



# Resource Family Approval Guide and Toolkit

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**ALLIANCE**  
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A RESOURCE AND PROJECT OF

**Step Up Coalition**

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**Thank you for considering becoming a resource parent for a young person in your life!**

Your willingness to be a resource parent is so important. Children who enter safe, loving homes—especially homes that are familiar, such as the home of a relative or close family friend—recover more quickly from past difficulties and have the greatest chance for a happy future.

If you already have a child in foster care living with you, that child may be overwhelmed and anxious, upset, confused, or frightened. Children cannot always tell you how they are feeling; sometimes they are only able to show you through their behavior. Over time, the child will regain trust and a sense of security with your help. Your patience and empathy will help them adjust.

You will be contacted by many people concerning the child in your life. And there are many resources and supports to help you care for a child in foster care. We've created this toolkit for you – to help you to understand the process of getting approved to be a resource family to a child in foster care and help you through the process. Reach out to local resource family organizations, kinship care service providers and community organizations that serve children in foster care in your community. They will have support groups and lists of books and other resources to help you.

Our child welfare system depends on caregivers to provide safe and loving homes for children in need. Remember, there is no one model for being a resource parent. Children need and accept the love of resource parents who can meet their needs. Your ability to do that is the focus of the resource family approval process.

If, at any point in the process, you are having trouble, please refer to this manual and ask for help. From legal help to parenting coaches, there are many supports available to you.



## Overview of Resource Family Approval

Children who have been removed from their homes due to abuse, abandonment, or neglect need a safe place to live while their parent attempts to regain custody. In California, as of January 1, 2017, the process for approving caregivers for children who have been removed from their homes by child welfare agencies and probation departments is called resource family approval or RFA.

This toolkit is designed to help you complete the RFA process. The goal of RFA is to ensure that all caregivers, both relatives and non-relatives, meet the same standards. It is also intended to prepare families to care for vulnerable children, support a smooth transition to stability and permanency for children in foster care, and create a unified approval process to eliminate duplication and confusion caused, in the past, by separate processes for foster care, relative care, adoption, and guardianship.

This is a guide for anyone who is completing resource family approval. It also applies to the situations described below that may affect relatives and extended family members specifically.

### Placement Prior to Approval

There are two ways a child can be placed into a home prior to that home being approved as a resource family:

- (1) Emergency placement**
- (2) Placement based on a compelling reason**

In an emergency placement, a child is removed from their home and placed with relatives or family friends, (called non-relative extended family members or NREFMs) or an extended family member in the case of an Indian child, before they are approved as a resource family.

In a placement based on a compelling reason, a child who has been removed from their home is placed with someone, who may be a relative or a non-relative, based on the best interest of the

child for reasons such as:

- Meeting the unique needs of the child or nonminor dependent (those aged 18-21 participating in extended foster care)
- maintaining the child's connection with family or extended family
- in the case of a Tribal youth, complying with placement preferences through the Indian Child Welfare Act (ICWA) and California law at Welfare & Institutions Code (WIC) section 361.31. For placements based on a compelling reason to occur, the individual with whom the child is placed must complete a home environment assessment. The assessment is described in this toolkit

If a child is placed in your home on an emergency basis or based on a compelling reason, you become the emergency caregiver for the child while you go through the RFA process. Note: If you are an emergency caregiver with a child in your home, you must complete and submit form RFA 01A: Resource Family Application and form RFA 01B: Resource Family Criminal Record Statement within five business days of the child being placed with you. All adults residing or regularly present in the home must also complete the RFA-01(B) form. The forms can be found in Appendix [\(A1, A8\)](#) of this toolkit.

Emergency caregiver is a temporary status. As an emergency caregiver, you must complete the RFA process to be approved to continue caring for the child. It is very important to complete all the requirements as soon as possible and check in frequently with caseworkers or probation officers to ensure that the process is moving forward.

## **Child Already Placed with Someone Else**

If a child in your family or the child of a family friend is in foster care and you wish to care for that child, you should start the RFA process. Many counties are hesitant to move a child who is already placed in another home into a home of a prospective caregiver who is still working through the RFA process. However, a child can be placed in the home of a relative or non-relative extended family member at any time through the emergency placement or based on a compelling reason.



## How Foster Care Works

When a child enters foster care, the juvenile court, also known as the children’s court, oversees their case. The child is assigned an attorney, called the “minor’s attorney” and a primary case worker, also called a social worker. In the case of a young person on probation who cannot return safely to the home of a parent, the decision about where that young person may live is overseen by a probation officer. See the next section, “Foster Care and the Juvenile Delinquency Court,” for more information about how foster care works for young people involved in the probation system.

### **Here are some things to keep in mind about how the juvenile court process works:**

- In juvenile court, the minor’s attorney represents the child, not the emergency caregiver or resource parent who is caring for the child.
- The child is required to be present at court hearings. Resource parents or emergency caregivers are not required to be there unless asked to attend by the attorney, caseworker, or probation officer. However, it’s a good idea to attend to speak with the child’s attorney and understand the child’s legal situation. Court can be a stressful experience for a child, and it may be helpful to the child to have you there.
- An attorney representing the county will be present at court. That attorney usually will explain to the judge what the child welfare system is planning for the child.
- The attorneys and the judge may discuss the birth parents’ rights during the court proceeding because birth parents continue to have parental rights even after a child is placed in foster care. At some point in the case, the court may terminate those parental rights. Typically, this happens after twelve or more months of services aimed at helping the birth parents reunify with the child.
- The child may also have an educational rights holder appointed by the court to make

education-related decisions for the child. Please refer to the section “Rights and Needs of Children in Foster Care” for more information about educational rights holders.

- Resource parents or emergency caregivers may not be asked or allowed to speak during the court hearing. However, there are ways to share input with the juvenile court. The appendix includes forms that can be used to submit information to the juvenile court. See **A8-A15** of this toolkit. Relatives can use the JV-285 form and any current caregiver for the child can use the JV-290 form to share information with the court. You may also use the JV-287 form to keep contact information confidential.
- The court hearing might go very quickly and judges, attorneys, caseworkers and probation officers may use a lot of abbreviations and legal language that is difficult to understand. The child’s caseworker or probation officer can explain what was said and what was decided. Resource parents and emergency caregivers may ask to speak to the child’s attorney before and after the hearing. You may want to familiarize yourself with a list of common acronyms. See **A16** in the appendix for a guide to common acronyms and abbreviations.
- If you hope to provide a home for a child in foster care but the child is not living with you right now, you may request phone calls and visits with the child by contacting the child’s attorney and the child’s caseworker or probation officer.
- The child may be assigned a Court Appointed Special Advocate (CASA). A CASA volunteer is appointed by the court to advocate for the child and may assist the court in making decisions for the child. Resource parents and emergency caregivers should be in contact with a child’s CASA as well.

## Foster Care & the Juvenile Delinquency Court

Some older children (usually adolescents or teenagers) in foster care have their case handled by the juvenile justice system, rather than through the dependency court (children’s court). This can happen if the youth has been found to have committed a crime (this is called being an “adjudicated delinquent” in the juvenile justice system) and ordered into a foster care placement. In some counties, a youth may be in foster care through the juvenile justice system (not the dependency system).

For the juvenile justice system to place a youth into foster care, the juvenile delinquency court judge must make an order placing the youth in foster care, which may include a short-term residential treatment program (STRTP), a transitional housing placement program or a resource family placement, as appropriate. Sometimes delinquency courts may order that a youth be released home to a parent with permission to reside with a relative or non-relative friend of the family. This is not the same as a foster care placement. This kind of order may be appropriate in some cases: for example, when the parent and non-parent caregiver are jointly caring for the youth. However, by placing the youth outside of the foster care system, the court may be depriving the household of support needed to help the youth thrive. The youth’s juvenile defense attorney can explain the juvenile delinquency court orders.

The process for being approved as a resource family through the juvenile justice system is like the process described in this toolkit, except that in many counties, a probation officer, not a caseworker, will be handling the approval process. That probation officer has the same duties and obligations as a caseworker. If you are caring for a youth with a delinquency case or hope to provide a home for a youth with a delinquency case, contact the youth’s probation officer and juvenile defense attorney. You should also attend the youth’s juvenile delinquency court proceedings if possible.

### Understanding Placement vs Approval

It is important to understand the difference between approval and placement. Using the right words can help you communicate with the court and the child welfare agency.

Resource family approval is a process where the child welfare agency is generally making sure that you can provide a safe home for a child. Placement occurs when a child welfare agency moves a specific child into your home. Emergency placements may happen before resource family approval, but if a child is placed with you as an emergency placement, you must immediately begin the RFA process. You will not be eligible for foster care funding until you start the RFA application. Please refer to “Funding” section of this toolkit for more information.

