



**Office of Children
and Family Services**

Home Finding Practice Guide

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Home Finding Practice Guide

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Home Finding Practice Guide

Although home finding can be a challenge, this job is very rewarding. I enjoy seeing children placed with families that go above and beyond for the children placed in their homes.

—*New York State home finder*

Children and youth enter foster care at a pivotal point in their lives. They often come from situations where they have been abused, neglected, and traumatized. Foster families are the crucial first step in helping children to heal and to cope with the new reality of their lives being separated from their families.

- Home finders are responsible for developing a pool of foster and adoptive parents who are best qualified to accommodate the needs of children and youth who need permanent homes.
- Home finders work diligently to recruit, train, and support foster/adoptive families to develop safe and nurturing homes for children who have experienced trauma, abuse, and neglect.
- Home finders are often the first point of contact for community members interested in learning more about fostering and adopting.

In order to fulfill this responsibility, home finders must identify individuals and families who are committed to providing responsive caregiving and who are willing to work to develop the skills needed to do so.

CHAPTER 1

Home Finding in New York State

I hope I help foster families, CPS staff, foster care workers, and birth families embrace each other's role. Together, we can find the best outcome for children in a way that shows thought, care, and dignity for all.

—*New York State home finder*

For as long as foster care has been a part of New York's child welfare system, recruiting and retaining foster and adoptive homes has been a key priority in the work of local departments of social services (LDSSs) and voluntary authorized agencies (VAs).

Home finding work is done at all stages of a child's placement, beginning even before the child comes into foster care.

Home finders **share the need** for foster/adoptive homes with the surrounding community, develop relationships with organizations that partner in identifying potential foster parents, and train prospective foster parents.

After children are placed, home finders **coordinate their efforts** with foster care workers to maintain safe and stable placements. If challenges have been identified with a placement, the home finder, foster care worker, CPS worker, and others involved in providing services to the child should share pertinent information both to promote the child's safety and well-being and to retain the foster home.

Home finders also may **promote stable foster care placements** through ongoing interaction with foster parents. Foster parents are members of the treatment team and should have an opportunity to provide input along with other team members throughout the time of the child's placement.

Responsibilities of home finding include but are not limited to:

- [Integrating home finding throughout the agency](#)
- [Using standardized processes and forms](#)
- [Assessing and engaging applicants](#)
- [Demonstrating cultural competence](#)
- [Conducting effective interviews](#)

Integrating home finding throughout the agency

Some agencies have workers who are designated as home finders and some distribute this activity across various workers. In either case, staff involved in home finding seek to improve their recruitment strategies, build stronger and more enduring relationships with foster and adoptive families, including kinship caregivers, and work as a team with others in the local child welfare system.

Recent discussions about improving retention of foster families have focused on an integrated approach* to recruiting, developing, and supporting them. Whether conducted by the same staff or not, this integrated approach would be based on shared data to inform the planning and implementation of each part of the process and would have well-established feedback loops so that each of the activities – recruitment, training and preparation, licensing, and post-placement support – is shaped by lessons learned from the other parts of the work.

In fact, recruiting and retaining foster and/or adoptive homes are agency-wide responsibilities. All employees should be committed to identifying potential foster and adoptive parents and to supporting foster care placements. For example, Child Protective Services (CPS) workers proactively identify potential kinship caregivers. Effective communication between CPS workers and home finders leads to identifying homes that more closely reflect the backgrounds and needs of children coming into foster care.

Using standardized processes and forms

The New York State Office of Children and Family Services (OCFS) has issued standardized forms for completion and review of applications for certification/approval. Home finders must know which standardized forms are required for the type of certification/approval that the applicant is requesting.

Applicants may seek **foster parent certification or approval** only, concurrent certification/approval as **both foster and adoptive parent**, or **adoption approval only**. The applicant(s) may be related to a child they wish to foster, have a positive relationship with a specific child or the child's family (eligible nonrelative), or have no relationship to any child.

The home finder should consider the following:

- Is the applicant(s) a candidate for **emergency approval**?
- Is the applicant(s) related to the child or an eligible nonrelative with a positive prior relationship to the child or the child's family, qualifying for possible **approval** as a foster parent (not certification)?

* http://adoptuskids.org/_assets/files/NRCDR-org/using-integrated-recruitment-and-support-102215.pdf.

- Is this a request for a home study based on an Interstate Compact on the Placement of Children (ICPC) request?
- Is this a **reopening** of a previously closed certified or approved foster home?

Home finders must follow the process detailed in *FFPSA Model Licensing Standards and Updated Forms for the Certification or Approval of Foster/Adoptive Homes (19-OCFS-ADM-07)* and *Foster/Adoptive Home Certification or Approval Process (18-OCFS-ADM-07)*.

The following materials and processes must be used to collect the required information and support the foster/adoptive home certification/approval process:

- *Self-Assessment (OCFS-5183A)*
- *Foster/Adoptive Parent Application (OCFS-5183B)*
- *Family Registry for Adoption (OCFS-5183C)*
- *Medical Reports (OCFS-5183D Parts 1 & 2)*
- *Safety Review Form (OCFS-5183E)*
- Background checks (i.e., criminal history, SCR, and SEL)
- *Household Composition and Relationships (OCFS-5183F)*
 - Partner Relationships
 - Family Relationships
 - Parenting
 - Child Interview(s)
 - Psychosocial
 - Personal History
 - Coping and Stress Management
 - Behavioral Health
- *Sample Genogram Template (OCFS-5183G)*
- *Personal References (OCFS-5183H)*
- *Resource Characteristics (OCFS-5183I)*
- Observation notes (e.g., MAPP training notes)



Info and Resources: *Interstate Compact*

The following information is available on the ICPC page of the OCFS website:

- Links to the full text of the ICPC, including current regulations
- Checklists specific to caseworkers, agencies, attorneys, parents/guardians, and school districts
- Checklists specific to the type of placement
- Links to ICPC forms and instructions
- Contact information for NYS ICPC staff

(http://ocfs.ny.gov/adopt/interstate_compact_Placement_of_Children.asp)

- Other professional assessments as warranted (e.g., substance abuse assessment, mental health assessment)

The LDSSs/VAs may choose to use additional forms/requirements in line with agency policies. They are not permitted to change or omit any of the required forms listed above.

There is a different application process for individuals who are interested in adoption-only approval. See "[Approval of an adoptive-only home,](#)" *Chapter 4: page 4-54.*

Assessing applicants

Throughout the process of assessing potential foster/adoptive parent(s), the home finder should keep certain principles in mind:

Focus on the facts. Establish what information exists in fact, not merely as a possibility. Concrete information is tangible and factual. It must exist in the present.

Examine issues using critical thinking. Break each issue down and evaluate it in a conscious manner while providing evidence to support the evaluation. Consider the following:

- What do I know?
- How do I know what I know?
- What more do I need to know?
- How will I get the information?

Engage the family in the assessment

Engagement is a critical first step in assessing the applicant(s) and their families. Effective engagement puts the family at ease, draws its members more comfortably into the process, and builds trust and rapport. Successful engagement increases the likelihood of a comprehensive assessment outcome.

Strategies to successfully engage the foster/adoptive applicant(s) may include the following:

- Make the entire process as transparent as possible
- Respect the family's diversity
- Determine how the applicant(s) prefers to be addressed
- Establish a clear purpose for each interview
- Determine where the family feels most comfortable during interviews
- Ask open-ended questions that are general in nature to allow the applicant(s) an opportunity to express themselves
- Vary the intensity of the interview so that there is a balance between probing, personal questions and more superficial ones
- Display a non-judgmental attitude
- Be sure to answer the family's questions and address their concerns during each contact

- Be open to various ways of gathering information
- Seek opportunities to compliment the family on their children, home, activities, etc.
- Acknowledge the family pet(s)

Provide a trauma-informed environment

Providing a trauma-informed environment allows applicant(s) to feel more comfortable discussing traumatic and difficult life experiences, which in turn will result in a better assessment. Follow the five guiding principles of trauma-informed care as outlined below.



Source: University of Buffalo's [Institute on Trauma and Trauma-Informed Care \(ITTIC\)](#).

Demonstrating cultural competence

Home finders may work with applicants from vastly different backgrounds than their own. Home finders must provide nondiscriminatory and culturally competent support during interactions with prospective foster/adoptive families.

Skills in relationship building and communication are essential and greatly enhance the quality of the simultaneous assessment of the applicant(s)' suitability to foster or adopt by both the home finder and the applicant. Prospective applicant(s) should be assessed within the context of their own diversity. To reduce the possibility of an inaccurate assessment, home finders must consider how an applicant(s)' cultural background might affect their

- communication and interaction styles,
- nonverbal behaviors,
- use and meaning of specific words and phrases,

- family roles and relationships, and
- home environment.

Sound foster care and adoption practice begins with a commitment from the home finder to provide culturally competent services. To succeed, home finders must have the following:

- An awareness and acceptance of diversity and differences
- An awareness of their own values
- An understanding of the “dynamics of difference” in the helping process
- A basic knowledge about the applicant(s)’ diversity
- Knowledge of the applicant(s)’ environment
- The ability to adapt practice skills to fit the applicant(s)’ context

Home finders must be open to recruiting prospective foster/adoptive parents in communities that are reflective of the children in need of placement. For more information, see [“Contacting key populations,” Chapter 3: page 3-9.](#)

Conducting interviews

When conducting interviews with an applicant and family members, the home finder should ask behavior-based questions rather than theoretical questions. Effective interviewing takes practice, and home finders should avail themselves of trainings that will help them build this critical competency.

Behavior-based questions focus on actual events in the applicant’s history. Based on the fact that past behavior is an excellent predictor of future behavior, asking applicant(s) how they have handled situations in the past will give the home finder and the applicant(s) a much clearer picture of their readiness for foster care or adoption.

Theoretical questions, on the other hand, typically elicit responses the applicant feels the home finder wants to hear. These questions provide relatively limited insight into the applicant’s strengths or challenges. A theoretical question would be, “How would you deal with an angry birth parent?” The behavior-based version would be, “When and how have you had to cope with a person who was angry or hostile? Be specific.”

Other examples of behavior-based questions cover the following:

- Tell me about a situation when things you had planned or expected fell apart. What was the situation and what did you do?
- What is your typical way of dealing with conflict? Provide an example.
- Give me an example of how you reacted when unreasonable expectations were asked of you.
- Tell me about a time when you were able to make someone feel comfortable when dealing with a situation that had a lot of conflicting or strong emotions involved in it.
- Home finders must develop diverse verbal, nonverbal, and observational skills and should utilize a variety of interviewing techniques. Examples of interviewing methods are listed in the table on the following page.

Interviewing Method	Description	Examples
Closed-ended, probing or yes/no questions	Allows assessor to gather specific information from applicant(s)	“What is your birth date?” “How long have you been married? Divorced?” “How old are your children?”
Open-ended questions	Assists assessor in gathering a broad range of information including insight into applicant(s)’ feelings and perceptions	“Tell me about your childhood.” “Describe your spouse to me.” “Why are you interested in this type of child?”
Supportive responses - Active listening	Builds trust between assessor and applicant(s); encourages applicant(s) to be honest in the interview	“It must be difficult to accept that you cannot have children biologically.” “Sounds like you have thought about adopting or caregiving for a very long time.”
Clarification	Helps assessor accurately interpret applicant(s)’ responses; assists applicant(s) in gaining insight into their own feelings and perceptions	“You believe that you have a good marriage. What does that mean?” “Sounds like you are feeling very ambivalent about a school-age child. Can you tell me more about that”?
Redirection - Summarization	Helps to maintain focus and organization during interview; assists assessor in moving interview along and using limited time efficiently	“Now that you’ve talked about your childhood, let’s hear about your life as a married person.” (redirection) “You’ve told me three things that you consider strengths: your parenting experience, high energy level, and positive relationship with the school system.” (Summarization)
Giving options, advice, or suggestions	Allows assessor to serve in a supportive role to applicant(s)	“I can see that your heart’s set on adopting a newborn. Our agency only places older children with special needs. Let me give you the names and numbers of agencies that can help you.”
Confrontation	Necessary when assessor feels applicant(s) have been resistant or have not been completely honest in responses	“I don’t believe that you are giving me all the details about the extent of the abuse you suffered as a child.”

CHAPTER 2

Foster and Adoptive Homes: The Basics

I find my job to be rewarding on a daily basis—from accepting an inquiry, opening a foster home, and getting to see the progress that children make in their placements, to witnessing an adoption or reunification. I love what I do, and I love the relationships and partnerships that are formed as a part of my occupation.

—New York State home finder

Foster care is provided to children when they must be removed from their homes because their parents or guardians are not able to provide the basic care they need for their safety and well-being. Foster care is intended to provide safe and stable temporary out-of-home care for children until they can be either safely returned home, adopted, or discharged to the guardianship of a relative or kin or to another planned permanency living arrangement with a significant adult connection [FCA 1089(d)(2)(i)].

When a child is placed in foster care, legal custody is usually transferred to the commissioner of the LDSS in which the child resides. This means that the LDSS assumes the full responsibility for the safety and well-being of the child. Children in foster care can live in a variety of settings, including foster family boarding homes, agency-operated boarding homes, supervised independent living programs (SILPs), group homes, group residences, and institutions.

When a child enters foster care, the focus should be to search for an appropriate placement that meets the child’s needs as identified by the LDSS, the child’s parent or guardian, or the court. The most appropriate level of placement “will always be considered the least restrictive and most homelike setting in which the child can be maintained safely and receive all services specified in his or her service plan” [18 NYCRR 430.11(d)(1)]. Communication is essential among child welfare workers who function in areas related to home finding, foster care, CPS, and preventive services to meet these needs and achieve permanency for the child.

For detailed information on foster care in New York State, please see the OCFS [Foster Care Practice Guide for Caseworkers and Supervisors](#). Home finders must be familiar with the following:

- [Types of foster family boarding homes](#)
- [Types of certification/approval](#)

Glossary of Terms

- **Approved foster home:** Has received a “letter of approval” that permits a relative of the child to be approved as a foster parent and to receive reimbursement for the care of a child under the age of 18, or under the age of 21 if the youth is attending school, vocational courses, or technical training and who entered foster care prior to their 18th birthday.
- **Certified foster home:** Has received a “certificate to board” from an authorized agency and receives a stipend (remuneration) for the care of a child under the age of 18, or under the age of 21 if the youth is attending school, vocational courses, or technical training and who entered foster care prior to their 18th birthday.
- **Kin:** Relatives or a child’s godparent, neighbor, family friend, or an adult with a positive relationship to the child and/or the child’s family.
- **Kinship caregiver:** A relative or a child’s godparent, neighbor, family friend, or an adult with a positive relationship to the child and/or the child’s family who is providing care to a child.
- **Relative:**
 - An adult who is related to a child or half-sibling of the child through blood, marriage, or adoption.
 - An adult with a positive relationship to the child or child’s family including but not limited to a child’s godparent, neighbor, family friend; or
 - An unrelated adult where placement with such person allows half-siblings to remain together in an approved foster home, and the parents or stepparents of one of the half-siblings is a relative of such person.

Types of foster family boarding homes

A home finder’s primary task is to identify homes, including kinship foster homes, that are certified or approved to provide foster care for children and youth until permanency is achieved. There also may be a need for specialized types of foster homes that provide therapeutic, emergency, or respite care.

A foster family boarding home is a residence owned or leased by a single person or family that has been certified or approved by a local department of social services (LDSS) or voluntary authorized agency (VA) to provide foster care. Foster homes cannot have more than six children including foster children of any age and non-foster children under the age of 13 living there, unless an exception has been approved. See [“Exceptions to capacity requirements,” Chapter 4: page 4-15.](#)

Foster family boarding homes in New York State are either “certified” or “approved” [18 NYCRR 443].

A certified foster home is a home in which temporary or long-term care of a child whose care and custody or guardianship and custody have been transferred to an authorized agency pursuant to the provisions of section 383-c, 384, or 384-a of the Social Services Law or who has been placed with a social services official pursuant to article 3, 7, 10, 10-B, or 10-C of the Family Court Act and who is cared for away from his or her home 24 hours a day in a family home with a foster parent duly certified or approved by an authorized agency or certified or approved by a social services commissioner.

- **A certificate to board** permits an individual to receive remuneration from an authorized agency for the care and board of a child under the age of 18 years, or under the age of 21 years if a student is attending a school, college or university, or is regularly attending a course of vocational or technical training designed to fit him/her for gainful employment, and who entered foster care prior to his/her 18th birthday. Such a certificate may be issued by the public or private authorized agency purchasing such care.

An approved foster home is a home in which temporary or long-term care is provided to a child whose care and custody or guardianship and custody have been transferred to an authorized agency pursuant to the provisions of section 383-c, 384, or 384-a of the Social Services Law or who has been placed with a social services official pursuant to article 3, 7, 10, 10-B, or 10-C of the Family Court Act and who is cared for 24 hours a day in a family home with a foster parent who is a relative and who is duly approved by an authorized agency.

- **A letter of approval** or approval permits a relative of a foster child to receive remuneration from an authorized agency for the care and board of a child under the age of 18 years, or under the age of 21 years if a student is attending a school, college or university, or is regularly attending a course of vocational or technical training designed to fit him for gainful employment, and who entered foster care prior to his/her 18th birthday. Such a letter of approval shall be issued by the local commissioner of social services or by an authorized agency, only if the home has been approved by the authorized agency.

Foster care board rates

The foster care board rate, which is set according to the child's age and other factors, is intended to reimburse foster parents for costs related to the care of the child. Each LDSS (the Administration for Children's Services in New York City) is authorized to set its own rate for foster children in its legal custody. State reimbursement for foster care board payments is available up to the Maximum State Aid Rate (MSAR). The MSAR is established and issued each year by OCFS with the approval of the New York State Division of the Budget. LDSSs may decide to pay foster parents more or less than the MSAR.

There are three levels of payment categories for foster boarding homes: Normal/Basic, Special, and Exceptional. As part of the rate notification, foster parents will receive information that explains the requirements for designating children as special and exceptional and for receiving higher payments for providing such care.

Normal/Basic rate

The board payments to foster parents caring for children in the Normal/Basic category are intended for the cost of items such as food, personal care, household furnishings and operations, educational materials, recreation, normal transportation, and shelter. Shelter includes rent or homeowner's costs, maintenance, repairs, fuel, and other utilities.

Special rate

The rates for children in this category include the descriptions listed for the Normal/Basic category, plus an allowance to compensate the foster parents for the additional supervision that some children require.

Foster parents receiving the Special rate are expected to provide more personal involvement and time than they would for children in the Normal/Basic category. The foster parent should spend more time talking to and working with the child and provide extra opportunities for skill development. The foster parent must be patient and be able to give attention and affection without a positive response from the child. Foster parents receiving Special payments also should be able to provide prescribed physical care, such as special diets, medications, or assisting in a program of physical therapy [18 NYCRR 427.6(c)].

Exceptional rate

Foster parents receiving the Exceptional care rate are expected to provide the activities required for children in Normal category, plus supervision on a one-to-one, 24-hour-a-day basis. The family environment must be carefully structured to enable these children to live in a foster home rather than in an institution or group care.

The foster parents must be able to work with the professionals involved in the treatment plan, such as physicians, nurses, social workers, psychologists, and psychiatrists. They must be able to accept assistance and guidance in caring for the child and are subject to regulatory prescribed annual training requirements [18 NYCRR 427.6(d)].

Therapeutic foster boarding homes

A therapeutic foster boarding home is a type of foster family boarding home where foster parents provide therapeutic foster care (TFC). TFC best serves children and youth who are experiencing emotional and behavioral issues but need less oversight than what is provided in a residential treatment program. TFC is not meant to be a long-term placement service. It should be provided to assist a child by placing them in a less restrictive environment for a reasonable period when it is in their best interest.

LDSSs and VAs select and define their own populations for these programs based on local need. Examples of the types of children who are served include the following:

- Infants and children with severe developmental disabilities
- Adolescents with a documented history of troublesome behavior and/or adjudication as Person in Need of Supervision (PINS) or Juvenile Delinquents
- Children with severe emotional disturbances
- Children with histories of group care placement or who are at risk of group care placement
- Children with at least one failed foster boarding home placement
- Children with severe and/or multiple physical disabilities

Children cared for in TFC programs should meet the criteria for special or exceptional foster care services as described in 18 NYCRR 427.6 (c) and (d). TFC programs feature lower caseloads for the caseworkers, educational specialists to work with the local school systems, more frequent visits by child-care workers, and extensive and specialized training for foster families and staff.

Recruitment and training of therapeutic foster parents

TFC foster parents must make a family commitment with a sense of unconditional care, informing their own children of the nature of the program. They must demonstrate emotional stability

individually and as a family unit. TFC foster parents should have access to a network of support in addition to professional support provided by the approving agency.

TFC foster parents must complete the state-approved preservice training, as well as training required for foster parents who provide special or exceptional care [18 NYCRR 427.6(e)].

Additional trainings are strongly encouraged to assist TFC parents in providing care for children with difficult behaviors prior to having children in their home. Trainings should be consistent with the program's treatment philosophy and methods and equip the TFC parents to carry out their responsibilities as agents of the treatment process. Suggested trainings include the following:

- Cardiopulmonary resuscitation (CPR)
- Working with lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ+) youth
- Preparing youth for adulthood
- Parenting skills training (PST)
- Motivating youth in care
- Constructive confrontation
- Transition planning

See the OCFS policy directive *Therapeutic Foster Care Guidance* ([19-OCFS-INF-06](#)) for more information on training of and support for TFC foster parents.

Designated emergency foster boarding homes

Designated emergency foster boarding homes (EFBs) are fully certified foster homes exclusively designated to provide temporary care to children who enter foster care in a crisis situation that is expected to be resolved within 60 days.

These homes also may be approved for respite care and services [18 NYCRR 446.2]. Foster parents providing this type of care must complete 15 hours of specialized training within four months after the home is designated exclusively for emergency use and a minimum of six hours of follow-up training each year [18 NYCRR 446.5].

Designated emergency foster boarding homes must be available to accept children 24 hours a day, 365 days a year. Children eligible for this care must meet the necessity of placement standards [18 NYCRR 430.10(c)] and must be at immediate risk of harm or present an immediate risk of harm to others or themselves if not immediately placed into foster care [18 NYCRR 446.6]. EFBs receive higher board and care rates [18 NYCRR 446.4].



Practice Tip:

TFC foster parents

TFC foster parents should have several important qualities. These may include, but are not limited to:

- Commitment
- A positive attitude
- Willingness to implement treatment plans and follow the program's treatment philosophy
- A sense of humor
- Enjoyment of children
- Flexibility
- Tolerance
- The ability to adjust expectations concerning achievement and progress to children's individual needs and capabilities

Source: *Therapeutic Foster Care Guidance* ([19-OCFS-INF-06](#)).

Foster homes that provide respite care and services

Prospective and current foster families should be informed about possible approval as providers of respite care and services. These services are often needed on short notice and for relatively brief periods of time. Services are defined as

- temporary care for a child or foster child outside of their home or foster home in order to allow the parent(s), foster parent(s) and/or remaining family members an opportunity to recover family functioning without the stress of having a child or foster child present in the home [18 NYCRR 435.2(d) and 435.4(a)(1)]; and
- temporary care in the home or foster home for a child or foster child when the parent(s) or foster parent(s) will be absent from the home, in order to maintain family functioning pending the return of the parent(s) or foster parent(s) to the home or foster home [18 NYCRR 435.4(a)(2)].

Providers of respite care and services include certified/approved foster families who have been approved by the LDSS or VA to provide respite care and services. Several other types of programs, including agency boarding homes and group homes, may also be approved by the LDSS to provide respite care and services [18 NYCRR 435.2(b)].

Respite care and services for foster families and children in foster care are provided for periods from 24 hours up to 21 consecutive days [18 NYCRR 435.5(b)].

Types of certification/approval

For foster homes other than emergency relative foster homes, the process for certification/approval follows the procedure summarized in [OCFS Publication 5183i](#).

Each step in the process requires the use of standardized forms, compliance with timelines, and ongoing interactions with the applicant(s). Home finders must have regular conferences with their supervisors throughout the certification/approval process to address the suitability of the prospective foster/adoptive home.

Those seeking certification or approval as foster parents must comply with the standards set forth in [18 NYCRR 443](#). Foster boarding home forms and templates are required to be used throughout the certification/approval process. For a complete list, refer to "[Using standardized processes and forms,](#)" *Chapter 1: page 1-2*.

For detailed information on the home finder's responsibilities during the certification/approval process, see "[Paths to Certification/Approval,](#)" *Chapter 4: page 4-1*.

Emergency relative foster home approval

An approved emergency relative foster home is a home where foster care is provided to a child by a foster parent who is



Info and resources: *Certification/approval*

The certification/approval process is described in the OCFS policy directive *Foster/Adoptive Home Certification or Approval Process* ([18-OCFS-ADM-07](#)).

Federal model licensing standards and **updated forms** are provided in the Family First Prevention Services Act (FFPSA) Model Licensing Standards and Updated Forms for the Certification or Approval of Foster/Adoptive Homes, ([19-OCFS-ADM-07](#)).

- an adult who is related to the parent(s) or stepparent(s) of a child through blood, marriage, or adoption to any degree of kinship;
- an adult with a positive relationship to the child or child's family including but not limited to a child's godparent, neighbor, family friend; or
- an unrelated person where placement with such person allows half siblings to remain together in an approved foster home, and the parents or stepparents of one of the half siblings is a relative of such person [18 NYCRR 443.1(i)].

During an emergency approval, home studies are completed on an expedited basis.

Foster boarding homes approved through the emergency approval process must be fully approved in 90 days of the child entering the home or may receive a 90-day extension [18 NYCRR 443.7].

A foster home may be approved on an emergency basis when (1) a child is removed from his or her home pursuant to section 1021, 1022, 1024, or of the Family Court Act (FCA), or a child is removed and placed into foster care pursuant to article 3, 7, 10, 10-B, or 10-C of the Family Court Act or SSL384-a or (2) a child currently placed in another foster care setting needs to be placed in a foster home, and the LDSS documents within its case record a compelling reason why such home needs to be approved on an emergency basis [18 NYCRR 443.7(a)].

Homes may be approved as emergency relative foster homes when these specific criteria are met and

- prospective foster parent(s) have been advised of their options and have made the decision to go forward with approval; and
- placement of the child in the prospective foster home is in the best interests of the child, and the prospective foster parent(s) and their home meet specified criteria for approval as an approved emergency foster home.

See "[Emergency approval of a foster home.](#)" *Chapter 4: page 4-2.*

Concurrent foster care and adoption certification/approval

A person seeking certification or approval as a foster parent may concurrently apply for approval as an adoptive parent. Many of the standards for approval as an adoptive parent are the same as those for the certification or approval of a foster parent, so the applicant(s) for concurrent approval will not be required to submit dual documentation to the authorized agency [18 NYCRR 443.9(a) and (b)]. When concurrent certification/approval is sought, staff will also use the foster boarding home templates. See "[Certification/approval of a foster/adoptive home.](#)" *Chapter 4: page 4-4.*

Adoption-only approval

When home finders receive inquiries from individuals seeking to become adoptive parents, the procedures for following up on those inquiries are essentially the same as for foster parents. When evaluating the prospective adoptive parents, however, home finding staff must conduct an adoption study, which has several requirements that are different from those for foster parents.

See "[Approval of an adoptive-only home.](#)" *Chapter 4: page 4-54.*

CHAPTER 3

Best Practices in Recruitment

There are several rewarding experiences in being a home finder:

“Working with prospective foster parents who have a true passion to impact their communities and the lives of the children in it.”

“Watching foster parents reach out to birth families to create a combined family for child, whether they return home or are adopted.”

—*New York State home finder*

The home finding role has progressed far beyond waiting for an inquiry to come in and sending out a packet of information. In recent years, targeted and child-focused recruitment strategies have been shown to be more effective in attracting foster/adoptive parents who are qualified and committed to their roles and who better reflect the backgrounds and needs of children in need of care.

Today, home finders are proactive in building connections with the local community, identifying kinship caregivers that already have a positive relationship with a child, and using data to determine the types of foster homes that are needed for the children being placed into care. Home finders are responsible for:

- [Working with all child welfare staff](#)
- [Developing a diligent recruitment plan](#)
- [Using available data to determine needs](#)
- [Contacting key populations](#)
- [Identifying and recruiting kinship caregivers](#)

Working with all child welfare staff

When it comes to finding the right foster home for each child placed into care, all child welfare personnel who interact with current and prospective foster parents should be involved. In addition to caseworkers with responsibility for home finding, other staff might include:

- Caseworkers and case managers responsible for children in foster care
- CPS caseworkers who determined the child should be removed from the home
- Preventive services caseworkers
- Administrative staff who interact with current and prospective foster parents
- Agency leadership who frequently interact with various stakeholders in the community

In addition, individuals who are not agency staff can serve as valuable resources in recruiting and supporting prospective foster parents. These might include:

- Foster and adoptive parents and kinship caregivers
- Former foster care youth
- Providers of preventive services

Communication among staff

Increased communication among staff involved in all aspects of foster care will increase understanding of the foster parents' daily challenges. It also provides a full picture of what is going on in a foster home. These efforts may include:

- Meetings between the home finder, the foster care caseworker, and the CPS caseworker prior to placement
- Joint visits to the home by the home finder, foster care worker, and CPS caseworker (if appropriate) shortly after placement and throughout the child's placement
- Monthly internal meetings with foster care workers, home finders, and supervisors to review general issues
- Abbreviated foster parent training for all child welfare staff to orient them to the foster parents' role as valuable team members in the child welfare system



Info and Resources: *Diligent Recruitment*

[Revitalizing Recruitment and Retention of Foster Parents](https://ocfs.ny.gov/programs/fostercare/recruitment/), an OCFS website with detailed information on diligent recruitment best practices in New York State. (<https://ocfs.ny.gov/programs/fostercare/recruitment/>). See "Developing Recruitment Plans" in the Home finding Toolkit section of this website.

Multiethnic Placement Act of 1994 as Amended by the Interethnic Adoption Provisions of 1996 (15-OCFS-ADM-05), an OCFS policy directive on the impact of federal law on home finding practices in New York State.

Publications, tip sheets, and webinars designed to help workers find safe, permanent homes for children in foster care by AdoptUSKids (<https://professionals.adoptuskids.org/>).

Building Successful Resource Families Practice Guide: A Guide for Public Agencies by the Annie E. Casey Foundation (<https://www.aecf.org/resources/building-successful-resource-families/>).

Developing a diligent recruitment plan

Diligent recruitment is designed to create a pool of potential foster and adoptive families that reflects the ethnic and racial diversity of the children for whom homes are needed. While requiring such efforts, federal law and state regulations prohibit the delay or denial of adoption or placement in foster care due to the race, color, or national origin of the child or of the foster or adoptive parents.

