



Model Family Foster Home Licensing Standards



THE ANNIE E. CASEY FOUNDATION

The American Bar Association, Center on Children and the Law

The ABA is the largest voluntary professional association in the world with nearly 400,000 members. The ABA Center on Children and the Law improves children's lives through advances in law, justice, knowledge, practice and public policy by focusing on child abuse and neglect, child welfare and protective services system enhancement, family preservation, adolescent health and other child protective legal issues.

The Annie E. Casey Foundation

The Annie E. Casey Foundation is a private philanthropy that creates a brighter future for the nation's children by developing solutions to strengthen families, build paths to economic opportunity and transform struggling communities into safer and healthier places to live, work and grow.

Generations United

Generations United is a national membership organization focused solely on improving the lives of children, youth, and older people through intergenerational collaboration, public policies, and programs for the enduring benefit of all. For well over a decade, Generations United's National Center on Grandfamilies has been at the forefront of national efforts to support grandfamilies through federal and state legislative testimony and briefings, publications, training, and technical assistance.

National Association for Regulatory Administration

The National Association for Regulatory Administration (NARA) is an international professional organization dedicated to promoting excellence in human care regulation and licensing through leadership, education, collaboration, and services. NARA represents all human care licensing, including adult residential and assisted living, adult day care, child care, child welfare and program licensing for services related to mental illness, developmental disabilities and abuse of drugs or alcohol.

The American Bar Association, Center on Children and the Law, Generations United, and the National Association for Regulatory Administration gratefully acknowledge the Annie E. Casey Foundation for their support of this project.

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Model Family Foster Home Licensing Standards

Purpose Statement

The American Bar Association Center on Children and the Law, the Annie E. Casey Foundation, Generations United and the National Association for Regulatory Administration have developed **Model Family Foster Home Licensing Standards** that, for the first time, help ensure children in foster care are safe while also establishing a reasonable, common-sense pathway to enable more relatives and non-related caregivers to become licensed foster parents.

These standards, which are the only comprehensive national guidelines, fill a previous void by giving the federal government a set of clear and practical requirements to reference and guide states in their efforts to license homes. Under federal law, states have extraordinary flexibility to create family foster home licensing standards, and the law requires only that states develop guidelines “reasonably in accord” with national organizations’ recommendations.

Model Family Foster Home Licensing Standards help ensure that children in foster care:

- live in safe and appropriate homes under child welfare and court oversight,
- receive monthly financial assistance and supportive services to help meet their needs, and
- can access the permanency option of assisted guardianship in the states and tribes that participate in the federal Guardianship Assistance Program (GAP).

The Model Family Foster Home Licensing Standards, which encompass all the necessary components to license a family foster home, are flexible enough to respond to individual circumstances, but most importantly they help ensure that children in out-of-home care have safe and appropriate homes. These standards should not be considered “minimum” criteria, but instead should be adopted as all the criteria necessary to license a safe home.

The standards are accompanied by an interpretative guide and crosswalk tool. The guide summarizes the purpose of each standard, and provides instructions necessary for compliance determinations. The crosswalk tool is designed to assist states compare and align their current standards with the model standards.

While we acknowledge that not all states will be able to implement this model in its entirety without any modifications, we challenge all states to use it to assess their own standards and ultimately to align their standards with this model. For the development and implementation of tribal foster care standards, please refer to the National Indian Child Welfare Association (NICWA) materials at <http://www.nicwa.org/resources/booklets/>.

In creating these model licensing standards, our hope is that all children, regardless of the state in which they live, will be in homes that have met the same reasonable and achievable safety standards.

Model Family Foster Home Licensing Standards

Principles

- (1) Family foster home licensing standards should be reasonable and achievable and based on the need to find a safe and appropriate home for each child in out of home care.
- (2) Each child in state or county custody needs to be in a licensed home (recognizing that courts can still order a child to be placed in a specific, unlicensed home).
- (3) Family foster home licensing standards should promote the opportunity for adults to apply to become foster parents. The licensing process should be based on an assessment of abilities and continued desire to care for children in out of home care. Not everyone will be able to meet the needs of abused or neglected children.
- (4) The licensure of family foster homes is typically a distinct process with different standards than the placement of children in family foster homes. These processes must work together to ensure that children in out of home care are placed in the best homes for them.
- (5) Family foster home licensing standards should be flexible and reflect community standards and cultural considerations. If necessary, the agency should assist the applicant with costs associated with meeting the standards.
- (6) The licensure of family foster homes should recognize that family systems change over time and therefore assessments must be ongoing.
- (7) Family foster home licensing standards must be distinct from licensing standards for child care and adult care settings. Family foster homes should not also be licensed as child care or adult care settings.
- (8) Family foster home licensing standards are necessary to promote safety and consistency in licensing assessments and to give licensors the tools to make good decisions. Over regulation should be avoided.
- (9) The role of regulation is intended to help safeguard vulnerable individuals who are unable to protect themselves. Rules and the regulatory process must be respectful of the individuals being regulated and, in turn, be respected by them and by the public.
- (10) When working with American Indian and Alaska Native families, public and private agencies should consult with tribes and nearby urban Indian organizations with expertise in recruiting and licensing tribal family homes.

Model Family Foster Home Licensing Standards

Model Standards

1. DEFINITIONS	
A. “Applicant” – an individual(s) who has submitted an application and is seeking a license from the licensing agency as a family foster home.	
B. “Community standards” – local norms bounding acceptable conduct. For housing, the term means acceptable building standards based on the neighborhood and similar homes.	
C. “Corporal punishment” – any form of physical discipline in which a child is spanked, paddled or hit on any part of the body with a hand or instrument.	
D. “Family foster care” – continuous 24 -hour care and support services provided for a child in a family foster home.	
E. “Family foster home” – a private home, including adjacent grounds belonging to the home, in which a child is placed for family foster care under the supervision of the licensing agency. This term includes a kinship, relative, and child-specific home.	
F. “Foster parent” – an individual who provides family foster care with a license from the licensing authority.	
G. “Functional literacy” – the ability to read and write at the level necessary to participate effectively in society.	
H. “Household member” – any relative or non-relative who regularly lives, shares common areas, and sleeps in a home. An individual who is living, sharing common areas, and sleeping in a home temporarily for more than two consecutive weeks is considered a household member.	
I. “License” – the approval, verification or certification of a home and applicant to provide family foster care.	
J. “Licensing agency” (also known as “agency”) – the entity, either private or public, that has authority to consider and approve a family foster care license.	
K. “Licensing authority” – the governmental body responsible for carrying out licensing and regulatory functions, including monitoring compliance with applicable state laws and rules.	
L. “Relative” – an individual who is related by blood, marriage or adoption or who has a close family-like relationship to another individual. For American Indian and Alaska Native children, "relative" could also include a tribally defined extended family relationship.	
M. “Sibling” – brothers and sisters by birth or adoption, stepbrothers, stepsisters, half-brothers, and half-sisters.	
2. ELIGIBILITY STANDARDS	
A. All applicants must submit a complete application and accompanying documentation for a family foster home license, and keep copies in their home.	
B. To apply for a family foster home license:	
1. Applicants must be age 18 or older.	
2. Applicants must be able to communicate with the child in the child’s own language.	
3. Applicants must be able to communicate with the licensing agency and health care and	

other service providers.
4. At least one applicant in the home must have functional literacy, such as have the ability to read labels on medications in order to properly administer them.
5. Applicants must have income or resources to make timely payments for shelter, food, utility costs, clothing, and other household expenses prior to the addition of a child in foster care.
C. The agency must not deny to any individual the opportunity to become a foster parent on the basis of the race, color, or national origin of the individual, or of the child, as required by the federal Multiethnic Placement Act (MEPA), 42 U.S.C.A. sec. 1996b and Title IV-E of the Social Security Act, 42 U.S.C.A. sec. 671(18). MEPA also provides that this law must not be construed to affect the application of the Indian Child Welfare Act, which contains preferences for the placement of eligible American Indian and Alaska Native children in foster care, guardianship, or adoptive homes. Furthermore, the agency must not discriminate with regard to the application or licensure of a foster family on the basis of age, disability, gender, religion, sexual orientation, gender identity or marital status.
3. PHYSICAL AND MENTAL HEALTH STANDARDS
A. All applicants and household members must have physical exams from a licensed health care professional recognized by the agency. The exam results, which must be no older than 12 months prior to application, must indicate that the applicants are capable of caring for an additional child. The agency may require further documentation and/or evaluation to make such a determination.
B. All children who are household members must be up to date on immunizations jointly recommended by the American Academy of Pediatrics, the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention, and the American Academy of Family Physicians, unless the immunization is contrary to the child's health as documented by a licensed health care professional.
C. Applicants and all household members must disclose any past or current mental health and/or substance abuse issues. The agency may require further documentation and/or evaluation to determine the suitability of the home.
4. HOME STUDY STANDARDS
A. The agency must conduct a written comprehensive family assessment and home study in collaboration with the applicants to include:
1. At least one scheduled on-site visit to assess the safety of the home using these licensing standards.
2. At least one scheduled in home, individual interview of each household member to observe family functioning and assess the family's capacity to meet the needs of a child in foster care. The agency will determine whether to interview or just observe each household member based on his or her age and development.

B. The agency must obtain at least three references, including at least one from a relative and one from a non-relative.
C. Tribal agencies may also be involved in conducting home studies for American Indian and Alaska Native children. 42 U.S.C.A. sec. 671(26)(B) provides that any receiving state must treat any tribal home study report as meeting the requirements imposed by the state for the completion of a home study.
5. CAPACITY STANDARDS
A. The total number of children in a family foster home, including the family's own children living in the home, must not exceed 8, of which no more than 5 may be children in foster care. The agency may determine lower capacities based on the family assessment and home study.
1. No more than 3 children total under age 2.
2. No more than 4 children total under age 5.
3. No more than 4 children total between the ages of 5-13.
4. No more than 4 children total over the age of 13.
B. The maximum number of children may be increased with agency approval to allow for siblings to remain together or to allow applicants to provide care to a child who has an established, meaningful relationship with the applicants' family, such as a child who was formerly in foster care with the family.
6. SLEEPING STANDARDS
A. Each child in foster care must have a sleeping space with an individual bed or crib, mattress and linens, as appropriate for the child's needs and age and similar to other household members.
1. Children who are relatives may share a bed with agency approval.
2. All cribs in the home must be in compliance with Consumer Product Safety Commission standards.
3. All bunk beds in the home must not have more than two tiers.
a. The upper tier must have railings on both sides to prevent falling.
b. The top tier must not be used by a child under the age of 6.
B. There must be no more than 4 children total sharing a room used as a sleeping space.
1. A child over the age of 5 must not share a room used as a sleeping space with a child of the opposite sex.
2. Children who are relatives may share a room used as a sleeping space with agency approval.
3. A child under 12 months of age in an individual crib may share a room used as a sleeping space with the foster parent.
4. A child over 12 months of age may share a room used as a sleeping space with the foster parent with agency approval.
7. OTHER LIVING SPACE STANDARDS
A. The home may be a house, mobile home, housing unit or apartment occupied by an individual or a family.