# Requesting Placement of a Child in Foster Care

## If you wish to have a child in foster care placed with you:

- **Inform the caseworker or probation officer as soon as possible that you are seeking approval to care for the child.** The caseworker or probation officer must try to place the child with a responsible relative at the beginning of the case prior to the first court hearing. In some counties, there might be several caseworkers or probation officers assigned to the case for different reasons (i.e., one to investigate any allegations and another to provide services to the family). You should communicate with each as they do not always share information. *The child welfare hotline for the county is a good place to start if you aren't sure who the child's caseworker or probation officer is.* The hotline will ask for the child's full name and date of birth, if you know it.
- **Start the RFA process in advance if possible** (even if the child is not yet placed with you) by completing the RFA application found on **A1** of this toolkit and follow the other steps in this toolkit. This is particularly advisable if you are a relative or family friend and think a child in your life might come into foster care. Starting in advance means you will already be a step ahead in going through the process of approval. If the child does enter foster care and is placed with you, starting in advance helps you access funding and support quickly.
- **You may also ask to participate in the Child and Family Team (CFT) meetings.** Within 60 days of a child entering foster care, the caseworker or probation officer must convene a CFT meeting with the child, family members, professionals and other people identified by the family who are invested in the well-being of the child and family. The participants work together to create a recommendation for placement, services and supports for the child. The child, the emergency caregiver or resource parent caring for the child, the birth parent(s) and a representative of the placing agency are required members of the CFT. The child's CASA, if one has been appointed and the child does not object, and the child's tribe or Indian Custodian are also required members of the CFT. The educational rights holder may also participate in CFT meetings if the purpose of the CFT meeting is to discuss the development and implementation of a placement preservation strategy or a placement change. Please refer to the section of this toolkit "Child and Family Teams" for more information.
- **If there are multiple relatives or family friends interested in having the child placed with them, everyone should work together to identify the best plan for the child.** For example, a family might decide that one relative will be the resource parent while other family members provide support by babysitting, driving the child to appointments, or helping with schoolwork.

- **You should also attend any court hearings.** Children’s court cases are confidential, so the judge may not allow emergency caregivers or other people interested in becoming a caregiver for the child in the courtroom. However, you may ask to speak with the attorney representing the child, or to the attorney representing the parent(s) before the hearing to express an interest in having the child placed with you.
- **Relatives of a child in foster care may file an information form (called a JV-285 form) at the court.** This form allows a relative to give the court information and express interest in having a child placed with them. This form may be filed at the first court hearing or any time after the first hearing. See [A11](#) of this toolkit.
- **You may also file a request for a WIC section 361.3 hearing (often referred to as a Section 361.3 hearing).** State law requires that preferential consideration for placement must be given to relatives. State law also requires that a relative has a right to a hearing under WIC section 361.3. If you are related to a child in foster care and wish to ask the court to consider placing the child with you, you may request such a hearing at court or file a motion for WIC 361.3 hearing with the dependency court. Anyone can file a request to change a court order in a children’s court case using a request form called JV-180 form. Use the WIC 388 petition to ask the court to change the current placement of the child. See [A19](#) of this toolkit.
- **Be persistent.** There are many ways to request placement and you might have to try multiple times. Don’t give up. Your willingness to care for the child is important. Circumstances change quickly. Continue to make your desire to care for the child known to everyone involved in the child’s foster care case.

## Emergency Placement

California law requires that a child who is removed from the custody of their parents be released to a relative if one is available. The law also requires that a caseworker or probation officer assess the suitability of any relative or family friend (called a non-relative extended family member or NREFM), or an extended family member in the case of an Indian child, who requests placement of the child at the beginning of the case.

If you are a relative, NREFM, or an extended family member in the case of an Indian child, a caseworker or probation officer may place a child with you on an emergency basis once they have:

- (1) **Completed an in-home inspection (see [A22 Resource Family Home Health and Safety Assessment Checklist](#)).** Caseworkers or probation officers must determine that the home and grounds are free of conditions that pose any undue risks to the health and safety of children

(2) **Received the results of a criminal records check through what is called California Law Enforcement Telecommunications System (CLETS) for all the adults living in the home.**

A criminal record check through the CLETS database is different than a Livescan (fingerprinting). CLETS is a database check and often the results can be received within a few hours. If the CLETS check shows any criminal convictions for any adults in the home, even if they are for minor crimes or occurred in the past, generally a child may not be placed on an emergency basis in that home until an exemption has been granted. However, an exception in the law allows for placement pending an exemption if ALL the parties agree, including the child welfare agency or probation department. Arrests alone do not require an exemption, but they might be cause for a delay in placement until more information is gathered

(3) **Checked for allegations of prior child abuse or neglect on the Child Abuse Central Index (CACI) for all the adults living in the home.** The caseworker or probation officer and/or the court might decide against an emergency placement if the CACI report raises any child safety issues

*NOTE:* A Livescan (fingerprinting) is not required for an emergency placement but must occur within 10 days of the CLETS check or five business days of placement, whichever is first. The child welfare agency or probation department will provide instructions and a form to take to a location where fingerprints are electronically scanned and checked with the California Department of Justice and FBI databases. Any form of photo ID is acceptable. It does not need to be a driver's license.

*NOTE REGARDING IMMIGRATION STATUS:* California counties are not investigating immigration status, nor is immigration status a reason to disqualify any individual from being a resource family. County agencies may place a child on an emergency basis regardless of immigration status of the individual.

## Next Steps Following an Emergency Placement

Emergency placements may be made before you complete the RFA process. Immediately following an emergency placement, you must do the following:

- (1) **Within five days, begin the RFA process and complete form RFA-01A: Resource Family Application.** See **A1** and **A8** in this toolkit. If you are an emergency caregiver, you can receive emergency caregiver funding right away once you submit these forms. In California, if you are an emergency caregiver, you qualify for the basic foster care rate (\$1,206 per month as of the publication of this toolkit) even before you start the RFA process. Emergency caregiver funding usually accrues back to the date of placement but cannot be paid until the RFA application is complete.

- (2) **Complete all other RFA requirements described in this toolkit.** Please refer to the section “Resource Family Approval Checklist” for the complete list of requirements.

## Placement for a Compelling Reason

While emergency placement is an option ONLY if you are a relative, NREFM, or an extended family member in the case of an Indian child, “placement for a compelling reason” is an option for anyone who wishes to have a child in foster care placed with them. A placement for a compelling reason, like an emergency placement, can occur before you are approved to become a resource family. The process for a “compelling reason” placement is like the emergency placement process, except that a full home assessment (Form RFA-03: Resource Family Home Health and Safety Assessment Checklist, [A22](#)) must be completed prior to placement.

Examples of “compelling reasons” may include, but are not limited to, the following:

- You are caring for the child’s sibling.
- You can help the child stay connected to other family members.
- You are the best person to provide for the child’s special needs.

If you believe there may be a compelling reason for a child in foster care to be placed with you, contact the child’s caseworker or probation officer.

# Resource Family Approval Checklist

This checklist will guide you through the RFA process. You must complete ALL the following requirements. These tasks do not have to occur in this order.

Date Completed	Task
.....	<b>Form RFA-01A: Resource Family Application (A1)</b> must be completed and submitted within five business days after a child or NMD is placed under emergency placement. <i>Note: there is no application processing fee.</i>
.....	<b>Form RFA-01B: Resource Family Criminal Records Statement (A8)</b> must be completed and submitted by all adults residing or regularly present in the home within five business days after a child or NMD is placed under emergency placement.
(no longer required) .....	<b>Form RFA-01C: Resource Family Application - Confidential (A29)</b> is required only if the RFA applicant has requested approval only for a specific child or NMD.
(CWS fills out) .....	<b>Form RFA-02: Resource Family Background Checklist and Out-of-State Child Abuse Registry Checklist (A30)</b> , background check must be completed for an RFA applicant and all adults residing or regularly present in the home of the RFA applicant.
.....	<b>Form LIC-198B: Out-of-State Child Abuse Neglect Report Request (A55)</b> is required only for RFA applicants, or other adults, residing or regularly present in the home of an RFA applicant, who have lived out of state in the last five years.
.....	<b>Form RFA-03: Resource Family Home Health and Safety Assessment Checklist (A22)</b> is a required health and safety assessment of the RFA applicant’s home and grounds, outdoor activity space, and storage areas.
.....	<b>Form RFA-04: Resource Family Risk Assessment (A38)</b> The caseworker or probation officer shall complete a caregiver risk assessment prior to approval, which includes assessing physical health, mental health, substance use/abuse, and family/domestic violence history.
.....	<b>Form RFA-07: Health Questionnaire (A40)</b> is required to show verification of good physical health and mental health, or a health screening by a licensed

health professional within one year of the RFA application date.

.....

**Proof of Identity** (e.g. driver’s license, California State ID, etc.)

*Note:* Other identification can be provided if the applicant does not have either of these forms of ID. Immigration status is not a reason for the county to deny placement of a child with a relative.

