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Memorandum

TO: Representative Les Gara
FROM: Susan Warner, Legislative Analyst
DATE: November 4, 2010
RE: Licensing Homes in Alaska for Foster Care
LRS Report 11.059

You asked about licensing homes for foster care in Alaska. Specifically you asked us to identify obstacles to meeting licensing standards—especially for foster homes in rural Alaska. You also asked about Alaska tribal entities seeking approval for separate licensing standards and the status and history of that effort.

To be licensed for foster care, families and their homes must meet standards provided by the Office of Children's Services (OCS) within the Alaska Department of Health and Social Services (DHSS). We attach the detailed OCS Report of Inspection (Attachment A) which the agency uses to determine if a home can provide for the welfare of a foster child. The basic qualifications, as listed on the OCS website, include the following:

- Foster parents must complete up to 10 hours of training annually.
- Foster parents must be physically and emotionally capable of caring for children, pass a criminal background check, have no substantiated record of abusing or neglecting children, and have no alcohol or drug abuse problems.
- Foster parents must provide four references to attest to their character, judgment, ability to manage financial resources, and capacity for developing a meaningful relationship with children.
- Foster parents must be willing to cooperate with OCS in providing services and carrying out the foster care plan and case plan.
- A foster home must meet basic fire, safety, and sanitary standards. It must contain a first aid kit, a disaster kit (flashlight, food, etc.), a fire extinguisher, smoke and carbon monoxide detectors, and age-appropriate child proofing. Firearms must be unloaded and locked away.
- Water in a foster home needs to meet state standards (testing is required if the home is on a private well). Water temperatures cannot exceed 120 degrees Fahrenheit.
- A foster home must have enough rooms and beds for a foster child to sleep, have privacy, and keep his or her belongings.¹

¹ Alaska Office of Children's Services website at <http://hss.state.ak.us/ocs/FosterCare/ready.htm>.

Challenges in Rural Alaska

The remoteness and high cost of living in Alaska, and especially rural Alaska, can present barriers to individuals who want to provide foster homes for Alaskan children. Excessive distance to larger communities may impede foster parents in meeting the training requirements, and the high cost of retrofitting a house or purchasing the required equipment, clothing, and furniture may reduce the number of rural families choosing to become foster parents.

Training. Training courses help foster parents meet the unique needs of foster children. Currently, Alaska requires ten hours of training annually for a one-parent home and 15 hours annually for a two-parent home, with each parent receiving at least five hours of training.

Although OCS provides distance-delivered courses, including web-based training, self-study packets, audio conferencing, and onsite training, a 2008 federal review of foster parent training found that Alaska's training program needs improvement.² Additionally, in 2008, the OCS mailed surveys to 142 Alaska Native foster parents, and of the 80 who responded, five said that foster children were placed in their homes prior to any training because training was not available. Some survey respondents requested more local training for foster parents to retain their licenses once they had been granted.³ Conversely, Sheridan DesGranges, OCS licensing specialist for foster homes in southwestern Alaska, believes that sufficient training is available in rural Alaska, but foster parents often decline to take it, especially parents who have already raised children.⁴

Home Construction. Houses are required to have egress windows in any bedroom occupied by a foster child.⁵ Older homes, whether in rural or urban Alaska, may not meet this standard. This is considered a safety issue and cannot be waived; however, OCS does provide some flexibility. Tracy Spartz Campbell of OCS notes that the agency commonly uses variances for egress standards:

We look for a third door or alternative exit from the room/home that would suffice in meeting this standard. If this exists, we will grant [a] waiver. In some rare instances, we will assist a family with installing a larger window so that egress is assured.⁶

Sheridan DesGranges agrees that OCS provides flexibility for this important safety standard. She explained that many children are placed in foster homes in emergency situations prior to any inspection. If OCS sees that the child's bedroom lacks egress windows but the home is otherwise satisfactory, Ms. DesGranges contends that it may be more important to not uproot the child again but simply require the child to sleep in the living room or any room with adequate egress. Nonetheless, egress windows may create a barrier for families in rural Alaska who want to provide foster homes. Stacy Bai, a social worker with the Bristol Bay Native Association in Dillingham, said she has never heard of OCS assisting

² "Final Report: Alaska Child and Family Services Review," U.S. Department of Health and Human Services, Administration on Children, Youth, and Families, February, 2009, p. 75. This report can be viewed at http://basis.caliber.com/cwig/ws/cwmd/docs/cb_web/SearchForm.

³ Alaska Native Foster Parent Survey, 2008, Office of Children's Services, Alaska Department of Health and Social Services. The complete report on this survey can be viewed at <http://www.hss.state.ak.us/ocs/QualityImprovement/FosterParentSurvey08.pdf>.

⁴ Ms. DesGranges can be reached in Wasilla at (907) 352-8937.

⁵ An egress window is an opening window that is large enough to provide access to firefighters and is reachable by a child escaping a home.

⁶ Tracy Spartz Campbell, Resource Family Program Officer, OCS, personal communication, October 21, 2010. Ms. Spartz Campbell can be reached at (907) 456-2145.

families with egress window installation. She believes that too many houses in rural Alaska lack proper windows and that the expense of replacing a window may be prohibitive for many families.⁷

Equipment, Furnishings, and Clothing. Foster parents are allotted funds to cover the costs of caring for a child. The stipend is adjusted for local cost-of-living conditions, but 40 of the 80 respondents in the 2008 OCS survey of Native foster families said foster care reimbursement was generally not adequate to cover the expenses of a foster child, and eight respondents said that they will not provide foster care in the future for that reason.

Stacy Bai agrees that reimbursements may not be sufficient to meet the needs of foster care in rural Alaska. Reduced selection and availability of clothing, diapers, and other necessary items for a foster child accentuate the problem. Ms. Bai notes that villages tend not to have second-hand or discount stores that can keep costs down, and some required items might not even be available. For example, fire extinguishers are not always sold locally and may need to be shipped to foster homes as hazardous materials at the expense of the foster parents. Ms. Spartz Campbell, resource family program officer for OCS, says that the agency makes “every attempt” to connect a foster parent with local resources, like fire departments and tribal offices, which can help provide fire extinguishers and smoke and carbon monoxide detectors. Nevertheless, Ms. DesGranges knows of a family on St. Paul Island who is waiting for a fire extinguisher that was ordered “months” ago.

Home Plumbing and Water Quality. A foster home must maintain “sanitary toilet facilities,” but licensing standards in Alaska do not require a foster home to have indoor plumbing.⁸ Foster parents whose homes use well water, however, must pay for the cost of having the water tested, and Ms. Bai believes that those costs may be more of a burden for rural participants.

Licensing Flexibility for Kinship Caregivers. The OCS is required to seek caregivers who are relatives of the children who are removed from their homes. Although Ms. Spartz Campbell notes that the agency can already allow variances and waivers for most non-safety standards for any otherwise-appropriate foster home, the federal “Fostering Connections to Success and Increasing Adoptions Act of 2008” (P.L. 110-351) codifies the ability of states to waive non-safety licensing standards for relatives.⁹

Additionally, Alaska is in the process of redefining who is related to the foster child to include an individual who is related by tribal custom.¹⁰ With this broader definition of kin, Ms. Spartz Campbell believes that the waiver language will apply to “nearly every foster home in Alaska.” Still, any flexibility gained by these changes will not apply to safety-related issues, and many of the standards that are difficult for rural residents to meet are related to safety.

⁷ Stacy Bai is the Indian Child Welfare Act (ICWA) team leader for the Bristol Bay Native Association. Ms Bai can be reached in Dillingham at (907) 842-4139.

⁸ Branden Scram, Project Manager, Alaska Center for Resource Families (ACRF), personal communication, October 25, 2010. The ACRF provides support and training for foster caretakers in Alaska. Mr. Scram can be reached at (907) 479-7307.

⁹ This may include waiving training requirements or the requirement that a home have a certain amount of square footage per person. The law requires the U.S. Department of Health and Human Services to report to Congress within two years on how states are using the ability to waive non-safety standards and make recommendations as to how additional barriers to licensing relatives’ homes can be eliminated.

¹⁰ Proposed amendments to 7 AAC 56. 990 (39), Department of Health and Social Services, Proposed Changes to Regulations, 7 AAC 56—Child Placement Agencies, Adopted on October 22, 2010 and awaiting review by the Alaska Department of Law.

Alaska Tribal Licensing Standards

The OCS has been working with tribal partners as part of the Tribal-State Collaboration Group (TSCG) to create separate licensing standards for Native Alaskan foster homes.¹¹ The recently completed draft set of standards will be submitted to the U.S. Department of Health and Human Services, Administration on Children, Youth, and Families (Region X), for review by early November, 2010.¹² We attach these draft licensing standards and a side-by-side comparison with current OCS standards (Attachments B and C).

This is not the first TSCG effort in creating separate tribal licensing standards. The group created “Alaska’s Tribal Foster Home Licensing Standards” in 2002 with the understanding that Alaska would provide foster care maintenance payments to children in state custody placed in tribally licensed homes. An agreement to honor these standards was signed by the Alaska DHSS at the end of the Knowles administration in November, 2002, and is included as Attachment D. The agreement was rescinded soon after by the Murkowski administration.¹³

We hope this information is helpful. If you have questions or need additional information, please let us know.

¹¹The Tribal State Collaborative Group began in 1994 and is a partnership of Alaska Tribes, Native communities, and OCS. The group meets at least three times a year to collaborate on strengthening Indian Child Welfare Act compliance, promoting healthy racial and ethnic identity, and developing strong working relationships. The Aleutian Pribilof Islands Association, Bristol Bay Native Association, Central Council of the Tlingit and Haida Indian Tribes of Alaska, and Nome Eskimo Community have been working on tribal licensing standards as part of TSCG.

¹² Le Florendo, Central Council Tlingit and Haida Indian Tribes of Alaska (CCTHITA), personal communication, November 2, 2010. Ms. Florendo can be reached in Juneau at (907) 463-7169.

¹³ In a January 23, 2010, article for the Anchorage Daily News, reporter Debra McKinney stated that the licensing agreement was “nullified by the Murkowski administration.” Although members of the TSCG agree that this did occur, we were unable to find any documentation to show how the agreement was rescinded. Kristie Swanson, OCS, believes that a 2004 Attorney General Opinion by Greg Renkes denied tribes the ability to license foster homes by claiming that Alaska tribes do not have authority over child custody matters, but assistant attorney general Monica Jenicek believes that the A.G. opinion is unrelated, and she surmises that the licensing agreement just unraveled because of unresolved problems, including the issues of liability and statutory authority.

Attachment A
Foster Care Report of Inspection
Office of Children's Services
Alaska Department of Health and Social Services

Foster Care Report of Inspection (Foster Home/Foster Group Home)

Foster Home Name: _____ Phone: _____

Address: (Street, City, Zip) _____

Administrator: (Person in Charge) _____ Licensee: _____

Foster Home Type: _____ Initial License Issue Date: _____ License #: _____

Current Status: ☐ Application ☐ Provisional ☐ Biennial

Reason for Inspection:

Dates of foster home visits	Announced	Unannounced	Individuals interviewed	Arrival time	Departure time

Past Enforcement Action: ☐ Yes ☐ No
Licensing Specialist: _____ Phone: _____

Reports, Forms, Documents on File

Provisional License under Emergency Conditions	Foster Care Initial Application
<input type="checkbox"/> Foster Home Visit Worksheet 06-9013 <input type="checkbox"/> Clearance Form (household members age 16 and older) 06-9437 <input type="checkbox"/> APSIN (household members age 16 and older), information documented on page five . <input type="checkbox"/> CPS check via Prober and ORCA, documented on page five . <input type="checkbox"/> One reference, verbal or written, documented on page four . <u>To leave with the Foster Family</u> <input type="checkbox"/> Resource Family Handbook. <input type="checkbox"/> Finger print cards for all household members age 16 and older.	<input type="checkbox"/> Application for Foster Care License 06-9162 <input type="checkbox"/> Clearance Form (household members age 16 & older) 06-9437 <input type="checkbox"/> Fingerprint Cards (household members age 16 and older) <u>Documents requested after initial visit</u> <input type="checkbox"/> Plan for Foster Care 06-9045 <input type="checkbox"/> Clearance Form (if additional adults in home) 06-9437 <input type="checkbox"/> Fingerprint Cards (if new adults in home) <input type="checkbox"/> Medical plan, if necessary. <input type="checkbox"/> Fire Inspection Report, if necessary. <input type="checkbox"/> Space Diagram/Floor Plan <input type="checkbox"/> Evacuation Plan (may be completed at time of visit) <input type="checkbox"/> Background information 06-9389 <input type="checkbox"/> Health History 06-9731, if needed

Provisional	Conversion Provisional > Biennial	Biennial Renewal
<input type="checkbox"/> Application for Foster Care License 06-9162 <input type="checkbox"/> Clearance Form (household members age 16 and older) 06-9437 <input type="checkbox"/> Fingerprint results on file (household members age 16 and older) <input type="checkbox"/> Background Information 06-9389 <input type="checkbox"/> Plan for Care 06-9045 <input type="checkbox"/> Health History 06-9731, if needed <input type="checkbox"/> Characteristics Checklist 06-9163, optional <input type="checkbox"/> Financial Summary Sheet 06-9730, optional <input type="checkbox"/> Emergency Evacuation Plan <input type="checkbox"/> Three (3) Positive References <input type="checkbox"/> Medical Release, if requested <input type="checkbox"/> Well Water Results, if needed <input type="checkbox"/> Variance Request - Relative Placement <input type="checkbox"/> Variance Request - Non-related Placements <input type="checkbox"/> Inspection Reports, if requested (DEC/Fire) <input type="checkbox"/> Attended core training	<input type="checkbox"/> Training Hours <input type="checkbox"/> Fire Drill Log 06-9181 <input type="checkbox"/> Fingerprint results on file (household members age 16 and older) <input type="checkbox"/> Changes, including any new adults in home <input type="checkbox"/> Variance for license period <input type="checkbox"/> ROI Study <input type="checkbox"/> Placement Worker Evaluation <input type="checkbox"/> License Action Form (CPA)	<input type="checkbox"/> Application for Foster Care License 06-9162 <input type="checkbox"/> Clearance Form 06-9437 <input type="checkbox"/> Review Information 06-9390 <input type="checkbox"/> Plan for Care 06-9045 <input type="checkbox"/> Fingerprint Cards (new household members age 16 and older) <input type="checkbox"/> Self-Monitor Report is on file <input type="checkbox"/> Variance Request(s) <input type="checkbox"/> Plan of Correction (if applicable) DO84-LIC-12 <input type="checkbox"/> Training Hours Reported <u>Relocation</u> <input type="checkbox"/> Application <input type="checkbox"/> Relocation Standard by Standard 06-9373 <input type="checkbox"/> Evacuation Plan <input type="checkbox"/> Plan for Care 06-9045

Worksheets, If Completed	Employee	Group Home
<input type="checkbox"/> Variance Worksheet DO84-LIC-11	<input type="checkbox"/> Personnel Policies <input type="checkbox"/> Staffing Plan <input type="checkbox"/> Employees in F.H. 06-9046	<input type="checkbox"/> Fire Inspection Report <input type="checkbox"/> Space Diagram

Instructions for Foster Care Report of Inspection

Purpose:

The purpose of this form is to summarize findings of an on-site evaluation. The statements that appear on the left-hand side of the form summarize the regulations and are not identical to the Alaska Administrative Code. Italicized parts of the left column are clarification of requirements. The form is used:

1. Before issuing a provisional or biennial license;
2. When a complaint/allegation is investigated (optional);
3. When conditions in a facility indicate that revocation or denial of a license may become necessary;
4. When considered necessary by a supervisor.

Procedure:

The licensing worker completes the form at the time of or following the on-site visit. A copy is provided to the applicant or findings are summarized in a letter to the applicant. The original is filed in the foster home record after approval or denial. If the evaluation covers more than one date, the licensing worker lists all dates of evaluation.

Form Retention:

The form is kept according to the Office of Children's Services retention schedule.

Detailed Instructions:

Each item being evaluated must be coded in the center column.

Coding Responses:

NR	Not reviewed
C	Compliance
NC	Non-Compliance
N/A	Not Applicable
D	Discussed - Applicant is informed and agrees to cooperate; also denotes items that may not be measured before actual operation

The items requiring discussion have been pre-entered. The licensing worker shows the discussion must take place by entering a check mark. Use code "D" only when a requirement cannot be measured before children are in care. When a requirement can be measured by observation, interview, or review of a tangible item such as a written policy or plan, the code is standard compliance or non-compliance. Code "D" is considered as compliance.

The documentation (right) column may be completed to specifically document compliance or non-compliance. This column is used by the reviewer to note observation, interview statements, file review findings, and other evidence that the foster home meets or does not meet the requirements. The documentation column may also reference attachments of personnel record reviews, children's file reviews, or other supporting documents.

When non-compliance is indicated, the documentation column may be used to give the applicant's plan to come into compliance. When N/A is indicated, an explanation is required. The evaluation must be signed, dated, and submitted for review along with the license issuance approval (06-9124) form or a completed ORCA entry routed to the Regional Licensing Supervisor.

Initial Resource Family Study

7 AAC 50 Article 1: LICENSING PROCESS

Description of Regulation/Statute	Code	Comments
7 AAC 50.030 Application for License		
(e) Application is complete with required attachments		Date:
7 AAC 50.035 Application for Foster Home License		
Where 2 adults head household, both apply for license		
7 AAC 50.050 Provisional License Issued Under Emergency Conditions		
(a) Provisional license issued under emergency conditions		Date: to
7 AAC 50.055. Variance for Foster Care by Relatives		
(a)—(b) Variance(s) documented and approved by supervisor <i>Note: for general variance procedures, refer to 7 AAC 10.9500—10.9535</i>		
(c) No risk to child's safety or well-being		
7 AAC 50.060. Self-Monitoring Report		
NOTE: N/A for 1 st year provisional license or 1 st biennial license		

7 AAC 50 Article 2: ADMINISTRATION

Description of Regulation/Statute	Code	Comments
7 AAC 50.120 Foster Home Operation and Management		
(e) A foster home's practices must conform to statutes, this chapter and its own policies.		
AS 47.32.080 Posting of License		
(a) A foster home/foster group home license shall be posted in a conspicuous place in the home. Any notice of a variance issued by the department shall be posted near the license.		
7 AAC 50.130 Records		
(a)(2) Establish and retain records for 3 years		
(3) Permit review of records		
(b) Records are on forms prescribed/approved by division		
(c)(1) Record for each child is dated and ID's who is making the entry		
(2) Returned to the agency upon discharge, including med/dental records		
(d) Confidentiality of info about child and child's family maintained		
7 AAC 50.140 Reports		
(a) 30 days prior report planned changes to licensing representative:		Have changes been reported?
(1) change in operator, including marriage/divorce of foster parent		Narrate changes. Are new household members qualified? (See 50.210). (Use additional narrative pages as necessary)
(2) name change of operator		
(3) name of foster home changes		
(5) change in age/sex of children served		
(6) deletion/addition of a specialization		
(7) addition of an adult member to household for 45 days or longer		

(b) Immediately report to licensing representative:		
(1) death of child in care		
(2) serious injury/illness of child requiring medical treatment outside the home		
(3) fire or other disaster		
(4) unplanned change in item (a)		
(5) planed or emergency absence of foster parent exceeding 72 hours and confirmation or revision of plan for supervision of children by a responsible adult		
(d) Immediately report to placement worker:		
(1) death of child in care		
(2) attempted or threatened suicide of child in care		
(3) life-threatening illness or hospitalization of child in care (unless child is "medically-fragile")		
(4) unapproved absence of child for over 10 hours		
(e) First working day report to placement worker:		
(1) pregnancy of child in care		
(2) severe distress/deprivation of a child in care		
(3) non-emergency medical care requiring consent from parent		
(4) violation of probation by a child in care		
(5) allegations of criminal conduct by a child in care		
(f) If child has no placement worker, reports must be made to OCS.		

7 AAC 50 Article 3: PERSONNEL		
Description of Regulation/Statute	Code	Comments
7 AAC 50.200 Qualifications of Foster Parents		
(a) Applicant must be 21 years of age		Evaluation based on background, experience, references, interviews, observation; renewals also based on agency contact, observations by placement workers and any complaints (Use additional narrative pages to give a thorough evaluation)
(b) Applicant must be of good character and reputation, understand child development, have ability to care for children, have skills to work with children, family, agency, and community resources		
(f) Applicant must have three positive references on file received directly from the reference that attest to the person's ability to work with children and act as a positive role model		
7 AAC 50.210 Qualifications of Persons Having Regular Contact With Children in Foster Home		
(a) Adults and caregivers must be responsible, reputable individuals who use sound judgment		

(b) Caregiver able to deal with frustration and conflict and has ability to work with children who express themselves negatively		
(c) May <u>not</u> work, volunteer, reside in home, or have direct access if:		
(1) the individual's name appears on the centralized registry established under 7 AAC 10.955;		
(2) the individual has physical health problem or behavioral health problem that poses a significant risk to the health, safety, or well-being of children in care;		
(3) the individual was subject of prior adverse licensing action		
(d) Evaluation from probation officer, health/mental health professional requested/obtained to determine if free from problems detrimental to children		Describe here if requested: (Use additional narrative pages as necessary)
(e) Persons having regular contact may not abuse, engage in any exploitive or sexual act, or have a romantic relationship with a child		Any incidents? If so, describe: (Use additional narrative pages as necessary)
(f) Review (for foster parents, all adult members of the household, and any adult with direct access) <ul style="list-style-type: none"> • child protection records • previous licensing records • criminal justice records 		

(j) Caregiver is able to provide positive guidance, age appropriate learning and social experiences, prevent exposure to high risk activities, use strategies to prevent aggressive behavior and de-escalate volatile situations, and act as a positive role model		
(j)(3) A caregiver must be able to prevent exposure of children to high risk, including exposure to physical hazards and encounters with persons or animals known to be a danger.		
7 AAC 10.910 Request for Criminal History Check		
(b)(3) Submit fingerprint cards for each individual 16 years of age or older residing in the home or having regular contact with recipients of services with direct access to the residence.		
7 AAC 50.220 Caregiver Age Requirement		
(b) Caregiver is at least 21 years of age if children 15 or older; at least 18 years of age if children 14 or younger		
(c) A baby-sitter for short absence of foster parent (6 hours or less) must be at least 14 years of age and mature enough to handle common emergencies		
*7 AAC 50.250 and .030 Orientation and Training		
(c) Training has been documented		
(g) One-parent home completes 10 hours training annually <ul style="list-style-type: none"> • 2-parent home completes 15 hours annually • each parent receives minimum of 5 hours 		
(i) Any hours exceeding 6 toward orientation and pre-service training may count toward training required under (g) of this section		

7 AAC 50 Article 4: ADMISSION AND DISCHARGE		
Description of Regulation/Statute	Code	Comments
7 AAC 50.300 Admission		
(a) At or before child's admission, foster parent obtained from parent or placement worker emergency information and authorization for emergency medical care		
(b) Foster home only admits children within conditions of license		
* (c) Foster home admitting an adult for care requires a consent form and develops a plan of care with the referring agency and placement worker for each child that <ul style="list-style-type: none"> (1) ensures the health and safety of children and adult seeking services (2) is approved by the licensing representative 		
* (d) Foster home may not admit a child for day care except on approval of a variance that ensures <ul style="list-style-type: none"> (1) fire code is met (2) needs of foster children are primary 		
(e) Foster home may admit a child from only one agency unless the licensing representative of that agency gives prior approval for placement of a child from another agency		
(f) Signed foster care agreement for each child		
* (g) Plan of care developed for child including reasonable accommodations for care of special needs child and independent living skills for a child aged 16 or older		

(i) If home admits children with significant medical needs: <ul style="list-style-type: none"> ensure a plan of care for each child ensure available medical personnel to perform prescribed services 		
7 AAC 50.340 Discharge		
(d) An emergency discharge is limited to situations where the child may endanger the health or safety of another child in the home		
*(e) Provide suitable clothing and send personal possessions and money with child at discharge		
(f) The child's personal records are sent through the placement worker		

7 AAC 50 Article 5: CARE AND SERVICES		
Description of Regulation/Statute		Co
	Code	Comments
7 AAC 50.400 Supervision of Children		
(a) A foster home shall ensure the children in care will receive responsible supervision appropriate to their age and developmental needs. The plan of supervision must include supervision of children by responsible person during the foster parent's absence.		If changes, was new plan submitted?
(f) A foster home shall designate an adult who is available to assist in case of serious illness, accident, or other emergency.		Designated Adult:
(g) A facility shall prevent exposure of children to individuals, animals, and situations known to be a danger. A facility may not expose a child to high-risk activities or hazards such as <ol style="list-style-type: none"> use of an infant walker; a young child walking along a river edge or riding an all-terrain vehicle or snowmobile; or a child of any age riding an all-terrain vehicle with only three wheels, boating without a personal floatation device or in dangerous water conditions, or participating in an air borne activity such as hang gliding. 		List any hazards near home and foster parent's plan to minimize risk (Use additional narrative pages as necessary)
(i) Placement worker must obtain advance permission from child's parent for participation in risk activities that are not usual for the community and to participate in other activities of moderate risk such as operation of vehicle, contact sports, adventure activities, or handling of a firearm		
7 AAC 50.415 Supervision of Children in Foster Homes		
(a) First year of license, no more than 2 unrelated children		
(b) No more than 6 children total in foster home, and of those: <ol style="list-style-type: none"> No more than 2 children under 30 months No more than 3 unrelated children after first licensed year 		
(c) No more than 8 children total in foster group home, and of those: <ol style="list-style-type: none"> No more than 2 children under 30 months 		

(2) No more than 8 unrelated children after first licensed year		
(d) In a foster group home, if more than 6 children in care, one foster parent must generally be available in the home		
(e) Number of children for which home is licensed is established on case-by-case basis		License capacity: Ages:
(f) absence from the foster home exceeding 72 hours must be approved by placement worker		Any absences?
(g) 14 days advance approval from placement worker for trips outside state		Any trips Outside?
(h) advance approval from placement worker for in-state trips exceeding 72 hours		Any trip in-state?
7 AAC 50.430 Program in Foster Homes		
*(a) Demonstrates respect for child's family and works with child's family as indicated in the plan of care		
(b) Recognizes, encourages, and supports religious, ethnic, cultural heritage and language of birth parents—but children age 9 or older allowed to choose		
(c) Provides structure and activities to promote physical, social, intellectual, spiritual, emotional development and good health habits		
(d) Treats foster children equitably with own children		
(e) Chores are appropriate to child's age, shared equitably, and do not interfere with necessary recreation		
(f) Money earned, received as gift, allowance, or other sources will be foster child's own property		Does foster parent provide allowance?
(g) Limits amount of money in child's possession if in child's best interest		
(h) Allows child to acquire personal belongings, which go w/child at discharge		
*(i) Provides each child with own clean, well-fitting, attractive, seasonal clothing appropriate to age, sex, individual need and comparable in quality to other children in community		
(j) Takes part in selection and arrangements for education with child's parents if appropriate		
7 AAC 50.435 Behavior Guidance		
(a) A facility shall help a child to develop age appropriate patterns of behavior that foster constructive relationships and increasing ability to deal with everyday life.		
(b) A facility shall provide for positive reinforcement, redirection, and the setting of realistic expectations and clear and consistent limits.		
(c) A facility may not use discipline or a behavior management technique that is cruel, humiliating, or otherwise damaging to the child.		
(d) A child in care may <u>not</u> be:		
(1) if a young child, removed from the other children for more than 10 minutes		
(2) disciplined in association with food or rest		
(3) punished for bedwetting or toileting/toilet training actions		
(4) subjected to discipline administered by another child		