Diligent recruitment plans include the following:

- A description of the characteristics of the children for whom homes are needed
- Specific strategies to reach the individuals and communities that reflect the children in care (e.g., recruitment at community centers, religious establishments, school PTA meetings)
- Various methods for providing prospective foster and adoptive parents with all the information they need (e.g., radio announcements, pamphlets, television ads, and informational sessions)
- Strategies for maximizing access of prospective parents to the home study process (e.g., flexible hours to conduct home studies)
- Strategies for the provision of training staff regarding working with diverse communities and dealing with linguistic barriers (e.g., utilizing interpreters, translating written information into different languages)

OCFS requires LDSSs and VAs involved in recruiting foster/adoptive parents to provide periodic recruitment and retention plans to their OCFS regional offices.

Continuity and stability

New York State requirements for the placement of children in foster care reflect a commitment to meeting the needs of each child. These include continuity of environment, educational stability, and keeping sibling groups together. A broad, diverse pool of certified and approved foster parents is best suited to meeting these requirements.

Continuity of environment

It is best practice to place a child with a relative or other suitable adult with connections to the family. Targeted recruitment is designed to provide a pool of foster homes that are most likely to achieve “continuity in environment” for children coming into care. Whenever possible, this means the child must be placed in a location that is as close as possible to their home and community prior to placement [18 NYCRR 430.11(c)]. Efforts to maintain continuity in environment must be documented in the child’s case record [18 NYCRR 430.11(b) & 430.11(c)(2)].

Educational stability

State regulations require that when it is in the best interests of the child, LDSSs, VAs, and local education agency (LEAs) must collaborate to minimize disruption in education while a child is in foster care by keeping the child in the same school in which they were registered when entering foster care (“school of origin”). If remaining in such school is not in the child’s best interests, the LDSS, VA, and LEA must coordinate their efforts in the immediate transfer of records and enrollment of the child in a new school [18 NYCRR 430.11(c)(1)(i)]. Some factors to be considered include but are not limited to the following:

- Safety concerns
- The child’s preference
- Appropriateness of educational programs available in the school
- The child’s permanency plan, including expected length of stay in care
- The child’s proximity to family, placement with siblings, or placement with relatives
- The child’s age, maturity level, and grade level

A best-interest determination ultimately rests with the LDSS or VA, after consultation with the LEA. A completed *School District Notification of Child Entering Foster Care Placed in a Foster Family, Agency Boarding, or Group Home* form ([LDSS-2999](#)) must be sent to the school district of origin and the school district of attendance, if different. LDSS staff also must fill out the Best Interest Determination and give it to the LEA. The transmittal document is found on page 14 of the [Students in Foster Care Tool Kit for Local Education Agencies and Local Social Services Agencies](#).

A student in foster care is entitled to receive transportation to attend their school of origin. The school district of attendance must provide and fund the necessary transportation for the student in foster care.

Keeping siblings together

Children entering foster care must be placed with their siblings or half siblings, unless doing so could jeopardize the health, well-being, or safety of one or more of the children in the sibling group after consultation with, or an evaluation by, other professional staff, such as a licensed psychologist, psychiatrist, other physician, or certified social worker [FCA §1027-a; SSL §409-e(1)(d); SSL §384-a(1-a); 18 NYCRR 431.10]. Given the exception that siblings will be placed together, home



Info and Resources: *Educational stability*

New Requirement Regarding Educational Stability of Foster Children ([12-OCFS-ADM-03](#))

Educational Stability and Transportation Requirements for Children in Foster Care ([18-OCFS-ADM-18](#))

[Students in Foster Care Tool Kit for Local Education Agencies and Local Social Services Agencies](#), provides LEAs and LDSSs with instructions, documents, and forms to facilitate transparent communication between local agencies as they work to meet the educational needs of a student in foster care.

The New York State Education Department (SED) website provides resources for both education staff and human services workers (http://www.p12.nysed.gov/sss/pps/foster_care.html).



Info and Resources: *Sibling placement*

OCFS publication [Keeping Siblings Connected: A White Paper on Siblings in Foster Care and Adoptive Placements in New York State](#)

Placement, Visitation, and Contact for Siblings in Foster Care ([16-OCFS-ADM-18](#)), an OCFS policy directive.

finders must make diligent efforts to identify foster parents, including kinship caregivers, who are willing and able to accept this type of placement.

Targeted recruitment

With targeted recruitment, efforts are concentrated on narrowly defined, smaller groups of people in order to achieve a clearly defined objective. Targeted recruitment routes the recruitment message directly to the people who are most likely to follow through to become foster or adoptive parents.

It focuses on families in targeted communities where homes are needed, as well as on families with specific backgrounds that reflect the backgrounds and needs of children awaiting homes.

Effective targeted recruitment is based on an analysis of local data that helps agencies understand current recruitment strengths and gaps. This defines the work that has been accomplished, identifies areas that need more attention, and provides a launch pad for innovative solutions.

See “[Using available data to determine needs,](#)” *Chapter 3: page 3-7.*

Key strategies for promoting targeted recruitment:

Develop partnerships with diverse communities

Targeted recruitment relies on engagement with diverse racial, ethnic, and cultural communities. As agencies develop relationships in target communities, they can work with these contacts to develop a plain-language message that explains the impact of Disproportionate Minority Representation (DMR) on children and youth and describes the need for more foster/adoptive families in affected communities. Trust building is also encouraged by taking advantage of opportunities to work alongside faith, ethnic and civic organizations.

Build resources in the Native American community

The recruitment of foster/adoptive families for Native American children must conform to the requirements of the federal Indian Child Welfare Act (ICWA) and corresponding OCFS regulation [18 NYCRR 431.18]. ICWA outlines foster/adoptive placement preferences. Specifically, agencies must seek placement with the extended family first and, only if unsuccessful, then with a tribal-certified foster home. Partnerships between non-tribal and tribal child welfare systems can be an important support for tribes in developing their capacity to certify foster homes. See “[Placement of children of Native American descent,](#)” *Chapter 3: page 3-14.*



Info and Resources: *Targeted recruitment*

Visit the OCFS “Revitalizing Recruitment” website (<https://ocfs.ny.gov/programs/fostercare/recruitment/>) for detailed information on targeted recruitment strategies and tactics.

Engage current foster and adoptive parents in recruitment

According to a nationwide survey, engaging foster parents in recruitment is one of the most successful methods of recruiting new foster families.

New York State policy also allows LDSSs and VAs to offer experienced foster parents a “finder’s fee” for recruiting new foster families. The payment is made to foster parents, and local districts are reimbursed by the state after the new foster home is certified and receives the first child. For detailed information regarding how to apply this policy, please refer to Chapter 8, Section G, of the [Standards of Payment for Foster Care of Children Program Manual](#).

Child-focused recruitment

Child-focused recruitment uses intensive, tailored techniques to create permanency for children and youth for whom it has traditionally been difficult to find homes.

Child-focused recruitment models vary in their implementation approach, but share these components:

- Building a relationship with the child and engaging the child in recruiting a family, as developmentally appropriate
- Exploring placement options with relatives and other connections by “mining” the case file to carefully search for information about people who have known and cared about the child who might be possible placement resources
- Creating a personal recruitment team for the child that includes interested people such as relatives, friends, school personnel, coaches, and current/past caregivers
- Exploring placement options outside of the child’s family based on the child’s strengths, needs, and background
- Establishing permanency through either an adoptive home or a committed network of caring adults

See [“Identifying and recruiting kinship caregivers,” Chapter 3: page 3-11.](#)



Practice Tip:

Foster and adoptive parents as recruiters

Many agencies are partnering with their foster and adoptive parents to help in recruiting. Parents handle initial inquiries, participate in home visits, are part of the training team, and provide support to applicants and new foster parents during the process. Agencies that do this are modeling the team process from day one.

Source: National Resource Center for Diligent Recruitment

(<https://adoptuskids.org/assets/files/NRCRRFAP/resources/improving-recruitment-outcomes.pdf>).



Info and Resources:

NYS Foster Parents as Recruiters Program

The New York State Foster Parents as Recruiters program provides a stipend to foster or adoptive parents who conduct recruitment and retention tasks as defined in partnership with their certifying county or agency. Refer to <https://ocfs.ny.gov/programs/fostercare/recruitment/> for more information.



Info and Resources:

Child-focused recruitment

Visit the OCFS “Revitalizing Recruitment” website (<https://ocfs.ny.gov/programs/fostercare/recruitment/>) for detailed information on child-focused recruitment strategies and tactics.

Case file mining

Case file mining (or “relationship mining”) has been found to contribute to successful adoptions and other forms of permanency. Case mining includes a thorough review of a child’s existing files. Factors to examine include:

- The date and reason the child was placed in foster care
- The child’s most recent profile/assessment
- Placement history
- Significant services provided (current and past)
- Identification of needed services
- Significant people in the child’s life, both past and present

Significant people could include child welfare workers, foster parents, attorneys, Court Appointed Special Advocates (CASAs), teachers, neighbors, coaches, therapists, relatives, mentors, faith-based representatives, and extracurricular activity leaders. It could even include parents of other children in a child’s class where the child went for sleepovers or after-school care providers who knew the child. Any connections the child has had, no matter how briefly mentioned in the case record or by the child, may be potential permanency resources or sources of information about other people who have been important to the child in the past.

Hard-to-find foster homes

Finding homes for older youth, sibling groups, children with behavioral or medical needs, and youth who identify as LGBTQ+ (Lesbian, Gay, Bisexual, Transgender, and/or Questioning) is an ongoing challenge. The overall approach for recruiting hard-to-find homes may involve the following:

- Searching for and engaging kin at multiple stages throughout a case
- Input from families that previously have cared for these children and youth
- Case file mining for children needing foster homes
- Outreach assistance from older youth who are or have previously been in care
- Recruitment materials that match the need for certain types of homes

Concentrate on finding relatives and kin first, followed by other child-focused and targeted recruitment strategies.

Using available data to determine needs

LDSSs and VAs are encouraged to organize and maintain data related to recruitment and retention of foster/adoptive parents. Much of this information is captured in the Foster and Adoptive Home Development (FAD) stage in CONNECTIONS.



Info and Resources:

Hard-to-find homes

For more information, see Hard-to-Find Homes on the OCFS *Revitalizing Recruitment and Retention of Foster Parents* website

(<https://ocfs.ny.gov/programs/fostercare/recruitment/>)

The FAD checklist tracks key certification milestones, such as inquiry, orientation, application, training, home study, and certification. This tracking helps agencies spot bottlenecks in the certification process, as well as analyze what proportion of inquiries result in certified homes. See *Use of FAD in CONNECTIONS* ([17-OCFS-ADM-05](#)).

Data elements related to recruitment

Agencies should capture and facilitate access to the data needed to fully evaluate the home finding process. These key data elements should be considered:

- The number of inquiries received in a given time period (e.g., past six months, past year, etc.)
- How inquirers learned about the agency's foster/adoption program
- Who responded to the inquiries and how quickly did they respond
- The number of families that attended orientation
- Whether those who attended orientation started and completed preservice training
- Whether those who completed the training went on to be certified/approved
- The timeframe in which parents who were certified/approved had a child placed with them
- The percentage of inquirers who were certified/approved within a given time period

- The reasons given by families who dropped out of the process, including the reasons given most often

Data elements related to family characteristics

When collecting and analyzing data about the characteristics of current foster homes, the goals are to identify whether there is a gap between available homes and children needing placement and, if so, the types and numbers of homes that are needed to fill that gap.

To accomplish this, LDSSs and VAs should have at least the following data on children in care:

- The percentage of children placed in any kinship care arrangement
- The percentage of children initially placed in kinship foster homes (not in other kinship arrangements such as a 1017 direct placement)
- The percentage of children who transitioned into KinGAP (Kinship Guardianship Assistance Program)
- The percentage of children placed together with their siblings
- The demographics of the children placed
- The location of foster parents in relation to the location of the home from which the child was removed

Information should be gathered on the current pool of foster/adoptive and kinship homes, including the following:

- The number of foster/adoptive and kinship homes
- The demographic characteristics of the current pool of foster families.
- Placement preferences of the current families (age, gender, and special needs of children, etc.)
- Locations of current foster homes in each neighborhood area
- The number of foster families that have not had a placement within the past six months

OCFS Data Warehouse reports that can be used to access this data include the “Facility Detail Report” and the “Facility Summary List Report.”



Practice Tip:

Data on children in care

Assemble data available from your agency on children who were placed in foster care over the previous 12 months, including as many key demographics as possible.

In New York State, a list of placements may be created from reports compiled by the OCFS Data Warehouse, such as the “Foster Care Roster by District” or “Admissions to Foster Care Summary” report. Your county’s Data Warehouse liaison can help you access these reports. If your county has no liaison, contact the OCFS regional office in your area.

OCFS publishes Monitoring and Analysis Profiles (MAPS) each year that provide county- and state-level data related to foster care, adoption, and child protective services. MAPS reports for each county, New York City, upstate New York, and the state as a whole are available at <https://ocfs.ny.gov/main/reports/maps/>

Data elements related to retention

Agencies can use data about retention successes and challenges to develop and implement innovative approaches to improve stability and permanency for children. It is recommended that agencies collect data in at least the following areas:

- The issues and needs identified by foster/adoptive families that contact the agency for support
- The number of families that stop the certification/approval process or discontinue providing foster care
- When and why families discontinued providing foster care
- The reasons for placement disruptions

Contacting key populations

Once available data has been used to identify any gaps between the needs of children coming into care and the characteristics of available foster homes, targeted recruitment strategies are needed to engage prospective foster families that meet a specific need.

Targeted recruitment routes the recruitment message directly to the people who are most likely to follow through to become foster or adoptive parents. It focuses on targeted communities where homes are needed, as well as on families with specific backgrounds that reflect the backgrounds and needs of the backgrounds and needs of children awaiting homes.

Promote nondiscrimination

Agency staff and volunteers are prohibited from discriminating against or harassing prospective foster parents, foster parents, or children in foster care based on race, creed, color, national origin, age, sex, religion, sexual orientation, gender identity or expression, marital status, or disability.

Certified or approved foster parents shall not discriminate against or harass children in foster care based on race, creed, color, national origin, age, sex, religion, sexual orientation, gender identity or expression, marital status, or disability. They must promote and maintain a safe environment for all children in their care [18 NYCRR 441.24(a)].

In these cases, the term *gender identity or expression* means having or being perceived as having a gender identity, self-image, appearance, behavior or expression whether or not that gender identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the sex assigned to that person at birth. *Gender identity* refers to a person's internal sense of self as male, female, no gender, or another gender. *Gender expression* refers to how a person expresses their gender through clothing, appearance, behavior, speech, and other means [18 NYCRR 441.24(b)].

Build cultural competence

To build cultural awareness and competence in their staff, organizations, and individuals must assess their attitudes, practices, and policies in relation to the needs and practices of the targeted community.

The OCFS Racial Equity and Cultural Competence Committee defines cultural competence as the ability of all agency staff to provide the highest quality of services to our customers, the children, youth, families, and vulnerable adults of New York State, by responding respectfully and effectively to people of all cultures, classes, races, ethnic backgrounds, genders, sexual orientations, ability status, and faiths or religions, and in a manner that recognizes, affirms, and values the worth of individuals, families, tribes, and communities, and protects and preserves the dignity of each.

Focus on the LGBTQ+ community

Lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ+) couples choose to foster and adopt at higher rates than different-sex couples. One study* found that married same-sex couples are five times more likely to be raising these children when compared to married different-sex couples.

In the past, LGBTQ+ individuals have faced discrimination when attempting to foster or adopt children. Such experiences may deter them from future attempts to engage. To best recruit and serve LGBTQ+ foster parents, home finders may consider the following:

- Using inclusive imagery (e.g., same-sex foster parent couples, gender-nonconforming youth) in media such as websites, brochures, flyers, manuals, etc.
- Displaying Safe Space signs or rainbow stickers as silent cues to LGBTQ+ families that they are a welcome and important part of the foster care system
- Assessing agency policy for inclusion of nondiscrimination protections related to LGBTQ+ individuals. New York state law and OCFS policy consider sexual orientation and gender identity to be protected classes.
- Posting information for all applicants about their right to be protected from discrimination and how they can pursue legal remedies
- Engaging with an LGBTQ+ Center. Such centers provide connections to services and programming and serve as hubs for activities. LDSSs/VAs can partner with centers by asking them to host recruitment events, advertising in their media campaigns, and providing information for them to give their members.



Info and Resources: *Training opportunities*

Training in cultural competence is available. Home finders should check with their OCFS regional office concerning training requests and opportunities.

* <https://williamsinstitute.law.ucla.edu/research/census-lgbt-demographics-studies/demographics-of-married-and-unmarried-same-sex-couples-analyses-of-the-2013-american-community-survey/>.

Identifying and recruiting kinship caregivers

Kinship caregivers are key resources in the overall strategy for finding homes that best meet children's needs. When children cannot live safely with their parents and are placed into care, child welfare best practice prioritizes placement with relatives including individuals who have a positive prior relationship with the child or the child's family. According to the Adoption and Foster Care Analysis and Reporting System (AFCARS)*, in 2017, 30 percent of children in foster care in the U.S. live in kinship foster homes, with high-performing states placing up to 50 percent of children in care in kinship foster homes.

A kin-first approach consistently promotes the placement of children with kinship caregivers. This approach helps children who must be removed from their homes maintain connections with their families.

Research has shown that, compared to children in non-kinship placements, children in kinship foster care tend to have

- fewer moves while in care,
- lower re-entry rates,
- more placements with siblings, and
- less additional involvement with CPS or juvenile justice systems.

Who are kinship caregivers?

Kinship caregivers can be relatives of a child or godparents, neighbors, family friends, or adults with a positive relationship to the child or the child's family or an unrelated person where placement with such person allows half siblings to remain together in an approved foster home, and the parents or stepparents of one of the half siblings is a relative of such person who are providing care to a child. A home finder must consider all potential kinship caregivers to identify a person who can provide care that is in the best interest of the child.

Kin as foster parents

In New York State, homes where kin provide foster care are "approved homes." An approved home is defined as a home in which temporary or long-term foster care is provided to a child by a foster parent who is a relative of the foster child and who is duly approved by the local department of social services (LDSS) or voluntary agency (VA) [18 NYCRR 443.1(i)].



Practice Tip:

Triage teams support kinship care

Based on the belief that children have better outcomes and achieve permanency quicker when placed with kin, many agencies are taking steps to increase the number of children placed with kinship caregivers.

There is a focus on placing children with kin, finding fathers, and offering immediate supports to kin. Some agencies have formed "Administrative Review Teams" that connect CPS workers and foster care workers with the goal of meeting the needs of both birth families and kinship caregivers.

For more practice models, see <https://ocfs.ny.gov/programs/fostercare/recruitment/>.

* <https://www.acf.hhs.gov/cb/resource/afcars-report-24>.

Identify and notify relatives

Within 30 days after removal of a child from the custody of the child's parent or parents, or earlier if directed by the court, LDSSs and VAs must exercise due diligence in identifying the child's relatives.

Agencies also must exercise due diligence to identify and provide notice to relatives notifying them of the child's removal and providing information on options for taking custody [18 NYCRR 430.11(c)(4)]. Persons requiring such notification are

- the child's grandparents;
- parents of a sibling of the child with legal custody of such sibling; and
- other adult relatives, including adult relatives suggested by the child's parent or parents.

The exception to this requirement is when relatives have a history of family or domestic violence [18 NYCRR 430.11(c)].

During a child protective proceeding under Article 10 of the Family Court Act, the court will also require LDSSs to notify

- any non-respondent parent of the child,
- all relatives or suitable persons identified by the child's parent(s), and
- any relative identified by a child over the age of 5 as a relative with a significant positive role in the child's life [FCA §1017(1)(a)].

Information for potential kinship caregivers

The LDSS must notify a child's relatives or other suitable persons identified by the nonrespondent parent that the child has been or is being removed from the home. The notification must explain the options under which the relatives may provide care for the child, including both foster care and non-foster care options [FCA §1017(1)(a); 18 NYCRR §430.11(c)(4)].

According to OCFS policy ([18-OCFS-ADM-23](#)), the following must be provided at the time a potential kinship caregiver is notified of a child's removal:

- *Know Your Options: Kin Caring for Children* (Publication [5175](#) / [5175-S](#); also available in other languages at the OCFS website, under Publications)
- *Make an Informed Choice: Kin Caring for Children* (Publication [5120](#) / [5120-S](#))

The following must be shared when a kinship caregiver chooses to become a foster parent or when a child's foster care placement changes:



Practice Tip:

Questions to ask parents and children

In addition to asking about relatives who must receive notice, CPS workers, home finders, and other agency staff should ask parents and children to identify more distant relatives and individuals who are close to the family. This will help develop a clearer picture of the family system and may generate other contacts that can then be explored. Parents might be asked the following

- Who do you ask to watch your children in an emergency?
- If your car broke down, who would you call for a ride?
- If you are stressed and need to talk to someone, who would you talk to?

Children might be asked age-appropriate questions such as the following:

- Who do you spend holidays with?
- Who visits the house?
- Who is your favorite babysitter?

- *Know Your Permanency Options: The Kinship Guardianship Assistance Program (Publication 5108 / 5108-S).*

If a kinship caregiver chooses to provide care outside of the foster care system, or at any time it becomes known that a person is a non-parent caregiver, it is strongly encouraged but not required that the caregiver be given:

- *Know Your Resources: Non-Parent Caregiver Benefits (Publication [5194](#) / [5194S](#))*

The following may be provided at the time a kinship caregiver is notified of a child's removal or at any time it may be helpful:

- *Having a Voice & a Choice: New York State Handbook for Relatives Raising Children (Publication [5080](#) / [5080-S](#)). See [09-OCFS-ADM-04](#).*

Resources for kinship caregivers

Kinship care can be complex and difficult to navigate, especially for individuals who are not familiar with the child welfare system. Home finders can draw upon a number of resources to help them in providing necessary support to kinship foster families.

The kinship page (<https://ocfs.ny.gov/kinship>) on the OCFS website allows the home finder to

- search for available kinship services at the local and county level;
- link to publications, websites, other state and federal programs, and reports; and
- access information related to the Kinship Guardianship Assistance Program (KinGAP).



Practice Tip:

Financial resources for relatives

As limited financial resources can be a stress factor for relatives providing care, home finders should be familiar with the types of financial resources available to low-income families, such as Temporary Assistance to Needy Families (TANF), the Supplemental Nutrition Assistance Program (SNAP), and Women, Infants and Children (WIC). Relatives should be encouraged to visit www.mybenefits.ny.gov to check their eligibility for various programs.

Kinship Navigator

The Kinship Navigator program is supported by state funds and is designed to provide information and resources to kinship caregivers. The New York State Kinship Navigator website (<http://www.nysnavigator.org/>) offers the following:

- Various online resources, including educational videos
- Legal resources, including legal service organizations with experience in kinship cases
- A map of New York State counties with kinship programs, as well as other OCFS-funded kinship programs across the state
- Resources on kinship-related policies
- Informational guides on special topics such as children with incarcerated parents

The Kinship Navigator program also has representatives available to present to interested organizations, including at the local level. Contact information for Navigator representatives is

available on the Kinship Navigator website. More information is available in the OCFS Informational Letter, *NYS Kinship Navigator Program* ([07-OCFS-INF-05](#)).

Placement of children of Native American descent

The placement of a child with a relative increases the child's exposure to his or her family's history and culture. Children who have been identified as members of a federally recognized Native American tribe must be placed according to the requirements of the federal Indian Child Welfare Act (ICWA) of 1978 [[25 USC 1901 et seq.](#)].

OCFS regulations also require placement preference for children who have been identified as members of state-recognized Indian tribes [[18 NYCRR 431.18](#)].

According to the provisions established by ICWA, unless the Indian tribe/nation has established its own set of placement preferences or unless there is a good reason not to do so, the first preference of placement for a child in foster care who is a member of a recognized tribe is with a member of the child's family or extended family. For more information, see the OCFS Administrative Directive, *Implementing Federal and Corresponding State Indian Child Welfare Act Regulations* ([17-OCFS-ADM-08](#)).



Info and Resources:

ICWA

Comprehensive information on [Compliance with the Indian Child Welfare Act](#) is available at the website of the National Indian Child Welfare Association (<https://www.nicwa.org/>).

Kinship Guardianship Assistance Program (KinGAP)

Kinship foster parents, like all foster parents, are expected to work with the LDSS or VA to achieve the permanency goals of the children in their care. Often, those goals will be reunification with birth parents or adoption. If neither of these options are appropriate, home finders and foster care workers may explore the possibility of kinship foster parents becoming legal guardians of the children in their care.

New York State's Kinship Guardianship Assistance Program (KinGAP) was established to provide assistance to children who have been discharged from foster care into the care of kinship foster parents who have become their legal guardians [[SSL §§458-a to 458-f](#); [18 NYCRR 436](#)]. Children must be eligible for the program, and the guardians must enter into a KinGAP agreement with the LDSS.



Info and Resources:

KinGAP

Kinship Guardianship Assistance Program ([11-OCFS-ADM-03](#))

Expansion of the Kinship Guardianship Assistance Program (KinGAP) ([18-OCFS-ADM-03](#))

Kinship Guardianship Assistance Eligibility Checklist ([OCFS Publication 4435a](#))

OCFS KinGAP web page: <https://ocfs.ny.gov/kinship/kingap.asp>

All kinship caregivers who are approved foster parents may be eligible to enter into KinGAP agreements. This includes a person related by any degree to the child by blood, marriage or adoption. It also includes, but is not limited to, a godparent, neighbor, or family friend with a positive relationship to the child and who is providing foster care to the child. Relatives of half siblings also may be eligible to enter into KinGAP agreements.

A "positive relationship" is defined as an established positive relationship with the child *prior* to the child's current foster care placement. In this case, a certified foster parent may qualify if they had

previously known or provided care to the child prior to the current foster care placement. The LDSS or VA must determine that such a positive relationship existed for all nonrelative foster parents who are also unrelated to the child's half siblings.

According to OCFS policy ([18-OCFS-ADM-03](#)), consideration should be given to the following factors:

- Support for the child's healthy emotional and psychological development
- Understanding of the child's family dynamics
- Understanding of the child's strengths and needs
- Ability and willingness to meet the child's specific needs, both short and long term
- Strong desire to commit to the child's care
- Child's level of attachment

The basis of determining that a positive relationship existed prior to the child's placement in foster care must be documented in progress notes.

Child's eligibility requirements

A child is eligible for KinGAP assistance payments if the following requirements are met [[18 NYCRR 436.3](#)]:

- The child has been in foster care in the home of the prospective guardian for at least six consecutive months
- Return to home or adoption are not appropriate permanency options for the child
- The child demonstrates strong attachment to the prospective guardian
- The prospective guardian demonstrates a strong commitment to permanently caring for the child
- Age-appropriate consultation has been held with the child; if the child is at least 14 years of age, the child has been consulted about the proposed kinship guardianship; and if the child is at least 18 years of age, he/she has consented to the guardianship
- If the child was placed into care due to an FCA Article 10 removal or has been adjudicated as a destitute child in accordance with FCA Article 10-C, all fact-finding hearings [[FCA §1051](#); [FCA §1095](#)] and the first permanency hearing [[FCA §1089\(a\)\(2\)](#)] have been completed
- If the child was placed into care for another reason, the first permanency hearing has been completed
- It is in the child's best interests for the foster parent to become the child's legal guardian [[18 NYCRR 436.3\(d\)](#)]

The child remains eligible for KinGAP payments if a successor guardian becomes responsible for the child [[18 NYCRR 436.3\(f\)](#)].

CHAPTER 4

Paths to Certification/Approval

The process of becoming a foster and/or adoptive parent is designed to reveal whether individuals are ready and able to provide care to children placed in their homes. Home finders should continually check in with the applicant(s) during the certification/approval process to discuss whether moving forward is appropriate for the family.

The applicant(s) may be related to a child they wish to foster, have a positive relationship with a specific child or the child's family, or have no relationship to any child. In assisting applicants, home finders must determine which path to certification/approval is appropriate. In some cases, a relative of a child in need of foster care may require an expedited process:

- [Emergency approval of a foster home](#)

Other possible certification/approval processes include:

- [Certification/approval of a foster home, including concurrent certification/approval of a foster/adoptive home](#)
- [Approval of an adoptive home](#)

Not all applicants will complete the process and receive final certification or approval. When applicants decide not to continue the process of becoming foster or adoptive parents, they may be willing to play other roles, such as providing support to foster families through a program such as [Fostering Futures New York](#).*



Practice Tip:
“Check ins”

Informal pauses in the process, or “check ins,” can be built into the certification/approval steps and assist the home finder navigating difficult conversations with the applicant about decisions to continue with the process.

* <https://ocfs.ny.gov/programs/fostercare/recruitment/img/Append-Ch7-6.pdf>.

Emergency approval of a foster home

When a relative has been identified as a resource willing to foster a specific child entering care or already in care, the LDSS or VA may initiate the emergency approval process. The emergency approval is in effect for 90 days, during which time the relative or eligible nonrelative completes the requirement for full approval as a foster home. For more information refer to the OCFS website.

Before placing the child on an emergency basis, the relative must sign a statement indicating the exact relationship to the child and the child's parent(s) and that

- the person is willing to provide foster care for the child;
- they understand that the child is in the legal custody of the Commissioner of Social Services; and
- they agree to comply with foster care requirements, including but not limited to those involving the role and authority of the approving authorized agency and the LDSS with legal custody of the child to supervise the placement [18 NYCRR 443.7(b)].

A written agreement must be made between the LDSS or VA and the relative within seven days of the child's placement, specifying that the relative will comply with relevant laws and regulations [18 NYCRR 443.7(d)].

Expedited home study

The expedited home study assesses the relative's home to ensure that there is no apparent risk to the health and safety of the child. The home study must include an assessment of the household members, focusing on the following factors:

- The family's relationship with the child and the child's parent(s) or stepparent(s)
- The care provided to other children in the home by the relative
- The relative's knowledge of the circumstances and conditions that led to the need for the child's foster care placement
- The past role of the relative in helping and/or protecting the child from and/or preventing occurrences of abuse or maltreatment of the child
- The present ability of the relative to protect the child from abuse or maltreatment and the ability of the relative or eligible nonrelative to understand the need to protect the child from abuse or maltreatment

The caseworker must inform potential foster parents about the LDSS's or VA's role and authority to supervise the placement, obtain contact information for character references, and review agency records to determine whether the potential caretaker(s) has a prior history of abuse or maltreatment.

If the home is found to be suitable after these requirements have been met, the home will be approved as an emergency foster home for 90 days from the date of placement of the child in the home. The LDSS or VA must open the emergency foster home in FAD as soon as possible, but no later than two days from date of placement of the child(ren) in the foster home.