B. The applicants' home and all structures on the grounds of the property must be maintained in a clean, safe, and sanitary condition and in a reasonable state of repair within community standards.
C. The home must satisfy the following living space standards:
1. Be free from objects, materials, and conditions that constitute a danger.
2. Prevent or eliminate rodent and insect infestation.
3. Regularly dispose of trash and recycling.
4. Have a working phone or access to a working phone in close walking proximity.
5. Have at least one toilet, sink, and tub or shower in safe operating condition.
6. Have kitchen facilities with a sink, refrigerator, stove, and oven in safe operating condition.
7. Have heating and/or cooling as required by the geographic area, consistent with accepted community standards and in safe operating condition.
8. Have ventilation where household members and children in foster care eat, sleep, study, and play.
9. Have artificial lighting where household members and children in foster care study and read.
8. FIRE SAFETY/EVACUATION PLAN STANDARDS
A. The applicants' home must meet the following fire safety/evacuation plan standards:
1. Have at least one UL (Underwriter's Laboratory) approved smoke detector on each level of occupancy of the home and near sleeping areas.
2. Have at least one operable fire extinguisher that is readily accessible.
3. Be free of obvious fire hazards, such as defective heating equipment or improperly stored flammable materials. Household heating equipment must be equipped with appropriate safeguards, maintained as recommended by the manufacturer.
4. Have a written emergency evacuation plan to be reviewed with the child within 24 hours of placement in the home and posted in a prominent place in the home. The plan must identify multiple exits from the home, and designate a central meeting place close to the home that is known to the child yet at a safe distance from potential danger.
B. Applicants must maintain a comprehensive list of emergency telephone numbers, including poison control, and post those numbers in a prominent place in the home. If there is a landline phone located in the home, the numbers must be posted next to the phone.
9. ADDITIONAL HEALTH AND SAFETY STANDARDS
A. The applicants' home must meet the following standards concerning weapons:
1. The following weapons must be stored in an inoperative condition in a locked area inaccessible to children:
a. Firearms;
b. Air guns;
c. BB guns;

d. Hunting slingshots; and
e. Any other projectile weapon.
2. All ammunition, arrows or projectiles for such weapons must be stored in a locked space separate from the weapons.
3. Applicants who are also law enforcement officials and can document that their jurisdiction requires them to have ready and immediate access to their weapons may be exempt from these weapon requirements provided the applicants adopt and follow a safety plan approved by the agency.
B. The applicants' home must meet the following standards concerning water:
1. A family foster home must have a continuous supply of safe drinking water.
2. If a home uses private well water or another source of drinking water other than water through the municipal water supply, then it must be tested for safety.
3. The temperature of any water heaters must be set in accordance with the manufacturer's recommendations.
C. The applicants' home must meet the following standards concerning animals:
1. Any animal that poses a threat to the safety or health of a child in foster care must be confined in a place away from the child and inaccessible to the child.
2. Pets that are required to be vaccinated by state or tribal law must be vaccinated against diseases that can transmit to humans, including rabies.
D. The applicants' home must meet the following standards concerning swimming pools, hot tubs, and spas:
1. Swimming pools must have a barrier on all sides at least four feet high.
2. Swimming pools must have their methods of access through the barrier equipped with a safety device, such as a bolt lock.
3. Swimming pools must be equipped with a life saving device, such as a ring buoy.
4. If the swimming pool cannot be emptied after each use, the pool must have a working pump and filtering system.
5. Hot tubs and spas must have safety covers that are locked when not in use.
E. The applicants' home must meet the following standards concerning hazardous materials and first aid supplies:
1. Prevent the child's access, as appropriate for his or her age and development, to all medications, poisonous materials, cleaning supplies, other hazardous materials, and alcoholic beverages.
2. Maintain first aid supplies as recommended by the Red Cross.
10. CRIMINAL HISTORY RECORDS CHECK STANDARDS
A. Applicants and any other household members who are adults age 18 or older must submit to fingerprint-based checks of national and state crime information databases and checks of state or local crime information databases before the applicants may be approved for placement of a child.
B. The agency must also check sexual offender registries for mention of the applicants and any other household members who are adults age 18 or older.

C. If a record check reveals a felony conviction for child abuse 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, and a state finds that a court of competent jurisdiction has determined that the felony was committed at any time, approval for placement of a child must not be granted.
D. If a record check reveals a felony conviction for physical assault, battery, or a drug-related offense, and a State finds that a court of competent jurisdiction has determined that the felony was committed within the past 5 years, approval for placement of a child must not be granted.
E. If an applicant was convicted for a crime other than those included in C. and D., the applicant will not be automatically rejected as a foster parent. The agency must consider the following:
1. the type of crime;
2. the number of crimes;
3. the nature of the offenses;
4. the age of the individual at the time of conviction;
5. the length of time that has elapsed since the last conviction;
6. the relationship of the crime and the capacity to care for children;
7. evidence of rehabilitation; and
8. opinions of community members concerning the individual in question.
F. Applicants and all household members have an ongoing duty to report any juvenile offenses committed by any member of the household. The existence of a household member with a juvenile offense does not automatically exclude the applicants. The agency must consider the suitability of the home based on the criteria used to assess crimes set forth in C.- E. of this standard and standard 11. B. and C.
11. ABUSE AND NEGLECT BACKGROUND CHECK STANDARDS
A. The agency must meet the following abuse and neglect background checks standards:
1. Check all child abuse and neglect registry and adult protective services registry maintained by the state, tribe or locality for information on applicants and any other household members who are adults age 18 or older.
2. Request that any other state in which applicants and other adult household members who are adults age 18 and older have resided in the preceding 5 years also check all child abuse and neglect registry and adult protective services registry maintained by that state.
3. Comply with any request described in A.2. that is received from another state.
B. The applicants must not be licensed if the applicants or any household member who is an adult age 18 or older has been the subject of a substantiated allegation of sexual exploitation or sexual abuse of a child or has been substantiated for child abuse that resulted in a child fatality.
C. If there is a substantiated report of child abuse or neglect, other than those listed in B., involving the applicants or any household member who is an adult age 18 or older, the application is assessed on a case-by-case basis, which includes a discussion with the applicants and household members, to determine if the safety of any child in the home will be impacted. If not impacted, the results of the abuse and neglect background check may not prevent licensure.

D. Applicants and all household members have an ongoing duty to report any juvenile offenses committed by any member of the household. The existence of a household member with a juvenile offense does not automatically exclude the applicants. The agency must consider the suitability of the home based on the criteria used to assess crimes set forth in B.-C. of this standard and standard 10 C.-E.

12. ASSURANCES FROM APPLICANTS

A. Applicants must sign an agreement containing the following assurances that they and all household members will comply with their roles and responsibilities as discussed with the agency once a child is placed in their care:

1. They will not use any corporal or degrading punishment on any children in the home.
2. They will not use any illegal substances, abuse alcohol by consuming it in excess amounts, or abuse legal prescription and nonprescription drugs by consuming them in excess amounts or using them contrary to as indicated.
3. They will not smoke in the presence of the child in foster care, in the family foster home, or in any vehicle used to transport the child. Furthermore, guests will not be allowed to smoke in the presence of the child in the family foster home or in any vehicle used to transport the child.
4. They will closely supervise the child in foster care when the child is in close proximity to any swimming pool or body of water. When they cannot supervise, they must restrict the child's access to swimming pools or bodies of water. The child must never be left to swim alone.
5. They will provide water safety instruction to the child in foster care as appropriate for his or her age and development if the home is adjacent to any body of water or has a swimming pool. Water safety instruction addresses key knowledge and skills on how to be safe around water and does not necessarily mean swimming lessons.
6. They will maintain the swimming pool in safe condition, including testing and maintaining the chlorine and pH levels as required by the manufacturer's specifications.
7. They will lock all entry points when the swimming pool is not in use.
8. They will remove or secure any steps or ladders to the swimming pool to make them unusable when the pool is not in use.
9. They will set up and maintain wading pools according to the manufacturer's instructions, and empty and store them when not in use.
10. They will ensure that the child in foster care has legal and safe transportation to and from health care, therapy, and agency appointments; school; extracurricular activities; social events; and scheduled meetings or visitation with parents, siblings, extended family members, and friends.
11. They will ensure that if a privately-owned vehicle, owned by the applicants, family or friends, is used to transport the child in foster care, it must be inspected (if applicable under state or tribal law), registered, and insured, and meet all applicable state or tribal requirements to be an operable vehicle on the road.
 - a. The driver will have a valid driver's license.
 - b. Safety restraints will be used that are appropriate to the child's age, height, and weight.

c. Weapons must not be transported in any vehicle in which the child is riding unless the weapons are made inoperable and inaccessible.
12. They may need to take additional steps for the safety of the child in foster care, depending on the home, the area in which it is located, and the age and any cognitive and behavioral challenges of the child. For example, applicants may be required to child proof their home or place a fence to prevent the child from accessing nearby railroad tracks or another hazard.
B. The agency will review the assurances agreement with the foster parents at initial licensing, when a child is placed in their care, and annually thereafter.
13. PRE-LICENSE TRAINING STANDARDS
A. All applicants must complete at least 6 hours of pre-license training on care of the child.
B. Pre-license training topics must include:
1. An overview of the child welfare system:
a. Legal rights, roles, responsibilities and expectations of foster parents;
b. Agency purpose, policies, and services; and
c. Courts, and applicable laws and regulations.
2. Information, including trauma concepts and behavioral management, to provide for the needs of the child who is or may be placed in the home.
14. EMERGENCY PLACEMENT STANDARDS
A. A child may be placed in a home on an emergency basis pending licensure for a maximum of 90 calendar days with a relative. The applicants must agree to complete the full assessment and approval process for a family foster home license within 90 calendar days. For emergency placements of American Indian and Alaska Native children, agencies should work closely with tribal and urban Indian organizations that have expertise in recruiting and licensing tribal family foster care homes.
B. The agency must complete the following prior to approving an emergency placement:
1. State and/or local criminal background check of applicants and any other household member who is an adult age 18 or older. To determine eligibility, the results of the check will be assessed using the criteria in 10. C., D., and E. above.
2. State, tribal, and/or local child abuse and neglect registry and adult protective services registry check for information on applicants and any other household member who is an adult age 18 or older. To determine eligibility, the results of the check will be assessed using the criteria in 11. B. and C. above.
3. For other states in which applicants and any other household member who is an adult age 18 and older have resided in the preceding five years, applicants and household members must attest that they are not on the child abuse and neglect registry or the adult protective services registry. At that time, the agency will submit its request that the other states check their registries.
4. Preliminary visual inspection to assess the safety of the home.
5. Preliminary assessment of the ability of the applicants to meet the needs of the child.
6. Discuss assurances agreement, as described in standard 12 above, with applicants and obtain their signatures on the agreement.

C. If the home is not licensed within 90 calendar days, the child must be removed from the home, unless:
1. A direct placement of the child in the home is ordered by the court while the child is still in the custody of the child welfare agency.
2. The applicants file for and receive care and custody of the child directly from the court.
3. The agency grants an extension of up to 90 calendar days for applicants to complete licensure if it determines that removal of the child would be detrimental to the best interests of the child.

Model Family Foster Home Licensing Standards

Interpretive Guide

PURPOSE OF THE INTERPRETIVE GUIDE

This guide is designed to assist licensing staff meet the requirements of the Model Family Foster Home Licensing Standards (Model Standards). The guide provides parameters for the licensing process. It also provides information on the purpose of each standard as well as any special instructions necessary for compliance determination. This guide will hopefully serve as a practical document that facilitates a better understanding of the standards in preparation for licensure and for maintaining on-going compliance.

The guide is organized in the following format:

- The complete standard.
- The 'intent' statement, which summarizes the purpose of the standard – the 'why' of the standard.
- The guidelines, which include the assessment methods for evaluating compliance with the standard.

Note: This guide must not be construed to reduce, limit, or restrict the licensing authority to enforce applicable statutes and regulations. It does not establish a precedent or otherwise bind the licensing authority in any other action and must not be construed as evidence of practice, policy, or interpretation with respect to any dispute or issue not addressed herein.