(5) deprived of: <ul style="list-style-type: none"> family contacts mail clothing medical care therapeutic activities designated in plan of care contact with placement worker or legal representative 		
(6) subjected to: <ul style="list-style-type: none"> verbal abuse derogatory remarks about child or child's family threats to expel child from the home 		
(7) placed in a locked room		
(8) physically restrained, except when necessary to protect child/others/property from injury/damage, and then only passive restraint may be used		
(9) no mechanical restraints, except devices such as seatbelts		
(10) no chemical restraints except on order of physician		
(f) No form of corporal punishment may be used on a child in care		
7 AAC 50.455 Health in Foster Homes		
(a) Evidence of immunization or shots initiation within 30 days of placement		Immunization records reviewed?
(b) Foster home obtains health info at time of placement:		
(1) date and provider of last physical		
(2) any health problems		
(3) immunization history		
*(c) Arrange an exam within 30 days if child is: <ul style="list-style-type: none"> over 3 years of age and has not seen a doctor in the past year under 3 years of age and has not seen a doctor in past 3 months provide continuing medical and dental services according to the EPSDT schedule 		Exam done? Specify here:
*(d) Children 3 years of age and older receive a dental exam at least yearly and dental treatment as needed		Exam done?
(e) Foster home may not have child in care tested for HIV/AIDS		
(f) a foster home shall:		
(1) maintain medical/dental/immunization/treatment records		
(2) document medical/dental care/treatment if doctor/dentist does not provide documentation		
7 AAC 50.460 Nutrition		
(a) Snacks and meals meet federal food program requirements		
(e) Attempt to provide food reflecting child's ethnic background, including that provided by child's own family		
(f) Obtain allergy information and plan meals addressing allergies and/or special dietary needs		
(g) Except for medical reasons, never deny food or force/coerce child to eat		

7 AAC 50 Article 6: ENVIRONMENT

7 AAC 50.530 Space

Description of Regulation/Statute	Code	Comments
(a) A facility must have indoor and outdoor space to accommodate the physical and developmental needs of children served		
b) A foster group home shall provide at least (1) 35 square feet of usable indoor space per child, exclusive of hallways, bathrooms, storage areas, office space, furnace and laundry rooms, crib space, and any area that children are prevented from using; and (2) 75 square feet of outdoor recreation space per child for the maximum number of children outside at any one time.		For group homes only: Diagram of home showing sq. ft. and designated areas is on file. Yes <input type="checkbox"/> No <input type="checkbox"/>
c) In meeting the space requirements of (b) of this section, if (2) outdoor recreation space is not available at a foster group home, parks or other outdoor locations that are easily accessible may be used if a plan for transportation to and from and for use of this alternative outdoor location is approved by the licensing representative.		
d) A foster group home shall provide at least (1) 70 sq. ft. per child in a single resident bedroom (2) 50 sq ft. per child in a multi resident bedroom (3) bedroom ceiling height of 6.5 ft. if a bunk bed is used (4) one bedroom for every 4 children (5) one full bathroom for every 6 children		
7 AAC 50.540 (Equipment and Supplies)		
(a) variety and use of materials, toys, and equipment are: • appropriate for needs • enough available to avoid competition • stored safely • at least some accessible to children		
(d) Home has phone or message phone, unless phones are not readily available in the community		
g) Beds, cribs, bedding and sleeping space for each child.. Own bed/crib except young children of the same sex may share a double bed		Describe sleeping arrangements and living area:

7 AAC 50 Article 7: SPECIALIZATIONS

Description of Regulation/Statute	Code	Comments
7 AAC 50.600 Approval of Specialization		
Facility meets requirements for division approval of specialization(s)		
7 AAC 50.610 Emergency Shelter Care in Foster Homes		
(a) Specialization for emergency shelter care, including respite care, has been approved		ES Only: Combined Care:

(b) May provide emergency shelter care in combo with regular foster care		
(c) At admission, foster home conducts brief health review of child using OCS Form 06-9372		Has home been supplied with forms?
(d) Foster home that provides emergency shelter care must have one parent generally available		Parent Available:
7 AAC 50.630 Boarding Care in Foster Homes		
Department approves specialization in boarding care		
An applicant for a foster care license for the sole purposes of providing boarding care is exempt from certain requirements marked with a *		
See 50.630 (1)—(7) for exemptions		
7 AAC 50.640 Supervised Transition Living in Foster Homes		
(a) Foster home representing a specialization in supervised transition living has a division-approved specialization		
(b) Foster home provides/arranges services to prepare/make transition to independence		
(c) Services address child's need for:		
(1) establishing or strengthening family ties		
(2) life skills training, including money management		
(3) education with regard to human sexuality		
(4) vocational or other training		
(5) housing during transition to independence		
(6) legal services		
(7) arrangements for aftercare services, socialization, cultural/religious and recreational activities		
(d) Assist child in obtaining documents such as:		
<ul style="list-style-type: none"> • birth certificate • social security card • drivers license • educational records • medical/health eligibility documents and records • job resume and references 		
(e) Teach basic skills for negotiating with community institutions such as:		
<ul style="list-style-type: none"> • banking • health care • employment • education • recreation 		
(f) Assure basic resources in place prior to discharge		
(g) Provide at least 30 days notices before services end		
7 AAC 50.645 Care for Pregnant and Parenting Adolescents		
(a) Division must approve specialization in care of pregnant and parenting adolescents		
(b) Foster home specializing in pregnant and parenting adolescents must		
(1) meet requirements of this section and 50.720—50.790		
(2) home may use available community resources instead of providing services directly, but must document such services		
(3) 1 foster parent in the home has at least 1 hour of training in the topics named at 7 AAC 50.720(a)(1)(6).		

7 AAC 10 Article 4 ENVIRONMENTAL HEALTH AND SAFETY		
Description of Regulation/Statute	Code	Comments
7 AAC 10.1000. Purpose and applicability		
(c) If a foster home/foster group home is also licensed as a child care facility or assisted living home, and the types of facilities have different standards of care, then the strictest standards apply.		
7 AAC 10.1002. Caregivers		
A caregiver is an individual in a foster home/foster group home whose duties include care, contact, and supervision of children in care. <i>Caregiver does not include individuals listed in 10.1002 (1-9).</i>		
7 AAC 10.1010. Life and fire safety		
(a) A foster home/foster group home must comply with the applicable life and fire safety requirements of this section and any additional or more stringent applicable standards established by a municipality to which the state fire marshal has deferred building fire safety inspection and enforcement activities.		
(c) A foster home/foster group home must <ul style="list-style-type: none"> • (1) meet the standards for life and safety specified in 13 AAC 50 and 13 AAC 55 • (2) obtain applicable state or municipal building code approval • (3) obtain a fire safety inspection report, and continue to obtain those reports every two years, or more often if required by the authority. 		
(d) At the time of licensing, the department will inspect a foster home licensed to provide care for five or fewer children to determine compliance with this section. If the department determines from the inspection that further inspection is necessary for public health, safety, or welfare, the department will request an advisory inspection report from one of the fire safety authorities mentioned in this section. The foster home is responsible for any fees charged by the authority for each inspection.		

<p>(e) A foster home/foster group home must have a disaster preparedness and emergency evacuation plan that</p> <ul style="list-style-type: none"> (1) includes evacuation procedures that will ensure the complete evacuation of <ul style="list-style-type: none"> (A) children in care, including children with limited mobility, within 150 seconds; .. (2) describes in detail the procedures that will be followed for the complete evacuation of the foster home/foster group home, including specific procedures, as applicable, for <ul style="list-style-type: none"> (A) children under 30 months of age; (B) adults or children with limited mobility; and (C) adults or children who otherwise may need assistance in an emergency, including an adult or child who is mentally, visually, or hearing impaired; (3) includes procedures for other emergency situations or natural disasters that may affect the foster home/foster group home, including, as appropriate, tsunamis, flooding, and earthquake emergencies; (4) provides for drills to be conducted as required by (f) of this section; (5) requires <ul style="list-style-type: none"> (A) training of all employees in implementing the plan; and (B) participation of all employees who are on duty during the scheduled drill. 		
<p>(f) A foster home/foster group home shall conduct emergency evacuation drills at least once a month if the home is licensed to care for children younger than age 12, and once every three months if the foster home/foster group home have children in care who are age 12 or older and have been in care at the home for at least three months; <i>Drills may be postponed or modified during severe weather.</i></p>		
<p>(g) An foster home/foster group home shall make and retain a record of each required evacuation drill and make the record available to the department upon request. The record must document the date and time of the drill; the name of each employee on duty at the time of the drill; the name of each child in care who was present at the time of the drill but did not participate in the drill, and the reason for nonparticipation; the amount of time required to complete the drill; a brief evaluation of the evacuation; and documentation of the reason for any postponement due to severe weather, and the rescheduled date to conduct the postponed drill.</p>		
<p>(i) If an emergency affects a foster home/foster group home, as described in 7 AAC 10.1010(e)(3), the home shall notify the department by telephone, facsimile, or electronic mail no later than the following working day and shall, within five working days, submit a detailed written report to the department that includes, as applicable, the date and time of the emergency; a description of the nature of the emergency; a description of how the evacuation was achieved, including the amount of time necessary to achieve evacuation; a brief evaluation of the evacuation.</p>		

(j) In addition to the first aid kit required under 7 AAC 10.1075, a foster home/foster group home shall maintain one disaster kit that includes the following five items: at least one flashlight and batteries; at least one battery-operated radio and batteries; potable water; nonperishable food; and blankets.		
(k) A foster home/foster group home that uses oil, wood, natural gas, or propane as a heating or cooking fuel shall ensure that an operating carbon monoxide detector is installed within each sleeping area, or no more than three feet from the entrance to that area, and is regularly inspected, tested, and serviced. In addition, if the home is in a multi-level facility, at least one operating carbon monoxide detector must be installed on each level.		
(l) A foster home (<i>licensed to provide care for five or fewer children</i>) shall ensure that		
<ul style="list-style-type: none"> • (1) the building occupied by children in care has at least two means of emergency escape that are remote from each other and that provide unobstructed access to the outside of the building; if one of the escapes is a window, the window must comply with the requirements of (3) of this subsection; a foster home that is located in a single-family dwelling with only one exterior door may not provide care for more than five children, including children who are relatives of the foster parent unless the department approves an additional means of egress. At least one means of emergency escape must be an exterior door. 		
<ul style="list-style-type: none"> • (2) the building occupied by the children in care has at least one means of escape from any basement directly to the outside at or near ground level, if the children in care occupy the basement for any part of the day; 		

<ul style="list-style-type: none"> • (3) unless prohibited by the state fire marshal for a window 20 feet or more above ground level, each bedroom has at least one fully-opening window that provides escape directly to the outside and that meets the following requirements: <ul style="list-style-type: none"> (A) the finished sill height may not exceed <ul style="list-style-type: none"> (i) 44 inches above the floor; the department will allow a foster home to meet this requirement through the provision of a permanently installed step, the top of which is no more than 44 inches from the sill, if the step does not create a tripping hazard, block wheelchair access in the bedroom, or block a heating element; any request for a variance of the sill height requirement must be accompanied by written approval from the state fire marshal; or (ii) 48 inches above the floor for a foster home or foster group home licensed under 7 AAC 50 on or before June 23, 2006, if the home does not already meet the standard in (i) of this subparagraph; the home must meet the standard in (i) of this subparagraph if the bedroom is remodeled or a new bedroom is constructed; (B) the net clear openable area must be a minimum of 5.7 square feet; for purposes of this subparagraph, <ul style="list-style-type: none"> (i) the net clear openable height may not be less than 24 inches; if the height is 24 inches, the width may not be less than 34.25 inches; and (ii) the net clear openable width may not be less than 20 inches; if the width is 20 inches, the height may not be less than 41.25 inches; 		
<ul style="list-style-type: none"> • (4) a window screen is not used if it prevents exit or cannot be easily be removed for exit; (<i>cannot be permanently fixed</i>) 		
<ul style="list-style-type: none"> • (5) the foster home/foster group home is free of accumulation of combustible waste material and other fire hazards in or around the premises; 		
<ul style="list-style-type: none"> • (6) at least one AC primary powered smoke detection device with battery backup, or at least one monitored battery powered smoke detection device, is located in each bedroom; in addition, if the foster home is in a multi-level facility, at least one smoke detection device must be installed on each level; each device required under this paragraph must be less than 10 years old, or newer if necessary to comply with the manufacturer's recommended replacement date; in this paragraph, "AC" means alternating current; 		
<ul style="list-style-type: none"> • (7) at least one fully charged 2A:10BC dry chemical fire extinguisher is strategically located on each level of the foster home, and is installed, inspected, tested, and serviced according to the requirements of 13 AAC 50.025(47); 		
<ul style="list-style-type: none"> • (8) any flammable or combustible liquid is stored in a container with a tight-fitting lid specifically designed for holding flammable or combustible liquids, and ensure that these liquids are kept out of the reach of children, or adults with impaired judgment; and 		
<ul style="list-style-type: none"> • (9) each heating device complies with 7 AAC 10.1015 		

7 AAC 10.1015. Heating and heating devices		
(a)(1) A foster home/foster group home shall ensure that room temperature in the home is maintained at 65 degrees Fahrenheit draft free, adjusted as needed for the majority of children in care to be comfortable.		
(b)(1) The foster home/foster group home shall ensure that each heating device is installed and maintained in a safe and serviceable manner and is <ul style="list-style-type: none"> • (A) vented to the outside if the device is fuel burning; vents or stacks leading from a heating unit must be air-tight at joints so that fumes, smoke, or unburned gases cannot pass from the device, vent, or stack into the home • (B) equipped with protective devices if presenting a hazard because of an exposed flame or heating element; heat sources must be shielded in a manner that prevents burn injury; the shield must be far enough from the heat source to prevent it from smoldering or burning; and • (C) not placed or located in sleeping quarters during sleeping hours, unless the home lacks a separate sleeping area, or in exit ways or corridors at any time; and (2) an open flame heater is not used, except for a fireplace that complies with 13 AAC 50, 13 AAC 55, and any applicable municipal building code; if a fireplace is used, it must have a protective screen or gate, and the area near the fireplace must be kept free of clutter and combustible or flammable material.		
(c) The foster home/foster group home shall ensure that any portable electric heater is equipped with a tipover switch and is kept out of the reach of children and away from flammable objects in accordance with manufacturer recommendations.		
7 AAC 10.1020. Water supply		
(a) A foster home/foster group home shall provide an ample supply of potable water from a system that complies with applicable provisions of 18 AAC 80.		
(b) A foster home/foster group home that was licensed before June 23, 2006 has until June 23, 2007 to comply with the requirements of this section, if licensing approved the home to use a rain catchment system as its source of potable water.		
7 AAC 10.1022. Waste water disposal		
A foster home/foster group home shall provide a domestic wastewater system that complies with applicable provisions of 18 AAC 72.		
7 AAC 10.1025. Solid waste disposal		
A foster home/foster group home shall ensure that solid waste is conveyed, stored, and disposed of in a manner that <ul style="list-style-type: none"> • (1) minimizes odor • (2) prevents the attraction and harboring of pests • (3) complies with applicable provisions of 18 AAC 60. 		

7 AAC 10.1030. Toilet facilities, sinks, showers, and bathing facilities		
(a) A foster home/foster group home shall ensure that its plumbing is consistent with good public health practices. A home located in a municipality with a population of 2,500 or more shall ensure that plumbing complies with AS 18.60.705 - 18.60.740, and any applicable municipal plumbing code.		
(b) A foster group home shall provide at least one toilet, one handsink, and one bathtub or shower for every six persons. <i>Subsection (b) does not apply to foster homes.</i>		
(c) A foster home/foster group home shall provide and maintain clean and sanitary toilet facilities and ensure that each toilet room complies with the following requirements: <ul style="list-style-type: none"> • at least one easily cleanable waste receptacle is provided; if soiled diapers are kept in a waste receptacle until disposed of, that waste receptacle must be covered; • toilet tissue is provided from a wall-hung or protected container at each toilet; • if one or more partitions are used between toilets, each partition is raised at least 12 inches from the floor and is smooth and easily cleanable; • each step stool, if provided, has a nonslip tread made of a water-impervious, durable material; and each toilet lid, seat, and handle and each handsink is kept clean and sanitary.		
(d) The foster home/foster group home shall ensure that each portable tub, bedpan, and potty-chair , as applicable, is emptied into a toilet, and is cleaned and sanitized in a utility sink or another place approved by the department.		
7 AAC 10.1035. Premises		
(a) A foster home/foster group home shall ensure that		
<ul style="list-style-type: none"> • (1) the premises and surrounding grounds are kept clean, sanitary, safe, and in good repair; 		
<ul style="list-style-type: none"> • (2) the home is free of hazards, including splintered surfaces, sharp edges, protruding corners, broken or hazardous toys, steep stairways, ice on walkways, and unsafe play areas; 		
<ul style="list-style-type: none"> • (3) pests are controlled and that the home is kept free of conditions that are likely to attract or harbor pests; any pesticide use is subject to the notice and other applicable requirements of 7 AAC 10.1093; if the department determines that the home is not adequately controlling pests, the department may require the foster parent(s) to hire a commercial pest control applicator certified under 18 AAC 90, or take other appropriate action if a commercial pest control applicator is not available in the community; 		
<ul style="list-style-type: none"> • (7) lead-based paint is not used, and any painted surface is free from flaking 		
<ul style="list-style-type: none"> • (9) at any fixture that is accessible to children, hot water temperature is no more than 120 degrees Fahrenheit 		
<ul style="list-style-type: none"> • (10) self-dispensing or metering faucets, if used, provide a flow of water for at least 10 seconds 		

<ul style="list-style-type: none"> • (11) an artificial light source is provided in each area of the home; the light must be sufficient and appropriate for the activities performed in each area by employees or by children in care 		
<ul style="list-style-type: none"> • (12) cleaners, medicines, and other harmful substances are inaccessible to children; a home licensed to provide care for six or more children must provide a closet, storeroom, or other area separate from the area where the children in care are present for the storage of janitorial equipment and cleaning supplies 		
<ul style="list-style-type: none"> • (13) furniture and equipment is durable, safe, easily cleanable, and is kept clean and in good repair; and 		
7 AAC 10.1040. General cleaning and sanitation standards		
(a) a foster home/foster group home shall ensure that		
<ul style="list-style-type: none"> • (1) each table or highchair used for food is in good repair, is easily cleanable, and is cleaned and sanitized after each use; 		
<ul style="list-style-type: none"> • (2) uncarpeted floors, low shelves, walls, door knobs, and other surfaces often touched by children in care are cleaned and sanitized at a frequency to keep the surfaces clean and sanitary; in each carpeted area, the home shall ensure that the carpet is vacuumed and shampooed at a frequency to keep it clean 		
<ul style="list-style-type: none"> • (3) each interior waste receptacle is kept clean and emptied as often as necessary to prevent overflow 		
<ul style="list-style-type: none"> • (4) any surface contaminated by any body fluid, including saliva, blood, mucus, vomit, urine, feces, or injury discharge, is immediately cleaned and disinfected using universal precautions in accordance with applicable regulations and statutes. 		
<ul style="list-style-type: none"> • (5) cleaning that may present a hazard to children is done only when a room is not occupied by children in care. 		
7 AAC 10.1045. Universal precautions		
A foster home/foster group home shall take precautions to reduce risk against the spread of a communicable, contagious, or infectious disease that could pose a significant threat to the health, safety, or welfare of children in care. In addition to applicable regulations, precautions include		
<ul style="list-style-type: none"> • (1) seeking and complying with current medical and sanitation advice on communicable, contagious, or infectious diseases; 		
<ul style="list-style-type: none"> • (2) adopting universal precautions, including the use of gloves, to handle potential exposure to blood, blood-contaminating body fluids, and injury discharges; 		
<ul style="list-style-type: none"> • (3) training staff, if any, in universal precautions and in the prevention of communicable, contagious, and infectious diseases; 		
<ul style="list-style-type: none"> • (5) encouraging children to wash their hands before food handling, preparation, serving, or table setting; before eating; after toileting or handling pets or other animals; and when hands are contaminated with body fluid, including mucus. 		

<ul style="list-style-type: none"> • (6) encouraging children to wash their hands before and after participation in moist play, including molding clay or painting. 		
7 AAC 10.1050. Caregiver hygiene		
(b) Caregivers shall conform to good hygienic practices , including those described in 7 AAC 10.1045 and this regulation.		
(c) A caregiver shall thoroughly wash the caregiver's hands with soap and warm running water and rinse with water <ul style="list-style-type: none"> • (1) before food handling, food preparation, food serving, eating, or setting a table; • (2) after toileting, diapering, or assisting with toileting or diapering; • (3) before and after assisting with toothbrushing; • (4) after handling animals, animal waste, or animal cages; • (5) before and after giving medication, except as provided in (d) of this section; • (6) before and after participation in moist play including molding clay, painting, and cooking; and • (7) whenever hands are contaminated with a body fluid, including after nose wiping. 		
(d) If the caregiver is administering medication to more than one child and during the process touches the child, or a surface that might be contaminated, the caregiver may use a bacteriocidal or viricidal hand rinse or hand dip between each administration instead of hand-washing.		
(e) If a caregiver uses gloves , the caregiver shall wash the caregiver's hands immediately after the gloves are removed even if the hands are not visibly contaminated. The use of gloves does not preclude or substitute for hand-washing.		
7 AAC 10.1055. Incontinence care		
(a) a foster home/foster group home that provides incontinence care shall minimize the spread of diseases and the risk of contamination to hands and surfaces		
<ul style="list-style-type: none"> • (1) sufficient quantities of incontinence pads are available and neatly stored; 		
<ul style="list-style-type: none"> • (2) the home has an adequate supply of additional bedding and mattress pads; 		
<ul style="list-style-type: none"> • (3) an impervious bag is used for the disposal of soiled pads; and 		
<ul style="list-style-type: none"> • (4) nonlatex gloves and handwashing supplies are available to prevent contamination, and are used in accordance with universal precautions 		
7 AAC 10.1060. Additional provisions for entities licensed to provide care for children		
(a) In addition to other applicable regulations, a foster home/foster group home licensed to provide care for infants and children shall		
<ul style="list-style-type: none"> • (1) if infants or toddlers are in care, install and use safety gates to prevent access to stairs; 		
<ul style="list-style-type: none"> • (2) install outlet covers in all electrical outlets that are not in use and that are accessible to children under age five; and 		

<ul style="list-style-type: none"> • (3) use safe and sanitary equipment and supplies for diapering and toileting, including easy accessibility for the caregiver to wash the caregiver's hands after changing a diaper or assisting a child with toileting. 		
(b) A foster home/foster group home that provides care for more than one child who uses bottles and pacifiers shall label the bottles and pacifiers with each child's name.		
(c) A foster home/foster group home that reuses bottles, bottle caps, and nipples shall, before reuse <ul style="list-style-type: none"> • (1) wash them in a dishwasher using a long wash cycle with hot water and a heated drying cycle; or • (2) boil them in water for at least five minutes. 		
(d) A foster home/foster group home that provides diapering shall ensure that each caregiver follows procedures that minimize the spread of disease and the risk of contamination to hands and surfaces. These procedures need not be written down.		
(g)(1) Except for toys brought by children for personal use, the foster home/foster group home shall ensure that toys used by children are kept clean and sanitary .		
7 AAC 10.1065. Food service and preparation		
(c) A foster home/foster group home shall maintain sanitary facilities for the proper care, storage, refrigeration, and preparation of food . The home shall ensure that <ul style="list-style-type: none"> • (1) food served is not adulterated per AS 17.20.020 • (2) fruits and vegetables are thoroughly washed with potable water before use. 		
7 AAC 10.1070. Medications		
(a) Subject to applicable statutes and regulations, a foster home/foster group home shall meet each applicable requirement of this section unless the home has an onsite pharmacist and consequently follows a more stringent procedure for that requirement, including a procedure required by law, and the department has been informed in writing of the more stringent procedure and has approved its use for purposes of this section.		
(c) Except as provided in (g)(4) of this section, a foster home/foster group home shall <ul style="list-style-type: none"> (1) ensure that each stored prescription medication is in its original container and properly labeled with the name of the child for whom it is intended, the name of the medication, the dosage, expiration date, and directions for administration; except as provided in 7 AAC 10.1000(c); (2) store medications in a manner that prevents access by unauthorized persons; (4) store medications, including controlled substances, in accordance with the manufacturer's recommendations; and (5) ensure that nonprescription medications and health products, including nonaspirin fever reducers, naturopathic remedies, vitamin and mineral supplements, diaper ointments and powders, sunscreen, and insect repellent, are used only at the dose, duration, or method of administration specified on the manufacturer's label. 		

<p>(f) A foster home or foster group home may administer medication if</p> <ul style="list-style-type: none"> • (1) within the scope of the person's own license • (2) under other legal authority; or • (3) under the supervision of another licensed health care provider. 		
<p>(g) A foster home/foster group home authorized to administer medication may do so only under the following conditions:</p>		
<p>(1) the foster home/foster group home must first obtain written permission for the administration of prescription medication from the parent of a child in care upon admission into the home, or when a new medication is prescribed; if the department is the child's legal guardian, the home must first obtain written permission from the department; <i>It is the social worker's responsibility to get permission from the parent.</i></p>		
<ul style="list-style-type: none"> • (2) the foster home/foster group home may administer prescription medication and special medical procedures only in the dosage, at the intervals, or in the manner prescribed by a physician or other person legally authorized to prescribe medication or medical procedures; 		
<ul style="list-style-type: none"> • (3) if a foster home/foster group home has not obtained written permission from the child's parent for the administration of a commonly used nonprescription medication or medication contained in the first aid kit required by 7 AAC 10.1075, the home shall document telephone permission to administer that medication; a foster home/foster group home providing care for a child for whom the department is the legal guardian is not required to obtain permission from the child's parent for the administration of nonprescription medication, but shall administer nonprescription medication as authorized by the department in the placement agreement; 		
<ul style="list-style-type: none"> • (5) prescription medicine must be kept in <ul style="list-style-type: none"> (A) the original container showing the date filled, the expiration date, instructions, and the physician's or other medical professional's name; or (B) medicine sets filled by a pharmacist, a licensed medical professional, or a resident's representative; the prescription date filled, the expiration date, instructions, and the physician's or other medical professional's name must be affixed to or stored with each medicine set; 		
<ul style="list-style-type: none"> • (6) in a foster home/foster group home with one or more employees, only one designated employee in each shift may administer medication; the designated employee shall record and initial the time each dose is administered 		

<ul style="list-style-type: none"> • (7) unused medication must be returned to the parent of a child in care when the medication is no longer needed, except that a foster home/foster group home providing care for a child for whom the department is the legal guardian shall discard the unused medication <ul style="list-style-type: none"> (A) in a manner that prevents access by children in care; and (B) in accordance with instructions from the manufacturer, if any; 		
(h) The foster home/foster group home shall ensure that medication requiring refrigeration is grouped together, stored in a manner to prevent contamination of food, and labeled as required by this section.		
7 AAC 10.1075. First aid kit and procedures		
(a) A foster home/foster group home shall review, and shall post or make readily available, first aid procedures . The home shall post and keep current emergency telephone numbers , including the number for the poison control center, near one or more telephones in the home. The home shall maintain		
<ul style="list-style-type: none"> • (1) at least one first aid kit described in (c) of this section that is kept at the home; 		
<ul style="list-style-type: none"> • (2) at least one additional first aid kit described in (c) of this section for field trips or outings away from the home; and 		
<ul style="list-style-type: none"> • (3) an abbreviated first aid kit for a neighborhood walk of 30 minutes or less; a foster home/foster group home may use the kit described in (2) of this subsection for a neighborhood walk if the kit is not needed for a field trip or outing, and if a kit described in (c) of this section is kept at the home; for purposes of this paragraph, an abbreviated kit must contain, at a minimum, the following: disposable nonporous, nonlatex gloves; tweezers; adhesive bandages; bandage tape; sterile gauze pads; a cold pack; a CPR barrier device or mask; potable water; for a foster home/foster group home providing care for children, the emergency child record information required by 7 AAC 57.400(a) ; medication that may be needed on the walk. 		
7 AAC 10.1075(b) The foster home/foster group home shall restock each first aid kit after use to ensure compliance with this section.		

(c) Except as provided in (a)(3) of this section, each first aid kit must include at least the following items, checked regularly to ensure that any expiration date is not exceeded, and kept within a container that will hold all of the items: disposable nonporous, nonlatex gloves; sealed packages of alcohol wipes or antiseptic for thermometer cleaning only; scissors; tweezers; a thermometer; adhesive bandages; bandage tape; sterile gauze pads; flexible roller gauze; triangular bandages; safety pins; an eye dressing; a note pad with a pen or pencil; activated charcoal, for use only under the direction of a poison control center or another medical professional; a cold pack; a current American Academy of Pediatrics or American Red Cross standard first aid text or equivalent first aid guide; a CPR barrier device or mask; the telephone number for the poison control center; potable water; splints, including small child-size splints if children are in care; soap; a working flashlight.		
7 AAC 10.1080. Firearms and ammunition		
(b) A foster home/foster group home shall ensure that any firearms are unloaded and stored in a locked gun safe or other locked place that is not visible or accessible to children in care. The home shall ensure that ammunition is stored separately from the firearms in a place inaccessible to children in care.		
(c) The foster home/foster group home shall inform parents of children in care, or social workers, care coordinators, or case managers, as applicable, if firearms are present in the home.		
(d) Before a foster home allows a child to handle a firearm , the home shall submit a firearms safety plan acceptable to the department that addresses the firearms safety instruction approach the home will use.		
7 AAC 10.1085. Smoking		
(c) Smoking in a foster home or foster group home must be limited to outside the home, or in a well-ventilated area away from the immediate living area, and only after submitting a plan acceptable to the department that addresses how children in care will be protected from smoke		
(e) Any vehicle used to transport children must be smoke-free.		
7 AAC 10.1090. Animals		
(a) A foster home/foster group home shall ensure that any animal kept in the home has no communicable disease, has immunizations required under state and federal law, and is free of internal and external parasites. The home must show proof of compliance with required immunizations to the department upon request.		
(b) The foster home/foster group home shall inform parents of children in care, social workers, care coordinators, and case managers, as applicable, if any animal is present in the home.		