If the emergency foster home receives final full approval on or before the 90th day of placement, the relative may continue to provide foster care past the 90th day [18 NYCRR 443.7(g)]. The 90-

day period to complete approval may be extended if the relative has otherwise satisfied all other requirements for final approval with the exception of the completion of the criminal history check process, SCR database check process, or the Justice Center SEL check process [18 NYCRR 443.7(h)(1)].

Background checks

On the day of placement or within one day of the foster child's placement in the approved emergency foster home, the LDSS or VA must give a copy of the *Request for Fingerprinting Services* form ([OCFS-4930ASFA](#)) to the foster parent(s) and to any household members 18 years of age or older, along with instructions on how to have their fingerprints taken [SSL §378-a(2)(b); 18 NYCRR 443.8(d)]. Fingerprints must be taken no later than two weeks after this date [18 NYCRR 443.7(f)].

Within seven days of placement, the LDSS or VA must [18 NYCRR 443.7(e)] do the following:

1. Obtain a completed Statewide Central Register of Child Abuse and Maltreatment (SCR) database check form and submit it to OCFS.
2. If the applicant(s) or other person 18 years of age or older who resides in the home of the applicant(s) resided in another state at any time during the five years preceding the emergency approval, obtain the documentation necessary to enable the agency to request child abuse and maltreatment information from the applicable child welfare agency in each such state of previous residence.
3. Submit a completed form to check the register of substantiated Category One cases of abuse or neglect maintained by the Justice Center for the Protection of People with Special Needs.

Waivers of regulatory requirements

For an approved foster home only, the LDSS or VA may request an exemption (waiver) from any non-safety, non-statutory requirement applicable to the approval of foster homes as set forth in state regulations [18 NYCRR Part 443].

The LDSS or VA may propose that a waiver of non-statutory requirements be granted when it is necessary to allow the child to be boarded in the home, it is in the child's best interests to be placed in the home, and when it is consistent with the health, safety, and welfare of the child. Such waivers are tentative and must be reviewed and approved by the LDSS that has legal custody for the child. The decision to approve a waiver must be made by LDSS supervisory staff who do not have direct case management responsibilities for the child [18 NYCRR 443.3(b)(16)].

Home finders must use the *Exception/Waiver Request Form* in FAD for waiver requests. The form must be completed and submitted to the LDSS that has custody of the child(ren) placed in the home for supervisory approval. If the foster home is being approved by the LDSS, the LDSS worker must electronically submit the Exception/Waiver Request Form for supervisory approval through CONNECTIONS.

If the foster home is being approved by a VA, the VA worker must complete the Exception/Waiver Request Form in FAD, print it out, and submit to the LDSS with custody of the child(ren) for review, approval determination, and signature. If approval is received, the VA worker must then electronically submit the form for supervisory approval in FAD. The approval manually signed by the LDSS must be maintained in the foster home's case file.

Waivers may be requested during emergency approval or at any time during the authorization period of a fully approved foster home. Each time a waiver is approved, the home finder must document whether the waiver is still necessary at each subsequent annual reauthorization.

Certification/approval of a foster/adoptive home

The home finder plays a vital role at each stage of the process, from inquiry to final determination. For more details, refer to *Foster/Adoptive Home Certification or Approval Process* ([18-OCFS-ADM-07](#)) and *FFPSA Model Licensing Standards and Updated Forms for the Certification or Approval of Foster/Adoptive Homes* ([19-OCFS-ADM-07](#)).

- Respond to inquiries
- Explore foster/adoptive history
- Open a case in FAD
- Conduct initial interview or orientation
- Assist with self-assessment
- Support and advise during the application process
- Obtain background and clearance checks
- Provide training and preparation
- Accept or reject for home study
- Conduct initial home study
- Review information gathered during the process
- Complete final assessment and determination



Practice Tip:

Prompt response to inquiries

First impressions are critical in determining one's perceptions about a product or service. In child welfare interactions, how people are treated at the first point of contact sets the tone for how the relationship will move forward.

Return all phone calls to prospective and current foster and adoptive parents and kinship caregivers within 24 hours. Even if you are waiting for more information and can't answer the caller's questions, call them back to let them know that you're working on their questions.

Source: [Revitalizing Recruitment](https://ocfs.ny.gov/programs/fostercare/recruitment/) (<https://ocfs.ny.gov/programs/fostercare/recruitment/>)

Respond to inquiries

Maintaining good communication is a major component in engaging prospective foster and adoptive parents. In child welfare interactions, how people are treated at first point of contact sets the tone for how the relationship will move forward.

Timely responses to inquiries and questions are of critical importance. State regulations require LDSSs and VAs to respond to foster parenting inquiries in writing within 10 days [18 NYCRR 443.2(b)(1)]. Best practice suggests that a response to an inquiry be made within 24 hours via phone or email, with a follow up in writing within 10 days.

Explore foster/adoptive history

After responding to an inquiry, the LDSS or VA must first search CONNECTIONS foster/adoptive home history ("F/A Home") to determine if the applicant(s) previously had or currently has foster home certification or approval. A person may not be foster certified/approved at the same time by more than one authorized agency [SSL 376(3); 18 NYCRR 443.3(o)(1)].

Supervisory support may be needed to further explore and gather information pertaining to previous experience and history in CONNECTIONS.

If the home **exists** in CONNECTIONS and is in “Inquiry,” “Applicant,” or “Accepted-Active” status with another LDSS or VA, the home finder should explore this information with the applicant(s).

If there is a **match** with a closed home, the home finder must

- review the history and assess the reasons for closure;
- determine whether the certificate or letter of approval was revoked or not renewed, and whether a foster child was removed from the home for health and safety reasons;
- contact the previous LDSS or VA to obtain additional information, if necessary;
- consider all the information to determine whether a certificate or letter of approval should be issued to the applicant; and
- seek supervisory support if the previous experience in CONNECTIONS warrants.

Refer to CONNECTIONS Tip Sheet “[Accessing the FAD Closure Report.](#)”

If the reasons for the home closure do not include any safety concerns or reasons to end the process, the home finder should **re-open the home** in “Inquiry Status” and record the dates in the FAD Checklist. A previously closed home may be reopened. It is important to track a home using the Resource ID that was used in the previous history of the home.

If the information in CONNECTIONS or from the former home finder does not support safely opening or re-opening the home, the LDSS or VA must advise the applicant(s) in writing of the reason(s) for the decision and discuss with the applicant(s) the reason(s) for not continuing the process.

Open a case in FAD

When an applicant has no history in providing foster/adoptive care, the home finder opens the home in “Inquiry Status” in the Foster and Adoptive Home Development (FAD) stage in CONNECTIONS and begins to fill out the FAD Checklist. All inquiry information must be recorded in CONNECTIONS, regardless of whether the home becomes fully certified or approved.

For more information, refer to *Use of the Foster and Adoptive Home Development (FAD) Stage in CONNECTIONS* ([17-OCFS-ADM-05](#)).

Conduct initial interview or orientation

A person who submits an inquiry must be offered an appointment for an interview or an orientation session [[18 NYCRR 443.2\(b\)](#)] and be given an application [[18 NYCRR 443.2\(b\)\(3\)](#)]. It is good practice to invite current foster parents to attend orientation sessions to answer questions and give advice. Providing opportunities for prospective foster parents to interact with current foster parents sends a strong message that the LDSS or VA values foster parents.



Practice Tip

Closure for inactivity

If the reason for closure is “Z” (systems closure due to inactivity in the home), the home finder should explore the reasons for the home closure with both the previous home finder and the applicant(s).

Information about the application process

During the initial interview or orientation, the home finder must give an overview of the process of children coming into foster care, and explain what the foster/adoptive certification/approval process entails, including the following:

- The role of the LDSS or VA in the process
- The categories of children that are served
- The requirement that each applicant and person 18 years of age or older who resides in the home must
 - be fingerprinted for the purposes of federal and New York State criminal history records checks;
 - be cleared through the Statewide Central Register of Child Abuse and Maltreatment (SCR) to determine whether such person is the subject of an indicated child abuse or maltreatment report;
 - determine whether the applicant or other adult household member resided in another state during the five years prior to the application for certification or approval and if so, the LDSS or VA will request information about relevant child abuse and maltreatment from the appropriate agency in the other state(s); and
 - Determine whether the applicant or any other adult residing in the home of the applicant is listed on the register of substantiated category-one cases of abuse or neglect maintained by the Justice Center for the Protection of People with Special Needs (Justice Center).



Practice Tip:

Provide examples

Use age-specific examples when outlining the needs of the children in care and the differences foster parents may encounter by age group (e.g., infants require monthly medical appointments).

For more information on this requirement, see [“Obtain background and clearance checks,” Chapter 4: page 4-17.](#)

Applicants who are pursuing **concurrent** certification/approval as both foster and adoptive parents also must receive the following information:

- The requirement that married persons can adopt only as a couple with both partners participating. A married person who is living separate and apart from their spouse may adopt a child if they have a legally recognizable separation agreement, a decree of separation, or have been living separate and apart from their spouse for a period of three years or more prior to the commencement of the adoption proceeding.
- A description of the characteristics of children awaiting adoption.

In addition, the applicant(s) should also receive the following information:

- The right of an adopted person 18 years of age or older; or if the adopted person is deceased, their direct line descendent or the lawful representative of the adopted

person or their direct line descendent, to apply for a certified copy of the adopted person's original long-form birth certificate.

Required forms

Refer to the OCFS website for versions of these forms in other languages.

- *Self-Assessment* ([OCFS-5183A](#)), one form per family
- *Foster/Adoptive Parent Application* ([OCFS-5183B](#)), one form per applicant
- *Family Adoption Registry Information* ([OCFS-5183C](#)), if concurrent application
- *Foster/Adoptive Applicant Medical Report* ([OCFS-5183D Part 1 and Part 2](#)), one form per applicant (Part 1) and one form per household member (Part 2)
- *Request for NYS Fingerprinting Services* ([OCFS-4930A SFA](#)), one form per person 18 years of age or older in the home
- *Statewide Central Register Database Check* ([LDSS-3370](#)), one form per person 18 years of age or older in the home

Home finders also may choose to give the applicant(s) a copy of the *Safety Review Form* ([OCFS-5183E](#)) and the *Foster Parent Agreement* ([OCFS-5183J](#)) at the time of initial interview or orientation. This supports transparency by affording the applicant the opportunity to understand the regulatory and safety requirements regarding their home and their role as foster/adoptive parents.

Many home finders schedule the first visit to the applicant(s)' home during orientation to keep the process moving forward.

Information about foster care

State regulations also specify that during the initial interview or orientation, the LDSS or VA must inform potential foster parents about foster care in New York State [[18 NYCRR 443.2\(b\)](#)]. This includes the following:

- The social, family, and personal problems that can lead to family breakdown and the need for the placement of children
- The problems and reactions of children upon separation, and the function and responsibility of the foster family in relation to the child, the parents, and the LDSS or VA staff
- The LDSS or VA policy and practice to have defined goals to achieve permanency for each child entering the foster care system
- The authority of the LDSS, OCFS, and the Family Court to supervise the LDSS's or VA's practice
- The nature of the relationship of LDSS or VA staff to foster parents and children, including definitions of the function and responsibility of the caseworkers assigned to the children and their families
- The payments to foster parents for care and expenses; and the definitions of foster family care, and certification or approval of the home

- The rights and responsibilities of a foster parent as defined in the agreement that must be executed at the time of certification or approval

Assist with self-assessment

Although the applicant(s) can begin filling out any of the forms as soon as they receive them, the home finder should recommend that the applicant(s) complete the *Self-Assessment* form ([OCFS-5183A](#)) with their family as a first step in exploring their understanding, commitment, and readiness to foster/adopt.

This provides the first opportunity in the application process to have the mutual selection conversation, during which the applicant(s) and the home finder discuss whether moving forward in the process is appropriate for the family and what additional information, supports, and/or resources may assist the family in their readiness.

The questions on the form should stimulate conversation about the various aspects of the process and provide an opportunity for the family to assess the impact on their lives of becoming foster/adoptive parents.

The *Self-Assessment* form

The *Self-Assessment* form is an excellent engagement tool that is essential to the home study assessment process. It is recommended that the applicant(s) and their family review the questions on the form together, develop their answers in the most candid way possible, and then discuss their responses with the home finder. The family and/or home finder may decide, however, that it would be more beneficial for the family and home finder to initially review the form together.

The family's responses will assist the home finder in their initial assessment of the family's readiness to foster/adopt. This assessment should be done in collaboration with the family to allow transparency and build trust. Areas may emerge where further assessment/information is needed, such as the following:

- One of the prospective/adoptive parents is not interested
- Other household members are not supportive
- The family is not open to having visitors/service providers come into the home
- The family's schedule is not conducive to caring for children
- There is a lack of physical space or emotional support



Practice Tip: *Mutual selection*

Ongoing mutual assessment and selection should be part of the application process. Beginning this conversation at the onset sets the stage for future conversations.



Practice Tip: *Shared parenting*

Home finders should provide guidance to foster parents related to the concept of strengthening family relationships and shared parenting, when appropriate and consistent with the child(ren)'s permanency goal.

Building and supporting connections and family continuity has a direct impact on the child(ren)'s development of a positive sense of self, personal identity, culture, and on promoting resilience in children who have experienced trauma.

Working with birth parents enables foster parents to learn more about the child(ren) in their care and will assist them in better meeting the child(ren)'s needs. Reunification may be easier when the foster parent has been involved in the interaction between the child(ren) and birth parent(s), especially when improvement in the relationships and parenting skills is observed.

- There are risk/safety issues that need to be resolved

The home finder summarizes the prospective foster/adoptive family's readiness and completes the form under the selected level of readiness. The prospective applicant(s) must sign the form, which will then be signed by the home finder's supervisor. It is recommended that the home finder meet with their supervisor before sign-off to explore areas where further assessment is needed and to form a plan to address these areas.

Kinship applicants

The *Self-Assessment* form cannot be altered, but questions can be asked in a way that makes sense for a kinship caregiver. For example, Question 7 is, "How will you work with this agency to help the child in foster care return to their family?" Instead, the home finder might ask, "How will you work with this agency to help your niece return to her family?"

When reviewing the form with prospective kinship caregivers, the home finder should find an opportunity to inquire whether the home might be a permanent resource if the child cannot be returned to their birth family.

Reassessment of family readiness

The *Self-Assessment* form must be reviewed with the prospective foster/adoptive family **at least once** during the process. Reassessment is recommended, as applicants' and family members' responses and reactions may change after they have begun the application process. A reassessment gives them an opportunity to share their responses with the home finder. It's also a great way for the home finder to "check in" with the family (e.g., "This was your original response to the question. Would your answer be different now?").

If a reassessment is necessary, the home finder should complete an updated summary on the form under "Reassessment of Family Readiness."



Practice Tip:

Definitions of family readiness

Early Stages: The family has some understanding of the requirements for fostering/adopting a child but needs more information and discussion.

Minimal Supports Needed: The family needs some support and/or more information from the LDSS or VA on what the experience of fostering and/or adopting a child will be like and the impact on their family. The family is willing and able to learn.

Acceptable: The family is prepared and knowledgeable about the experience of fostering and/or adopting a child and is aware of the impact on their family.

— *Foster/Adoptive Home Certification or Approval Process*
([18-OCFS-ADM-07](#))



TAKE A CLOSER LOOK AT READINESS

A series of relationship questions are included on the *Self-Assessment* form, but the home finder is encouraged to follow up with additional exploratory or clarifying questions. These might be:

- ▶ How do you define a permanent home? Why do you think permanency is important to a child? How do you intend to support the efforts of the worker and birth family to achieve a permanent home for a child in foster care?
- ▶ Can you explain the difference between foster care, kinship care, and adoption? What efforts have you made to gain knowledge about the issues and needs of children in foster care?
- ▶ What do you expect to do to prepare your home, extended family, and community for the placement of children?
- ▶ What measures will you need to take to support the child's cultural continuity and well-being?
- ▶ Who in your family will best understand the needs you will have with a child who has experienced trauma, demonstrates behavioral problems, or experiences developmental delays?
- ▶ Do you know any foster or adopted child who is struggling behaviorally or emotionally? Describe the situation. How might separation from their birth family be related to these struggles?
- ▶ Tell me about a time when you were obliged to return something you valued. How did you feel? What coping strategies did you use to manage your feelings?
- ▶ What do you see as your role in actively promoting the reunification between children and their birth families?

Support and advise during the application process

Home finders may assist and advise applicants as they work to complete the application. After the application is submitted, the LDSS or VA must notify the applicant(s) within 10 days that the application for certification or approval has been received and that the applicant(s) has either been accepted or rejected for a home study [18 NYCRR 443.2(b)(14)]. Acceptance may be conditional, pending the receipt of acceptable medical report forms.

An application is considered complete when this information has been received and reviewed:

- CONNECTIONS history for previous foster/adoptive certification or approval
- *Foster/Adoptive Parent Application* ([OCFS 5183B](#))
- Signed sworn criminal conviction statement
- *Family Adoption Registry Information* ([OCFS 5183C](#)), if applicable
- *Foster/Adoptive Applicant Medical Reports* ([OCFS 5183D](#) Part One and Part Two), if applicable
- *Safety Review Form* ([OCFS 5183E](#))

An application is considered expired if it has been pending for six months or more due to applicant's failure to provide information or cooperate with the process. The paper file should be retained for 12 months after the last communication with the applicant(s). Best practice recommends that the applicant be notified in writing that the application has expired. The home finder must close the "Inquiry" in CONNECTIONS and note the reason for the closure.

This expiration will require a new application if the prospective foster parent(s) want to seek certification or approval in the future [18 NYCRR 443.2(c)(6)].

**Practice Tip:***Check on progress*

If the application process is not moving forward, 30 days before the application expires, the home finder should ask the applicant(s) about their intentions to continue the process.

Foster-Adoptive Parent Application

The *Foster-Adoptive Parent Application* form ([OCFS-5183B](#)) is used for both individuals seeking certification/approval as foster parents and those who are applying for concurrent certification/approval as both foster parents and adoptive parents.

It is designed to elicit information about the applicant(s), including the following:

- Basic demographic information
- Current and past employment information
- Household composition
- Foster/Adoptive parenting experience
- Transportation
- Personal references
- Education history
- Financial information

The form also includes a section requiring each applicant(s) to submit a sworn statement indicating whether, to the best of their knowledge, the applicant or any other person over the age of 18 currently residing in the applicant(s)' home has ever been convicted of a crime in New York State or in any other jurisdiction.

Many of the standards for approval as an adoptive parent are the same as those for the certification or approval of a foster parent, so the applicant(s) for concurrent approval are not required to submit dual documentation to the authorized agency [18 NYCRR 443.9(a) and (b)]. One of the personal references for the applicant(s) seeking concurrent approval may be related to the applicant [18 NYCRR 421.15(c)(2)].

If the applicant(s) has been approved on an emergency basis, a child(ren) has already been placed in the home. If the applicant is applying to be approved for a specific child with whom they have an existing relationship, this information must be recorded at the top of the form.

Applications from married couples

Married couples must both apply for certification or approval as foster/adoptive parents; a spouse cannot be listed as a household member. Each person must be given an application form. While some of the required information may be the same for both applicants, most of the information will be specific for each person. Separate forms allow for identifying the source of information.

All other individuals living in the home should be listed as household members, including children and non-applicant adults.

Verify information

The home finder is required to verify responses on the application by gathering/reviewing relevant supporting documentation throughout the process. Ask yourself, “How do I know what I know?” For example, home finders must verify the applicant(s)’ employment reference list and their income information. Supporting documentation types may vary. If an applicant is self-employed, a client or co-worker can be used as an employment reference.

While there is some discretion of what documents are collected and retained in the paper file, the LDSS or VA must retain adequate documentation to support its determination and compliance with applicable standards for certification or approval.

Family Adoption Registry form

If the applicant is interested in adopting a child from foster care in New York State, the applicant must be given the *Family Adoption Registry Information form* ([OCFS-5183C](#)) to complete. If at any point during the process an applicant or foster parent wishes to pursue adopting a child from foster care, they should be provided this form for completion.

Foster-Adoptive Applicant Medical Report

Each applicant and household member must undergo a medical evaluation as part of the certification/approval process. There must be a separate *Foster-Adoptive Applicant Medical Report* ([OCFS-5183D](#)) completed for each applicant and household member by a physician, physician assistant, nurse practitioner, or other licensed qualified health care practitioner.

Part One of the form is required for each applicant. **Part Two** is required for each household member, including children. The home finder should tell the applicant(s) to make sure all required fields are completed, including a medication list if applicable.



Practice Tip:

Definition of married couple

Section 443.1(j) of the New York State Social Service Law defines a foster family boarding home as a residence under the control of a single person or family who has been certified or approved by an authorized agency. State Domestic Relations Law states that “any two unmarried adult intimate partners together” are permitted to adopt a child.

OCFS recognizes the term “family” to include unmarried intimate partners. This term is recognized to include same-sex partners and unmarried heterosexual partners.

The marital status of an applicant may be a factor in determining whether a certification or approval will be granted, but only as it affects the ability to provide adequate care to children [SSL 443.2(c)(1)(iv)].

Within this limitation, the home finder should evaluate the totality of the relationship, including the applicants’ statements; an assessment of the applicants’ character and how they interact with each other; and other information, such as how long they have been together and the statements of references.

—Types of Foster Family Homes:
Certified vs. Approved vs. Emergency
(https://ocfs.ny.gov/main/cfsr/Foster_Home_Cert_Appr_QAs.pdf)

The home finder assesses the applicant's and household members' medical reports to

- explore any diagnoses or medications listed on the report that may require more information;
- explore any treatment or services listed on the report that may require more information; and
- confirm that there are no communicable diseases, infections, or illness that would affect the proper care of children placed in the home.

This is an opportunity to discuss the importance of medical care, especially for children in care who may not have had consistent access, and the agency's and birth parents' authority for making medical decisions on behalf of the child.

The LDSS or VA has the authority to request additional documentation as a follow up to medical or behavioral concerns disclosed by the applicant or recorded on the medical reports. The LDSS or VA may use its own form to obtain any necessary additional information. If there are concerns about an applicant's mental/behavioral health, the home finder must explore these concerns with the applicant.

Vaccinations for household members

New York State Public Health Law (PHL) does not require all children and adults to be immunized. However, in order to attend day care, pre-K, kindergarten, elementary, intermediate, or secondary school, children aged 2 months through 18 years must be immunized against poliomyelitis, measles, mumps, rubella, diphtheria, tetanus, pertussis, varicella, hepatitis B and, where applicable, Haemophilus influenzae type b (Hib) and pneumococcal disease [PHL §2164].

State law allows only one exemption to these requirements. The immunization requirement is waived if a physician licensed to practice medicine in New York State certifies that an immunization is detrimental to a child's health. The requirement for that immunization is waived until such immunization is no longer detrimental to the child's health.

If family members in the prospective foster/adoptive home are not vaccinated, the home finder should weigh this factor along with the statement of general health in making a best-interest determination to approve or deny the application.

Safety Review Form

The *Safety Review Form* ([OCFS-5183E](#)) is completed during an inspection of the applicant's physical residence. This requires the home finder to conduct a walk-through of the home and



Practice Tip:

Medical report follow-up

Home finders should follow up to determine:

- If medications have been prescribed for serious physical conditions or for mental/behavioral health support
- Whether treatment referrals have been followed



Practice Tip:

Recommended vaccinations

The New York State Department of Health (DOH) recommends an annual influenza vaccination for individuals 6 months of age and older and a pertussis vaccine for adults every 10 years.

Vaccination information is available on the DOH website

(<https://www.health.ny.gov/prevention/immunization/>)

property to determine whether they meet the requirements of OCFS regulations and local ordinances.

Any potential or concerning safety issues of the home must be explored and the home finder must determine if mitigation is required. Required actions must be satisfied before the final assessment and determination of the application.

Health, safety, and physical plant requirements

During the home study, it also must be established that the foster home meets certain health and safety standards and physical plant requirements [18 NYCRR 443.3(a)]. These standards/requirements include the following:

- The physical facilities of the foster home or relative foster home must be in good condition and present no hazard to the health and safety of children.
- The foster home must be in substantial compliance with all applicable provisions of State and local laws, ordinances, rules and regulations concerning health and safety.
- The physical space, construction, and maintenance of the foster home and premises must be in good repair and kept in a sufficiently clean and sanitary condition so that the physical well-being as well as a reasonable degree of physical comfort is assured the members of the foster family.
- Separate bedrooms are required for children of the opposite sex over seven years of age, unless the children are siblings or half siblings sharing the same bedroom and the alternative sleeping arrangement is consistent with the health, safety, and welfare of each of the siblings or half siblings and is necessary to keep the siblings or half siblings placed together in the same foster home.
- Not more than three persons may occupy any bedroom where children at board sleep, unless the children are siblings or half siblings and the occupancy is consistent with the health, safety, and welfare of each of the siblings or half siblings and is necessary to keep the siblings or half siblings placed together in the same foster home.
- No bed may be placed in any unfinished attic or basement.
- No child above the age of 3 years may sleep in the same room with an adult of the opposite sex. Children must not sleep together in the same bed with an adult.
- Each child must have sleeping space of sufficient size for the safety, comfort, and privacy of the child. Each child must have a separate bed or crib of sufficient size and cleanliness for the comfort and well-being of the child, with waterproof covering, if needed, and suitable bedding adequate to the season. Bunk beds may be used.



Practice Tip:

Visit the home early in the process

Visiting the applicant's home early in the certification/approval process is a best practice that encourages foster parent engagement. It can build the foundation for an ongoing relationship, provide face-to-face technical assistance, and answer any lingering questions about fostering.

- There must be an adequate and safe supply of water for drinking and household use. Water from wells, springs or other private sources must be protected against contamination. There must be provision for hot water for washing and bathing.
- The dwelling must have window barriers, including window screens, guards and/or stoppers above the first floor of the foster home.
- Heating apparatus must be safe and adequate to provide for the reasonable comfort of children in the home.
- Adequate bathing, toilet, and lavatory facilities must be provided and kept in sanitary condition.
- The home must be free from fire hazards and equipped with at least one smoke detector and one carbon monoxide detector.
- No certified or approved foster parent may rent rooms to lodgers or boarders or receive and care for maternity cases, except as part of the foster care program, or receive or care for convalescent cases or conduct any business on the premises that might adversely affect the welfare of children, unless permitted by the authorized agency that certified or approved the home.
- All firearms, rifles, and shotguns, as defined in Section 265.00 of the Penal Law, must be securely stored and must be maintained in compliance with applicable state and local standards regarding the licensing, storage, and maintenance of such weapons.

When completing the *Safety Review Form*, the home finder also must

- be satisfied that the home is free of fire hazards; and
- must include a description of the home, which may include a floor plan at the discretion of the LDSS or VA. The plan can be hand-drawn.

Home finders must ensure that swimming pools, hot tubs, and spas meet state and local safety requirements. Best practice safety recommendations include:

- Swimming pools have the following:
 - A barrier on all sides
 - Access through barrier must have a locking device
 - A life-saving device such as a ring or buoy
 - A working pump and filtering system if the pool cannot be emptied after each use
- Hot tubs/spas have safety covers that are locked when not in use

For more information on home safety requirements, home finders may contact a regional office* of the New York State Division of Building Standards and Codes or the New York State Office of Fire Prevention and Control (<https://www.ny.gov/agencies/office-fire-prevention-and-control>).

* https://www.dos.ny.gov/dcea/reg_off_cty.html.

Smoking should not be allowed in the home, in any vehicle used to transport children in care, or in the presence of children in care.

Exceptions to capacity and other requirements

Exceptions to some of these standards may be allowed under certain circumstances, when they are consistent with the health, safety, and well-being of children in care. These exceptions are not waivers. Rather, they are specific allowable conditions and circumstances as alternatives to the general standards. The regulations that contain specific exceptions are:

Separate bedrooms for children of the opposite gender who are seven years of age or older [18 NYCRR 443.3(a)(4)]. Exception may be made if children are siblings or half siblings and sleeping arrangements are consistent with the health, safety and welfare of each sibling or half sibling and is necessary to keep the children placed together.

No more than three persons occupying any bedroom where children in foster care will sleep [18 NYCRR 443.3(a)(5)]. Exception may be made if children occupying the bedroom are siblings or half siblings and the occupancy is consistent with the health, safety, and welfare of each of the siblings or half siblings and is necessary to keep the children placed together.

No more than two infants under 2 years of age, including the foster parent applicant(s)' own children [18 NYCRR 443.3(b)(4)]. Exception may be allowed in cases where the foster parent(s) have demonstrated the capacity to do so and a sibling group would otherwise have to be separated.

May not rent rooms or lodgers or boarders or receive and care for maternity cases, except as part of the foster care program, or receive or care for convalescent cases or conduct any business on the premises that might adversely affect the welfare of children [18 NYCRR 443.3(a)(14)]. Exceptions may be made for emergency-approved homes if permitted by the certifying/approving LDSS or VA.



TAKE A CLOSER LOOK AT SAFETY

In assessing the results of the *Safety Review Form*, the home finder might consider these questions:

- ▶ Is the home or community have/ known to have current or potential safety issues related to air/water quality? If yes, have the issues been mitigated to address any current or potential safety issues?
- ▶ Was the applicant(s) not cooperative in meeting any requirements of the *Safety Review Form*?
- ▶ Are there conflicting statements or information?
- ▶ Was required action or recommendation noted for any item?
- ▶ If safety concerns are present, has a plan been implemented to address each item?
- ▶ Does the family require additional inspections or services prior to the home being deemed safe?
- ▶ Are there any concerns regarding space availability, cleanliness, or fire hazards?
- ▶ Are any additional resources needed prior to moving forward?

Other state laws and regulations authorize exceptions to the capacity limitations of foster homes [SSL §§378(4), 398(6)(n); 18 NYCRR 443.1(j) and 443.6]. The general rule is that a foster home may not care for more than six children, including foster children of any age both children in foster care and children not in foster care under the age of 13.

Exceptions may be approved for up to two additional children if

- they are siblings or half siblings,
- they are siblings or half siblings of a child who is living in the home or has been placed for adoption with the foster family, or
- they are minor parents who are in foster care and the exception would allow their children to live with them. [18 NYCRR 443.1(j)].

Additional foster children may also be placed in the foster home where they had been placed previously, if they are either returning to foster care following an interruption in of foster care or following placement in a foster care facility and it is determined that such return is in the child's or children's best interests. This exception also applies to a minor parent who is in foster care and the minor parent's child(ren) [SSL 378(4);18 NYCRR 443.6].

Obtain background and clearance checks

The LDSS or VA is required to collect detailed information about the foster/adoptive applicant(s) and all household members to determine if health and safety requirements are met. Home finders must complete three distinct types of background and clearance checks on **all applicants and household members age 18 and older**:

- New York Statewide Central Register (SCR) search to determine if anyone in the home is the subject of an indicated child abuse or maltreatment report on file.
- If the applicant or other person residing in the home of the applicant lived in another state during the five years preceding the application for certification or approval, staff must request child abuse and maltreatment information from the applicable child welfare agency of each state of previous residence.
- Staff Exclusion List (SEL) check performed by the New York State Justice Center for the Protection of People with Special Needs (Justice Center).
- New York State Division of Criminal Justice Services (DCJS) and Federal Bureau of Investigations (FBI) criminal history background checks via the *Request for NYS Fingerprinting Services* ([OCFS-4930ASFA](#)).

