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## **Evaluating a Prospective Caregiver**

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### Overview

This policy reviews the process for evaluating the home of a prospective relative or non-relative caregiver. It states the factors that should and should not be considered when assessing a potential caregiver's ability to meet a child's needs.

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## Version Summary

This policy guide was updated from the 07/29/15 version to clarify that WIC 309 requires a CSW to use diligent effort in locating the names and locations of the child's relatives.

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# **POLICY**

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## **Potential Caregivers**

A potential caregiver may be any of the following:

- Relatives, including adult siblings
- Non-Relative Extended Family Member
- Caregivers of other siblings
- Non-related caregivers

The abilities and appropriateness of the potential caregiver and his/her family must be assessed to ensure that a child's individual needs are met in at a placement.

DCFS and licensed adoption agencies may not deem a child ineligible for foster care or for adoption, nor are they permitted to delay a child's placement, based on the perspective caregiver's race (including culture or language), color, or national origin. In cases of Indian children or under exceptional, non-routine, child specific circumstances, however, consideration of these factors may be warranted.

DCFS is not permitted to honor a parent's preference for placing a child in a particular home based on race, color, or national origin, or to delay the placement of a child for adoption when an approved family is available solely because the home is located outside of the county or state. In a designated relinquishment or independent adoption, however, a parent may identify a specific family to adopt a child.

## **Relative Placement - CSW's Duty to Identify, Locate and Inform Relatives**

At the time a child is removed, the CSW must immediately, but no later than 30 days from the date of remove, conduct an investigation in order to identify and located all of the child's adults relatives and non-related extended family members (NREFMs), regardless of their immigration status.

A relative includes the following:

- Grandparents;
- Adult siblings;
- And other legally specified adult relative of the child, including:
  - Any adult who is related to the child by blood, adoption, or affinity within the fifth degree of kinship, including stepparents, step siblings, and all relatives whose status is preceded by the words "great", great-great", or "grand", or the spouse of any of these persons, even if the marriage was terminated by death or dissolution;
  - Any other adult relatives suggested by the parents or children. A non-relative extended family member is defined as an adult caregiver who has an established familial relationship a relative of the child or a familial or mentoring relationship with the child.

The CSW must use diligent effort in investigating the names and locations of the relatives, including but not limited to:

- Asking the child in an age-appropriate manner about relatives important to the child, consistent with the child's best interests;
- Asking the parents and anyone with familial knowledge as to the names, addresses, and any identifying information of adult relatives of the child.

CSWs must contact all known and appropriate relatives and NREFMs who are willing and able to care for a child, even after a different relative has been identified and after that relative's home has been approved for the child's placement. Locating relatives as a placement resource is a process that does not cease until a permanent plan is made for the child.

For each relative identified, for whom there is not contact information, the CSW must conduct a search to locate the relatives that included:

- Internet search using Google and other search engines, websites, and social media;
- Review child's case file for any information regarding relatives;
- Review of phone directory;
- Telephone or mail contact, if telephone or mailing address is known;
- Email contact, if email address is known;
- Search of jails/prisons.

The CSW must provide each relative who is located with written notification using the [Relative Notification Letter](#) unless the relative's history of family or domestic violence makes notification inappropriate.

Relatives are the preferred placement resource and must be considered first for all children who are in need of out-of-home care services. The CSW must take all of the following into consideration when determining where to place the child:

- Placement preference must be given to the home of a non-custodial parent or first degree relative(s) of the child.
  - A child can be placed in the home of an appropriate relative or a non-relative extended family member (NREFM) pending the consideration of other relative who have requested preferential consideration.
- Non-custodial parents are not required to have their homes approved.
- A non-relative extended family member (NREFM) is considered only when there is no relative who is willing and appropriate to care for the child.
- The immigration status of a relative or NREFM must not disqualify them from receiving custody of the child(ren).
- A child can be temporarily placed in the home of a relative or NREFM under the following circumstances:
  - Until the completion of the disposition hearing.

- On an emergency basis when the sudden unavailability of a foster caregiver requires that the child be removed from the caregiver's home.
- A child may be temporarily placed in the home even when it has been determined that an individual has resided in another state in the past five (5) years, pending the receipt of the information from the other state.
- An assessment must be initiated for any other able and willing relative(s) that requests placement.
- CWS/CMS searches, [CLETS](#) and [CACI clearance](#) must be done immediately, or absent extraordinary circumstances, during the first 23 hours following the removal of the child on all relatives and NREFMs requesting placement.
- The placement cannot occur unless the results of the CLETS are obtained and they reveal no convictions (other than a minor traffic violation) and the information obtained from searches of CWS/CMS and CACI have been determined not to pose a risk to the child.

[Locating relatives](#) as a placement resource is a process that does not cease until a permanent plan is made for the child.

The case-carrying CSW may deny the placement request if the prospective caregiver has a non-exemptible [criminal conviction](#) or whose name appears on the [Child Abuse Central Index \(CACI\)](#) with a substantiated abuse or neglect incident that indicates a child would not be safe if placed, without performing a preliminary assessment of the home and without making a referral to the ASFA Division.

Unless there is an approved [Supervised Independent Living Placement \(SILP\)](#), a nonminor dependent may not be placed or maintained under a placement order in the home of a relative/NREFM if the home is not ASFA approved.

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## **Factors in Determining a Good Child-Caregiver Match**

A placement decision and/or the decision to make a [Safety/Action Plan](#) for a child must be based on consensus from the [Child and Family Team](#). When placing a child in out-of-home care, follow the procedure for placement preference options outlined in [Placement Considerations for Children](#).

When a potential placement is identified, members of the team must consider the required factors and questions outlined in [Factors for a Good Child-Caregiver Match](#) when selecting a caregiver. A caregiver should not be eliminated on the basis of one (1) factor alone.

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## **Relative Home Approval Process**

Relative homes are approved by the same standards used to license foster family homes. DCFS supervised children can only be placed with relatives/NREFM whose homes have met the regulatory requirements set forth in the California Code of Regulations, Title 22, Division 6, Chapter 9.5, Article 3, License/Approval Standards. In addition, Los Angeles County requires child safety gates in multi-level homes in which children six (6) through twenty-four (24) months are placed. Only child safety gates that carry the American Society for Testing Materials (ASTM) certification seal and meet ASTM safety standards are acceptable. The relative/NREFM is eligible for financial assistance on a one time only basis in meeting home approval standards and for waivers of certain licensing regulations that are not critical to child safety.

It is the sole responsibility of the ASFA Division to determine if a home can or cannot be ultimately approved. The ASFA Division will work with regional staff to make every effort to approve the home of the relative or NREFM. However, ASFA Division staff does not make or determine child placements.

The approval of the home of a relative or NREFM by the ASFA Division does not automatically entitle that caregiver to placement of the child in his or her home. A prospective caregiver's home can meet the Title 22 standards and be approved, but placing the child in the home may still not be in the best interest of the child. Therefore, before the placement, the prospective caregiver must be assessed to determine his/her suitability to care for the child. The determination to place the child in the approved home is made by the regional CSW. If the home of the prospective caregiver is not used and the decision is based due to criminal history, place the CLETS, Live-Scan results, FBI clearance, and/or subsequent arrest notification in a sealed envelope labels "For Hearing Officer Only" when notifying the court of this decision. The DCFS 724, Placement Assessment, is completed by the CSW and is used to determine if the home of a relative or NREFM can meet the child's needs and placement requirements.