<p>(e) a parakeet, pigeon, or other similarly small-sized psittacine bird may be kept in a foster home/foster group home only if the bird:</p> <ul style="list-style-type: none"> • (1) receives prophylactic antibiotics before introduction into the home; and • (2) is isolated at least 45 days in a room separate from a room occupied by any other birds in the home. <p><i>Psittacine birds are parrots, McCaws, parakeets, and pigeons.</i></p>		
<p>(f) Ducklings and chicks may be incubated or hatched in a foster home/foster group home, except in a room where infants or toddlers are present, if</p> <ul style="list-style-type: none"> • (1) children do not handle the ducklings or chicks; and • (2) the ducklings and chicks are removed from the home when hatched. 		
<p>(g) Wild, poisonous, or predatory animals may not be kept in a foster home/foster group home. A foster home or foster group home may have amphibians, ferrets, or reptiles, if approved by the department. The prohibition of this subsection on predatory animals does not apply to domestic dogs and domestic cats.</p>		
<p>(h) The foster home/foster group home shall ensure that</p>		
<ul style="list-style-type: none"> • (1) any birds, fish, and other animals allowed by this section are kept in appropriately designed cages or aquariums; the requirements of this paragraph do not apply to domestic dogs and domestic cats 		
<ul style="list-style-type: none"> • (2) the area around a cage or aquarium is smooth, nonabsorbent, impervious to water, and easily cleanable, and is cleaned and sanitized at a frequency to keep the area clean and sanitary 		
<ul style="list-style-type: none"> • (3) animal waste is removed daily, or at a frequency to prevent odor or contact with children in care 		
<ul style="list-style-type: none"> • (4) each cage is lined with an impervious material and is cleaned at a frequency necessary to prevent a health risk to children in care 		
<ul style="list-style-type: none"> • (5) bowls used for providing food and water for animals are cleaned at a frequency necessary to prevent a health risk to children in care; and 		
<ul style="list-style-type: none"> • (6)(B) cleaning of animal waste is not conducted in an area used for food preparation or service. 		
<p>(i) The foster home/foster group home shall</p>		
<ul style="list-style-type: none"> • (1) disclose to the department information regarding any animal in the home, if that animal has <ul style="list-style-type: none"> (A) been the subject of a past contact with an animal control official because of aggressive behavior or biting; or (B) a history of aggressive behavior or biting, regardless of whether the animal has been the subject of a past contact with an animal control official; 		
<ul style="list-style-type: none"> • (2) notify the department within 24 hours of any occurrence of aggressive behavior or biting by an animal in the home, including whether the occurrence resulted in a contact with an animal control official 		

<ul style="list-style-type: none"> • (3) immediately remove from contact with children in care, an animal described in (1) or (2) of this subsection; and 		
<ul style="list-style-type: none"> • (4) permanently remove from the home an animal described in (1) or (2) of this subsection, if the department determines that the animal is a threat to the life or safety of children in care. 		
7 AAC 10.1093. Pesticide use and notification		
(a) A foster home/foster group home shall, whenever practical, use a nonchemical method , including good sanitation practices, structural repair, and window screens to control pests. Pesticide use, including the use of a certified applicator if required, is subject to applicable DEC regulations (18 AAC 90). Foster homes or foster group homes must notify the department before any major fumigation or other application that would require residents of the home to be temporarily relocated.		
7 AAC 10.1095. Toxic substances; poisonous plants		
(a) A foster home/foster group home shall ensure that		
(1) each cleaning material, detergent, aerosol can, pesticide, poison, and other toxic material is <ul style="list-style-type: none"> • (A) stored in the original labeled container; the requirement in this subparagraph does not apply to a spray bottle that contains a commercial sanitizing solution or a bleach-water solution used to sanitize toys, tables, counters, and other surfaces throughout the day, if that bottle is appropriately labeled and is stored as provided in (B) of this paragraph 		
<ul style="list-style-type: none"> • (B) inaccessible to children and stored separately from medication and food; 		
<ul style="list-style-type: none"> • (C) used according to the manufacturer's instructions; for the intended purpose; in a manner that will not contaminate a play surface, a food service area, or a food preparation area; and in a manner that is not a hazard to children in care; 		
(2) only nontoxic arts and crafts materials are used; and		
(3) a poisonous plant is not in a foster home/foster group home where children are in care, except as provided in (b) of this section.		
(b) The department may allow a poisonous plant that is a common household plant , including a poinsettia, a dieffenbachia, an English ivy, a mother-in-law, and a philodendron, to be present in a foster home/foster group home if the department finds that children in care will be protected from harm . The home shall submit to the department a written list of all poisonous plants maintained in the home, and a description of how the home will protect children from being harmed by the plants. If the department allows one or more poisonous plants to be present in the home, the home shall inform parents of children in care, social workers, care coordinators, and case managers, as applicable, of any poisonous plant present in the home, and describe how the home will protect children from harm.		

NARRATIVE (use additional pages to thoroughly answer the questions)

- A. Summary of impression of house: (location, safety factors, space available for foster children, general atmosphere, for reviews any changes).

- B. List typical daily schedule. Include work schedules and supervision plan.

- C. List types of activities (school/community/cultural involvement) family is currently involved in. State if family will be able to adjust to the needs of children in age ranges other than those of their own children.

- D, Describe any anticipated changes.

- E. Summary of comments by references and/or placement workers, for reviews include observations of foster children placed in the home:

- F. Describe the family's intention/level of cooperation with agency to carry out the case plan for the foster children. Are foster parents willing/or have they attended case review meetings?

- G. Note background information relevant to the assessment of the family. Discuss any domestic violence/criminal history, child protection concern, physical or mental health concerns regarding any member of the household and assess risk to child in placement:

- H. Special skills of this family (i.e.: languages including sign language, medical training, cultural, etc.):

- I. Summary of family strengths:

- J. Summary of family limitations/need for support:

K. Placement preferences:

L. Summarize any complaints or concerns during prior licensing period:

M. Describe any non-compliance identified during completion of Standard by Standard and the facility's plan to address them.

N. Worker recommendations:

Attachment B
Alaska Tribal Foster Care Licensing Standards
Tribal State Collaborative Group
November 2010

Attachment B
Tribal Foster Care Licensing Standards Qualifications--DRAFT

State Tribal Standards

Applicants shall comply with all reasonable requests by the Tribe in the licensing process, and any ongoing monitoring of their homes after licensure.

Home **(evaluations) studies?** shall include, but not be limited to, a description of potential foster parents, the physical home, all people residing and frequenting, social adjustment of family members, etc.

During and after licensure, foster families shall keep the Tribe informed of any changes in their status, including employment, names and number of children and adults living in the home, and how long they're going to stay if the adults are living there temporarily, and any change of address or telephone number within one week of the change (or sooner if the information is known).

Procedures of application

Individuals or families desiring to provide foster care services on land subject to the jurisdiction of the (designated tribe) shall make written or oral expressions of intent to the (designated tribal licensing authority). The licensing authority shall be responsible for assisting the applicant in filing necessary forms in the dominant language of the applicant.

References

Names and addresses of at least four persons, three of whom are unrelated, who have known the applicant(s) for two years or more and who can attest to their character and ability to care for children. The Tribe may contact schools, employers, adult children, and other sources for references.

A statement as to whether the applicants have ever operated or currently are operating a licensed/certified care facility or foster home for children or adults, and reasons for any termination of such license or certification.

Reports or where not available a statement of the applicants of all criminal or juvenile delinquency charges for all persons living in the home, including all employees, volunteers and minor children.

Reports or where not available a statement of the applicants of all allegations of child abuse and neglect, with dates and locations and resolution of those allegations for all persons living in the home, including all employees and volunteers.

A statement demonstrating that the applicants have resources sufficient to meet the needs and ensure the stability and financial security of their family, independent of any foster care maintenance payment.

Verification that at least one foster parent in the home is 18 years of age or older.

Within 10 days of a request for home licensure, the Tribe shall advise the applicant of the information and supporting material required to support the application.

Procedures for Obtaining a License. (Sample Regulations)

The foster Family Homes shall make an application.

The licensing authority through its representatives shall make an investigation to establish the character and intent of the applicant, the need for the service, financial ability and stability, the cultural and religious content of the placement, methods to be used in carrying out the proposed services and the overall applicability of the culture and the environment. The prospective Foster Family Home shall furnish the Tribe with material related to the licensing rules and regulations and other information deemed appropriate by the licensing authority.

When it has been determined that the Foster Family Home meets the Tribe's licensing requirements, the license shall be granted.

Within 45 days of receiving all requested material, the Tribe shall approve or deny the request for licensure or request additional material in support of the application. If the Tribe requests additional information, then it shall approve or deny the licensure within 30 days of receiving the requested information. Applicant shall be notified in writing.

Licensing Process

Types of Licenses:

Initial License (includes emergency licensing, where there are still some steps to be completed). Safety checks will be done on any permanent residents of the home (age 16 and above). Worker will check Court View (on-line) for any recent charges within the last 3 to 5 year period, and also the sex offender registry. The intent of relative placement is as defined under ICWA and includes non-relative extended family members.

Biennial License

Within 45 days of receiving all requested material, the Tribe shall approve or deny the request for licensure or request additional material in support of the application. If the Tribe requests additional information, then it shall approve or deny the licensure within 30 days of receiving the requested information. Applicant shall be notified in writing.

Prior to completion of licensure, worker must walk through the home (doing a visual on each room) and making contact with one or more caregivers and other residents who are available (see duty to cooperate on page 5).

Waivers and Variances:

Variances may be requested by the foster parent for non-safety standards only. Variances will not be provided for criminal background checks requirements and other safety standards. The Tribe will consider requests on a case by case basis to ensure that the variance allows the foster home to meet the standard in another way and will approve or deny the request based on their findings so as to protect the health, safety and well being of the children.

Waivers may be requested for relative foster parents for non-safety standards only. Criminal background clearances and other safety standards may not be waived. The Tribe will consider requests on a case by case basis to ensure that the waiver allows the relative foster home to meet the standard in another way, and will approve or deny the request based on their findings as to protect the health, safety and well-being of the children.

Waivers and Variances may be requested and approved by the Tribal Council or supervisor.

Capacity: **(Per Grace, think about doing check boxes – ask group)**

The Tribe will determine the appropriate number and ages of children for which the foster home will be licensed. The foster parents shall not exceed the licensed capacity or accept a child outside of the licensed age range for placement. To ensure the health and safety of all children in the home, the Tribe will consider the ratio of adults to children, the level of supervision available, the skill levels of the foster parents, the health, safety and special needs of children in the home and the local standard in the community when determining the license capacity and age range for the foster home. The number of children in the home will not exceed the limit that would assure that the needs of each child in the home can be met.

Modifications:

The Tribe may modify the licensed age range or capacity based on a request from the foster parent and an assessment by the Tribe that the home can meet the health, safety and developmental needs of the children who would be placed as a result of the requested change(s). If the Tribe determines that a license will be modified for a change in capacity or age range, a new license reflecting the change(s) will be issued.

Denial of License

Applicants for licensure may be denied if there is a reasonable doubt that the homes do not comply with standards. Notification shall be by mail. Applicant(s) can reapply if the home is upgraded to meet standards and if they apply within specified number of days.

The Tribe may cancel, deny, or modify a license if the prospective foster parents falsify (including by acts of omission) the application or supporting documents. The Tribe may act to revoke a license if falsification is discovered after licensure, or if foster parents fail to inform the Tribe of any disqualifying condition that arises after licensure.

The Tribe may not issue or renew a license if any safety rule or other standard required by the Tribe is not met.

Before a license is issued all standards must be reviewed with the applicant and the applicant must agree to comply with all standards when the foster home license is issued.

A license will not be issued until the required background checks for the applicant(s) and household members have been completed and show no evidence of criminal or other history that would prohibit the home from being licensed to provide foster care.

Termination, Suspension and Revocation of License

Termination:

Foster parents may terminate their foster care responsibilities to children in their homes only on 30 days written notice to the Tribe and after consultation with the case worker. The Tribe may waive this notice requirement if such waiver would be in a child's best interests.

Suspension:

The Tribe may suspend a foster home license because of violations of one or more licensure rules or because of conditions in the home that render it unsafe.

A notice of suspension must be in writing and must list the violations, along with the actions necessary to meet the standards. and any services available to assist the parents. The foster parent must remedy the situation within 14 working days . The foster parent has the ability to use the Tribe appeal process.

Children in placement will be removed from homes with suspended licenses.

No additional placements will be made during the period of suspension.

A written notice of suspension will be sent USPS. Within 30 days of the notice of the suspension the foster parents shall submit a written corrective action plan to the Tribe. This plan must list the steps that will be taken to correct the deficiency.

This action plan must be approved by the Tribe and signed by both the foster parents and the Tribe. Failure to submit a plan will constitute a withdrawal from licensure.

At the end of the suspension period or when the foster parent complies with the plan to remedy the conditions that led to the suspension, the Tribe may:

- Reinstatement the license for the term of the original license;
- Issue a new license;
- Deny an application for re-licensure; or
- Notify the foster parents of the intent to revoke the license.

Revocation:

The Tribe will revoke a foster home licensure only after one or more of the above steps have been attempted or when child safety concerns warrant an immediate revocation.

A notice of revocation shall be in writing and shall state the reasons for revocation.

The Tribe may take any action necessary to protect the health, safety and welfare of foster children, including emergency removal of foster children from a foster home or referral to any law enforcement or other child protective agency or organization to effect such removal.

Foster parents may appeal the revocation of their license by making a written request to the Tribe.

Relicensing of Foster Homes

The initial license shall expire one year from the date of issuance and may be renewed via an application for renewal. Completed renewal applications must be submitted 45 days before expiration.

If the foster home meets all requirements, the Tribe will issue a Biennial Foster Home license that will be in effect for two years.

Before the expiration of a Biennial license, the Tribe will reassess compliance with all licensing standards. If the foster home is in compliance with the standards, the Tribe will renew the Biennial license for another two years.

Safety Checks

Criminal History

Prospective foster parents and members of the household age 16 years and older shall consent to a criminal record check and will provide finger prints for the purpose of state and federal criminal records checks.

No license will be issued until the results of these checks have been received and the Tribe has determined none of the individuals has a criminal history that would prohibit him/her from being a foster parent or household member in a licensed foster home as per the following:

1. A conviction of a felony, or admission of, or substantial evidence of an act of assault, or child battering, child abuse, child molesting or child neglect, spousal abuse, a crime against a vulnerable person, child or children (including child pornography), or a crime involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery.
2. Chemical/alcohol dependency, unless the individual(s) identified as chemically dependent has been chemically free for at least twelve (12) months.
3. The foster families own minor children cannot be in foster care, a correctional facility or residential treatment for emotional disturbance within the previous twelve (12) months if, in the judgment of the agency, the functioning of the family has been impaired.
4. Felony conviction within the previous five years involving physical assault, battery or a drug-related offense, or at the discretion of the agency within the previous 10 years.

The Tribe will require that any employee or volunteer in a foster home or any individual living in a part of the foster home where the individual would have direct access to children in care, meet the criminal background requirements for foster parents described in these standards. This information will be included in the licensing file.

Employees, volunteers and individuals residing in a facility where they would have direct access to children in care, will give the Tribe permission to check CPS history and criminal background by providing the Tribe with a "release of information" and fingerprint cards.

In addition, the minimum standards of character that are to be prescribed under this section shall ensure that none of the foster parents or other adults, age 16 and older, shall have been found guilty of, or entered a plea of nolo contendere or guilty to, any offense under Federal, State, or tribal law involving crimes of violence; sexual assault, molestation, exploitation, arson, involving an imitation controlled substance or a controlled substance, contact or prostitution; or crimes against persons.

Before the prospective foster or adoptive parent may be finally approved for placement of a child, the Tribe shall check any child abuse and neglect registry for information on any prospective foster or adoptive parent and on any other adult living in the home of such a prospective parent for such information.

- i. The Tribe shall check any child abuse and neglect registry it maintains for such information;
- ii. The Tribe shall request any other State/Tribe in which any such prospective parent or other adult has resided in the preceding 5 years, to check any child abuse and neglect registry maintained by such other State or Tribe for such information.

The Tribe shall consider all information obtained through the criminal history checks including charges by complaint, indictments, arrests, and investigations of a serious criminal offense when issuing, renewing, denying or revoking a license.

After a five-year period since the conviction of the crimes of either a felony physical assault, battery, or a drug related offense the Tribe may review and consider the circumstances surrounding the crime and conviction; the probability of committing future offenses; of rehabilitation (including counseling, therapy, and education); and the relationship between the offense and the ability to be a foster parent in making a licensing decision. Requests can be made in writing to the Tribal Council or Supervisor. A response will be given within 45 days.

Child Protective Services (CPS) Background Checks

Tribal Licensing Workers will obtain a "release of information" from the licensing applicant(s) and all household members age 16 and older, giving the Tribe permission to submit the individual's information for a CPS check. If the individual is found to have been the alleged perpetrator in a substantiated report of harm or there is an open case or report of harm in which the individual is involved, the Tribe will not issue a license to the individual or allow the individual to reside in a licensed foster home.

Foster Parent Requirements

Personal Characteristics

Prospective foster parent(s) shall possess personal qualities of maturity, stability, flexibility, ability to cope with stress, capacity to give and receive love and good moral character. Such characteristics are reflected in the following:

1. Psycho-social history, including significant childhood relationships and experiences (parent/child, sibling, or other relationships)
2. Role identification and acceptance
3. Reactions to experiences of separation and loss (through death, desertion, etc.)
4. Education, employment and patterns of interpersonal relationships
5. General social, intellectual, and cultural level of the family
6. Level of everyday functioning
 - a. Home and money management ability
 - b. Daily routine and habits
 - c. Reactions to stress
7. Affect responses (ability to give and receive love, deal with loss, separation and disappointment, etc.)
8. Moral, ethical and spiritual qualities of the family
9. Religious affiliation and habits
10. Hobbies, special interests, skills and talents.

Discipline

Foster parents shall use effective child-rearing practices that will enable children to grow and develop.

Foster parents shall use non-punitive (i.e. spanking & hitting) ways of discipline and ways of helping a child build positive personal relationships and self-esteem. Foster parents may not use discipline, or a behavior management technique that is cruel, humiliating, or otherwise damaging to the child. For example, foster parents cannot withhold food for any type of punishment.

Family Contact

Foster parents must be able to provide temporary care, respect for the child's relationships with his/her birth family, and the ability to work in partnership with the Tribe, and the State of Alaska, if the child is in State custody, toward the return of each child to his/her birth parents, or to achieve an alternative permanent plan.

The foster parent and the assigned worker must sign and abide by the terms of a Foster Parent Agreement that details child specific responsibilities.

The assigned worker shall visit the foster home at least once a month.

Visits may include, but are not limited to:

Face-to-face individual time with child
Discussion of needs of the child
On-going assessment of health, safety and well-being of the child

The foster parent has a right to know the policy, procedure, and intentions of the agency toward placement of children in their home. The foster parent may request and receive such information from the agency at the time of licensure and at any time that foster parent has been without a placement for a 12-month period (tribal foster care authority requirement).

Preserving Connections

Foster parents shall have supportive ties with family, friends, neighborhood, and community.

A foster parent shall recognize, encourage, and support the religious beliefs, ethnic and cultural heritage, and language of a child's birth parents and shall respect the expressed religious preference of the birth parents for their child. However, a foster parent shall respect the preference of a foster child nine years of age or older. A foster parent shall, within reason, arrange transportation to ethnic and cultural events that, based upon the child's background, are appropriate for the child.

Health Qualifications of Foster Parents

Foster parents shall provide the Tribe with the health history of each member of the household, including physical and mental health services and treatment received. Foster parents shall inform the Tribe if any member of the household has or develops a serious communicable disease or other health condition.

Foster parents and employees, volunteers, and other adults in the household caring for children shall be physically and mentally able to perform the duties of foster parents as prescribed in these rules. The Tribe may require a medical statement from a physician verifying that no person suffers from a communicable disease, specific illness or disability which would interfere with the family's capability to care for children in foster care.

Foster parents must notify the Tribe of any prior or on-going counseling or treatment of any parents, employees, volunteers and other adults in the household caring for the children. Once licensed, the duty to notify the Tribe of any counseling or treatment is on going. Foster parents shall supply psychological, medical or physical, sex-offender, drug and alcohol, and psychiatric reports and evaluations to the Tribe if requested. The Tribe may require that a release of information be signed for the purpose of obtaining the above or other reports.

Duty to Cooperate

Cooperation With the Tribe, the State, and the Birth Parents

Foster parent shall cooperate with the Tribe and the State of Alaska in any investigation involving their license and/or any child in their home.

The foster parents shall cooperate with the Tribe, the State of Alaska, and the birth parents in developing and implementing a child's case and service plans and executing all court orders regarding the child.

Foster parents shall report immediately to the Tribe/State of Alaska the occurrence of an unusual accident such as the death or serious injury or serious illness of a foster child. A serious injury or illness shall be defined as one requiring professional medical attention or any unusual circumstance which threatens the health, safety, physical, or emotional wellbeing of the foster child. Examples are:

- Fire or other disaster affecting the facility;
- A planned or emergency absence of a foster parent exceeding 72 hours and confirmation or revision of the plan for supervision of children by a responsible adult during the absence of the foster parent;
- Attempted or threatened suicide by a household member;
- Runaway foster child
- Pregnancy of a foster child;
- Severe distress or depression of a child in care;
- Non-emergency medical care requiring consent from the child's parent; in this paragraph, "non-emergency medical care" includes surgery, anesthesia, and the administration of psychotropic medication, or another drug prescribed for mental illness or behavioral problems;
- Violation of a condition of probation by a child in care, if applicable;
- Allegations of criminal conduct by a child in care.

Access and Inspection

Foster parents shall allow the Tribe/State of Alaska access and inspection to their home and property and to the children placed in their care.

Visits

In accordance with the case plan, foster parents shall respect and support the child's relationship with his/her extended family members, including siblings.

Children shall be allowed visits with their parents, family, extended family members, clan relation, and friends in accordance with the case plan. Foster parents can contact their case worker regarding additional visitation questions.

Allow children reasonable opportunities to communicate with their immediate and extended clan and birth family, Guardian Ad Litem, and social worker.

Visitation and communication may include, but is not limited to:

In-person
Email
Telephone
Texts
Social Networking

Confidentiality

The foster family shall treat personal information about a child and the child's family in a confidential manner.

Confidential information may be disclosed only when necessary to provide for the safety and well being of a child or other children in the home or as required by Tribal, State, or Federal law. The information shared must be limited to only what is necessary to comply with this rule. This duty not to disclose confidential information applies during the period in which the foster family cares for the children and forever thereafter.

Record Maintenance by Foster Parents

Foster parents will maintain records on all aspects of the child's life for the duration of the placement, including the physical and mental health care received during placement, immunizations, and educational and placement progress for the duration of the child's placement. Within ten days of the termination of a foster care placement, the foster parents shall relinquish all records to the placement agency (Tribe/State).

Foster parents shall keep such written records for each foster child in a manner that ensures their confidentiality.

Record Maintenance by Licensing Authority

1. A copy of the application for licensure signed by the applicant
2. A Foster Parent Agreement Form signed by both the applicant and the (tribal foster care authority)
3. A medical professional's statement concerning the physical health of people in the foster home
4. A current completed Fire Safety Check List
5. The pre-licensing home inspection
6. References
7. An annual evaluation of the foster home, done by the tribal foster care authority, covering services provided by both the foster home and the tribal foster care authority. It shall be based on a complete review of this rule and on the year's placement experiences. Any disagreement about the evaluation between the foster home and the tribal foster care authority shall also be entered into the record.
8. Documentation for any waiver of licensing regulations
9. Record of training received by the foster parent(s)
10. Health Records and Education Records of the child shall be requested by the case worker within 15 days of placement for purposes of providing to the foster parents

Care and Development of the Child

Daily Living

Every foster child shall be treated as a member of the family.

Foster parents shall provide structure and daily activities designed to promote the physical, social, intellectual, spiritual, and emotional development of the children in home.

Toys and games shall be available in the foster home, including recreational and educational materials, and books appropriate to the age and development level of the child.

The foster child shall share in the privileges and responsibilities of the home as appropriate to the child's age and abilities.

Infants

1. Each infant must be held during bottle-feeding until safely able to hold his/her on bottle.
2. No infant placed in a high chair shall be left unsupervised. A restraining device shall be placed around the child to prevent him/her from sliding down the high chair.
3. Each infant must be held, rocked, cuddled and played with during each day of care.
4. Infants' attempts to communicate must be responded to.
5. Infants need large muscle activity in order to develop properly, physically and mentally. Infants learn by exploring their environment.

Satisfactory Compliance

- a. The non-creeping infant shall spend part of each day outside the crib and playpen.
- b. The creeping infant shall have freedom to explore outside the crib or playpen. A crib or playpen shall be used only for sleeping or for short periods when needed for safety. During the infant's waking hours, a playpen shall be placed where the infant can see others.

Toddlers, Preschoolers and School Age Children

1. Each child shall be allowed as much independence as he/she can safely handle.
2. Each child shall be provided with limits consistent with his/her age of understanding.
3. Each child shall be encouraged to communicate verbally.
4. Each child shall be given physical signs of affection as appropriate for age and maturity
5. Each child shall be provided with materials and equipment that will enhance his/her physical, mental, and emotional development.
6. Toilet training shall be undertaken only when appropriate to each child's age and stage of development.
7. Each child shall nap or rest as is appropriate for age and stage of development.

Adolescents

1. The Tribe and the foster child shall discuss house rules with the foster parent(s). The foster child(ren) are expected to live by these house rules.
2. Each child shall be provided practical learning opportunities.
3. Each child shall have the opportunity to participate in a variety of activities.
4. Each child shall be encouraged to participate in open discussions with adults exposing, but not imposing their value systems on the child.
5. Each child shall be provided opportunity for significant experiences and careful examination and reflection on those experiences for his/her moral development.
6. Each child shall be allowed opportunities to experiment, within the constraints of law, with his/her own identity in a nonjudgmental atmosphere.
7. Each child shall be provided opportunities for participation and accountability in a family relationship.
8. Each child should have a family that is accepting of other people's lifestyles and values, with flexibility, a sense of humor, and a sense of the joy of living.

Foster parents shall participate with the Tribe to help children in foster care maintain an awareness of their past, a record of the present, and a plan for the future.

In accordance with the case plan, the foster parent shall ask children placed in their home to assume work responsibilities (chores) appropriate to the child's age and ability and commensurate with those expected of their own children.

Seatbelts shall be used for children in care, as well as any other normally acceptable safety products.

Each child in placement shall be treated with respect and dignity.

Provide the child access to telephone and writing materials and other household resources, in accordance with the standard of the local community (VHF, CB, etc).

Any household child care (provided by the foster child inside of the foster home) can be addressed in the case plan. There must be an agreement between the foster parent, foster child, and the case worker whenever a foster child provides child care outside the foster home. **Double check wording when we look at next time.**

Allow the child to receive and open her/his own mail and to have private phone calls unless the foster parent has been asked to monitor the communication by the placement social worker.

Alternate Caregivers

The foster parents shall arrange for safe and responsible childcare for short absences (up to 6 hours).

When the foster parents are absent overnight, or longer, a person of at least 18 years of age, capable of assuming foster care responsibilities, shall be present in the same home to supervise the children. The foster parents shall provide contact information where they can be reached during their absence. Foster parents shall not leave children for more than 48 hours without first giving notice to the case worker.

Food and Nutrition

Foster parents shall provide nutritious, daily meals (and whenever possible, traditional foods), clothing, supplies, and educational training to ensure the health and physical, emotional, and mental development of the children served.