See the *Clearance Chart for Certified or Approved Foster Homes* ([OCFS Publication 5183ii](#)), which summarizes all required background clearance requirements.

Statewide Central Register (SCR) database check

A database inquiry determines whether the applicant(s) or any person(s) 18 years of age or older residing in the prospective foster home is the subject of an indicated child abuse or maltreatment

report on file with the Statewide Central Register of Child Abuse and Maltreatment (SCR) [SSL §424-a; 18 NYCRR 443.2(b)(5)(i)].

The applicant(s) can be cleared through the SCR using the *Statewide Central Register Database Check Form and Instructions for Completing* ([LDSS-3370](#)). Applicants who are married must be listed together on the same form (both as “applicant”) along with other household members, including all children in the home.

If the applicant(s) or other person 18 years of age or older residing in the home of the applicant(s) lived in another state during the five years preceding the application for certification or approval, staff must request child abuse and maltreatment information from the applicable child welfare agency of each such state of previous residence.

Obtaining SCR records

When the applicant(s) or person 18 years of age or older residing in the home is a confirmed subject in an indicated report of child abuse or maltreatment, that person is not automatically excluded from being a foster parent or from residing in a foster family boarding home. That decision requires more information.

- The home finder must obtain a signed *Authorization for Release of Information* ([OCFS-5023](#)) form from the person(s) for whom an indicated report(s) was noted. This release allows the home finder access to the report.
- The home finder must conduct a safety assessment for each applicant or household member that was the subject of an indicated report to determine if the information is relevant to their ability to care for a child(ren).
- The determination of the indicated SCR assessment is documented in the FAD Home Person Options section of CONNECTIONS.

Evaluating SCR records

The home finder must review the records with the goal of making an informed decision about whether to certify or approve the foster family boarding home using guidelines developed by OCFS [18 NYCRR 443.2(b)(8)]. This informed decision is made by the home finder and their supervisor to promote the health, safety, and stability of children in foster care. If the determination is made to approve the application, document in the FAD Final Assessment and Determination the reasons why the applicant(s) was determined to be appropriate and acceptable [18 NYCRR 443.2(f)(14)].

These factors should be considered by the home finder and their supervisor for each indicated report when determining if the person who is a confirmed subject in an indicated child abuse or maltreatment report is suitable to be a certified or approved foster/adoptive parent(s) or to live in the foster home.

- Seriousness of the incident(s) involved in the indicated report
- Seriousness and extent of any injury sustained by the child(ren) names in the indicated report; extra weight and scrutiny must be given to report(s) where the abuse or maltreatment



Info and Resources: *State registries*

A national contact list for child abuse registry in all 50 state and Puerto Rico is maintained by the Center for Child Welfare
(<http://centerforchildwelfare.fmhi.usf.edu/ChildProtective/AdamWalsh.pdf>).

resulted in a fatality, sexual abuse, subdural hematoma, internal injuries, extensive lacerations, bruises, welts, burns, scalding, malnutrition, or failure to thrive

- Any detrimental or harmful effect on the child
- Age of children at the time of the event
- Time elapsed since the most recent incident of child abuse or maltreatment
- Seriousness of the incident and injury
- Number of and/or frequency since the most recent indicated incidents
- The time elapsed since the most recent incident of child abuse or maltreatment
- Evidence of rehabilitation
- Employment or practice in childcare field has been successful

For detailed information on obtaining and reviewing SCR records, and a complete list of evaluation factors, see *Requesting Records from the New York Statewide Central Register of Child Abuse and Maltreatment (SCR) for the Certification or Approval of Foster Boarding Homes* ([18-OCFS-ADM-08](#)).

Justice Center database check

Home finders must inquire of the Justice Center for the Protection of People With Special Needs (Justice Center) whether the applicant(s) or any person over the age of 18 residing in the prospective foster home is on the Staff Exclusion List (SEL) [18 NYCRR 443.2(b)(5)(ii)].

The Staff Exclusion List (SEL) contains the names of individuals, including employees, volunteers, interns, consultants, or contractors, found responsible for serious or repeated acts of abuse and neglect in programs subject to the jurisdiction of the Justice Center. These individuals are barred from working in certain positions requiring regular and substantial contact with people receiving services.

It is important to note that the automatic denial of employment or licensure due to being listed on the SEL **does not apply** to foster parents, adoptive parents, respite homes, or non-facility staff of LDSSs, VAs, or adoption agencies.

A home finder must make a request to the Justice Center to conduct an SEL check before hiring or permitting volunteers to have regular and substantial contact with individuals receiving services. Each LDSS or VA has created an internal process for securing SEL checks and has designated staff to complete the SEL request and receive the results from the Justice Center.

If the applicant or household member is on the SEL list, this is not an automatic disqualification of the applicant(s) being certified or approved as a foster/adoptive parent(s). The LDSS or VA can determine whether to certify or approve the applicant(s) following the guidelines established for clearances in [SSL 424-a](#). If the LDSS or VA decides to certify or approve an applicant who is listed on the SEL list, it must document the reason for the decision to certify or approve the applicant.



Info and Resources:

SEL requests

For more information about submitting SEL requests to the Justice Center, see *Justice Center Staff Exclusion List Clearance Requirements* ([13-OCFS-ADM-09](#)).

Criminal history record check

Criminal history record checks must be requested from the New York State Division of Criminal Justice Services (DCJS) and the Federal Bureau of Investigation (FBI) regarding a prospective foster parent(s) and each person 18 years of age or older who is currently residing in the applicant's home [18 NYCRR 443.2(b)(4) and 443.8(a)]. Applicants who are married must each be designated as a foster/adoptive applicant and not as a spouse or other household member.

Fingerprinting

The LDSS or VA must give a copy of the *Request for Fingerprinting Services* form ([OCFS-4930ASFA](#)) to each applicant and to any household members 18 years of age or older, along with instructions on how to have their fingerprints taken [SSL §378-a(2)(b); 18 NYCRR 443.8(d)]. Instructions are provided on the form, which is **also available in Spanish**. It is recommended that copies of these forms be provided at the time an application is submitted due to the length of time it may take to receive results.

Fingerprints are obtained by digital scanning at a vendor approved by the state. Applicants must make their own appointments for fingerprinting with the vendor.

Fingerprints are kept on file at DCJS on a search and retain status, and the certifying/approving LDSS or VA is notified of any future arrest or conviction reported to DCJS. The fingerprints are not maintained by the FBI on a search and retain basis.

Reporting of findings to LDSSs and VAs

OCFS receives and reviews the criminal history record information when it is received from the FBI and DCJS. When the individual applies directly to a LDSS for certification or approval, OCFS forwards a summary of both reports to the LDSS. Detailed information is in *Fingerprinting and Criminal History Record Checks for Foster and Adoptive Parents* ([16-OCFS-ADM-20](#)).

When the application was made through a VA, OCFS gives the agency a summary of DCJS information, but not the results of the FBI criminal history check. Based on a directive from the FBI, VAs cannot receive FBI criminal history reports because they are not public agencies. Instead, OCFS sends the VA a written notification for each fingerprinted person. The written notification includes the conclusion reached by OCFS after a review of the FBI criminal history record.

The conclusion may be that the VA must deny the application, that the application must be held in abeyance pending further direction from OCFS, or that OCFS has no objection, solely based on the FBI criminal history record check, for the VA to proceed with a determination on the application.

VA home finders and supervisors are responsible for including the DCJS information in making their decision to accept or deny the application.

Responses to results of criminal history record checks

All criminal history information must be reviewed and acted upon according to OCFS regulatory requirements. An application **must be denied** when a criminal history record reveals the following [18 NYCRR 443.8(e)(1)]:

- A felony conviction at any time involving:
 - Child abuse or neglect
 - Spousal abuse
 - A crime against a child, including child pornography

- A crime involving violence, including rape, sexual assault, or homicide, other than a crime involving physical assault or battery
 - A felony conviction within the past five years for physical assault, battery, or a drug-related offense

If the applicant(s) is disqualified due to a felony conviction of spousal abuse, the applicant(s) may apply for an OCFS administrative hearing [18 NYCRR 443.8(f)]. At the hearing, a judge will determine whether the applicant committed spousal abuse because he/she was a victim of physical, sexual, or psychological abuse by the spouse and this was a factor in the applicant's conviction. Under these circumstances, spousal abuse would not automatically result in the denial of an application [18 NYCRR 443.8(i)].

The application **must be held in abeyance** whenever the criminal history record of the applicant(s) reveals [18 NYCRR 443.8(e)(2)]

- a charge for a category of crime listed above that has not been finally resolved; or
- a felony conviction that may be for a category of crime listed above, usually dependent on who was the victim of the crime.

When an application is held in abeyance, the LDSS or VA may proceed with a determination of such application only upon receiving subsequent notification from OCFS regarding the status of such charge or the nature of such conviction.

An application **may be denied** (known as a discretionary crime) when [18 NYCRR 443.8(e)(3)]

- a criminal history record of the prospective or existing foster parent reveals a charge or a conviction of a crime other than those listed above; and/or
- a criminal history record of any other person over the age of 18 who resides in the home of the prospective or existing foster parent reveals a charge or a conviction of any crime.

Safety assessments

When a criminal history record of a current foster/adoptive parent or any other person over the age of 18 who lives in the home reveals a charge or conviction of any crime, LDSS or VA staff must perform and document a safety assessment of the conditions in the home. State law and regulation requires the safety assessment to include the following [SSL §378-a(2)(h) and 443.8(g)(1) and Article 23 of the Corrections Law]:

- Whether the subject of the charge or conviction lives in the household
- The extent to which that individual may have contact with the child in foster care or other children living in the household
- Status, date, and nature of the criminal charge or conviction

OCFS has provided guidelines* for making a safety assessment when a criminal history record check results in a finding that there has been a charge and/or conviction for a crime involving the applicant(s) or a person over the age of 18 currently residing in the home of the applicant(s). These guidelines are included in an attachment to *Fingerprinting and Criminal History Record Checks for*

* https://ocfs.ny.gov/main/policies/external/OCFS_2016/ADMs/CRIMINAL-HISTORY-RECORD-CHECKS-AND-SAFETY-ASSESSMENTS.pdf.

Foster and Adoptive Parents ([16-OCFS-ADM-20](#)). A safety assessment template is provided in CONNECTIONS.

The LDSS or VA must take all appropriate steps to protect the health and safety of the child or children, including removal from the home or denial of the application. The LDSS or VA must document the safety assessment and the steps and actions taken to protect the health and safety of the child [[18 NYCRR 443.8\(g\)](#)].

If this was an emergency placement or Section 1017 placement (custody with a relative), and the caregiver is seeking certification or approval as a foster parent, the safety assessment must include a determination of whether the child(ren) are to remain in the home. If the applicant has been convicted of a mandatory disqualifying crime, a foster child may not remain in the home. The LDSS or VA must follow the procedures of removing a child from the home as outlined in "[Responses to Safety Concerns](#)," [Chapter 5: page 5-4](#).

Confidentiality

Any criminal history record information provided by DCJS or the FBI, and any summary of the criminal history record provided by OCFS to a LDSS or VA, is confidential and is not available for public inspection. The information may be disclosed, however, to any administrative or judicial proceeding relating to the denial of a foster parent's certification or approval. Where there is a pending court case, the LDSS or VA that received the criminal history record summary from OCFS must provide a copy of such summary to the Family Court or Surrogate's Court [[18 NYCRR 443.8\(h\)](#)].

Provide training and preparation

LDSSs and VAs must provide OCFS-approved precertification training and preparation to applicant(s) to help them understand the needs of children in care, understand the expectations of the LDSS or VA and receive information on techniques in managing challenging behaviors of children who have experienced trauma and preventing abuse or maltreatment.



Practice Tip: *Timing of training*

The applicant(s) may start attending training **before** the application process is complete.

One such OCFS-approved training program is the Model Approach to Partnerships in Parenting/Group Preparation and Selection of Foster and/or Adoptive Families II (MAPP/GPSII) precertification training program. Another is Caring for Our Own/MAPP (CFOO/MAPP), an educational and group support program for kinship caregivers.

The applicant(s) must successfully complete the OCFS-approved training required by the LDSS or VA prior to certification/approval final assessment and determination. For emergency approval, training must be completed within 90 days from the date of placement.

All completed trainings must be entered in CONNECTIONS.

Required training elements

State regulations require that the training program must prepare foster parents to meet the needs of children in their care so that the best interests of those children will be met [[18 NYCRR 443.2\(e\)\(1\)](#)]. Such training must include information on certain specific topics.

- Knowledge and skills relating to the reasonable and prudent parent standard (RPPS) for the participation of the child in foster care in age or developmentally

appropriate activities, including knowledge and skills relating to the developmental stages of the cognition, emotional, physical, and behavioral capacities of a child (see below)

- Knowledge and skills relating to applying the standard to decisions such as whether to allow the child to engage in extracurricular, enrichment, cultural, and social activities, including sports, field trips, and overnight activities lasting one day or more, and to decisions involving the signing of permission slips and arranging transportation for the child to and from extracurricular, enrichment, and social activities
- Information to help the foster parent understand the issues confronting children preparing for another planned living arrangement with a permanency resource; and must, to the extent possible, be coordinated with a child's program to develop life skills for the purpose of preparing for another planned living arrangement with a permanency resource
- Information on eligibility for the kinship guardianship assistance and the non-recurring guardianship expenses programs, and the medical coverage available to certain kinship caregivers under the Kinship Guardianship Assistance Program (KinGAP)

Reasonable and prudent parent standard

Training must include information on New York's standard for parental decisions made by foster parents and other caregivers. Details are provided in *Supporting Normative Experiences for Children, Youth, and Young Adults in Foster Care* ([15-OCFS-ADM-21](#)).

The reasonable and prudent parent standard (RPPS) is characterized by careful and sensible parental decisions that maintain the health, safety, and best interests of a child in foster care, while at the same time encouraging the emotional and developmental growth of the child. Foster parents must use this standard to determine whether to allow a child in foster care to participate in extracurricular, enrichment, cultural, and social activities [[18 NYCRR 441.25\(a\)\(1\)](#)].

The foster parent uses the standard to evaluate whether activities are age-appropriate or developmentally appropriate for a child, based on the development of their cognitive, emotional, physical, and behavioral capacities. Examples of activities or items include, but are not limited to, participating in school field trips, events, and school sports teams; spending time with friends; dating; using social media; obtaining a job; and volunteering [[18 NYCRR 441.25\(b\)](#)].

If the child in foster care is injured as a result of participating in such activities, the foster parent is not liable if the decision to allow such participation was made in compliance with the standard and the foster parent has completed training on the standard that has been approved and issued by OCFS. See *Immunity From Liability When Applying the Reasonable and Prudent Parent Standard* ([17-OCFS-ADM-01](#)).

Accept or reject for home study

When all the application forms and the background checks are complete, the home finder and their supervisor must decide whether to accept the application and approve the applicant(s) for a home study. At this point, the home finder advances the case from "Inquiry" to "Applicant" status in the FAD.

If the application is rejected for a home study, the LDSS or VA must provide the applicant with a written statement setting forth its reason(s) for the rejection, including when the denial was based in whole or in part on the existence of an indicated CPS report, and offer the applicant the opportunity to discuss the decision in person with the supervisor.

If the applicants applied for concurrent foster care certification/approval and adoptive approval, the written statement must include notice that the applicant may apply for a hearing pursuant to section [NYS SSL 372-e](#) regarding the rejection and must state the procedure to be used for this purpose.

Reasons for rejection

The reasons an application may be rejected include, but are not limited to:

- *Information* provided in the application.
- *Medical report*. A decision to accept or reject the application for this reason must be made within 15 days of receiving the report and the applicant(s) must be advised in writing of the reasons for the rejection.
- *Criminal history*. A person whose application is not accepted based on a mandatory disqualifier or due to the outcome of the applicant's or household members' safety assessment must be advised in writing as outlined in *Fingerprinting and Criminal History Record Checks for Foster and Adoptive Parents* ([16-OCFS-ADM-20](#)) and has the right to meet with the LDSS or VA that denied the application.
- *Abuse or neglect of a vulnerable person*. Substantiated **Category One case** of abuse or neglect on the Exclusion List maintained by the Justice Center.
- *Abuse or maltreatment of a child*. The applicant(s) has been identified as a subject in an indicated CPS report or information provided by through an SCR check or information provided by another state.

The home finder must enter the reason for the rejection in CONNECTIONS upon closing the application.

If the denial is based in whole or in part on the existence of an indicated CPS report that names the applicant as a subject, the notice of denial must inform the applicant of his or her fair hearing rights as set forth in [18 NYCRR 443.2\(b\)\(9\)](#). See ["Evaluating SCR records", Chapter 4: page 4-18](#). The notice must provide that

- the applicant has the right to request a hearing before OCFS regarding the record maintained by the SCR [[SSL §424-a](#)];
- a request for such a hearing must be made within 60 days of the receipt of the notice of denial indicating that the denial was based in whole or in part on the existence of the indicated report; and
- the sole issue at any such hearing will be whether the applicant has been shown by a fair preponderance of the evidence to have committed or allowed to be committed the act or acts of child abuse or maltreatment recorded in the indicated report.

The LDSS or VA must reconsider its decision to reject the application if the agency is informed by OCFS that, as a result of a hearing, the LDSS has failed to show by a fair preponderance of the

evidence that the applicant committed or allowed to be committed the act or acts upon which the indicated report is based and that the agency's decision to deny the applicant should be reconsidered. Upon receiving such notification from OCFS, the LDSS or VA should review the rejection without considering the indicated report.

If the applicant is also applying for concurrent approval as an adoptive parent, the following additional reasons for rejection may apply:

- The applicant(s)' lack of cooperation does not permit the home study to be carried out.
- The applicant(s) is physically incapable of caring for an adopted child.
- The applicant(s) is emotionally incapable of caring for an adopted child.
- The applicant(s)'s approval would not be in the best interests of children awaiting adoptions [18 NYCRR 421.15(g)(1) & (2)].

A decision to reject the application for adoption approval must be made by at least two staff members in conference, one of whom shall be at a supervisory level. The record must cite the names of the participants in the decision and the reason for the decision [18 NYCRR 421.15(g)(3)].

The applicant(s) for approval as an adoptive parent must be informed about the reason(s) the application was rejected, with specific notification if the decision to deny was based in whole or in part on the existence of an indicated report of child abuse or maltreatment.

Conduct initial home study

The home study allows the home finder to evaluate the applicant's ability to provide a safe, nurturing home that promotes children's health and well-being. It must be completed within four months of acceptance of an application, but that period may be extended where delays occur due to circumstances beyond the control of the LDSS or VA or if the schedule for interviews with the applicant(s) is changed by mutual consent [18 NYCRR 443.2(c)].

The home study process includes gathering, verifying and assessing the information gathered on the prospective foster/adoptive applicant(s), all of which culminates in a final assessment and determination. In addition to determining whether the applicant(s) is ready and able to provide foster care, the home study also accomplishes the following:

- Educates the family about the differences between foster care and adoption
- Helps family members explore their values, expectations, and motivations
- Helps family members identify and highlight their strengths and challenges
- Informs the family about the agency's philosophy and values related to foster care and adoption

There are a variety of ways to collect and gather information used to support the home assessment. Home finders can learn about the applicant(s) and family members through training, background checks, interviews and home visits, observation, ongoing contact, and information provided on OCFS forms.

The home study can be completed *concurrently* with the training program but should not be delayed based on scheduling and availability of training. The home study includes these components:

- *Household Composition and Relationships* ([OCFS-5183F](#))
- *Sample Genogram Template* ([OCFS-5183G](#))
- *Personal References* ([OCFS-5183H](#))
- *Resource Characteristics* ([OCFS-5183I](#))

Household Composition and Relationships form

This form ([OCFS-5183F](#)) is completed by the home finder through an individual interview with each applicant and others who live in the home. Each section of the form is designed to assess the applicant(s)' ability to

- develop, maintain, and sustain healthy interpersonal relationships;
- build a strong support group of individuals that can support the family in times of need; and
- reach out to new sources for assistance, should this become necessary.

When completing the form, the home finder should

- capture the information as reported by the applicant(s),
- answer the questions in complete sentences, and
- indicate where the information can be found if a question was answered elsewhere in the application.

The goals of the family assessment are to

- educate the applicant(s) and family about the differences between foster care and adoption;
- help the applicant(s) and family explore their values, expectations, and motivations;
- help the applicant(s) and family identify and highlight their strengths and needs;
- provide the home finder with the opportunity to determine if the applicant(s) have experienced trauma in their life and what would be its impact on their ability to be foster or adoptive parents;
- inform the applicant(s) and family about the agency's philosophy and values regarding foster care and adoption;
- prepare the family for the challenges of fostering or adoption;
- initiate the self-selection process for the applicant(s); and
- develop a working relationship among the applicant(s), their family, the home finder, and the agency.



Practice Tip: *Purpose of the form*

Information captured in the *Household Composition and Relationship* form is what the applicant(s) and household members are reporting. This will assist the home finder in gathering data that will influence the Final Assessment and Determination.

The purpose of the family assessment is for the home finder and the applicant to mutually determine the appropriateness and readiness of the family for foster care or adoption.

Section I: Partner Relationship

For this form, the term “partner” is intended to include a spouse, a significant other, or any person the applicant identifies as a partner or co-parent. This section will assess the applicant’s

- marital/relationship status,
- roles and expectations within the relationship,
- relationship stressors,
- conflict management,
- health of the relationship,
- any safety concerns, and
- other relationship dynamics.

If the applicant is single and is not currently involved with a partner or significant other, the home finder enters “N/A” (not applicable) for questions that do not apply to the applicant. The home finder then should conduct a more in-depth exploration of the applicant’s relationship history in the relevant components of Section IV. See “[Psychosocial assessment,](#)” *Chapter 4: page 4-50*.

The home finder is encouraged to go beyond the questions on the form with additional exploratory or clarifying questions. Examples of additional questions:

- Tell me about your relationship history. How did you meet your spouse or partner? How long have you been together? What drew you to each other? What has life together been like?
- Are there areas in which you strongly disagree? How do you manage or resolve disputes?
- What challenges or problems have you encountered in your relationship? Can you describe them? How did you handle them?
- Describe your past relationships. When and how did the relationship end?

**TAKE A CLOSER LOOK AT PARTNER RELATIONSHIPS**

- ▶ Is the applicant’s relationship new? Is it long-term and stable?
 - ▶ Is more information needed about previous partner relationships?
 - ▶ Are there any concerns pertaining to the health of the current relationship or patterns in past relationships?
 - ▶ Has behaviorally specific information been gathered on how the applicant and their partner manage and respond to stressors?
 - ▶ Is there any additional information needed to support the assessment?
-

Section II: Family

This section will assess certain characteristics of the applicant(s), family members, and non-family members who reside in the household.

- Day-to-day functioning
- Support system
- Family dynamics and relationships
- Parenting and discipline
- Understanding of foster care/adoption

Although a series of questions are included on the form, the home finder is encouraged to follow up with additional exploratory or clarifying questions. The following are examples of additional questions:

- How do you demonstrate affection in your family? How do you know that other family members care for you? How do they show it?
- Think about extended family members and friends with whom you are closest. With whom do you have serious conflict and why? How often do you see that individual?
- Who do you rely on for support when you need it? How have they helped you in the past?
- Describe how in the past you have defended or protected others from negative or unfair comments. What plan have you considered to protect a foster or adopted child from such potential harm when you cannot avoid those individuals or circumstances (e.g., grocery store, church, park, family reunions, holidays, birthdays, etc.).

**TAKE A CLOSER LOOK AT THE FAMILY**

- ▶ Are the current day-to-day routine and household expectations conducive to foster/adoptive parenting?
- ▶ Are there any concerns about the applicant(s)' support system?
- ▶ How are family relationships and patterns of functioning? Are they stable and healthy?
- ▶ Are there any concerns with the functioning of the children in the home or other household members?
- ▶ Are there any areas that need further exploration?
- ▶ Is there any additional information needed in current areas?

Section III: Parenting

This section will assess the applicant(s)'

- parenting experiences and expectations;

- discipline style and philosophy;
- previous foster/adoptive/kinship parenting experiences;
- understanding the needs of children who have experienced trauma and/or loss, etc.;
- ability to understand the parenting role and responsibilities for providing proper nurturing, care, and guidance to foster and adoptive children;
- ability to understand the complex and diverse issues, needs, and behaviors of children who enter foster care or adoptive placement;
- understanding that birth parents and LDSS with custody are responsible for the medical decisions for a child in foster care
- ability and capacity to successfully parent children with special needs; and
- ability to determine what needs of children the applicant is best able to parent.

Although a series of questions are included on the form, the home finder is encouraged to follow up with additional exploratory or clarifying questions. The following are example of additional questions:

- What do you most enjoy about parenting? What do you dislike?
- Tell me about your children. How are they alike? How are they different? Do you parent them differently? How? Why?
- How do you currently handle sibling issues such as jealousy, fighting, and competition? What conversations have you had with your children about additional siblings?
- How have you helped children reach their developmental milestones? What preparations have been made or need to be made to create a home environment of normalcy for foster and adopted children?
- What is your understanding about brain development in children and adolescents?
- Why have you decided to pursue foster care or adoption at this time? Why now? What influences have others had on this decision (e.g. friends, family members who are foster parents)?
- With whom did you first share your decision to foster or adopt? Why that person? What was their response?
- What discussions have you and your spouse or partner had about applying to become foster or kinship caregivers or adoptive parents? Who brought it up? What was the initial response? Has this changed over time?
- What level of support do you expect to receive from your extended family or friends in your decision to foster or adopt a child? Explain.
- What are things that concern you about parenting a child not born to you?
- When you imagine fostering or adopting, describe the child you hope to parent.
- Tell me about a time when something didn't meet your expectations. What was it? What was your response? What was the outcome?



TAKE A CLOSER LOOK AT PARENTING

- ▶ Does the family have experience parenting and/or a realistic understanding of child development?
- ▶ Are there any concerns regarding the expectations that the applicant(s) have of children who have experienced abuse/neglect?
- ▶ Is the family's discipline philosophy in line with successful foster/adoptive parenting?
- ▶ Are there any concerns regarding the use of physical discipline in the home? How may this impact children in care, children in the home?
- ▶ Is any additional information needed pertaining to the applicant(s)' openness to partnering in parenting with the birth family (shared parenting)?
- ▶ Does anything else need to be explored further?

Section IV: Psychosocial Interview

This section will “tell the story” of the applicant(s) and their family. Each applicant should be interviewed individually to allow for the opportunity for candid and open responses. It is recommended that the home finder meet regularly, especially when areas in need of further assessment are explored.

Personal History

To complete this section, the home finder gathers this information:

- A description of each family member in the household, including brief biographical information
- Familial history and relationships with all household members and extended family (past and present)
- Childhood experiences and defining moments
- Traditions and religion/spirituality
- Work history
- Marriage/relationship history



Practice Tip: *Use the genogram*

The completed genogram will contain much of the information needed to compile a personal history.

Coping skills and stress management

This section will identify any “difficult times” the applicant has experienced, such as trauma, significant loss, and infertility. It will also summarize how the applicant responded to these experiences.

Many successful foster/adoptive parents have experienced trauma or challenging life experiences. Many individuals who have endured these circumstances have developed adaptive and strong coping abilities to carry them through hard times, which can be a strength in fostering/adopting.

However, if trauma and personal loss have not been adequately addressed and/or assessed, they can be devastating and detrimental to the safety and well-being of children in foster care, as well as to the foster/adoptive parents themselves. Special attention needs to be given to these experiences.

Trauma, including one-time, multiple, or long-lasting repetitive events, affects everyone differently. Some individuals may clearly display criteria associated with post-traumatic stress disorder (PTSD), but many more individuals will exhibit resilient responses. The impact of trauma can be subtle, insidious, or outright destructive. How an event affects an individual depends on many factors, including characteristics of the individual, the type and characteristics of the event(s), developmental processes, the meaning of the trauma, and sociocultural factors.

Trauma-Informed Care in Behavioral Health Services, Chapter 3

<https://www.ncbi.nlm.nih.gov/books/NBK207191/>

To complete this section, the home finder gathers the following information on each applicant:

- History of personal loss/trauma (life experiences)
- Fertility issues and the grieving process if applicable
- Coping strategies and stress management
- Level of self-awareness on the impact of stress
- Current functioning due to the impact of life experiences
- Evidence of personal gains from coping with personal loss/trauma

This information will help the home finder assess the applicant's ability to

- demonstrate stamina and handle stress;
- manage trauma reactions; and
- demonstrate a variety of coping strategies, adaptive behaviors, and resilience.

It will also help the applicant to explore their own understanding of

- how the experience impacted them at the time it occurred, and what/who helped them through the experience/trauma/loss;
- how the experience impacts them today;
- how the experience might impact foster/adoptive parenting; and
- self-readiness.

Although a series of questions are included on the form, the home finder is encouraged to follow up with additional exploratory or clarifying questions. The following are examples of additional questions:

- In the last five years, what major life events have you experienced personally or as a family? How did you navigate through them? What strategies were most helpful to use in general for self-care?

- How do you know when you are getting stressed out? What are the physical, emotional, social, or cognitive cues for you? What are situations that are likely to generate stress for you or trigger a crisis?
 - What challenges have you experienced that have caused anxiety for you? What strategies for self-care are effective or ineffective for you?
 - What experience have you had caring for children who have experienced trauma?
 - Is the family open to seeking support from a mental health professional?
-



TAKE A CLOSER LOOK AT STRESS MANAGEMENT

- ▶ Are there any signs of unresolved grief, loss, or trauma?
 - ▶ Did the applicant receive adequate natural and/or community supports after the trauma?
 - ▶ Is the applicant open and willing to access ongoing support as needed?
 - ▶ If infertility is identified, where is the applicant in the stages of grief?
 - ▶ Are there any concerns regarding the coping strategies of the applicant(s)?
 - ▶ Is the applicant insightful into their history and has an awareness of the impact of such experiences?
 - ▶ Are there any additional assessments or information needed to support the assessment under this item (i.e., counselor recommendation, trauma assessment, etc.)?
-

Behavioral health for all household members

This section will gather information on behavioral health issues, both past and present, involving the applicant(s) and all other household members. The home finder gathers information on the following:

- Mental health issues
 - Alcohol/substance use/abuse
 - Incidents of family/partner/relationship violence
-



TAKE A CLOSER LOOK AT BEHAVIORAL HEALTH

- ▶ Are there any unresolved mental health, family/partner violence, or substance abuse issues that require additional assessment?
 - ▶ Are there any mental health conditions that may impact the applicant's ability to foster/adopt?
 - ▶ Are additional assessments and/or supporting documentation needed to proceed?
 - ▶ Are there any additional resources or supports necessary to explore with the applicant(s) prior to proceeding?
-

Section V: Child Interview

This section records each child's perspective on their family's dynamics and their expectations, understanding, and attitude toward fostering/adopting. A separate interview form is completed for each child in the home or living outside the home. Adult children can be interviewed using the applicable questions from the "Your Parent(s)" and "Foster/Care Adoption" subsections.