The approval of the home of a relative or NREFM must remain in full force and effect, even if the annual assessment visit is pending. Payment to the relative or NREFM provider may not be delayed or terminated solely due to the pending completion of the annual reassessment.

A home assessment is not required if the prospective relative/NREFM is a certified foster parent through a Foster Family Agency (FFA) and the child is being placed through the FFA or the prospective relative/NREFM is a State licensed foster parent with a current license.

A child may be temporarily placed in the relative's/NREFM's home even when it has been determined an individual has resided in another state in the past five year, pending the receipt of

the information from the other state(s). A home cannot be approved until all of the following components are met:

- The assessment of criminal history on all adults, eighteen (18) years of age and older, in the home or with significant contact with the children;
- The assessment of the caregiver's qualifications;
- The assessment of the home and grounds;
- The assessment that the environment in the home and on the outdoor grounds of the home when the child is present, as well as in any motor vehicle that is regularly used to transport the child, is smoke-free;
- A review of children's personal rights with the caregiver, and
- Caregiver orientation.

### **Situations Requiring a New Home Assessment**

A new home assessment is required:

- Whenever a caregiver has changed residence.
- When another adult or child not under DCFS supervision moves into the caregiver's home.
- When a new child is going to be placed in the home of an already approved relative or NREFM's home.

The assessment is done to ensure that the new residence or the previously approved home and physical environment meet the required standards for the health and safety of the child being considered for placement, and that the caregiver has been assessed for his/her capability to meet the needs of all the children in the home, and that the developed Corrective Action Plans (CAPs) and Documented Alternative Plans (DAPs) have been transacted as planned.

### **State Hearing**

A state hearing must be available to those relatives or NREFMs, or those claiming to be a relative, under the authority of Title 22 of the California Code of Regulations, section 89318 through 89388, if the following has been determined:

1. The relative or NREFM did not meet the qualifications to be a caregiver;
2. The relative, NREFM resident adult(s), or adult(s) with significant contact to child(ren) was not approved under Community Care Licensing laws, and
3. The relative's or NREFM's home does not meet health and safety requirements;  
or

4. The relative or NREFM did not complete required orientation and/or training.

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## **PROCEDURE**

### **Determining a Good Child-Caregiver Match**

#### **CSW Responsibilities**

1. When meeting with a prospective caregiver, discuss the child's needs. Do not disclose the child's name or other personally identifying information.
2. If the potential caregiver requires additional information and/or documentation that would identify the child by name, obtain the following:
  - A signed [Declaration in Support of Access to Juvenile Records](#) form from the foster care agency or licensed foster parent.
  - Approval from the SCSW to [release the information](#).
3. Refer to the Factors for a Good Child Caregiver Match to determine the potential caregiver's ability to meet the needs of a child.
4. Continually monitor and assess these quality of life factors as long as the child remains in out-of-home care.

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### **Determining Circumstances Warranting Consideration for Race, Color, or National Origin**

#### **CSW Responsibilities**

1. Consider the race, color, or national origin when [placing an Indian child](#) in out-of-home care.
2. On the CWS/CMS Out-of-Home Care Information form or the Out-of-Home Care Information Update, document the reason(s) for considering the caregiver's or child's race, color, or national origin in the placement decision.
  - Describe the exceptional, non-routine, child-specific circumstances that warrant the consideration of race, color, or national origin.

- Describe the child's special or distinctive needs based on race, color, or national origin and why it is in the child's best interest to take these factors into account.
  - Explain whether these factors can be accounted for without delaying the placement of the child and without putting the child at risk.
  - If only a same race and/or ethnic placement is appropriate, explain whether a delay is justified to search for such a placement.
3. Determine what characteristics the caregiver must possess to meet the exceptional, non-routine needs of the child.
  4. Submit the [DCFS 709](#) Foster Child Needs and Case Plan Summary, the [DCFS 280](#) Technical Assistance Action Request, and a hard copy of the [CWS/CMS Out-of-Home Care Information form](#) or the [Out-of-Home Care Information Update form](#) to the SCSW for review and approval.

### **SCSW Responsibilities**

1. Review the [DCFS 709](#), the [DCFS 280](#), the [Out-of-Home Care Information form](#), and the [Out-of-Home Care Information Update form](#) upon receipt.
2. If not in agreement with the recommendation to consider the family or child's race, color, or national origin in the placement decision, discuss the contested issue with the CSW.
3. Advise the CSW on how to proceed.
4. If there is agreement on the recommendation, sign and return the [DCFS 280](#), the [DCFS 709](#), the [Out-of-Home Care Information form](#), and the [Out-of-Home Care Information Update form](#) to the CSW within one (1) business day.

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## **Identifying, Locating, Informing and Considering a Relative/NREFM as a Potential Placement**

### **CSW Responsibilities**

The CSW responsible for placing the child must adhere to the following procedure:

1. When a child is taken into [temporary custody](#), ask the child (in an [age-appropriate manner](#)), the child's parents, the caregiver(s) from whom

the child is being removed, and anyone with familial knowledge for the names, addresses, and any known identifying information of adult relatives of the child and NREFMs.

- If one of these individuals is able to provide a name, obtain as much information as possible about the identified relative or NREFM including, but not limited to, his/her:
    - Full name;
    - Address;
    - Telephone number(s);
    - Relationship to the child.
  - Document all responses and information obtained from the contacted individual in the Related Clients page of the Client and Collateral Notebooks.
2. For each relative identified for whom there is not contact information, conduct a search to locate that relative, which includes:
- Internet search including Google and other search engines, websites, and social media;
  - Review child's case file for any information regarding relatives;
  - Review phone directory;
  - Telephone or mail contact, if telephone or mailing address is known;
  - Email contact, if email address is known;
  - Search of jails/prisons.
3. Contact all identified and appropriate relatives and NREFMs by phone or in person for whom an address and/or telephone number is available.
- Review all the contents of the Relative Notification Letter with them.
  - Ask if they would be willing and able to care for the child.
  - Send them the Relative Notification Letter within thirty (30) days of the child's detention.
  - Document the date the notification letter was given, each relative and NREFM's response and all CSW attempts made to contact relatives and NREFMs in the Contact Notebook.
4. If a relative/NREFM is interested in having the child placed in his/her home:
- Conduct a CWS/CMS and CLETS search and request the following information from the prospective caregiver(s), any other adults living in the home, and all persons having significant contact with the child.
    - i. Ask them if they have resided in another state in the past five years. If so, follow the steps outlined in A Prospective

Caregiver or Another Adult Residing in the Home has Resided in Another State in the Past Five Years.