Foster parents shall provide for any special dietary needs of the children placed in their homes. If a Foster parent has reason to believe that a child has undiagnosed special dietary needs they shall consult with medical professionals

after notifying the case worker.

Clothing and Personal Belongings

Foster parents shall provide each child with his or her own clean, well-fitting, attractive, seasonal clothing appropriate to age, sex, individual needs, and comparable to the local community standards. Foster parents shall keep a list of all personal items.

Foster parents shall allow children to bring and acquire personal belongings.

Foster parents shall send all personal clothing and belongings with the children when they leave the foster home.

Discipline and Guidance

Foster parents shall teach and discipline children with kindness and understanding. Foster parents shall set clear expectations, limits, and consequences of behavior. Foster parents shall teach each child with techniques that stress praise and encouragement. No foster child or other child in a foster home shall be subjected to corporal punishment, physical abuse, sexual abuse, sexual exploitation, neglect, emotional abuse, mental injury, or threats of harm.

Many children come into foster care because they have suffered physical abuse and severe punishment. It is vital that foster parents use discipline and guidance to help the child develop acceptable behavior.

1. Methods of discipline to be used in the FFH shall be discussed with the agency during the application process. Child training and discipline shall be handled with kindness and understanding.
2. No child in care shall be subjected to unusual, severe or cruel punishment.
3. No child in care shall be subjected to verbal abuse, derogatory remarks about him/herself or members of his/her family, or threats to expel the child from the foster home.
4. Isolation, when used as discipline, shall not exceed 1 minute per year of the child's age. Isolation shall be in a light, well-ventilated room of at least 50 square feet, and within hearing of an adult. An adult shall periodically check, at least every ten minutes, on a child in isolation. No child shall be isolated in a closet or locked room.
5. No child shall be punished for bed-wetting or with regard to toilet training.
6. No children in care shall be deprived of meals, mail or family visits as a method of discipline.
7. Punishment shall not be delegated to another child.
8. Methods of discipline shall be periodically evaluated by the FFH and the agency.

Corporal punishment is prohibited. Corporal punishment includes, but is not limited to, hitting, slapping, pinching, shaking, kicking and biting.

Please see your case worker if you would like to receive examples of acceptable and non-acceptable methods of discipline.

Health Care for the Foster Child

The Tribe will provide the full health records of a child to the Foster parents upon placement of the child in their home.

Foster parents are encouraged to contact their case worker with any concerns about a child's health they may have. Foster parents shall work with the case worker to ensure that health care needs of children placed in their care are met, including making and arranging transportation to medical, dental and counseling appointments as needed, and as is possible based on the resources available in the local community and the region.

As part of the foster care placement, the case worker will ensure that Medicaid coupons (Denali Kid Care) are provided for the foster parents' use in facilitating necessary medical services.

Early Periodic Screening, Diagnostic & Treatment Services (EPSDT) are available to all Medicaid eligible children under the age of 21. Foster parents will ensure that children receive EPSDT screenings.

Foster parents shall obtain necessary emergency medical care for children placed in their home as is possible based on the resources available in the local community and the region. Foster parents shall obtain permission, where

possible, from the birth parents and the case worker for major medical decisions that are not of an emergency nature.

Foster parents shall be responsible for keeping immunizations/physicals/dental work current for children placed in their home.

Foster parents shall give children prescription medication only in accordance with a physician's prescription or authorization.

Foster parents shall give children prescription psychotropic (mental health) medication only with the parent's permission or if OCS or the case worker gets a court order approving the children's use of the medication.

Foster parents shall not provide tobacco products in any form to children under the age of 19 placed in their home.

Foster parents shall not obtain haircuts (unless required by a health condition), piercings or tattoos without parental approval (within a reasonable timeframe).

Other Activities

In accordance with the case plan, foster parents shall participate with the Tribe to arrange transportation to Tribal events.

Foster parents shall encourage the children to participate in Tribal activities and events.

Foster parents shall not require children to participate in activities that may demean their Native heritage or violate cultural tenets or beliefs.

Foster parents shall provide opportunities for recreational activities appropriate to the age and abilities of the child.

Foster parents shall encourage the children to participate in cultural, religious, and subsistence activities and promote the religious preference of the birth parents or the child if age appropriate, if so requested by the birth parents. The foster parents shall not impose their religious beliefs or practices on the foster children placed in their care.

Education

The Tribe will provide the child's educational records to the foster parents upon placement in the foster home.

Foster parents shall enroll each child of school age in a school within five school days of placement of the child or in accordance with the case plan.

If foster parents wish to pursue home schooling of a child, they must be enrolled in a full-time correspondence program approved by the Alaska Department of Education. Foster parents must seek prior approval from the case worker.

Foster parents shall be actively involved in educational programs appropriate for the child's age, abilities, and in accordance with the case plan.

Foster parents shall plan with school personnel when there are issues with the child in school, and report to the case worker, any situations that may require the Tribe's involvement (or the State of Alaska when the child is in State's custody).

Home Environment, Health, and Safety

Home Environment

The foster parent's home shall, to the extent possible in the local community, and in accordance with local community standards, be accessible to schools, recreation, churches, medical care and community facilities.

1. In accordance with acceptable community standards, house and premises (including water supply and waste disposal) shall be clean, reasonably neat and free from hazards that jeopardize health and.
2. FFH premises shall be inspected by the agency (tribal foster care authority requirement).

3. All medicines, chemicals, cleaning supplies and other toxic substances shall be stored out of the reach of children. They must not be stored with or immediately beside food products.
4. The use of potentially hazardous materials and tools shall be supervised.

The home shall be well heated and well ventilated, in accordance with the standards of the local community.

Stairways shall be equipped with safety features in accordance with local community standards.

Foster parents shall install and maintain working smoke alarms in every room in which a foster child sleeps and at least one on each floor of the home.

A foster home shall have one class 2-A-10BC rated fire extinguisher in the house, or demonstrate that there is a system in place to extinguish fires that is satisfactory to the Tribe.

A foster home shall have a properly installed carbon monoxide monitor on each floor of the home.

A foster home shall post a diagramed fire escape plan. This escape plan is to be in an accessible location within the foster home and reviewed periodically with the foster children. In addition, the foster parents are to provide the Tribe with a copy of the escape plan.

The foster home shall have a continuous supply of safe, clean drinking water. Private water sources and septic tank systems shall be safe and operable.

The foster home shall have an adequate system for disposing of human waste that is sanitary, in accordance with the standards of the local community.

Foster parents shall keep the home clean and free of hazards to the health and physical well being of the family.

The foster home shall have an adequate supply of hot water for bathing and dish washing.

Foster parents shall provide each child with adequate storage space for personal belongings, in accordance with the standards of the local community.

Foster parents may allow a child to occupy the same sleeping area as a child of the opposite sex, only after consulting with the Tribe and determining that factors such as the age, health, developmental level and history of the children would not affect the health, safety or well being of the children.

Sleeping areas used by foster children must have easily accessible and safe emergency access and egress to and from the room, and to and from the home. **Jennifer Zanella suggested adding the wording "1 window and 1 door". We think this is restrictive and want to know if we need that language to meet Federal standards.**

Sleeping areas used by children in care shall:

- Be safe and have adequate space, in accordance with the standards of the local community;
- Provide sufficient natural light and ventilation, in accordance with the standards of the local community;

Normally no more than four children will occupy a sleeping area. More than four children may share a sleeping area in situations where this practice is consistent with community standards and after consideration of the age, health, development and history of the children it has been determined that sharing a sleeping area adequately ensures that the health, safety and privacy needs of the children in care are met and does not increase the risk of harm to children.

Have bedding for each child and a crib for each infant. Children may share bedding, if, after an evaluation of factors such as the age, health, developmental level, special needs and history of the children, it has been determined that such an arrangement would not pose a risk to the health, safety or well being of the children or increase the risk of harm to children in care.

Foster parents must ensure that the bedding used by foster children is kept in a sanitary condition at all times and adequately provides warmth and comfort to the children.

Health of the Child

Each child will have access to resources to enable personal hygiene and grooming, based on the standards of the local community.

Foster parents shall provide each child individual items necessary for personal hygiene and grooming, in accordance with the standards of the local community.

Foster parents shall prepare and serve meals in a safe and sanitary manner that minimizes the possibility of food poisoning or food infection.

1. Food and cooking utensils shall be stored to protect them from dust, vermin, and leakage from pipes or other contamination.
2. Food and cooking utensils shall be stored at a temperature that will prevent spoilage and bacterial growth.
3. Appliances regularly used in the storage and preparation of food shall be safe and in good working order.
4. The use of home-canned fruits and vegetables is permitted.
5. Measures shall be taken to protect against the entrance into the home of and/or breeding of vermin and insects.
6. Children in care shall be adequately supervised at all times.

Foster parents shall ensure that foster children are supervised and appropriate safety precaution is taken when engaging in activities which may pose a risk of harm to the children (such as water-related activities or inherently dangerous subsistence activities).

Foster parents are accountable for the safety of foster children at all times whether or not they are supervising the activities of the children.

Foster parents shall store all medications, poisonous chemicals, and cleaning materials in a way that prevents access by children.

Foster parents shall have the ability to communicate with emergency medical services and to obtain the same emergency services available generally to the residents of the local community.

Foster parents shall restrict children's access to potentially dangerous animals, both domesticated and undomesticated.

Foster parents shall store any ammunition and unloaded and operable firearms in separate locked places.

Foster parents shall have first aid supplies in a place easily accessible to adults.

The entity shall post and keep current emergency telephone numbers, including the number for the poison control center, near one or more telephone/communication device, both in the home and in the vehicle.

Transportation Safety

Foster parents shall provide or arrange for safe transportation for children in placement to attend any kind of activity (including but not limited to school, recreational, and medical activities).

Foster parents shall maintain all personal vehicles owned by them used to transport children in a safe operating condition, in accordance with the standards of the local community.

Any vehicle used to transport children must be smoke-free.

When travelling in a vehicle with a loaded firearm, foster parents must ensure that the safety mechanism is always on, when foster children are in the vehicle.

Training

The Tribe will require tribally licensed foster parents to complete foster parent training each year. A foster parent in a one-parent foster home shall complete a minimum of 10 hours of training annually. Foster parents in a two-parent foster home shall complete a minimum of 15 hours of training annually that may be shared between the two foster

parents. However, each parent in a two-parent foster home shall complete a minimum of five hours of training annually. Training may be accomplished through on site trainings, self-study packets or electronically received training materials. Training is required in order to continue being licensed.

Special Services (Additional Requirements)

Prior to licensure for special services, the FFH provider must have structured opportunities for achieving knowledge and skills necessary and pertinent to specific special needs(s) or handicap(s) as agreed to in the foster care agreements.

Within the first year of licensure the Tribe shall require at least one parent in the home to possess a current Infant/Child Cardio Pulmonary Resuscitation (CPR) certification.

This section needs further discussion

Civil Rights

The foster child shall be guaranteed access to legal representation, and to grievance and complaint mechanisms.

Amendments

The Tribe/Tribal organization may submit recommendations for change to these "Alaska Standards" to the Tribal/State Collaboration Group upon a majority vote of the membership at a duly convened meeting.

Sovereign Immunity

The sovereign immunity of the Tribe, the members of the council, law enforcement officers, prosecutors, judges, court personnel, and any other personnel necessary for implementation and enforcement of these "Alaska Standards" is in no way waived by using these Alaska Tribal Foster Care Licensing Standards.

Definitions

Corporal Punishment: Corporal punishment includes, but is not limited to, hitting, slapping, pinching, shaking, kicking and biting (refer to page 10).

Relative Placements: The definition is intended to be that as under ICWA, and includes non-relative, extended family members (refer to page 2).

Serious Illness or Injury: Is defined as one requiring professional medical attention or any unusual circumstance which threatens the health, safety, physical, or emotional wellbeing of the foster child. See specific examples listed on page 7.

Attachment C
Side by Side Comparison
Tribal and State Foster Care Licensing Standards
Tribal State Collaborative Group
November 2010

Attachment C
Tribal vs. State Foster Care Licensing Standards Crosswalk
Family Qualifications

State Tribal Standards	National Tribal Standards (1) Comprehensive – model developed as an example for tribal communities that have a tribal court, tribal social services department possibly with a child welfare division and the ability to provide child welfare services (i.e. foster care) independent of other child welfare agencies.	National Tribal Standards (2) Basic – model was designed for tribal communities that do not have the infrastructure as outlined for Tribal Standards (1)	State Citation
Applicants shall comply with all reasonable requests by the Tribe in the licensing process, and any ongoing monitoring of their homes after licensure.	<p>The FFH provider shall ensure the agency has current directions to the home.</p> <p>Certification of Foster Homes. (Sample Regulations) An initial interview by the (designated foster care agency) will be scheduled to gain basic information and schedule home visits for evaluation.</p> <p>Home evaluations shall include, but not be limited to, a description of potential foster parents, the physical home, all people residing and frequenting, social adjustment of family members, etc.</p> <p>Evaluation reports will be reviewed by the (designated foster care agency) to ensure compliance with standards, and upon review, applicants will be notified by letter as to whether they are approved or disapproved.</p>	<p>Accessibility of premises: Providers shall maintain premises that will allow for accessibility of physically and mentally handicapped children.</p> <p>Certification of Foster Homes. (Sample Regulations) An initial interview by the (designated foster care agency) will be scheduled to gain basic information and schedule home visits for evaluation.</p> <p>Home evaluations shall include, but not be limited to, a description of potential foster parents, the physical home, all people residing and frequenting, social adjustment of family members, etc.</p> <p>Evaluation reports will be reviewed by the (designated foster care agency) to ensure compliance with standards, and upon review, applicants will be notified by letter as to whether they are approved or disapproved.</p>	<p>Sec. 47.32.110. Right of access and inspection. (a) A designated agent or employee of the department shall have right of access to an entity</p> <ol style="list-style-type: none"> (1) to determine whether an application for licensure or renewal is appropriate; (2) to conduct a complaint investigation; (3) to conduct a standard inspection; (4) to inspect documents, including personnel records, accounts, the building, or the premises; (5) to interview staff or residents; or (6) if the department has reasonable cause to believe that the entity is operating in violation of this chapter or the regulations adopted under this chapter.
During and after licensure, foster families shall keep the Tribe informed of any changes in their status, including employment, names and number of children and adults living in the home, and how long they're going to stay if the adults are living there temporarily, and any change of address or telephone number.	<p>The FFH provider shall have a means for contacting the (tribal foster care authority) twenty-four (24) hours per day, seven days per week (tribal foster care authority requirement).</p> <p>The agency must be notified in advance, of any changes that would affect the terms of the license, such as a change of address or additional</p>	<p>Maintaining Adequate Standards of License (Sample Regulations) A foster home holding a license shall report to the licensing agency any changes in circumstances, makeup or residence of the foster family at the time they occur to determine if the changes necessitate a change in the license or require termination of the license.</p>	<p>Sec. 47.32.200. Notice of changes from an entity. (a) An entity shall provide the department with written notice of a change of mailing address at least 14 days before the effective date of the change. (b) An entity shall notify the department within 24 hours after having knowledge that an</p>

	<p>persons in the home.</p> <p>An FFH may not have adult roomers or boarders unrelated to the FFH provider without special permission of the agency. The FFH shall keep the agency informed about all persons living in the home and all others having regular contact with the foster child in the foster home.</p> <p>Maintaining Adequate Standards of License (Sample Regulations)</p> <p>A foster home holding a license shall report to the licensing agency any changes in circumstances, makeup or residence of the foster family at the time they occur to determine if the changes necessitate a change in the license or require termination of the license.</p>		<p>administrator, employee, volunteer, or household member, as required by the type of entity under department regulations, has been</p> <p>(1) convicted of, has been charged by information or complaint with, or is under indictment or presentment for an offense listed in regulations adopted under <u>AS 47.05.310</u> or a law or ordinance of this or another jurisdiction with similar elements; or</p> <p>(2) found to have neglected or abused a child as described in AS 47.10.</p> <p>(c) An entity shall notify the department within 24 hours after having knowledge of any allegation or suspicion of abuse, neglect, or misappropriation of money or other property of an individual receiving services from the entity. The entity shall conduct an investigation and make a written report to the department within five days following notification to the department under this subsection.</p> <p>(d) Not less than 20 days before the effective date of a decision to relinquish the entity's license, the entity shall notify the department of the decision.</p> <p>(f) Not less than 30 days before an entity wishes to change the location of the entity, the entity shall notify the department of the change.</p>
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<p>Applicants shall provide the Tribe with the following information:</p>			
<p>Name, sex, address, birth date, tribal identification number, social security number (optional), and driver's license number (where possible) of applicants and all persons residing in the home, including the children of the foster parents old enough to drive a motor vehicle.</p>	<p>Certification of Foster Homes. (Sample Regulations) Application for certification must be picked up at the (designated foster care office).</p> <p>Application forms must be completed, signed and returned to (designated foster care agency) before scheduled home visit for evaluation.</p> <p>Foster Family Group Homes (additional requirements) The application for licensure shall be signed by both the (tribal foster care authority) and the applicant(s).</p>	<p>Procedures of application: Individuals or families desiring to provide foster care services on land subject to the jurisdiction of the (designated tribe) shall make written or oral expressions of intent to the (designated tribal licensing authority). The licensing authority shall be responsible for assisting the applicant in filing necessary forms in the dominant language of the applicant.</p>	<p>Sec. 47.32.040. Application for license. A person shall apply to the department for a license under this chapter. The application must be made to the department on a form provided by the department or in a format approved by the department, and must be accompanied by</p> <ul style="list-style-type: none"> (1) any fee established by regulation; and (2) documents and information required by regulation.
<p>Proposed number, sex and age of foster children to be served.</p>	<p>Foster Family Group Homes (additional requirements) The Foster Family Group Home, in conjunction with the agency, shall define, in writing, a description of the ages and kinds of children to be served, as well as the scope of services to be provided by the Foster Family Group Home.</p>		<p>7 AAC 50.030. Application for license (c) An application for a license to operate a facility must contain the following items, as applicable to each type of facility:</p> <ul style="list-style-type: none"> (7) ages of children to be cared for; (9) any specializations for which approval is sought under 7 AAC 50.600 – 7 AAC 50.650 of this chapter;
<p>Names and addresses of at least four persons, three of whom are unrelated, who have known the applicant(s) for two years or more and who can attest to their character and ability to care for children. The Tribe may contact schools, employers, adult children, and other sources for references.</p>		<p>References: The prospective provider shall provide the (designated tribal licensing authority) with three character references knowledgeable about the family's ability to care for children.</p>	<p>7 AAC 50.030. Application for license (c) An application for a license to operate a facility must contain the following items, as applicable to each type of facility:</p> <ul style="list-style-type: none"> (5) names, phone numbers, electronic mail addresses, if any, and mailing addresses of four references for the applicant;

A statement as to whether the applicants have ever operated or currently are operating a licensed/certified care facility or foster home for children or adults, and reasons for any termination of such license or certification.			7 AAC 50.030. Application for license (b) An applicant for a license to operate a facility under this chapter shall <ol style="list-style-type: none"> (1) submit the application of forms provided by the division, including the release forms specified in (4) of the subsection; (2) comply with statutes and regulations setting out division procedures; (3) initiate the application in the name of the individual or legal entity responsible for the operation of the agency; and (4) request a criminal history check under 7 AAC 10.910 for each individual for whom a criminal history check is required under AS 47.05.300 – 47.05.390 and 7 AAC 10.900 – 7 AAC 10.990.
Reports or where not available a statement of the applicants of all criminal or juvenile delinquency charges for all persons living in the home, including all employees, volunteers and minor children.			7 AAC 50.030. Application for license – Same as above.
Reports or where not available a statement of the applicants of all allegations of child abuse and neglect, with dates and locations and resolution of those allegations for all persons living in the home, including all employees and volunteers.			7 AAC 50.030. Application for license – Same as above.
A statement demonstrating that the applicants generate an income sufficient to meet the needs and ensure the stability and financial security of the family, independent of any foster care maintenance		Income: The income of the provider shall be sufficient to maintain the family without relying upon foster care payments.	No citation found

payment.			
Documentation of all child support obligations in any state, whether the obligor is current with payments or in arrears, and whether any applicant's/ foster parent's wages are being attached or garnished for any reason.			No citation found
Verification that at least one foster parent in the home is 18 years of age or older.	All FFH providers must be at least 21 years of age at the time of licensure.		7 AAC 50.200. Qualifications of administrator or foster parent. (a) ... a foster parent must be an individual who is at least 21 years of age.
Within 10 days of a request for home licensure, the Tribe shall advise the applicant of the information and supporting material required to support the application.	<p>Special Services (Additional Requirements) Prior to licensure for special services, the FFH provider must have structured opportunities for achieving knowledge and skills necessary and pertinent to specific special needs(s) or handicap(s) .</p> <ol style="list-style-type: none"> 1. Three year's experience as a licensed FFH and 12 hours of training related to children with special needs, or 2. One year's experience working with children with special needs, which may include their own children, plus six (6) hours of training, or 3. Twenty-five (25) hours of training related to children with special needs. <p>Foster Family Group Homes (Additional Requirements) The Foster Family Group Home and (tribal foster care authority) shall have a written and signed agreement containing: (tribal foster care requirement).</p> <ol style="list-style-type: none"> 1. Admission and discharge policy for the children. 2. Individualized program plans for the child(ren) and designated responsibilities for developing and 		<p>Our regs provide timelines for the applicant 7 AAC 50.025. Timeframes. (a) A self-monitoring report by a facility under 7 AAC 50.060 must be submitted by the first anniversary date of the agency's biennial license. (b) The following timeframes apply to review for compliance with AS 47.32 or this chapter or other action by the licensing representative under AS 47.32 or this chapter:</p> <ol style="list-style-type: none"> (1) review for completeness of an application for a license or a request for a variance and notification to the applicant of omissions or additional information required - 10 days after the receipt of application or request; (2) inspection and investigation of an application for an initial license - 90 days after the receipt of a completed application; (3) inspection and investigation of an application for renewal of a biennial license - 90 days after the receipt of a completed application; (4) except as provided in (c) of

	<p>implementing these plans.</p> <ol style="list-style-type: none"> 3. The time limits of the agreement. 4. The responsibilities of the (tribal foster care authority) and those of the group family foster home provider(s). 5. The rate to be paid to the home for its services, including any special payments for clothing, medical expenses and special service. 6. The responsibility for arranging for all necessary services and resources in the community. 7. The arrangements for substitute providers for emergency situations, vacations, illnesses and regular time off. 8. The arrangements for providing administrative, consultative, and social services for the group family foster home. 		<p>this section, a request for an amended license - within 20 days after receipt of a request for an amended license;</p> <p>(5) except as provided in (c) of this section, a notification of change needing an amended license - within 20 days after receipt of a notice under AS 47.32.200 or 7 AAC 50.140 (a) or (b), if the division determines that a notice would necessitate an amended license.</p> <p>(c) The licensing representative may extend the timeframes specified in (b)(4) and (5) of this section, if the licensing representative determines that a longer period is required to obtain additional information and evaluate the effect of the request or notification.</p>
<p>Within 45 days of receiving all requested material, the Tribe shall approve or deny the request for licensure or request additional material in support of the application.</p>	<p>Procedures for Obtaining a License. (Sample Regulations)</p> <p>The foster Family Homes and Foster Family Group Homes residing on land subject to the jurisdiction of the (designated tribes) desiring to receive children for care, supervision, treatment, rehabilitation or education shall make an application for a license to the (designated tribal licensing authority).</p> <p>The licensing authority through its representatives shall make an investigation to establish the character and intent of the applicant, the need for the service, financial ability and stability, the cultural and religious content of the placement, methods to be used in carrying out the proposed services and the overall applicability of the culture and the</p>	<p>Procedures for Obtaining a License. (Sample Regulations)</p> <p>The foster Family Homes and Foster Family Group Homes residing on land subject to the jurisdiction of the (designated tribes) desiring to receive children for care, supervision, treatment, rehabilitation or education shall make an application for a license to the (designated tribal licensing authority).</p> <p>The licensing authority through its representatives shall make an investigation to establish the character and intent of the applicant, the need for the service, financial ability and stability, the cultural and religious content of the placement, methods to be used in carrying out the proposed services and the overall applicability of the culture and the</p>	<p>7 AAC 50.025 as above</p>

	<p>environment. The perspective Foster Family Home or Foster Family Group Homes shall furnish the representative of the (designated tribal licensing authority) with material related to the licensing rules and regulations and other information deemed appropriate by the licensing authority.</p> <p>When it has been determined that the Foster Family Home or Foster Family Group Home meets the licensing requirements by the authority of the (designated tribal child care licensing laws), the license shall be granted.</p> <p>Denial of Certification. (Sample Regulations) Applicants for certification may be denied if there is a reasonable doubt that the homes do not comply with standards. Notification shall be by mail. Applicant(s) can reapply if the home is upgraded to meet standards and if they apply with (specified number of) days.</p>	<p>environment. The perspective Foster Family Home or Foster Family Group Homes shall furnish the representative of the (designated tribal licensing authority) with material related to the licensing rules and regulations and other information deemed appropriate by the licensing authority.</p> <p>When it has been determined that the Foster Family Home or Foster Family Group Home meets the licensing requirements by the authority of the (designated tribal child care licensing laws), the license shall be granted.</p> <p>Denial of Certification. (Sample Regulations) Applicants for certification may be denied if there is a reasonable doubt that the homes do not comply with standards. Notification shall be by mail. Applicant(s) can reapply if the home is upgraded to meet standards and if they apply with (specified number of) days.</p>	
If the Tribe requests additional information, then it shall approve or deny the licensure within 30 days of receiving the requested information.			7 AAC 50.025 , as above. We can get extensions for further info; our timeframe for this type of closure is 90 days.
Any denial shall be accompanied by a concise statement of the grounds for denial.			<p>47.32.070. Denial of or conditions on license.</p> <p>(a) If the department denies an application for or places conditions on a provisional or biennial license or license renewal, the department shall provide the applicant or entity with a notice of the action by certified mail. The notice must contain a written statement of the reason for the action and information about requesting a hearing under (b) of this section.</p>

			(b) An applicant or entity that receives a notice of action under (a) of this section may appeal the department's decision by requesting a hearing within 15 days after receipt of the notice. The appeal must be on a form provided by the department or in a format approved by the department.
The Tribe will not issue a license if the prospective foster parents falsify (including by acts of omission) the application or supporting documents. The Tribe may act to revoke a license if falsification is discovered after licensure, or if foster parents fail to inform the Tribe of any disqualifying condition that arises after licensure.	(Sample Regulations) The (designated tribal child care licensing authority) may revoke, deny, or modify a license of a Foster Family Home or Foster Family Group Home when the licensee or applicant falsifies information on the application or willfully and substantially violates the provision of the (designated child care licensing law), the child care regulations promulgated under these laws or the terms of the license.	(Sample Regulations) The (designated tribal child care licensing authority) may revoke, deny, or modify a license of a Foster Family Home or Foster Family Group Home when the licensee or applicant falsifies information on the application or willfully and substantially violates the provision of the (designated child care licensing law), the child care regulations promulgated under these laws or the terms of the license.	7 AAC 50.030. Application for license (b) An applicant for a license to operate a facility under this chapter shall (2) comply with statutes and regulations setting out division procedures;
The Tribe will not issue or renew a license if any safety rule or other standard required by the Tribe is not met.	Penalties (Sample Regulations) Any Foster Family Home or Foster Family Group Home as defined by Tribal Child Care Licensing Law willfully operating without being so licensed by the Tribal Licensing Authority shall be assessed a civil penalty in the amount of (specified amount) a day for each day of operation without a license.	Penalties (Sample Regulations) Any Foster Family Home or Foster Family Group Home as defined by Tribal Child Care Licensing Law willfully operating without being so licensed by the Tribal Licensing Authority shall be assessed a civil penalty in the amount of (specified amount) a day for each day of operation without a license.	47.32.140. Enforcement Actions (d) The department may take one or more of the following enforcement actions under this section: (1) delivery of a warning notice to the licensed entity and to any additional person who was the subject of the investigation or inspection; (2) modification of the term or scope of the entity's existing license, including changing a biennial license to a provisional license or adding a condition to the license; (3) suspension of the entity's operations for a period of time set by the department; (4) suspension of or a ban on the entity's provision of services to individuals not already receiving services from the entity for a period of time set

			<p>by the department;</p> <p>(5) nonrenewal of the entity's license;</p> <p>(6) revocation of the entity's license or, if the entity is not licensed under this chapter, revocation of the entity's ability to become licensed under this chapter;</p> <p>(7) issuance of an order requiring closure, immediate or otherwise, of the entity regardless of whether the entity is licensed or unlicensed;</p> <p>(8) denial of payments under AS 47.07 for the entity's provision of services to an individual not already receiving services from the entity;</p> <p>(9) assumption of either temporary or permanent management of the entity or pursuit of a court-ordered receiver for the entity;</p> <p>(10) reduction of the number of individuals receiving services from the entity under the license;</p> <p>(11) imposition of a penalty authorized under law;</p> <p>(12) inclusion in the registry established under <u>AS 47.05.330</u>;</p> <p>(13) requirement that the entity prepare and submit a plan of correction.</p>
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<p>The Tribe will issue a provisional license for one year to a new applicant when all required documentation has been received and all applicable standards have been assessed as being met.</p> <p>A license will not be issued to an applicant before all standards have been reviewed with the applicant and the applicant agrees to comply with all standards when the foster home license is issued.</p> <p>A license will not be issued until the required background checks for the applicant(s) and household members have been completed and show no evidence of criminal or other history that would prohibit the home from being licensed to provide foster care.</p>	<p>Certification of Foster Homes. (Sample Regulations)</p> <p>Home evaluations shall include, but not be limited to, a description of potential foster parents, the physical home, all people residing and frequenting, social adjustment of family members, etc.</p> <p>Evaluation reports will be reviewed by the (designated foster care agency) to ensure compliance with standards, and upon review, applicants will be notified by letter as to whether they are approved or disapproved</p> <p>Certification of the home shall occur with the signing of the foster parent agreement.</p> <p>An appointment shall be scheduled within one week with a counselor reassigned after the home evaluation is completed.</p>	<p>Certification of Foster Homes. (Sample Regulations)</p> <p>Home evaluations shall include, but not be limited to, a description of potential foster parents, the physical home, all people residing and frequenting, social adjustment of family members, etc.</p> <p>Evaluation reports will be reviewed by the (designated foster care agency) to ensure compliance with standards, and upon review, applicants will be notified by letter as to whether they are approved or disapproved</p> <p>Certification of the home shall occur with the signing of the foster parent agreement.</p> <p>An appointment shall be scheduled within one week with a counselor reassigned after the home evaluation is completed.</p>	<p>47.32.050. Provisional license; biennial license</p> <p>(a) The department may issue a provisional license to an entity for which application is made under <u>AS 47.32.040</u> if, after inspection and investigation, the department determines that the application and the entity meet the requirements of this chapter, regulations adopted under this chapter, and any other applicable statutes or regulations. A provisional license is valid for a period not to exceed one year, except that the department may extend a provisional license for one additional period not to exceed one year.</p> <p>(b) Before expiration of a provisional license issued under (a) of this section, the department shall inspect and investigate the entity to determine whether the entity is operating in compliance with this chapter, regulations adopted under this chapter, and any other applicable statutes or regulations. After inspection and investigation under this subsection and before expiration of a provisional license, the department shall issue a biennial license for the entity if the department finds that</p> <ol style="list-style-type: none"> (1) the entity meets the requirements for biennial licensure established in this chapter, regulations adopted under this chapter, and other applicable statutes and regulations; (2) a ground for nonrenewal of a license does not exist; and (3) any applicable fee has been
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			paid. (c) The department may place one or more conditions on a provisional or biennial license issued under this section in order to further the purposes of this chapter.
Before the end of the first year of licensure, the Tribe will assess compliance with licensing standards. If the foster home meets all requirements, the Tribe will issue a Biennial Foster Home license that will be in effect for two years.			47.32.050. Provisional license; biennial license – Same as above.
Before the expiration of a Biennial license, the Tribe will reassess compliance with all licensing standards. If the foster home is in compliance with the standards, the Tribe will renew the Biennial license for another two years.	Relicensing of Foster Homes. (Sample Regulations) Every license shall expire one year from the date of issuance and may be renewed annually on application of the Foster Family Home or Foster Family Group Home. 1. License renewal is not automatic. 2. License renewal requires a. Consultation with the (designated tribal licensing authority) b. An application for renewal c. Physical examination of each family member 3. The license renewal shall be automatic. The (designated tribal licensing authority) shall officially relicense the Foster Family Home or Foster Family Group Home as soon as possible after the renewal date to ensure compliance with this law. 4. Application for the renewal of a license for Foster Family Home or Foster Family Group Home shall be made in the same manner as the original application. A licensee should reapply when a. The present license will expire within 30 to 60 days b. There is a change in the	Relicensing of Foster Homes. (Sample Regulations) Every license shall expire one year from the date of issuance and may be renewed annually on application of the Foster Family Home or Foster Family Group Home. 1. License renewal is not automatic. 2. License renewal requires a. Consultation with the (designated tribal licensing authority) b. An application for renewal c. Physical examination of each family member 3. The license renewal shall be automatic. The (designated tribal licensing authority) shall officially relicense the Foster Family Home or Foster Family Group Home as soon as possible after the renewal date to ensure compliance with this law. 4. Application for the renewal of a license for Foster Family Home or Foster Family Group Home shall be made in the same manner as the original application. A licensee should reapply when a. The present license will expire within 30 to 60 days b. There is a change in the	47.32.060. License renewal. (a) At least 90 days before expiration of a biennial license, a licensed entity that intends to remain licensed shall submit an application for renewal of the license on a form provided by the department or in a format approved by the department, accompanied by (1) all documents and information identified in regulation as being required for renewal of the license; and (2) any fee established by regulation. (b) Before expiration of a biennial license, the department or its representative may inspect an entity that is the subject of a renewal application to determine whether the entity is operating in compliance with this chapter, regulations adopted under this chapter, and other applicable statutes or regulations. After any inspection and investigation under this subsection and before expiration of the biennial license, the department shall renew a biennial license if the department finds that

	original program and/or purpose for care.	original program and/or purpose for care.	<p>(1) the licensed entity meets the requirements for renewal;</p> <p>(2) a ground for nonrenewal of a license does not exist; and</p> <p>(3) any applicable fee has been paid.</p> <p>(c) If an application for renewal of a license is submitted but the department is unable to complete its review of the application before the expiration of the biennial license, the license is automatically extended for six months or until the department completes its review and either approves or denies the application, whichever occurs earlier.</p> <p>(d) The department may place one or more conditions on a renewed license issued under this section to further the purposes of this section.</p> <p>(e) The department shall adopt regulations establishing the grounds for nonrenewal of a license for purposes of <u>AS 47.32.050</u> and this section.</p>
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Safety Checks

Criminal History			
Prospective foster parents and members of the household age 16 years and older shall consent to a criminal record check and will provide finger prints for the purpose of state and federal criminal records checks. No license will be issued until the results of these checks have been received and the Tribe has determined none of the individuals has a criminal history that would prohibit him/her from being a foster parent or household member in a licensed foster home.	<p>An FFH license shall not be issued or renewed where any person (except foster children) living in the household has any of the following characteristics:</p> <ol style="list-style-type: none"> 1. A conviction for, or admission of, or substantial evidence of an act of assault, or child battering, child abuse, child molesting or child neglect. 2. Chemical dependency, unless the individual(s) identified as chemically dependent has been chemically free for at least twelve (12) months. 		<p>7 AAC 10.910. Request for Criminal History Check</p> <p>(a) An entity or individual service provider that is subject to AS 47.05.300 - 47.05.390 and 7 AAC 10.900 - 7 AAC 10.990 must request a criminal history check under this section, or provide proof of a valid fingerprint-based criminal history check, for each individual to be associated, or to remain associated, with the entity or provider in a manner described</p>

	<p>3. Residence of the family's own children in foster care, correctional facility or residential treatment for emotional disturbance within the previous twelve (12) months if, in the judgment of the agency, the functioning of the family has been impaired.</p> <p>4. A conviction for any offense involving moral turpitude within the previous five years, or at the discretion of the agency within the previous 10 years.</p> <p>5. Felony conviction within the previous five years, or at the discretion of the agency within the previous 10 years.</p>		<p>in 7 AAC 10.900(b). An entity or individual must request a criminal history check</p> <p>(1) when the entity or provider submits an initial application for a license, certification, approval, or finding of eligibility to receive payments from the department;</p> <p>(2) for a new owner, officer, director, partner, member, or principal of the business organization if there is a change in ownership of the business organization, or if an officer, director, partner, member, or principal of the business organization is replaced; the criminal history check must be completed before the individual begins association unless the department issues notice of a provisional valid criminal history check under 7 AAC 10.920;</p> <p>(3) except as provided otherwise in this section, if the entity or provider wishes to hire or retain an employee, independent contractor, or unsupervised volunteer described in 7 AAC 10.900(b)(3); the criminal history check must be completed before hiring unless the department issues notice of a provisional valid criminal history check under 7 AAC 10.920;</p> <p>(4) for an individual 16 years of age or older who is not a recipient of services, and who wishes to reside in the</p>
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			<p>entity or to be present as described in 7 AAC 10.900(b)(5) or (6); the criminal history check must be completed before the individual begins association unless</p> <p>(A) the department issues notice of a provisional valid criminal history check under 7 AAC 10.920; or</p> <p>(B) the individual is residing in the entity before that individual's 16th birthday; for an individual described in this subparagraph, the entity or provider must submit the information required under (b) of this section within 30 days before the individual's 16th birthday;</p> <p>(5) at any time requested by the department</p> <p>(A) to show compliance with 7 AAC 10.900 - 7 AAC 10.990 during inspection, monitoring, or investigation; or</p> <p>(B) for an individual if the department has good cause to believe that the individual's criminal history has changed; or</p> <p>(6) on or before April 10, 2007, for each individual who is associated with an entity or provider operating under a current license, certification, approval, or finding of eligibility to receive payments, and who</p> <p>(A) does not have a valid</p>
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			<p>criminal history check; or (B) passed a criminal history check conducted before February 9, 2007 that</p> <ul style="list-style-type: none"> (i) was not fingerprint-based; or (ii) was fingerprint-based and conducted more than six years before February 9, 2007. <p>(b) The entity or provider must submit the following with each request for a criminal history check:</p> <ul style="list-style-type: none"> (1) a release of information authorization, on a form provided by the department, signed by the individual for whom the request is submitted; (2) an authorization, on a form provided by the department and signed by the individual for whom the request is submitted, permitting the department to mark the individual's name in the Alaska Public Safety Information Network (APSIN) under 7 AAC 10.915(e); (3) two sets of fingerprints for the individual for whom the request is submitted; (4) a signed statement, on a form provided by the department, from the individual who took the fingerprints, attesting that at least one government-issued picture identification was used to verify the identity of the individual fingerprinted;
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			<p>(5) the fees required by the Department of Public Safety under 13 AAC 68.900(a)(2)(B) and (5); if the legislature makes an appropriation for the department to pay those fees for unpaid volunteers,</p> <p>(A) the department will not pay a fee for a volunteer who is a household member who resides in the entity as described in 7 AAC 10.900(b)(5); and</p> <p>(B) an entity or provider must reimburse the fee to the department if an unpaid volunteer for whom the department paid a fee becomes a paid employee within 60 days after that fee was paid;</p> <p>(6) an additional \$25 application fee; the department will waive this fee for an unpaid volunteer, unless that volunteer is a household member who resides in the entity as described in 7 AAC 10.900(b)(5); if an unpaid volunteer for whom the department waived an application fee becomes a paid employee within 60 days after that fee was waived, the entity or provider must pay the waived fee.</p> <p>(c) Unless a more frequent fingerprint-based criminal history check is required under federal law, or for certain entities and providers under (f) of this section, a fingerprint-based criminal history check is valid for</p>
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			<p>six years from the date the check became valid under (h) of this section for an individual who</p> <ul style="list-style-type: none"> (1) remains associated with an entity or provider in a manner described in 7 AAC 10.900(b), subject to verification under (d) of this section; (2) becomes re-associated with the same entity or provider in a manner described in 7 AAC 10.900(b) within 100 days after terminating association with that entity or provider, subject to verification under (e) of this section; or (3) becomes associated with another entity or provider in a manner described in 7 AAC 10.900(b) within 100 days after terminating association with a previous entity or provider, subject to verification under (e) of this section. <p>(d) Upon renewal of a license, certification, or approval, or when a finding is made for continued eligibility to receive payments, an entity or individual service provider must provide to the department proof that an individual described in (c)(1) of this section has a valid criminal history check. If the department determines that the criminal history check is not valid, the department will notify the entity or provider that a request for a new criminal history check must be submitted under this section.</p> <p>(e) An individual described in (c)(2) or (c)(3) of this section must verify</p>
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			<p>with the department that the current fingerprint-based criminal history check is still valid. The entity or provider shall submit to the department a \$25 fee for this verification. The department will waive the fee for an unpaid volunteer, unless that volunteer is a household member who resides in the entity as described in 7 AAC 10.900(b)(5). If an unpaid volunteer for whom the department waived a verification fee becomes a paid employee within 60 days after the department waived the fee, the entity or provider must pay the waived fee. If the department determines during the verification process that the criminal history check is not valid, the department will notify the entity or provider that a request for a new criminal history check must be submitted under this section, and that the department will consider the verification fee the department's application fee under (b)(6) of this section.</p> <p>(g) A willful misrepresentation of an individual's criminal or civil history by an entity or provider, or by the individual, is cause for immediate denial of a request for a criminal history check, or revocation of a valid criminal history check.</p> <p>(h) A valid criminal history check means that, within the applicable timeframes referred to in this section,</p> <ol style="list-style-type: none"> (1) the person submitted all items listed under (b) of this section; (2) the department determined that a barrier crime or condition did not exist;
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			<p>(3) the person's name has been marked in APSIN on a continuous basis; and</p> <p>(4) if applicable, any variance granted under 7 AAC 10.935 is still in effect and authorized by the department, and the individual who was the subject of the variance is associated with the same entity or provider.</p> <p>(i) Nothing in this section precludes an entity or provider from requiring</p> <p>(1) an individual who is subject to a criminal history check under 7 AAC 10.900 - 7 AAC 10.990 to pay a cost involved in the submittal of a request under this section; the provisions of this paragraph do not apply to a foster home; or</p> <p>(2) a criminal history check for an individual who is not otherwise subject to 7 AAC 10.900 - 7 AAC 10.990.</p>
<p>The Tribe will require that any employee or volunteer in a foster home or any individual living in a part of the foster home where the individual would have direct access to children in care, meet the background requirements for foster parents described in these standards.</p> <p>Employees, volunteers and individuals residing in a facility where they would have direct access to children in care, will give the Tribe permission to check CPS history and criminal background by providing the Tribe with a "release of information" and fingerprint cards</p>			<p>7 AAC 10.910. Request for Criminal History Check</p> <p>(b) The entity or provider must submit the following with each request for a criminal history check:</p> <p>(1) a release of information authorization, on a form provided by the department, signed by the individual for whom the request is submitted;</p> <p>(2) an authorization, on a form provided by the department and signed by the individual for whom the request is submitted, permitting the department to mark the</p>

			<p>individual's name in the Alaska Public Safety Information Network (APSIN) under 7 AAC 10.915(e);</p> <p>(3) two sets of fingerprints for the individual for whom the request is submitted;</p> <p>(4) a signed statement, on a form provided by the department, from the individual who took the fingerprints, attesting that at least one government-issued picture identification was used to verify the identity of the individual fingerprinted;</p>
<p>The minimum standards of character that are to be prescribed under this section shall ensure that none of the foster parents or other adults, age 16 and older, shall have been found guilty of, or entered a plea of nolo contendere or guilty to, any offense under Federal, State, or tribal law involving crimes of violence; sexual assault, molestation, exploitation, arson, involving an imitation controlled substance or a controlled substance, contact or prostitution; or crimes against persons.</p>	<p>An FFH license shall not be issued or renewed where any person (except foster children) living in the household has any of the following characteristics:</p> <ol style="list-style-type: none"> 1. A conviction for, or admission of, or substantial evidence of an act of assault, or child battering, child abuse, child molesting or child neglect. 2. Chemical dependency, unless the individual(s) identified as chemically dependent has been chemically free for at least twelve (12) months. 3. Residence of the family's own children in foster care, correctional facility or residential treatment for emotional disturbance within the previous twelve (12) months if, in the judgment of the agency, the functioning of the family has been impaired. 4. A conviction for any offense involving moral turpitude within the previous five years, or at the discretion of the agency within the previous 10 years. 5. .Felony conviction within the previous five years, or at the discretion of the agency within the 	<p>The Foster Home Shall prevent the presence of any individual in the home who would be harmful to a foster child(ren).</p>	<p>7 AAC 50.210. Qualifications and responsibilities of persons having regular contact with children in a facility</p> <p>(a) An adult having regular contact with children in a facility and a caregiver of any age must be a responsible individual of reputable character who exercises sound judgment.</p> <p>(b) A caregiver in a full time care facility must have the capacity to deal with frustration and conflict and the ability to work with children who, because of the children's background and experience, might express themselves negatively toward the caregiver.</p> <p>(c) An individual associated in a manner described in 7 AAC <u>10.900(b)</u> with a facility where child care is provided is subject to the applicable requirements of <u>AS 47.05.300 - 47.05.390</u> and 7 AAC <u>10.900 - 7 AAC 10.990</u> (Barrier Crimes, Criminal History Checks, and Centralized Registry). In addition, an individual may not work, volunteer, or reside in any</p>

	previous 10 years.		<p>other part of the facility with direct access to the part of the facility where child care is provided if</p> <p>(1) the individual's name appears on the centralized registry established under 7 AAC <u>10.955</u>;</p> <p>(2) the individual has a physical health problem or behavioral health problem that poses a significant risk to the health, safety, or well-being of children in care; or</p> <p>(3) the individual was the subject of prior adverse licensing action of the kind described in <u>AS 47.32.140 (d)(5) - (7)</u>.</p>
The Tribe shall consider all information obtained through the criminal history checks including charges by complaint, indictments, arrests, and investigations of a serious criminal offense when issuing, renewing, denying or revoking a license.			Same as above
<i>In accordance with the Adoption and Safe Families Act (ASFA) and State law, the Tribe shall not issue or renew a license if a member of the household has been:</i>			
Convicted of committing, or attempting to commit, solicitation, or conspiracy to commit any of the following crimes or crimes of similar nature in any jurisdiction.			<p>7 AAC 10.905. Barrier Crimes</p> <p>(a) A barrier crime is a criminal offense that is inconsistent with the standards for licensure, certification, approval, or eligibility to receive payments. The barrier crime standards and prohibitions in this section apply to an individual who</p> <p>(1) seeks to be associated or to remain associated in a manner described in 7 AAC 10.900(b) with an entity or individual service provider that is subject to AS 47.05.300 - 47.05.390 and 7 AAC 10.900 -</p>

			7 AAC 10.990; and (2) has been charged with, convicted of, found not guilty by reason of insanity for, or adjudicated as a delinquent for, a crime listed in this section or a crime with similar elements in another jurisdiction.
For child abuse or neglect,			7 AAC 10.905 – Same as above
Domestic violence			"
Arson,			"
Stalking			"
A crime against the person and is a felony, except for a crime committed under AS 11.41.200-11.41.220 or 11.41.260,			"
A crime that is a felony and involves a victim who was a child under age 18 years of age at the time of the conduct, including a crime where the perpetrator was a person responsible for the child's welfare;			"
Crimes against children (including child pornography),			"
A crime involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery. (Taken from ASFA) Example might include two males fighting			"
After a five-year period since the conviction of the crimes of either a felony physical assault, battery, or a drug related offense the Tribe may review and consider the circumstances surrounding the crime and conviction; the probability of committing future offenses; of rehabilitation (including counseling, therapy, and education); and the relationship between the offense and the ability to be a foster parent in making a licensing decision.			AS 47.32.040 Application for license A person shall apply to the department for a license under this chapter. The application must be made to the department on a form provided by the department or in a format approved by the department, and must be accompanied by (1) any fee established by regulation; and (2) documents and information required by regulation.

			7 AAC 50.030 Application for license (b) An applicant for a license to operate a facility under this chapter shall (4) submit the application of forms provided by the division, including the release forms specified in (4) of the subsection; (5) comply with statutes and regulations setting out division procedures; (6) initiate the application in the name of the individual or legal entity responsible for the operation of the agency; and (4) request a criminal history check under 7 AAC 10.910 for each individual for whom a criminal history check is required under AS 47.05.300 – 47.05.390 and 7 AAC 10.900 – 7 AAC 10.990.
Child Protective Services (CPS) Background Checks			
Tribal Licensing Workers will obtain a “release of information” from the licensing applicant(s) and all household members age 16 and older, giving the Tribe permission to submit the individual’s information for a CPS check. If the individual is found to have been the alleged perpetrator in a substantiated report of harm or there is an open case or report of harm in which the individual is involved, the Tribe will not issue a license to the individual or allow the individual to reside in a licensed foster home.			7 AAC 10.910. Request for Criminal History Check (a) An entity or individual service provider that is subject to AS 47.05.300 - 47.05.390 and 7 AAC 10.900 - 7 AAC 10.990 must request a criminal history check under this section, or provide proof of a valid fingerprint-based criminal history check, for each individual to be associated, or to remain associated, with the entity or provider in a manner described in 7 AAC 10.900(b).

Personal Qualifications

Foster parents shall be responsible, stable, emotionally mature adults, who exercise sound judgment and have the capacity to meet the mental, physical,	FFH applicants shall be kind, mature, and responsible people with a genuine liking for children. They shall possess consistent and healthy methods for	Personal Characteristics Prospective foster parent(s) shall possess personal qualities of maturity, stability, flexibility, ability to cope with	7 AAC 50.210. Qualifications and responsibilities of persons having regular contact with children in a facility.
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<p>and emotional needs of children placed in foster care.</p>	<p>handling the lifestyle unique to their own families. Evaluation of applicants shall consider cultural difference.</p> <p>Age or physical handicap of FFH providers shall be a consideration only as said conditions may affect their ability to provide adequate care to foster children or may affect an individual child's adjustment to the family.</p>	<p>stress, capacity to give and receive love and good moral character. Such characteristics are reflected in the following:</p> <ul style="list-style-type: none"> I. Psycho-social history, including significant childhood relationships and experiences (parent/child, sibling, or other relationships) II. Role identification and acceptance III. Reactions to experiences of separation and loss (through death, desertion, etc.) IV. Education, employment and patterns of interpersonal relationships V. General social, intellectual, and cultural level of the family VI. Level of everyday functioning <ul style="list-style-type: none"> a. Home and money management ability b. Daily routine and habits c. Reactions to stress VII. Affect responses (ability to give and receive love, deal with loss, separation and disappointment, etc.) VIII. Moral, ethical and spiritual qualities of the family IX. Religious affiliation and habits X. Hobbies, special interests, skills and talents. 	<ul style="list-style-type: none"> (a) An adult having regular contact with children in a facility and a caregiver of any age must be a responsible individual of reputable character who exercises sound judgment. (b) A caregiver in a full time care facility must have the capacity to deal with frustration and conflict and the ability to work with children who, because of the children's background and experience, might express themselves negatively toward the caregiver. (c) An individual may not work, volunteer, or reside in the part of the facility where child care is provided or in any other part of the facility with direct access to the part of the facility where child care is provided if the individual <ul style="list-style-type: none"> (1) is the alleged perpetrator of an incident of child abuse or neglect in which the division found the evidence available substantiates the allegation; (2) has a physical, health, mental health, or behavioral problem to an extent that the problem poses a significant risk to the health, safety, or well-being of children in care; (3) has a domestic violence or alcohol or other substance abuse problem to an extent that the problem is likely to be detrimental to the health, safety, or well-being of children in care; (4) was the subject of prior adverse licensing action of the kind described at <u>AS 47.35.120</u> (b)(5) - (7); or (5) was at any time under indictment, charged by
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			<p>information or complaint, or convicted for the following laws or similar laws of another jurisdiction:</p> <p>(A) offenses against the family and vulnerable adults under AS 11.51;</p> <p>(B) perjury under <u>AS 11.56.200</u>;</p> <p>(C) offenses included in the definition of "serious offense" under <u>AS 12.62.900</u>.</p> <p>(d) A facility may and the division will, in its discretion, require that an individual having regular contact with children in a facility provide an evaluation from a probation, health, or mental health professional affirming that the individual is free from problems that are likely detrimental to the health, safety, or well-being of a child in the facility.</p> <p>(e) A person having regular contact with children in a facility may not abuse a child or engage in any exploitive or sexual act with a child. An adult having regular contact with children in a facility may not have a romantic relationship with a child.</p> <p>(f) The division will review its child protection records and previous licensing records and criminal justice information with respect to the designated administrator or foster parent, all adult members of the licensee's household, and any adult residing in any part of the facility, if that adult has direct access from the adult's residence to the part of the facility where child care is provided.</p> <p>(g) Each administrator or foster parent</p>
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			<p>in a full time care facility, all adult members of the licensee's household, and any adult residing in any part of the facility, if that adult has direct access from the adult's residence to the part of the facility where child care is provided shall submit two fingerprint cards to the licensing representative. However, if fingerprint rolling acceptable to the Department of Public Safety is not available in the person's community, the fingerprint cards must be submitted when adequate fingerprint rolling becomes available or when the person next visits a community with adequate fingerprint rolling. The licensing representative will use the fingerprint cards to obtain the results of a criminal justice information search on the individual from the Department of Public Safety. In addition, the licensing representative will review criminal justice information, as defined in <u>AS 12.62.900</u>, including</p> <ul style="list-style-type: none"> (1) past conviction information; (2) current offender information; and (3) non-conviction information. <p>(j) A caregiver must be able to</p> <ul style="list-style-type: none"> (1) support behavior of children with positive guidance and set clear and consistent limits to promote the children's ability for self discipline; (2) provide children with a variety of age-appropriate learning and social experiences; (3) prevent exposure of children to high risk, including exposure to physical hazards and encounters with persons or animals known to be a danger;
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			<p>(4) use strategies to prevent aggressive behavior and to deescalate volatile situations; and</p> <p>(5) act as a positive role model for children.</p>
Foster parents shall understand the behavior of children in foster care, and shall use effective child-rearing practices that will enable children to grow and develop			<p>7 AAC 50.435. Behavior guidance</p> <p>(a) A facility shall help a child to develop age appropriate patterns of behavior that foster constructive relationships and increasing ability to deal with everyday life.</p>
Foster parents shall understand and use non-punitive ways of discipline and ways of helping a child build positive personal relationships and self-esteem.		<p>Discipline: The provider shall discipline the child in reasonable ways familiar to each child in care.</p>	<p>7 AAC 50.435. Behavior guidance</p> <p>(b) A facility shall provide for positive reinforcement, redirection, and the setting of realistic expectations and clear and consistent limits.</p> <p>(c) A facility may not use discipline or a behavior management technique that is cruel, humiliating, or otherwise damaging to the child.</p>
Foster parents must be able to provide temporary care, respect for the child's relationships with his/her birth family, and the ability to work in partnership with the Tribe, and the State of Alaska, if the child is in State custody, toward the return of each child to his/her birth parents, or to achieve an alternative permanent plan.	<p>FFH applicants and agencies must be able to work in partnership.</p> <p>Satisfactory Compliance</p> <ol style="list-style-type: none"> 1. The FFH applicant and agency must sign and abide by the terms of the Foster Parent Agreement 2. A FFH shall be visited at least once a month by a representative of the agency. 3. An evaluation visit shall be made by the agency at least once every twelve (12) months for as long as the FFH provider maintains an FFH license. A copy of the written evaluation report shall be given to the FFH provider (tribal foster care authority requirement). 4. The FFH has a right to know the policy, procedure, and intentions of the agency toward placement of children in that FFH. The FFH may request and receive such information from the agency at the time of licensure and at any time 	<p>Family contact: The provider shall allow visitation with the child's parents, extended family, and clan relations in accordance with the case plan and shall be willing to work with the (designated social service worker) to return the child to the family or extended family as soon as possible, in the best interest of the child.</p>	<p>No citation found addressing FP working with tribe, State, towards reunification with birth family</p>

	<p>that FFH has been without a placement for a 120-month period (tribal foster care authority requirement).</p> <p>5. Foster parents are required to attend _____ hours of training annually, which will be made available and accessible to all applicants and FFH providers. Substitute caregivers shall be eligible for the same training as the licensed FFH providers (tribal foster care authority requirement).</p> <p>6. There shall be a grievance mechanism for resolving differences between the agency and the FFH. The FFH provider shall be given a written statement of grievance procedures. Grievance procedures shall address those areas of disagreement not included in the appeal procedures set forth by the (governing body of the tribe) (tribal foster care authority requirement).</p>		
<p>Foster parents shall demonstrate a capacity to give and receive affection, kindness, a sense of humor, and the ability to deal with frustration and conflict.</p>	<p>In order to protect children in foster care and assure them the maximum opportunities for growth and development, families caring for children shall be evaluated on the following essential elements:</p> <ol style="list-style-type: none"> 1. Have established and are comfortable with their own identity to the degree that meeting their own needs does not interfere with their meeting the needs of foster children. 2. Have optimism, a sense of humor, resiliency and ability to enjoy life. 3. Be in touch with their own feelings, be able to express these feelings, and have a capacity to look at themselves realistically regarding the kinds of children with whom they can work and accept. 	<p>Foster Parenting Abilities</p> <p>An assessment of prospective foster parents' parenting ability regarding a specific child shall take into account the following:</p> <ol style="list-style-type: none"> I. Motivation for application at this time. II. Characteristics and number of children best suited to foster family. III. Existing family relationships, attitudes, and expectations regarding own children and parent/child relationships, especially where such existing attitudes and relationships might affect the foster child. IV. Attitudes of significant members of the extended family regarding child placement. 	<p>7 AAC 50.210. Qualifications and responsibilities of persons having regular contact with children in a facility</p> <ol style="list-style-type: none"> (a) An adult having regular contact with children in a facility and a caregiver of any age must be a responsible individual of reputable character who exercises sound judgment. (b) A caregiver in a full time care facility must have the capacity to deal with frustration and conflict and the ability to work with children who, because of the children's background and experience, might express themselves negatively toward the caregiver.