.....

**Verification of the RFA applicant’s current income and disclosure of expenses**

.....

**Resource Family Orientation** (in some counties, this is part of the required pre-approval training).

.....

**Minimum of 12 hours of pre-approval caregiver training**

*Note:* Some counties have additional requirements. For example, Los Angeles County requires that caregivers attend a county-sponsored orientation before the 12 hours of pre-approval training. Some counties also require more than 12 hours of pre-approval caregiver training.

.....

**Verification of Employment** (if employed)

.....

**Documents verifying ownership or rental of the home**

.....

**History of the Applicant’s status as an approved relative, NREFM, certified family home, or an employee, volunteer, or licensee of a community care facility**

.....

**Names and contact information for two people** who can attest to the applicant’s character and ability to provide care and safety.

.....

**A Family Evaluation**, which includes at least two face-to-face interviews of the applicant and one interview of everyone else in the home.

*Note: Some counties may have additional requirements beyond those included in the above checklist. For example, some counties require proof of vaccinations for any pets in the home. Consult the caseworker or probation officer to find out about any county-specific requirements in your area.*



## Getting Through the Checklist

While you are going through the RFA process and checking off each of the requirements on the list, you will have many visits from the individuals associated with the child welfare agency or probation department. The caseworker or probation officer is required to document each visit to your home and to complete a form summarizing the visit. You are entitled to receive a copy of the completed form. See [A42](#) in this toolkit for an example.

The RFA checklist can be overwhelming when you are getting started. Remember that the process is designed to make sure that the child is entering a stable home and to prepare you for the important work of meeting the child's needs. Help is always available to support you through the RFA process. See [A47](#) for a list of organizations that assist resource families.

Respond as soon as possible to all requests for information during the approval process. Ask the caseworker or probation officer to provide regular information.

- Check in the caseworker or probation officer often to see where the agency is in the approval process and ask whether additional information is needed to move the approval forward.
- Document everything, including conversations with anyone involved in the child's case.

Keep notes about every attempt you make to contact the caseworker or probation officer. If necessary, contact the caseworker or probation officer's supervisor for help resolving outstanding issues. You may also ask a foster family agency or an advocacy organization (see [A47](#) for a list of such organizations) for assistance in escalating an issue. Ask friends and family for support during the approval process.



## Resource Family Application

You must complete the State of California Resource Family Application form, also known as the RFA-01A form (see [A1](#)) to begin the approval process. If a child is already placed in your home on an emergency basis, you must complete and submit form RFA-01A: Resource Family Application and all adults residing or regularly present in the home must complete form RFA-01B: Resource Family Criminal Record Statement within five business days of the child being placed with you. Complete every field that is part of the form. Missing or incomplete information may delay the approval process.

Questions regarding sensitive information, like a history of past arrests, substance abuse treatment, or mental health treatment, are included to provide a complete picture of your strengths and needs. Answer such requests with full honesty. Withholding information is likely to delay or derail the RFA process. Discuss any issues, questions or concerns with the caseworker or probation officer.

If you do not have exact information (e.g. an exact date, a former salary, etc.), you should give the most accurate answer possible and indicate that the information is not exact. (Example: “I was hired sometime in January 2020.”)

Do not leave a particular field blank if it does not apply to you/your home. Instead enter “N/A” (not applicable). Leaving a field blank may cause your application to appear incomplete and delay the RFA process.

Only indicate that someone is related if they are legally related to you. For example, many family friends are referred to as “cousin” or “aunt” or “uncle”; however, they are not legally related and should not be listed as “cousin” or “aunt” or “uncle” on the form. Instead, the relationship should be listed as “none.” It is especially important to list the exact nature of the legal relationship to any children already residing in the home.

If you plan to care for a child in foster care along with a spouse, partner or other relative, both you and the other prospective resource parent should sign and date the form.

The county will not begin the RFA process until you have fully completed the RFA-01A form.

If a child is placed with you as an emergency caregiver, funding begins only after RFA-01A form is submitted. Please refer to the section “Funding” for more information.

You may withdraw your application prior to approval or denial, either verbally or in writing. A child welfare agency or probation department cannot withdraw your application unless you ask them to. However, they can deny or rescind your RFA application. If your RFA application is denied or rescinded, you are entitled to what is called due process and you may appeal that decision.

## **What to Ask the Caseworker or Probation Officer**

During the RFA process, you should check on the status of your RFA application frequently with the caseworker or probation officer assigned to the case. Ask them:

- Did you get all the information needed on the RFA application form?
- When will my home assessment be scheduled?
- Is there anything that I need to do in my home to prepare for the home assessment?
- What documents can I prepare and/or gather for our next meeting?
- Did you have any trouble contacting my references?
- When will the orientation be scheduled?
- Where can I sign up for the pre-approval training?
- Can I complete some of the training hours through online courses?
- Have the Livescan (fingerprints) for all adults in my home been processed?
- Is there anyone who needs to Livescan who hasn't done so yet?
- Have the background checks for all adults in my home been cleared? If not, can we complete the exemption paperwork for anything that appeared in the background check?
- When can I expect to receive funding once a child in foster care is living with me?
- Is there anything else that you need from me to process my application?

## Personal References

The RFA application requires two references. In some instances, the caseworker or probation officer might request additional references.

- References should be adults, i.e., at least 18 years old.
- Both references must be unrelated to you.
- Tell the people you are using as a reference that they will be contacted by a caseworker or probation officer so that they are prepared.
- Select references who know you and your family well.
- Avoid selecting anyone with a criminal history or history of child abuse and/or neglect, including anyone who has had children removed from their care in the past.
- You may ask the caseworker or probation officer for an exception if you don't have two suitable references.
- Your references should share specific examples of your ability to safely and effectively care for children and provide them with love.
- Your references should be prepared to talk about how you handle responsibility generally. For example, how you perform at work, or how you have helped take care of friends or other family.
- References should be able to talk about how you handle stressful situations.
- References should be able to comment on your community involvement such as your volunteer activities, membership in a religious community, or any coaching or mentoring you have done. They should talk about any traits that make you a great caregiver, such as a strong work ethic, patience, and generosity.

## References for Criminal Exemption Requests

If you or another adult in the house have a criminal conviction in your past, you may still be able to gain approval by requesting what is called a criminal record exemption. To get an exemption, you must provide three character references. (The two references required for your RFA application may also be used for a criminal record exemption character reference.) At least one of those references must be able to support your exemption request. That means they must be people who know about any convictions in your past and can talk about how your behavior has changed since the conviction. They should talk about the positive steps you have taken since the time of the

conviction, such as education, steady employment, counseling, drug treatment, alcohol treatment, or community involvement.

## Background Check

An important part of the RFA process is a background check to identify whether you or anyone else in the home has any criminal convictions, arrests, or incidents of child abuse or neglect.

You and anyone else over 18 living in the home or regularly present in the home must complete a Livescan (electronic fingerprinting). The caseworker or probation officer can tell you where to go for your Livescan. Anyone in your home over the age of 14 who has been convicted of a serious crime may have to complete a Livescan. Expect the caseworker or probation officer to contact you within five days of emergency placement for background fingerprint clearance or within 10 days of when the child welfare agency or probation department conducted a criminal records check through the California Legal Enforcement Telecommunication System (CLETS).

**Your RFA application must be received prior to the Livescan background check.** You will have to sign a form to allow the child welfare agency to check the CLETS database for criminal records and to check the Child Abuse Central Index (CACI) for any child abuse or neglect incidents. The background check includes criminal records and child abuse records in any other state where you or anyone else in your home has lived. You will be asked to fill out a Criminal Record Statement form (RFA 01B, [A8](#)). It is very important to be truthful and include any criminal history when filling out this form.

If you or anyone else in the home has arrests that did not lead to a conviction, the caseworker or probation officer will investigate the facts and determine whether the arrest raises concerns about the potential safety of a child. If you or anyone in the home is listed on the CACI due to a child abuse or a neglect incident, the caseworker or probation officer's agency will investigate the facts and determine if the incident raises any child safety issues. An arrest record cannot be used to deny or rescind resource family approval unless the child welfare agency or probation department investigates the incident and finds evidence of conduct that may pose a risk to the health and safety of a child. A person with a history that includes a crime that poses a threat to the health, safety, and well-being of a child will not be approved as a resource family and may not reside or be regularly present in a resource family home unless granted a criminal record exemption. Please refer to the section "Criminal Record Exemption" for more information.

You or anyone who is Livescanned or fingerprinted as part of the RFA process have the right to review your criminal history summary (also known as a "rap sheet"). Let the caseworker or probation officer know if you would like to review the criminal history summary. To correct any inaccuracies in the criminal history summary:

- Request the criminal history summary report from the California Department of Justice

(DOJ) by filling out form BCIA 8015RR (A48). Check “record review” as the “type of application.”