BALANCED PRACTICE PRINCIPLES IN THE LICENSING ASSESSMENT

(Adapted from the National Association for Regulatory Administration (NARA) Licensing Curriculum)

1. Use the least enforcement necessary. Violations must be cited, but correction does not need to go beyond what is needed to accomplish lasting compliance. Enforcement responses should be risk-based and consistent to be seen as fair.
2. Use technical assistance *appropriately*. Technical assistance is a positive enforcement and consumer protection tool. It is not a substitute for citing violations or requiring prompt correction.
3. Show respect for the standards by explaining and teaching their protective intent. The merits of the standards are not a subject for personal opinion or debate. Licensees do a better job of compliance though, when they understand the underlying risks and their role in reducing those risks.
4. If a standard is specific, it must be enforced. If a standard can be met in several acceptable ways, the licensee must be free to exercise his/her preference for how to comply with the standard. Use organizational resources. For example, when disputes arise, encourage the use of available resolution services or skills. Use the power and expertise inherent in the collective experience of colleagues and supervisors.
5. Gather facts fully and objectively.
6. Provide findings promptly, clearly, and factually to help the licensee understand how to comply. Delayed or unclear findings heighten anxiety; factual findings defuse an emotionally charged situation.
7. Learn and practice good verbal and non-verbal communication.

1. DEFINITIONS

- A. "Applicant" – an individual(s) who has submitted an application and is seeking a license from the licensing agency as a family foster home.
- B. "Community standards" – local norms bounding acceptable conduct. For housing, the term means acceptable building standards based on the neighborhood and similar homes.
- C. "Corporal punishment" – any form of physical discipline in which a child is spanked, paddled or hit on any part of the body with a hand or instrument.
- D. "Family foster care" – continuous 24 -hour care and support services provided for a child in a family foster home.
- E. "Family foster home" – a private home, including adjacent grounds belonging to the home, in which a child is placed for family foster care under the supervision of the licensing agency. This term includes a kinship, relative, and child-specific home.
- F. "Foster parent" – an individual who provides family foster care with a license from the licensing authority.
- G. "Functional literacy" – the ability to read and write at the level necessary to participate effectively in society.
- H. "Household member" – any relative or non-relative who regularly lives, shares common areas, and sleeps in a home. An individual who is living, sharing common areas, and sleeping in a home temporarily for more than two consecutive weeks is considered a household member.
- I. "License" – the approval, verification or certification of a home and applicant to provide family foster care.
- J. "Licensing agency" (also known as "agency") – the entity, either private or public, that has authority to consider and approve a family foster care license.
- K. "Licensing authority" – the governmental body responsible for carrying out licensing and regulatory functions, including monitoring compliance with applicable state laws and rules.
- L. "Relative" – an individual who is related by blood, marriage or adoption or who has a close family-like relationship to another individual. For American Indian and Alaska Native children, "relative" could also include a tribally defined extended family relationship.
- M. "Sibling" – brothers and sisters by birth or adoption, stepbrothers, stepsisters, half-brothers, and half-sisters.

2. ELIGIBILITY STANDARDS

- A. All applicants must submit a complete application and accompanying documentation for a family foster home license, and keep copies in their home.

INTENT: To help both the applicants and the agency begin the licensing process and determine if the applicants and household can be considered as a family foster home, applicants must submit a complete application and keep copies. The process of completing an application may help applicants determine whether they can meet all the criteria or whether they should select themselves out of the licensing process.

<p>GUIDELINE: The agency should review application materials for accuracy as they are submitted. If any errors or omissions are noted, the agency should promptly return the materials for correction and completion. The application is considered complete once all the information requested by the agency has been submitted. The agency should promptly notify the applicants once the application is considered complete.</p>
<p>B. To apply for a family foster home license:</p>
<p>1. Applicants must be age 18 or older.</p>
<p>2. Applicants must be able to communicate with the child in the child’s own language.</p>
<p>3. Applicants must be able to communicate with the licensing agency and health care and other service providers.</p>
<p>4. At least one applicant in the home must have functional literacy, such as have the ability to read labels on medications in order to properly administer them.</p>
<p>5. Applicants must have income or resources to make timely payments for shelter, food, utility costs, clothing, and other household expenses prior to the addition of a child in foster care.</p>
<p>INTENT: To help determine their suitability, there are threshold requirements for applicants.</p>
<p>GUIDELINE: Applicants must be able to meet the needs of a child to be placed in the home. It is the responsibility of the agency to ensure that applicants understand the standards and expectations of becoming a foster parent. The key is to articulate the requirements in a manner that is appropriate and understandable to the applicants for the benefit of a child.</p> <p>Communication is critical to the success of any placement. The agency should be flexible when working with applicants and understand that communication is more than verbal. Applicants must be able to follow agency and service provider instructions to best meet the needs of the child placed in the home. However, communicating and understanding instructions can occur through various means, including through the use of translators. Translators can be an agency staff member or an applicant’s tribe, community organization, colleague, neighbor, family member or friend.</p> <p>Functional literacy does not necessarily require functional literacy in English. Rather, it means that the applicants have the ability to read and write at the level necessary to participate effectively in the society or community in which they live. For example, they must be able to read street signage, medicine labels, and complete basic school and other forms in their community. Their community may include another language and culture and therefore functional literacy in English would not be necessary.</p> <p>In order to determine the financial stability of the applicants, the agency should ask applicants to attest to that stability through the use of an income and expense statement or other form. Later, during the home study and family assessment, if the agency determines through observation that the home does not have adequate food, heat, etc., the agency should request verification of income/financial resources to make timely payments of household expenses.</p>

C. The agency must not deny to any individual the opportunity to become a foster parent on the basis of the race, color, or national origin of the individual, or of the child, as required by the federal Multiethnic Placement Act (MEPA), 42 U.S.C.A. sec. 1996b and Title IV-E of the Social Security Act, 42 U.S.C.A. sec. 671(18). MEPA also provides that this law must not be construed to affect the application of the Indian Child Welfare Act, which contains preferences for the placement of eligible American Indian and Alaska Native children in foster care, guardianship, or adoptive homes. Furthermore, the agency must not discriminate with regard to the application or licensure of a foster family on the basis of age, disability, gender, religion, sexual orientation, gender identity or marital status.

INTENT: To help make clear to all involved that the values and cultural traditions of each applicant and child are understood and respected, the agency must communicate and observe anti-discriminatory standards.

GUIDELINE: Only the most compelling reasons may serve to justify the consideration of race, color, and national origin (RCNO) as part of a placement decision. Such reasons emerge only in the unique and individual circumstances of each child and each applicant. However, the application of the Indian Child Welfare Act (e.g. placement preferences) must not be affected by implementation of these federal law requirements. The Indian Child Welfare Act (25 U.S.C.A. sec. 1931) provides that for the purposes of qualifying for assistance under a federally assisted program, such as Title IV-E, tribal licensed or approved foster care or adoptive homes, and institutions are equivalent to state licensing or approval.

3. PHYSICAL AND MENTAL HEALTH STANDARDS

A. All applicants and household members must have physical exams from a licensed health care professional recognized by the agency. The exam results, which must be no older than 12 months prior to application, must indicate that the applicants are capable of caring for an additional child. The agency may require further documentation and/or evaluation to make such a determination.

INTENT: To ensure that each household member is physically, mentally, and emotionally healthy and the risk of harm to children in foster care is thereby reduced, physical exam requirements must be met. The health status of each household member has a direct impact on the health and safety of children in foster care as well as on others in the home.

GUIDELINE: The agency should directly discuss health history with the applicants and adult household members. The agency should discuss with the applicants the health history of any minors in the home. Applicants should be free from health conditions that would prevent them from adequately caring for a child in foster care. When assessing the applicants' health condition, the agency should determine if the condition in question interferes with the applicants' ability to care for the child. If a household member has a health condition that requires the applicants to provide care for that household member, the agency assessment should include how that care would impact the applicants' ability to care for a child placed in the home. The agency should obtain additional information if it is necessary to determine the ability of the applicants to care for the child. Active efforts should be made to determine if the applicants have access to services that could remedy any perceived barriers to his/her ability to care for a child. The agency should make all necessary referrals to available services.

B. All children who are household members must be up to date on immunizations jointly recommended by the American Academy of Pediatrics, the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention, and the American Academy of Family Physicians, unless the immunization is contrary to the child's health as documented by a licensed health care professional.

INTENT: To prevent the spread of vaccine preventable communicable disease, all children in the home must have documentation of current immunizations.

GUIDELINE: Applicants must provide the agency with a written copy of an immunization record for each child residing in the home. A child should not be required to satisfy all the immunization requirements if a health care professional has found that immunization is contrary to the child's health. For example, a child's immunization schedule may need to be modified if the child is undergoing chemotherapy or radiation therapy.

C. Applicants and all household members must disclose any past or current mental health and/or substance abuse issues. The agency may require further documentation and/or evaluation to determine the suitability of the home.

INTENT: To ensure that each household member is physically, mentally, and emotionally healthy and the risk of harm to children in foster care is thereby reduced, applicants and household members must disclose mental health and/or substance abuse issues. The health status of each household member has a direct impact on the health and safety of children in foster care as well as on others in the home.

GUIDELINE: The agency should directly discuss health history, including any history of drug or alcohol abuse or treatment, with the applicants and adult household members. The agency should also discuss with the applicants the health history, including any history of drug or alcohol abuse/treatment, of any minors in the home. The discussion should include the nature and circumstances of the drug or alcohol abuse and/or treatment. A history of drug or alcohol abuse that includes appropriate treatment, including current ongoing treatment, should not automatically exclude the applicants from consideration for approval as a foster home.

4. HOME STUDY STANDARDS

A. The agency must conduct a written comprehensive family assessment and home study in collaboration with the applicants to include:

1. At least one scheduled on-site visit to assess the safety of the home using these licensing standards.
2. At least one scheduled in home, individual interview of each household member to observe family functioning and assess the family's capacity to meet the needs of a child in foster care. The agency will determine whether to interview or just observe each household member based on his or her age and development.

INTENT: To ensure that family functioning and the home itself allow children to participate in safe exploration and learning thereby contributing to their overall growth and development, the agency must conduct a comprehensive family assessment and home study.

GUIDELINE: The home study process should be mutually respectful and collaborative. The agency should call the family to schedule the visit, unless a significant safety concern requires an unannounced visit. The agency should inform the applicants what to expect from the agency and how to contact agency staff if the applicants' assigned caseworker is not available.

The home study and family assessment should include the following: child, adult and family functioning; perceptions of children; history of parenting and interpersonal relationships; extended family relationships; understanding of issues in birth families; preparation to be a foster home; understanding of the needs of children requiring foster care, including children's need for permanency and his/her cultural considerations. When assessing the home and family, the agency should use a template or checklist with clear assessment criteria, which helps to standardize the approval of the foster home, increase uniformity in decision making, and promote accountability. An example of such a checklist is the "Action for Child Protection: The Safe Foster Home. A Study and Assessment Method," available at www.grandfamilies.org. It has 14 indicators and then is scored accordingly to identify the presence of positive parenting and effective family functioning; likelihood of stability; and indication of safety.

This tool also provides a template for a support plan that can be developed with the family. The

support plan is designed to remedy the potential for disruptive conditions identified during the home study or to strengthen applicants' skills and abilities. Agencies should consider providing in-kind and financial support to help applicants meet licensing standards when they are otherwise qualified.

The agency must either interview or observe each household member. The agency should determine whether to interview or observe based on the household member's age and development. Under the definitions for these standards, household members include an individual who is living, sharing common areas, and sleeping in a home temporarily for more than two consecutive weeks. An individual who uses the home as his or her legal residence, but does not live there all year, is also a household member. Consequently, college students, individuals performing seasonal work, deployed military or individuals in other situations that take them from their residency must be interviewed by the agency. If a household member is unable to return promptly to the home to be interviewed in-person, the agency can exercise its discretion and interview the individual via the Internet using Skype or similar technology that allows the agency staff person to see the household member. Telephone-only interviews of household members do not meet this standard, unless exceptional circumstances exist.