	<ol style="list-style-type: none"> 4. Have health and vigor to meet the needs of children placed with them, differences of viewpoint, and to be an advocate for the foster child when indicated. 5. Have meaningful extended family, neighborhood, cultural, and community ties. 6. Have the ability to deal with anger, sorrow, frustration, conflict and other emotions in a manner that builds positive interpersonal relationships rather than in a way that could be emotionally destructive to other persons. 7. Have the ability to give positive guidance, care and training to a child according to his/her stage of growth, special abilities and limitations 8. Have the ability to use discipline in a constructive rather than a destructive way. 9. Understand, accept and seek to nurture cultural, spiritual, racial and affectional ties of the child(ren). 10. Have the ability and flexibility to accept a child in placement who has special needs and treat a foster child as a member of their family, recognizing that a foster child has other family ties. 11. Have the ability to accept the foster child's own family and maintain an understanding relationship with them 12. Have the ability to work with the agency and other community resources. 13. Have a capacity and willingness to involve themselves in ongoing educational opportunities, as well as other learning experiences. 14. Be able to constructively resolve 	<ol style="list-style-type: none"> V. Ability to accept and love a child as he/she is. VI. Capacity to absorb the child into family life functioning without undue disruption. VII. Capacity of parent(s) to provide for a foster child's needs while giving proper consideration to own children. VIII. Own children's attitudes toward accepting a foster child. IX. Realistic assessment of positive and negative aspects of foster parenthood. X. Personal characteristics necessary to provide continuity of care throughout child's need for placement. XI. Flexibility to meet changing needs over the course of placement. XII. Ability to accept a child's relationship with his/her own parent(s). XIII. Ability to relate to neglecting and abusing natural parent(s). XIV. Special ability to care for children with special needs (physical handicaps, emotional disturbances, etc.). XV. Awareness of the area for which ongoing social work assistance may be needed. XVI. Ability to help a child return home or be placed for adoption and gain satisfaction from the arrangement. 	
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	<p>problems when difficulties arise.</p> <p>15. Be comfortable in relating to professional treatment personnel of all kinds, including the ability to discuss differences of viewpoint and to be an advocate for the foster child when indicated.</p> <p>16. Have an ability to openly discuss their attitudes about persons with differing lifestyles and philosophies and a capacity to accept people who are difference from themselves.</p>		
<p>Foster parents shall have supportive ties with family, friends, neighborhood, and community. Foster parents shall respect the Native culture and heritage of the Tribe and adhere to the Tribe's culture and heritage in all aspects of care of the children.</p>	<p>Accessibility of caretakers: One primary child care provider shall be available to the foster child at all times unless another provider, known to the Tribal Licensing Authority, is authorized for child care.</p>	<p>Community involvement: Providers shall allow the child to participate in community activities.</p> <p>Family member agreement: The prospective provider's family members over the age of six years shall be in agreement regarding the plan to care for foster children.</p>	<p>7 AAC 50.430. Program in foster homes</p> <p>(a) A foster parent shall demonstrate respect for the foster child's own family and shall work with the foster child's family members as indicated in the child's plan of care.</p> <p>(b) A foster parent shall recognize, encourage, and support the religious beliefs, ethnic and cultural heritage, and language of a child's birth parents and shall respect the expressed religious preference of the birth parents for their child. However, a foster parent shall respect the preference of a foster child nine years of age or older. A foster parent shall, within reason, arrange transportation to religious services or ethnic and cultural events that, based upon the child's background, are appropriate for the child.</p>

Health Qualifications

<p>Prospective foster parents shall provide the Tribe with the health history of each member of the household, including physical and mental health services and treatment received. Foster parents shall inform</p>	<p>The health of persons living in the FFH shall not be a hazard to the children.</p> <p>Satisfactory Compliance:</p> <p>1. The applicant shall supply to the agency a statement from the applicant's physician dated within</p>	<p>Health and medical reports: Members of the Foster Family Home and Foster Family Group Home shall be in good health and shall furnish health reports indicating their good health to the (designated tribal</p>	<p>7 AAC 50.210. Qualifications and responsibilities of persons having regular contact with children in a facility.</p> <p>(c) An individual may not work, volunteer, or reside in the part of</p>
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<p>the Tribe if any member of the household has or develops a serious communicable disease or other health condition.</p>	<p>six months prior to ensure that either:</p> <ol style="list-style-type: none"> Members of the family have received a physical examination and are physically able to provide care to children, or Members of the family are receiving all necessary continuing medical care and are physically able to provide care to children. <p>This statement may not be necessary for children who are members of the foster family if current school reports indicate good health.</p> <p>The agency may, at its own discretion, require a physical examination of any person living in the home.</p> <ol style="list-style-type: none"> The FFH shall make the agency immediately aware of any communicable or infectious disease in the FFH. When, in the opinion of the agency, any person in the home exhibits a mental health problem, the agency may require an evaluation of that person by a mental health specialist as a requirement for license. 	<p>licensing authority) at a (specified time) prior to licensing.</p>	<p>the facility where is provided or in any other part of the facility with direct access to the part of the facility where child care is provided if the individual</p> <ol style="list-style-type: none"> is the alleged perpetrator of an incident of child abuse or neglect in which the division found the evidence available substantiates the allegation; has a physical, health, mental health, or behavioral problem to an extent that the problem poses a significant risk to the health, safety, or well-being of children in care; has a domestic violence or alcohol or other substance abuse problem to an extent that the problem is likely to be detrimental to the health, safety, or well-being of children in care; was the subject of prior adverse licensing action of the kind described at <u>AS 47.35.120(b)(5) - (7)</u>; or was at any time under indictment, charged by information or complaint, or convicted for the following laws or similar laws of another jurisdiction: <ol style="list-style-type: none"> offenses against the family and vulnerable adults under <u>AS 11.51</u>; perjury under <u>AS 11.56.200</u>; offenses included in the definition of "serious offense" under <u>AS 12.62.900</u>. A facility may and the division will, in its discretion, require that an individual having regular contact
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			with children in a facility provide an evaluation from a probation, health, or mental health professional affirming that the individual is free from problems that are likely detrimental to the health, safety, or well-being of a child in the facility.
Foster parents and employees, volunteers, and other adults in the household caring for children shall be physically and mentally able to perform the duties of foster parents as prescribed in these rules. The Tribe may require a medical statement from a physician verifying that no person suffers from a communicable disease, specific illness or disability which would interfere with the family's capability to care for children in foster care.	The agency may request consultation from specialists in evaluating the abilities of prospective FFH providers, but must evaluate each applicant on an individual bases (tribal foster care authority).		7 AAC 50.210 – Same as above
Applicants must notify the Tribe of any prior or on-going counseling or treatment of any parents, employees, volunteers and other adults in the household caring for the children. Once licensed, the duty to notify the Tribe of any counseling or treatment is on going. Applicants and foster parents shall supply psychological, medical or physical, sex-offender, drug and alcohol, and psychiatric reports and evaluations to the Tribe. The Tribe may require that a release of information be signed for the purpose of obtaining the above or other reports			7 AAC 50.210 – Same as above

Duty to Cooperate With the Tribe, the State, and the Birth Parents for Children in State Custody

Foster parent shall cooperate with the Tribe and the State of Alaska in any investigation involving their license and/or any child in their home.			Sec. 47.32.100. Cooperation with Investigation. An entity shall cooperate with an investigation initiated by the department. An investigated entity shall (1) permit representatives of the
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			<p>department to inspect the entity; review records, including files of individuals who received services from the entity; interview staff; and interview individuals receiving services from the entity; and</p> <p>(2) upon request, provide the department with information and documentation regarding compliance with applicable statutes and regulations.</p>
<p>The foster parents shall cooperate with the Tribe, the State of Alaska, and the birth parents in developing and implementing a child's case and service plans and executing all court orders regarding the child.</p>	<p>Special Services (Additional Requirements) Within thirty (30) days after placement of a child with special needs in an FFH, a written individualized program plan must be developed by the FFH provider and the (tribal foster care authority). This plan shall be evaluated and updated regularly, but no less often than every six months (tribal foster care authority requirement).</p> <p>Satisfactory Compliance</p> <ol style="list-style-type: none"> 1. The FFH provider and (tribal foster care authority) must participate in program planning. The school district shall be invited to participate and given reasonable notice. 2. Other agencies and community resources shall be called upon as indicated by the particular needs of the individual child. 3. The individual program must be available for use by the FFH provider, the (tribal foster care authority) and the school district. 4. There shall be regular evaluation of the child's progress at intervals mutually agreed upon by the provider and the (tribal foster care authority). Progress shall be recorded by the (tribal foster care authority). 	<p>Beginning with the passage of the Child Abuse Prevention and Treatment Act (CAPTA) in 1974, the U.S. Congress has implemented a number of laws that have had a significant impact on State child protection and child welfare services.</p>	<p>7 AAC 50.300. Admission. (g) At or before a child's admission to a foster home, a foster parent shall collaborate with the child's placement worker and parent, when appropriate, in developing and implementing a plan of care for the child, including addressing</p> <ol style="list-style-type: none"> (1) reasonable accommodations for a child with special needs; and (2) independent living skills for a child age 16 or older. <p>7 AAC 50.430. Program in foster homes. (a) A foster parent shall demonstrate respect for the foster child's own family and shall work with the foster child's family members as indicated in the child's plan of care.</p> <p>7 AAC 50.435 Behavioral Guidance (d) A child in care may not be</p> <ol style="list-style-type: none"> (5) deprived of family contacts, mail, clothing, medical care, therapeutic activities designated in the child's plan of care, or contact with the child's placement worker or legal representative;

	<ol style="list-style-type: none"> 5. The individualized program plan shall contain specific, objective, time-limited goals. These goals shall be dated. The goals shall be updated as needed at the times of evaluation. Goals shall relate to the care and welfare of the foster child. 6. Community resources and services must be made known to and utilized by the FFH, as indicated by the needs of the child(ren). 7. A plan for regular time off for providers shall be developed by the (tribal foster care authority) and the FFH provider (tribal foster care requirement). 8. The environment and structure of the home shall be appropriate to the needs of the foster child(ren). 		
<p>Foster parents shall notify the Tribe and the State of Alaska when the child is in State's custody and placed in a tribally licensed foster home, immediately of, injury, illness, accidents, or any unusual circumstances which threaten the health, safety, physical or emotional well being of the foster child.</p>	<p>The FFH provider shall report immediately to the (tribal foster care authority) the occurrence of an unusual accident such as the death or serious injury or serious illness of a foster child. A serious injury or illness shall be defined as one requiring professional medical attention.</p>		<p>7 AAC 50.140. Reports.</p> <p>(a) In addition to the notice of changes required by AS 47.35.047, a facility shall report the following planned changes to the licensing representative as soon as possible, but not later than 30 days before they are expected to occur:</p> <ol style="list-style-type: none"> (1) change in the individual operating the facility, including marriage or divorce of a foster parent; (2) change in the name of the individual operating the facility; (3) change in the name of the facility; (4) change of administrator; (5) change in the age or sex of children served; (6) deletion or addition of a specialization under 7 AAC 50.660 – 7 AAC 50.650; (7) addition of an adult member to

			<p>the licensee's household for 45 days or longer.</p> <p>(b) A facility shall immediately report the following occurrences in the facility to the licensing representative:</p> <ul style="list-style-type: none"> (1) death of a child while in care; (2) except for situations described in (c) of this section, serious injury or illness of a child while in care requiring attention by medical personnel outside of the facility; (3) fire or other disaster affecting the facility; (4) an unplanned change in any item listed in (a) of this section; (5) a planned or emergency absence of a foster parent exceeding 72 hours and confirmation or revision of the plan for supervision of children by a responsible adult during the absence of the foster parent. <p>(c) With prior approval of the division, a facility regularly serving medically-fragile children need not make the report required by (b)(2) of this section</p> <p>(d) A full time care facility shall immediately report the following incidents involving a child in care to the child's placing worker:</p> <ul style="list-style-type: none"> (1) death of a child in care; (2) attempted or threatened suicide by a child in care; (3) life-threatening illness or hospitalization of a child in care, unless the child is a medically fragile child; (4) unapproved absence for more than 10 hours by a child in care; or (5) the direct admission of a
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			<p>runaway child to a shelter home or to a residential child care facility with a specialization in serving runaway children.</p> <p>(e) A full time care facility shall report the following to the child's placing worker no later than the first working day that it is known:</p> <ol style="list-style-type: none"> (1) pregnancy of a child in care; (2) severe distress or depression of a child in care; (3) non-emergency medical care requiring consent from the child's parent; in this paragraph, "non-emergency medical care" includes surgery, anesthesia, and the administration of psychotropic medication, or another drug prescribed for mental illness or behavioral problems; (4) violation of a condition of probation by a child in care, if applicable; (5) allegations of criminal conduct by a child in care. <p>(f) If a child in a full time care facility has no placing worker, the facility shall give the reports required in (d) and (e) of this section to the division.</p>
<p>Foster parents shall allow the Tribe and the State of Alaska, when the child is in State's custody and placed in a tribally licensed foster home, reasonable access to their home and to the children placed in their care.</p>			<p>Sec. 47.32.110. Right of access and inspection.</p> <p>(a) A designated agent or employee of the department shall have right of access to an entity</p> <ol style="list-style-type: none"> (1) to determine whether an application for licensure or renewal is appropriate; (2) to conduct a complaint investigation; (3) to conduct a standard inspection; (4) to inspect documents, including personnel records,

			<p>accounts, the building, or the premises;</p> <p>(5) to interview staff or residents; or</p> <p>(6) if the department has reasonable cause to believe that the entity is operating in violation of this chapter or the regulations adopted under this chapter.</p> <p>(b) If an entity denies access, the department may petition the court for an order permitting access, or the department may seek to revoke the entity's license under <u>AS 47.32.140</u>.</p> <p>(c) Upon petition of the department and after a hearing held upon reasonable notice to the entity, the court shall issue an order to an officer or employee of the department authorizing the officer or employee to enter for any of the purposes described in (a) of this section.</p>
<p>The Tribe will determine the appropriate number and ages of children for which the foster home will be licensed. The foster parents shall not exceed the licensed capacity or accept a child outside of the licensed age range for placement. To ensure the health and safety of all children in the home, the Tribe will consider the ratio of adults to children, the level of supervision available, the skill levels of the foster parents, the health, safety and special needs of children in the home and the local standard in the community when determining the license capacity and age range for the foster home. The number of children in the home will not exceed the limit that would assure that the needs of each child in the home can be met.</p>	<p>Number of Children A family Foster Home (FFH) shall be limited to the following, including the home's own children.</p> <ol style="list-style-type: none"> 1. Interim and Permanent Homes – Less than two years experience as a foster home; no more than three foster children; no more than five children total. 2. Interim and Permanent Home – Two or more years experience as a foster home; no more than five children total. 3. Emergency Shelter Homes (designated) - No more than four foster children; no more than seven children total. 4. Special Services Homes (designated) – No more than four foster children; no more than five 	<p>Family Composition</p> <ol style="list-style-type: none"> I. Two parents shall be selected in most cases; however, single parents shall be selected when they can more effectively fulfill the needs of a particular child. II. The number and ages of children in a home (both own or foster) and adults (i.e., grandparents, aunts, or related persons) shall be considered on an individual basis, taking into account the foster parents' ability to meet the needs of all children present in the home, the physical accommodations in the home, and especially the effect that an additional child would have on the family as a unit. It is preferable that <ol style="list-style-type: none"> a. Foster parent(s) shall care for 	<p>7 AAC 50.415. Supervision of children in foster homes.</p> <ol style="list-style-type: none"> (a) During the first year of foster care experience by a foster home, no more than two children of any age who are unrelated to the foster parent may be cared for. After one year of foster care experience by a foster home, the number of children in care may be increased. (b) Except as provided in (c) and (e) of this section, no more than six children may reside in a foster home. Of the six, no more than <ol style="list-style-type: none"> (1) two children under 30 months of age are permitted; and (2) three children of any age who are unrelated to the foster parent are permitted after the first year of foster care

	<p>children total.</p> <p>5. Where the foster care provider has not completed the required annual training at the time of relicensure, no further placements may be made in that home until the provider has complied with the training requirements. The license will be restricted to the children currently placed in that home (tribal foster care authority requirement).</p> <p>Exceptions to the maximum number of foster children will be allowed when</p> <ol style="list-style-type: none"> 1. Siblings need placement together as determined by the agency. Maximum number: seven children. 2. The home has five or six children of its own under age 18. Maximum number: seven children. 3. A child needs to be placed again in the same home as determined by the agency. Maximum number: seven children. <p>Foster Family Group Homes (Additional Requirements)</p> <p>There shall be a minimum of one adult in residence for every five children in the Foster Family Home.</p> <p>The Foster Family Group Home shall care for no more than ten children, including their own children.</p> <p>A Family Group Foster Home may not care for more than two unrelated children who are non-ambulatory, non-mobile, severely mentally retarded or profoundly mentally retarded at any one time.</p>	<p>one and not more than two infants (under two), including the foster parent(s) own children.</p> <ol style="list-style-type: none"> b. Foster families shall not have more than a total of six children, including foster children and foster parents' own children, in the foster home. Exceptions shall be made in order to keep siblings together. c. The age range of the children in a foster home shall be similar to that in a "normal" family in order to lessen competition and comparisons. d. All placement situations shall consider the effect of having some children in the foster home whose parents' visit them and other children whose parent(s) do not. e. A foster home shall not provide placements for more than one agency at a time without a written agreement delineating the responsibilities of all parties involved. <p>The Foster Home Shall</p> <ol style="list-style-type: none"> I. Have legally married heads of household or a self-sufficient and functioning single head of household. II. Prevent the presence of any individual in the home who would be harmful to a foster child(ren). III. Prefer the foster mother to be at home with children under age of six instead of working, unless childcare services are guaranteed prior to placement. IV. Provide proper supervision by a responsible person at all times. 	<p>experience by the foster home.</p> <ol style="list-style-type: none"> (c) No more than eight children may reside in a foster group home. Of the eight, <ol style="list-style-type: none"> (1) no more than two children under 30 months of age are permitted; and (2) except as provided in (a) of this section, up to eight children who are unrelated to the foster parent are permitted. (d) In a foster group home, if more than six children are in care, one foster parent must generally be available in the home. (e) The division will establish the number of children for whom a foster home and a foster group home is licensed on a case by case basis and may license a home for fewer than the maximum number of children permitted in (b) or (c) of this section. The division may approve a variance under AS 47.35.027 to increase the number of children in care beyond the number permitted in (b) of this section for a period of up to 30 days instead of requiring a foster group home license. (f) A foster parent may not allow a child in care to be absent from the foster home for periods of 72 hours or longer unless the absence is approved by the child's placement worker. (g) A foster parent shall request the child's placement worker to obtain advance permission from the person responsible for the child 14 days in advance of any planned trips for a child in care outside of the state.
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		<p>V. Not place child(ren in any situation that endangers his/her health, schooling, or recreation.</p> <p>VI. Not use severe or harsh punishment, including spanking.</p> <p>VII. Respect religious affiliations of the child.</p> <p>VIII. Have sufficient income to meet own needs without support monies of the child.</p> <p>IX. Provide nutritious and sufficient diet daily.</p> <p>X. Possess character traits and habits that are wholesome (such as responsible use of alcohol, no felony convictions or illegal drug use,) and have good standing in the community.</p>	<p>(h) A foster parent shall obtain advance approval from the child's placement worker for planned in-state trips for a child in care for more than 72 hours duration.</p>
<p>The Tribe may modify the licensed age range or capacity based on a request from the foster parent and an assessment by the Tribe that the home can meet the health, safety and developmental needs of the children who would be placed as a result of the requested change(s). If the Tribe determines that a license will be modified for a change in capacity or age range, a new license reflecting the change(s) will be issued.</p>	<p>License for Specific Children When Home Does Not Meet All the Standards (Sample Regulations)</p> <p>A foster home that does not meet all the provisions of the established standards of foster family care may be licensed for care of a specific child or children only. This refers to situations where the best interests of a specific child or children are represented by placement in this home rather than in any other licensed foster family home. The provisions of licensing for specific children is expected to be used only in rare instances and is in no way intended to circumvent the standards for licensing foster homes. <i>(This provision may not be allowed under federal regulation for tribes operating foster care under Title IV-E agreements.)</i></p>	<p>License for Specific Children When Home Does Not Meet All the Standards (Sample Regulations)</p> <p>A foster home that does not meet all the provisions of the established standards of foster family care may be licensed for care of a specific child or children only. This refers to situations where the best interests of a specific child or children are represented by placement in this home rather than in any other licensed foster family home. The provisions of licensing for specific children is expected to be used only in rare instances and is in no way intended to circumvent the standards for licensing foster homes. <i>(This provision may not be allowed under federal regulation for tribes operating foster care under Title IV-E agreements.)</i></p>	<p>7 AAC 10.9505. General variance</p> <p>(a) Subject to 7 AAC <u>10.9500(b)</u> (2) and (3), and (b) of this section, the department may grant a general variance if</p> <ol style="list-style-type: none"> (1) the applicable requirements of 7 AAC <u>10.9500</u> - 7 AAC <u>10.9515</u> are met; (2) an alternative means, acceptable to the department, satisfies the purpose of the requirement for which the variance is sought; and (3) the health, safety, and welfare of recipients of services are protected. <p>NOTE: no cite found for issuing new license for a modification for age or capacity.</p>
<p><i>In accordance with the case plan, foster parents shall:</i></p> <p>Respect and support the child's relationship with his/her extended family members, including siblings;</p>			
			<p>7 AAC 50.430. Program in foster homes.</p> <p>(a) A foster parent shall demonstrate respect for the foster child's own</p>

			family and shall work with the foster child's family members as indicated in the child's plan of care.
Assist the caseworker in planning visits with the child and his/her parents and family members; and		Visits: Children shall be allowed visits with their parents, family, extended family members, clan relation, and friends in accordance with the case plan.	Our regs do not address this issue specifically – probably should
Allow children reasonable opportunities to communicate with their immediate and extended clan and birth family, Guardian Ad Litem, and social worker		Clan Relations: The child(ren) shall be advised of clan relationships and have access to them, and attempts shall be made to advise clan relations of the whereabouts of the clan child.	7 AAC 50.435 Behavioral Guidance (d) A child in care may not be (5) deprived of family contacts, mail, clothing, medical care, therapeutic activities designated in the child's plan of care, or contact with the child's placement worker or legal representative;
The Tribe may develop a mentor program to assist foster families in resolving problems that arise in connection with the placement of children. Foster parents will participate in this program if so required by the Tribe	Enrollment of the Child The Foster Family Homes and Foster Family Group Homes shall assist the (tribal foster care authority) in enrolling the child with the tribe. When child care of a non-enrolled child is planned, the (tribal foster care authority) shall compile a family ancestry chart, or appropriate equivalent except for such children for whom it appears that child care will last or does last less than 30 days. Appropriate steps shall be taken to enroll eligible children if enrollment is not contrary to the wishes of the child and/or his/her parents.		No citation

Confidentiality

The foster family shall treat personal information about a child and the child's family in a confidential manner.	Private data about a child and his/her family shall be kept confidential.	Confidentiality: Information the provider receives on the child and the child's family shall be kept in confidence. Release of social, medical, or educational material requires prior authorization from the (designated tribal social service agency).	7 AAC 50.130. Records. (d) A facility shall maintain confidentiality of information about a child and the child's family. A facility caring for a child who is in state custody shall comply with the requirements of 7 AAC 54.010 - 7 AAC 54.150, 7 AAC 54.300 – 7 AAC 54.390, and 7 AAC 54.900.
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			A facility may not disclose information, including photographs, concerning a child in state custody if disclosure is inconsistent with the child's plan of care or treatment plan or violates a federal or state statute or regulation.
Confidential information may be disclosed only when necessary to provide for the safety and well being of a child or other children in the home or as required by Tribal, State, or Federal law. The information shared must be limited to only what is necessary to comply with this rule. This duty not to disclose confidential information applies during the period in which the foster family cares for the children and forever thereafter.	FFH data classified as private shall be maintained as private. FFH providers shall have access to private data concerning themselves (tribal foster care authority requirement).	Privacy: Privacy and identity of the child shall be protected. The child shall never be exploited for the benefit of the Foster Family or Foster Family Group Home.	Same as above
<i>In maintaining children's records:</i>	Individual case records for children placed in foster care shall be kept separately from the licensing records (tribal foster care authority requirement).		
Foster parents will maintain records on the physical and mental health care received during placement, immunizations, and educational and placement progress for the duration of the child's placement. Within ten days of the termination of a foster care placement, the foster parents shall relinquish all records to the placement agency (Tribe/State).	The FFH provider shall be responsible for carrying out the agreed upon plan for medical and dental care for the foster child(ren).		7 AAC 50.455. Health in full time care facilities. (f) A full time care facility shall (1) maintain medical, dental, immunization, and treatment records; and (2) document any medical or dental care or treatment for which documentation was not provided by the medical or dental provider of service.
Foster parents shall keep such written records for each foster child in a manner that ensures their confidentiality.	The (tribal foster care authority) shall establish and maintain an individual record for the foster family home (tribal foster care authority requirement). Satisfactory Compliance The (tribal foster care authority) record shall contain: 1. A copy of the application for licensure signed by the applicant		7 AAC 50.130. Records. (a) A facility shall (1) establish written records necessary to demonstrate compliance with the applicable requirements of AS 47.32 and this chapter; (2) retain records demonstrating compliance for at least three

	<ol style="list-style-type: none"> 2. A Foster Parent agreement Form signed by both the applicant and the (tribal foster care authority) 3. A physician's statement concerning the physical health of people in the FFH. 4. A current completed Fire Safety Check List plus a written report from the fire marshal or HIS Health Inspector on any special fire and could include Tribal Housing authority (at the discretion of the tribal foster care authority). 5. The pre-licensing home study. 6. References 7. An annual evaluation of the FFH, done jointly by the provider and the (tribal foster care authority), covering services provided by both the FFH and the (tribal foster care authority). It shall be based on a complete review of this rule and on the year's placement experiences. Any disagreement about the evaluation between the FFH and the (tribal foster care authority) shall also be entered into the record. 8. Documentation for any waiver of licensing regulations. 9. Record of training received by the foster parent(s). 		<p>years from the record's creation; and</p> <ol style="list-style-type: none"> (3) permit a licensing representative to review records, including personnel and evaluation records and applicable portions of board or other governing body minutes, to determine compliance with AS 47.32 and this chapter. (b) A facility shall maintain records on forms prescribed by the division unless the facility uses alternate forms that contain the essential elements of the prescribed forms. (c) A full time care facility shall make and retain a record for each child so that <ol style="list-style-type: none"> (1) entries are dated and identify the individual making the entries; and (2) the records are retained as follows: <ol style="list-style-type: none"> (A) in a foster home - returned to the agency upon discharge from the facility; and (d) A facility shall maintain confidentiality of information about a child and the child's family. A facility caring for a child who is in state custody shall comply with the requirements of 7 AAC 54.010 - 7 AAC 54.150, 7 AAC 54.300 – 7 AAC 54.390, and 7 AAC 54.900. A facility may not disclose information, including photographs, concerning a child in state custody if disclosure is inconsistent with the child's plan of care or treatment plan or violates a federal or state statute or regulation.
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Care and Development of the Child

