beyond 60 days from the date of placement. The single exception to this rule is that if the persons required to be fingerprinted, were fingerprinted within 7 days of placement, and the results have not yet been received, or the first set of fingerprints were not acceptable, as determined by the NE State Patrol, an extension of 30 days can be granted by the Service Area Administrator (SAA).

**Non-Urgent Approval of a Relative or Kinship Home:**

When a CFSS does not believe there is sufficient information to approve a relative or kinship home on an urgent basis, a more thorough assessment should be completed prior to the decision to place and include:

1. A completed home study, and
2. Documentation of all background checks, including the National Criminal History check will be documented within the home study.

**References:**

Legislative Bill 265, Nebraska State Legislature, 103<sup>rd</sup> Session (2013)

Neb. Rev. Stat. 43-1303 Documentation of placement change within seventy two hours

**APPENDIX A**



**Division of Children and Family Services**

State of Nebraska  
Dave Heineman, Governor

**REQUEST FOR RELATIVE/KINSHIP APPROVAL EXCEPTION FORM**

Name of Foster Parent(s): _____		
Address: _____		
CFS Specialist: _____	Local Office: _____	
CFS Specialist Telephone: _____		
<b><u>Name of Child(ren) to be placed</u></b>	<b><u>SSN</u></b>	<b><u>DOB</u></b>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
Anticipated Date of Placement: N1. _____	Relationship to Foster Parent: _____	

1. No exceptions will be granted for persons on the CPS, APS, or SO registry as a perpetrator.

<input type="checkbox"/> Local Law Enforcement	<input type="checkbox"/> CLEAR	<input type="checkbox"/> RECORD FOUND	_____
<input type="checkbox"/> Nebraska State Patrol	<input type="checkbox"/> CLEAR	<input type="checkbox"/> RECORD FOUND	_____
<input type="checkbox"/> Dept. of Motor Vehicles	<input type="checkbox"/> CLEAR	<input type="checkbox"/> RECORD FOUND	_____
<input type="checkbox"/> National (Fingerprints)	<input type="checkbox"/> CLEAR	<input type="checkbox"/> RECORD FOUND	_____

2. Please explain why this exception will not compromise the child's safety or safety standards – include permanency plan.

<b>SERVICE AREA</b>			
Decision:	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	<i>Signature of CFS Specialist/Family Permanency Specialist</i>	<i>Date</i>
Decision:	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	<i>Signature of CFS Supervisor/Family Permanency Supervisor</i>	<i>Date</i>
		<i>Signature of CFS Administrator/FPS Manager</i>	<i>Date</i>

Basis for Approval/Disapproval: