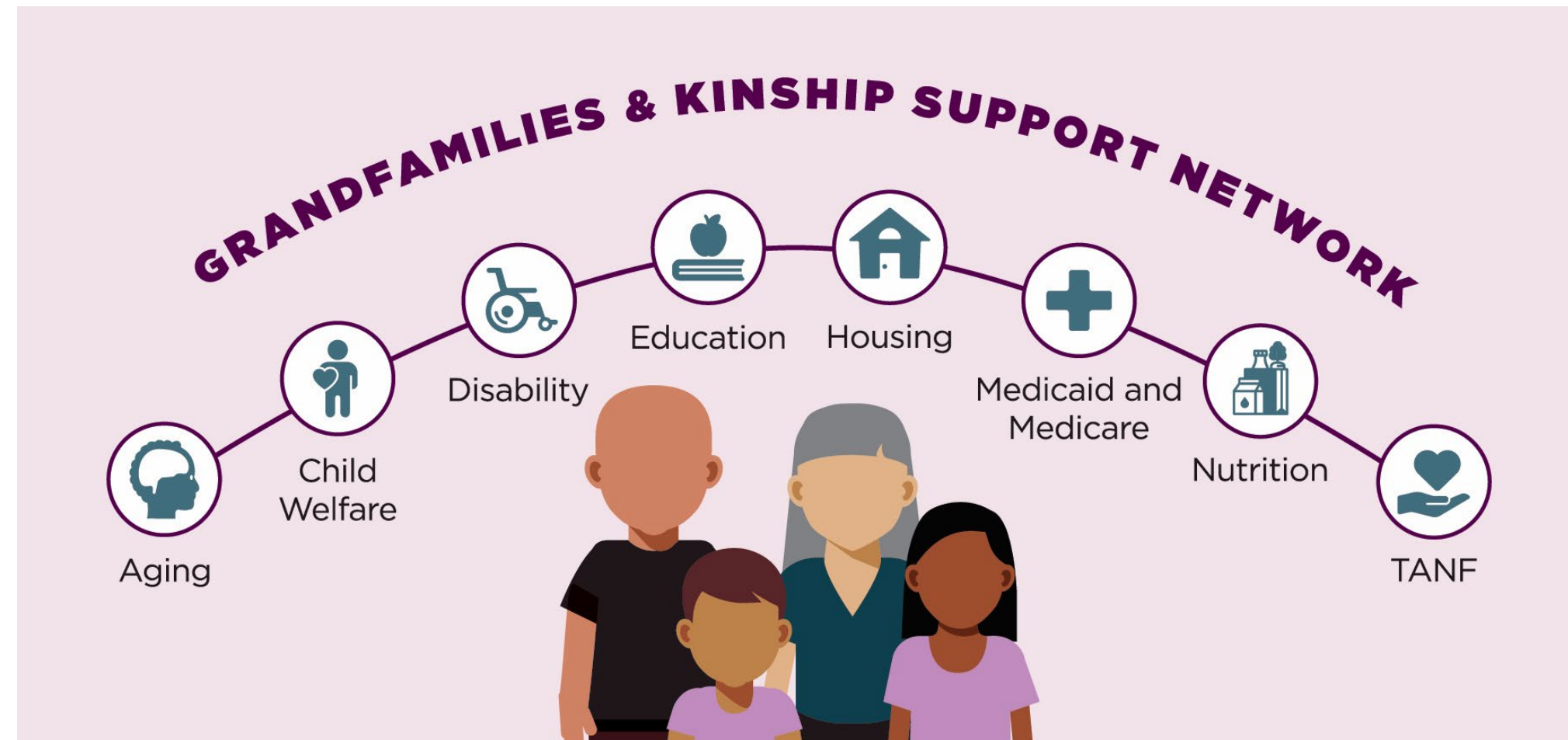


Kin-Specific Licensing: Progress So Far

April 4, 2024

- We will begin at the top of the hour
- Please type in the **chat** box - your name, state, tribe (if applicable), and role
- Type questions in the **chat** box at any point during our time together
- All participants will receive a link to the slides and recording tomorrow or early next week

- 5-year (2021-2026) cooperative agreement with Administration for Community Living
- Purpose is to provide technical assistance to the array of tribal, state, and territorial government agencies, as well as non-profit organizations that serve kinship families
- Not designed to serve the families directly – working to improve systems for families



How We Help



Learning Collaboratives and Information Dissemination

The Network hosts webinars and facilitates learning collaboratives.



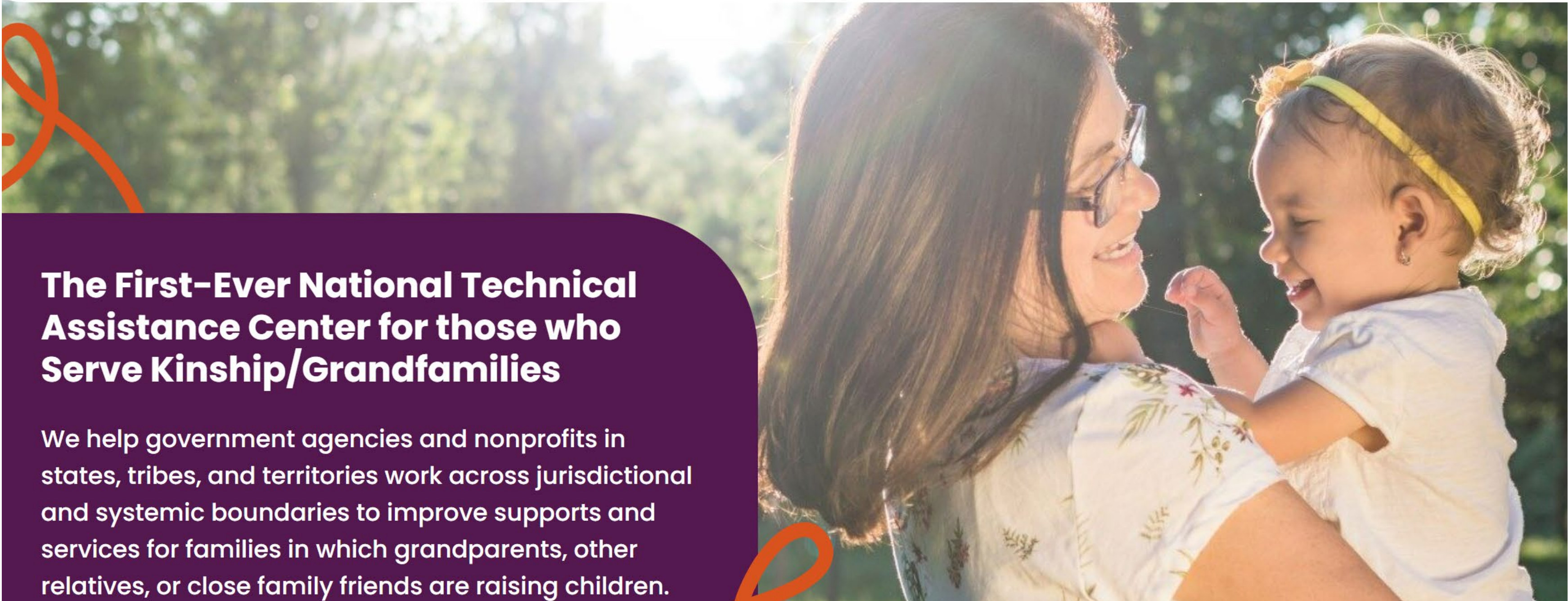
Individual Assistance

We respond to individual requests for help from government agencies, kinship navigators, and community-based nonprofits.



A Centralized Hub

The Network is elevating exemplary kinship/grandfamily practices and programs from around the country on its accessible website, www.GKSNetwork.org.



The First-Ever National Technical Assistance Center for those who Serve Kinship/Grandfamilies

We help government agencies and nonprofits in states, tribes, and territories work across jurisdictional and systemic boundaries to improve supports and services for families in which grandparents, other relatives, or close family friends are raising children.



← Resources

TOOLKIT

Kin-Finding Toolkit

[Download This Resource](#)



[← Resources](#)

TIP SHEET

Transforming Foster Care: What the September 2023 Rule Means

[Download This Resource](#)

Stay Connected & Access Support

Sign up for our monthly newsletter, which will provide you with updates on new Network resources.



For the latest updates, follow the Network on LinkedIn!





The Network is supported by the Administration for Community Living (ACL), U.S. Department of Health and Human Services (HHS) as part of a financial assistance award totaling \$9,950,000 with 95 percentage funded by ACL/HHS and \$523,684 and 5 percentage funded by non-government sources. The contents are those of the authors and do not necessarily represent the official views of, nor an endorsement, by ACL/HHS, or the U.S. Government.