- Bring the completed form to a Livescan; you may request a fee waiver using form available at Office of Attorney General website (A52) if the fee is a hardship.
- Request form BCIA8706 (A54) to challenge any mistakes on the criminal history summary report. The summary report includes any cases matched to your fingerprints (which are difficult to challenge) and cases matched to your name, which can sometimes result in mistakes.

The DOJ will investigate and correct mistakes following receipt of the form.

## Criminal Record Exemption

Even if you or someone else in your home has a criminal conviction, you can still be approved as a resource family. You will need to request a criminal record exemption.

Exemptions are not possible for some types of convictions. Your RFA application will be denied if you, or someone in your home, has such a conviction. A list of non-exemptible crimes is included in the appendix of this toolkit. Note: As of January 1, 2022, relative caregivers, or adults residing in the home of a relative caregiver, may receive an exemption for a broader list of convictions, including convictions ordinarily categorized as non-exemptible, and complete the RFA process to care for a specific child. However, no resource family applicant may receive an exemption if they or someone in their household has had a felony conviction within the last five years for child abuse or neglect, spousal abuse, rape, sexual assault, homicide, or any other crime against a child, including child pornography.

**All other convictions:** Most other convictions can be exempted. There are two types of exemptions available for other types of convictions: 1) simplified and 2) standard. The simplified exemption process can be used for less serious crimes (misdemeanors) and felonies that are not violent, not sex crimes, and do not involve harm to a child. The simplified exemption allows for the conviction to be solely on the review of the criminal record information collected, such as the applicant’s rap sheet.

The standard exemption process is more involved and requires additional documentation and evidence of rehabilitation, including character references, a letter explaining prior conviction(s), and court documentation of past convictions. Although the convictions for which applicants may be exempted depend on whether the applicant is a relative or non-relative, the process for showing evidence of rehabilitation is the same for all applicants who may be eligible for an exemption.

## All other convictions

A county may grant an exemption via the simplified exemption process solely based on the criminal record information that is collected if the person has a criminal conviction and does not have a misdemeanor conviction within the last three years and the individual does not have a felony conviction within the last five years.

### **Criminal Record Exemption for Tribal Communities**

A county shall administer social and cultural standards pertaining to the Indian community when evaluating if an individual is rehabilitated, in collaboration with tribal representatives.

Note: The child welfare agency in charge of your RFA application decides whether to apply the simplified or the standard exemption process. They may require the standard exemption process, even if the conviction qualifies for the simplified process. If you request an exemption, be sure that you understand which process the agency wants you to follow. If you request and are denied a criminal record exemption, you can file for an appeal. See [A57](#) for the form required to do so.

# Home Environment Assessment

As part of the RFA process, you must complete a home environment assessment to the satisfaction of the child welfare agency or probation department handling your application. The assessment is a review of your home, including all the indoor and outdoor spaces. The goal of the assessment is to ensure that your home is safe for a child. Some counties and foster family agencies (licensed private agencies) may have additional requirements, so be sure to ask the caseworker or probation officer what the requirements are in your situation.

See [A22](#) for the Home Health and Safety Assessment Checklist. It will help you prepare for the home assessment.

## Documented Alternative Plan (DAP)

A Documented Alternative Plan (DAP) is a written plan approved by the child welfare agency or foster family agency that allows you to meet the home safety standards in a different way. See [A61](#) for an example.

For example, if your home has smaller rooms or fewer bedrooms than required, there may be a way to meet the RFA requirements through a documented alternative plan. The caseworker or probation officer must approve the alternative plan to make sure that it will not be detrimental to the health and safety of any child in the home. An alternative plan is approved on a case-by-case basis considering the needs of a specific child. For example, if you will be caring for a teenager who can swim, you may not need a fence around your pool.

## Corrective Action Plan (CAP)

If the caseworker or probation officer determines through the home assessment that there is a problem with your home, they may ask you to work on what is called a Corrective Action Plan (CAP). A CAP is a plan that you develop with the child welfare agency, probation department or foster family agency to fix a problem in your home. The caseworker or probation officer should help you with the process. See [A62](#) for an example of a CAP.

The CAP will specify how long you have to fix the problems in your home. Some problems can be fixed after the child is placed with you if they do not put the child's health or safety at risk. Other problems must be fixed before the child is placed in your home, if they put the child's health and safety at risk. For example, these things must be fixed before a child may be placed with you:

- Obstructed passageways inside or outside of the home
- Unsafe fireplaces, open face heaters, or woodstoves

- Insufficient lighting to ensure comfort and safety
- No fence, cover, or other obstruction to prevent access to pools
- Poisons, firearms, medicines, and other dangerous items are not stored in a locked area, or
- No cellular, internet, or landline telephone services readily available at all time

# Family Evaluation

During the RFA process, you will be asked to meet face-to-face at least twice with a caseworker or probation officer to discuss your interest, willingness, and ability to care for a child in foster care. This is called a family evaluation. Do not be intimidated by the interviews: the family evaluation is intended to be a series of conversations. Your RFA application will be denied if you refuse to participate in the interviews.

The person interviewing you knows that there is no “perfect” caregiver, just as there is no perfect person. Most people have had some obstacles to overcome. They want to hear about how you and your family deal with setbacks, what lessons you have learned, and how you are currently living your life. The interviews will identify your strengths and areas where you might benefit from supports and resources.

## How does the family evaluation help me care for a child in foster care?

Children in foster care have experienced trauma, abuse, and/or neglect. Because of these experiences, they may develop coping skills or behaviors that can be unusual and challenging to manage. Lying, stealing, hitting, hoarding food, and disconnecting emotionally are examples of survival skills for children in distress.

When a child lives in constant fear or chaos, the body feels threatened and the brain is in a state of high alert. Remaining in high alert over time impacts how the brain functions and develops. Some of the child’s behavior may seem immature or unreasonable. This will change once the child feels safe and begins to heal.

The family evaluation helps you and the child welfare agency or probation department understand how you respond to stressful and challenging behaviors and situations. It also helps you and the child welfare agency or probation department understand what support you might need to help the child recover.

## What to Expect during the Family Evaluation

During the RFA process, you will receive a letter, email, text or call from a case worker or probation officer requesting to meet with you and anyone else living in your home.

The interviews should take place as soon as possible. Inform the caseworker or probation officer if your schedule does not allow you to meet during certain days or times. Interviews should be scheduled at a time and place that is convenient for you. You will be expected to participate in at

least two interviews, and one of those interviews must be in your home. In addition, anyone else living in your home, including children, will also be required to participate in an individual interview. Interviews usually take 1-2 hours.

If you are applying with another person, such as your spouse or domestic partner, each of you will be interviewed separately, and you will also be interviewed together. In some cases, an interview may be conducted online (e.g. Zoom, Teams, etc.). Additional interviews may be deemed necessary by the caseworker or probation officer. After the interviews are completed, the caseworker or probation officer will write a family evaluation report. You can ask to review the report.

## Preparing for the Interviews

It may be difficult to discuss sensitive issues such as criminal history, past abuse, or traumatic events. Be honest and straightforward. False or misleading statements can lead to your RFA application being delayed or denied.

During the family evaluation, you may be asked about your background, parenting skills, strengths and weaknesses. You may also be asked about the results of the background checks.

Let others who live in the home know that they will be asked similar questions, so that they are prepared.

If the caseworker or probation officer has concerns regarding your application, they should let you know that during the evaluation so that you can discuss these concerns.

Common topics of discussion include:

- Your motivation to become a resource family
- Your relationship to the child
- Your own childhood upbringing and experiences
- Your experiences and characteristics
- Past and current alcohol or substance use
- Any history of physical or emotional abuse, neglect, sexual abuse or domestic violence
- Your past and present physical and mental health
- Current and past marriages, partnerships and other significant relationships\*
- Family traditions, beliefs, and activities
- How children are disciplined in your home
- Your support system (neighbors, friends, religious communities, etc.)

- The results of your background check, including any previous arrests, convictions, or child abuse referrals
- Your current employment and your work schedule, if applicable
- Your ability to take time off
- Your financial ability to provide stability for the family\*\*
- The legal and financial responsibilities of caring for a child
- Your understanding of the needs of a child who has been a victim of abuse and neglect; effective parenting skills; and cooperation with the placing agency, providers, and other important members of a child's life
- Your ability to meet the needs of the child, support permanency plans for the child (including reunification with parent(s), guardianship, adoption, etc.) and make use of services to support the child.

*\*You do not need to meet a certain model to be approved as a resource family. Resource families may include single men or women, gay and lesbian couples, immigrants, non-English speakers, and older people. The caseworker or probation officer is interested in your connection to the child and your ability to care for them.*

*\*\*This discussion will take into account the foster care benefits that your family will receive. Resource family approval is not based on income.*

# Pre-Approval Training

To be approved as a resource family, you must complete a minimum number of hours of pre-approval training. Be sure to ask the caseworker or probation officer to explain pre-approval training requirements in your county, and where and when training is offered. The State of California requires a minimum of 12 hours of training prior to approval, but some counties require more than the state minimum. The exact number of hours is set by your county.