- ii. Have them to complete and sign the LIC 508D, Out-Of-State Disclosure & Criminal Record Statement Foster Family Homes.
    - iii. Direct them to Live-Scan within ten (10) calendar days.
  - Obtain a Juvenile Automated Index (JAI) clearance for all children in the home over the age of fourteen (14) if there is reason to believe the youth has a criminal record.
5. When an American Indian tribe is involved in the child's placement, also follow the steps outlined in The Indian Child Welfare Act (ICWA).
6. If CLETS is initiated for a temporary placement:
- Obtain the CACI by completing the BCIA 4084 and submit it to the Department of Justice (DOJ) at (916) 456-0351 or (916) 227-3253 during regular work hours or at (916) 456-0351 during after hours, holidays and weekends.
  - Make a placement decision based on the safety and welfare of the child upon the return receipt of the BCIA 4084 from DOJ.
    - i. Give a copy of the BCIA 4084 to the Live-Scan technician in your office for data entry into CCTS database.
7. If the CLETS results show no convictions other than a minor traffic violation and the CWS/CMS and CACI results have been determined not to pose a risk to the child, the child may be temporarily placed in the home of the prospective caregiver up until the completion of the disposition hearing or until an appropriate foster home has been located, once the following steps are taken:
- Complete the initial in-home inspection using the SOC 817/817NMD and SOC 818/818NMD.
  - Assess the prospective caregiver's ability to care for the child's needs.
  - Consult with and obtain approval from the SCSW.
8. If Live-Scan results show a conviction other than a minor traffic violation for which an exemption can be granted, fax the following to the ASFA Division at (562) 941-7219:
- Live-Scan results
  - DCFS 5602
9. If Live-Scan results show a conviction for which an exemption cannot be granted:

- Give a copy of the criminal clearance to the person to whom the information relates within five (5) business days of being notified the home was denied.
    - When providing a copy of the criminal clearance by mail, the criminal clearance must be mailed in an envelope addressed to the person to whom the information relates, to the address location at which they receive mail. The criminal clearance information and results from a significant contact is not to be shared with the relative or NREFM.
  - Document the date, method, and name of the individual that was provided with a copy of the criminal clearance.
10. Immediately submit the following to the ASFA Division SCSW located in the CSW's office, or to the office in which the responsible ASFA Division SCSW is housed, regardless of whether the child is placed or not:
- [ASFA Home Assessment Request](#)
  - Completed and signed [LIC 508D](#) forms
  - CACI results
  - CLETS results
  - Live-Scan results, if available
11. For ERCP, MART, Adoption and ICPC sites, staff will immediately fax these items to (626) 397-9150.
12. If the child is placed temporarily:
- Submit a [DCFS 280](#) to the Eligibility Worker (EW) no later than one (1) business day from the date of placement. The DCFS 280 must indicate this as a non-paid placement.
  - Provide the prospective relative caregiver with two (2) copies of the "Notice of Relative Caregiver Re: Funding Options for Relative Caregiver" to review.
    - i. Obtain the relative's signature on both copies of the letter.
    - ii. Provide a copy of the signed letter to the caregiver and file the original signed letter in the Placement Folder.
    - iii. Forward a copy of the signed letter to the EW.
  - Have the relative caregiver sign the [DCFS 129](#).
13. If a prospective caregiver does not want to continue to care for the child or if it has been determined that it would not be appropriate to use the prospective caregiver, notify the ASFA Division that an assessment is no longer needed.

# Conducting and Responding to a Relative Home Assessment

## ASFA Division SCSW Responsibilities

1. Home assessments are to be completed and approved within a thirty (30) day period, based on Title 22 regulations. Discuss any exceptions with your ARA/RA.
  
2. Determine if the ASFA Assessment Request has been completed:
  - If the Request is appropriate and complete:
    - i. Scan the assessment request and attachments into the Kinship Assessment Tracking System (KATS).
    - ii. Assign the request to an ASFA-CSW for assessment and evaluation of CWS/CMS and CACI histories.
    - iii. Enter data in CWS/CMS and KATS database.
  - If the request form is incomplete, inappropriate or lacking the required clearances:
    - i. Send an email to the placing CSW, SCSW and ARA with a 24 hour alert.
    - ii. Document the alert was sent in Case Notes.
  - If an Initial ASFA Assessment Request has not been submitted:
    - i. Review the COGNOS No Assessment Information list and/or KATS daily to identify placements.
    - ii. Send an e-mail notification to the placing CSW, the SCSW and ARA requesting that an Initial Assessment Request with clearances be submitted within five (5) business days.
    - iii. If not received, send a second e-mail notification to the placing CSW, SCSW, ARA, RA, Service Bureau DD and the Service Bureau DD's CSA III notifying that clearances have not yet been received. Provide timeframes within which to send the required documents.
    - iv. If not received after the second e-mail notification, send a third e-mail notification within fifteen (15) days to the placing CSW, SCSW, ARA, RA, Service Bureau DD and the Service Bureau DD's CSA III stating the date the home will be denied.
  
3. If a request for an assessment is found to be inappropriate for any of the following reasons, close the referral, and notify the CSW and SCSW of the closure by sending the [Notification of the Closure of the ASFA Division's Home Assessment](#):
  - The potential caregiver declined considerations for placement;
  - The CSW informs the ASFA Division that the children have been placed elsewhere; or

- The caregiver reports that the child no longer resides in their home.
- 4. After the home assessment has been completed by the ASFA CSW, review all necessary approval documents and determine whether the home evaluation took place in a timely manner.
- 5. Check the information entered in the Relative/NREFM Assessment Page, SOC 815, SOC 817/817NMD and SOC 818/818NMD for accuracy and completion.
- 6. Document whether the home assessment is or is not approved in CWS/CMS and in KATS. Enter the date into KATS.
- 7. Scan all documents into KATS and maintain copies of the file for ASFA records.
  - An automatic email will be generated and sent to the ASFA CSW, regional CSW, SCSW, and EW with a link to the signed assessment documents.
- 8. If the home is not approved, provide the prospective caregiver, placing CSW, SCSW, ARA, RA and Deputy Directory with a copy of the DCFS 728 indicating the home has been denied.

### ASFA Division CSW Responsibilities

1. Complete the home assessment as follows:

<u>Situation</u>	<u>Timeline</u>
<u>If the child is already in the home</u>	<u>Initiate assessment within five (5) business days and complete assessment within thirty (30) calendar days.</u>
<u>If the child is not in the home</u>	<u>Initiate assessment within seven (7) business days and complete assessment within thirty (30) calendar days.</u>
<u>If the child is not in the home and there is a court order to complete the home assessment</u>	<u>Initiate and complete assessment within the time frame specified by the court order.</u>

- Review CWS/CMS for prior child welfare history.
- Search Meagan's Law website.

- Review all clearances and any other documents submitted by the placing CSW.
2. Prior to making the in-home inspection of the prospective caregiver's home, assemble a working file with copies of the following forms:
    - SOC 815 (for a minor and nonminor dependent)
    - SOC 817 (for a minor) / 817NMD for a nonminor dependent
    - SOC 818 (for a minor) / 818NMD for a nonminor dependent
    - DCFS 725
    - DCFS 726
    - DCFS 5420
    - LIC 508D, Out-of-Home State Disclosure & Criminal Record Statement Foster Family Homes
    - Title 22 standards
  3. If information from another state's registry indicates a history of child abuse or neglect, review the facts of the case. If the facts are not provided upon the initial request, contact the state agency with the case record for information about the circumstances of the abuse or neglect.
  4. During the home assessment:
    - Make sure the DCFS 5420, Verification of Relative Status and Declaration of Relative Status has been signed. If the caregiver is a NREFM, cross out "Relative" and write "NREFM" and the basis of the relationship.
    - Inform the prospective caregiver that the placement is temporary until the home is approved and that foster care funds will not be issued until the home is approved and eligibility is determined.
    - Advise the relative caregiver that funding is available. Discuss the financial disparities between AFDC-FC and CalWORKs. For NREFM, if the child is found to be federally eligible, they are eligible for federal foster care. If the NREFM is not federally eligible, but has an approved home, the NREFM is then eligible for state foster care.
    - If the relative or NREFM is being assessed for a simultaneous placement of a minor and NMD, complete a SOC 815, SOC 817 and SOC 818 for the minor dependent(s) and a separate SOC 815, SOC 817NMD, and SOC 818NMD for the nonminor dependent(s).
      - i. Use the SOC 817/817NMD as a checklist and the Title 22 standards during the inspection to ensure the home is in compliance with health and safety standards.