Kin-Specific Licensing / Approval: Progress So Far

April 2024



Agenda

- Overview of the rule
- Overview of the model standards
- Select promising practices
- Panel discussion on progress so far
- What you can do now
- Q&A
- What's next?



Overview of the Rule

Federal Rule Update

Rule gives title IV-E agencies the **option** to have kin-specific licensing / approval processes that meet the unique needs of kin.

Comments closed April 17.

Overwhelmingly positive!

Rule was finalized on September 28.

162 comments!

- 9 members of Congress
- 23 states (wow!)
- 10 tribes / tribal organizations
- 40+ organizations

Federal Requirements

Federal law requires **only** that the caregiver meet requirements under **42 USC 671(a)(20)** (concerning criminal background checks and child abuse registry checks for all foster parents)

and that licensing or approval standards established by the state or tribe are reasonably in accordance with recommended standards of national organizations for foster family homes.

42 USC 671(a)(20)

For each kinship caregiver you seek to approve:

- Send fingerprints to the FBI
- Check the child abuse and neglect registry of any state where that caregiver lived in the last 5 years

For each adult living in the kinship caregiver's home:

- Check the child abuse and neglect registry of any state where that adult lived in the last 5 years

Federally Disqualifying Crimes for Kin Caregivers

Permanently disqualifying:

- felony conviction for child abuse or neglect
- felony conviction for spousal abuse
- felony conviction for a crime against children (including child pornography)
- felony conviction involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery

Disqualifying if a **felony conviction for a crime committed in the last 5 years:**

- physical assault
- battery
- a drug-related offense

REMEMBER: This means disqualifying **for title IV-E reimbursement of Foster Care Maintenance Payments.**

Federal Requirements

Federal law requires **only** that the caregiver meet requirements under section **42 USC 671(a)(20)** (concerning criminal background checks and child abuse registry checks for all foster parents)

and that licensing or approval standards established by the state or tribe are **reasonably in accordance with recommended standards of national organizations for foster family homes.**



Overview of the Model Standards

New Kin-Specific Model Standards

Written by:

- A Second Chance Inc.
- American Bar Association Center on Children & the Law
- Children's Rights
- CWPolicy
- Generations United and its Grandfamilies & Kinship Support Network: A National Technical Assistance Center
- National Indian Child Welfare Association
- National Association for Regulatory Administration
- New America's Resource Family Working Group
- Think of Us