B. The agency must obtain at least three references, including at least one from a relative and one from a non-relative.

INTENT: To obtain additional information about the applicants and verify information that has been provided, the agency must obtain references for all applicants.

GUIDELINE: The agency should obtain references by phone or in writing sent directly to the agency. If the applicants provide the agency with copies of the references, the agency should contact the references to verify the content. If possible, references should be obtained from adult children of the applicants who do not reside in the home. The agency should review and discuss negative references with the applicants. The agency may need to obtain additional information or references.

C. Tribal agencies may also be involved in conducting home studies for American Indian and Alaska Native children. 42 U.S.C.A. sec. 671(26)(B) provides that any receiving state must treat any tribal home study report as meeting the requirements imposed by the state for the completion of a home study.

5. CAPACITY STANDARDS

A. The total number of children in a family foster home, including the family's own children living in the home, must not exceed 8, of which no more than 5 may be children in foster care. The agency may determine lower capacities based on the family assessment and home study.

1. No more than 3 children total under age 2.

2. No more than 4 children total under age 5.

3. No more than 4 children total between the ages of 5-13.

4. No more than 4 children total over the age of 13.
INTENT: To provide a family setting and to care for each individual child in the home, the number of children must be limited.
<p>GUIDELINE: The agency should determine how many children to be placed in the home by conducting at least one visit to the home to perform the home study and family assessment. When determining capacity, the agency should consider: the living space, other children receiving full time care in the home, and the applicants' ability to provide adequate physical and emotional care while maintaining current family stability.</p> <p>The standards do not require specific square footage in the sleeping spaces or in the home itself. The agency should not let arbitrary space requirements prevent the licensing of an appropriate and safe home. The agency should exercise common sense in determining capacity limits based on the living space. While assessing the home, the agency should consider that sufficient space decreases risk of injuries, and child behavior tends to be more constructive when space is organized to promote developmentally appropriate skills. Overcrowding has been shown to be associated with increased respiratory infections.</p>
B. The maximum number of children may be increased with agency approval to allow for siblings to remain together or to allow applicants to provide care to a child who has an established, meaningful relationship with the applicants' family, such as a child who was formerly in foster care with the family.
INTENT: To promote stability and family connections, children should be placed with siblings and with applicants with whom they have an established relationship when appropriate.
<p>GUIDELINE: The total number of children to be placed in the home should be based on the family assessment and home study. The best interest of the child must be the determining factor. When determining whether to exceed capacity limits, the agency should consider if the applicants can provide care for more than the maximum number of children permitted by the standard, based on the living space, other children receiving full time care in the home, and the applicants' ability to provide adequate physical and emotional care while maintaining current family stability. If the agency determines that capacity limits should be exceeded to allow siblings to remain together or to care for a specific child, the agency should note the reasons to exceed the maximum capacity in the home study document.</p>
6. SLEEPING STANDARDS
A. Each child in foster care must have a sleeping space with an individual bed or crib, mattress and linens, as appropriate for the child's needs and age and similar to other household members.
1. Children who are relatives may share a bed with agency approval.
2. All cribs in the home must be in compliance with Consumer Product Safety Commission standards.
3. All bunk beds in the home must not have more than two tiers.

a. The upper tier must have railings on both sides to prevent falling.
b. The top tier must not be used by a child under the age of 6.
INTENT: To promote safety and comfort, children need to have their own identified sleeping space that is assigned to them for use while they are in placement.
GUIDELINE: The agency should assess compliance with these standards by conducting at least one visit to the home and noting the sleeping arrangements for all household members and prospective children in foster care, including the specific crib or bed, and noting the arrangements in the home study document. Sleeping arrangements should be similar to all other children in the home. Children in foster care should sleep in safe and comfortable sleeping spaces with appropriate furnishings to meet their basic needs and ensure privacy.
<p>The term sleeping spaces rather than bedroom is used intentionally. The agency may find that a home should be licensed even if there are not separate bedrooms as such, provided that a room may also be used as a sleeping space with a bed that fits the child. Children in foster care should not, however, be made to sleep in routinely designed public spaces when other children in the home have their own bedrooms. All children in the home should be treated equitably. If that equity exists, the agency should exercise discretion and some children, for example, may be allowed to use murphy beds or a bed that doubles as a sitting place for the family during the day.</p> <p>All cribs and beds should be age or developmentally appropriate for the children who are placed in the home. The agency should ensure that all children in foster care are provided a crib that meets Consumer Product Safety Commission (CPSC) standards. Drop side cribs must not be used for children in foster care. If necessary, the agency should assist applicants who are otherwise qualified to obtain a safe crib or an appropriate bed.</p>
B. There must be no more than 4 children total sharing a room used as a sleeping space.
1. A child over the age of 5 must not share a room used as a sleeping space with a child of the opposite sex.
2. Children who are relatives may share a room used as a sleeping space with agency approval.
3. A child under 12 months of age in an individual crib may share a room used as a sleeping space with the foster parent.
4. A child over 12 months of age may share a room used as a sleeping space with the foster parent with agency approval.
INTENT: To ensure a family like environment in the foster home, the number of children assigned to a bedroom or sleeping space must be limited.

GUIDELINE: The agency should assess compliance with these standards by conducting at least one visit to the home and assessing the sleeping space for all household members and children in foster care and noting that space in the home study document. The agency should identify each approved bedroom or sleeping space and include the number of approved occupants for each space.

7. OTHER LIVING SPACE STANDARDS

A. The home may be a house, mobile home, housing unit or apartment occupied by an individual or a family.

INTENT: To allow for the licensing of any suitable and safe foster family home, families can reside in a variety of types of housing.

GUIDELINE: Any type of permanent structure is permissible as a family foster home provided it meets all the standards. The family may rent or own the home. The family must have a stable home and be able to demonstrate they have the financial resources to make timely payments for the cost of the home as required in Standard 2 B.5. of these standards. The agency should confirm the applicants' home status by viewing rental agreements, mortgage statements or other documents. The agency should document how it verified a stable home in the home study assessment tool.

B. The applicants' home and all structures on the grounds of the property must be maintained in a clean, safe, and sanitary condition and in a reasonable state of repair within community standards.

INTENT: To be able to meet the needs of the child, the living arrangements and housing must meet certain standards.

GUIDELINE: The agency should assess compliance with these standards by conducting at least one visit to the home and noting how compliance was verified in the home study document. The agency can use a site and safety checklist to ensure consistent assessments and to verify the areas that were assessed.

These standards require that homes comply with "community standards," so that applicants living in low-income areas may qualify as foster parents. Middle class norms should not dictate the homes that get licensed. The agency should assess whether a home is maintained in a clean, safe and sanitary condition and in a reasonable state of repair within community standards. The agency should take into account neighborhood norms while being mindful of any potential health and safety risks. For example, 19th century row houses may not meet a city's new building ordinances, however, provided the agency considers such a home safe for children and perhaps assists the applicants in making safety modifications as necessary, the home may be licensed if the applicants otherwise qualify.

C. The home must satisfy the following living space standards:

1. Be free from objects, materials, and conditions that constitute a danger.

2. Prevent or eliminate rodent and insect infestation.
3. Regularly dispose of trash and recycling.
4. Have a working phone or access to a working phone in close walking proximity.
5. Have at least one toilet, sink, and tub or shower in safe operating condition.
6. Have kitchen facilities with a sink, refrigerator, stove, and oven in safe operating condition.
7. Have heating and/or cooling as required by the geographic area, consistent with accepted community standards and in safe operating condition.
8. Have ventilation where household members and children in foster care eat, sleep, study, and play.
9. Have artificial lighting where household members and children in foster care study and read.
<p>INTENT: To be able to meet the needs of the child, the living arrangements and housing must be safe, clean and include basic features. To ensure the ability to communicate during emergencies, telephones must be available in the home, on the grounds or in close walking proximity.</p>
<p>GUIDELINE: The agency should assess compliance with these standards by conducting at least one visit to the home and noting how compliance was verified in the home study document. The agency can use a site and safety checklist to ensure consistent assessments and to verify the areas that were assessed.</p> <p>These standards seek to accommodate many types of homes, including, for example, rural homes that may not have a bathroom inside the home or homes that lack electricity, but have other means of safe lighting and refrigeration. Agency staff should exercise discretion and consider the community where the home is located. For example, some cultures do not allow electricity in their homes; therefore, access to a working telephone may be a phone in close proximity or short walking distance, e.g., a neighbor's phone. Consideration should be given to homes in rural, geographically isolated areas that may have limited communications infrastructure and family resources. Proper ventilation may include the use of fans, screens on windows and doors or a central air system that circulates air in the home.</p> <p>Agencies should provide in-kind and financial support to help applicants meet living space licensing standards when they are otherwise qualified.</p>
8. FIRE SAFETY/EVACUATION PLAN STANDARDS
A. The applicants' home must meet the following fire safety/evacuation plan standards:
1. Have at least one UL (Underwriter's Laboratory) approved smoke detector on each level of occupancy of the home and near sleeping areas.
2. Have at least one operable fire extinguisher that is readily accessible.

3. Be free of obvious fire hazards, such as defective heating equipment or stored flammable materials. Household heating equipment must be equipped with appropriate safeguards, maintained as recommended by the manufacturer.
4. Have a written emergency evacuation plan to be reviewed with the child within 24 hours of placement in the home and posted in a prominent place in the home. The plan must identify multiple exits from the home, and designate a central meeting place close to the home that is known to the child yet at a safe distance from potential danger.
INTENT: To protect children and household members from risk of harm, the home must be assessed for fire safety and evacuation plans. The development of safety procedures and emergency plans increase the probability of safety and injury prevention for each household member. The practice of emergency procedures fosters calm, competent use of the procedures in an actual emergency.
<p>GUIDELINE: The agency should assess compliance with these standards by conducting at least one visit to the home and noting how compliance was verified in the home study document. The agency can use a site and safety checklist to ensure consistent assessments and to verify the areas that were assessed. A fire inspection by a fire safety inspector is not required to license a home. However, if the agency or applicants have concerns about fire risks, the agency or applicants can ask for an inspection by a fire safety inspector.</p> <p>The agency should verify that operable smoke detectors are located in all areas specified in the standard or as recommended by the fire safety inspector. The agency should verify that they are operable by viewing an indicator light on the detectors or by testing the detector by pushing the test button. Although the standards do not require carbon monoxide detectors for all homes, the agency should consider factors such as connected garages and types of artificial heat in determining whether such detectors should be required. The agency should examine the fire extinguisher and verify that the extinguisher is in operating condition by viewing either the gauge on the extinguisher or a service tag from a competent authority. An extinguisher with a broken seal does not meet this standard.</p> <p>The agency should review the written emergency evacuation plan to verify that it meets this standard. The evacuation plan must be posted in a conspicuous place in the home. Within one day of placement, the foster family should review the emergency procedures for evacuation for fire, and any natural disasters that occur in their area, such as tornados or earthquakes, so that all household members know how to exit safely, with a planned meeting spot.</p>
B. Applicants must maintain a comprehensive list of emergency telephone numbers, including poison control, and post those numbers in a prominent place in the home. If there is a landline phone located in the home, the numbers must be posted next to the phone.
INTENT: To ensure that emergency numbers are readily available in case of an emergency, they should be compiled and posted in a prominent place in the home.