- ii. Review the completed SOC 817/817NMD with the prospective caregiver.
  - iii. If the home meets the standards or meets the standards with a Documented Alternative Plan (DAP), sign page two (2) of the SOC 817/817NMD. Document the alternative plan and the reason for the DAP on the DCFS 726.
  - If immediate impact deficiencies or potential impact deficiencies are observed in the home and a Correction Action Plan (CAP) would be appropriate, develop a CAP in consultation with the ASFA SCSW. Notify regional staff of the CAP.
  - Use the DCFS 725 to complete all of the following:
    - Clearly state the deficiencies.
    - Cite the Title 22 section that is violated.
    - Document each deficiency was discussed with the prospective caregiver.
    - State how each of the deficiencies will be remedied, including what the prospective caregiver will do to bring the home into compliance.
    - State the date by which each deficiency will be corrected.
5. If the prospective caregiver needs assistance making the needed corrections, provide the caregiver with that assistance whenever possible.
6. Obtain the prospective caregiver's signature on the DCFS 725 and mail a copy once the ASFA Division ARA has approved it.
7. If the expected date of completion for the corrective action plan exceeds thirty (30) days, consult with the ASFA Division ARA regarding the reasons for the CAP not being completed within the thirty (30) calendar day timeframe.
8. Review and discuss the SOC 818/818NMD with the relative/non-relative extended family member.
- Discuss the Relative or NREFM Caregiver Declaration and Agreement with the prospective caregiver.
  - Have him/her read, initial where indicated, sign and date the form.
  - Sign and date the "Assessment Summary" of the SOC 818.
  - Give the prospective caregiver a copy of the signed form.
  - In order to complete page three (3), item eleven (11) of the SOC 818/818NMD, review, discuss and provide copies of the items listed below with the prospective caregiver: The prospective caregiver must agree to implement and uphold these rights.
    - Title 22

- [DCFS 5650/5650-S](#)

9. After the in-home inspection, complete the Relative/NREFM Assessment Page in the Placement Notebook in CWS/CMS.
10. If the home meets Title 22 Standards, enter all data in CWS/CMS and KATS and compile the complete assessment packet for submission to SCSW for review and approval.
  - If submitting a DAP (DCFS 726) or CAP (DCFS 725) or Criminal Waiver (DCFS 5602), ARA or RA approval is required.
11. Submit all approval documents to the ASFA-SCSW for approval.
  - The approval process is not complete until the Relative/NREFM Assessment Page, SOC 815, SOC 817/817NMD and SOC 818/818NMD are approved by the ASFA-SCSW and attached to the child's CWS/CMS case file.
  - If the home has been approved, an automatic email is generated and sent to the regional CSW, SCSW, and EW notifying them that the assignment has been completed and that the signed assessment documents are available through the link provided in the email.
12. Notify the placing CSW of the outcome of the home assessment within one (1) business day of the completion and approval/denial of the assessment.
13. If immediate impact deficiencies or potential impact deficiencies are observed in the home and a Correction Action Plan (CAP) would be appropriate, develop a CAP in consultation with the ASFA SCSW. Notify regional staff of the CAP. Monitor the caregiver's efforts to complete the CAP.
  - Use the DCFS 725 to do all of the following:
    - i. Clearly state the deficiencies;
    - ii. Cite the Title 22 section that is violated;
    - iii. Document each deficiency was discussed with the prospective caregiver;
    - iv. State how each of the deficiencies will be remedied, including what the prospective caregiver will do to bring the home into compliance; and,
    - v. State the date by which each deficiency will be corrected.
14. Within one (1) business day of the caregiver successfully completing the CAP, notify the CSW.

15. The completion of the CAP must be verified by an in-person visit to the home. The home will not be approved until the CAP is completed.
  - If the caregiver fails to complete the CAP within the thirty (30) calendar day timeframe, discuss the appropriateness of extending the CAP.
  - If it is determined the CAP may be extended, obtain ASFA Division ARA or Division Chief approval.
  - If it is determined the CAP will not be extended, consult with the ASFA Division ARA prior to informing the case-carrying CSW or SCSW that the CAP was not completed and the home will be denied.
  
16. In the event it has been ten (10) calendar days since the home assessment and all other requirements have been completed and the Live-Scan results have not been received from DOJ, notify the Live-Scan technician to contact DOJ to inquire about the delay.

### **Case-Carrying CSW/Dependency Investigator Responsibilities**

1. Upon being notified the home has been approved:
  - Complete the DCFS 724, Placement Assessment, to determine if the home of the relative or NREFM meets the child's needs and the placement requirements of WIC Sections 309, 319, 361.3, 361.4 and 362.7. Discuss it with the prospective caregiver and have them sign the DCFS 724.
  - Forward the DCFS 724 to the SCSW for approval and signature. Provide a copy of the DCFS 724 to the prospective caregiver. File the original in the Placement Folder.
  - If the decision is made to use the home, request the placement packet from the Eligibility Worker (EW) by attaching a photocopy of the SOC 815 to the DCFS 280.
  
2. If the CSW does not believe the relative or NREFM can meet the child's needs and the requirement of WIC Sections 309, 319, 361.3, 361.4, 362.7, and Title 22, do not place the child in the home and inform the prospective caregiver of that determination. In addition:
  - Inform the caregiver of the Fair Hearing process.
  - Provide the prospective caregiver with the NA 1217 detailing the reason(s) for home denial.
  - Inform the prospective caregiver that the NA 1217 must be challenged within 90 days of receipt.
  
3. If the court allows a parent to reside in the home of a relative/NREFM, the case-carrying CSW must notify the Revenue Enhancement Eligibility Worker (EW) staff by submitting DCFS 280, Technical Assistant Action Request.

4. If the home of the prospective caregiver is not used:
  - Document all of the following in the applicable court report (Detention, PRI, Status Review, etc.):
    - i. Detailed information justifying the decision not to place in the home of a willing relative or NREFM.
    - ii. If the decision is based on the home not being approved due to criminal history, place the CLETS, Live-Scan results, FBI clearance, and/or subsequent arrest notification in a sealed envelope labeled "For Hearing Officer Only".
    - iii. If the decision is based on past history of child abuse and/or neglect, place the CACI or, when applicable, documentation from another state's child abuse registry in a sealed envelope labeled "For Hearing Officer Only".
    - iv. If the decision is based due to another deficiency:
      - Provide the court with the Title 22 regulation number(s) and standards that are not met.
      - Explain in detail why and how the home does not meet each standard cited.
      - Describe what efforts are being made to correct the deficiencies. Include specifically what DCFS is doing to assist the relative/NREFM.
    - v. If the deficiencies are so extreme that no efforts can be made to correct them, explain why this is so.
      - If the deficiency could not be remedied with a DAP, explain why an alternative plan would not be acceptable. If no alternative plan is feasible, explain why this is so.
      - If the home has been approved, but the caregiver cannot meet the child's needs, explain in detail why this is so. Explain what needs the child has or what must be done to meet those needs and how the caregiver is unable or unwilling to provide for those needs.
      - If the willing relative is not a placement option for the child, explain what efforts were made and are being made to locate another relative or NREFM for placement of the child.
5. CSWs are not required to keep hard copies of the approval documents. If there is an occasion where the case carrying CSW cannot log into KATS, obtain a scanned copy of the required document(s) via e-mail, as needed, from the ASFA unit responsible for the office.

## **Completing the Annual Reassessment of a Relative/Non-Relative Extended Family Member's Home**

The Bureau of Information Service Division will provide the ASFA Division a listing of all reassessments due on a monthly basis by way of COGNOS.