Kin-Specific Model Standards

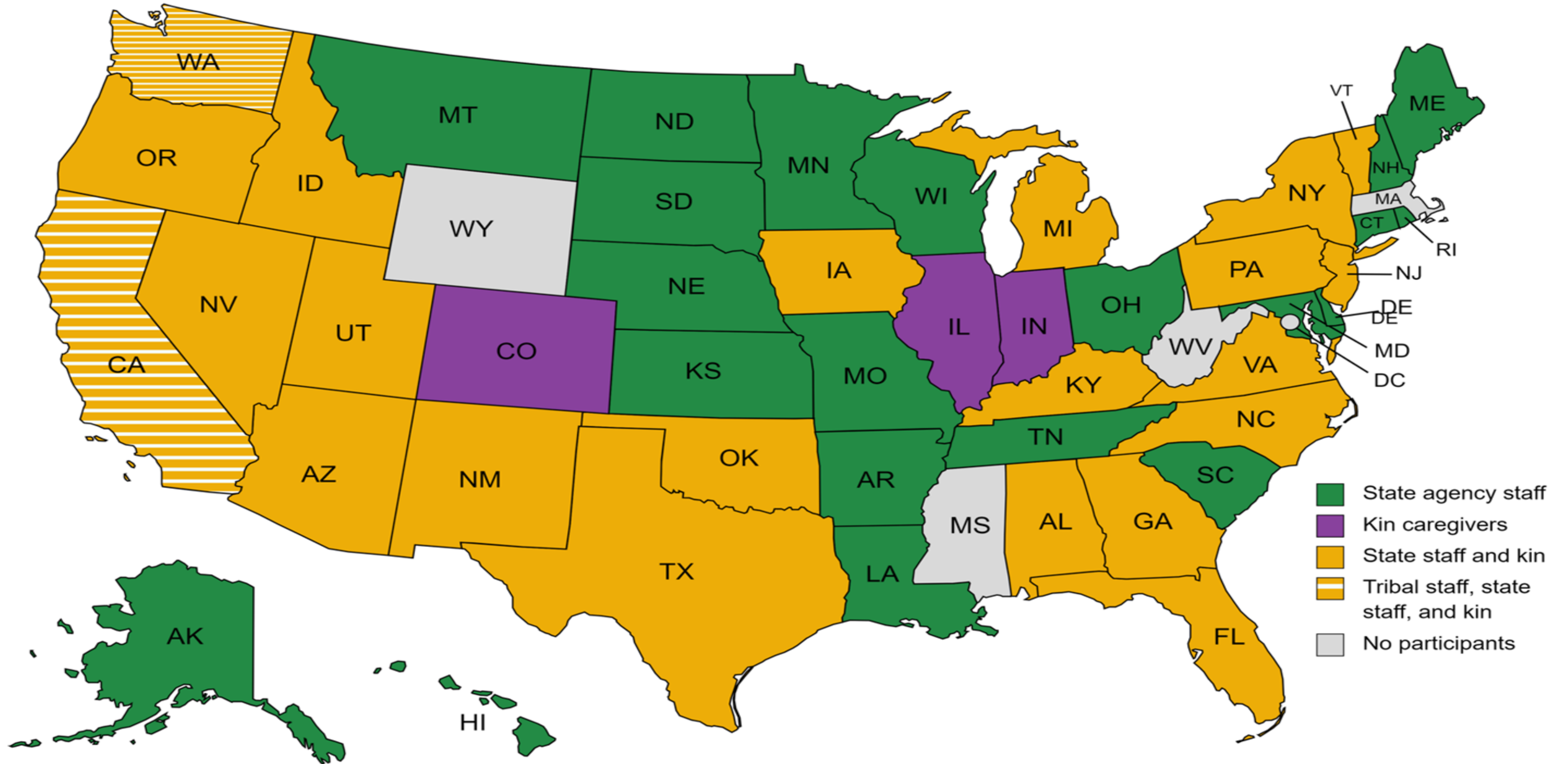
1. Required background checks (plus sex offender registry check)
1. Caregiver suitability assessment (similar to what's already done at placement)
1. Safety and needs assessment of the home

[Link to the standards](#)

[Link to the crosswalk tool](#)

- **Goal: license/approve 100% of kin the same day as placement**
- Expansive definition of kin
- Include implementation guidance and example template forms.
- Co-designed with 100s of agency employees and kin caregivers

Co-Design of Standards



Instructions

This form is used to apply to [Agency] to get approved as a formal kin caregiver. If you have any questions about this form, please contact your caseworker for assistance. Please complete this form. Questions about gender, race, and ethnicity are collected.

Section 1: Child information

Child 1

First name Middle name (write "none" if no middle name) Last

Date of birth (MM/DD/YYYY) Gender (how they identify) Race

Tribal affiliation (if any) Relationship to caregiver (Applicant 1)

Child 2

First name Middle name (write "none" if no middle name) Last

Date of birth

Tribal affiliation

Child 3

First name

Criminal History Evaluation Form

INSTRUCTIONS: Use this form to evaluate whether to waive a criminal history for a kin caregiver and another adult living in the home. **Federally disqualifying crimes may not be waived.**

Section 1: Applicant Information

Full name Date of birth (MM/DD/YYYY)

Applicant's role in child's care: Background check purpose: Background check type:

Kin caregiver applicant Kinship care In-State

Other adult living in the home Foster care Fingerprint

Transportation Adoption

Visitation supervision Guardianship

Other: _____ Other, explain: _____

Case number Date submitted

Out-of-State Child Abuse and Neglect Findings Request

INSTRUCTIONS: Use this form to check whether an individual has substantiated findings of child abuse or neglect in another state. This form must be completed if a kin caregiver applicant, or another adult living in their home, has lived out of state in the past 5 years. Follow the steps below:

1. Complete one form for **each** individual for **each** state they have resided in.
2. Refer to the state reference document [insert hyperlink] for the centralized email from each fulfilling agency.

Section 1: Applicant information

First name Middle name (write "none" if no middle name) Last name (include Jr., Sr., etc.)