The training includes a resource family orientation. The orientation explains the RFA process and requirements.

Failure to complete pre-approval training may cause your application to be denied. Be sure to document all trainings that you attend, including date you attended and the topic of the training, and obtain certificates of completion from the instructor.

The purpose of pre-approval training is to help you understand the child welfare system and prepare to care for a child who has experienced trauma.

## **The following topics will be covered during training:**

- An overview of the child welfare and probation systems
- The effects of trauma, including grief, loss, child abuse and neglect, on child development and behavior and methods for parenting children through recovery from trauma
- The role of the resource family, including working cooperatively with the child's other relatives, service providers, and agencies to develop and implement a case plan, and working with the Child and Family Team
- Positive discipline and the importance of self-esteem
- Common health issues among children in foster care
- Accessing services and supports to address education needs, physical, mental, and behavioral health and substance use disorders, including culturally relevant services
- Personal rights of children in foster care and the caregiver's responsibility to safeguard those rights
- Options for permanency (reunification, adoption, guardianship, etc.)
- Birth parent relationships and safety issues regarding contact
- Knowledge and skills relating to the reasonable and prudent parent standards
- Cultural needs of children, cultural competency and sensitivity, and best practices in caring for children across diverse ethnic and racial backgrounds, and caring for young people identifying as lesbian, gay, bisexual, or transgender

- Basic instruction on existing laws and procedures regarding the safety of foster youth at school
- Child and adolescent development, including sexual orientation, gender identity and expression
- Overview of specialized training, such as training to help meet the needs of commercially sexually exploited children
- The role of the resource family
- Sexual and reproductive healthcare, healthy sexual development, and confidentiality of health information

You may be required to complete additional training specific to the needs of the child coming into your home. If the child is eligible to receive what is called Intensive Services Foster Care (ISFC), you will have additional training requirements. Please see the following section for more information. In addition, many counties require a resource family to complete additional training to receive a specialized care increment for children with higher needs. Please see the section “Funding and Level of Care” for more information.

## Intensive Services Foster Care

Some children with certain behavioral, physical, or medical needs require a home with specialized training and intensive support from a professional team. Families approved to care for such children are known as Intensive Services Foster Care (ISFC) resource families.

The goal of ISFC is for the child to be able to live in a family home, rather than a group home or short-term residential therapeutic program. ISFC families receive a higher foster care rate in recognition of the extra time commitment and responsibility that comes with caring for a child with intensive needs. Children who qualify for ISFC receive special supports and services including, but not limited to, mental health treatment, trauma informed care and transitional support. ISFC services and supports that are provided either by a ISFC foster family agency, the child welfare agency, or certain approved providers in your community.

An ISFC resource family may not have more than two children in foster care in the home unless the children are a sibling group, in which case, up to five children may be placed in the home.

A child’s eligibility for ISFC is determined by a process called the Level of Care (LOC) Protocol. There are three ways that a child can qualify for ISFC:

- The LOC Protocol includes a list of what are termed “static criteria” that qualify a child for ISFC. These static criteria include a history of substance abuse, running away, three or more placements, gang activity, aggressive or assaultive behavior, and more.

- In addition to the above, any young person that receives a total LOC score of 25 or more qualities for ISFC.
- Any young person who receives a score of 7 in either the Health or the Behavioral/Emotional domain of the Protocol qualifies for ISFC.

See [A64](#) in this toolkit for more about the LOC Protocol, including the list of static criteria.

## Child Specific Approval

In general, resource family approval means you may care for any child in foster care if that is in the child's best interest and you can meet their needs. However, in some exceptional situations, a resource parent may be approved to care only for a specific child. This happens when concerns arise during the resource family approval process, but the caseworker or probation officer determines that the familial or tribal relationship between the applicant and the child is of such significance that it outweighs those concerns. Child specific approval is offered in such cases only when the concerns identified during the assessment process do not impact the health, safety or well-being of the child; the relative applicant or other adult in the home was granted a criminal record exemption for a conviction that is typically classified as non-exemptible; or the Tribe did not exercise its right to approve a family for a specific child, and the County, in collaboration with the Tribe, applied the prevailing social and cultural standards of the Indian community when approving the family for that child.

Approval to care for a specific child does not grant you approval to care for any other child in foster care. If you are approved to care for a specific child, you may not have additional children placed with you unless and until your approval is updated to account for additional children or you are approved for general resource family approval, rather than a child-specific approval.

You must complete form RFA 01C ([A29](#)) in addition to all other forms if you are requesting approval only for a specific child.

## The Annual Update

Once you are approved, you must complete an annual update each year to maintain your approval status and continue caring for a child in foster care. The annual update is far less extensive than the full RFA process.

As part of the annual update, you are required to complete a minimum of eight hours of new training and a current cardiopulmonary resuscitation (CPR) and first aid certification. As with the pre-approval training, some counties have additional training requirements beyond the 8-hour

minimum. Ask your caseworker or probation officer for more information about how to meet your annual training requirement. Annual training classes often cover topics such as: trauma, crisis intervention, supporting children in school, and reproductive health. Training may be provided by colleges, hospitals, foster parent associations, online and other sources.

If you are an Intensive Services Foster Care resource family, you must complete a minimum of 24 hours of additional training within the first 12 months following placement of a child and 12 hours of training each year after that. If there are two ISFC approved parents in your home, each of you must complete 12 hours of training per year.

In addition, you may be asked to verify information in the RFA report, conduct an updated home health and safety assessment, verify background checks, or complete other activities recommended by the caseworker or probation officer as part of the annual update.

## CPR and First Aid Certification Requirements

You must complete cardiopulmonary resuscitation (CPR) and first aid training no later than 90 days following approval as a resource family. There are certain exemptions for resource family parents who meet certain requirements, such as having active and unrestricted licensure as a health care professional, from RFA first aid training requirements. Resource parents who have a certificate of completion for Basic Life Support (BLS) for health care professionals, or Pediatric Advanced Life Support (PALS), or a higher standard of training that certifies cardiopulmonary resuscitation (CPR), from RFA CPR training requirements are also exempted.

CPR and first aid certification may be offered as one class. CPR and first aid classes typically take a few hours to complete and online options are available. The class should be appropriate for the age of the child being placed with you.

Ask your caseworker or probation officer if your county provides online CPR and first aid training, and whether they pay for such training. They may also provide other supports to help you meet the training requirements (such as transportation help or childcare during trainings). Typically, CPR and first aid certification are valid for two years. The classes needed for recertification are shorter than the traditional certification course, but must be taken before the original certification expires. You must maintain current certificates for CPR and first aid training and during the annual update, you must provide your CPR and first aid certificates.

## Inactive Status

You may have your approval status changed to “inactive” if you are not currently caring for a child in foster care and do not plan to accept any new placements in the near future.

“Inactive status” allows you to maintain your status as a resource family for a period of time without having to complete the annual approval update. Resource families who are on inactive status may not accept placement of a child in foster care during the period that they are inactive. Inactive status may last up to two years.

To be placed on inactive status, you need to submit a request in writing to your caseworker or probation officer asking to be placed on inactive status. If you decide that you would like to accept placement of a child in foster care again after you have been placed in inactive status, you must notify the child welfare agency or probation department in writing that you wish to be taken off inactive status. Also, you must complete the annual update before you can accept a child in foster care into your home again, unless the child is placed with you on an emergency basis or based on a compelling reason.

## Portability of Approval

Resource family approval and ongoing support of resource families happens either through a foster family agency (FFA) or through a county child welfare or probation agency.

If you start with one type of agency and then you want to change to another, or if you move to a different county, you can transfer your approval. State law allows you to transfer approval between counties, between FFAs, from a county to an FFA, or from an FFA to a county. This allows families to access appropriate supports and services that might be offered from a different entity without having to start the RFA process over again with that entity. This process is called “portability.” The minimum requirement for porting an approval from one entity to another are outlined below, but the agency you are transferring to can impose additional requirements prior to accepting you into their agency.