In partnership with the family, the home finder and supervisor use their professional judgment to determine whether any children living in the home will be interviewed, depending on their chronological or developmental level. If a child will not be interviewed, the home finder must indicate the reasons for this decision at the top of the Child Interview section. A separate interview is completed for each child in the home.

If any child residing in the home was placed on an emergency placement as a foster child or a 1017 placement (direct custody with relative), the home finder should

- interview the children using **only** the first three subsections of the Child Interview section;
- fill out the dates and add the reason for a modified interview based on the initial placement; and
- not complete the last section of the form, which asks questions about adoption.

Home Finder Notes

This section allows the home finder to track interview and home visit dates as well as items that should be highlighted as strengths or require a deeper inquiry. When completing the *Final Assessment and Determination* form ([OCFS-5183K](#)), home finders should refer to this section to verify that all follow-up questions and concerns have been addressed.

Sample Genogram Template

A genogram is a multigenerational diagram of applicants' families and social networks. Symbols are linked with lines to depict relationships. A Sample Genogram Template ([OCFS-5183G](#)) is provided by OCFS, but any genogram template can be used for this process.

The genogram can be used in conjunction with other home study tools, as many of the questions can be incorporated into the discussion with the family and can help identify relationships and connections that can be explored throughout the assessment process.

Completing the genogram with the family provides an opportunity to be "purposefully curious" and assist with identifying any areas in which more information may be needed as the process moves forward.

Instructions for completing a genogram

The home finder should interview each applicant individually to allow the opportunity for candid and open responses. Ask the applicant the following:

- What are the names of applicant(s)' grandparents for each side of their family (maternal and paternal)? Record their ethnicity, whether they are living or deceased, their age, and their cause of death if applicable.
- Were the applicant's grandparents married to each other? Were they ever divorced, separated, or remarried? Did they have children outside the marriage? If so, list their names and ages if possible.
- How many children did the maternal grandparents have together? Paternal grandparents?
- What are the names of the applicant's parents? Record their ethnicity, whether they are living or deceased, their age, and their cause of death if applicable.
- Where was the applicant's mother in her family's birth order? In the genogram, draw the mother's circle lower than the rank of her siblings, to distinguish her visually from them. Identify her siblings only if it seems useful at the time. Do the same for the applicant's father.
- List in chronological order the names of partners with whom the applicant's mother has had children and/or to whom she has been married. Do the same for the applicant's father.
- Were the applicant's parents ever divorced, separated, or remarried? Did they have children outside the marriage? If so, list their names and ages if possible.
- Ask the applicant for the names of partners with whom they have had children and/or to whom they have been married.)

Follow-up questions may include the following:

- Are there any significant relationships that have not already been listed? If yes, please provide their name and relationship.
- With whom do you have the closest relationships? Who are most supportive? Least supportive?
- To whom do you/would you turn for guidance, support?
- Who supports your decision to explore fostering/adoption?
- Has anyone listed on your genogram ever fostered or adopted?

**Practice Tip:***The value of a genogram*

Completing the genogram with the family provides an opportunity to be “purposefully curious” and assist with identifying any areas in which more information may be needed as the process moves forward. Home finders should clarify if any children listed under family members have been adopted.

It can be helpful in learning about family dynamics, relationships among family members, and past issues such as trauma or substance abuse. It can be completed before the “Psychosocial” portion of the *Household Composition and Relationships* form to identify relationships and connections that may be explored further.

- Are there any negative experiences or relationships that could impact your current relationship or will impact fostering/adopting?



TAKE A CLOSER LOOK AT FAMILY RELATIONSHIPS

- ▶ Are there any relationships or other familial patterns that require further assessment?
- ▶ Are relationships secure and supportive or are they strained?
- ▶ Are there any individuals who create a safety/risk issue for children in care?
- ▶ Is there a familial pattern of trauma, abuse, substance abuse, domestic violence, etc. that may require further assessment and exploration?
- ▶ Is there any additional information needed to support the assessment?

Personal References

Each applicant is required to list three personal references on the *Foster/Adoptive Parent Application* form. Once the application is accepted for a home study, the home finder must forward the *Personal Reference* form ([OCFS-5183H](#)) to each of the personal references [18 NYCRR 443.2(c)(1)(v)]. The forms must be completed by the references and returned directly to the home finder.

The home finder completes the top section of the form, provides a due date, and gives instructions on how the form should be returned to the home finder. References should be advised that information provided by them may be shared with the applicant(s), but the source of the information will be kept confidential and not be identified.

If two applicants list the same person as one of their references, it is permissible for that person to be used as a reference for both applicants, but each applicant must be referenced individually.

For concurrent foster/adoptive certification/approval only, one of the references may be related to the applicant [18 NYCRR 421.15(c)(2)].

Resource Characteristics

The *Resource Characteristics* form ([OCFS-5183I](#)) contains a list of characteristics and interests of children who may need a foster care/adoption placement. Each family must complete one form by checking “yes” or “no” by each characteristic/interest that the family is willing and able to accommodate.

The purpose of the form is to appropriately reflect the background and needs of the child with the ability of the home. The home finder must enter the responses on the form into the CONNECTIONS Placement Module. For more information, see *Placement Module in CONNECTIONS* ([18-OCFS-ADM-13](#)).

Review information gathered during the process

A voluminous amount of information is collected during the application and home study process, and it requires alignment and analysis. If supervisory check-ins have been utilized regularly

throughout the process, synthesizing the information and developing a recommendation concerning certification/approval should be less complicated.

Development of the summary assessment is the final opportunity for the home finder to conduct one last “check in.” Home finders should take the opportunity to pause and consider the following generalized questions:

- Was the data analyzed as it was collected or is analysis still needed?
- Are there any outstanding, unanswered, or insufficiently answered questions?
- Were all areas requiring follow up appropriately addressed (as identified in the Home Finder Notes section)?
- Does a review of the information raise any additional questions?
- Were all “check in” opportunities with the applicant(s) fully utilized throughout the process? Was supervisory consultation secured for every “Take a Closer Look” issue or “Supports Needed” determination?
- Is there enough information to support a recommendation?

In collaboration with their supervisor, the home finder completes a final assessment of all the information gathered and determines whether the family should be certified/approved to provide foster/adoptive care. The home finder must assess the applicant(s)’ understanding of the role of a foster/adoptive parent, their ability to fulfill this role, their motivation for taking this step, and their psychological readiness.

Much of the information needed to make this assessment can be found in the forms and observations recorded in the applicant(s)’ file and in CONNECTIONS, such as:

- *Household Composition and Relationships* ([OCFS-5183F](#))
- *Sample Genogram Template* ([OCFS-5183G](#))
- *Personal References* ([OCFS-5183H](#))
- Home finder’s observations and interviews with applicant(s)

Psychosocial safety issues

As home finders review the available information, they should “red flag” certain information related to the safety of children in the home:

History of the applicant being the subject of an indicated report of child abuse or maltreatment as reported to the agency by OCFS as part of the SCR clearance process or as being the victim of child abuse or maltreatment as reported by the individual. The circumstances must be reviewed thoroughly to assess the potential for further abuse or maltreatment.

History of domestic violence/incidents of violence. Violent incidents should be further explored to determine the scope, coping styles, duration, and long-term patterns that may have emerged as a result of violence within the family.

Unresolved personal issues related to childhood victimization. These issues may be related to physical abuse, sexual abuse, neglect, abandonment, or rejection and will resurface when the applicant assumes a parenting role. Unresolved issues may result in abuse or maltreatment of children or may make the applicant incapable of healthy parenting.

History of mental health/emotional problems. Past or present issues (such as depression, personality disorders, anxiety, etc.) could be indicators of threats to the safety of children in care. This information should be carefully reviewed to determine whether the applicant has the capacity to meet the demands of parenting, the home finder may require the applicant to provide a statement from a therapist indicating the applicant's current level of functioning, steps taken to address the mental health issue, and potential triggers for a recurrence.

History of trauma/loss. When such experiences are shared, the home finder should acknowledge the experience and assess the impact on the applicant's past or present functioning without delving too deeply into the details of the events. However, so the home finder can explore these areas of concern more fully and accurately, it is recommended that the following information be addressed by the home finder and applicant:



The examples provided in this section are not exhaustive. The home finder may identify additional strengths, considerations, supports needed, and issues that require a closer look.

- When and why the incident occurred
- The applicant's feelings when the event occurred and how they feel about it now
- What steps the applicant has taken to resolve their feelings about the experience
- How the applicant would respond if a similar incident occurred in the future

Other areas that may require a "closer look" include the following:

- Past or present substance abuse or overuse
- Recurrent arrests and convictions
- Physical health problems (chronic illnesses, physical challenges, medication management, etc.)
- Rigid, inflexible beliefs
- Marital/relationship difficulties (repeated separations/divorces, ongoing conflict, pattern of leaving relationships)
- Past or present child-rearing problems
- Fertility issues
- The presence of a day care facility in the home
- Income from Social Security Disability (SSD/SSI)
- Conflicts with the extended family
- Financial issues such as bankruptcy or the need for financial assistance
- Lack of a support system
- Previous certification/approval and/or disruption of previous placements

If these issues are not sufficiently explored, addressed, and resolved, they could do the following:

- Impact the safety or stability of the foster/adoptive home
- Allow improper/unsafe parenting/discipline techniques to occur or reoccur

- Impact the foster parent's ability to provide the proper physical, emotional, and behavioral care for the children placed in their home (e.g., if there is evidence of medical, behavioral, or mental health issues)
- Impact the foster parent's ability to properly supervise the children placed in the home (e.g., if there is a day care facility in the home)
- Impact the foster parent's ability to support the child's/family's diversity, beliefs, or values (e.g., if the family holds rigid beliefs)
- Impact the foster parent's ability to positively partner with LDSS or VA and service providers
- Impact the foster parent's ability or willingness to support family/sibling visits and permanency goals toward reunification (e.g., if there are fertility issues or rigid beliefs)

Applicant(s)' understanding of the role of foster/adoptive parents

Review the information for evidence of the applicant(s)' understanding of:

- The reasons a child comes into foster care and the typical feelings and behaviors of those involved (children, birth family, etc.)
- The goals of child welfare and the different placement options for children
- The expectation that they will partner with birth families and other connections the child may have
- The expectation that they will cooperate with LDSS or VA staff and comply with court orders
- How trauma impacts a child's development and behavior
- The significance of their role in supporting children who enter their home

If the applicant(s) is applying for concurrent foster/adoptive status, the home finder must consider the family's understanding of the role of an adoptive parent, their level of commitment to taking on this role, and openness in adoption.

Applicant(s)' motivation for becoming a foster/adoptive parent

Review file information for indications of the family's initial reasons for wanting to foster/adopt and what influenced their decision to apply. Is their motivation appropriate and consistent with successful foster/adoptive parenting? Are their expectations realistic? What is their end goal?

Applicant(s) may indicate their strengths in this area when there is information that they

- express child-focused reasons for their interest in foster care or adoption;
- enjoy children and find parenting to be pleasurable and fulfilling;
- have completed the self-assessment and carefully consider whether fostering or adoption is the right choice for their family;
- have realistic expectations of children, themselves, and their foster care or adoption experience;
- have grown from previous experiences with unmet expectations; and
- have dealt with and resolved infertility issues, if applicable.

Considerations may result from the following information:

- The applicant(s) has not fully considered the impact of fostering/adopting on their marriage, their children, or themselves.
- One applicant is interested and involved in the process, but the other is going along with the plan without being actively engaged.
- The applicant(s) has unrealistic expectations about foster care/adoption due to limited experience with children who need care but wants to learn more.
- Applicant(s) and their family have little experience in working through the disappointment of unmet expectations.
- The applicant(s) expresses excitement about becoming a foster or adoptive parent(s) yet is struggling to manage their feelings following the loss of a birth child.



TAKE A CLOSER LOOK AT MOTIVATION

Be aware of indications that a family is not ready to foster/adopt. See the following examples applicable to the applicant(s):

- ▶ Wants a playmate for a birth child
- ▶ Believes a child will save their marriage
- ▶ Wants to rescue a child
- ▶ Feels pressured by extended family, spouse, or partner
- ▶ Shows a pattern of quitting something that did not meet their own personal needs and expectations
- ▶ Has unresolved infertility issues and believes the myth that if they adopt or foster a child, they might become pregnant
- ▶ Anticipates that they will receive unconditional affection and gratitude from the children in their care
- ▶ Has expectations of a child's behavior and development that are conditional, unrealistic, and/or rigid

Applicant(s)' physical and psychological capabilities

Applicant(s) must be physically and emotionally capable of providing appropriate care to children placed in the home. These capabilities include, but are not limited to, the following areas:

- Realistic expectations and goals for children
- Ability to understand principles such as the difference between foster care and adoption, the importance of permanency planning for children, and the practice and responsibilities outlined in the foster parent agreement
- Willingness to promote reunification efforts in accordance with case planning, and to support the child and the child's family during the reunification process

- Ability to help children feel emotionally safe and connected with important people in their lives
- Ability to provide for a child's physical and emotional needs
- Ability to support the difficult emotions and behaviors that result from a child's long-term separation from their birth family
- Previous foster/adoptive/kinship care experiences and how this influences their ability and readiness to foster/adopt

An applicant(s) may indicate their strengths in this area when there is information that they:

- express positive views about the child welfare system and their role as a team member and child advocate;
- have taken or are prepared to take appropriate measures to support the children who enter their home;
- respect the diversity of children and families and are willing to take measures to help a child feel welcomed and included in their home;
- have a history of positive working relationships with schools and service providers;
- can recognize behaviors that indicate a child is experiencing chronic stress;
- can recognize indicators that a child has been sexually abused or witnessed sexual abuse;
- are willing to modify their home environment and rules to ensure a child's safety and well-being.

Considerations may result from information that the applicant(s)

- has only a baseline understanding of their role and responsibilities as a member of the child welfare team;
- struggles to recall critical facts presented during training;
- has a narrow definition of permanency and believes adoption, rather than reunification, is usually the best plan for a child;
- has concerns about being able to carry out all the responsibilities that their role requires (e.g., counseling sessions, court hearings, reunification visits with birth family members, openness with birth parents and the birth parents' extended relatives, etc.);
- expresses a willingness to make their home culturally diverse but needs additional guidance with this task.



TAKE A CLOSER LOOK AT PHYSICAL AND PSYCHOLOGICAL CAPABILITIES

Be aware of indications that a family is not ready to foster/adopt or may need more support. See the following examples applicable to the applicant(s):

- ▶ Does not view themselves as members of the child welfare team
- ▶ Seems hesitant to support reunification as a permanency goal and may need additional support and education as a child works toward reunification
- ▶ Expects that transitioning a child to another placement or to reunification with their birth family will be planned and at their convenience
- ▶ Regards the child welfare system primarily as a way to become a parent(s)
- ▶ Cannot articulate why permanency is a relevant goal of child welfare
- ▶ Has given only minimum consideration to the diverse issues and needs of children in care
- ▶ Has a history of strained working relationships at their place of employment and in their community
- ▶ Minimizes the impact of trauma that children experience, believing any present or residual effects can exclusively be overcome by love, “TLC,” or religious faith
- ▶ Believes children should live in the present and forget about their past relationships, experiences, or circumstances
- ▶ Has been difficult to engage during the home study or certification/approval process
- ▶ Harbors inaccurate preconceived notions about the nature of child welfare

Complete final assessment and determination

At the completion of the applicant’s home study, the home finder and their supervisor must determine whether to approve the applicant(s) for certification or approval as a foster/adoptive home. The *Final Assessment and Determination* form ([OCFS-5183K](#)) is designed to assist in assessing and summarizing all the information regarding applicants and their households.

The form is a written summary and professional assessment of all the information gathered through trainings, completed forms, interviews, home visits, and ongoing communication between the home finder and the family. It is not solely a restatement of what the family has reported.

The document becomes available in CONNECTIONS when all the other required fields have been filled. Information collected during the application and home study processes must be kept in the applicant’s file and/or uploaded to CONNECTIONS.

The home finder must summarize and describe the applicant(s)’ ability to meet all regulatory requirements, and to support and meet the needs of children placed in their home. All questions and text fields should have comprehensive responses. “See case record” is not an acceptable or

comprehensive response. If some fields are not applicable to the applicant(s), the home finder should enter “N/A” rather than leave blanks.

The home finder’s supervisor **must** review and sign the form before it is reviewed with the applicant(s). Applicant(s) **must** be given the opportunity to review and make comments on the *Final Assessment and Determination* prior to final approval and acceptance in CONNECTIONS. Home finders must include these comments and the date the applicant(s) signed the form into CONNECTIONS. Any changes to the final certification/approval decision will require additional assessment and approval. See “[Interim Home Study](#)”, *Chapter 5: page 5-13* and “[Annual Reauthorization Assessment and Determination](#),” *Chapter 5: page 5-19*.

Section I: Demographics

This section includes the applicant(s)’ name and address, as well as names and dates of birth for all household members. If the home was approved on an emergency basis, **do not** include children in foster care who were placed in the home. There are spaces for up to six household members. If additional space is required, more than one person can be entered in the field as the form allows.

Section II: Regulatory Requirements

This section covers many of the more concrete assessment items. Under each category, the home finder must indicate how the information or requirement has been verified (how you know what you know).

1. *Age*: The home finder must indicate the date of birth for each applicant and certify that applicants for foster care certification/approval are at least 21 years old.
2. *Medical Information*: The home finder must indicate whether each member of the household is in good physical and mental health and is free from communicable diseases, infection, illness, and any physical conditions that might affect the proper care of a foster child. To support this judgment, the home finder should
 - include a summary of the medical forms and reports provided by medical professionals;
 - review the immunization status of each household member and whether applicant(s) have received required TB tests;
 - list any prescribed medications and any restrictions required by the medical professional. If restrictions are in place, indicate how they may affect the applicant(s)’ ability to become a foster/adoptive parent(s) and any plans to address or mitigate restrictions; and
 - discuss any medical, substance use, behavioral, or mental health conditions that would impact the quality of care provided to children in foster care.
3. *Child Care Plan/Plan for Supervision*: The home finder must indicate whether there are suitable plans for 24/7 care and supervision for children placed in the home. Such plans might include the presence of flexible work schedules and/or emergency supervision arrangements.
4. *Marital Status*: The home finder must indicate whether the current marital status of the applicant(s) affects their ability to provide adequate care. Applicants seeking adoptive approval must meet a marital status standard (see “[Approval of an adoptive-only home](#),” *Chapter 4: page 4-54*).

5. *Personal References*: The home finder indicates the number of references received and summarizes the information received and the references' opinions about the applicant(s)' suitability to foster/adopt. The names of the personal references are not included in the final assessment.
6. *Employment References* (if applicable): The home finder indicates whether references were checked and summarizes the information received regarding employment history, work record, and qualifications.
7. *Applicant(s)' understanding of the role of a foster/adoptive parent and their ability, motivation, and psychological readiness to take on this role*: The home finder must use critical thinking and analysis to provide a summary and professional assessment.
8. *One applicant in the home has functional literacy*: Functional literacy means that the applicant can carry out basic requirements of foster parenthood, such as reading medication labels and completing reports and forms.
9. *Other family members' understanding of foster care and adoption and the family role that will be assumed by a child in care*: The summary should include the involvement of family members in the decision-making process and their understanding of the realities of foster/adoptive parenting. Forms and tools that may assist in writing this summary include the *Self-Assessment* form, the genogram, the *Household Composition and Relationship Form*, observation and interviews by the home finder, and personal references.
10. *Results of applicant(s)' and household members' background checks*: The home finder must indicate the method(s) used to verify background check information (criminal history, SEL, and SCR) and include a summary of the results for the applicant(s) and all household members. If a safety assessment, an administrative review, or supervisory discussion was warranted, summarize the decision and any plan for support.
11. *Verification of applicant(s)' history as foster/adoptive parent(s)*: The home finder must indicate the methods used to verify this conclusion. If the results warranted a supervisory discussion, summarize the decision and any plan for support. See [17-OCFS-ADM-16](#).
12. *Exceptions granted*: Certain OCFS regulations relating to the certification or approval of a foster home contain specific exceptions to the regulation's general standard. State laws and regulations have provisions allowing for exceptions to certain certification/approval requirements if the exception is deemed necessary and consistent with the health, safety, and welfare of each child placed within the home. Exceptions are most often placement-specific (such as keeping sibling groups together) and are most often utilized during emergency certifications or when the needs of the child(ren) to be placed are known in advance. See ["Exceptions to capacity requirements," Chapter 4: page 4-15](#).
13. *Waivers granted*: Waivers may be granted only for approved foster homes (relatives) and can be given for any non-safety, non-statutory regulatory requirement for approving a foster home. A waiver differs from an exception in that it allows for a regulation to be bypassed. Exceptions are specific and defined by law. For more information, refer to ["Waivers of regulatory requirements," Chapter 4: pg. 4-3](#).



TAKE A CLOSER LOOK AT SAFETY

In assessing the results of the *Safety Review Form*, the home finder might consider the following questions:

- ▶ Does the home or community have, or has been known to have, current or potential safety issues related to air/water quality? If yes, have the issues been mitigated to address any current or potential safety issues?
 - ▶ Was the applicant(s) uncooperative in meeting any requirements of the *Safety Review Form*?
 - ▶ Are there conflicting statements or information?
 - ▶ Was required action or recommendation noted for any item?
 - ▶ If safety concerns are present, has a plan been implemented to address each item?
 - ▶ Does the family require additional inspections or services prior to the home being deemed safe?
 - ▶ Are there any concerns regarding space availability, cleanliness or fire hazards?
 - ▶ Are any additional resources needed prior to moving forward?
-

Section III: Emergency Approved Foster Home

This section must be completed only if the home was originally approved on an emergency basis for the immediate placement of a child. In these situations, the child(ren) is already residing in the home. All emergency approved homes must be fully approved as outlined in NYCRR 443.7.

The child(ren) who have been placed in the home prior to full approval must be listed in this section along with an assessment of how their needs are currently being met. The child(ren) should be interviewed by the home finder or the foster care worker and the date of that interview must be recorded.

The home finder should document the applicant's continued ability to meet the needs of the child(ren) placed in the home and additional supports that may be needed, if any.

Section IV: Assessment of Home Study Components

This section summarizes the information the home finder has collected, as well as the home finder's professional assessment. The Final Assessment and Determination must be well written, descriptive, clear, and concise so children and families receive appropriate placement services.

Tips for writing assessments

When writing the summary assessment:

Use words that convey an exact meaning. Statements such as, “They have a stable marriage,” “They have a good relationship,” and “It is a nice house” are not precise. What do “stable,” “good,” and “nice” really mean?

More accurate statements would be, “Like any other couple, Fred and Mary have had their ups and downs. They both agree that there have been few major disagreements, and they have been able to negotiate or compromise each time. Neither can stay mad very long,” and “While small in size, the Collins home is cozy, neat, and comfortable. It is well-lit and has a fresh coat of paint inside and out.”

Remove unnecessary words. By removing unnecessary words and phrases, the home finder will make it easier for a reader to get important information. For example:

“Robert attended North High School and graduated in 1983. He played football, baseball, and basketball. Linda attended North High School and graduated in 1983. She was a cheerleader and was in the choir.”

After editing:

“Both Robert and Linda attended North High School, graduating in 1983. Robert lettered in three sports, while Linda was active in cheerleading and choir.”

Do not use slang or local jargon. The use of these terms is not professional, and others reading the assessment may not understand them. Phrases such as, “He’s a smooth talker” may not be accurately interpreted. Use something like, “He’s an articulate and colorful speaker” instead.

Give complete information. Some writers try to cut corners and leave out valuable information. Frequently, information supporting the assessment is scanty and insufficient. A four-word sentence does not adequately relate information about important topics.

Assessing strengths, considerations, and supports needed

Section IV of the Final Assessment and Determination requires the home finder to assess strengths, considerations, and supports needed by the applicant(s) in several key areas. These lists are not exhaustive. The home finder may identify additional strengths, considerations, supports needed, and issues that require a closer look.

When assessing **strengths**

- summarize and highlight strengths under each item;
- support your assessment with “how you know what you know”;
- strengthen the assessment with behaviorally specific information; and
- consider specific skill sets (e.g., nurse, teacher) that should be considered.

When assessing **considerations**, ask yourself the following:

- What information would need to be considered by the LDSS or VA (placement workers, caseworkers, home finders, etc.) when placing children with the applicant(s)?
- Will the applicant(s) be able to work in partnership with birth parents, the agency, and other providers?

- Will the applicant(s)' prior life experiences impact fostering/adopting?
- Are there any identified or potential triggers? How could they impact foster/adoptive parenting?
- Are there areas where there is experience/inexperience or numerous/few resources?
- What does the applicant(s) think is important for the agency to know about them?

For example:

The Smith family is highly focused and hopeful that the birth parents will succeed and reunify with their children. The family may require added support if the birth parents reject their efforts, criticize the care provided to the child, or if a child is unable to return home. This should be an area of ongoing consideration and assessment.

Recommendations on **supports needed** should correlate with identified considerations. Ask yourself the following:

- What supports/education/resources does the applicant(s) need for themselves?
- What supports/education/resources does the applicant(s) need from the agency? What does the agency agree to provide?
- What other supports/education/resources might the applicant(s) need (i.e., community resources)?

1. Partner Relationships

The summary should include the following:

- A summary of relationship history, past and present
- An assessment of the functioning of current relationship dynamics, roles, decision making
- An assessment of how relationships impact the ability to foster/adopt

The assessment should be supported by information from:

- *Self-Assessment* form ([OCFS-5183A](#))
- *Household Composition and Relationships* form ([OCFS-5183E](#))
- Interviews with household members
- Observations by the home finder
- Participation in training

Strengths

Possible indicators of strengths in family functioning include the following:

- A family history that reflects stability in relationships
- An ability to disagree and negotiate in healthy ways
- A strong, well-developed support system
- If there is a history of divorce, evidence of growth from past experiences and how the current relationship is different
- Capability of expressing affection within their family's cultural context

Considerations

Information related to considerations in partner relationships include the following:

- The partner relationship is recent and moderately stable, but the partners are still adjusting to each other.
- Partners have differences they cannot resolve; they are able to tolerate this conflict but lack the ability to compromise on issues.
- The family has a limited support system and will have to either develop a new support system or meet their needs internally.
- The applicants lack a history of marital or relationship stability. Their current relationship is unstable or new.



TAKE A CLOSER LOOK AT PARTNER RELATIONSHIPS

Look for these red flags when assessing family functioning:

- ▶ Applicant(s) are frequently in a state of disagreement with others and are incapable of negotiating their differences. They become angry, hostile, or aggressive when conflicts occur.
- ▶ When conflicts occur, the applicant(s) has a pattern of arguing or distancing rather than problem-solving behaviors.
- ▶ Applicant(s) do not work as a team regarding parenting issues. Roles are rigidly assigned with no flexibility.
- ▶ Applicant(s) find it challenging to openly express affection within their family's cultural context.
- ▶ Extended family or friends are adamantly opposed to the applicant(s)' plan to foster or adopt.
- ▶ Applicant(s) deny the need for external support.

2. Parenting

The summary should include the following:

- Summary of parenting experiences
- Summary of parenting style/discipline philosophy
- Summary and assessment of how each applicant was parented and how this impacted their current discipline philosophy/beliefs/preferences
- Summary/assessment of behavior management methods used
- Reaction to OCFS policy on discipline
- Assessment of each applicant's flexibility and openness to change
- Assessment of each applicant's understanding of the differences between parenting their own children (or professional experiences) and parenting children in care

- Assessment of each applicant's skill level, including behaviors/needs they are comfortable managing, those they are not comfortable managing, and those where they will need support

Strengths

There are several possible indicators of strengths in parenting. The applicant(s)

- gains pleasure, gratification, and enjoyment from parenting. They view parenting as an important part of their life and take pride in being a parent.
- accurately assesses their strengths and limitations as a parent.
- individualizes children and their needs and responds to each child accordingly.
- has prior experience caring for and interacting with other people's children, including children who have had physical, emotional, or behavioral problems.
- is familiar with the developmental milestones of young children. They can identify factors that enhance early child development and promote well-being.
- understands the importance of normalcy in adolescent development and incorporates federal and state requirements on the *Reasonable and Prudent Parent Standard* into their decision-making.
- can describe types of information from a child's history that can help determine appropriate parenting strategies.
- recognizes that a child's trauma history may require them to parent differently.

Considerations

This information is related to considerations in parenting. The following examples apply to the applicant(s):

- Sees parenting as labor-intensive, but also acknowledges the benefits. They experience a combination of frustration and joy. While they may enjoy parenting, they are often challenged to find a healthy balance between managing parenting time and obtaining adult time together with their spouse or partner.
- Can describe differences in their children but struggles to adjust parenting strategies to accommodate these differences.
- Has limited experience parenting children and does not have a depth of knowledge about child development. However, they recognize the stress of caring for children with special needs, including sexual abuse, attachment challenges, and a trauma history.
- Has never considered how foster care or adoption may affect their children but becomes concerned once it is brought to their attention.
- Realizes they need to give more thought about how they intend to create an environment of normalcy for their foster or pre-adoptive child. They believe they will have ample time to do so at the onset of placement.
- Knows that experiences affect the brain but does not know how to apply the knowledge to their role as caregiver.



TAKE A CLOSER LOOK AT PARENTING

Look for these red flags when assessing parenting skills, such as the following applicable to the applicant(s):

- ▶ Provides basic care to children but is not enthusiastic and views parenting as work. They may have many outside interests and commitments and resents the time spent on parenting tasks.
- ▶ Lacks insight into their strengths and limitations as parents.
- ▶ Is rigid in their expectations for children and is unable to see differences between children.
- ▶ Has no experience with children other than their own and no contact with children with special needs.
- ▶ Advocates the use of corporal punishment or inappropriate discipline and denies the negative impact it would have on a child who has been abused, neglected, or sexually victimized.
- ▶ Denies that fostering or adopting will have any impact on their biological children and has not included them in any planning.
- ▶ Believes their home is “just fine,” and resists doing anything to create an atmosphere of normalcy for children or youth.
- ▶ Does not believe that understanding brain plasticity relates to a child’s developmental well-being.
- ▶ Views any discussion about a child’s developmental tasks and brain plasticity as interesting, but irrelevant to their parenting.