Other names used (list all names used, including birth name and previously married name)

Date of birth (MM/DD/YYYY) Social Security Number or Tax ID number (ITIN) (optional)

Past addresses where the applicant has lived in the past 5 years

City or County State

Section 2: Requesting agency

Agency name Staff name Staff title

Centralized email (results will be sent here) Staff phone number Request date

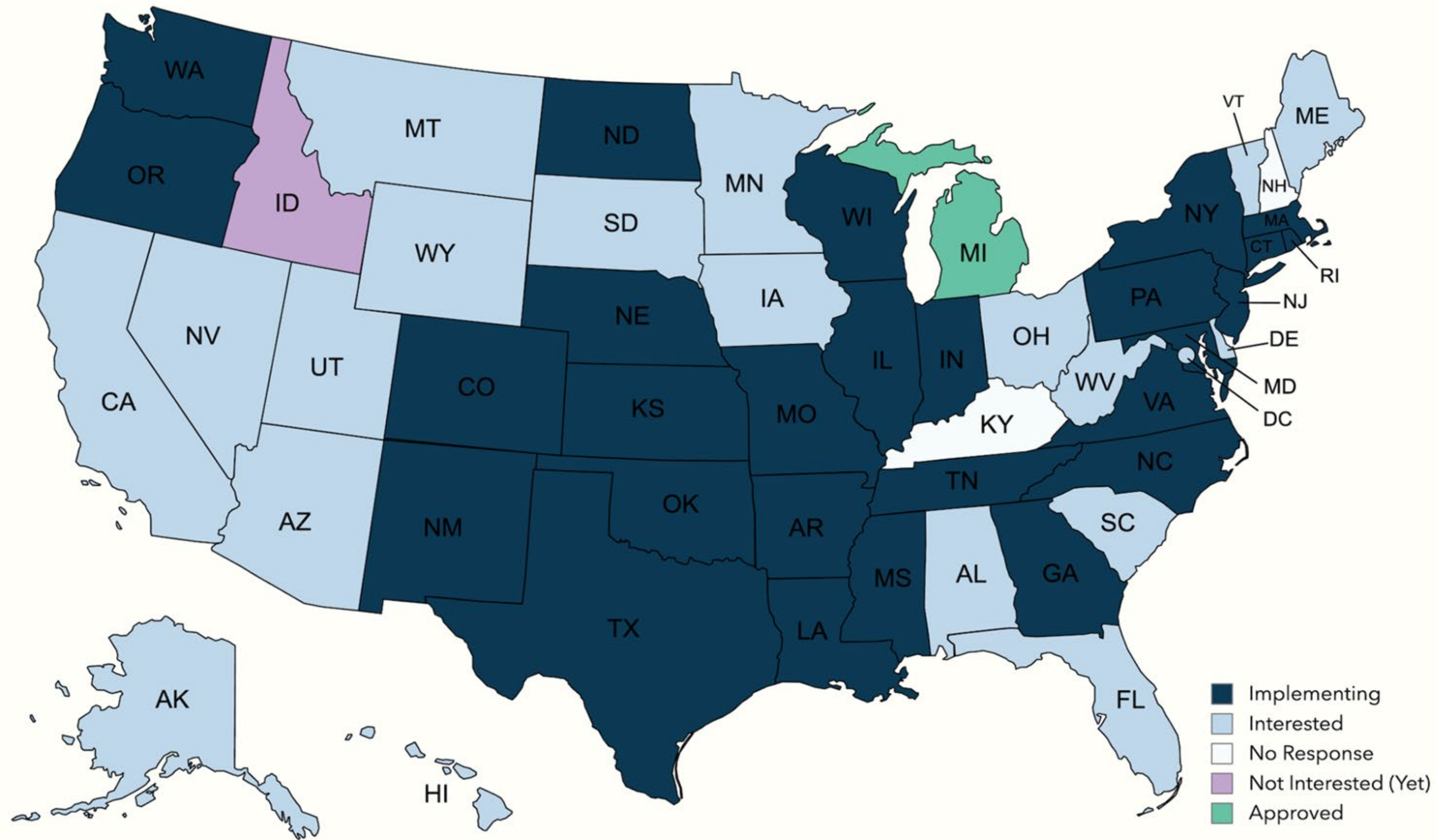
Kinship Caregivers: Safety and Needs Assessment

The goal of this assessment is to prepare a caregiver's home for children. The intention is to support and strengthen families, not deny them for lacking these safety measures. Exercise flexibility for what each child needs based on **age, history, and ability of children.**
















If No is checked, the agency will create a plan with the family to resolve issues by an agreed upon date.