GUIDELINE: The agency should assess compliance with these standards by conducting at least one visit to the home and noting compliance in the home study document. The agency should verify that the applicants keep a list of appropriate emergency telephone numbers including fire, police, ambulance, poison control, and all agencies working with the family. The agency should further verify that the list is posted in a prominent place in the home. If there is a landline phone located in the home, the numbers must be posted next to the phone. The numbers should be accessible and all children should be shown where to find such numbers in case of emergency. The agency could provide the family with a sticker or magnet that is pre-printed with emergency and important numbers along with space to add personal numbers such as the family doctor.

In a home that does not have a phone, but instead relies on a phone in close walking proximity, the numbers should be posted near the home's exit to permit household members to take the emergency phone numbers with them to the phone's location. During the home study, the agency should check the phone that the family relies upon, if it is in walking distance, and if the family who owns that phone permits ready access to it.

9. ADDITIONAL HEALTH AND SAFETY STANDARDS

A. The applicants' home must meet the following standards concerning weapons:

1. The following weapons must be stored in an inoperative condition in a locked area inaccessible to children:
 - a. Firearms;
 - b. Air guns;
 - c. BB guns;
 - d. Hunting slingshots; and
 - e. Any other projectile weapon.
2. All ammunition, arrows or projectiles for such weapons must be stored in a locked space separate from the weapons.
3. Applicants who are also law enforcement officials and can document that their jurisdiction requires them to have ready and immediate access to their weapons may be exempt from these weapon requirements provided the applicants adopt and follow a safety plan approved by the agency.

INTENT: To verify that the applicants' home will provide an environment in which children in foster care will be protected from any conditions that threaten their safety and well-being, weapons must meet safe storage standards. The potential for injury or death of children due to firearms is substantial.

GUIDELINE: The agency should assess compliance with these standards by conducting at least one visit to the home and noting the location and type of any weapons in the home in the home study document. The agency can use a site and safety checklist to ensure consistent assessments and to verify the areas that were assessed.

Weapons in a foster home or in a vehicle used to transport children in care are strongly discouraged. However if the applicants own weapons, appropriate safety measures must be taken to make sure the children do not have access to such weapons. Further, no child in the home may have unsupervised access to the weapons. When an applicant or household member is not carrying a weapon, it must be stored as specified in this standard. As part of the interview of all household members, the agency should ask if there are any weapons or ammunition located in the home or grounds. If the applicants or household members have weapons in the home, the agency should ask for verification that the individual has the required license or permit. The agency should view the areas where the weapons and/or ammunition are stored to verify that they are inaccessible to children. The agency should visually inspect the weapons to verify that they are stored unloaded and under lock. The agency should verify that the ammunition is stored in a separate locked space away from the weapons.

B. The applicants' home must meet the following standards concerning water:

1. A family foster home must have a continuous supply of safe drinking water.
2. If a home uses private well water or another source of drinking water other than water through the municipal water supply, then it must be tested for safety.
3. The temperature of any water heaters must be set in accordance with the manufacturer's recommendations.

INTENT: To provide for a child's hygiene needs and safe consumption, the home must have access to clean, sanitary water.

GUIDELINE: The agency should assess compliance with these standards by conducting at least one visit to the home and noting the water supply and temperature in the home study document. The agency should check the source of the water supply by asking the applicants to provide documentation, such as a water bill or confirmation of hook up to a public water source. All water not from a public water source must be tested by a means that the community accepts or a detailed description of how the water is treated to make it safe for consumption. It might be an internal agency inspection, another government agency or an outside contractor. Homes that use wells often already conduct water tests at periodic intervals; this satisfies the requirement if the applicants can provide certification that the water has been tested. Commercially bottled drinking water must be used until water testing results are available or if the results show that the tested water is unsafe to drink.

The agency may use a waterproof digital thermometer held under running water in all sinks, showers or tubs to verify that the temperature does not exceed 120 degrees Fahrenheit. The water must be tested on all levels or floors of the home. The agency should also view the water heater to verify that it is set in accordance with the manufacturer's instructions.
C. The applicants' home must meet the following standards concerning animals:
1. Any animal that poses a threat to the safety or health of a child in foster care must be confined in a place away from the child and inaccessible to the child.
2. Pets that are required to be vaccinated by state or tribal law must be vaccinated against diseases that can transmit to humans, including rabies.
INTENT: To ensure safety, children should be protected from any hazardous animals kept in the home or on the grounds.
GUIDELINE: The agency should assess compliance with these standards by conducting at least one visit to the home and noting the type and location of any animals in the home study document. By documenting them, referring or placing agencies will be aware that there are animals in the home. Some children are allergic or fearful of animals, and the home may not be a suitable placement for those children. Remember, children can be intrigued by animals and wander into confined areas, therefore, confinement areas must be secure and not accessible to the child without adult supervision. The agency should ask for verification that any animals located in the home or on the grounds of the home have vaccinations as required by tribal, local or state laws. The agency should observe where the animals are located in the home or on the grounds and verify that children are kept safe from potentially dangerous animals. The agency should contact local veterinarians or local law enforcement for assistance as needed.
D. The applicants' home must meet the following standards concerning swimming pools, hot tubs and spas:
1. Swimming pools must have a barrier on all sides at least four feet high.
2. Swimming pools must have their methods of access through the barrier equipped with a safety device, such as a bolt lock.
3. Swimming pools must be equipped with a life saving device, such as a ring buoy.
4. If the swimming pool cannot be emptied after each use, the pool must have a working pump and filtering system.
5. Hot tubs and spas must have safety covers that are locked when not in use.
INTENT: To ensure the safety of children, swimming pools and hot tubs must meet certain standards.

GUIDELINE: The agency should assess compliance with these standards by conducting at least one visit to the home and noting any swimming pools, hot tubs and spas in the home study document. The agency should verify that any swimming pools have proper barriers and that access is equipped with a safety device, such as an alarm, key lock, self-locking door, bolt lock or other lock that is not accessible to children. Lifesaving devices that must be available at any swimming pool include a ring buoy, rescue tube, flotation device with a rope, or a shepherd's hook sufficiently long to cover the area. Resources regarding pool safety features can be found through the American Academy of Pediatrics, Safe Kids Coalition, and the Consumer Products Safety Commission websites.

E. The applicants' home must meet the following standards concerning hazardous materials and first aid supplies:

1. Prevent the child's access, as appropriate for his or her age and development, to all medications, poisonous materials, cleaning supplies, other hazardous materials, and alcoholic beverages.
2. Maintain first aid supplies as recommended by the Red Cross.

INTENT: To prevent poison exposure, certain storage standards must be met. There are over two million human poison exposures reported to poison centers each year. Children under six account for over half of those potential poisonings. The substances most commonly involved in poison exposures of children are: cosmetics, cleaning substances, and medications. Plastic bags and aerosols present increased risks of injury and death as well. Medicines can be crucial to the health and wellness of children. However, they can also be very dangerous if the wrong type or amount is given to the wrong person at the wrong time.

GUIDELINE: The agency should assess compliance with these standards by conducting at least one visit to the home and noting how hazardous materials are stored and the availability of first aid supplies in the home study document. The agency should take into consideration the age, and any cognitive and behavioral challenges of the child placed in the home when assessing the method to prevent that child's access to medications, poisonous and other hazardous materials, and alcoholic beverages. However, all medications should be kept in locked storage and inaccessible to all children at all times. During the inspection for the home study, the agency should ask the applicants to view the storage areas where alcoholic beverages, poisonous materials, cleaning materials, and other hazardous materials that could be a danger to children are kept to ensure that this standard is being met.

First aid supplies should be maintained in the home. As recommended by the Red Cross, these supplies for a family of four are: 2 absorbent compress dressings (5 x 9 inches); 25 adhesive bandages (assorted sizes); 1 adhesive cloth tape (10 yards x 1 inch); 5 antibiotic ointment packets (approximately 1 gram); 5 antiseptic wipe packets; 2 packets of aspirin (81 mg each); 1 blanket (space blanket); 1 flashlight; 1 breathing barrier (with one-way valve) for cardiopulmonary resuscitation (CPR); 1 instant cold compress; 2 pair of non-latex gloves (size:

large); 2 hydrocortisone ointment packets (approximately 1 gram each); 1 roller bandage (3 inches wide); 1 roller bandage (4 inches wide); 5 sterile gauze pads (3 x 3 inches); 5 sterile gauze pads (4 x 4 inches); 1 oral thermometer (non-mercury/non-glass); 2 triangular bandages; scissors; tweezers; any vital medications as prescribed by a health care professional; emergency phone numbers; and a first aid instruction booklet. These first aid supplies should increase proportionally if there are more than four family members, including the child in foster care.

10. CRIMINAL HISTORY RECORDS CHECK STANDARDS

A. Applicants and any other household members who are adults age 18 or older must submit to fingerprint-based checks of national and state crime information databases and checks of state or local crime information databases before the applicants may be approved for placement of a child.

B. The agency must also check sexual offender registries for mention of the applicants and any other household members who are adults age 18 or older.

C. If a record check reveals a felony conviction for child abuse 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, and a state finds that a court of competent jurisdiction has determined that the felony was committed at any time, approval for placement of a child must not be granted.

D. If a record check reveals a felony conviction for physical assault, battery, or a drug-related offense, and a state finds that a court of competent jurisdiction has determined that the felony was committed within the past 5 years, approval for placement of a child must not be granted.

E. If an applicant was convicted for a crime other than those included in C. and D., the applicant will **not** be automatically rejected as a foster parent. The agency must consider the following:

1. the type of crime;
2. the number of crimes;
3. the nature of the offenses;
4. the age of the individual at the time of conviction;
5. the length of time that has elapsed since the last conviction;
6. the relationship of the crime and the capacity to care for children;
7. evidence of rehabilitation; and
8. opinions of community members concerning the individual in question.

F. Applicants and all household members have an ongoing duty to report any juvenile offenses committed by any member of the household. The existence of a household member with a juvenile offense does not automatically exclude the applicants. The agency must consider the suitability of the home based on the criteria used to assess crimes set forth in C.-E. of this standard and standard 11. B. and C.

INTENT: To ensure that the agency is not approving a foster home where any applicants or household members have certain previous criminal convictions, comprehensive criminal background checks are performed in accordance with federal and state laws.

GUIDELINE: This standard mirrors the requirements under the federal Adam Walsh Child Protection and Safety Act, P.L. 109–248, July 27, 2006, 120 Stat. 587, which requires these types of national criminal background checks on all applicants and adult household members. The Adam Walsh Act does not require state or local criminal background checks, as are required under these standards. That requirement acknowledges the lack of a well unified criminal background database.

The agency should review the criminal background checks for all applicants and adult household members to ensure that they meet these standards. The agency should obtain copies of the checks and maintain them in the applicants’ record. For those crimes that do not automatically disqualify applicants, the agency should consider each factor listed in E. of this standard. The agency may want to contact legal counsel for assistance as needed.

The Adam Walsh Act does not require criminal background checks on juvenile household members. The agency should inform applicants and all household members that they have an ongoing duty to report any juvenile offenses committed by any member of the household. During the interview of each household member, the agency should ask if he or she has committed a juvenile offense or knows of any household member who has committed a juvenile offense. The agency should note the responses to the questions regarding juvenile offenses in the home study document. The existence of a household member with a juvenile offense does not automatically exclude the applicants. The agency should consider the suitability of the home based on the criteria used to assess crimes set forth in C.-E. of this standard and standard 11. B. and C.

11 . ABUSE AND NEGLECT BACKGROUND CHECK STANDARDS

A. The agency must meet the following abuse and neglect background checks standards:

1. Check all child abuse and neglect registry and adult protective services registry maintained by the state, tribe or locality for information on applicants and any other household members who are adults age 18 or older.
2. Request that any other state in which applicants and other adult household members who are adults age 18 and older have resided in the preceding 5 years also check all child abuse and neglect registry and adult protective services registry maintained by that state.
3. Comply with any request described in A.2. that is received from another state.