### **ASFA Division CSW Responsibilities**

It is the responsibility of the ASFA Division to complete all annual reassessments, including ICPC cases.

1. Complete all of the following forms:
  - [SOC 815](#)
  - [SOC 817/817NMD](#)
  - [SOC818/818NMD](#)
  - And, if necessary, the [DCFS 725](#) and [DCFS 726](#).
    - It is not necessary to complete a new SOC 815, SOC 817NMD and SOC 818NMD when a nonminor dependent is already placed with a relative/NREFM when they enter Extended Foster Care.
    - However, the SOC 815, SOC 817NMD, and SOC 818NMD must be completed at the next scheduled reassessment.
2. When the relative caregiver/NREFM is in the process of adopting a child:
  - The annual reassessment is no longer required when the adoptive placement papers have been signed and the caregiver has the necessary documents to initiate [Adoption Assistance Program \(AAP\)](#) payments.
  - The annual reassessment must be completed by the ASFA Division staff if the adoptive placement papers have not been signed or AAP has not been initiated.
3. Follow the steps outlined in [Considering a Relative/NREFM as a Potential Placement for a Potential Placement](#) to complete the additional required documents and for how to obtain notification of results.

### **Case-Carrying CSW Responsibilities**

1. When notified that the home of a relative/NREFM no longer meets approval standards upon completion of the annual reassessment, follow the steps outlined in [When a Child is Residing in the Home of a Relative or Non-Relative Extended Family Member Does Not Meet Title 22 Approval Standards](#).

# **Requesting a New Home Assessment**

## **Case-Carrying CSW Responsibilities**

1. Submit the [ASFA Home Assessment Request](#) to the ASFA Division located in your office within one (1) business day of being notified of any of the following:
  - The caregiver has changed residence.
  - Another adult or child not under DCFS supervision has moved into the home.
  - There are plans to place a new child under DCFS supervision with this caregiver.
    - For ERCP, MART, Adoption, and ICPC sites, staff will immediately fax the ASFA Home Assessment Request to (626) 397-9150.
  
2. Upon being notified that another adult has moved into the caregiver's home, immediately complete the CLETS, CWS/CMS and CACI clearances, and request the individual submit to a Live-Scan Clearance within one (1) business day.
  
3. Within one (1) business day of being notified of a child, who is not under DCFS supervision, moving into the home, and who is over the age of fourteen (14), complete a [Juvenile Automated Index \(JAI\)](#), there is reason to believe that the youth has a criminal record.
  
4. Ask the individual if he/she have resided in another state other than California in the past five years. If they have resided in another state, follow the steps outlined in [A Prospective Caregiver or Another Adult Residing in the Home has Resided in Another State in the Past Five Years](#).
  
5. Upon receipt of the CLETS results, if the results indicate no conviction other than a minor traffic violation adhere to the following procedures if:
  - The information obtained from searches of CWS/CMS and CACI have been determined not to pose a risk to the child, the child may remain in the home, pending Live-Scan results.
  - The information obtained from searches of CWS/CMS and CACI have been determined to pose a risk to the child, immediately advise the caregiver that the individual must leave the home immediately.

- i. Provide the person to whom the information relates to with a copy of the criminal clearance within five (5) business days of the CSW being notified the home was denied.
      - The copy of the criminal clearance must be provided in person or by mail in an envelope addressed to the person the information relates to and to the location at which they receive mail.
    - ii. Enter the date, method and name of the person who was provided with the copy of the criminal clearance in the Contact Notebook in CWS/CMS.
    - iii. If the caregiver refuses to have the individual leave the home, immediately remove the child from the home.
    - iv. If the child is not immediately removed from the home, notify the Eligibility Worker (EW) that the home is no longer in an “eligible facility.”
      - This means that the child’s aid code will to be changed to “GRI – non-eligible facility” until the individual leaves the home, the home is approved, or the child is replaced to another placement setting.
6. If the results of the Live-Scan clearance indicate:
  - No conviction for a crime, no further action is necessary.
  - A conviction for a crime where an exemption can be granted and the plan is to allow the child to remain in the caregiver’s home, immediately follow the steps outlined in Exemptions for Relatives, Non-relative Extended Family Members, and Prospective Guardians with Criminal History Records.
  - A conviction where an exemption cannot be granted, advise the caregiver the individual must leave the home immediately.
    - i. If the caregiver refuses to have the individual leave the home, immediately remove the child from the home if exigent circumstances exist.
    - ii. Provide the person to whom the information relates to with a copy of the criminal clearance within five (5) business days of the CSW being notified the home was denied. The copy of the criminal clearance must be provided in person or by mail in an envelope addressed to the person the information relates to and to the location at which they receive mail.
    - iii. Enter the date, method and name of the person who was provided with the copy of the criminal clearance in the Contact Notebook in CWS/CMS.
    - iv. If the child is not immediately removed from the home, notify the EW the home is no longer in an “eligible facility.” This means that the child’s aid code will be changed to “GRI –

non-eligible facility” until the individual leaves the home, the home is approved, or the child is replaced to another placement setting.

- v. Contact the [County Counsel](#) assigned to the case or the County Counsel designated to that SPA/Area Office for consultation prior to filing a detained or non-detained WIC 387 petition and/or removal of a child from a relative/NREFM’s home.

## **ASFA Division CSW Responsibilities**

1. Upon receipt of the ASFA Home Assessment Request, initiate the in-home inspection within five (5) business days. Follow the steps outlined in the section [Considering a Relative/NREFM as a Potential Placement](#).

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## **A Subsequent Arrest Notification of a Relative/NREFM is Received**

### **Case-Carrying CSW Responsibilities**

1. Within one (1) business day of the receipt of a subsequent arrest notification from the Department of Justice regarding a relative, NREFM, or an individual having significant contact with the child, including any person who has a familial or intimate relationship with any person living in the home:
  - Investigate and assess the circumstances surrounding the arrest.
  - Determine if the child is at immediate risk.
  - If necessary, remove the child from the home.
  - If the subsequent arrest notification indicates a conviction of a crime where an exemption can be granted and the plan is to allow the child to remain in the caregiver’s home, immediately follow the steps outlined in Exemptions for Relatives, Non-relative Extended Family Members, and Prospective Guardians with Criminal History Records.
  - If the subsequent arrest notification indicates a conviction of a crime where an exemption cannot be granted, advise the caregiver that the individual must leave the home immediately.
    - i. If the [caregiver refuses](#) to have the individual leave the home, immediately remove the child from the home.
    - ii. Provide the person to whom the information relates to with a copy of the criminal clearance within five (5) business days of the CSW being notified the home was denied.

- iii. The copy of the criminal clearance must be provided in person or by mail in an envelope addressed to the person the information relates to and to the location at which they receive mail.
  - iv. Enter the date, method and name of the person who was provided with the copy of the criminal clearance in the Contact Notebook in CWS/CMS.
  - v. If the child is not immediately removed from the home, notify the EW the home is no longer in an “eligibility facility.”
  - vi. This means that the child’s aid code will be changed to “GRI – non-eligible facility” until the individual leaves the home, the home is approved, or the child is replaced to another placement setting.
  - vii. Contact the [County Counsel](#) assigned to the case or the County Counsel designated to that SPA/Area Office for consultation prior to filing a detained or non-detained WIC 387 petition and/or removal of a child from a relative/NREFM’s home.
2. Within one (1) business day of the receipt of a subsequent arrest notification, notify the ASFA Division of what actions regarding the subsequent arrest will be taken.