Daily Living	Support Payment (Sample Regulations). Monies available to child through per capita, child support, social security, payment from other tribes, Aid to Dependent Children (ADC), and veteran's benefits will be deposited in child's (designated holding account, e.g., BIA, IIM account). Withdrawal of a child's funds will be determined by the (designated governing body of tribal court) upon request.	Support Payment (Sample Regulations). Monies available to child through per capita, child support, social security, payment from other tribes, Aid to Dependent Children (ADC), and veteran's benefits will be deposited in child's (designated holding account, e.g., BIA, IIM account). Withdrawal of a child's funds will be determined by the (designated governing body of tribal court) upon request.	
Foster parents shall treat natural children and foster children placed in their home equitably	Every foster child shall be treated as a member of the FFH.		7 AAC 50.430. Program in foster homes. (d) A foster parent shall treat foster children equitably with the foster parent's own children.
Foster parents shall provide structure and daily activities designed to promote the physical, social, intellectual, spiritual, and emotional development of the children in home.	Activities shall foster optimum physical, social, mental and emotional development of children. Activities that enhance the child's appreciation of his cultural heritage shall be supported and encourage.		7 AAC 50.430. Program in foster homes. (c) A foster parent shall provide structure and daily activities designed to promote the individual physical, social, intellectual, spiritual, and emotional development and good health habits of a child in care. Satisfactory compliance with this subsection requires that, for young children, the requirements of former 7 AAC 50.420(a)(1) - (a)(6) and (b) in effect as of 6/30/2000, are met, except that the schedule and activity plan need not be written.
Playthings shall be available in the foster home, including games, recreational and educational materials, and books appropriate to the age and development level of the child.	The foster child shall share in the privileges and responsibilities of the home as appropriate to the child's age and abilities. Infants I. Each infant must be held during bottle-feeding until safely able to hold his/her on bottle. II. No infant placed in a high chair		7 AAC 50.540. Equipment and supplies. (a) A facility shall select equipment and supplies to support facility programs so that the amount, variety, arrangement, and use of materials, toys, and equipment available (1) are appropriate for the developmental needs of the

	<p>shall be left unsupervised. A restraining device shall be placed around the child to prevent him/her from sliding down the high chair.</p> <p>III. Each infant must be held, rocked, cuddled and played with during each day of care.</p> <p>IV. Infants' attempts to communicate must be responded to.</p> <p>V. Infants need large muscle activity in order to develop properly, physically and mental. Infant learn by exploring their environment.</p> <p>Satisfactory Compliance</p> <ol style="list-style-type: none"> 1. The non-creeping infant shall spend part of each day outside the crib and playpen. 2. The creeping infant shall have freedom to explore outside the crib or playpen. A crib or playpen shall be used only for sleeping or for short periods when needed for safety. During the infant's waking hours, a playpen shall be placed where the infant can see others. <p>VI. The infant must be provided with an environment that stimulates all his/her senses.</p> <p>Satisfactory Compliance</p> <p>Infants should be provided with (commercially made, homemade or natural)</p> <ol style="list-style-type: none"> 1. Things to look at (e.g., crib mobile) 2. Things to listen to (e.g., rattle, FFH provider's voice) 3. Things to feel (e.g., a soft ball) 4. Things to smell (e.g., newly baked cookies) 5. Things to taste (e.g., clean objects that are nontoxic and too large for him/her to swallow or choke on) 		<p>children in care;</p> <ol style="list-style-type: none"> (2) for young children, meet criteria contained in former7 AAC 50.420(a)(1) - (a)(5), in effect as of 6/30/2000; (3) are of sufficient quantity to avoid excessive competition and long waits for use by a child; and (4) when stored, are stored safely and so that at least some of the toys and materials are accessible to children.
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	<p>Toddlers, Preschoolers and School Age Children</p> <ul style="list-style-type: none"> I. Each child shall be allowed as much independence as he/she can safely handle. II. Each child shall be provided with limits consistent with his/her age of understanding. III. Each child shall be encouraged to communicate verbally. IV. Each child shall be given physical signs of affection as appropriate for age and maturity V. Each child shall be provided with materials and equipment that will enhance his/her physical, mental, and emotional development. <p>Satisfactory Compliance The FFH home shall provide commercially made, homemade, natural materials and equipment of sound construction and in working order that encourage and stimulate</p> <ul style="list-style-type: none"> 1. Large-muscle activities (e.g., large blocks, cardboard cartons) 2. Small-muscle activities (e.g., manipulative toys, craft materials) 3. Creative activities (e.g., dress-up clothes, art supplies) 4. Cognitive activities (e.g., puzzle, books) 5. Social activities (e.g., games) <p>VI. Toilet training shall be undertaken only when appropriate to each child's age and stage of development.</p> <p>Satisfactory Compliance</p> <ul style="list-style-type: none"> 1. Toilet training by the FFH provider shall be within the limits of the licensing rules. 2. No child shall be punished for 		
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	<p>accidents occurring during toilet training.</p> <p>3. The agency shall offer consultation and train to providers about toilet training.</p> <p>VII. Each child shall nap or rest as is appropriate for age and stage of development.</p>		
<p>Foster parents shall help the foster children placed in their home develop skills and perform tasks that promote independence and self-sufficiency.</p>	<p>Adolescents</p> <p>I. To participate as citizens, as members of a household, as workers, as tribal members, and as responsible members of society.</p> <p>Satisfactory Compliance The (tribal foster care authority) and the foster child shall discuss house rules with the foster parent(s). The foster child(ren) are expected to live by these house rules.</p> <p>II. To gain experience in decision-making.</p> <p>Satisfactory Compliance Each child shall be provided practical learning opportunities.</p> <p>III. To interact with peers and acquire a sense of belonging.</p> <p>Satisfactory Compliance Each child shall have the opportunity to participate in a variety of activities.</p> <p>IV. To reflect on themselves in relation to others and discover themselves by looking outward, as well as inward.</p> <p>Satisfactory Compliance Each child shall be encouraged to participate in open discussions with adults exposing, but not imposing, their value systems on the child.</p> <p>V. To discuss conflicting values and formulate their own value systems.</p> <p>Satisfactory Compliance</p>		<p>7 AAC 50.300. Admission</p> <p>(g) At or before a child's admission to a foster home, a foster parent shall collaborate with the child's placement worker and parent, when appropriate, in developing and implementing a plan of care for the child, including addressing</p> <p>(1) reasonable accommodations for a child with special needs; and</p> <p>(2) independent living skills for a child age 16 or older.</p> <p>7 AAC 50.430. Program in foster homes.</p> <p>(e) A foster parent shall give a child in foster care the opportunity to learn responsibility for chores appropriate to the child's age, health, and ability. A foster parent shall ensure that the chores are shared equitably with other children in the foster home and do not interfere with school, health, and necessary recreation.</p>

	<p>Each child shall be provided opportunity for significant experiences and careful examination and reflection on those experiences for his/her moral development</p> <p>VI. To experiment with his/her own identity, with relationships to other people and with ideas; to try out various roles without having to commit himself/herself irrevocably.</p> <p>Satisfactory Compliance Each child shall be allowed opportunities to experiment, within the constraints of law, with his/her own identity in a nonjudgmental atmosphere.</p> <p>VII. To develop a feeling of accountability in the context of a relationship among equals.</p> <p>Satisfactory Compliance Each child shall be provided opportunities for participation and accountability in a family relationship.</p> <p>VIII. To cultivate a capacity to enjoy life.</p> <p>Satisfactory Compliance Each child should have a family that is accepting of other people's lifestyles and values, with flexibility, a sense of humor, and a sense of the joy of living.</p>		
<p>Foster parents shall participate with the Tribe to help children in foster care maintain an awareness of their past, a record of the present, and a plan for the future.</p>	<p>Individual Child Care Plan (Sample Regulations). Foster Family Homes and Foster Family Group Homes shall prepare an individualized written plan for each child in care and each child placed in its care by voluntary agreement. Such plans shall be subject to review by the (designated licensing authority). Failure to prepare such a plan shall be grounds for revocation of the provider's license.</p>	<p>Individual Child Care Plan (Sample Regulations). Foster Family Homes and Foster Family Group Homes shall prepare an individualized written plan for each child in care and each child placed in its care by voluntary agreement. Such plans shall be subject to review by the (designated licensing authority). Failure to prepare such a plan shall be grounds for revocation of the provider's license.</p>	<p>7 AAC 50.430. Program in foster homes.</p> <p>(a) A foster parent shall demonstrate respect for the foster child's own family and shall work with the foster child's family members as indicated in the child's plan of care.</p> <p>(b) A foster parent shall recognize, encourage, and support the religious beliefs, ethnic and cultural heritage, and language of</p>

	Foster Family Homes and Foster Family Group Homes shall be provided with assistance by the (designated tribal licensing authority) to prepare such plans.	Foster Family Homes and Foster Family Group Homes shall be provided with assistance by the (designated tribal licensing authority) to prepare such plans.	a child's birth parents and shall respect the expressed religious preference of the birth parents for their child. However, a foster parent shall respect the preference of a foster child nine years of age or older. A foster parent shall, within reason, arrange transportation to religious services or ethnic and cultural events that, based upon the child's background, are appropriate for the child.
In accordance with the case plan, the foster parent shall ask children placed in their home to assume work responsibilities appropriate to the child's age and ability and commensurate with those expected of their own children.		Work Experience: Work experience for children shall be appropriate to the age, health and ability of the individual child and in line with child labor laws.	7 AAC 50.430 Program in Foster Homes. (e) A foster parent shall give a child in foster care the opportunity to learn responsibility for chores appropriate to the child's age, health, and ability. A foster parent shall ensure that the chores are shared equitably with other children in the foster home and do not interfere with school, health, and necessary recreation.
Foster parents shall not use mechanical restraints on children in their care other than car seat belts and normally acceptable infant safety products.			7AAC 50.435. Behavior guidance. (d) A child in care may not be (9) mechanically restrained, except for a protective device such as a seatbelt;
Each child in placement shall be treated with respect and dignity.			7 AAC 50.430. Program in foster homes. (a) A foster parent shall demonstrate respect for the foster child's own family and shall work with the foster child's family members as indicated in the child's plan of care.
The foster family shall: Respect the child's Native heritage			7 AAC 50.430 (b) please see above
Provide meaningful opportunities for the child to develop relationships with Tribal members and practices of the Tribe;			AAC 50.430(b) please see above

Ensure regular contact with the foster child's caseworker; and			<p>7 AAC 50.435. Behavior guidance.</p> <p>(d) A child in care may not be</p> <p>(5) deprived of family contacts, mail, clothing, medical care, therapeutic activities designated in the child's plan of care, or contact with the child's placement worker or legal representative;</p>
Provide the child access to telephone and writing materials and other household resources, in accordance with the standard of the local community;		<p>Communication system: The provider shall have a reliable and reasonable means of communication that shall initiate assistance when needed and inform the (designated tribal licensing authority) of any crisis in a reasonable amount of time. The means by which the communication system operates shall be communicated to the (designated tribal licensing authority) and a communication plan shall be on file with the (designated tribes' social service agency).</p>	<p>7 AAC 50.540. Equipment and supplies.</p> <p>(a) A facility shall select equipment and supplies to support facility programs so that the amount, variety, arrangement, and use of materials, toys, and equipment available</p> <p>(1) are appropriate for the developmental needs of the children in care;</p> <p>(2) for young children, meet criteria contained in former 7 AAC 50.420(a)(1) - (a)(5), in effect as of 6/30/2000;</p> <p>(3) are of sufficient quantity to avoid excessive competition and long waits for use by a child; and</p> <p>(4) when stored, are stored safely and so that at least some of the toys and materials are accessible to children.</p> <p>(d) A facility must have a telephone or message phone, unless telephones are not readily available in the community.</p> <p>(g) A foster parent shall provide beds, cribs, bedding, and sleeping space for the foster children in the home. A foster parent shall provide foster children with individual beds and cribs, except that young children of the same sex may share a double bed.</p>

Allow the child to receive and open her/his own mail and to have private phone calls unless the foster parent has been asked to monitor the communication by the placement social worker		Mail: The child shall be permitted to send and receive mail uncensored, except in the cases of juvenile delinquents. In this case, mail shall be opened in the presence of the child to inspect for contraband. When other exceptions are made, reasons shall be clearly documented in the case record.	Please see above
Alternate Caregivers			
The foster parents shall arrange for safe and responsible childcare		Accessibility of caretakers: One primary child care provider shall be available to the foster child at all times unless another provider, known to the Tribal Licensing Authority, is authorized for child care.	7 AAC 50.220. Caregiver age requirements and additional qualifications for adolescent caregivers. (c) A baby-sitter providing care in a foster home during the short absence of a foster parent must be at least 14 years old and mature enough to handle common emergencies. A baby sitter is exempt from 7 AAC 50.210, except (a), (d), and (e). In this subsection, "short absence" means no more than six hours.
When the foster parents are absent overnight, or longer, a person of at least 18 years of age, capable of assuming foster care responsibilities, shall be present in the same home to supervise the children. The foster parents shall provide contact information where they can be reached during their absence. Foster parents shall not leave children for more than 48 hours without first giving notice to the caseworker.	When all adults in the FFH are employed or otherwise occupied for substantial amounts of time away from the home, the plans for care and supervision of the foster children must be approved in advance by the agency.		7 AAC 50.220. Caregiver age requirements and additional qualifications for adolescent caregivers (b) In a full time care facility caring for children (1) in which the oldest child in care is under age 15, a caregiver must be at least 18 years old; and (2) In which the oldest child in care is age 15 or older, a caregiver must be at least 21 years old. (c) A baby-sitter providing care in a foster home during the short absence of a foster parent must be at least 14 years old and mature enough to handle common emergencies. A baby sitter is

			<p>exempt from 7 AAC 50.210, except (a), (d), and (e). In this subsection "short absence" means no more than six hours</p> <p>7 AAC 50.415. Supervision of children in foster homes</p> <p>(f) A foster parent may not allow a child in care to be absent from the foster home for periods of 72 hours or longer unless the absence is approved by the child's placement worker.</p> <p>(g) A foster parent shall request the child's placement worker to obtain advance permission from the person responsible for the child 14 days in advance of any planned trips for a child in care outside of the state.</p> <p>(h) A foster parent shall obtain advance approval from the child's placement worker for planned in-state trips for a child in care for more than 72 hours duration.</p>
Food and Nutrition			
<p>Foster parents shall provide well-balanced daily meals.</p>	<p>Well balanced meals shall be served daily.</p> <p>Each day's menu shall include servings from each of the four basic food groups as indicated in the (supplemental discussing healthy nutritional requirements).</p>	<p>Basic Needs: Providers shall provide adequate food, clothing, supplies, and educational and religious training to ensure the health and physical, emotional, and mental development of the children served.</p>	<p>7 AAC 50.460. Nutrition.</p> <p>(a) A facility shall ensure that all snacks and meals meet the child care food program requirements set out in 7 C.F.R. 226.20, revised as of January 1, 1995.</p> <p>(e) A full time care facility shall attempt to provide ethnic food reflecting the ethnic background of children in care in the facility's menu, including food provided by a child's own family.</p> <p>(f) A facility shall obtain information concerning any food allergies or special dietary needs of each child and shall plan that child's meals accordingly.</p> <p>(g) Except for medical reasons, a</p>

			facility may not deny a meal or snack to a child, force-feed a child, or otherwise coerce a child to eat against the child's will for any reason. Mere encouragement to eat without any element of compulsion is not prohibited.
Foster parents shall provide for any special dietary needs of the children placed in their homes	The FFH provider shall consult with physician about the diet for children with special dietary needs, such as infants under one year of age, children with allergies, children who are over or underweight, and/or children who are hyperactive.	"	7 AAC 50.460 as above, esp. (e), (f)
<i>Clothing and Personal Belongings</i>			
Foster parents shall provide each child with his or her own clean, well-fitting, attractive, seasonal clothing appropriate to age, sex, individual needs, and comparable to the local community standards.			7 AAC 50.430. Program in foster homes. (i) A foster parent shall provide each foster child with the child's own clean, well fitting, attractive, seasonal clothing appropriate to age, sex, and individual needs and comparable in quality, quantity, and appearance to that worn by other children in the community.
Foster parents shall allow children to bring and acquire personal belongings.			7 AAC 50.430. Program in foster homes. (h) A foster parent shall allow the foster child to bring and acquire personal belongings and shall send all personal clothing and belongings in use at the time and any clothing that the foster child will grow into with the child when the child leaves the foster home.
Foster parents shall send all personal clothing and belongings with the children when they leave the foster home.			See above

Discipline and Guidance:			
<p>Many children come into foster care because they have suffered physical abuse and severe punishment. It is vital that foster parents use positive discipline and guidance to help the child develop acceptable behavior.</p>	<p>No child shall be subjected to physical or psychological abuse. (Foster parents should sign an agreement regarding discipline.)</p> <p>Satisfactory Compliance</p> <ol style="list-style-type: none"> 1. Methods of discipline to be used in the FFH shall be discussed with the agency during the application process. Child training and discipline shall be handled with kindness and understanding. 2. No child in care shall be subjected to unusual, severe or cruel punishment. 3. No child in care shall be subjected to verbal abuse, derogatory remarks about him/herself or members of his/her family, or threats to expel the child from the foster home. 4. Isolation, when used as discipline, shall not exceed 10 minutes for any child under six years of age. Isolation shall not exceed one hour for a child six years of age or older. Isolation shall be in a light, well-ventilated room of at least 50 square feet, and within hearing of an adult. An adult shall periodically check, at least every ten minutes, on a child in isolation. No child shall be isolated in a closet or locked room. 5. No child shall be punished for bed-wetting or with regard to toilet training. 6. No children in care shall be deprived of meals, mail or family visits as a method of discipline. 7. Punishment shall not be delegated to another child. 8. Methods of discipline shall be 	<p>In addition to the basic needs of food, clothing, and shelter all children need and have the right to happiness, love, and security. Children who come into foster care may have greater needs because some of these basic needs have not been met.</p> <p>It is expected that the following methods of discipline will be utilized by foster parents. It is the foster care program's responsibility to assure that only acceptable methods are applied to children for whom the foster care program has legal responsibility.</p> <p>Acceptable Methods of Discipline</p> <ol style="list-style-type: none"> 1. Give something rewarding. Children learn best when praised, hugged, smiled at, or given something they really like for "good" behavior. For older children, special privileges or receiving something they really want is rewarding, as well as praises, hugs, and good feelings from a parent. 2. Remove something negative. For good behavior, excuse a child from doing something he/she dislikes, for example, doing dishes, taking out garage, cleaning house, or extend bedtime or curfew a little bit. 3. Remove something rewarding. Take away privilege such as telephone, television, stereo, sports, or anything that is considered a privilege. Allowance also may be withheld from a child. (Not to include food, parental visits, correspondence or anything 	<p>7 AAC 50.435. Behavior guidance.</p> <ol style="list-style-type: none"> (a) A facility shall help a child to develop age appropriate patterns of behavior that foster constructive relationships and increasing ability to deal with everyday life. (b) A facility shall provide for positive reinforcement, redirection, and the setting of realistic expectations and clear and consistent limits. (c) A facility may not use discipline or a behavior management technique that is cruel, humiliating, or otherwise damaging to the child. (d) A child in care may not be <ol style="list-style-type: none"> (1) removed from the other children for more than 10 minutes if the child is a young child, except as provided in (e) of this section; (2) disciplined in association with food or rest; (3) punished for bedwetting or actions in regard to toileting or toilet training; (4) subjected to discipline administered by another child; (5) deprived of family contacts, mail, clothing, medical care, therapeutic activities designated in the child's plan of care, or contact with the child's placement worker or legal representative; (6) subjected to verbal abuse, to derogatory remarks about the child or members of the child's family, or to threats to expel the child from the facility; (7) placed in a locked room; (8) physically restrained, except when necessary to protect a

	<p>periodically evaluated by the FFH and the agency.</p> <p>9. Corporal punishment is prohibited. Corporal punishment includes, but is not limited to, hitting, slapping, pinching, shaking, kicking and biting.</p>	<p>that is important to the child's development. Careful consideration should be given when withholding participation in school team sports or activities.)</p> <p>4. Give something negative. Giving a work assignment may be ok if it is productive and/or restorative. However, avoid anything that could make child see work as "bad." Make sure a child understands when he/she does something that causes harm or damage he/she must do something to make it right. This is only to be used when absolutely necessary.</p> <p>5. Time out. Time out is defined as taking the child away from the problem. It is intended to prevent him/her from being hurt or injuring others. Time outs may require physically removing or restraining the child. To do this, hold the child until he/she is calm and regains their self-control.</p>	<p>young child from accident, to protect persons on the premises from physical injury, or to protect property from serious damage; and then only passive physical restraint may be used;</p> <p>(9) mechanically restrained, except for a protective device such as a seatbelt; or</p> <p>(10) chemically restrained, except on the order of a physician and subject to the provisions of 7 AAC 50.440.</p> <p>(f) Corporal punishment may not be used on a child in care.</p>
Foster parents shall teach and discipline children with kindness and understanding.	"	Changing behavior is a slow process requiring patience, consistency and love. It is important for the foster parent to set priorities and settle for one small step at a time.	"
Foster parents shall set clear expectations, limits, and consequences of behavior.	"	All children need to know how to control their behavior and that their behavior has consequences. Discipline is teaching children how to behave correctly when they are not, and encouraging and praising them for correct behavior. Discipline must always be applied with consistency and love, not anger. The immediate situation and the condition of the child should also be considered. Children must be told what they have done wrong and why they are being disciplined.	"

Foster parents shall teach each child with techniques that stress praise and encouragement.	“	“	“
No foster child or other child in a foster home shall be subjected to corporal punishment, physical abuse, sexual abuse, sexual exploitation, neglect, emotional abuse, mental injury, or threats of harm.	“	<p>Physical and verbal abuse, ill treatment, and harsh and degrading punishment are prohibited. There shall also be safeguards protecting children from exploitation and/or abuse by peers or other individuals in the child(ren)'s environment.</p> <p>Unacceptable Methods of Discipline</p> <ol style="list-style-type: none"> 1. Group discipline for the misbehavior of one child. 2. Acts designed to humiliate, degrade, or undermine a child's self-esteem. 3. Harsh or abusive discipline that may be physically damaging to the child. 4. Deprivation of parental visits. 5. Lock up or extended isolation. 6. The use of any instrument such as a paddle or belt. 7. The threat of removal from the foster home to control behavior. If removal becomes necessary, it will be done as a case plan with the assigned counselor, who will prepare the child for such with foster parents. 8. Deprivation of basic needs such as food, clothing or shelter. 9. Emotional deprivation such as ignoring child and/or not smiling, hugging, talking, or interacting with child. <p>The child placed in foster care is affected by removal from his/her parents' home. He/she may have serious problems and be difficult to control.</p>	“

Health Care:			
<p>Foster parents shall work with the Tribe to ensure that health care needs of children placed in their care are met, including making and arranging transportation to medical, dental and counseling appointments as needed, and as is possible based on the resources available in the local community and the region.</p>			<p>7 AAC 50.430. Program in foster homes (a) A foster parent shall demonstrate respect or the foster child's own family and shall work with the foster child's family members as indicated in the child's plan of care.</p> <p>7 AAC 50.455. Health in full time care facilities no general statement like this</p>
<p>Foster parents shall obtain necessary emergency medical care for children placed in their home as is possible based on the resources available in the local community and the region. Foster parents shall obtain permission, where possible, from the birth parents and the OCS Case worker for major medical decisions that are not of an emergency nature.</p>	<p>Authorization for Medical Care (Sample Regulations)</p> <ol style="list-style-type: none"> 1. A court or its designated agent may consent to routine, non-surgical medical care, or emergency medical care and surgical treatment of a minor child placed with a childcare provider. The court shall execute a written instrument investing the provider with authority to consent to emergency medical and surgical treatment and routine, non-surgical medical care of the child. 2. A parent or guardian of a minor child who voluntarily places the child with a child care provider or child placement agency shall execute a written instrument investing that provider or agency with authority to consent to emergency medical and surgical treatment and routine, non-surgical medical care of the child. 3. Only the minor child's parent or legal guardian shall consent to non-emergency, elective surgery for a child in out-of-home care. If parental rights have been permanently terminated, consent 	<p>Authorization for Medical Care (Sample Regulations)</p> <ol style="list-style-type: none"> 1. A court or its designated agent may consent to routine, non-surgical medical care, or emergency medical care and surgical treatment of a minor child placed with a childcare provider. The court shall execute a written instrument investing the provider with authority to consent to emergency medical and surgical treatment and routine, non-surgical medical care of the child. 2. A parent or guardian of a minor child who voluntarily places the child with a child care provider or child placement agency shall execute a written instrument investing that provider or agency with authority to consent to emergency medical and surgical treatment and routine, non-surgical medical care of the child. 3. Only the minor child's parent or legal guardian shall consent to non-emergency, elective surgery for a child in out-of-home care. If parental rights have been permanently terminated, consent 	<p>7 AAC 50.300. Admission. (a) A facility shall</p> <ol style="list-style-type: none"> (1) at or before a child's admission to the facility, obtain emergency information on a child, if known, from the child's parent or placement worker, including <ol style="list-style-type: none"> (A) information about the child's drug or other allergies; (B) information about any medication the child is taking or medical treatment the child requires; and (C) for a child to be admitted to a full time care facility, an authorization for the emergency medical or surgical care for the child; and (2) maintain the information on a form provided by the division.