**If you are transferring your RFA application from one FFA to another FFA, prior to approval, you must:**

- Submit your RFA application to the new FFA
- Comply with criminal record clearance requirements
- Cooperate with the new FFA in conducting an approval update

**The new FFA must:**

- Conduct the background check for you and all adults residing in your home
- Conduct a reference check
- Complete an approval update
- Request copy of the written report from the original FFA and the original FFA must forward a copy of the written report to the new FFA
- Notify the original FFA of the approval

**If you are transferring your RFA application from a county agency to FFA, you must:**

- Submit an RFA application to the FFA
- Comply with criminal record clearance requirements
- Cooperate with the new FFA in conducting an approval update

**The new FFA must:**

- Conduct the background check for you and all adults residing in your home
- Conduct a reference check
- Complete an approval update
- Request copy of the written report from the county, which the county must then provide to the FFA
- Notify the county of approval

**If you are transferring your RFA application from an FFA to a county agency, you must:**

- Submit information to the county to initiate the transfer process
- Cooperate with the county in conducting an approval update

**The county must:**

- Request clearances and exemptions issued to you and any other adults residing in your home to be transferred to the county
- Complete an approval update
- Request a copy of the written report from the original FFA, which the original FFA must then forward the county
- Notify the original FFA of the approval

**If you are transferring from one county to another county:**

**The current county must provide the following to the new county:**

- The physical RFA case file, the Department of Justice (DOJ) form used to transfer the subsequent arrest notification (this will allow the new county to receive notification of any arrests or convictions that happen in the future), written reports, and approval certificate of all adults in the home.

**The new county must:**

- Review all materials received from the original approval county
- Assign a new caseworker or probation officer
- The new caseworker or probation officer must contact you within five business days for a site inspection, complete background checks, and update the written report and certificate
- The new caseworker or probation officer must notify the original approving county that the DOJ has approved the transfer

## Indian Child Welfare Act

Tribes have the autonomy to create their own approval standards for families caring for Indian/Native American children, and many tribes utilize their own approval standards. Therefore, RFA requirements do not always apply to situations involving a Native American child. Instead, the Indian Child Welfare Act (ICWA) governs some of the process for such children.

### Background

Native American children have been overrepresented in the foster care system. In the past, Native American children were removed from their homes by state child welfare and private adoption agencies, and 85% were placed outside of their families and communities. Such practices negatively impacted Indian children, families, and tribes. ICWA aims to “protect the best interests of Indian children and to promote the stability and security of Indian tribes and families.” (25 U.S.C. § 1902)

### When ICWA Applies

ICWA applies to certain child custody proceedings that involve an Indian child. ICWA defines an Indian child as an unmarried person who is under the age of 18 and is either a member of an Indian tribe or eligible for membership in an Indian tribe and is the biological child of a member Indian. ICWA also applies to nonminor dependents—those between 18 and 21 participating in extended foster care.

### Child Welfare Under ICWA

An Indian child may only be removed from parental custody if there is imminent risk of physical damage or harm. Placement of an Indian child must comply with the requirements of ICWA.

When a child is removed by a county child welfare agency, the county is required to quickly identify whether the child is a tribal member or eligible for tribal membership and send notice (ICWA-030

Form) to the child’s parents or legal guardian, Indian custodian, and the child’s tribe. ICWA requires that anyone who has reason to know the child is an Indian child shall treat the child as an Indian child until determined otherwise (including caseworkers, probation officers, judges, and child welfare agency staff).

The child’s tribe has the right to intervene as a full party to the child’s county child welfare case or to seek to transfer the case to tribal court where tribal law would apply.

If a child is domiciled (domiciled means where the parent or custodian lives or treats as their permanent home, not necessarily the physical residence of the child) on the reservation of a tribe with exclusive jurisdiction over child welfare matters, the case must be transferred to the tribe. Also, when a child is a ward of a tribal court, the tribe has exclusive jurisdiction over the child. In these cases, the laws of the tribe would apply.

### **Tribally Approved Homes and Tribally Specified Homes**

Tribes are also permitted to develop their own approval standards that do not have to conform with state requirements, including RFA. Where a tribe chooses to license or approve a placement for an Indian child, the placement is known as a “Tribally Approved Home.” Tribally Approved Homes are eligible for foster care funding without having to complete the RFA process. When a placement is a Tribally Approved Home, either the county or state can conduct the CLETS, CACI, and requested exemptions, or the tribe can conduct CLETS, CACI, and requested exemptions. See **A73** in this toolkit for a chart comparing RFA, Tribally Approved Homes and Tribally Specified Homes standards and requirements.

When an Indian child is removed from parental custody, the county must comply with placement preferences as required by state law. The county must find a home for the child according to the preferences outlined in ICWA, which gives priority to extended family. A tribe may specify a particular home as the preferred placement. These placements are known as “Tribally Specified Homes.” Tribally Specified Homes are subject to the RFA requirements.

# Funding & Level of Care

## Funding Prior to Resource Family Approval

If you are currently caring for a child in foster care who was placed in your home through an emergency placement or placement based on a compelling reason, you should receive emergency caregiver funding at the basic foster care rate (\$1,206/month per child as of the publication of this toolkit). In most cases, you will continue to receive that funding until you complete the RFA process. If you complete the RFA process and are approved, you will continue to receive foster care funding without interruption. Effective January 1, 2022, if you are a relative and complete the RFA process but are denied, but the juvenile court authorizes your home for continued placement, you will continue to receive foster care funding without interruption.

*Note: It is very important that you sign and submit your RFA application (the RFA-01 form) as soon as possible. You will not receive any emergency funding until the signed application form is received.*

## Funding After Resource Family Approval

Once you are approved as a resource family (or, effective January 1, 2022, if you are a relative and the court has authorized placement with you regardless of the status of your RFA application) and a child in foster care is placed with you, you will receive foster care funding.

*Note: Foster care funding is paid retroactively, which means you will receive the funding for the month you provided care for the child after that month has ended. You will receive an amount that is at least equal to the basic foster care rate (\$1,206/month per child as of the publication of this toolkit). The rate increases slightly every July, based on the cost of living. You may receive additional funding in addition to the basic rate, based on the needs of the child in your care.*

The assessment that determines the LOC rate is based on the care that you provide to the child in the following areas: physical, behavioral/emotional, educational, health and permanency/family services. The county should give you the opportunity to provide input into this process using the Resource Family Report Tool included in the appendix of this toolkit. You may request a reassessment and/or an administrative fair hearing if you do not agree with the assessed level of care and believe your assessment is not accurate.

## Intensive Services Foster Care Funding

Intensive Services Foster Care (ISFC) families are specially trained to care for children and young adults with intensive needs. These include, but are not limited to, medical, therapeutic or behavioral needs. The purpose of ISFC is to keep children with high needs in a family home. The monthly financial support that ISFC family receives on behalf of an eligible child is \$3,148 per

month.

See All County Letter 18-25 in the appendix (A78) to learn more about ISFC funding. In some cases, you may receive ISFC funding even before you complete ISFC training.

**To qualify for ISFC funding, one of the following conditions must apply to the child:**

- Adjudicated violent offenses
- History of significant property damage
- History of sex offenses
- Aggressive and assaultive
- History of animal cruelty
- History of commercial sexual exploitation
- History of eating disorder
- History of fire setting
- Gang activity
- Habitual truancy
- History of psychiatric hospitalization(s)
- Runaway
- Severe mental health issues – including suicidal ideation and/or self-harm
- Substance use/abuse
- Three or more placement changes due to behavior
- Score of 7 on the LOC protocol in either the health domain OR the behavioral/emotional domain.

If you believe a child in your care is eligible for ISFC funding and services and you are denied this support, you may request a reassessment and/or an administrative fair hearing.

## Other Funding Beyond the Basic Rate

Once you complete the RFA process, in addition to the basic rate, you may be eligible for one or more sources of increased funding, including:

- **Specialized Care Increments (SCIs):** Children who do not qualify for ISFC may still qualify for additional funding through the county. Most counties provide additional financial support to families caring for a child with special medical, behavioral, developmental, and/or emotional needs. This kind of funding is called a specialized care increment (SCI). The eligibility rules and the amounts of specialized care vary by county. Information about SCIs by county: [cdss.ca.gov/inforesources/Foster-Care/Specialized-Care](https://cdss.ca.gov/inforesources/Foster-Care/Specialized-Care)
- **Dual Agency Rates:** Children who are in foster care and are also consumers of a Regional Center are eligible for a monthly payment referred to as the “dual agency rate” even if they are not currently receiving services directly from a Regional Center. The only requirement is that they have been found eligible for services by a Regional Center. Regional Centers serve

young people with developmental disabilities including intellectual disabilities, cerebral palsy, epilepsy and autism. The dual agency rate (at the time of publication) for children who are eligible for lifetime Regional Center services is \$1,414 per month and may be as much as \$3,557, depending on the child’s level of self-care and other factors. If you are caring for a child who has one of the qualifying conditions to be a lifetime Regional Center consumer, ask the caseworker to initiate an assessment for the supplement to the dual agency rate.