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## **Responding to a Denied Home Assessment/Approval for a Relative/NREFM**

### **ASFA Division CSW Responsibilities**

1. Discuss the reason(s) for denial with the prospective caregiver.
2. Complete the assessment in CWS/CMS.
3. Indicate on the Relative/NREFM Assessment page and the [SOC 815](#) that the home does not meet the standards.
4. Notify the caregiver via the [DCFS 728](#) signed by the ASFA Division ARA that the home was denied approval.
5. State the regulatory standards for the denial. The letter must also include:
  - Information regarding the grievance review process and the [NA 1271](#), Notice of Action-Denial of Home Assessment/Approval.

6. Review and provide the relative or NREFM with the completed DCFS 728, Inspection of Prospective Family Caregiver Home, the NA 1271, Notice of Action-Denial of Home Assessment/Approval, and any other appropriate supporting documentation such as the DCFS 725, DCFS 726, SOC 817, and SOC 818.
7. Inform the relative/NREFM of his/her right to a State Hearing provided he/she submits a completed NA 1271 within ninety (90) days of receipt of the DCFS 728.
8. If the home approval is denied and the basis for the denial of the home approval is due to criminal history, provide the person to whom the information relates with a copy of the criminal clearance within five (5) business days of the CSW being notified the home was denied.
  - A copy of the criminal clearance must be provided in person or by mail in an envelope addressed to the person the information relates to and to the location at which they receive mail.
  - Enter the date, method and name of the person who was provided with the copy of the criminal clearance in the Contact Notebook in CWS/CMS.
9. If the home was not approved and the child is already in the home, discuss the results of the assessment with the ASFA Division ARA.
  - Notify the CSW, SCSW, ARA, RA, Service Bureau DD, and Service Bureau DD's CSA III that the home was not approved by e-mail.
  - Notify the prospective caregiver by telephone that their home will be not approved.
10. Send the completed DCFS 728, specifying the reason(s) the home was denied to the prospective caregiver by first class mail.
11. If the relative/NREFM sends the request for a Harris hearing to DCFS, the CSW must forward the request to the State Hearings Division (SHD).
12. If the relative/NREFM has requested a Harris hearing and the basis for denial is a non-exemptible offense, the CSW may request that the assigned Administrative Law Judge (ALJ) resolve it solely on the basis of the written record and without a hearing. To initiate such a request, the CSW must:
  - Make a written request to the SHD;

- Provide the SHD with all documents relevant to a resolution on the record; and,
  - Provide a copy of the written request and all documents to the relative/NREFM and relative's/NREFM's Authorized Representative (AR).
13. If the relative/NREFM agrees to proceed solely on the basis of a written record and without a hearing, the relative/NREFM has ten calendar days from the date of his/her response to provide any additional documentation to the SHD he/she believes to be relevant to the ALJ's determination.
14. If a Harris hearing is scheduled, the CSW must submit evidence to establish that an adult in the relative's/NREFM's home or an adult with significant contact with the minor(s) has a criminal or child abuse background that resulted in the Department's decision not to approve the home under California CCL laws, and/or resulted in the county's decision that the relative's/NREFM's home does not meet the appropriate health and safety standards.
15. If that matter in dispute addresses any of the following, submit the following documents to the ASFA Division Harris Hearings Representative:
- For criminal or child abuse allegations:
    - i. SOC 815, Approval of Family Caregiver Home
    - ii. DCFS 5602, Criminal Exemption Request, Denial and/or Grant
    - iii. LIC 508D, Out of state Disclosure & Criminal Record Statement and, if applicable, Out of State Child Abuse/Neglect Report Request
    - iv. LIC 198B, Out-of-State Child Abuse/Neglect Report Request Adam Walsh Child Protection and Safety Act of 2006, if applicable
    - v. Contact entries from other CSWs/staff processing the exemption(s)
    - vi. Character reference letters provided by the relative/NREFM in support of a criminal exemption
    - vii. CWS/CMS incident reports and investigative narratives
    - viii. Evidence establishing criminal activity, such as certified Superior Court records of the criminal case, Arrest Disposition Form(s) provided by DOJ, party testimony, party admissions or stipulations in fact
  - DOJ and Federal Bureau of Investigations reports provided through the Live Scan process are both not admissible and

cannot be relied upon for establishing an individual's criminal status at the hearing.

- ix. Relevant juvenile records such as Detention reports, Status Review reports, etc.
- When the relative's/NREFM's home failed to meet health and/or safety standards:
  - i. SOC 815, Approval of Family Caregiver Home
  - ii. SOC 817, Checklist of Health and Safety Standards for Approval of Family Caregiver Home or SOC 817NMD, Checklist of Health and Safety Standards for Approval of Family Caregiver Home Non-minor Dependent
  - iii. Contact entries from other CSWs and/or staff processing the home approval
  - iv. Notice of Deficiency(ies) and Corrective Action Plan(s)
  - v. Documented Alternative Plan Approval or Denial
- When the relative/NREFM failed to meet caregiver qualifications:
  - i. SOC 815, Approval of Family Caregiver Home
  - ii. SOC 818, Relative or Non-Relative Extended Family Member Caregiver Assessment or SOC 818NMD, Relative or Non-Relative Extended Family Member Caregiver Assessment –Nonminor Dependent
  - iii. Contact entries from other CSWs and/or staff processing the home approval
- If the claimant failed to meet orientation and training requirements:
  - i. SOC 815, Approval of Family Caregiver Home
  - ii. Contact entries from other CSWs and/or staff processing home approval

### **ASFA Division Harris Hearings Representative Responsibilities**

1. Prepare a statement of position that summarizes the facts of the case and the justification for the Department's action.
2. Attach copies of documentary evidence provided by the ASFA CSW and a list of witnesses.

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### **A Prospective Caregiver/Another Adult Residing in the Home has Resided in Another State in the Past Five Years**

#### **CSW Responsibilities**

The CSW responsible for placing the child must adhere to the following procedure:

1. If the prospective caregiver and/or an adult living in the home have lived in another state in the past five (5) years, document that information on the Case ID page in the Case Alerts Box.
2. Identify the following and document all found information on page three (3) of SOC 815 and in Case Notes:
  - If any member of the household has lived out of state within the past 5 five years, indicate Other State Yes (OSY) in this box.
  - If OSY is appropriate, indicate “No History”, “No Registry” or “Match”.
  - If there are no members of the household that have lived out of state within the past five years, indicate Other State No (OSN).
  - If OSN is appropriate, no further action is needed.
3. Document in the Backgrounds Checks page of the Collateral Notebook the state(s) in which the prospective caregiver(s) and/or another adult now residing in the home has lived. If the individual lived out of the United States, the selection of ‘Out of Country’ will be available at the end of the State drop down selection list.
4. Contact the state(s) where the individual resided to determine if that individual is listed on the state’s child abuse registry.
  - [A List of Contacts for Other State’s Child Abuse and Neglect Registries](#) is maintained by the California Department of Social Services (CDSS) and contains updated information regarding contacts, procedures and forms required for each state. Required forms from this list can belong with the [LIC 198B, Out-Of-State Child Abuse/Neglect Report Request Adam Walsh Child Protection, and Safety Act Of 2006](#) form for requesting information from another state.
5. If the state does not maintain a registry, document that fact in Case Notes and no further action is necessary.
6. If the state does maintain a registry, document the contact with the state’s child abuse registry and/or with the Agency holding the underlying records in the Background Checks page of the Collateral Notebook.
7. Document the date a response was received, whether the response indicated the individual was ‘Cleared’ or ‘Not Cleared’, as well as the status date. This information will populate onto the [SOC 815/815NMD](#), if the form was completed in CWS/CMS.