Conditions of the home			
Safety measures	Yes	No	What's needed to support the family?
Water: Does the home have safe water for drinking and bathing? Note: Indoor plumbing is not required.	<input type="checkbox"/>	<input type="checkbox"/>	If no, what's needed to support the family?
Heating/cooling: Does the home have heating and/or cooling that is appropriate for the geographic region? This may include: <ul style="list-style-type: none"> • Ceiling and floor fans, portable or window A/C units, swamp coolers • Using open doors or windows to create cross-ventilation • Kerosene and propane heaters, space heaters • Wood-burning stoves 	<input type="checkbox"/>	<input type="checkbox"/>	If no, what's needed to support the family?
Electricity/lighting: Does the home have access to electricity and/or lighting, based on the children's needs? Note: Consider children with medical needs that require electricity, including medication storage, nebulizer, and CPAP.	<input type="checkbox"/>	<input type="checkbox"/>	If no, what's needed to support the family?

Kin-Specific Standards Crosswalk					
File Edit View Insert Format Data Tools Extensions Help					
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	A	B	C	D	E
1	Standard	Alignment	Source of Agency Standard <i>Indicate the citation (statutes, regulations, administrative codes, policies, etc.)</i>	Identify Changes Needed to Align, or Explanation of Non-Alignment <i>If applicable</i>	Plan to Address Alignment: Legislative, Policy or Procedures
2	Federal Requirements				
3	For each kin caregiver you seek to approve, conduct a fingerprint-based check of national crime information databases.	Aligns			
4	For each kin caregiver you seek to approve, check any child abuse and neglect registry maintained by the State.	Aligns			
5	For each kin caregiver you seek to approve, check any child abuse and neglect registry maintained by any other State in which they resided in the preceding 5 years <i>if applicable</i> .	Aligns		Hi visitors! Please don't fill this spreadsheet in for your agency - please download it. Or everyone else can see your answers :)	
6	For each adult living in the home of the kin caregiver you seek to approve, check any child abuse and neglect registry maintained by the State.	Aligns			
7	For each adult living in the home of the kin caregiver you seek to approve, check any child abuse and neglect registry maintained by any other State in which they resided in the preceding 5 years <i>if applicable</i> .	Aligns			
8	A kin caregiver cannot be approved if the above checks show any of the following: - Felony conviction for child abuse or neglect; - Felony conviction for spousal abuse; - Felony conviction for a crime against children (including child pornography); or - Felony conviction involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery.				<i>If you have additional automatic disqualifying crimes, please list them here.</i>
9	A kin caregiver cannot be approved if above checks show any of the following in the last 5 years: - Felony conviction for physical assault; - Felony conviction for battery; or - Felony conviction for a drug-related offense.	Aligns			<i>If you have additional automatic disqualifying crimes, please list them here.</i>




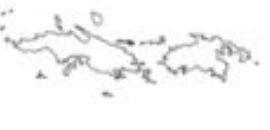


Tribes

	Pala Band of Mission Indians	No response		Salt River Pima-Maricopa Indian Community	Approved
	Port Gamble S'Klallam Tribe	Implementing		Penobscot Indian Nation	No response
	Keweenaw Bay Indian Community	No response		Mashpee Wampanoag Tribe	No response
	Navajo Nation	No response		Cherokee Nation of Oklahoma	No response
	Eastern Band of Cherokee Indians	Submitted		Aleut Community of St. Paul Island	No response
	Pascua Yaqui Tribe, Tucson, Arizona	Submitted		Kenaitze Indian Tribe	No response
	Tolowa Dee-ni' Nation	No response		Maniilaq Association	No response
	Yurok Tribe	Interested			

Territories

Adoption of Standards

	American Samoa	No response
	Guam	No response
	Puerto Rico	No response
	US Virgin Islands	No response



Promising Practices

A selection

Fingerprinting

- Make community-based options available
- Require locations with evening / weekend hours every XX miles
- Fingerprint purpose code "X"
- Mobile fingerprinting units
- In-office fingerprinting units
- Tribal Access Program
- Direct connections for results

Evaluating Background Checks

- Expand who can review results
- Daily decision meetings
- Focus on ways to get to “yes”
- Use the model standard form template for evaluations
- Use the model standard for template for denials and appeals



Panel Discussion

Progress so far

Panelists

Lindsay Coleman

Tennessee

Amber Hasler

Oklahoma

Jessica Sweet

Michigan



What you can do now

Steps to Take Now

- Compare the model standards / crosswalk with your current practices
- Identify steps you can adopt **now**, like the model standard forms