- Regional Centers also serve children aged 0-3 who qualify for early intervention services prior to an official diagnosis. These children qualify for the early intervention rate. The current early intervention rate is \$1,414 per month.
- **Infant Supplement:** Resource families may receive an infant supplement if a young person in foster care who has been placed with them gives birth to a baby. (Note: a child born to a young person in foster care is not automatically in foster care.) The supplement is intended to cover the additional cost of providing food, clothing, and shelter for an infant. The infant supplement is \$900 per month and is paid in addition to the basic rate that you receive to support the foster youth who is the parent of the infant. In most counties, the infant supplement is not paid until the child is born. However, a supplement of \$900 per month is available during the last three months of the pregnancy to help prepare for the baby’s arrival. Parents in foster care who are caring for their own biological children can also qualify to receive the infant supplement directly. In other words, the resource family caring for the parent of the baby may receive the supplement, or the parent of the baby may receive the supplement, but both parties may not receive the supplement.
- **Clothing Allowance:** Some counties offer a clothing allowance to help you purchase new clothes for a child placed with you. The clothing allowance is discretionary funding provided the county. Therefore, it may not be available in your county, and you are not necessarily eligible to receive it.
- **Educational Travel Reimbursement:** You may be eligible for special funding (known as the educational travel reimbursement, or school of origin funding) if you are transporting a child to a school more than three miles away from your home. A child’s “school of origin” is, in most cases, the school they were attending before they were placed in your home. Funding may be available to transport the child to their school of origin in order to maintain stability and continuity in their education. Please see the section “Educational Rights & Needs of Youth in Foster Care” in this toolkit for more information.

*Note:* If a child in your care is denied any of the supplemental supports described above and you do not agree with that decision, you may request a reassessment and/or an administrative fair hearing.

# Rights and Needs of Children in Foster Care

## Educational Rights

A child's birth parents have the right to make education decisions for that child even after a child is removed and placed in foster care unless the county has appointed another person as the educational rights holder for the child. The child's attorney, caseworker or probation officer can help to identify the child's educational rights holder. They can also discuss any concerns you may have about the educational rights holder's ability to make education related decisions for the child. You may ask to become the child's educational rights holder if the child does not have a birth parent who is able and willing to make these decisions. You may also consider being the co-educational rights holder with the birth parent so that you can make decisions together.

Even if you are not the child's educational rights holder, you may be allowed to see the child's current student records so that you can better understand the child's educational situation and make sure that they receive the services they need to succeed in school. The appendix of this toolkit includes a guide to requesting education records. All children in foster care who are under 18 must have an education rights holder identified at all times.

## Early Intervention Services

Children from infancy up to three years old who have, or may be at risk of having, developmental delays, such as delayed speech or motor skills, may be eligible to receive Early Start services through their local Regional Center.

Children between ages three and five are eligible for Head Start, Transitional Kindergarten, and State Preschool programs. Enrolling children in preschool helps them to prepare for kindergarten and ongoing education. Your caseworker should help you locate a preschool or *Head Start program*. Transitional Kindergarten (TK) is the first year in a two-year kindergarten program designed specifically for four-year-olds. TK is offered through the public school system. Classes are held in local elementary schools and are free to all students regardless of income, similar to kindergarten. Currently, children in California can enroll in kindergarten if they turn 5 on or before September 1st. Younger children born after that date are eligible to enroll in TK. TK enrollment eligibility is based on age:

- 2024-25: Kids who turn 5 between September 2nd and June 2nd can enroll
- 2025-26: All kids who turn 4 by September 1<sup>st</sup>

## Special Provisions for Students in Foster Care

Changing schools multiple times makes it hard for children to succeed in school. For that reason, a child who enters foster care must remain in their "school of origin" unless the child's education

rights holder decides it is in the child's best interest to change schools.

**A child's school of origin may be:**

- Their prior school
- The school they attended when they first entered foster care
- Any school the child attended in the past 15 months where the child feels a connection (e.g., favorite teacher, friend)
- Any school in the feeder pattern of one of the first three school options

You may be asked to transport the child to their school of origin. If so, the child welfare agency should reimburse you for the cost of transportation. The child has a right to enroll in a local school right away, even if you do not have the child's school records or immunization records.

Children in foster care have the right to attend regular schools. You should not be told to enroll them in an alternative or continuation school, even if they are behind in credits or have behavioral problems, unless doing so is in the best interest of the child. The education rights holder makes the ultimate decision regarding what school the child should attend. If you have difficulty enrolling the child in school, you should talk to the child's attorney, caseworker, or probation officer right away.

High school students in foster care who move schools mid-term have the right to receive partial credits for all work completed before and after the move. Although many school districts state that they don't offer partial credits, the law requires that students in foster care receive credit for all work completed.

High school students in foster care who transfer to a new school after their sophomore year may be exempt from the additional graduation requirements of the new school if the transfer causes them to be behind in credits. In other words, the student may only have to meet the minimum statewide coursework requirements to graduate. This provision can be helpful to ensure that the student can graduate in four years, despite any interruptions caused by being in foster care.

## **Special Education Services**

Children recovering from abuse and neglect may experience trouble at school, such as low grades, poor attendance or behavioral problems caused by a learning disability or trauma. Children with disabilities have the right to special education supports to help them succeed in school. Anyone working with a child may refer them for a special education assessment. The child's education rights holder must consent to the assessment and any resulting Individual Education Plan (IEP). If you believe that the child in your care needs a special education assessment, contact the child's education rights holder, the child's attorney, caseworker or probation officer.

Schools should not suspend or expel students in foster care without trying to understand what is causing behavioral problems, especially if the child has a learning disability.

## **Reproductive/Sexual Health Care Rights of Youth in Foster Care**

All young people in foster care are entitled to reproductive and sexual health care education and services, including transportation to those services, and possession of contraceptives. It is very important that you and the young person understand and respect these rights and know how to access services.

Young people in foster care have the right to age-appropriate, medically accurate information about sexual development, reproductive and sexual health care, the prevention of unintended pregnancy, abstinence, use of contraceptives, abortion, and the prevention and treatment of sexually transmitted infections. They must be informed of these rights at least once every six months once they reach a certain age.

Approach these topics in a way that is age appropriate and open to discussion. As a resource parent, you are required to use reasonable and prudent parent standards to support the healthy sexual development of the young person in your care. That includes helping them access health services, directing them to reliable information, protecting and respecting their privacy, communicating with the caseworker or probation officer if the young person in your care needs a referral or other assistance and providing timely transportation to health-related services.

## **Emotional and Mental Health Needs and Rights**

You are vital in meeting the emotional needs of the child who is placed with you and helping them recover from traumatic events. Simply being separated from a parent is traumatic, even when separation is necessary and in the best interest of the child. Children who enter foster care may have experienced abuse, abandonment, neglect or family violence. The child may be confused, sad, or angry. The child may continue to experience the effects of trauma for a long time following the traumatic incident. They may experience depression or show signs of anxiety. Common reactions to trauma include changes in behavior, eating and sleeping habits, aches and pains, and difficulties at school and with friends. Not every child reacts in the same way. Reactions may vary depending on the age, personal history and developmental level of the child. The child may need therapeutic services like counseling to help them overcome the effects of trauma. If you notice changes in the child's behavior at school or at home that concern you, reach out to the child's caseworker, probation officer, attorney, or Court Appointed Special Advocate (CASA) for help and referrals.

Psychotropic medication may be prescribed when appropriate. All children in foster care in California are entitled to appropriate mental health services. You can help them understand their mental health needs, including any diagnosis, recommended treatment, and medication if prescribed. Young people in foster care have a right to be informed of the effects of any recommended medication, and to disagree with recommended treatment. Consult an advocacy organization for a referral to a mental health resource.

You can help a child recovering from trauma or struggling with mental health conditions such as depression by making sure they continue activities they enjoy like sports, music, and visiting friends. Be patient, empathetic, and available as the child heals.

Seek opportunities to care for yourself as well. Children who are traumatized may display behaviors that are unusual and challenging. The child's caseworker, probation officer, or local foster family agency may be able to refer you to support groups, specialized trauma-informed parenting classes and other services for foster parents.

## **Medical Care for Children in Foster Care**

All children in foster care are entitled to Medi-Cal coverage including medical, dental, vision, medication, mental health services and substance abuse treatment. The caseworker or probation officer can help you obtain a Medi-Cal card for the child and provide referrals for pediatricians, therapists, and other health care providers. The caseworker or probation officer should share copies of the child's birth certificate and medical insurance information with you at the time of placement. The caseworker or probation officer should also provide you with a form that grants you permission to take the child to the doctor or dentist.

Young adults who had an open foster care case at age 18 are eligible for Medi-Cal until age 26 regardless of income. Children who have developmental delays or certain disabilities can also get services from a Regional Center. To qualify, the child must have one of the specific conditions covered by a Regional Center: intellectual disability, epilepsy, cerebral palsy, autism, and/or a disabling condition found to be closely related to intellectual disability or requiring treatment similar to that required for intellectual disability.