- The timeline to obtain clearances from other state registries may vary by state. A child may be placed in the prospective relative's/NREFM's home as a temporary/emergency placement.
  - The relative/NREFM home is not Title IV-E eligible until all out of state information is received and evaluated and the home is assessed as meeting all approval standards.
8. Follow the procedures set forth by the state to obtain the case record information regarding the individual(s).
  9. As soon as the case record information is received, forward the information to the ASFA Division staff located in your office.
  10. If after contacting the state(s) where the individual resided it is determined that in order to process the request for information a fee must be paid, adhere to the following procedure:
  11. Complete the DCFS 230 as follows:
    - Complete all of Section A.
    - Check the 'Other' box in Section B.
    - Proceed to Section G and check the 'Other' box.
      - i. In the field provided enter the following statement: "I am requesting payment for a fee in the amount of (enter the fee amount) required by the State of (enter the name of the state) for the purpose of processing our Department's request to determine if an individual is listed on that state's child abuse registry. This request is part of the relative approval process pursuant to Adam Walsh Child Protection and Safety Act of 2006".
      - ii. Indicate what agency the check is to be made out to.
    - Complete Section H.
  12. Forward the DCFS 230 to SCSW for approval. Attach the original request from the State to the DCFS 230.
  13. Submit the DCFS 230 to Fiscal Operations Division – Accounting Services Section for processing upon SCSW's approval.
  14. Keep a copy in the file and document the date the DCFS 230 was submitted in CWS/CMS Document Tracking Page.
  15. Upon receipt of the check, immediately forward it to the state in question and proceed as noted above.

## **Requesting Notary Services**

### **CSW Responsible for Placing the Child Responsibilities**

1. Notify the ARA that Notary services are required to process a request to obtain information from another state's child abuse registry.
2. Present all applicable documents to be notarized to the Notary, including a valid California ID, such as a driver's license.

### **Regional ARA Responsibilities**

1. Make a request for Notary services by calling one of the following Notaries:
  - Tom Ross, (310) 225-6789
  - Daniel Borquez, (626) 840-4333
2. Review and approve billing from the Notary.
  - Make two (2) copies of the Notary's billing.
  - Complete the [DCFS 250](#). Be sure to include the Fund ORG Code.
  - Both signatures on the DCFS 250 must be ARA level or above.
  - Mail the completed DCFS 250 along with the original and copy of the Notary's billing to:

Procurement Services/Forms Management Section

501 Shatto Place, Suite 300

Los Angeles, CA 90020

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## **APPROVALS**

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### **ARA Approval**

- DCFS 250 (Both signatures must be ARA level or above)
- To request notary service

### **ASFA Division ARA Approval**

- ASFA 728
- CAP extension
- DCFS 725

- [DCFS 726](#)
- [DCFS 5602](#)
- [To extend the CAP if the expected date of completion for the corrective action plan exceeds thirty \(30\) days.](#)

### **ASFA Division RA Approval**

- [To make the final decision if there is a disagreement granting or denying of a criminal record exemption.](#)

### **ASFA Division SCSW Approval**

- [DCFS 726](#)
- [Home Assessment Request \(verify request is appropriate and complete\)](#)
- [SOC 815](#)
- [SOC 817/817NMD](#)
- [SOC 818/818NMD](#)
- [SCSW Approval](#)
- [ASFA Home Assessment Request](#)
- [DCFS 230](#)
- [DCFS 280](#)
- [DCFS 709](#)
- [DCFS 5600](#)
- [DCFS 5600-A](#)
- [To place a child temporarily in the home of a relative or NREFM](#)

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## **HELPFUL LINKS**

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### **Attachments**

[Factors for a Good Child-Caregiver Match](#)

### **Forms**

#### **CWS/CMS**

[DCFS 129. Agency-Relative Caregiver Placement Agreement](#)

[Out-of-Home Care Information form](#)

[Out-of-Home Care Information Update form](#)

[NA 1271, Notice of Action-Denial of Home Assessment/Approval](#)

[SOC 815. Approval of Family Caregiver Home](#)

[SOC 817. Checklist of Health and Safety Standards for Approval of Family Caregiver Home](#)

[SOC 817NMD. Checklist of Health and Safety Standards for Approval of Family](#)

Caregiver Home – Non-minor Dependent

SOC 818, Relative or Non-Relative Extended Family Member Caregiver Assessment

SOC 818NMD, Relative or Non-Relative Extended Family Member Caregiver Assessment – Non-minor Dependent

## **LA Kids**

[ASFA Home Assessment Request](#)

[BCIA 4084, Facsimile Inquiry for Child Abuse Central Index \(CACI\) Search](#)

[DCFS 129, Agency-Relative Caregiver Placement Agreement](#)

[DCFS 230, Request for Verification/Certificate of Evidence](#)

[DCFS 250, Procurement Request](#)

[DCFS 280, Technical Assistant Action Request](#)

[DCFS 709, Foster Child Needs and Case Plan Summary](#)

[DCFS 724, Placement Assessment](#)

[DCFS 725, Corrective Action Plan](#)

[DCFS 726, Alternative Plan](#)

[DCFS 728, Denial of Approval for Family Caregiver Home](#)

[DCFS 4161, Grievance Procedure Information](#)

[DCFS 4161-I, California Department of Social Services Grievance Procedure Regulations](#)

[DCFS 5420, Verification of Relative Status](#)

[DCFS 5602, WIC 361.4 Exemption Request](#)

[DCFS 5650/5650-S, Personal Rights](#)

[Declaration in Support of Access to and Copies of Juvenile Records](#)

[LIC 508D, Out-Of-State Disclosure & Criminal Record Statement Foster Family Homes](#)

[LIC 198B, Out-Of-State Child Abuse/Neglect Report Request Adam Walsh Child Protection and Safety Act Of 2006](#)

[NA 1217, Notice of Action – Denial of Home Assessment/Approval](#)

[NA 1217\(Spanish\), Notice of Action – Denial of Home Assessment/Approval](#)

[Notice to Relative Caregivers Re: Funding Options for Relative Caregivers](#)

[Notification of the Closure of the ASFA Division's Home Assessment](#)

[Relative Notification Letter](#)

[Relative Notification Letter \(Spanish\)](#)

[SOC 815, Approval of Family Caregiver Home](#)

[SOC 817, Checklist of Health and Safety Standards for Approval of Family Caregiver Home](#)

[SOC 818, Relative or Non-Relative Extended Family Member Caregiver Assessment Safety/Action Plan](#)

## **Referenced Policy Guides**

[0070-548.01, Child and Family Teams](#)

[0070-559.10, Clearances](#)

[0100-502.52, Seven Day Prior Written Notice to Foster Parents of Intent to Remove a Child and Grievance Review Regarding Placement/Removal of a Child from a Foster Home](#)

[0100-510.60, Placement Considerations for Children](#)

[0100-520.11, Home Approvals Not Meeting Title 22 Approval Standards](#)

[0100-520.70, Exemptions for Criminal History Records](#)

[0100-560.40, Supervised Independent Living Placement \(SILP\)](#)

[0300-506.05, Communication with Attorneys, County Counsel, and Non-DCFS Staff](#)

[0300-508.30, Notification to the Court of Efforts to Locate Relatives](#)

[0500-501.20, Release of Confidential DCFS Case Record Information](#)

[1200-500.05, Adopting and Serving Children Under the Indian Child Welfare Act \(ICWA\)](#)