<p>B. The applicants must not be licensed if the applicants or any household member who is an adult age 18 or older has been the subject of a substantiated allegation of sexual exploitation or sexual abuse of a child or has been substantiated for child abuse that resulted in a child fatality.</p>
<p>C. If there is a substantiated report of child abuse or neglect, other than those listed in B., involving the applicants or any household member who is an adult age 18 or older, the application is assessed on a case-by-case basis, which includes a discussion with the applicants and household members, to determine if the safety of any child in the home will be impacted. If not impacted, the results of the abuse and neglect background check may not prevent licensure.</p>
<p>D. Applicants and all household members have an ongoing duty to report any juvenile offenses committed by any member of the household. The existence of a household member with a juvenile offense does not automatically exclude the applicants. The agency must consider the suitability of the home based on the criteria used to assess crimes set forth in B.-C. of this standard and standard 10 C.-E.</p>
<p>INTENT: To ensure that the agency is not approving a foster home where any applicants or household members have substantiated allegations of abuse or neglect, these comprehensive background checks are performed in accordance with federal and state laws.</p>
<p>GUIDELINE: The agency must complete a state child abuse and neglect registry and adult protective services registry check for each adult household member. For any other state in which the adult household member resided within the most recent 5 years, the agency must request that those states check their registries or any applicable tribal registries. The state contact for those child abuse and neglect checks can be found at the following link: http://www.dfps.state.tx.us/Child_Care/Other_Child_care_Information/abuse_registry.asp (a pdf can also be found at www.grandfamilies.org) All states should respond to requesting states within 30 calendar days with the results of the registry checks, so as not to delay the licensing process. The agency should maintain copies of all the checks in the applicants' record. If the results of the check show a positive history, then the agency must assess those results consistent with B. and C. of these standards. The agency must discuss the results with the applicants and household members.</p> <p>As with criminal background checks, federal law does not require child abuse and neglect registry checks on juvenile household members. The agency should inform applicants and all household members that they have an ongoing duty to report any juvenile offenses committed by any member of the household. During the interview of each household member, the agency should ask if he or she has committed a juvenile offense or knows of any household member who has committed a juvenile offense. The agency should note the responses to the questions regarding juvenile offenses in the home study document. The existence of a household member with a juvenile offense does not automatically exclude the applicants. The agency should consider the suitability of the home based on the criteria used to assess crimes set forth in standards 10. C.-E. and B. and C. of this standard.</p>

12. ASSURANCES FROM APPLICANTS

A. Applicants must sign an agreement containing the following assurances that they and all household members will comply with their roles and responsibilities as discussed with the agency once a child is placed in their care:

1. They will not use any corporal or degrading punishment on any children in the home.
2. They will not use any illegal substances, abuse alcohol by consuming it in excess amounts, or abuse legal prescription and nonprescription drugs by consuming them in excess amounts or using them contrary to as indicated.
3. They will not smoke in the presence of the child in foster care, in the family foster home, or in any vehicle used to transport the child. Furthermore, guests will not be allowed to smoke in the presence of the child in the family foster home or in any vehicle used to transport the child.
4. They will closely supervise the child in foster care when the child is in close proximity to any swimming pool or body of water. When they cannot supervise, they must restrict the child's access to swimming pools or bodies of water. The child must never be left to swim alone.
5. They will provide water safety instruction to the child in foster care as appropriate for his or her age and development if the home is adjacent to any body of water or has a swimming pool. Water safety instruction addresses key knowledge and skills on how to be safe around water and does not necessarily mean swimming lessons.
6. They will maintain the swimming pool in safe condition, including testing and maintaining the chlorine and pH levels as required by the manufacturer's specifications.
7. They will lock all entry points when the swimming pool is not in use.
8. They will remove or secure any steps or ladders to the swimming pool to make them unusable when the pool is not in use.
9. They will set up and maintain wading pools according to the manufacturer's instructions, and empty and store them when not in use.
10. They will ensure that the child in foster care has legal and safe transportation to and from health care, therapy, and agency appointments; school; extracurricular activities; social events; and scheduled meetings or visitation with parents, siblings, extended family members, and friends.
11. They will ensure that if a privately-owned vehicle, owned by the applicants, family or friends, is used to transport the child in foster care, it must be inspected (if applicable under state or tribal law), registered, and insured, and meet all applicable state or tribal requirements to be an operable vehicle on the road.
 - a. The driver will have a valid driver's license.
 - b. Safety restraints will be used that are appropriate to the child's age, height, and weight.

c. Weapons must not be transported in any vehicle in which the child is riding unless the weapons are made inoperable and inaccessible.
12. They may need to take additional steps for the safety of the child in foster care, depending on the home, the area in which it is located, and the age and any cognitive and behavioral challenges of the child. For example, applicants may be required to child proof their home or place a fence to prevent the child from accessing nearby railroad tracks or another hazard.
B. The agency will review the assurances agreement with the foster parents at initial licensing, when a child is placed in their care, and annually thereafter.
INTENT: To ensure that the family has a clear understanding of expectations prior to approval as a foster home, the applicants' sign assurances at the time of licensing concerning their future behavior when a child is placed in their care.
GUIDELINE: The agency can use this list to create an assurances agreement that the agency and applicants will sign. Before signing, the agency should carefully review it with the applicants along with the reasons for these assurances. It can be used as an education and training tool, as well as to provide clear expectations. The assurances cover behaviors after the home is licensed, and these behaviors cannot be verified as part of the home study. These are considered conduct requirements and will be assessed after the placement of the child. This assurance tool is a way to help foster parents understand the need to follow these safe and prudent parenting practices after a child is placed in his/her home and avoid compromising a child's civil rights and his/her birth family's cultural practices.
13. PRE-LICENSE TRAINING STANDARDS
A. All applicants must complete at least 6 hours of pre-license training on care of the child.
INTENT: To provide information to applicants prior to licensing so they can make an informed decision about their commitment to foster a child, pre-license training must occur. Pre-license training should complement the life experiences that applicants bring to their child rearing skills.
GUIDELINE: The agency should exercise discretion in determining how many hours of training are needed. These standards simply say no less than six, but expect that agencies may provide more.
B. Pre-license training topics must include:
1. An overview of the child welfare system:
a. Legal rights, roles, responsibilities and expectations of foster parents;
b. Agency purpose, policies, and services; and
c. Courts, and applicable laws and regulations.
2. Information, including trauma concepts and behavioral management, to provide for the needs of the child who is or may be placed in the home.
INTENT: To provide applicants with current knowledge of the child welfare system and access to education that will prepare and provide ongoing instruction to support their parental roles, certain pre-training topics must be addressed.

GUIDELINE: These standards concern pre-license training only. At that point in time, applicants may or may not know the child who is to be placed with them. Training for the care of a specific child and his or her needs is particularly important.

Training may be comprised of different training modalities including video and Internet-based, to complement in-person, and the agency should maintain a list of training resources. The agency should approve in advance any video or Internet-based training. Training may need to be conducted in an applicant's native language or may need to be translated from English through the use of translators. Special consideration should be given to provide training that incorporates the culture of those families who are receiving the training, including the acknowledgement and acceptance of different cultural practices in child-rearing that still maintain child safety.

No later than the first 30 days after a foster parent has been licensed and a child has been placed with him or her, the agency should develop and implement a written needs assessment and continuing training plan for the foster parent. When creating the individualized training plan, the agency should take into account the parenting knowledge and skills of the foster parent, the needs of the specific child, and the ability of applicants to attend trainings, especially in rural areas where training may be conducted far from the applicants' home.

14. EMERGENCY PLACEMENT STANDARDS

A. A child may be placed in a home on an emergency basis pending licensure for a maximum of 90 calendar days with a relative. The applicants must agree to complete the full assessment and approval process for a family foster home license within 90 calendar days. For emergency placements of American Indian and Alaska Native children, agencies should work closely with tribal and urban Indian organizations that have expertise in recruiting and licensing tribal family foster care homes.

INTENT: To allow children to be placed with an individual known to them, emergency placements pending full licensure are permissible.

GUIDELINE: All emergency placement screening requirements should be completed no later than within the first 24 hours of placement. During those 24 hours, the complete process for full licensure should be reviewed with the emergency placement provider to identify any potential obstacles to licensure that would require the child to endure another move.

B. The agency must complete the following prior to approving an emergency placement:

1. State and/or local criminal background check of applicants and any other household member who is an adult age 18 or older. To determine eligibility, the results of the check will be assessed using the criteria in 10. C., D., and E. above.

2. State, tribal, and/or local child abuse and neglect registry and adult protective services registry check for information on applicants and any other household member who is an adult age 18 or older. To determine eligibility, the results of the check will be assessed using the criteria in 11. B. and C. above.
3. For other states in which applicants and any other household member who is an adult age 18 and older have resided in the preceding five years, applicants and household members must attest that they are not on the child abuse and neglect registry or the adult protective services registry. At that time, the agency will submit its request that the other states check their registries.
4. Preliminary visual inspection to assess the safety of the home.
5. Preliminary assessment of the ability of the applicants to meet the needs of the child.
6. Discuss assurances agreement, as described in standard 12 above, with applicants and obtain their signatures on the agreement.
INTENT: To ensure the safety and well-being of children in foster care, certain safety standards must be met prior to emergency placement.
GUIDELINE: In order to immediately and safely place a child with a family known to him or her, the agency must conduct a basic assessment for safety and the ability to adequately care for the child as delineated in this standard. All information collected should be documented and kept as part of the application for licensure.
C. If the home is not licensed within 90 calendar days, the child must be removed from the home, unless:
1. A direct placement of the child in the home is ordered by the court while the child is still in the custody of the child welfare agency.
2. The applicants file for and receive care and custody of the child directly from the court.
3. The agency grants an extension of up to 90 calendar days (for a total of 180 calendar days maximum) for applicants to complete licensure if it determines that removal of the child would be detrimental to the best interests of the child.
INTENT: To ensure that each child in state or county custody be in a licensed home that meets certain safety criteria, children cannot remain for more than 90 calendar days in an emergency placement.

GUIDELINE: Emergency placement will need to be monitored by the agency to ensure family foster home licensure is met within the federal and state timeline requirements. Agency monitoring of the emergency placement should include periodic onsite visits.

The agency should review the required timeline for full licensure with the emergency placement provider to identify any potential obstacles to licensure that would require the children to endure another move. Emergency placement providers should understand that if they are unable to meet federal and state guidelines for family foster home licensure, children will need to be moved to another placement.

To minimize disruption to children's lives, the agency will work in partnership with emergency placement providers if children are moved.

Model Family Foster Home Licensing Standards

Purpose and Use of Cross-Walk Tool

The cross-walk tool is designed to assist regulatory staff and providers compare the requirements of the Model Family Foster Home Licensing Standards (Model Standards) with current state family foster home licensing standards, in order to develop a plan to align with the Model Standards. In addition to completing this tool, there are additional resources available to assist states in the alignment and revision of their current family foster home licensing standards.