3. Family Relationships

This summary should include the following:

- Family relationships, routines, and activity levels
- If the applicant(s) has children, their relationship with each child and relationships among siblings, if applicable
- Relationships with extended family, friends, support system;
- Assessment of all family members’ openness to fostering/adopting.

The assessment should be supported by information from the following:

- *Household Composition and Relationships* form ([OCFS-5183F](#)), including Family, Parenting, Child Interviews, Psychosocial sections
- Sample Genogram Template ([OCFS-5183G](#))

Strengths

There are several possible indicators of strengths in family relationships, such as the following applicable to the applicant(s):

- Has a strong, well-developed support system of culturally acceptable helpers, such as extended family, friends, neighbors, a spiritual community, or other community groups.

- Members of the support system value and affirm the applicant(s)' decision to foster or adopt.
- Demonstrates an ability to be flexible in their boundaries, welcomes outside assistance, and readily seeks outside help.
- Along with other family members, is flexible in roles and responsibilities to accommodate changing family composition and situations.
- Values involvement with the child's birth family system to promote reunification, continuity of care and connection, minimize trauma, and reduce the child's sense of loss and separation from their birth family.
- Can explain how helping a child maintain connections with important people from their past can minimize the trauma of placement.
- Expresses comfort with diversity.

Considerations

Information related to considerations in family relationships might include when the applicant(s)

- has a limited or recently established support system; tends to deal with problems internally and will ask for help only as a last resort.
- has family members with clearly delegated roles and responsibilities and who feel confused or disrupted when the patterns change.
- has some reservations about encounters with the birth family and does not fully understand how these contacts contribute to a child's cognitive and emotional well-being.
- may recall the information given during training about the benefits of maintaining children's lifelong connections but does not fully grasp the importance or feel fully committed to the concept.
- has limited exposure to diversity and is not motivated to explore other cultures and perspectives.
- has a preliminary understanding of childhood and adolescent development, including brain development.



TAKE A CLOSER LOOK AT FAMILY RELATIONSHIPS

Look for these red flags when assessing family relationships:

- ▶ Applicant(s) believes in managing their own affairs and resists intervention from outsiders, even when it would benefit the family.
- ▶ Applicant(s) is open to sharing information about a foster child but seems to be reluctant to share information about their biological child or themselves.
- ▶ Roles and responsibilities are rigidly assigned and maintained within the family. Family members are not flexible about carrying out one another's roles, even in emergency situations.

- ▶ Applicant(s) appears to resist the concepts of visitation or openness with the child's birth family members.
-

4. Child Interviews (if applicable)

The summary should include the following:

- Results of interviews and observations
- Responses from each child's interview that are appropriate for their age and development

The assessment should be supported by information from the following:

- *Self-Assessment* form ([OCFS-5183A](#))
- *Household Composition and Relationships* form ([OCFS-5183F](#)), Child Interview
- Observations by home finder

Strengths

There are several possible indicators of strengths revealed in child interviews, such as the following:

- Discipline and rules are fair and appropriate
- Consequences and roles in the family are clear
- Reaction to additional children entering the home is positive

Considerations

Information related to considerations related to child interviews include the following:

- Inconsistent discipline or rules
 - Some hesitation or fear about additional children entering the home
 - Unclear understanding about the decision to foster/adopt
-



TAKE A CLOSER LOOK AT CHILD INTERVIEWS

Look for these red flags when interviewing children

- ▶ reports of child/parent being overly stressed,
 - ▶ strong negative response to additional children entering the home, and
 - ▶ discipline described seems inappropriate.
-

5. Psychosocial

It is recommended that the information in this section provide summaries and assessments in three categories corresponding to Section IV of the *Household Composition and Relationships* form. Each

category should be individually addressed when describing strengths and considerations for each applicant:

Personal history

- childhood experiences, family functioning, relationships with immediate and extended family, siblings and friends
- defining moments, educational, employment, and social experiences
- childhood and life experiences and how they link to foster/adoptive parenting

Coping skills and stress management

- impact of trauma, loss, and or other life experiences on an applicant, both in the past and the present
- how these life experiences impact the applicant(s)' ability to foster or adopt
- potential triggers or ongoing impact from life experiences
- strengths and considerations pertaining to functioning, coping strategies, stress management capabilities, and resources
- in the "Support Needed" area, list additional resources that may support the applicant(s)

Behavioral health

- impact of past or current alcohol/substance abuse, mental health issues, and/or family violence on the applicant(s) and how it relates to foster/adoptive parenting
- current functioning and supports
- strengths and considerations pertaining to behavioral health
- in the "Support Needed" area, list additional resources that may support the applicant(s)

The assessment should be supported by information from

- *Household Composition and Relationships* form ([OCFS-5183F](#)), Psychosocial section
- sample Genogram Template ([OCFS-5183G](#))
- observation by the home finder
- other sources identified by the agency

Strengths

- Applicant(s) can describe difficult or traumatic situation, how it affected them, and how they coped. Self-perceptions are accurate and appropriate, revealing insight into their coping style.
- Applicant(s) has experienced changes in family composition and can articulate the impact of those changes. They have made efforts to adjust in a healthy and functional way.
- Applicant(s) has demonstrated a capacity to be flexible and accommodate changes easily. They can develop and implement contingency plans. They are not upset or threatened when faced with last-minute changes.
- Applicant(s) can identify childhood trauma and how this trauma has impacted them.

Considerations

- Applicant(s) can identify only a few stressful situations and say they have yet experienced a crisis or a traumatic event.
 - Applicant(s) have few outside supports and must largely depend on themselves to manage difficult situations.
-



TAKE A CLOSER LOOK AT PSYCHOSOCIAL ASSESSMENT

- ▶ Applicant has no outside support system.
 - ▶ Applicant may minimize or deny experiencing a stressful or traumatic situation.
 - ▶ Applicant has unresolved issues related to childhood victimization.
 - ▶ Applicant's descriptions of stressful situations indicate poor coping or adaptive capacity. They are unable to manage and resolve changes, losses, or trauma.
 - ▶ Applicant blames others for personal problems or tries to manage by ignoring the situation. They are comfortable allowing others to handle their problems and lack insight into their own ineptitude.
 - ▶ Applicant has rigid, inflexible beliefs.
-

Section V: Interim Home Study

This section is not applicable during the initial certification/approval. See [“Interim Home Study,” Chapter 5: pg. 5-13.](#)

Section VI: Agency Determination

The summary should include content that supports the following:

- Summary of the overall assessment
- Rationale for approval/denial of the application
- The types of placements for which the applicant(s) is approved (foster care, foster care/adoption, respite, therapeutic foster care)
- Ages, gender, and number of children for which the family will be certified/approved
- Any placement preferences, restrictions, concerns, etc.
- Additional supports or services the foster/adoptive parent(s) will need

Once the applicant(s) successfully completes all the necessary requirements to become certified or approved foster/adoptive parent(s), the LDSS or VA must review the components in the *Foster Parent Agreement form* ([OCFS-5183J](#)) with the applicant(s). Only when the applicant(s) has agreed to the components, and signed [OCFS-5183J](#), can they be fully certified or approved.

One of the components in the agreement is that the foster parent(s) inform the LDSS or VA of any changes in marital status, family composition, or number of persons residing in the home, and any

changes in the physical facilities comprising the foster home. Generally, a person is “residing in the home” if they are a frequent visitor and routinely spend the night (See [18-OCFS-ADM-05](#), *Criminal History Record Checks of Persons 18 Years of Age or Older Residing in Foster Boarding Homes* for more information).

Certificate or letter of approval

Upon the successful completion of the certification/approval process, the LDSS or VA prints out a certificate or letter of approval from CONNECTIONS and provides it to the applicant(s). A signed and dated copy of the *Foster Parent Agreement with Agency* form ([OCFS-5185J](#)) must also be provided to the foster parent(s) for their records.

LDSS or VA must maintain the signed and dated copy of the certificate/letter of approval in the hard copy foster/adoptive parent file along with all background clearance checks.

Foster parents who are providers of special or exceptional foster care services must actively participate in LDSS or VA training for no less than four and five hours per year respectively [[18 NYCRR 427.6\(e\)\(3\)](#)]. The LDSS or VA can set the hours for foster parent training via the requirements of the approved training curriculum and their internal policies for foster/adoptive certification/approval process. Any LDSS or VA internal policy must comply with and meet all minimum requirements established on statute, regulation and state policy. All completed trainings must be documented in CONNECTIONS.

If certification/approval is denied

If the decision is made to deny foster home certification or approval, the home finder must give the applicant(s) a written copy of the decision, explain the reasons for the decision, and offer the applicant(s) an interview to discuss the decision [[18 NYCRR 443.2\(c\)\(3\)](#)]. Any decision to discontinue a home study or deny certification or approval must be approved by at least one level of supervisor, unless the home study was discontinued at the request of the applicant(s) [[18 NYCRR 443.2\(c\)\(4\)](#)]. For more information, see *Foster/Adoptive Home Certification or Approval Process* ([18-OCFS-ADM-07](#)).

If the denial is based in whole or in part on the basis of an indicated report of child abuse or maltreatment, the written notification must also include the applicant’s right to request a hearing in accordance with the provisions of [SSL 424-a](#) and [18 NYCRR 443\(c\)\(5\)](#).

If the applicant is also applying for concurrent approval as an adoptive parent, the following additional reasons for rejection may apply:

- The applicant(s)’ lack of cooperation does not permit the home study to be carried out.
- The applicant(s) is physically incapable of caring for an adopted child.
- The applicant(s) is emotionally incapable of caring for an adopted child.
- The applicant(s)’ approval would not be in the best interests of children awaiting adoptions [[18 NYCRR 421.15\(g\)\(1\) & \(2\)](#)].

A decision to reject the application for adoption approval must be made by at least two staff members in conference, one of whom shall be at a supervisory level. The record must cite the names of the participants in the decision and the reason for the decision [[18 NYCRR 421.15\(g\)\(3\)](#)].

The applicant(s) for approval as an adoptive parent must be informed about the reason(s) the application was rejected, with specific notification if the decision to deny was based in whole or in

part on the existence of an indicated report of child abuse or maltreatment. The notification must offer the applicant(s) the opportunity to discuss this decision in person with the worker's supervisor and of their right to apply for an OCFS administrative hearing under [Section 372-e](#) of the Social Services Law [[18 NYCRR 421.15\(g\)\(5\)-\(8\)](#)].

Discontinuance of the home study

The same process noted above in relation for denial of foster home certification or approval must be applied where the LDSS or VA discontinues the foster home study [[18 NYCRR 443.2\(c\)\(3\) & \(4\)](#)].

Approval of an adoptive-only home

When home finders receive inquiries from individuals seeking to become adoptive parents, the procedures for following up on those inquiries are essentially the same as for foster parents. When evaluating the prospective adoptive parents, however, home finding staff must conduct an adoption study, which has several requirements that are different from those for foster parents.

Responding to inquiries

Home finding staff must respond to an inquiry from a prospective adoptive parent within five business days and offer the person an individual or group orientation session within 30 days of receiving the inquiry.

The orientation session should be planned for hours that are convenient to the prospective adoptive parent and should include the following information [[18 NYCRR §421.11\(a\)-\(g\)](#)]:

- *A discussion of the characteristics of children available for adoption in New York State.* Home finders should inform inquirers about the Adoption Photo Listing page on the OCFS website (<https://ocfs.ny.gov/adopt/disclaimer.asp>). The page provides profiles of children who have been freed for adoption.
- *A discussion of the procedures* for application, adoption home study and the availability of adoption subsidies.
- *A discussion of the regulations regarding marital status.* Married persons can adopt only as a couple with each partner participating. A married person who is living separate and apart from his or her spouse pursuant to a legally recognizable separation agreement or decree of separation or a married person who has been living separate and apart from their spouse for a period of three years or more prior to the commencement of the adoption proceeding may also adopt.
- *A discussion of the right of an adopted person 18 years of age or older;* or if the adopted person is deceased, their direct line descendent or the lawful representative of the adopted person or their direct line descendent, to apply for a certified copy of the adopted person's original long form birth certificate.



Info and Resources:

Adoption services

The OCFS [Adoption Services Guide for Caseworkers](#) is an overview of the basics of adoption practice and the responsibilities of adoption caseworkers in New York State, along with pertinent laws, regulations, and policy guidelines.

OCFS' Bureau of Permanency Services web page includes a link to the photo-listing of children waiting for adoption (<https://ocfs.ny.gov/adopt/>).

- *Offer an adoption application* at the conclusion of orientation.

Within five days of an orientation session, staff must contact persons who were invited to the orientation session but did not attend. These persons will be offered the chance to attend another orientation or an individual interview [18 NYCRR §421.11(h)].

The adoption-only templates are required in **all** instances where a person expresses interest in adoption only. The variations in the adoption-only templates versus the foster/adoptive templates are slight and address the differences in regulatory requirements and do not include any references to foster care requirements. However, the purpose, instructions, and expectation of completion of each form is the same as the foster/adoptive templates.

See the OCFS website *Adoption-Only Home Study Forms* and *Foster/Adoptive Certification/Approval* section for more information and detailed instructions on information gathering and assessment development.

Forms required for adoption-only application and approval include the following:

- *Self-Assessment* (OCFS-5200A), one form per family
- *Adoptive Parent Application* (OCFS-5200B), one form per applicant
- *Family Adoption Registry Information* (OCFS-5200C)
- *Adoptive Applicant Medical Report* (OCFS-5200D Part 1 and Part 2), one form per applicant (Part 1) and one form per household member (Part 2)
- *Safety Review Form* (OCFS 5200E)
- *Household Composition and Relationships* (OCFS-5200F)
- *Sample Genogram Template* (OCFS-5200G)
- *Personal References* (OCFS-5200H)
- *Resource Characteristics* (OCFS-5200I)
- *Request for NYS Fingerprinting Services* ([OCFS-4930A SFA](#)), one form per person 18 years of age or older in the home
- *Statewide Central Register Database Check* ([LDSS-3370](#)), one form per person 18 years of age or older in the home
- *Final Assessment and Determination* (OCFS-5200J)

Nondiscrimination

OCFS regulations prohibit discrimination and harassment of prospective adoptive parents based on race, creed, color, national origin, age, sex, sexual orientation, gender identity or expression, marital status, religion, or disability. Gender identity refers to a person's internal sense of self as male, female, no gender, or another gender. Gender expression refers to how a person expresses their gender through clothing, appearance, behavior, speech, and other means [18 NYCRR 421.3(d)].

Standards for adoptive parents

Applicants must meet the standards for adoptive parents as described in state regulation [18 NYCRR Part 421]. In general, these standards are the same as for foster parents, with several exceptions.

Age. Adoptive applicants must be at least 18 years of age [18 NYCRR 421.16(b)].

Marital Status. An adult unmarried person, an adult married couple together, or any two unmarried adult intimate partners together may adopt a child [Domestic Relations Law §110].

All couples, regardless of their sexual orientation, have equal rights to adopt a child together. Married partners or unmarried adult intimate partners must adopt as a couple, unless one partner is living separate and apart from their spouse under a legal separation agreement or a court decree of separation, or one partner has been or will be living separate and apart from their spouse for three years or more prior to the commencement of the adoption proceeding [18 NYCRR 421.16(d)].

According to OCFS policy *Adoption by Two Unmarried Adult Intimate Partners* (11-OCFS-INF-01), in determining whether there is an intimate relationship between unmarried partners, the factors an agency should consider include, but are not limited to, the nature or type of the relationship, regardless of whether the relationship is sexual in nature; the frequency of interaction between the persons; and the duration of the relationship. A casual acquaintance or ordinary fraternization between two individuals in business or social contexts should not be considered an intimate relationship.

Family Composition. An agency may consider family size as it relates to the ability of a family to care for another child and the quality of life that will be offered to an adoptive child. Applicants may not be rejected based on family composition without a study of its effect on the ability to care for a child and the quality of life that will be offered [18 NYCRR 421.16(f)(1)].

Income. The adoption study shall evaluate an applicant's ability to budget their resources so that an adopted child can be reasonably assured of minimum standards of nutrition, health, shelter, clothing, and other essentials. Applicants whose budgeting and money management skills appear deficient to assure such minimum standards shall be referred to any available resources that might help improve these skills.

Priorities in conducting adoption studies

State regulations specify that agencies must conduct adoption studies on a priority basis [18 NYCRR 421.13(a)]. Each application is ranked for first, second, or third priority based on criteria such as whether the applicant(s) is currently fostering the child or is willing to adopt a child with characteristics that reflect the backgrounds and needs of the largest proportion of waiting children.

- Applications given first priority must have adoption studies initiated within 30 days of receipt. First priority is given to applicants who
 - are seeking children with characteristics that reflect the backgrounds and needs of the largest proportion of children waiting for adoption,
 - are foster parents seeking to adopt a child who has resided in their home for 12 continuous months, or
 - are Native Americans seeking to adopt a Native American child(ren).

- Applications given second priority must have adoption studies initiated within six months of receipt. Second priority is given to applicants who
 - are seeking to adopt photo-listed children who do not reflect the backgrounds and needs of the largest proportion of children waiting for adoption, or
 - are seeking to adopt children for whom there is not a waiting list of approved families.
- Third priority is given to all other applicants. These applications will be rejected on the basis of “no need” unless the agency can complete a study within six months of the application. They may be kept on a waiting list [18 NYCRR 421.14].

When an adoption study has been completed and the LDSS or VA intends to approve the applicant(s), the LDSS or VA must prepare a written summary of the study findings and activities and make the summary available to workers in the agency or other agencies responsible for making placement decisions about children. The applicant(s) must have the opportunity to review the summary and enter any reactions as an addendum. After the applicant(s) and the caseworker have signed the written summary, the agency must provide a written notice of approval to the applicant(s) [18 NYCRR 421.15(e)].

Adoption studies

It is recognized that neither children nor families are perfect and that families should be looked at in terms of whether they can be an appropriate resource for a waiting child. Agencies must conduct adoption studies of adoptive applicants to explore certain key characteristics needed to successfully adopt a child.

- Capacity to give and receive affection
- Ability to provide for a child’s physical and emotional needs
- Ability to accept the intrinsic worth of a child, to respect and share their past, to understand the meaning of separation they have experienced, and to have realistic expectations and goals
- Flexibility and ability to change
- Ability to cope with problems, stress, frustrations, and the ability to accept a child with limitations
- Feelings about parenting an adopted child and the ability to make a commitment to a child placed in the home
- Ability to work with the agency and use community resources to strengthen and enrich family functioning

The home study should indicate what was discussed and done to assess these characteristics, and on what basis they were determined to be absent or present [18 NYCRR 421.16(a)].

The following information is required prior to the conclusion of the home study [18 NYCRR 421.15(c)]:

1. A report from a physician about the health of each member of the household.
2. References from at least three persons, one of whom may be related to the applicant(s), who can attest to the character, habits, reputation, and personal qualifications of the applicant(s) and their suitability for caring for a child.
3. Proof of marriage, if applicants are married.
4. If applicant is married and living apart from their spouse, proof of a legally recognizable separation agreement or decree of separation, or an affidavit attesting that the applicant has been or will be living separate and apart from their spouse for three or more years at the time of the adoption proceeding.
5. If applicant was previously married, proof of dissolution of the marriage by death or divorce.
6. Evidence of employment and salary for each employed applicant.
7. Results of a database inquiry to the Statewide Central Register of Child Abuse and Maltreatment (SCR), any other state in which the applicant has lived during the previous five years, and the Justice Center for the Protection of People with Special Needs
8. Results of a criminal history record check from DCJS and the FBI.
9. A sworn statement from each applicant indicating, to the best of such applicant's knowledge, whether the applicant or any person over the age of 18 currently residing in the home has ever been convicted of a crime in New York State or any other jurisdiction.



Info and Resources:
Background checks

For more information on background and clearance checks, see "[Obtain background and clearance checks](#)" (page 4-17) and "[Criminal history record check](#)" (page 4-19).

Foster parents seeking to adopt

When a certified or approved foster parent(s) who is not concurrently approved as an adoptive parent(s) seeks approval as an adoptive parent, the home study varies from the adoption-only home study process.

For a certified or approved foster parent(s), LDSSs and VAs must conduct an adoption home study that does not repeat information already available. The home finder must review information about the family that

- was obtained in the original home study,
- was obtained in annual reauthorization, and
- is available from agency caseworkers supervising the home and the child at issue.

The following process applies to foster parents seeking to adopt who are not already duly certified or approved as adoptive parents:

- The home finder must identify information needed in an adoption study that is lacking from the home study or is not sufficiently current and determine any additional information

needed, such as areas of family functioning, that may need further exploration or strengthening.

- If the foster parent has been transferred from a VA to an LDSS for an adoption home study, the LDSS must use the *Adoption Final Assessment and Determination* (OCFS-5200J) to document the decision on whether to approve the foster parent as an adoptive parent.
- If the foster parent seeks an adoption home study with the same LDSS or VA that originally certified or approved the foster parent, the LDSS or VA must document the approval of the foster parent as an adoptive parent using
 - the interim home study (OCFS-5183K) under Section V “Program Types”; or
 - if within 90 days of the authorization end date, the annual reauthorization (OCFS-5183L) under Section VIII, “Summary and Conclusion.”

Decision to reject adoption application

The LDSS or VA may reject an application during the adoption study process if the applicant does not allow the study to be carried out [18 NYCRR 421.15(g)]. The applicant(s) may also be rejected after an adoption study is complete, based on several possible determinations, such as the following:

- The applicant(s) is physically incapable of caring for an adopted child.
- The applicant(s) is emotionally incapable of caring for an adopted child.
- The applicant(s)'s approval would not be in the best interests of children awaiting adoptions.

A decision to reject the application must be made by at least two staff members in conference, one of whom shall be at a supervisory level. The record must cite the names of the participants in the decision and the reason for the decision.

The applicant(s) must be informed about the reason(s) the application was rejected, with specific notification if the decision to deny was based in whole or in part on the existence of an indicated report of child abuse or maltreatment including the right to an administrative hearing pursuant to [SSL 424-a](#). The notification must offer the applicant(s) the opportunity to discuss this decision in person with the worker's supervisor and of their right to appeal the denial by applying for an OCFS administrative hearing under [Section 372-e](#) of the Social Services Law [18 NYCRR 421.15(g)].

CHAPTER 5

After Certification/Approval

The home finder's involvement with foster families continues after children are placed in the home. Providing timely support and encouragement to foster parents is essential in retaining them as key contributors in an agency's efforts to meet the needs of children in foster care.

The tasks associated with supporting foster families after certification or approval may be assigned to different staff within an LDSS or VA. While the home finder may not be specifically responsible for the activities listed here, ongoing communication among home finders, the families they have recruited, foster care workers, and others involved in the case will help retain foster families and improve outcomes for children in care. Responsibilities include the following:

- [Supporting the placement process](#)
- [Informing foster parents](#)
- [Promoting ongoing safety in foster homes](#)
- [Providing ongoing support to families](#)
- [Documenting changes in the Interim Home Study](#)
- [Completing annual reauthorization of certification/approval](#)

Supporting the placement process

Finding a foster home that reflects the needs of a child coming into foster care will have several benefits: greater stability in the child's placement; fewer displacements; and improvement in the child's safety, permanency, and well-being.

Caseworkers must make efforts to achieve "continuity in environment" for a child by placing them in a location that is as similar as possible to their home and community prior to placement [18 NYCRR 430.11(c)]. Efforts to maintain continuity in environment must be documented in the uniform case record [18 NYCRR 430.11(b)].

Factors to be considered in placement decisions include:

Educational stability: New York regulations [18 NYCRR 430.11(c)(1)(i)] implementing federal law [42 U.S.C. 675(1)(G)] provide that the initial placement of the child into foster care and all subsequent placements must take into account the appropriateness of the child's existing educational setting and the proximity of such setting to the child's placement location.

Continuity in community: In addition to maintaining a child's educational stability and proximity to family, including siblings, caseworkers also must consider maintaining continuity in the child's community when making a foster care placement decision [18 NYCRR 430.11(c)(1)]. Factors to consider include (consistent with federal MEPA standards) ethnic and racial background, membership in a recognized Native American tribe or nation, and religion.

Sibling groups: Children entering foster care must be placed with their siblings or half-siblings, unless doing so could jeopardize the health, well-being, or safety of one or more of the children in the sibling group [FCA §1027-a; SSL §409-e(1)(d); SSL §384-a(1-a); 18 NYCRR 431.10].

Informing foster parents

LDSSs and VAs are responsible for keeping foster parents informed about agency policies and procedures and the rights of foster parents.

LDSSs and VAs must give foster parents copies of the following:

- Agency policies and procedures for removing children from foster homes
- The procedure for obtaining administrative review of any grievance or complaint about the agency's policies or practices



Info and Resources:

Placement options

Placement Module in CONNECTIONS (18-OCFS-ADM-13) provides an automated process for identifying potential placements that reflect a child's characteristics from the pool of foster/adoptive resources.

[*CONNECTIONS Quick Tip: Searching for Resources and Sending Referrals*](#) describes the details of conducting a placement search.

Additional practice guidance is available in the OCFS [*Foster Care Practice Guide for Caseworkers and Supervisors*](#), Chapter 4, "Foster Care Placement Options."



Info and Resources:

Foster parent manual

The OCFS [*New York State Foster Parent Manual*](#) is designed to inform foster parents about the day-to-day requirements of their new role.

- A manual that summarizes current agency policies and procedures that have some direct or indirect bearing on the role and responsibilities of foster parents [18 NYCRR 443.3(i), (j) and (l)]
- Information on New York’s standard for parental decisions made by foster parents and other caregivers. Details are provided in *Supporting Normative Experiences for Children, Youth, and Young Adults in Foster Care* (15-OCFS-ADM-21). See “[Reasonable and prudent parenting standard](#),” *Chapter 4: page 4-23*

All LDSSs and VAs must have written procedures and practices for workers to advise foster parents of their rights

- to be given preference and first consideration of their application to adopt a child who has been continuously in their care at least 12 months, in accordance with [SSL §383\(3\)](#);
- to intervene, as an interested party, in any court proceeding involving the custody of a child who has been in their care for 12 continuous months or longer [[SSL §383\(3\)](#)];
- to be given notice and an opportunity to be heard at all permanency hearings for any child in their care [[FCA §1089\(b\)](#); [18 NYCRR 443.3\(m\)](#)]; and
- to be included in Service Plan Reviews [[18 NYCRR 430.12\(c\)\(2\)](#)].

Promoting ongoing safety in foster homes

The safety of the foster home environment is evaluated during a home study at the time the family applies for certification or approval. On an ongoing basis, caseworkers and other agency staff must collaborate in assessing the home environment for safety hazards during regular casework contacts with children in care, routine conferences and visits with foster parents, and the annual reauthorization process. It is essential that agencies, caseworkers, and foster care providers work together proactively to see that the child’s physical and emotional needs are being met *before* a child is harmed or *before* it becomes necessary to move a child. While some moves will certainly increase the child’s sense of physical and emotional safety, a move from one foster care setting to another can be just as traumatic and disruptive for the child as the original removal from home, especially if it results in separation from siblings or other family members. Child safety is always the paramount concern.

What to look for

There are multiple factors that may influence the safety of a child in a foster care setting. For both CPS and non-CPS cases, a child’s safety in the foster care placement can be affected by multiple variables including, but not limited to, the adherence to home or facility licensing standards,



Practice Tip:

Home safety red flags

Some situations may be considered “red flags” that should prompt follow up by the home finder or other staff responsible for maintaining contact with the foster family. These may include:

- Lack of cooperation in supporting a child’s permanency plan;
- Refusing agency staff access to the child in care;
- Refusing to let the worker speak to the child in private, including in the foster home; and
- Lack of support for visitation with birth parents and/or siblings.

adequacy of supervision, and living conditions. In addition, safety can be affected by the behaviors of caregivers, other adults, and other children who may have access to the child.

It is essential that all caseworkers assess for safety every time they are in the foster home. The assessment should focus on questions such as the following:

- What factors (“protecting factors”) within the foster care setting promote and support the safety of the child and other persons living there?
- Are there any persons, circumstances, or child behaviors that may present safety concerns within the foster care setting, and what steps has the caseworker taken to address these concerns and to protect the child as needed?

Protecting factors are strengths and resources within a placement setting that support safety. The absence of such protecting factors may lead to safety issues within the foster care setting. It is recommended that home finders and foster care workers work together to identify and resolve issues that may present a risk for children in the home. See *ASFA Safety and Permanency (00-OCFS-INF-05)*.

If safety becomes a concern within the foster care setting, caseworkers/agencies must take immediate and effective action to protect the child and remedy the situation. These concerns must be addressed immediately with the foster family and their resolution should be documented in the child’s record in CONNECTIONS.

Responses to safety concerns

LDSSs and VAs can take actions and provide services to support safety and to protect children in foster care. Workers and supervisors must make a case-by-case assessment to determine what measures are necessary and sufficient.

- Assist foster family in obtaining needed concrete resources (clothing, beds/bedding, transportation, medical equipment).
- Discuss with foster parents/staff alternative strategies for managing child’s behaviors.
- Increase contact between caseworker and foster care providers to assess the situation more regularly and to provide support.
- Provide respite or other support resources (e.g., connect foster parent with support group or individual mentor).
- Provide increased supervision of the foster home.
- Provide crisis resources when needed.
- Arrange for foster parent training to meet child’s specific needs.
- Provide access to qualified professionals who can inform caregivers and/or assist with child’s special needs.



Info and Resources:

Addressing safety concerns

OCFS [Family Assessment and Service Plan Guide](#). Module 8, “What can caseworkers do to address safety concerns or vulnerabilities in a foster care setting?”

- Advocate with schools, medical providers/insurers, community resources to obtain needed services for child.
- Ask for removal of dangerous items or substances from the home or facility and follow up.
- Increase supervision of a specific child.
- Reduce number of children in the home.
- Move child to another home or facility.
- When necessary, make an SCR or Vulnerable Persons Central Register report, call police, and/or contact oversight agencies.

Removing a child from a foster home

When an agency decides to remove a child from a foster home, state regulation requires that the foster parent(s) be notified in writing at least 10 days before the removal. This requirement is waived if a risk to the health and safety of the child requires immediate removal. The notice also informs the foster parents that they may request a conference with the LDSS or VA so the proposed removal and reasons for it can be discussed. At the conference, the foster parents are given the opportunity to submit reasons why the child should not be removed from the home [18 NYCRR 443.5(a)].

The agency must issue a decision as quickly as possible, and no later than five days after the conference. If the foster parents disagree with the decision, they may appeal to OCFS and request a fair hearing on the decision [SSL §22]. In the event that there is a request for a conference in a non-health and safety removal, the child may not be removed from the foster home until at least three days after the notice of the decision is sent or prior to the proposed effective date of the removal, whichever occurs later.

CPS investigation of a foster home

All LDSS or VA staff members responsible for both the child and the foster home are sources of information in a CPS investigation. CPS workers, foster care workers, and home finders must work together to gather and provide relevant information. This standard also applies to staff of the LDSS or VA with case management or case planning responsibilities for the child and the LDSS or VA staff that certified or approved the foster home.