## **Statutes**

[All County Information Notice 29-14 - Relative Caregiver and Non-Relative Extended Family Member \(NREFM\): Smoke-Free Environment](#)

[All County Letter \(ACL\) No. 12-12 – Provides the revised and new SOC forms for nonminor dependent placement.](#)

[ACL No. 13-27 – State hearing procedures for cases where county child welfare agency denied a relative or non-relative extended family member approval to provide care to a juvenile court dependent.](#)

[California Department of Social Services \(CDSS\) Manual of Policies and Procedures \(MPP\) Division 21-100 – Details the nondiscrimination requirements in federal assisted programs.](#)

[CDSS MPP Division 31-445.1 – States in pertinent part that prior to the issuance of an approval document, the agency must ensure that the caregiver and home meet all the standards in California Code of Regulations, Title 22, Division 6, Chapter 9.5, Article 3, Caregiver.](#)

[CDSS MPP Division 31-445.2 – States in part that at the time of placement, verification shall be obtained that the caregiver was provided with an orientation on the child welfare system and the caregiver’s role and responsibilities as a foster parent.](#)

[Family Code \(FAM\) Section 7950\(a\) – Sets forth placement consideration when a child enters foster care such as the proximity of the natural parents to the placement, placement in the home of a relative unless the placement would not be in the best interest of the child.](#)

FAM Section 8708 – States, in part, that neither DCFS nor a licensed adoption agency may deny a person the opportunity to become an adoptive parent, or delay the placement of a child for adoption, based on race, color, or national origin of the person or the child involved.

FAM Section 8709 – States, in part, that DCFS or a licensed agency may consider a child’s religious background in determining an appropriate placement. This, however, shall not be construed to affect the placement of Indian children.

Health and Safety Code (HSC) Section 1505.2 – Establishes the conditions by which a licensing agency to authorize a foster family home to provide 24-hour care for up to eight foster children, for the purpose of placing siblings or half siblings together in foster care.

HSC Section 1521.6 – States, in part, that prospective foster parents must meet specified health and safety requirements. It also states that licensed foster parents must be ready, willing, and able to meet the varying needs of children, including hard-to-place children.

HSC Section 1522 – Provides information on fingerprinting and criminal records, exemptions, and criminal record clearances.

HSC Section 1522.1(b) – Provides the Child Abuse Central Index check prior to licensing or approving a person to care for or reside with children.

HSC Section 89317-89388 – Outlines procedures for license/approval standards.

Penal Code (PEN) Section 11105(t) – Provides state criminal history information and persons to which information may be furnished; provides details on copy of criminal history information to the subject person.

PEN Section 11105.2 – Subsequent arrest or disposition notification to authorized entities.

PEN Section 11170 – States in pertinent part that the Child Abuse Central Index is a database maintained by the Department of Justice that contains records of child abuse investigations that resulted in either substantiated or inconclusive dispositions in California.

United States Code Title, 42, Section 671(a)(18) – States, in part, that in order for a state to be eligible for federal funding, it must have an approved plan that does not deny any person the opportunity to become an adoptive or foster parent or delay or deny the placement of a child for

adoption or into foster, based on race, color, or the national origin of the person or child involved.

Welfare and Institutions Code (WIC) Section 281.5 and 361.3 – States in part that CSW should give primary consideration to place a child with a relative of the child, if such placement is in the best interests of the child and will be conducive to reunification of the family.

WIC Section 309(d)(1) – Describes steps to be taken when considering temporary placement with a relative or non-relative extended family member.

WIC Section 309(d)(2) – States in part that immediately following the placement of a child in the home of a relative or a non-relative extended family member, the home shall be evaluate and approve or deny for purposes of AFDC-FC eligibility pursuant to Section 11402.

WIC Section 309(e)(1) – States in part that the social worker is to initiate efforts in locating relatives within 30 days of the child’s removal from the home and to give written and oral notification of the proceedings if appropriate. Such notification must include all of the following:

- That the child has been removed from the custody of his or her parent(s)/guardians;
- An explanation of the various options to participate in the care and placement of the child and support of the child's family including:
  - Any options that may be lost by failing to respond;
  - Information about providing care for the child while the child received reunification services with the goal of returning the child to the parent/guardian;
  - How to become an approved foster family home or approved relative or nonrelative extended family member, and additional services and support that are available in out-of-home placements;
  - Information regarding Kin-GAP, CalWORKS, adoption assistance, as well as other options for contact with the child, including, but not limited to, visitation.

WIC Section 309(e)(1)(3) – States, in part, that the social worker must use "due diligence" in investigatin the names and locations of relatives, including, but not limited to, asking the child in an age-appropriate manner about relatives important to the child's best interst, and obtaining information regarding the location of the child's adult relatives.

WIC Section 319(f)(1) – States in pertinent part that when the child is not released from custody, the court may order that the child shall be placed in the approved home of a relative, in an emergency shelter or other suitable licensed place, in a place exempt from licensure designated

by the juvenile court, or in the approved home of a non-relative extended family member for a period not to exceed 15 judicial days.

[WIC Section 319\(f\)\(2\)](#) – Defines who is considered a relative.

[WIC Section 361.3](#) – Describes steps and preferential consideration to be taken when a child is removed from the physical custody of their parent and a placement is needed.

[WIC Section 361.4](#) – States in pertinent part that prior to placing a child in the home of a relative, or the home of any prospective guardian or other person who is not a licensed or certified foster parent, the county social worker shall visit the home to ascertain the appropriateness of the placement.

[WIC Section 361.45](#) – States in part that, when the sudden unavailability of a foster caregiver requires a change in placement on an emergency basis for a child who is under the jurisdiction of the juvenile court pursuant to Section 300, if an able and willing relative, or an able and willing non-relative extended family member, is available and requests temporary placement of the child pending resolution of the emergency situation, the county welfare department shall initiate an assessment of the relative's or non-relative extended family member's suitability. Upon completion of this assessment, the child may be placed in the assessed home.

[WIC Section 362.7](#) – States that when the home of a non-relative extended family member is being considered for placement of a child, the home shall be evaluated, and approval of that home shall be granted or denied, pursuant to the same standards set forth in Title 22 regulations. A "nonrelative extended family member" is defined as an adult caregiver who has an established familial relationship with a relative of the child, as defined in paragraph (2) of subdivision (c) of Section 361.3, or a familial or mentoring relationship with the child.

[WIC Section 11402.4](#) – Sets guidelines regarding annual reassessment of approve home of a relative or non-relative extended family member and frequency of monthly visits to the home required of the social worker.

[WIC Section 16001.9](#) – Lists, in part, the rights of children placed in out-of-home care.

[WIC Section 16002\(b\)](#) – States, in part, that the responsible local agency shall make a diligent effort in all out-of-home placements of dependent children, including those with relatives, to develop and maintain sibling relationships.

[WIC Section 16504.5](#) – Authorizes a child welfare agency to initiate a criminal background check through California Law Enforcement Telecommunications Systems when evaluating the home of a relative or non-relative extended family member.

[WIC Section 17739](#) – States when determining the placement of a foster child who is medically fragile, as defined in subdivision (b) of Section 1760.2 of the Health and Safety Code, priority consideration is given to placement with a foster parent who is an individual nurse provider, as defined in subdivision (m) of Section 14043.26 of the WIC, who provides health services under the federal Early and Periodic Screening, Diagnosis and Treatment program (Section 1396d(a)(4)(B) of Title 42 of the United States Code. The priority consideration shall be subordinate to the preference granted to a relative of the child.

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