Improve your Out-of-State Child Abuse/Neglect Registry Check Fulfillment Process

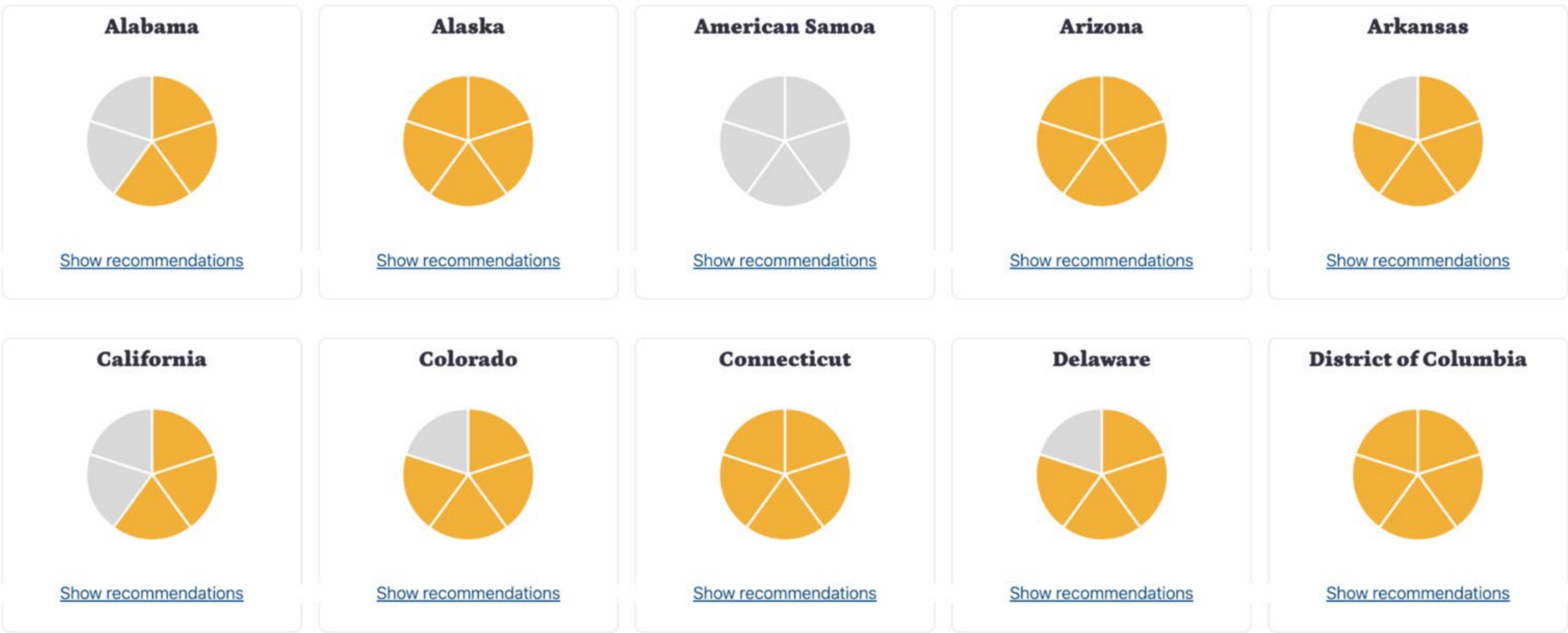
- No notary
- No witnessed signatures
- No fees
- Use official emails as proof of identity/authority
- Accept electronic requests
- Fulfill requests electronically
- Accept attestation of consent

State by State Comparison

Administration **Population** **Recommendations**

- Fully implemented
- In progress
- Not implemented
- No data

Implemented Recommendations [Show all](#) | [Hide all](#)





Q&A



What's next?

What's Next?

- Caregiver suitability template form coming soon
- We are interested in getting kinship caregivers' thoughts and reactions to the Kinship Assessment Form to improve it
We invite kin caregivers to a:
 - 1-hour paid research session from now until late April
 - Will be paid \$100 Visa gift card for their time

We would especially like to reach kin caregivers who identify as:

- LGBTQ2SIA+
- immigrant, including those who are undocumented or have a mixed-status family
- monolingual Spanish speaker

Email: bloom-kinship@bloomworks.digital

What's Next?

- Research project on kin-specific training
- Research project on kin-specific permanency assessments for guardianship / adoption



Thanks for Coming!