When a foster parent is the subject of a report of child abuse or maltreatment, the LDSS in which the foster home is located is responsible for the CPS investigation. The LDSS responsible for the investigation must determine if any of the children in the foster home are in the care, custody, or guardianship of another LDSS or in a foster home approved or certified by another LDSS or by a VA.

If a foster home under investigation was not certified or approved by the LDSS conducting the CPS investigation and/or if there are children in the home placed by another LDSS or VA, the report must be forwarded as soon as possible to that certifying or approving LDSS or VA and to any other LDSS charged with the care, custody, or guardianship of the child. The LDSS and/or VA also must be



Info and Resources: *CPS investigations*

Requirements Relating to CPS Reports Involving Foster Parents
[\(16-OCFS-ADM-13\)](#)

Requirement to Forward Reports of Suspected Child Abuse or Maltreatment to the Local Departments of Social Services and Voluntary Authorized Agencies Charged With the Care, Custody, or Guardianship of a Child in Foster Care
[\(18-OCFS-ADM-04\)](#)

notified as to whether the report is indicated or unfounded. This agency is not required to investigate or to participate in the investigation of the report [SSL §424(6)(b)].

When an LDSS receives a report of suspected abuse or maltreatment involving a foster home, it must:

1. find out whether the child named in the report or any other child in the home is in the care, custody, or guardianship of an LDSS that is **not** the LDSS in which the foster home is located or in a foster home that is certified or approved by another LDSS or by a VA; and
2. provide that agency with a copy of the report of suspected abuse or maltreatment as soon as possible (redacting the source of the report); and
3. inform the agency of the outcome of the CPS investigation, specifically whether the report was indicated or unfounded.

Preventing reportable events

There are opportunities when LDSSs or VAs may identify potential risk and safety issues related to children in foster care before a CPS-reportable event occurs. These actions also may uncover situations that rise to the level of an event that is reportable to the SCR.

- **Casework contacts**

Face-to-face contacts with both children in care and foster parents are required by state regulations. This allows the caseworker to assess the child's safety and well-being and gives the foster parent an opportunity to identify issues and concerns regarding their ability to care for the child [18 NYCRR 441.21(c) & (d)].

- **Youth voice**

At least once a year, the child's case planner or caseworker must give youth between the ages of 14 and 21 the opportunity to respond to [Youth Voice Questions](#) and discuss the answers with them. Foster parents should not be present for these discussions (10-OCFS-ADM-09).

- **Recertification/reapproval evaluation**

At the time of annual reauthorization of the foster home certification or approval, the LDSS or VA that issued the certification or approval must, among other steps, develop a written evaluation of the care provided to foster children in the home and the working relationship of the foster parent with the agency [18 NYCRR 443.10(a)(2)].

Providing ongoing support to families

Supporting prospective foster/adoptive parents throughout the certification/approval process improves the retention of foster families over time. It is equally important to provide essential supports to foster families after children are placed in their homes.

OCFS policy encourages agencies to increase retention by supporting foster parents, as outlined in *Supporting the Needs of Foster Parents* (05-OCFS-INF-03). Key areas include maximizing foster parent involvement in permanency planning and service plan reviews, facilitating access to needed services, and connecting with other foster parents.

Foster parent involvement in decision-making

Foster parents are members of the treatment team and should have clear lines of communication during a child's placement. In addition to affirming the foster parents' role, including them in decision making can lead to more successful outcomes for the children in their temporary care.

Foster parents must participate as much as possible in permanency planning for the foster children in their care. In addition to inviting the child's current foster parents to service plan reviews [18 NYCRR 430.12(c)(2)(i)(a)] and providing them notice of permanency hearings and copies of the permanency hearing reports [FCA §1089(b)(1)], this might involve inviting foster parents to participate in family meetings, case planning meetings, and visitation planning.

Agencies are advised to periodically survey their foster families to determine their unique needs and then find ways to best meet those needs. A sample survey, developed for OCFS as part of a federally funded program on diligent recruitment, is available at the link below.*



Info and Resources:

Foster family support

All foster parents must be given a copy of the [New York State Foster Parent Manual](#). Other resources on the OCFS website include [Working Together: Health Services for Children in Foster Care](#), the [Medical Guide for Youth in Foster Care](#), and the "Need to Know" series for youth in foster care.

Placement information for foster parents

When a foster home is found that reflects a specific child's identified needs, the home finder prepares the foster parent by providing critical information concerning the needs of that child. Such preparation must be continued, as needed, after the placement of the child [18 NYCRR 443.2(e)(2)]. When a child is placed on an emergency basis, such information must be provided within 30 days of placement [18 NYCRR 443.2(e)(3)].

This information must include the following (see *Notification to Foster Parents* [08-OCFS-ADM-03]):

- Estimated length of stay and the basis for this estimation
- Health of child, medical history and the procedure for obtaining consent to emergency medical treatment
- Current medications, allergies, and/or durable medical equipment
- Physical and/or behavioral problems
- Relationship of the child to their birth parents
- School and educational background
- Visitation plan, including location of visits
- Placement and discharge goals
- Notice of the foster board rate level (Normal, Special, or Exceptional), including a description of the child's condition or circumstance

* <https://ocfs.ny.gov/programs/fostercare/recruitment/> (go to Tools for Example Surveys).

The foster parent must have the appropriate form for maintaining a register for each child placed in the home. The register must include the name, date of birth, and religious faith of each child, the names and addresses of their parent or guardian or the address of the LDSS or VA that placed the child in the home, the dates of reception and removal from the home, the persons who placed and removed the child, and other information as may be required [SSL §380; 18 NYCRR 443.3(g)(1)].

The register and certificate or letter of approval must be accessible for examination at all reasonable times by both OCFS and the LDSS or VA that issued the certificate or letter of approval. Certificates, letters of approval, and registers are the property of the state and must be delivered upon demand to the issuing agency when the certificate or letter of approval is renewed, discontinued, or revoked [18 NYCRR 443.3(g)(2)].

Support during first placement

According to research by the Annie E. Casey Foundation*, up to 25 percent of foster families stop providing foster care each year. It is estimated that 40 percent of these families left because they received inadequate support from the certifying entity. Intensive first placement supports are a crucial part of an effective retention effort.

A first placement protocol can be used to anticipate potential challenges for foster parents during the first weeks of the first placement and to support them through these challenges. The protocol may include the following:

- Frequent, friendly check-in calls to see how things are going
- Regular reminders that respite care is available
- Joint visits by home finding staff and foster care workers
- A foster parent mentor who is “on call” to serve as a source of quick information and support

At the time of a first placement, foster parents should also be reminded of other supports that are available to them, such as the following:

- Access to agency staff 24/7, including primary caseworker and backup support
- Access to behavioral support interventions, such as consultation, role modeling, and skills training
- Availability of peer support groups with routine meetings or online exchanges that provide opportunities for comparing challenges/successes
- One-on-one mentoring from an experienced foster parent



Info and Resources:

Customer service

For more information, see “Customer Service” on the OCFS *Revitalizing Recruitment and Retention of Foster Parents* website

(<https://ocfs.ny.gov/programs/fostercare/recruitment/>)

* <https://www.aecf.org/m/resourcedoc/aecf-BuildingSuccessfulResourceFamilies-2008.pdf#page=3>.

Peer support and mentoring

Facilitating and supporting connections between new and more experienced foster parents can help foster parents adjust to their new role. It also reinforces the value of foster parents as resources.

Mentoring programs match new foster parents with “seasoned” foster parents, who can provide insights and share successful techniques they have used in dealing with difficult situations. A viable mentoring program may decrease the need for agencies to respond to crisis situations in new foster families.

Encourage new foster families to join existing associations and support groups. Peer support groups provide opportunities for families to network and interact with others experiencing similar challenges.

Peer support groups can help foster parents feel less alone in dealing with a problem, provide helpful information from others who have had similar experiences, discuss ideas for dealing with a problem, allow foster parents to express their feelings, and bring about change. LDSSs and VAs may assist foster families in this process by providing meeting space and contact information.

Open lines of communication

Timely and responsive communication between foster families and agency staff is critical in keeping and sustaining foster parents. It is especially important that foster parents have a way to contact staff 24/7, in the event of an emergency outside of business hours.

Face-to-face conferences are vital to understanding the environment in a foster home and the relationship between foster parents and a child in their care. When a child has been placed in a foster home, regular conferences must be held at a mutually convenient time in the foster boarding home at least every 90 days or at shorter periods as may be required by OCFS regulation [18 NYCRR 443.3(h)(1)].

Non-routine conferences must be arranged with foster parents regarding acute problems, emergencies, or crisis situations whenever necessary to provide services that are responsive to the problems and that protect the best interests of the child [18 NYCRR 443.3(h)(2)].

The purpose of each regular or emergency conference must be explained to the foster parent at the beginning of each conference. The home finder must identify and discuss concerns of the foster family regarding the child and obtain an account of the child's placement, relationships, and functioning in the home, school, and community [18 NYCRR 443.3(h)(3)].



Info and Resources:

Services for foster parents

[Support Matters: Lessons from the Field on Services for Adoptive, Foster, and Kinship Care Families](#), a publication by AdoptUSKids that describes services that benefit both foster/adoptive families and children in care.

Foster parents may be directed to organizations that provide peer support and other resources for foster families, such as the Adoptive and Foster Family Coalition of New York (<https://affcn.org/>)



Practice Tip:

Check in at each placement

Every time a child is placed in the home, the home finder should check to align foster parent supports with the unique circumstances and needs of each child.

For respite placements, home finders should follow up with the foster care worker after each respite period for a summary of the child's experience in the home and note the response in the contact section of CONNECTIONS.

Ongoing training opportunities

As part of the application process, foster parents have received OCFS-approved training designed to prepare them to meet the needs of children in their care [18 NYCRR 443.2(e)(1)]. Foster parents who receive board payments at special or exceptional rates must participate in ongoing training provided by their agency. Providers of special foster care services must actively participate in at least four hours of training per year and providers of exceptional foster care services must complete at least five hours of training per year [18 NYCRR 427.6(e)(3)].

Providing in-service training to all foster parents shows them that the agency recognizes their importance to the work of the organization and wants to invest time and money in their growth. Training in topics such as communication, parenting, and stress management, as well as attendance at conferences and other large-scale educational events, can be useful to foster parents.

Home finders and agencies can support training efforts by doing the following:

- Informing foster parents of all training opportunities that are available in their community on an ongoing basis. This will afford them the opportunity to enhance their knowledge on topics such as alcohol and substance abuse, developmental disabilities, and mental health issues.
- Inviting foster parents to teleconferences sponsored by OCFS
- Asking other agencies and community supports to offer trainings for foster parents
- Offering as many ways as possible to involve foster parents in their own professional development
- Considering using foster parents as co-trainers at pre-service and in-service trainings
- Allowing time at the end of training sessions for discussion so that foster parents can apply the training to their own situations and leave with a plan of action
- Consistently obtaining feedback from foster parents on the training program
- Examining the degree to which foster care caseworkers and supervisors have the same understanding as foster parents as it pertains to the role and responsibilities of foster parents
- Having caseworkers and supervisors attend the same training as foster parents may strengthen this mutual understanding
- Conducting a similar assessment of the understanding of foster parenting roles, responsibilities and performance needs and expectations with other district/agency staff outside the foster care unit and provide training as needed

Resources for training

Training in topics such as parenting, stress management, trauma-informed care, vicarious trauma, and implicit bias can be useful to foster parents. Home finders should check with their OCFS regional office for training requests and opportunities.

In addition, most LDSSs and VAs can use local community experts for in-service training. LDSSs and VAs may offer in-service training sessions for foster parents, arranged or conducted by staff, with guest speakers from community hospitals, schools, and local police or fire departments. Examples of such sessions could be the following:

- Agency staff conduct a brief overview on permanency
- Child Protective Services supervisors review reporting procedures, the investigation process, rights of the subject and child, and standards of proof
- A Family Court Judge summarizes the Family Court process
- The local fire department provides home safety training
- The local police department conducts a session on home safety or avoiding cybercrime.

Health education programs for foster parents can be provided by local health professionals and cover topics such as the following:

- Childhood health requirements (e.g., immunization schedule)
- Common health problems and dealing with emergencies
- Proper administration of medication and taking of a child's temperature; general infant, child, and adolescent health care issues
- Family planning and sex education
- Information on common chronic diseases (asthma, sickle cell anemia, diabetes, etc.)
- HIV/AIDS education, infection control, and universal precautions
- Nutrition and physical fitness

Assist foster parents when children leave the home

Children leave a foster home for a variety of reasons. They may be reunified with their birth families, be discharged to an adoptive family, or transition out of foster care after they reach the age of 18 or 21. A foster parent may ask to have a child removed from the home or the agency may choose to remove a child from the home. In any of these cases, home finding staff may be needed to assist the foster family and other LDSS or VA staff.

This is especially important when a child leaves the home unexpectedly. While a planned leaving with advance notice is ideal, it is not always possible. Under these circumstances, foster parents have little time to prepare themselves or the children in their care.

Foster parents who experience loss and grief

Foster parents may experience loss and grief when children are removed from their care. There are several ways to help foster parents through fear of loss, loss itself, and the grieving process.

Communicate: Be as direct and honest as possible with the foster parents regarding the duration of the placement so they can be emotionally prepared when the child leaves their home. Foster parents should be involved in children's permanency conferences and service plan reviews throughout the life of the case.

Be available: When a child leaves a foster home, the child’s caseworker is usually focused on supporting the child and the birth family or adoptive family. Maintaining a relationship with each foster family makes it possible for the home finder to be available to provide emotional support.

Provide education: Foster parents can benefit from educational programs and training related to loss and the grieving process. This kind of training can help foster parents to understand their own reactions to loss as well as those of the children in their care.

Refer to a peer support group: Although complicated grief reactions need the expertise and skill of a professional, the empathy of a self-help group can assist with a normal grief reaction.



Info and Resources:

Assisting grieving foster parents

“Saying Goodbye: Separation and Loss Issues for Foster Parents,” an article on the website of the Adoptive and Foster Family Coalition of New York. (See link below.)*

“Supporting Foster Parents Through Their Loss and Grief,” on the website of the Center for Adoption Support and Education. (See link below.†)

Removal at the request of the foster parent

Often termed a “disruption,” removing a child from a foster home at the foster parent’s request might happen despite the supports provided by the LDSS or VA.

Research has shown that disruptions can be reduced through both appropriate behavioral care for children and relevant training and preparation for foster parents. One example of this is the Keeping Foster and Kin Parents Trained and Supported (KEEP) program developed by the Oregon Social Learning Center (see <https://ocfs.ny.gov/programs/fostercare/recruitment/>). It functions as both a training and a support group for foster and kinship families with children in care between the ages of 4 and 12. KEEP groups typically include seven to 10 foster parents who attend 16 weekly 90-minute sessions on practical, research-based parenting techniques.

When a disruption occurs, the home finder should meet with the foster parent and document the reasons for the child’s removal from the home in CONNECTIONS. This information can be helpful in making future placements in the home.

Documenting changes in the Interim Home Study

Home finders should maintain open and regular communication with foster/adoptive parent(s). This will encourage retention of foster homes and provide foster/adoptive parent(s) with an opportunity to inform the home finder of any changes in their household. Home finders should also maintain open communication with all other service providers and agency staff who have regular contact with foster/adoptive families.



Info and Resources:

Interim Home Study

For details regarding post-certification / approval clearance requirements, refer to [18-OCFS-ADM-07](#) and [OCFS-5183ii](#).

* <http://affcnny.org/wp-content/uploads/Saying-GoodbyeHandoutsKV.pdf>.

† <https://adoptionsupport.org/wp-content/uploads/2019/05/Supporting-Foster-Parents-Through-Loss-Grief-Article.pdf>.

Interim Home Study

Any changes to the home within the first nine months of the initial certification/approval date or of the annual authorization date should be recorded using the Final Assessment and Determination ([OCFS-5183K](#)) and checking the “Interim” box.

After nine months, the normal annual reauthorization process would be initiated. Circumstances that would require the completion of the interim study include the following:

- Foster home transfer to another agency
- Change in address
- Change in household composition
- Change in criminal records
- Change in marital status
- Change in age range or gender of children for whom the foster parent(s) is certified/approved to provide care
- Change in the number of children that can be cared for at one time
- Change in program type
- Change in level of care

Home finders must complete the demographics section of the Final Assessment and Determination ([OCFS-5183K](#)) and document the changes and explanations in Section V. They then must consult with supervisors prior to sharing the Final Assessment and Determination (Interim Home Study) with the foster parent(s).

If the foster parent(s) have comments they wish to include, those comments must be included on the form and entered in CONNECTIONS prior to submitting the Final Assessment and Determination (Interim Home Study) to the supervisor for approval in CONNECTIONS.

Home finders must maintain a current Certificate to Board or letter of approval in the foster parent(s)' records. Any changes must be recorded in a timely and accurate manner.

Transfer of a home to another agency

When a certified/approved foster home or a home in the certification/approval process is transferred from one LDSS or VA to another, the corresponding file, documents, and CONNECTIONS roles are transferred with them.

Both the LDSS or VA with original responsibility of the home and the LDSS or VA to whom the home will be transferred have specific steps and responsibilities that are driven in part on whether the home is still pending or fully certified/approved.

The LDSS or VA with original responsibility of the home (Sending Agency) obtains the relevant information for the LDSS or VA to whom the home will be transferred to (Receiving Agency).



Practice Tip:

The FRS as a review tool

The Foster and Adoptive Home Record Summary (FRS) in CONNECTIONS provides a comprehensive view of all information recorded for a FAD home. Home finders may use the FRS to quickly view each tab and scan for missing or inaccurate information.

- The Sending Agency is responsible for the electronic transfer of the home and for changing the Vendor ID in CONNECTIONS.
- The Receiving Agency must complete an Interim Home Study.
- Reasons for the transfer should be noted in the Interim Home Study, including, if applicable:
 - Change in address
 - Change in household composition
- The Receiving Agency is responsible for notifying the OCFS Criminal History Review Unit (CHRU) of the transfer, using the *Notice to NYS OCFS of Foster Home Transfer Between Authorized Agencies* form ([OCFS-4680](#)). This step is critical to support maintaining appropriate lines of communication between the CHRU and the new LDSS or VA.

Refer to the CONNECTIONS Tip Sheet [Foster Home Transfer Procedures](#) for step-by-step instructions.

Change in household composition

An Interim Home Study is required when household members either enter or depart the household within the first nine months of the certification/approval period. The departure of a household member may have an impact on the foster/adoptive parent(s)' ability to provide for the needs of the child(ren) placed in the home.

If it is determined that the new household member is 18 years of age or older, the home finder must add the new household member to the FAD stage of CONNECTIONS and should complete the criminal history background check as quickly as possible. The home finder should obtain a medical report for the new household member and review the home study. The study must be updated if needed.

If the adult coming into the home is seeking to become a foster parent, that person must complete a new application for certification or approval (see "Change in marital status," below).

Change in criminal records

Current household members who turn 18 years old during the first nine months of the certification/approval period must have a criminal background check and be added to the FAD, if they were not previously cleared. In addition, if current foster parents have been involved in criminal activity that was not previously noted or that has occurred since the last certification/approval period, the home finder must conduct an Interim Home Study and new safety assessment.

Change in marital status

If a spouse or partner of a certified/approved foster/adoptive parent requests to become a foster/adoptive parent, the home finder must follow all the steps outlined for initial certification/approval. The home finder must collect the same information and hold the individual to all the same standards. See "[Certification/approval of foster/adoptive home,](#)" *Chapter 4: page 4-4.*

- *Self-Assessment* ([OCFS-5183A](#))
- *Foster/Adoptive Parent Application* ([OCFS-5183B](#))
- *Medical Reports* ([OCFS-5183D](#) Part 1 & 2)

- Background checks (i.e., criminal history, SCR, and SEL)
- Where applicable, information request to out-of-state child abuse and maltreatment registries

Other forms or components of the process may require family/household members to be re-interviewed to perform a complete assessment on the applicant in the home as a potential foster/adoptive parent.

- *Family Registry for Adoption* ([OCFS-5183C](#)) (if applicable)
- *Household Composition & Relationships* ([OCFS-5183F](#))
- *Sample Genogram Template* ([OCFS-5183G](#))
- *Personal References* ([OCFS-5183H](#))
- *Resource Characteristics* ([OCFS-5183I](#))

All applicable components of the *Final Assessment and Determination* ([OCFS-5183K](#)) must be completed when a foster/adoptive applicant is added to the home.

Change in certification/approval

The foster/adoptive parent(s) may request a change in certification/approval or the home finder may determine that a change in certification/approval would be appropriate. The changes would include the following:

- Age or gender of children to be placed in the home
- Capacity
- Program type
- Level of care

Granting of exceptions

If the change in certification/approval is due to a specific potential placement and not intended to be a permanent change, it is an **exception** and would not necessitate the completion of an Interim Study. The home finder must complete the *Exception/Waiver Form* in FAD and the request must have internal supervisory approval. The LDSS or VA may decide if an Interim Home Study will be required for this sole purpose. If the change is intended to be more permanent and is not necessary for the placement of a specific child, an Interim Home Study is required. Either scenario requires the Certificate to Board or letter of approval to be updated.

For example, the foster/adoptive home is at capacity for the maximum number of children allowed in the home, but a sibling of one of the children currently placed in the home needs placement. If consistent with the safety and well-being of all the children in the home, the home finder can request an exception that the capacity be exceeded in this instance to allow up to two additional siblings to be placed together.

Completing annual reauthorization

Certified and approved foster homes must have their certificates or letters of approval reevaluated annually. In CONNECTIONS this is known as the reauthorization process. To adequately assess the functioning and continued appropriateness of the certified/approved home, consideration should

be given to all aspects of the home over the past 12 months and from previous certification/approval timeframes to include any changes that may have occurred.

Home finding staff often are responsible for the annual reauthorization process, which must follow the practices and procedures as outlined in [18 NYCRR 443.10(a)]:

- A written evaluation of the home and family that uses the same criteria that were used for the initial certification or approval under 18 NYCRR Part 443.
- A written evaluation of the care provided to children in the home and the working relationship of the foster parents or relatives with the LDSS or VA.
- A written statement from a physician about the foster family's or relative family's health if it has been two years since the date of the last medical exam.
- An in-person review of the *Annual Reauthorization Assessment and Determination* form ([OCFS-5183L](#)) with the foster parent or relative foster parent before the certificate or approval is renewed.
- The completion of a national (FBI) and state (DCJS) criminal history record check for each person over the age of 18 who is currently residing in the foster home, if that person has not previously had a criminal history record check completed (a person who entered the home since the preceding certification or a person who reached age 18 during that period)

Required forms:

- *Safety Review Form* ([OCFS-5183E](#))
- *Foster Parent Agreement* ([OCFS-5183J](#))
- *Youth Voice Questions*, if applicable
- *Resource Characteristics* ([OCFS-5183I](#))
- *Foster/Adoptive Applicant Medical Report* ([OCFS-5183D](#) Part 1&2), if applicable
- Background checks, if applicable
- *Annual Reauthorization Assessment and Determination* ([OCFS-5183L](#))

The written evaluation must identify issues that would require the LDSS or VA to take action to protect the health, safety, or well-being of children in care in that foster home. The obligation of the LDSS or VA to assess the safety of children in foster care exists during the entire period of certification or approval. The LDSS or VA must continually assess the quality and capacity of the foster home. If concerns are identified at any time, the LDSS or VA must assess, review, and take



Practice Tip:

Prepare for reauthorization

When preparing for reauthorization, best practice supports that the home finder:

- Conduct ongoing assessments of the home and family functioning throughout the current approval timeframe.
- Perform a comprehensive review of all previous certification/approval records to denote patterns, areas of improvement, or supports needed.
- Assure a full and complete assessment of the home includes contact with all household members whenever possible.

action to address the safety needs of children in foster care. See *Requirements Relating to CPS Reports Involving Foster Parents* ([16-OCFS-ADM-13](#)).

Youth Voice Questions

OCFS policy requires LDSSs and VAs to involve youth in care with the annual reauthorization process ([10-OCFS-ADM-09](#)). Caseworkers also gather information from youth concerning their foster home experiences as part of their regular casework contacts.

A private, in-person interview must be conducted with youth in foster care who are over 14 years of age. Such an interview is encouraged for youth younger than 14. At least once a year, the child's case planner or caseworker must give youth between the ages of 14 and 21 the opportunity to respond to [Youth Voice Questions](#) and discuss the answers with them.

The caseworker must explain to the youth that the answers to the questions will be used to gather information about safety and quality of life in the foster home. As such, it will be used to

- strengthen the youth's experience and overall quality of life in the foster home,
- provide ongoing and appropriate supports to the youth and the foster family, and
- enhance the agency's ability to properly select and prepare foster parents who care for youth.

Information gathered from a youth may be used even if the youth was removed from the home prior to the renewal of the certification or approval.

An existing certificate or letter of approval must not be allowed to expire solely because a youth has not responded to the Youth Voice Questions. If all the other documentation has been received, a decision must be made without a response from the youth in care.

Safety Review Form

As in the initial certification/approval process, the home finder must conduct an annual walk-through of the home and property to determine that the physical home continues to meet regulatory requirements and local ordinances. The assessment of the home, along with any changes since the last authorization period or interim home study and any recommended actions required, are documented on the *Safety Review Form* ([OCFS-5183E](#)). See "[Safety Review form](#)," [Chapter 4: page 4-13](#).



Practice Tip:

What to keep in mind when involving youth

Private communication: Meet with youth in a private space where they can talk without being overheard.

Consistency: Youth need a consistent caseworker. If you need to reschedule, be sure to discuss this with the youth.

Trust/engagement: Help to build trust by being open and honest. Treat each youth as an individual, not one of many cases.

Safety: Assess the environment at every visit. Be attentive to red flags in the youth's behavior and take the time to explore if anything seems "off" or if the foster parent doesn't allow the youth to communicate with you.

Support: When meeting with the foster parent and youth, avoid the appearance of being aligned with one or the other. Convey support for youth through actions and behaviors.

Cultural competence: Honor the youth's "affiliation" and don't use "assuming pronouns."

Inform: Provide the youth with contact information for the attorney for the child.

Source: OCFS Youth Advisory Board

Background Checks

In certain circumstances, criminal history, background, and SCR checks may be required as part of the reauthorization process.

If a household member, 18 years of age or older, not previously in the home at the time of initial certification is applying for foster certification/approval, that individual must have all required clearances performed. These include a criminal history records check, an SCR check, including where applicable an out-of-state SCR check, and an SEL check through the Justice Center. See [“Obtain background and clearance checks,” Chapter 4: page 4-17.](#)

Any household member who turned 18 years of age after the initial certification/approval or who did not have a criminal history record during the previous certification timeframe must submit to one prior to the reauthorization of the home.

Foster/Adoptive Applicant Medical Report

Medical reports for all household members must be updated every two years. The Foster-Adoptive Applicant Medical Report (OCFS-5183D) must be used to meet the requirements. A physician, physician assistant, nurse practitioner or other licensed qualified health care practitioner must complete a separate report for each foster or foster/adoptive (concurrent) parent and household member. See [“Foster-Adoptive Applicant Medical Report,” Chapter 4: page 4-12.](#)

The home finder assesses the foster/adoptive parent(s) and household members’ medical reports to

- explore any diagnoses or medications listed on the report that may require more information;
- explore any treatment or services listed on the report that may require more information; and
- confirm that there are no communicable diseases, infections, or illness that would affect the proper care of children placed in the home.

The LDSS or VA has the authority to request additional documentation as a follow up to medical or behavioral concerns disclosed by the applicant or recorded in the medical report.

Resource Characteristics

The reauthorization process provides an opportunity for the home finder and foster parent(s) to explore the possibility of changing the characteristics of the children they indicated they were willing or able to foster or adopt at initial or last certification/approval. Circumstances and skill sets will change over time and revisiting this discussion is an excellent recruitment strategy.

The foster parent(s) should complete the *Resource Characteristics* form ([OCFS-5183I](#)), by checking “yes” or “no” by each child characteristic/interest that their family is willing and able to accommodate. The home finder must enter the updated responses on the form into the CONNECTIONS Placement Module.

Foster Parent Agreement with Authorized Agency

The home finder must review the *Foster Parent Agreement* form ([OCFS-5183J](#)) with the foster parent(s) annually as both a reminder of the expectations and role of foster parents and to reaffirm the foster parent’s acknowledgement of the requirements via an updated signature on the form.

Annual Reauthorization Assessment and Determination

When the foster parent(s) has agreed to the components of the assessment and signed the *Foster Parent Agreement*, the home finder can finalize the *Annual Reauthorization Assessment and Determination* form ([OCFS-5183L](#)).

On the form, the home finder records the assessment of the ability and functioning of the foster parent(s) over a 12-month period. In addition, the home finder should take a holistic approach, including not only information from the authorization period, but also progress made on identified issues, continued strengths, or opportunities for improvement from previous authorization periods.

It is critical that the *Annual Reauthorization Assessment and Determination* is well written, descriptive, clear, and concise to safeguard that children and families receive appropriate placement services.

As in the initial assessment of the home, the home finder must determine the strengths, considerations, and supports needed in the foster home.

Strengths assessment

- Summarize and highlight strengths under each item on the form.
- Support the assessment with data (“how you know what you know”).
- Strengthen the assessment with behaviorally specific information and examples.

Considerations assessment

When assessing considerations, the home finder should reflect on their observations in areas such as the following:

- The foster family’s conduct when children were placed with them
- The family’s ability to work in partnership with birth parents, the agency, and other providers
- Current life experiences and their impact on fostering or adopting
- Identified or potential triggers and their potential impact on foster and adoptive parenting
- Specific skill sets that need to be improved
- Areas where the family lacks resources

Supports needed

When developing supports for the foster/adoptive parent(s), the home finder should explore their understanding of the supports and services from the agency that are designed to enhance their ability to provide for the child’s care.



TAKE A CLOSER LOOK AT PREVIOUS ASSESSMENTS

- ▶ What were the areas of consideration for this family during previous assessments?
- ▶ Have these issues been monitored on an ongoing basis? Have they been resolved?
- ▶ Are there any new concerns, areas of consideration, and support plans that need to be reviewed and assessed with the family?

Section I: Demographics

This section includes the applicant(s)' name and address, as well as names and dates of birth for all household members. If the home was approved on an emergency basis, **do not** include children in foster care who were placed in the home. There are spaces for up to six household members. If additional space is required, more than one person can be entered in the field as the form allows.

Section II: Placement History Since Last Certification/Approval

This section of the form is focused on the children placed in the home and the home finder's assessment of how each child's needs are being met.