Collaborating Organizations

The American Bar Association, Center on Children and the Law

The ABA is the largest voluntary professional association in the world with nearly 400,000 members. The ABA Center on Children and the Law improves children's lives through advances in law, justice, knowledge, practice and public policy by focusing on child abuse and neglect, child welfare and protective services system enhancement, family preservation, adolescent health and other child protective legal issues. www.americanbar.org/groups/child_law.html

The Annie E. Casey Foundation

The Annie E. Casey Foundation is a private philanthropy that creates a brighter future for the nation's children by developing solutions to strengthen families, build paths to economic opportunity and transform struggling communities into safer and healthier places to live, work and grow. www.aecf.org

Generations United

Generations United is a national membership organization focused solely on improving the lives of children, youth, and older people through intergenerational collaboration, public policies, and programs for the enduring benefit of all. For well over a decade, Generations United's National Center on Grandfamilies has been at the forefront of national efforts to support grandfamilies through federal and state legislative testimony and briefings, publications, training, and technical assistance. www.gu.org

National Association for Regulatory Administration

The National Association for Regulatory Administration (NARA) is an international professional organization dedicated to promoting excellence in human care regulation and licensing through leadership, education, collaboration, and services. NARA represents all human care licensing, including adult residential and assisted living, adult day care, child care, child welfare and program licensing for services related to mental illness, developmental disabilities and abuse of drugs or alcohol.

NARA offers agencies in-depth consulting services tailored to specific needs such as: development of interpretive guidelines for licensing rules ; manual development or revision (e.g. for policies, procedures and rules); best practices training ; review of administrative

policies and procedures and licensing enforcement systems; design and implementation of efficient licensing measurement systems and automation systems, such as key indicator systems; operational analyses of the licensing program and review and revision assistance with licensing rules. www.naralicensing.org

Other Resources

The Grandfamilies State Law and Policy Resource Center

A project of the ABA Center on Children and the Law, Generations United, and Casey Family Programs, the Grandfamilies State Law and Policy Resource Center serves as a national resource on state laws and policies that support kinship care. The website includes a searchable database of laws and legislation, narrative analyses of legal topic areas, practical implementation and advocacy ideas, personal stories, relevant resources and publications. The resources, analyses and legislative database are updated regularly. This website contains state licensing standards, as well as other licensing resources. www.grandfamilies.org

The National Indian Child Welfare Association (NICWA)

NICWA is a private, nonprofit, membership organization, which is a national voice for American Indian children and families. NICWA is the most comprehensive source of information on American Indian child welfare and the only national American Indian organization focused specifically on the tribal capacity to prevent child abuse and neglect. Review their **Development and Implementation of Tribal Foster Care Standards**, which provide a process through which tribes can develop locally appropriate standards. <http://www.nicwa.org/resources/booklets/>.

Kinship Process Mapping: A Guide to Improving Practice in Kinship Care

Kinship Process Mapping is a tool that allows child welfare agencies to assess their agency practices with identifying, approving, and supporting kin for children who cannot safely live with their parents. The Kinship Process Mapping guide outlines a step-by-step process that agencies can use to prepare for, conduct, and analyze the results of kinship process mapping sessions. The Guide also includes best practices for ensuring that children have an opportunity to be placed with and connected to their kin whenever possible. www.aecf.org/~media/Pubs/Topics/Child%20Welfare%20Permanence/Kinship/KinshipProcessMappingGuide/KinshipProcessMappingGuide.pdf

Technical Assistance

Attorneys at Generations United and the ABA Center on Children and the Law are available to provide technical assistance to jurisdictions seeking to align their current rules, policies and practices with the Model Family Foster Home Licensing Standards. This technical assistance is available free of charge thanks to support from the Annie E. Casey Foundation. Contact Ana Beltran at abeltran@gu.org or Heidi Redlich Epstein at Heidi.Epstein@americanbar.org

Model Family Foster Home Licensing Standards Cross-Walk Tool

Model Licensing Standards Title and Rule Number	Model Licensing Standards Rule Content	Comparable State Standard	State Standard Source - Indicate the citation for all (statutes, regulations/ administrative codes, policies, etc.)	Alignment with Model Licensing Standards	Identify changes needed to align	Plan to address Alignment – Legislative, Policy or Procedure	Comments
1. Definitions A.	“Applicant” – an individual(s) who has submitted an application and is seeking a license from the licensing agency as a family foster home.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
B.	“Community standards” – local norms bounding acceptable conduct. For housing, the term means acceptable building standards based on the neighborhood and similar homes.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
C.	“Corporal punishment” – any form of physical discipline in which a child is spanked, paddled or hit on any part of the body with a hand or instrument.			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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D.	“Family foster care” – continuous 24 - hour care and support services provided for a child in a family foster home.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
E.	“Family foster home” – a private home, including adjacent grounds belonging to the home, in which a child is placed for family foster care under the supervision of the licensing agency. This term includes a kinship, relative, and child-specific home.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
F.	“Foster parent” – an individual who provides family foster care with a license from the licensing authority.			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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G.	“Functional literacy” – the ability to read and write at the level necessary to participate effectively in society.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
H.	“Household member” – any relative or non-relative who regularly lives, shares common areas, and sleeps in a home. An individual who is living, sharing common areas, and sleeping in a home temporarily for more than two consecutive weeks is considered a household member.			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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I.	“License” – the approval, verification or certification of a home and applicant to provide family foster care.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
J.	“Licensing agency” (also known as “agency”) – the entity, either private or public, that has authority to consider and approve a family foster care license.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
K.	“Licensing authority” – the governmental body responsible for carrying out licensing and regulatory functions, including monitoring compliance with applicable state laws and rules.			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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L.	“Relative” – an individual who is related by blood, marriage or adoption or who has a close family-like relationship to another individual. For American Indian and Alaska Native children “relative” could also include a tribally defined extended family relationship.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
M.	“Sibling” – brothers and sisters by birth or adoption, stepbrothers, stepsisters, half-brothers, and half-sisters.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
2. ELIGIBILITY STANDARDS				<input type="checkbox"/> Yes <input type="checkbox"/> No			
A.	All applicants must submit a complete application and						

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	accompanying documentation for a family foster home license, and keep copies in their home.						
B.	To apply for a family foster home license:			<input type="checkbox"/> Yes <input type="checkbox"/> No			
1.	Applicants must be age 18 or older.						
2.	Applicants must be able to communicate with the child in the child's own language.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
3.	Applicants must be able to communicate with the licensing agency and health care and other service providers.			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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4.	At least one applicant in the home must have functional literacy, such as have the ability to read labels on medications in order to properly administer them.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
5.	Applicants must have income or resources to make timely payments for shelter, food, utility costs, clothing, and other household expenses prior to the addition of a child in foster care.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
C.	The agency must not deny to any individual the opportunity to become a foster parent on the basis of the race, color,			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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	or national origin of the individual, or of the child, as required by the federal Multiethnic Placement Act (MEPA), 42 U.S.C.A. sec. 1996b and Title IV-E of the Social Security Act, 42 U.S.C.A. sec. 671(18). MEPA also provides that this law must not be construed to affect the application of the Indian Child Welfare Act, which contains preferences for the placement of eligible American Indian and Alaska Native children in foster care, guardianship, or adoptive homes. Furthermore, the agency must not						

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	discriminate with regard to the application or licensure of a foster family on the basis of age, disability, gender, religion, sexual orientation, gender identity or marital status.						
3. PHYSICAL AND MENTAL HEALTH STANDARDS A.	All applicants and household members must have physical exams from a licensed health care professional recognized by the agency. The exam results, which must be no older than 12 months prior to application, must indicate that the			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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	applicants are capable of caring for an additional child. The agency may require further documentation and/or evaluation to make such a determination.						
B.	All children who are household members must be up to date on immunizations jointly recommended by the American Academy of Pediatrics, the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention, and the American Academy of Family Physicians, unless			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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	the immunization is contrary to the child's health as documented by a licensed health care professional.						
C.	Applicants and all household members must disclose any past or current mental health and/or substance abuse issues. The agency may require further documentation and/or evaluation to determine the suitability of the home.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
4. HOME STUDY STANDARDS				<input type="checkbox"/> Yes <input type="checkbox"/> No			
A.	The agency must conduct a written comprehensive family assessment and home study in						

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	collaboration with the applicants to include:						
1.	At least one scheduled on-site visit to assess the safety of the home using these licensing standards.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
2.	At least one scheduled in home, individual interview of each household member to observe family functioning and assess the family's capacity to meet the needs of a child in foster care. The agency will determine whether to interview or just observe each household member based on his or her age and			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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	development.						
B.	The agency must obtain at least three references, including at least one from a relative and one from a non-relative.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
C.	Tribal agencies may also be involved in conducting home studies for American Indian and Alaska Native children. 42 U.S.C.A. sec. 671(26)(B) provides that any receiving state must treat any tribal home study report as meeting the requirements						

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	imposed by the state for the completion of a home study.						
5. CAPACITY STANDARDS A.	The total number of children in a family foster home, including the family's own children living in the home, must not exceed 8, of which no more than 5 may be children in foster care. The agency may determine lower capacities based on the family assessment and home study.			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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1.	No more than 3 children total under age 2.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
2.	No more than 4 children total under age 5.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
3.	No more than 4 children total between the ages of 5 -13.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
4.	No more than 4 children total over the age of 13.			<input type="checkbox"/> Yes <input type="checkbox"/> No			

Model Family Foster Home Licensing Standards Cross-Walk Tool

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B.	The maximum number of children may be increased with agency approval to allow for siblings to remain together or to allow applicants to provide care to a child who has an established, meaningful relationship with the applicants' family, such as a child who was formerly in foster care with the family.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
6. SLEEPING STANDARDS				<input type="checkbox"/> Yes <input type="checkbox"/> No			
A.	Each child in foster care must have a sleeping space with an individual bed or crib, mattress and linens, as appropriate for the						

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	child's needs and age and similar to other household members.						
1.	Children who are relatives may share a bed with agency approval.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
2.	All cribs in the home must be in compliance with Consumer Product Safety Commission standards.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
3.	All bunk beds in the home must not have more than two tiers. a. The upper tier must have railings on both sides to prevent falling. b. The top tier must			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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	not be used by a child under the age of 6.						
B.	There must be no more than 4 children total sharing a room used as a sleeping space.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
1.	A child over the age of 5 must not share a room used as a sleeping space with a child of the opposite sex.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
2.	Children who are relatives may share a room used as a sleeping space with agency approval.			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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3.	A child under 12 months of age in an individual crib may share a room used as a sleeping space with the foster parent.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
4.	A child over 12 months of age may share a room used as a sleeping space with the foster parent with agency approval.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
7. OTHER LIVING SPACE STANDARDS A.	The home may be a house, mobile home, housing unit or apartment occupied by an individual or a family.			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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B.	The applicants' home and all structures on the grounds of the property must be maintained in a clean, safe, and sanitary condition and in a reasonable state of repair within community standards.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
C.	The home must satisfy the following living space standards:						
1.	Be free from objects, materials, and conditions that constitute a danger.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
2.	Prevent or eliminate rodent and insect infestation.			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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3.	Regularly dispose of trash and recycling.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
4.	Have a working phone or access to a working phone in close walking proximity.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
5.	Have at least one toilet, sink, and tub or shower in safe operating condition.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
6.	Have kitchen facilities with a sink, refrigerator, stove, and oven in safe operating condition.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
7.	Have heating and/or cooling as required by the geographic area, consistent with accepted community			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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	standards and in safe operating condition.						
8.	Have ventilation where household members and children in foster care eat, sleep, study, and play.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
9.	Have artificial lighting where household members and children in foster care study and read.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
8. FIRE SAFETY/ EVACUATION PLAN STANDARDS							
A.	The applicants' home must meet the following fire safety/evacuation plan standards:						

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1.	Have at least one UL (Underwriter's Laboratory) approved smoke detector on each level of occupancy of the home and near sleeping areas.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
2.	Have at least one operable fire extinguisher that is readily accessible.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
3.	Be free of obvious fire hazards, such as defective heating equipment or improperly stored flammable materials. Household heating equipment must be equipped with appropriate safeguards, maintained as recommended by the manufacturer.			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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4.	Have a written emergency evacuation plan to be reviewed with the child within 24 hours of placement in the home and posted in a prominent place in the home. The plan must identify multiple exits from the home, and designate a central meeting place close			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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	to the home that is known to the child yet at a safe distance from potential danger.						
B.	Applicants must maintain a comprehensive list of emergency telephone numbers, including poison control, and post those numbers in a prominent place in the home. If there is a landline phone located in the home, the numbers must be posted next to the phone.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
9. ADDITIONAL HEALTH AND SAFETY STANDARDS							
A.	The applicants' home must meet						