# Child Care Supports

## Emergency Child Care Bridge Program

High quality child care plays an important role in a child’s development and can help a child heal from trauma. There will be times when you need to work or take care of other responsibilities and require help with child care. It can be difficult to access high quality child care right away when a child in foster care enters your home unexpectedly. To address the gap between placement of a child in foster care and the time when childcare becomes available, California created the Emergency Child Care Bridge program.

There are three components to the Emergency Child Care Bridge program: child care vouchers, child care navigators and trauma-informed care training.

The Emergency Child Care Bridge program allows counties to provide vouchers to eligible families, including resource families, emergency caregivers, and parenting teenagers or young adults in foster care. The vouchers help provide child care for children up to age 12, and those with exceptional needs or severe disabilities up to age 21. The vouchers can be paid for six months and can be extended for an additional six months.

Not all counties offer the Emergency Child Care Bridge program. Ask your child’s caseworker or probation officer whether your county provides emergency child care vouchers and what is required in order to receive a voucher. The local Child Care Resource and Referral Agency or a California Department of Education Alternative Payment Program may also provide information about child care options in your area.

The bridge program also provides a child care navigator to eligible families. The navigator is there to help you find a child care provider, secure long-term child care, complete necessary applications, and connect you with resources that can help you better care for the child.

In addition, the Emergency Child Care Bridge program offers trauma informed training and coaching to child care providers to help them address the needs of children overcoming trauma.

## Temporary Child Care

As a resource parent, you may allow another person to provide temporary child care for up to 24 hours at a time in your home without that individual being approved by the county agency or completing a background check.

## Respite Care

Respite care allows you to take a short, temporary break. Respite means temporary care outside of the home of the resource family where the child is placed for a period longer than 24 hours. Respite

care may be provided by a licensed or certified foster family home, an approved home of a relative or non-relative extended family member, an approved resource family, or a respite care provider certified by the county. Respite care generally may not exceed 72 hours. However, respite care may be extended up to 14 days in any one month if necessary, in order to allow the child to continue placement with you.

In most cases, if the child is going to be placed in respite care outside of your home, both your home and the respite caregiver's home need to be approved under RFA. If the respite caregiver will be caring for your child in your home, the respite caregiver must undergo a Livescan background check. When the need for respite care is unanticipated and the proposed respite caregiver is a relative or extended family member who has an established relationship with the child, only a background check is required.

Let your child's caseworker or probation officer know as soon as you anticipate the need for respite care to allow time to make arrangements that meet the requirements.

## **Visits with Family Members**

You are likely to be involved in visits between the child and the child's relatives, including birth parents. In general, you are expected to use your best judgement in helping the child manage visits with relatives. While the court is determining where the child will live, the child's family members may have questions regarding the child and the foster care case. You may wish to refer such questions to the child's caseworker or probation officer rather than answer them yourself. The court will often order visitation between the child and one or both birth parents to promote family reunification. The court will decide whether such visits should be supervised or whether they may be unsupervised. The child's caseworker or probation officer should tell you what the court has ordered and how to comply. The court may also require phone calls between the child and one or both birth parents, and between any siblings who are not placed together. You may be asked to transport the child to visits and to supervise visits.

Visits with the people the child cares about can help the child feel more secure. It is especially important to support contact with siblings to help the child understand that such relationships are still intact, even though the children may not be living together in the same home.

Birth parents or other relatives who are not court-approved for visits may attempt to visit the child unexpectedly at your home. If that happens, ask the child's caseworker or probation officer for guidance and try to avoid any disturbance that may distress the child.

# Participation in Case Decisions

Resource parents and emergency caregivers have the right to attend all court hearings and provide information to the court. See **A13** for the Caregiver Information Form or ask to speak during court hearings.

Resource parents and emergency caregivers must be included in the Child and Family Team (CFT) to help make decisions about the child's case. Below is a basic overview of the CFT.

## Child and Family Team (CFT) and CFT Meetings

The Child and Family Team (CFT) includes representatives from the child welfare agency, county mental health, a Regional Center (if the child is eligible for Regional Center services), the child's tribe or Indian custodian (if applicable) the child, the resource parent or emergency caregiver, the birth parent(s), and others who are an important source of support for the child and the family. This may include school staff, friends, coaches, or other relatives, counselors or therapists and more. The child's Court Appointed Special Advocate (CASA), if one has been appointed and the child does not object, is also included. The child's educational rights holder, if someone other than the parent, guardian or caregiver, must be invited to the CFT meeting if the purpose of the CFT meeting is to discuss the development and implementation of a placement preservation strategy or a placement change. *Note:* The child, the resource parent or emergency caregiver, and the birth parent(s) are required participants in a CFT, though exceptions are permitted where applicable and necessary.

The role of the CFT is to develop a child and family-centered case plan. In addition, the CFT is a way for the family to identify their goals for the child. As a group, participants in the CFT will discuss the best placement for the child, as well as supports and services to help the child.

The meeting should be at a location that is convenient for the family and other participants. A CFT might meet at the resource parent's home or somewhere else that allows team members to participate. It is possible to participate in a CFT by phone or video conferencing.

A CFT meeting must be held within the first 60 days of a child coming into foster care. CFT meetings must be held at least once every six months, or every 90 days if the child is receiving Intensive Care Coordination (ICC), Intensive Home-Based Services (IHBS), or Therapeutic Foster Care (TFC). CFT meetings continue as long as a child remains in foster care. The child welfare agency is in charge of organizing a CFT meeting.

A CFT meeting should be held any time a placement change has been proposed for the child.

*Note:* The above are the minimum requirements for CFT meetings. The frequency of CFT meetings should be driven by the needs and preferences of the child and family.

Your participation in the CFT meeting is very important. The meeting gives you a chance to share your perspective on the child's needs and to request any support you feel that you require to care for the child. CFT meetings should be scheduled as needed to support you and the child. If the CFT meeting is not happening as it should, and the caseworker or probation officer is not able to help, contact a relative support service organization.

# Appealing RFA Denial or Inadequate Funding

If your RFA application is denied or rescinded, you have a right to a state hearing and other forms of due process. In addition, if you believe the child was assessed at the incorrect level of care, wrongly denied supplemental funding, or if you were denied emergency caregiver funding, you have a right to a fair hearing to challenge these decisions.

The child welfare agency or probation department must provide you with a written document known as “Notice of Action” or “NOA” (see [A57](#) in the appendix for an example) informing you of the county’s action or intended action affecting funding/home approval. If you disagree with the Notice of Action, or if you have been unable to obtain a written notice of denial, you have the right to appeal. You may do so by requesting an administrative fair hearing.

If you choose to appeal the county’s action, you must submit a written appeal to the county address listed in the Notice of Action within 25 days from the date the notice was personally served or within 30 days if the Notice of Action was served by mail. This date will be specified in subsection (a) of the Notice of Action.

If you receive a Notice of Action and choose to appeal the county’s action, you must appeal within 90 days from the date the notice was personally served or mailed. This date will be specified in subsection (a) of the Notice of Action.

## **There are several options to appeal a Notice of Action:**

- Submit a written appeal to the county welfare department address listed in the Notice of Action
- Call the State Hearings Division toll-free number: (808) 743-8525 or (855) 795-0634 to make an initial hearing request
- Call the Public Inquiry and Response toll-free number: (800) 952-5253 to modify/postpone an existing hearing request

The reasoning on the Notice of Action will determine whether you appear before an administrative law judge at the State Hearings Division or an administrative law judge at the Office of Administrative Hearings.

## **Helpful tips regarding the appeal process:**

- You may file for a fair hearing by mailing a written request to the address provided on the Notice of Appeal, or by calling the toll-free number above.
- State the reason(s) for appealing the decision. You will receive confirmation within a week

or two by mail. It is important to keep a copy of this confirmation.

- Prior to a hearing date and time being scheduled, the case will be assigned to a State Hearing Specialist. Please note that the State Hearing Specialist represents the county, the opposing party, in the case. The State Hearing Specialist should not dissuade you from continuing with the hearing process. The administrative law judge works for the State of California and is a neutral fact finder.
- At the fair hearing, the county will need to prove that its determination is correct. You should bring all supporting documentation relevant to the issue.



## A Final Note

### **Congratulations on your decision to step up and become a resource family for a young person in foster care.**

The love and stability you provide for a child will help them recover and thrive as they grow into adulthood.

Once you are approved as a resource parent, you will receive an RFA Certificate (RFA-05A). See [A70](#) in the appendix of this toolkit for an example.

Please contact a Relative Support Service Organization if you need help with the RFA process. You can also find forms and guidelines in the appendix to support you through the approval process.

Foster care is meant to be temporary. If a child cannot return to the care of a birth parent, the child welfare agency will look for a permanent alternative for the child. These alternatives may include legal guardianship or adoption.

For a young person nearing 18, extended foster care may also be an option to support them until they reach 21.

# Appendix

Resource Family Approval Guide and Toolkit

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