The home finder should list all children currently placed in the home or who were placed in the home at any point during the past 12 months. For each child, the home finder must list the following in the table provided on the form:

- First name of the child
- Age of the child
- Dates of placement in the foster home (beginning and ending)
- Child interview date by home finder or foster care worker (if child still in the foster home)
 - At the time of reauthorization, every child placed in the foster home should be interviewed (if developmentally appropriate) privately and/or observed in the home.
 - As part of the reauthorization process, every child in foster care 14 years of age or older must have the opportunity to complete the Youth Voice Questions form with their case manager or case planner.
- Foster care worker name and contact date

The home finder should contact the foster care worker who is responsible for providing the [Youth Voice Questions](#) to each youth aged 14 or over placed in the home. The home finder should consider the feedback and insight from the Youth Voice Questions when evaluating strengths, considerations, and areas where additional supports may be needed.

Assessment of Child Placement

This section is meant to summarize and assess information gathered from children placed in the home.

The home finder must summarize the information gathered from child interviews, observations by the home finder and/or the foster care worker(s), consultation with foster care worker(s), and results of the [Youth Voice Questions](#). The home finder must assess how effectively the child(ren)'s

physical, emotional, developmental, and educational needs are being met in this home since the last certification/approval.

Home finders should consider the input of children placed in the home when assessing and developing recommendations for the rest of the components in the *Annual Reauthorization Assessment and Determination*. Their perspective can provide insight into the strengths and needs of the home.

This section does not include interviews with children in the home who are not in the care and custody of the LDSS. Information gathered from other children in the home can be recorded under “Family Relationships” in Section III of the form.

Section III: Assessment of Home Study Components

This section is similar to Section II of the *Final Assessment and Determination Form* ([OCFS-5183K](#)) that was completed during the certification/approval process. See “[Complete final assessment and determination](#),” *Chapter 4: page 4-40*.

The home finder must provide a critical analysis of the foster parent(s)’ current ability to provide for the needs of each child placed in the home and clearly describe the strengths, considerations, and supports needed in each area.

The assessment also captures any changes in the home or the family’s circumstances that has impacted or could impact the care of the child(ren) in the home. If changes have occurred, the home finder must document those changes and the impact they may have had on the parent(s)’ ability to effectively foster children.

Parenting

In assessing the foster parent(s)’ ability to appropriately meet the needs of the children placed in the home, the home finder should use behavior-specific examples that support their assessment of the strengths and areas of consideration throughout the certification/approval period. Needed supports identified by the home finder should align with any considerations and should be concrete and actionable.

Partner Relationships

The home finder must assess the functioning and dynamics of each foster/adoptive parent’s relationship with their spouse, significant other, or co-parent. Changes in partner relationships, if applicable, should be documented as well as any positive or negative impact of the relationship on meeting the needs of the children placed in the home.

Family Relationships

This section assesses the functioning and dynamics between and among the foster parent(s) and other household members, including birth and adopted children (other than children placed in the home). Changes in household members, if applicable, should be documented as well as any positive or negative impact of the changes on meeting the needs of the children placed in the home.

Birth Family/Guardian Relationships

The home finder must summarize the quality of the relationships the foster parents have with family members (birth, adoptive, or extended) or caregivers who have significance in the lives of the children placed in their home. The foster/adoptive parents should be knowledgeable about how these relationships and services are progressing and understand their role in supporting these relationships. The summary and assessment should include the foster parent(s)’

- willingness to work with birth families (address both fostering and adoption),
- level of openness to working with birth families, including siblings placed outside of the home and extended family members (address both fostering and adoption),
- feelings about birth families (empathy),
- understanding about maintaining connections (including religion), and
- understanding of the goal of visitation and their role in providing visitation opportunities.

Other Relationships

The home finder should summarize the quality of the relationships between the foster parent(s) and individuals who have significance in the lives of the children placed in their home, such as school personnel, service providers, and the workers from the LDSS or VA.

The foster parents should be knowledgeable about how these relationships and services are progressing and understand their role in supporting these relationships. The summary and assessment should include the foster parent(s)' openness and cooperation when working with the LDSS or VA and other service providers (medical, school, mental and behavioral health, and legal).

Psychosocial

The home finder must identify any changes in behavioral/mental health functioning as described in the "Coping Skills and Stress Management" and "Behavioral Health" sections of the *Final Assessment and Determination form* ([OCFS-5183K](#)) and previous reauthorizations.

It is important for the home finder to assess the positive and negative impacts of changes in a family's circumstances over the course of 12 months. The assessment should include what those changes are, how they have impacted the family, and how the family responded to them. Whether or not these changes were positive or negative, home finders must evaluate the impact on the foster parent(s), their response, and their ability to continue to appropriately meet the needs of the children placed in their home.

When assessing if additional supports are needed, home finders should review all previously gathered information for a more complete picture.

Section IV: Regulatory Requirements

The home finder must indicate whether the foster parent(s) has continued to comply with regulatory requirements. If changes have occurred in any category, a narrative must be provided that describes the change and any impact it had on the foster parent(s)' ability to care for the children placed in the home.

Parts 7 and 8 of this section are specific to the approval of exceptions and waivers. If the home was previously granted approval for an exception and/or waiver, the home finder must indicate whether the same exception/waiver is required for continued certification/approval.

If an approved foster home is not in compliance with regulatory requirements, the home finder may consider if this is an opportunity to apply for a waiver. If a waiver or an exception is recommended,



Practice Tip: *Supervisory review*

If exceptions or waivers are being considered, home finders should consult with their supervisor prior to submitting a formal request.

the home finder must complete a new Exception/Waiver Form in FAD and follow the instructions for securing approval.

Section V: Critical Events and Investigations

The home finder must document any critical events and/or indicated child protective services investigations in which the foster parent(s) or household members were either the alleged subject or victim named in the report.

A critical event includes any event that occurs involving the foster parent(s) or any household member(s) that may have an impact of the foster parent(s)' functioning and/or ability to appropriately care for the child(ren) placed in the home (e.g., a serious car accident, hospitalization, domestic issue, or arrest of a household member).

When there is an investigation of suspected child abuse or maltreatment by the foster parent, the home finder and other foster care staff must cooperate fully with the CPS unit of the LDSS investigating the report. See "[CPS investigation of a foster home](#)," *Chapter 5: page 5-5*.

If "yes" is selected in this section, the home finder must describe the critical event and/or indicated CPS investigations(s) and the outcome and impact on the foster parent(s)' roles and expectations in the future.

The home finder may reference any issues/concerns/incidents that have arisen during a collaboration with a CPS investigator, but they cannot record whether the collaboration was the result of an open CPS investigation or of a closed and unfounded CPS investigation. If the CPS investigation resulted in an indicated report, the home finder can list in this section that there was an indicated CPS report and the events that led up to it.

If after an investigation, the CPS worker indicates that corrective action is required, the home finder is responsible for developing and monitoring a Corrective Action Plan, located in CONNECTIONS. The Corrective Action Plan addresses only regulatory violations cited by the CPS worker.

While the details of CPS investigations should not be outlined in this section, outcomes, concerns, corrective action, and supports required should be summarized. The home finder should provide an assessment of the appropriateness of the home remaining open to placements and what additional supports are needed by the foster family, if applicable. For more information, refer to *Foster Boarding Home Annual Reauthorization Process and Template* ([19-OCFS-ADM-12](#)).

If the foster parent(s) exercise their statutory right to request an amendment of an indicated report of child abuse or maltreatment maintained by the SCR and it is determined that the report is amended from indicated to unfounded, the home finder must note the decision in the record and not reference the report in any subsequent annual reauthorizations.

Section VI: Issues/Concerns of Foster Parent

This section covers issues, concerns, or resource needs that have been raised by or requested by the foster parent(s) during the authorization period. The home finder should summarize what has been discussed with the foster parent(s) and any mitigation or resolution that was reached or recommended.

Section VII: Goals/Barriers/Corrective Action Plans

The home finder must summarize any follow up that is required for either the foster parent(s) or the home finder, based on the combined information of strengths, supports needed, and foster parent requests that have been identified.

Home finders should include how issues, concerns, and requests listed in Section V will be addressed, if applicable. Home finders should review previous goals/barriers and corrective action plans to determine whether any current issues indicate a historical pattern and require remediation or support. Responsibility for action steps and follow up should be clearly delineated between the home finder and the foster parent(s).



Practice Tip:

Developing supports

Home finders should seek supervisory input when developing supports or Corrective Action Plans for foster parents.

The LDSS or VA may have an established process in place to address next steps and follow up and may often use the Partnership Development Plan to address non-regulatory issues. Corrective Action Plans and Partnership Development Plans are **not** interchangeable, however.

Section VIII: Summary and Conclusion

The home finder must summarize the ability of the foster parent(s) to meet all regulatory requirements and to continue to appropriately support the needs of the child(ren) placed in the home. Any recommended supports or additional resources should be included.

Home finders must describe any changes in the home as documented in Sections I – VII, including changes in household composition and critical events or indicated CPS reports. Recommendations must be included to address such changes or events, as applicable.

The home finder also must include all information related to certification/approval: program type, age range, gender, capacity, and any placement restrictions.



Practice Tip:

Replicating strengths

When foster parents demonstrate an area of strength, home finders should consider ways to replicate that strength or to utilize those foster parents as resources for others.

Section IX: Agency Determination

This section corresponds to Section V of the original *Final Assessment and Determination* ([OCFS-5183K](#)) and documents the recommendation to approve or deny reauthorization. It includes

- a summary of the overall assessment, and
- the rationale for approval/denial.

The home finder must review the recommendation with their supervisor. The supervisor must sign the *Annual Reauthorization Assessment and Determination* form ([OCFS-5183L](#)) prior to sharing the determination and recommendation with the foster parent(s).

If the decision is to recommend nonrenewal or revocation of the certification or approval, or involuntary decertification:

- The foster parent must be advised prior to the expiration date of the certificate or letter of approval that the LDSS or VA does not plan on renewing the certificate or approval.
- The decision must be based on such factors as failure to meet one or more of the criteria for certification/approval or lack of need for a foster home with its particular characteristics.

- The reasons for nonrenewal or revocation must be specified in a letter postmarked at least 20 days prior to the expiration date of the certificate or approval.
- The LDSS or VA must provide the opportunity for the foster parent to meet with an official from the LDSS or VA to review the decision and the reasons for the decision.

For an approved foster home, when there is a failure to meet one or more of the criteria required for reauthorization but it is determined that continuity of the family relationships and ongoing care of the child in the approved foster home is in the child's best interests and is not inconsistent with the health, safety and welfare of the child, a waiver pursuant to [18 NYCRR 443.3\(b\)\(16\)](#) may be made in the same manner and upon the same conditions as for an initial approval [[18 NYCRR 443.11](#)]. The waiver authority is not available for certified foster homes.

Section X: Foster Parent(s) Comments

The home finder must document the date they conducted the required review of the *Annual Reauthorization Assessment and Determination* with the foster parent(s). This review must occur before the certification/approval is renewed.

If the foster parent(s) have comments, they must be included along with their dated signature(s) on the bottom of the form. The comments are entered into the report in CONNECTIONS and are sent to the home finder's supervisor for approval in CONNECTIONS.

Closing and reopening a foster home

Closing a foster home is a process that respects the rights of all parties involved and adheres to certain timelines.

Closure of a foster home is referred to as a revocation or involuntary decertification, except when the family has voluntarily requested to discontinue providing foster care services [[18 NYCRR 443.11](#)]. In these cases, the closure is a voluntary decertification.

An LDSS or VA may require a foster home to close for health and safety reasons, when the home no longer meets the criteria for certification or approval, or if there is no longer a need for a foster home with the home's particular characteristics [[18 NYCRR 443.11\(a\)\(2\)](#)]. This is called a revocation or involuntary closure.

Closing a foster home

The decision to close a foster home can be an independent decision made either by the foster parent(s) or the LDSS or VA. It also can be a joint decision agreed upon by both parties. The decision to close the home must be consistent with state regulations.

In all cases, documenting the reasons for closing a foster home is required in the home closure report. The closure report should be completed in its entirety and include any details that support the closure. If the reason for the closure is specific to one individual in the home, the details should include that information which can be helpful if the parents or the agency wish to reopen the home in the future.

Children in foster care cannot reside in a foster home at the time of or after closure. Prior to closing the home, the home finder may need to contact the LDSS or VA to verify that the location of the foster child(ren) in care is accurately reflected in CONNECTIONS.

Voluntary closure

A foster home may be closed at the request of foster parents for a variety of reasons, such as the death of one foster parent, a move out of state, their adoption of the children in foster care, or a decision to stop fostering children and youth. It is recommended that home finding staff conduct an exit interview with foster parents to record information about their experiences providing foster care. The results may guide an LDSS or VA in changing its practices and policies to improve retention. This exit interview was created by a foster parent organization: <https://www.surveymonkey.com/r/nfapaexitsurvey>

Involuntary closure

Foster homes can also be closed at the request of the LDSS, VA, or OCFS. This usually follows the occurrence of an event or change in status where mitigation is not possible or recommended, such as an arrest or criminal conviction, an indicated SCR report, or the failure of the foster home to meet the licensing standards set forth by OCFS.

In some cases, the basis for involuntary closure is not correctable, such as a criminal conviction of the foster parent for a mandatory disqualifying crime. In some cases, it can be corrected (i.e., the departure of a non-foster parent whose presence required an involuntary closure).

For involuntary closures, the home finder must notify the foster parents in writing at least 20 days prior to the expiration date or the decertification date of the certification or approval. The reasons for the revocation or non-reauthorization must be listed in the letter.

Depending on the circumstances that precipitate the decision, this process can be a stressful time for both foster parents and home finders. Home finders are encouraged to work with foster parents during these difficult times to offer support or services if warranted.

Active and inactive foster homes

The pool of open foster homes consists of homes that are "active" and "inactive." Active homes are regularly used for placements and inactive homes are homes that have not fostered for six months or longer.

Underutilization of foster homes is not healthy for a foster care program and creates additional strain on an agency that is striving to recruit families. Underutilized families may become disengaged with the foster care agency, lessening their willingness to accept placements. This, in turn, decreases the agency's ability to meet the needs of children in care.

It is recommended that agencies conduct regular assessments of inactive homes to determine whether their usage might be increased. This may not be possible because the foster parents do not accept placements or there are few children coming



Practice Tip: *Utilization study*

One way to determine which homes are active or inactive is to do a utilization study.

Utilization studies shed light on how many homes are underutilized, the reasons why, and what would it take to increase usage of inactive homes.

For example, if 80 percent of your homes remained open during the last year, but only half of those were active, your actual percentage of available homes is 40 percent. This means that 40 percent of your certified homes are inactive.

Undertaking a utilization study requires some time and effort by home finders. It should, however, provide valuable information for recruitment planning. This template was created by the Annie E. Casey Foundation (<https://ocfs.ny.gov/programs/fostercare/recruitment/img/Sample%20Utilization%20Study.pdf>)

into care who reflect the backgrounds and needs of the foster home's characteristics and preferences. In these cases, agencies may want to discuss with foster parents whether the certification or approval should be reauthorized.

Home closure procedure

Regardless the type of closure, the LDSS or VA must complete several steps to assure the process and information for the closure reason(s) are accurately documented.

The LDSS or VA must notify the foster parent in a letter postmarked at least 20 days before the expiration date or decertification date of the certificate or approval. The reasons for revocation or nonrenewal must be specified in the letter [18 NYCRR 443.11(a)(3)]. The agency must arrange for the foster parent to meet with an agency representative to review the decision and the reasons for it [18 NYCRR 443.11(b)].

State law [SSL §378-a(2)(k)] requires OCFS to notify the Division of Criminal Justice Services (DCJS) when a person is no longer certified or approved as a foster parent, so DCJS may stop forwarding updated criminal history information to OCFS, which then informs the applicable LDSS or VA about the foster parent and any person over the age of 18 who is residing in the home.

When a foster home is designated as closed in the FAD Stage in CONNECTIONS, that information is not automatically passed on to the OCFS Criminal History Review Unit. A separate notification must be sent by the LDSS or VA using the *Notice of Foster Home or Adoptive Home Closure (OCFS-2113)* within 30 days of the withdrawal of the application or closure of the foster home. A notice also must be sent when an application for certification or approval has been denied, and the applicant(s) has exhausted their appeal rights.

For detailed information on completing the Close Home task in CONNECTIONS, see the [CONNECTIONS Guide for FAD Case Workers](#), Module 15. These CONNECTIONS Tip Sheets also may be helpful:

- [FAD Tips for Troublesome Tasks](#) (January 2018)
- [Accessing the FAD Closure Report](#) (June 2018)

Documents related to closed foster/adoptive homes that are external to CONNECTIONS should be retained according to the agency policy. Issues to consider:

- LDSSs should check with their county attorney's office, as there are County Record Schedules for record retention purposes.
- VAs should check with their legal counsel, as contracts with LDSS may specify record retention policies or requirements or there may be other legal issues.



Practice Tip: *Closure report in CONNECTIONS*

To close a foster home in CONNECTIONS, select the Close Home task. The section requires the home finder to choose the reason for closure, the type of closure, and a recommendation of whether a foster home should be re-opened in the future. When the task is complete, CONNECTIONS will generate a Home Closure Report.

Details of the home closure are important, especially when former foster parents re-apply for certification or approval. Lack of details or of the appropriate recommend/do not recommend decision prevents the LDSS or VA from obtaining information vital to the safety and well-being of children in care.

- Record retention policies should take into consideration the need to produce documentation for federal and state audits.

Closure due to criminal history record check

If the decision to close the foster home is based on the results of a criminal history background check of the foster parents or persons aged 18 or older who are living in the home, the family must be sent a written statement identifying the charge or conviction and stating the reason for home closure. The agency should send the letter within seven days of learning of the charge or conviction [18 NYCRR 443.8(f)(2)].

The agency responsible for the supervision of a foster home must conduct a safety assessment of the conditions in the household that determines

- whether or not the subject of the charge or conviction resides in the household;
- the extent of that person’s contact with the foster children; and
- the status, date and nature of the criminal charge or conviction [18 NYCRR §443.8 (g)(1)].

Reopening a foster home

After the foster home has been closed, the former foster/adoptive parents may re-apply for certification or approval. The application for “reopening” the foster home is treated as a new inquiry, regardless of how long the home has been closed. The “reopening” must include new/updated Statewide Central Register (SCR Clearance) including, where applicable, out of state SCR checks, State Exclusion List (SEL), Criminal Background Check/Fingerprint Results.

The only exception to the new inquiry requirement for reopening a home is when the home was closed due to system error or a reopening for administrative reasons [18 NYCRR 443.2(b)(19)]. An LDSS or VA may administratively reopen a home to address a payment issue for a home that has been closed. Once the payment issue has been resolved, the home must then be closed.

Foster homes may need to be reopened for a variety of reasons, such as the following:

- An inquirer states that they have a history of providing foster care in New York State
- A foster parent has taken a break due to family circumstances and is ready to provide care again
- The foster home/stage was closed by the system when the certification or approval period expired



Practice Tip:

Why was a foster home closed?

If a foster home was closed involuntarily in the past, that does not prevent an individual from applying for certification or approval as a foster parent. Home finders need to look behind the basis for the involuntary closure.

In some cases, the basis for involuntary closure is not correctable, such as a criminal conviction for a mandatory disqualifying crime.

In some cases, however, the problem can be corrected. For example, the person who was the reason for the involuntary closure has left the home or the prospective applicant may have successfully appealed the reason for the closure.

- A foster home was closed in CONNECTIONS due to system error or administrative reasons

Regardless of why a home is being reopened, start by conducting a Foster/Adoptive Home Search in CONNECTIONS. A good first step is to access the Foster and Adoptive Home Record Summary (FRS). The FRS provides a comprehensive view of all home/stage information and is a quick way to figure out what information needs to be added or updated first.

The home finder also should

- review the Home History Tab which lists all historical program types, capacity, age ranges, genders, closure reasons, recommendations for reopening and Voluntary/Involuntary Closure for ALL years under the FAD;
- review the Closure Report and reasons for closing the home;
- note the recommend/do not recommend status of the closed home; and
- contact the original certifying/approving LDSS or VA for clarification of closure reasons and recommendations.

The act of involuntarily closing a home, in and of itself, does not prevent a person from applying for certification/approval or being certified/approved as a foster parent in the future. The law requires that LDSS or VA must assess both the past and current status.

If the home finder determines that the closure reasons or FAD history does not support re-application, a candid conversation should be initiated with the applicant(s). If the home finder determines that the closure reasons support the opportunity for re-application, the certification/approval process should continue.

For more information on reviewing closure reports in CONNECTIONS, see the CONNECTIONS Tip Sheet, [Accessing the FAD Closure Report](#).

APPENDIX

Home Finding Tool Kit

New York State laws and regulations

State Law

New York State has enacted statutes and regulations to guide and regulate the delivery of foster care placement and services. Most of the statutory requirements for the provision of foster care and adoption services in New York State are found in [Article 6, Title 1 of the Social Services Law](#) (SSL). SSL Section 374 authorizes Local Departments of Social Services (LDSSs) and voluntary agencies (VAs), with the approval of OCFS, to “place out and board out” children who must be removed from their homes. The term “place out” means to arrange for the care of a child for the purpose of adoption, or to arrange for the free care of a child, and the term “board out” means to arrange for the care of a child in a foster care setting where payment is made for the child’s care [SSL §371(12) and (14)].

State Regulations

Regulations for implementing these statutes are found in New York State Codes, Rules, and Regulations (NYCRR) [Title 18 Chapter II Subchapter C](#). The rules and regulations for certifying, approving, and supervising foster family boarding homes, commonly known as foster homes, are found in 18 NYCRR Part 443. State regulations require that authorized foster care agencies must seek to recruit persons with the ability and motivation to serve children in need of foster care [18 NYCRR 443.2(a)]. Regulations regarding adoptive homes are in 18 NYCRR Part 421.

Publications

[Adoption Services Guide for Caseworkers](#)

[Clearance Chart for Certified or Approved Foster Homes \(Pub. 5183ii\)](#)

[Developing Recruitment Plans](#)

[Family Assessment and Service Plan Guide](#)

[Foster Care Practice Guide for Caseworkers and Supervisors](#)

[Foster-Adoptive Parents Certification-Approval Process Chart \(Pub. 5183i\)](#)

[Having a Voice & a Choice: New York State Handbook for Relatives Raising Children](#) (Publication 5080 / 5080-S)

[Kinship Guardianship Assistance Eligibility Checklist](#) (Publications [4435a](#) and [4435b](#))

[Know Your Options: Kin Caring for Children](#) (Publication [5175](#) / [5175-S](#)) Refer to the OCFS website for multilingual versions of this brochure, under Publications.

[Know Your Permanency Options: The Kinship Guardianship Assistance Program](#) (Publication [5108](#) / 5108-S)

Know Your Resources: Non-Parent Caregiver Benefits (Publication [5194](#) / [5194S](#))

Make an Informed Choice: Kin Caring for Children (Publication [5120](#) / [5120-S](#))

[Medical Guide for Youth in Foster Care](#)

[New York State Foster Parents as Recruiters Program](#)

[New York State Foster Parent Manual](#)

[Sample Survey of Current Foster Parents](#)

[Sample Survey of Former Foster Parents](#)

[Standards of Payment for Foster Care of Children Program Manual](#)

[Students in Foster Care Tool Kit for Local Education Agencies and Local Social Services Agencies](#)

[Using Integrated Recruitment and Support to Build a Strong Pool of Foster, Adoptive, and Kinship Families](#), National Resource Center for Diligent Recruitment

[Working Together: Health Services for Children in Foster Care](#)

Websites

[Building Successful Resource Families Practice Guide: A Guide for Public Agencies](#) by the Annie E. Casey Foundation (<https://www.aecf.org/>)

[Compliance with the Indian Child Welfare Act](#) by the National Indian Child Welfare Association (<https://www.nicwa.org/>)

[Kinship Navigator](#), information and resources for kinship caregivers (<http://www.nysnavigator.org/>)

New York State Education Department (SED) website page on educational stability (<http://www.p12.nysed.gov/sss/pps/fostercare.html>)

[Practitioner's Guide: Getting More Parents for Children from Your Recruitment Efforts](#), AdoptUSKids

[Prospective Parent Orientation Sessions: 10 Things You Can Do](#), National Resource Center on Diligent Recruitment

[Publications and Resources](#) from AdoptUSKids (<https://adoptuskids.org/>)

[Revitalizing Recruitment and Retention of Foster Parents](#) (<https://ocfs.ny.gov/programs/fostercare/recruitment/>)

Forms and Job Aids

Best Interest Determination for educational stability, page 14 of [Students in Foster Care Tool Kit for Local Education Agencies and Local Social Services Agencies](#)

[Model Notice of Child Custody Proceeding for Indian Child](#)

FAD Tip Sheets

- [FAD Tips for Troublesome Tasks](#) (January 2018)
- [Accessing the FAD Closure Report](#) (June 2018)
- [Creating and Maintaining Contacts in CONNECTIONS](#) (January 2019)
- [Foster Care Transfer Procedures](#) (November 2019)
- [Adding a Provider/Resource Addendum](#) (November 2011)

[OCFS-2113 Notice of Foster Home or Adoptive Home Closure](#)

[LDSS-3370 Statewide Central Register Database Check Form and Instructions for Completing](#)

[OCFS-4680 Notice to NYS OCFS of Foster Home Transfer Between Authorized Agencies](#)

[OCFS-4930 ASFA Request for NYS Fingerprinting Services – Information Form](#)

[OCFS-5023 Authorization for Release of Information \(For Foster Boarding Home Certification or Approval Only\)](#)

[OCFS-5183A Self-Assessment](#)

[OCFS-5183B Foster-Adoptive Parent Application](#)

[OCFS-5183C Family Adoption Registry Information](#)

[OCFS-5183D Foster-Adoptive Applicant Medical Report](#)

[OCFS-5183E Safety Review](#)

[OCFS-5183F Household Composition and Relationships](#)

[OCFS-5183G Sample Genogram Template](#)

[OCFS-5183H Personal References](#)

[OCFS-5183I Resource Characteristics](#)

[OCFS-5183J Foster Parent Agreement with Authorized Agency](#)

[OCFS-5183K Final Assessment and Determination](#)

[OCFS-5183L Annual Reauthorization and Assessment](#)

[Adoption Approval Only](#)

[OCFS-5200A Self-Assessment](#)

[OCFS-5200B Adoptive Parent Application](#)

OCFS-5200C *Family Adoption Registry Information*

OCFS-5200D Part 1 and Part 2 *Adoptive Applicant Medical Report*

OCFS 5200E *Safety Review Form*

OCFS-5200F *Household Composition and Relationships*

OCFS-5200G *Sample Genogram Template*

OCFS-5200H *Personal References*

OCFS-5200I *Resource Characteristics*

OCFS-5200J *Final Assessment and Determination*

Policy Directives

[Administrative Directives \(ADM\)](#) are external policy statements issued by OCFS that are designed to advise local LDSSs and VAs of policies and procedures that must be followed and that require specific action.

[Informational Letters \(INF\)](#) are external policy statements issued by OCFS that clarify or amplify existing procedures. They may provide general educational information, transmit a new brochure, distribute a revised list of contacts, or announce newly enacted federal or state legislation. These are shared with LDSSs and appropriate VAs.

[Local Commissioners Memorandums \(LCM\)](#) are external policy releases issued by OCFS that transmit information to LDSS commissioners on specific topics. An LCM generally affects all LDSSs statewide. Information transmitted by an LCM may include notification of funding, statewide audit results, or instructions pertaining to existing program or administrative procedures. LCMs do not apply to voluntary agencies; LCMs provide information and/or direction only to local LDSSs.

Policy Directives related to home finding

Adoption by Two Unmarried Adult Intimate Partners ([11-OCFS-INF-01](#))

ASFA Safety and Permanency ([00-OCFS-INF-05](#))

Continuation of the Kinship Guardianship Assistance Program (KinGap) to A Successor Guardian ([16-OCFS-ADM-10](#))

Dual Certification of Foster Boarding Homes and Family-Type Homes for Adults ([18-OCFS-INF-02](#))

Educational Stability and Transportation Requirements for Children in Foster Care ([18-OCFS-ADM-18](#))

Expansion of the Kinship Guardianship Assistance Program (KinGAP) ([18-OCFS-ADM-03](#))

FFPSA Model Licensing Standards and Updated Forms for the Certification or Approval of Foster/Adoptive Homes ([19-OCFS-ADM-07](#))

Fingerprinting and Criminal History Record Checks for Foster and Adoptive Parents ([16-OCFS-ADM-20](#))

Foster/Adoptive Home Certification or Approval Process ([18-OCFS-ADM-07](#))

Foster Boarding Home Annual Reauthorization Process and Template ([19-OCFS-ADM-12](#))

Handbook for Relatives Raising Children ([09-OCFS-ADM-04](#))

Implementing Federal and Corresponding State Indian Child Welfare Act Regulations ([17-OCFS-ADM-08](#))

Immunity from Liability When Applying the Reasonable and Prudent Parenting Standard ([17-OCFS-ADM-01](#))

Kinship Guardianship Assistance Program ([11-OCFS-ADM-03](#))

Know Your Resources: Non-Parent Caregiver Benefits and New Requirements for Distributing Publications ([18-OCFS-ADM-23](#))

New Requirement Regarding Educational Stability of Foster Children ([12-OCFS-ADM-03](#))

Notification to Foster Parents ([08-OCFS-ADM-03](#))

NYS Kinship Navigator Program ([07-OCFS-INF-05](#))

Placement Module in CONNECTIONS ([18-OCFS-ADM-13](#))

Regulations Prohibiting Discrimination and Harassment in Child Welfare and Youth Programs ([16-OCFS-ADM-02](#))

Requirement to Forward Reports of Suspected Child Abuse or Maltreatment to the Local Departments of Social Services and Voluntary Authorized Agencies Charged With the Care, Custody, or Guardianship of a Child in Foster Care ([18-OCFS-ADM-04](#))

Requirements for Incorporating Youth Voice into the Annual Renewal of Certified and Approved Foster Homes ([10-OCFS-ADM-09](#))

Requirements for Use of the National Electronic Interstate Compact Enterprise (NEICE) ([18-OCFS-ADM-17](#))

Requirements Relating to CPS Reports Involving Foster Parents ([16-OCFS-ADM-13](#))

Supporting Normative Experiences for Children, Youth, and Young Adults in Foster Care: Applying a Reasonable and Prudent Parent Standard ([15-OCFS-ADM-21](#))

Supporting the Needs of Foster Parents ([05-OCFS-INF-03](#))

Termination of Notification of Subsequent Arrests in Closed Foster and Adoptive Homes ([14-OCFS-ADM-01](#))

Therapeutic Foster Care Guidance ([19-OCFS-INF-06](#))

Use of Communication Technologies by Children in Foster Care ([19-OCFS-INF-04](#))

Use of FAD in CONNECTIONS ([17-OCFS-ADM-05](#))