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	the following standards concerning weapons:						
1.	<p>The following weapons must be stored in an inoperative condition in a locked area inaccessible to children:</p> <p>a. Firearms; b. Air guns; c. BB guns; d. Hunting slingshots; e. Any other projectile weapon.</p>			<input type="checkbox"/> Yes <input type="checkbox"/> No			
2.	All ammunition, arrows or projectiles for such weapons must be stored in a locked space separate from the weapons.			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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3.	Applicants who are also law enforcement officials and can document that their jurisdiction requires them to have ready and immediate access to their weapons may be exempt from these weapon requirements provided the applicants adopt and follow a safety plan approved by the agency.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
B.	The applicants' home must meet the following standards concerning water:						

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1.	A family foster home must have a continuous supply of safe drinking water.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
2.	If a home uses private well water or another source of drinking water other than water through the municipal water supply, then it must be tested for safety.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
3.	The temperature of any water heaters must be set in accordance with the manufacturer's recommendations.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
C.	The applicants' home must meet the following standards concerning animals:						

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1.	Any animal that poses a threat to the safety or health of a child in foster care must be confined in a place away from the child and inaccessible to the child.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
2.	Pets that are required to be vaccinated by state or tribal law must be vaccinated against diseases that can transmit to humans, including rabies.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
D.	The applicants' home must meet the following standards concerning swimming pools, hot tubs and spas:						

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1.	Swimming pools must have a barrier on all sides at least four feet high.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
2.	Swimming pools must have their methods of access through the barrier equipped with a safety device, such as a bolt lock.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
3.	Swimming pools must be equipped with a life saving device, such as a ring buoy.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
4.	If the swimming pool cannot be emptied after each use, the pool must have a working pump and filtering system.			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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5.	Hot tubs and spas must have safety covers that are locked when not in use.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
E.	The applicants' home must meet the following standards concerning hazardous materials and first aid supplies:						
1.	Prevent the child's access, as appropriate for his or her age and development, to all medications, poisonous materials, cleaning supplies, other hazardous materials, and alcoholic beverages.			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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2.	Maintain first aid supplies as recommended by the Red Cross.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
10. Criminal History Records Check Standards A.	Applicants and any other household members who are adults age 18 or older must submit to fingerprint-based checks of national and state crime information databases and checks of state or local crime information databases before the applicants may be approved for placement of a child.			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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B.	The agency must also check sexual offender registries for mention of the applicants and any other household members who are adults age 18 or older.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
C.	If a record check reveals a felony conviction for child abuse 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, and a state finds that a court of competent jurisdiction has determined that			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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	the felony was committed at any time, approval for placement of a child must not be granted.						
D.	If a record check reveals a felony conviction for physical assault, battery, or a drug-related offense, and a State finds that a court of competent jurisdiction has determined that the felony was committed within the past 5 years, approval for placement of a child must not be granted.			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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E.	If an applicant was convicted for a crime other than those included in C. and D., the applicant will not be automatically rejected as a foster parent. The agency must consider the following:			<input type="checkbox"/> Yes <input type="checkbox"/> No			
1.	the type of crime;			<input type="checkbox"/> Yes <input type="checkbox"/> No			
2.	the number of crimes;			<input type="checkbox"/> Yes <input type="checkbox"/> No			
3.	the nature of the offenses;			<input type="checkbox"/> Yes <input type="checkbox"/> No			
4.	the age of the individual at the time of conviction;			<input type="checkbox"/> Yes <input type="checkbox"/> No			
5.	the length of time that has elapsed since the last conviction;			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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6.	the relationship of the crime and the capacity to care for children;			<input type="checkbox"/> Yes <input type="checkbox"/> No			
7.	evidence of rehabilitation; and			<input type="checkbox"/> Yes <input type="checkbox"/> No			
8.	opinions of community members concerning the individual in question.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
F.	Applicants and all household members have an ongoing duty to report any juvenile offenses committed by any member of the household. The existence of a household member with a juvenile offense does not automatically exclude the applicants. The agency must			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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	consider the suitability of the home based on the criteria used to assess crimes set forth in C- E of this standard and standard 11. B. and C.						
11. ABUSE AND NEGLECT BACKGROUND CHECK STANDARDS A.	The agency must meet the following abuse and neglect background checks standards:			<input type="checkbox"/> Yes <input type="checkbox"/> No			
1.	Check all child abuse and neglect registry and adult protective services registry maintained by the state, tribe or locality for			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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	information on applicants and any other household members who are adults age 18 or older.						
2.	Request that any other state in which applicants and other adult household members who are adults age 18 and older have resided in the preceding 5 years also check all child abuse and neglect registry and adult protective services registry maintained by that state.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
3.	Comply with any request described in A. 2. that is received from another state.			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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B.	The applicants must not be licensed if the applicants or any household member who is an adult age 18 or older has been the subject of a substantiated allegation of sexual exploitation or sexual abuse of a child or has been substantiated for child abuse that resulted in a child fatality.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
C.	If there is a substantiated report of child abuse or neglect other than those listed in B., involving the applicants or any household member who is an adult age 18 or older, the application is			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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	assessed on a case-by- case basis, which includes a discussion with the applicants and household members, to determine if the safety of any child in the home will be impacted. If not impacted, the results of the abuse and neglect background check may not prevent licensure.						
D.	Applicants and all household members have an ongoing duty to report any juvenile offenses committed by any member of the household. The existence of a household member with a juvenile offense does not			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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	automatically exclude the applicants. The agency must consider the suitability of the home based on the criteria used to assess crimes set forth in B.- C. of this standard and standard 10 C.-E.						
12. ASSURANCES FROM APPLICANTS A.	Applicants must sign an agreement containing the following assurances that they and all household members will comply with their roles and responsibilities as discussed with the agency once a child						

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	is placed in their care:						
1.	They will not use any corporal or degrading punishment on any children in the home.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
2.	They will not use any illegal substances, abuse alcohol by consuming it in excess amounts or abuse legal prescription and nonprescription drugs by consuming them in excess amounts or using them contrary to as indicated.			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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3.	They will not smoke in the presence of the child in foster care, in the family foster home or in any vehicle used to transport the child. Furthermore, guests will not be allowed to smoke in the presence of the child in the family foster home or in any vehicle used to transport the child.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
4.	They will closely supervise the child in foster care when the child is in close proximity to any swimming pool or body of water. When they cannot supervise, they must restrict the child's access to swimming pools or			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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	bodies of water. The child must never be left to swim alone.						
5.	They will provide water safety instruction to the child in foster care as appropriate for his or her age and development if the home is adjacent to any body of water or has a swimming pool. Water safety instruction addresses key knowledge and skills on how to be safe around water and does not necessarily mean swimming lessons.			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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6.	They will maintain the swimming pool in safe condition, including testing and maintaining the chlorine and pH levels as required by the manufacturer's specifications.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
7.	They will lock all entry points when the swimming pool is not in use.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
8.	They will remove or secure any steps or ladders to the swimming pool to make them unusable when the pool is not in use.			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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9.	They will set up and maintain wading pools according to the manufacturer's instructions, and empty and store them when not in use.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
10.	They will ensure that the child in foster care has legal and safe transportation to and from health care, therapy, and agency appointments; school; extracurricular activities; social events; and scheduled meetings or visitation with parents, siblings, extended family members, and friends.			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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11.	<p>They will ensure that if a privately-owned vehicle, owned by the applicants , family or friends, is used to transport the child in foster care, it must be inspected (if applicable under state or tribal law), registered, and insured, and meet all applicable state or tribal requirements to be an operable vehicle on the road.</p> <p>b. Safety restraints will be used that are appropriate to the child’s age, height, and weight.</p> <p>c. Weapons must not be transported in any vehicle in</p>			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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	which the child is riding unless the weapons are made inoperable and inaccessible.						
12.	They may need to take additional steps for the safety of the child in foster care, depending on the home, the area in which it is located, and the age and any cognitive and behavioral challenges of the child. For example, applicants may be required to child proof their home or place a fence to prevent the child from accessing nearby railroad tracks or another hazard.			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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B.	The agency will review the assurances agreement with the foster parents at initial licensing, when a child is placed in their care, and annually thereafter.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
13. PRE-LICENSE TRAINING STANDARDS				<input type="checkbox"/> Yes <input type="checkbox"/> No			
A.	All applicants must complete at least 6 hours of pre-license training on care of the child.						
B. 1.	Pre-license training topics must include: An overview of the child welfare system: a. Legal rights,			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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	<p>roles, responsibilities and expectations of foster parents;</p> <p>b. Agency purpose, policies, and services; and</p> <p>c. Courts, and applicable laws and regulations.</p>						
2.	Information including trauma concepts and behavioral management, to provide for the needs of the child who is or may be placed in the home.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
14. EMERGENCY PLACEMENT STANDARDS				<input type="checkbox"/> Yes <input type="checkbox"/> No			
A.	A child may be placed in a home						

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	on an emergency basis pending licensure for a maximum of 90 calendar days with a relative. The applicants must agree to complete the full assessment and approval process for a family foster home license within 90 calendar days. For emergency placements of American Indian and Alaska Native children, agencies should work closely with tribal and urban Indian organizations that have expertise in recruiting and licensing tribal family foster care homes.						

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B.	The agency must complete the following prior to approving an emergency placement:						
1.	State and/or local criminal background check of applicants and any other household member who is an adult age 18 or older. To determine eligibility, the results of the check will be assessed using the criteria in 10. C., D., and E. above.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
2.	State, tribal, and/or local child abuse and neglect registry and adult protective services registry check for			<input type="checkbox"/> Yes <input type="checkbox"/> No			

Model Family Foster Home Licensing Standards Cross-Walk Tool

Model Licensing Standards Title and Rule Number	Model Licensing Standards Rule Content	Comparable State Standard	State Standard Source - Indicate the citation for all (statutes, regulations/ administrative codes, policies, etc.)	Alignment with Model Licensing Standards	Identify changes needed to align	Plan to address Alignment – Legislative, Policy or Procedure	Comments
	information on applicants and any other household member who is an adult age 18 or older. To determine eligibility, the results of the check will be assessed using the criteria in 11. B. and C. above.						
3.	For other states in which applicants and any other household member who is an adult age 18 and older have resided in the preceding five years, applicants and household members must attest that they are not on the child abuse and neglect registry or the adult protective services			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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	registry. At that time, the agency will submit its request that the other states check their registries.						
4.	Preliminary visual inspection to assess the safety of the home.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
5.	Preliminary assessment of the ability of the applicants to meet the needs of the child.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
6.	Discuss assurances agreement, as described in standard 12 above, with applicants and obtain their signatures on the agreement.			<input type="checkbox"/> Yes <input type="checkbox"/> No			

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C.	If the home is not licensed within 90 calendar days, the child must be removed from the home, unless:			<input type="checkbox"/> Yes <input type="checkbox"/> No			
1.	A direct placement of the child in the home is ordered by the court while the child is still in the custody of the child welfare agency.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
2.	The applicants file for and receive care and custody of the child directly from the court.			<input type="checkbox"/> Yes <input type="checkbox"/> No			
3.	The agency grants an extension of up to 90 calendar days for applicants to complete licensure if it determines that removal of the child would be detrimental to the best interests of the child.			<input type="checkbox"/> Yes <input type="checkbox"/> No			