	<p>for non-emergency, elective surgery may be given by the court to the placement agency responsible for placing the child.</p> <p>A standard form for medical authorization shall be utilized for all children under the jurisdiction of the (designated tribe).</p>	<p>for non-emergency, elective surgery may be given by the court to the placement agency responsible for placing the child.</p> <p>A standard form for medical authorization shall be utilized for all children under the jurisdiction of the (designated tribe).</p>	
<p>Foster parents shall be responsible for keeping immunizations current for children placed in their home.</p>			<p>7 AAC 50.455. Health in full time care facilities.</p> <p>(a) A full time care facility shall either obtain evidence of immunization as specified in this section for each child in care or initiate immunizations as specified in this section no later than 30 days after the child is in care. A full time care facility shall ensure that each child in care has or is given, in a manner consistent with the timetable prescribed by the department's childhood immunization schedule, immunizations appropriate to the child's age against</p> <ol style="list-style-type: none"> (1) diphtheria, tetanus, polio, measles, and rubella; (2) if the child is less than seven years of age, pertussis; and (3) beginning July 1, 2001, mumps, hepatitis A, hepatitis B, chicken pox, and Haemophilus influenzae type B. If a child has not received all immunizations as provided in the schedule, the facility shall initiate completion of immunizations as rapidly as is medically indicated. <p>(b) A full time care facility shall obtain health information on each child under care when the child is accepted for care, to the extent possible. In addition to the</p>

			<p>information required to be obtained by 7 AAC 50.300(a), health information to be obtained by the facility must include</p> <ul style="list-style-type: none"> (1) the date of the child's last physical examination and the name of the medical provider who conducted it; (2) a report of any health problems of the child; and (3) the child's immunization history. <p>(c) If a child over three years of age has not been under regular medical supervision or has not had a health examination by a licensed physician, physician's assistant, or public health nurse within one year before the child's admission to the full time care facility, a full time care facility shall arrange for an examination to be completed within 30 days in accordance with the early periodic screening, diagnosis, and treatment (EPSDT) schedule set out in 7 AAC 43.452 and shall provide continuing medical and dental services according to that schedule. A full time care facility shall arrange for the examination of a child three years of age or younger within 30 days of receiving the child for care, unless the child has had a health examination within three months of admission, and shall provide continuing care according to the EPSDT schedule.</p> <p>(d) A full time care facility shall ensure that each child in care three years of age or older is given a dental examination by a licensed dentist at least once a year and provided dental treatment as needed.</p> <p>(e) A full time care facility may not</p>
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			<p>have human immunodeficiency virus and acquired immune deficiency testing done on a child in care.</p> <p>(f) A full time care facility shall</p> <ol style="list-style-type: none"> (1) maintain medical, dental, immunization, and treatment records; and (2) document any medical or dental care or treatment for which documentation was not provided by the medical or dental provider of service.
<p>Foster parents shall give children prescription medication only in accordance with a physician's prescription or authorization.</p>	<p>The FFH provider shall be prepared to cope with health emergencies.</p> <p>Satisfactory Compliance</p> <ol style="list-style-type: none"> 1. The FFH provider shall have a plan approved by the (tribal foster care authority) for meeting medical emergencies; this plan shall include the name and phone number of the child's physician, as provided by the (tribal foster care authority). 2. The FFH provider shall have first-aid supplies readily available to treat minor injuries. 3. No foster child shall be given prescription medicine not specifically prescribed for him/her. 4. Any medicine prescribed for a foster child shall be given exactly as prescribed and shall be given by an adult. <p>The FFH provider shall have written instructions from a licensed physician or dentist prior to the administration of any prescription medication. Medication with current prescription information on the label shall constitute such instructions.</p>		<p>7 AAC 10.1070. Medications</p> <p>(a) Subject to 12 AAC <u>44.965</u>, or another applicable statute or regulation, an entity listed in 7 AAC <u>10.1000(b)</u> shall meet each applicable requirement of this section unless the entity has an onsite pharmacist and consequently follows a more stringent procedure for that requirement, including a procedure required under 12 AAC <u>52</u>, or by federal law, and the department has been informed in writing of the more stringent procedure and has approved its use for purposes of this section.</p> <p>(c) Except as provided in (g)(4) of this section, an entity subject to this section shall</p> <ol style="list-style-type: none"> (1) ensure that each stored medication, including each nonprescription medication, is in its original container and properly labeled with the name of the adult or child for whom it is intended, the name of the medication, the dosage, expiration date, and directions for administration; except as provided in 7 AAC <u>10.1000(c)</u>, (2) store medications in a manner

			<p>that prevents access by unauthorized persons;</p> <p>(4) store medications, including controlled substances, in accordance with the manufacturer's recommendations; and</p> <p>(5) ensure that nonprescription medications and health products, including nonaspirin fever reducers, naturopathic remedies, vitamin and mineral supplements, diaper ointments and powders, sunscreen, and insect repellent, are used only at the dose, duration, or method of administration specified on the manufacturer's label.</p> <p>(f) An entity not listed in (e) of this section may administer medication if</p> <p>(1) within the scope of the person's own license;</p> <p>(2) under other legal authority; or</p> <p>(3) under the supervision of another licensed health care provider.</p> <p>(g) An entity authorized to administer medication may do so only under the following conditions:</p> <p>(1) the entity must first obtain written permission for the administration of prescription medication from the adult or that adult's representative, or the parent of a child in care upon admission into the entity, or when a new medication is prescribed; if the department is the child's legal guardian, the entity must first obtain written permission from the department;</p> <p>(2) the entity may administer</p>
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			<p>prescription medication and special medical procedures only in the dosage, at the intervals, or in the manner prescribed by a physician or other person legally authorized to prescribe medication or medical procedures;</p> <p>(3) if an entity providing care for children has not obtained written permission from the child's parent for the administration of a commonly used nonprescription medication or medication contained in the first aid kit required by 7 AAC <u>10.1075</u>, the entity shall document telephone permission to administer that medication; a foster home, a foster group home, or an entity providing care for a child for whom the department is the legal guardian is not required to obtain permission from the child's parent for the administration of nonprescription medication, but shall administer nonprescription medication as authorized by the department in the placement agreement;</p> <p>(5) prescription medicine must be kept in</p> <p>(A) the original container showing the date filled, the expiration date, instructions, and the physician's or other medical professional's name; or</p> <p>(B) medicine sets filled by a pharmacist, a licensed medical professional, or a</p>
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			<p>resident's representative; the prescription date filled, the expiration date, instructions, and the physician's or other medical professional's name must be affixed to or stored with each medicine set;</p> <p>(6) in an entity with one or more employees, only one designated employee in each shift may administer medication, the designated employee shall record and initial the time each dose is administered;</p> <p>(7) unused medication must be returned to the parent of a child in care when the medication is no longer needed, except that a foster home, foster group home, or an entity providing care for a child for whom the department is the legal guardian shall discard the unused medication</p> <p>(A) in a manner that prevents access by children in care; and</p> <p>(B) in accordance with instructions from the manufacturer, if any;</p> <p>(h) The entity shall ensure that medication requiring refrigeration is grouped together, stored in a manner to prevent contamination of food, and labeled as required by this section.</p>
Foster parents shall give children prescription psychotropic (mental health) medication only with the parent's permission or if OCS gets a court order approving the children's use of the medication.		<p>Medication: Commercial drugs shall not be administered for behavior control unless prescribed by a physician. Traditional medicine shall not be used without the diagnosis of a medicine man. In either situation, the</p>	<p>7 AAC 10.1070. Medications</p> <p>(g) An entity authorized to administer medication may do so only under the following conditions:</p> <p>(1) the entity must first obtain written permission for the</p>

		(designated tribal licensing authority) shall be advised prior to the use of medicine for the foster child.	administration of prescription medication from the adult or that adult's representative, or the parent of a child in care upon admission into the entity, or when a new medication is prescribed; if the department is the child's legal guardian, the entity must first obtain written permission from the department;
Foster parents shall not provide tobacco products in any form to children under the age of 18 placed in their home.			7 AAC 10.1085. Smoking (d) Smoking is prohibited in a child care home and a child care group home while children are in care. The home must ensure that, while children are in care, (1) cigarettes or other smoking products, and ashtrays, lighters, or other smoking accessories are not visible or accessible to children;
Other Activities			
In accordance with the case plan, foster parents shall participate with the Tribe to arrange transportation to Tribal events.	Special activities related to a birth family shall be available to him/her, based on the agency's plan.		7 AAC 50.430. Program in foster homes. (b) A foster parent shall recognize, encourage, and support the religious beliefs, ethnic and cultural heritage, and language of a child's birth parents and shall respect the expressed religious preference of the birth parents for their child. However, a foster parent shall respect the preference of a foster child nine years of age or older. A foster parent shall, within reason, arrange transportation to religious services or ethnic and cultural events that, based upon the child's background, are appropriate for the child.

Foster parents shall not require children to participate in activities that may demean their Native heritage or violate cultural tenets or beliefs.			7 AAC 50.430. Program in foster homes. (a) A foster parent shall demonstrate respect for the foster child's own family and shall work with the foster child's family members as indicated in the child's plan of care. (b) A foster parent shall recognize, encourage, and support the religious beliefs, ethnic and cultural heritage, and language of a child's birth parents and shall respect the expressed religious preference of the birth parents for their child. However, a foster parent shall respect the preference of a foster child nine years of age or older. A foster parent shall, within reason, arrange transportation to religious services or ethnic and cultural events that, based upon the child's background, are appropriate for the child.
Foster parents shall encourage the children to participate in Tribal activities and events.	Special activities related to a child's religious or cultural heritage shall be available to him/her.		above
Foster parents shall provide opportunities for recreational activities appropriate to the age and abilities of the child.		Activities: The children shall be permitted to participate in appropriate recreational, physical, and athletic activities according to individual taste and ability	above
Foster parents shall encourage the children to participate in religious activities and promote the religious preference of the birth parents or the child if age appropriate, if so requested by the birth parents. The foster parents shall not impose their religious beliefs or practices on the foster children placed in their care.		Culture: The provider shall assist the foster child(ren) in carrying out cultural and religious responsibilities as defined by that child's family and extended family. The child(ren) shall be allowed observation and participation in familiar customs, practices, traditions, and religious practices.	7 AAC 50.430. Program in foster homes. (b) A foster parent shall recognize, encourage, and support the religious beliefs, ethnic and cultural heritage, and language of a child's birth parents and shall respect the expressed religious preference of the birth parents for their child. However, a foster parent shall respect the preference

			of a foster child nine years of age or older. A foster parent shall, within reason, arrange transportation to religious services or ethnic and cultural events that, based upon the child's background, are appropriate for the child.
Education			
Foster parents shall enroll each child of school age in a school within five school days of placement of the child or in accordance with the case plan.			7 AAC 50.430. Program in foster homes. (j) A foster parent, in conjunction with the foster child's own parents, when appropriate, shall take part in the selection and arrangements for education appropriate for the child's age, and plan of care.
Foster parents shall be actively involved in educational programs appropriate for the child's age, abilities, and in accordance with the case plan.		Case Plan: The child shall be informed about the case plan to the extent that he/she is able to understand it.	“
Foster parents shall plan with school personnel when there are issues with the child in school, and report to the Tribe, or the State of Alaska when the child is in State's custody, any situations that may require the Tribe's involvement (or the State of Alaska when the child is in State's custody).			Not specifically addressed

Home Environment, Health, and Safety

Home Environment			
The foster parent's home shall, to the extent possible in the local community, and in accordance with local community standards, be accessible to schools, recreation, churches, medical care and community facilities.			Not found as specified.
The premises shall, to the extent possible in the local community, and in accordance with local community standards, be free from pests, objects, materials, and conditions that might constitute a danger to the occupants.	<p>The house and premises shall be reasonable clean and reasonable neat and free from hazards that jeopardize health and safety.</p> <p>Satisfactory Compliance</p> <ol style="list-style-type: none"> 1. FFH premises shall be inspected by the agency (tribal foster care authority requirement). 2. House and premises shall be clean, reasonable neat and free from accumulations of dirt, rubbish or peeling paint. 3. All medicines, chemicals, cleaning supplies and other toxic substances shall be stored out of the reach of children. They must not be stored with or immediately beside food products. 4. The use of potentially hazardous materials and tools shall be supervised. 5. Outdoor play space shall be enclosed, if necessary, to provide protection. 	<p>Control of insects, rodents, and noxious weeds: Providers shall control fly or mosquito breeding areas. Accumulation of debris that may produce harborage of rodents shall not be permitted. Rats and other objectionable creatures shall be eliminated.</p> <p>Water supply and temperature: The provider's water supply, water containers, and fly-tight privies shall be inspected by the (designated health advisor) and meet the regulations of the Environmental Protection Agency. Providers shall not expose children to water exceeding 110 degrees Fahrenheit. Providers shall undergo training through (designated public health service) in analyzing water supplies for safety.</p>	<p>7 AAC 10.1035. Premises</p> <p>(a) An entity shall ensure that</p> <ol style="list-style-type: none"> (1) the premises and surrounding grounds are kept clean, sanitary, safe, and in good repair; (2) the entity is free of hazards, including splintered surfaces, sharp edges, protruding corners, broken or hazardous toys, steep stairways, ice on walkways, and unsafe play areas; (3) insects, rodents, and other pests are controlled and that the entity is kept free of conditions that are likely to attract or harbor pests; any pesticide use is subject to the notice and other applicable requirements of 7 AAC <u>10.1093</u>; if the department determines that the entity is not adequately controlling pests, the department may require the administrator to hire a commercial pest control applicator certified under 18 AAC <u>90</u>, or to take other appropriate action if a commercial pest control applicator is not available in the community; (7) lead-based paint is not used, and any painted surface is free

			<p>from flaking;</p> <p>(9) at any fixture that is accessible to adults or children, hot water temperature is no less than 100 degrees Fahrenheit, and no more than 120 degrees Fahrenheit;</p> <p>(10) self-dispensing or metering faucets, if used, provide a flow of water for at least 10 seconds;</p> <p>(11) an artificial light source is provided in each area of the entity; the light must be sufficient and appropriate for the activities performed in each area by employees, or by adults or children in care;</p> <p>(12) cleaners, medicines, and other harmful substances are stored in a place that is inaccessible to children and to adults with impaired judgment; for an entity licensed to provide care for six or more adults or children, the entity must provide a closet, storeroom, or other area separate from the area where adults or children in care are present for the storage of janitorial equipment and cleaning supplies;</p> <p>(13) furniture and equipment is durable, safe, easily cleanable, and is kept clean and in good repair.</p>
Foster parents shall take measures to keep the house and premises free from rodents and insects.			<p>7 AAC 10.1035. Premises</p> <p>(a) An entity shall ensure that</p> <p>(3) insects, rodents, and other pests are controlled and that the entity is kept free of conditions that are likely to attract or harbor pests; any</p>

			pesticide use is subject to the notice and other applicable requirements of 7 AAC 10.1093; if the department determines that the entity is not adequately controlling pests, the department may require the administrator to hire a commercial pest control applicator certified under 18 AAC 90, or to take other appropriate action if a commercial pest control applicator is not available in the community;
The home shall be well heated and well ventilated, in accordance with the standards of the local community.		<p>Heating Equipment: Heating equipment shall be adequately protected to prevent children from contacting it. The use of an unvented or open flame heater, portable heater or sawdust furnace is prohibited. All unused gas outlets shall be capped to the wall or the floor with a standard pipe. All gas devices shall be equipped with automatic pipe gas shut off controls. Kerosene lamps and gaslights shall be kept out of reach of the child unless he/she is educated and trained in using them. Wood burning stoves shall be covered with a screen and insulated to insure safety. The heating equipment of the home shall be approved by the (designated health advisors) upon foster home application.</p> <p>Electrical safety: Providers shall be inspected by the (designated health advisor) to ensure that electrical outlets are covered and out of reach of children, extension cords do not exceed seven feet in length and shall not extend from room to room, cords are not stapled permanently or fasted to rugs or walls, and all exposed</p>	<p>7 AAC 10.1015. Heating and heating devices</p> <p>(a) An entity shall ensure that room temperature in the facility is maintained at the following applicable draft-free temperature, adjusted as needed for the majority of adults or children in care to be comfortable:</p> <ul style="list-style-type: none"> (1) 65 degrees Fahrenheit for an entity licensed to provide care for children; (2) 68 degrees Fahrenheit for an entity licensed to provide care for adults. <p>(b) The entity shall ensure that</p> <ul style="list-style-type: none"> (1) each heating device is installed and maintained in a safe and serviceable manner and is <ul style="list-style-type: none"> (A) vented to the outside if the device is fuel burning; vents or stacks leading from a heating unit must be air-tight at joints so that fumes, smoke, or unburned gases cannot pass from the device, vent, or stack into the entity; (B) equipped with protective

		wiring is fully insulated.	<p>devices if presenting a hazard because of an exposed flame or heating element; heat sources must be shielded in a manner that prevents burn injury; the shield must be far enough from the heat source to prevent it from smoldering or burning; and</p> <p>(C) not placed or located in sleeping quarters during sleeping hours, unless the entity does not have a separate sleeping area, or in exit ways or corridors at any time; and</p> <p>(2) an open flame heater is not used, except for a fireplace that complies with 13 AAC 50, 13 AAC 55, and any applicable municipal building code; if a fireplace is used, it must have a protective screen or gate, and the area near the fireplace must be kept free of clutter and combustible or flammable material.</p> <p>(c) The entity shall ensure that any portable electric heater is equipped with a tip-over switch and is kept out of the reach of children, or adults with impaired judgment. A portable electric heater must be kept from flammable objects in accordance with the manufacturer's recommendations.</p>
Stairways shall be equipped with safety features in accordance with local community standards.			<p>7 AAC 10.1035. Premises</p> <p>(a) An entity shall ensure that</p> <p>(8) stairways and steps have handrails and nonslip treads or covering; except as provided in 7 AAC 10.1000(c), the</p>

			requirements of this paragraph do not apply to a foster home or foster group home;
<p>Foster parents shall install and maintain working smoke alarms in every room in which a foster child sleeps and at least one on each floor of the home.</p> <p>A foster home shall have one class 2-A-10BC rated fire extinguisher in the house, or demonstrate that there is a system in place to extinguish fires that is satisfactory to the Tribe.</p>	<p>The FFH shall be safe from fire and structural hazards.</p> <p>Satisfactory Compliance</p> <ol style="list-style-type: none"> 1. An inspection for fire safety using the Fire Safety Checklist shall be made jointly by the applicant and the (tribal foster care author) before licensure and annually thereafter before relicensure. The (tribal foster care authority) may request a fire marshal inspection or HIS health inspector inspection of any FFH (tribal foster care authority requirement). 2. An FFH to be located in a mobile home must be inspected by a fire marshal, or codes officer, or 1115 Health Inspector. 3. Any bedroom for a foster child located in a room fifty percent (50%) or more below ground must be inspected by a fire marshal, or codes officer, or IRS Health Inspector. It must have two means of exit and be easily accessible to children. 4. Unvented gas or oil heaters shall not be permitted. 5. No stove or heater shall be located where it would block escape in case of fire. 6. A portable A-B-C fire extinguisher shall be provided for the kitchen and cooking areas. 7. Combustible items shall not be located near the furnace area or other sources of heat. 8. Fireplaces, space heaters, steam radiators, and hot surfaces, such as steam pipes, shall be shielded against accidental contact. 9. Every closet door latch shall be 	<p>Fire Safety: Providers shall follow minimum fire safety standards, that shall include but are not limited to</p> <ol style="list-style-type: none"> a. Exits shall be accessible and unlockable from the inside. b. A minimum A-B-C rating fire extinguisher, a garden hose and a smoke detector shall be available. c. Not more than one quart of flammable liquid shall be stored in the home or near the child's living quarters. All such liquids shall be stored in metal containers with tight fitting lids. d. Providers shall organize and carry out monthly fire drills. e. Providers shall undergo training on home safety through consultation with the (designated tribal health advisor). f. Foster Family Homes and Foster Family Group Homes operating from trailers shall be anchored to the ground, have two means of access, have smoke detectors and have A-B-C rated fire extinguishers. Providers shall allow access for fire inspection by the authorized tribal division 	<p>7 AAC 10.1010. Life and Fire Safety</p> <ol style="list-style-type: none"> (i) An entity licensed to provide care for five or fewer adults or children shall ensure that <ol style="list-style-type: none"> (6) at least one AC primary powered smoke detection device with battery backup, or at least one monitored battery powered smoke detection device, is located in each bedroom; in addition, if the entity is in a multi-level facility, at least one smoke detection device must be installed on each level; each device required under this paragraph must be less than 10 years old, or newer if necessary to comply with the manufacturer's recommended replacement date; in this paragraph, "AC" means alternating current; (7) at least one fully charged 2A:10BC dry chemical fire extinguisher is strategically located on each level of the facility, and is installed, inspected, tested, and serviced according to the requirements of 13 AAC 50.025(47) ;

	<p>one that can be opened from the inside.</p> <p>10. Any bathroom door lock shall be designed to permit the opening of the locked door from the outside in case of an emergency.</p> <p>11. A report shall be made to the agency after the occurrence of a fire.</p> <p>12. Emergency procedures shall be planned, written and posted. They shall include a plan for evacuation, temporary shelter and meeting place to determine if anyone is missing. Emergency procedures shall be reviewed at least annually by the FFH provider and (tribal foster care authority).</p> <p>13. A smoke alarm or combustion detection unit (smoke or ionization), either battery or electrically-operated, shall be installed in the corridor or hallway leading to the sleeping area(s) of the FFH.</p>		
<p>A foster home shall post a diagramed fire escape plan. This escape plan is to be in an accessible location within the foster home and reviewed periodically with the foster children. In addition, the foster parents are to provide the Tribe with a copy of the escape plan.</p>	<p>The FFH provider shall be prepared to cope with emergencies.</p> <p>Satisfactory Compliance</p> <p>1. The FFH provider shall make arrangements, approved by the (tribal foster care authority), for substitute care during emergencies.</p> <p>2. A list of emergency telephone numbers shall be prominently posted, including police, fire, doctor, hospital, ambulance and emergency social service.</p> <p>3. The FFH provider shall notify the (tribal foster care authority) as soon as it has been determined that a foster child has run away or is missing.</p>	<p>The inspection of water, heating, electrical and fire safety as well as safety against environmental hazards, will be taught to social service personnel by the health advisor for use in Foster Family and Group Foster Family Homes.</p>	<p>7 AAC 10.1010. Life and Fire Safety</p> <p>(e) An entity must have a disaster preparedness and emergency evacuation plan that</p> <p>(1) includes evacuation procedures that will ensure the complete evacuation of</p> <p>(A) children in care, including children with limited mobility, within 150 seconds;</p> <p>(2) describes in detail the procedures that will be followed for the complete evacuation of the entity, including specific procedures, as applicable, for</p> <p>(A) children under 30 months of age;</p> <p>(B) adults or children with</p>

			<p>limited mobility; and</p> <p>(C) adults or children who otherwise may need assistance in an emergency, including an adult or child who is mentally, visually, or hearing impaired;</p> <p>(3) includes procedures for other emergency situations or natural disasters that may affect the entity, including, as appropriate, tsunami, flooding, and earthquake emergencies;</p> <p>(4) provides for drills to be conducted as required by (f) of this section;</p> <p>(5) requires</p> <p>(A) training of all employees in implementing the plan; and</p> <p>(B) participation of all employees who are on duty during the scheduled drill;</p> <p>(f) An entity shall conduct emergency evacuation drills as required in this subsection. Subject to (g)(6) and (7) of this section, a drill may be postponed or modified during severe weather. The entity shall conduct a drill at least</p> <p>(1) once each month if the entity is</p> <p>(A) licensed to provide care for children younger than age 12;</p> <p>(B) a residential child care facility; or</p> <p>(C) a maternity home; or</p> <p>(2) once every three months if the entity is</p> <p>(A) a foster home where children in care are age 12 or older and have been in</p>
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			<p>care at the entity for at least three months;</p> <p>(g) An entity shall make and retain a record of each required evacuation drill and make the record available to the department upon request. The record must include</p> <ol style="list-style-type: none"> (1) the date and time of the drill; (2) the name of each employee on duty at the time of the drill; (3) the name of each adult or child in care who was present at the time of the drill but did not participate in the drill, and the reason for nonparticipation; (4) the amount of time required to complete the drill; (5) a critique of the drill as described in (h) of this section; the requirement for including a critique does not apply to a foster home or foster group home, but the home shall include a brief evaluation of the evacuation; (6) documentation of the reason for any postponement under (f) of this section, and the rescheduled date to conduct the postponed drill; and (7) documentation of the reason for any modification under (f) of this section, and a description of the nature of the modification. <p>(h) The critique required by (g)(5) of this section must include</p> <ol style="list-style-type: none"> (1) a review of actions taken by each employee; (2) a review of responses by adults or children in care during drill; (3) an evaluation of whether existing policies were followed and, if not, an explanation of
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			<p>why a policy was not followed;</p> <p>(4) an evaluation of whether the policies followed were effective and, if not, a description of how any policy will be revised for future drills;</p> <p>(5) for any critique that indicates a drill was ineffective in any way, an identification of factors contributing to an ineffective drill; and</p> <p>(6) any suggestions for improving future drills.</p> <p>(i) If an emergency affects an entity, the entity shall notify the department by telephone, facsimile, or electronic mail no later than the following working day and shall, within five working days, submit a detailed written report to the department that includes the following:</p> <p>(1) the date and time of the emergency;</p> <p>(2) a description of the nature of the emergency;</p> <p>(3) a description of how the evacuation was achieved, including the amount of time necessary to achieve evacuation;</p> <p>(4) a critique of the evacuation that includes the information required under (h) of this section; except as provided in 7 AAC 10.1000(c), the requirement for including a critique does not apply to a foster home or foster group home, but the home shall include a brief evaluation of the evacuation;</p>
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The foster home shall have a continuous supply of safe, clean drinking water. Private water sources and septic tank systems shall be safe and operable.	There must be a safe water and milk supply.		7 AAC 10.1020. Water supply (a) An entity shall provide an ample supply of potable water from a system that complies with applicable provisions of 18 AAC 80.
The foster home shall have an adequate system for disposing of human waste that is sanitary, in accordance with the standards of the local community.			7 AAC 10.1022. Wastewater disposal An entity shall provide a domestic wastewater system that complies with applicable provisions of 18 AAC 72.
Foster parents shall keep the home clean and free of hazards to the health and physical well being of the family.			7 AAC 10.1040. General cleaning and sanitation standards (a) Except as provided in (b) of this section, in addition to the other cleaning and sanitation requirements of 7 AAC 10.1000 - 7 AAC 10.1095, an entity shall ensure that (1) each table or highchair used for food is in good repair, is easily cleanable, and is cleaned and sanitized after each use; (2) uncarpeted floors, low shelves, walls, door knobs, and other surfaces often touched by adults or children in care are cleaned and sanitized at a frequency to keep the surfaces clean and sanitary; in each carpeted area, the entity shall ensure that the carpet is vacuumed and shampooed at a frequency to keep it clean; (3) each interior waste receptacle is kept clean and emptied as often as necessary to prevent overflow; (4) any surface contaminated by a body fluid, including saliva, blood, mucus, vomit, urine, feces, and an injury discharge,

			<p>is immediately cleaned and disinfected using universal precautions in accordance with 7 AAC 10.1045, including the use of gloves and the caregiver hygiene requirements of 7 AAC 10.1050(e)</p> <p>(5) cleaning that may present a hazard to adults or children is done only when a room is not occupied by adults or children in care;</p>
The foster home shall have an adequate supply of hot water for bathing and dish washing.			<p>7 AAC 10.1020. Water supply</p> <p>(a) An entity shall provide an ample supply of potable water from a system that complies with applicable provisions of 18 AAC 80.</p>
Foster parents shall provide each child with adequate storage space for personal belongings, in accordance with the standards of the local community.	<p>Foster Family Group Homes (Additional Requirements)</p> <p>Physical Facility:</p> <ol style="list-style-type: none"> 1. There shall e thirty-five (35) square feet of living space per child, excluding bathrooms, halls, bedrooms, kitchen and laundry or furnace room. 2. The dining area must be able to comfortably accommodate, at one time, all of the children plus the family. 3. Every sleeping room accommodating one foster child shall have at least eighty (80) square feet of floor space. 4. Every sleeping room accommodating more than one foster child shall have at least sixty (60) square feet of floor space per child. 5. No sleeping room shall accommodate more than four children. 6. Each child shall have adequate space for his/her clothing and 		<p>7 AAC 50.530. Space.</p> <p>(a) A facility must have indoor and outdoor space to accommodate the physical and developmental needs of the children served.</p>

<p>Foster parents may allow a child over the age of five to sleep in the same bedroom as a child of the opposite sex, only after consulting with the Tribe and determining that factors such as the age, health, developmental level and history of the children would not affect the health, safety or well being of the children.</p>	<p>personal possessions.</p>	<p>Bedding space: The foster child shall be provided with personal space and bedding designated for his or her own use.</p>	<p>7 AAC 50.540. Equipment and Supplies (g) a foster parent shall provide beds, cribs, bedding, and sleeping space for the foster children in the home. A foster parent shall provide foster children with individual beds and cribs, except that young children of the same sex may share a double bed.</p> <p>OCS has no regulations regarding the number of children in a bedroom. NOTE: this topic was controversial in discussions with tribes</p>
<p>Bedrooms used by foster children must have easily accessible and safe emergency access and egress to and from the room, and to and from the home.</p>			<p>7 AAC 10.1010. Life and fire safety (l) An entity licensed to provide care for five or fewer adults or children shall ensure that (1) the building occupied by the adults or children in care has at least two means of emergency escape that are remote from each other and that provide unobstructed access to the outside of the building; at least one means of emergency escape must be an exterior door; if one of the means of emergency escape is a window, the window must comply with the requirements of (3) of this subsection; an entity that is located in a single-family dwelling with only one exterior door may not provide care for more than five children, including children who are relatives of the administrator or foster parent unless the department approves an additional means of egress; (2) the building occupied by the</p>

			<p>adults or children in care has at least one means of escape from any basement directly to the outside at or near ground level, if adults or children in care occupy the basement for any part of the day;</p> <p>(3) unless prohibited by the state fire marshal for a window 20 feet or more above ground level, each bedroom has at least one fully-opening window that provides escape directly to the outside and that meets the following requirements:</p> <p>(A) the finished sill height may not exceed</p> <p>(i) 44 inches above the floor; the department will allow an entity to meet this requirement through the provision of a permanently installed step, the top of which is no more than 44 inches from the sill, if the step does not create a tripping hazard, block wheelchair access in the bedroom, or block a heating element; any request for a variance of the sill height requirement must be accompanied by written approval from the state fire marshal; or</p> <p>(ii) 48 inches above the floor for a foster home or foster group home licensed under 7 AAC 50 on or before June 23, 2006, or an</p>
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			<p>assisted living home licensed under 7 AAC 75 on or before June 23, 2006, if the home does not already meet the standard in (i) of this subparagraph; the home must meet the standard in (i) of this subparagraph if the bedroom is remodeled or a new bedroom is constructed;</p> <p>(B) the net clear openable area must be a minimum of 5.7 square feet; for purposes of this subparagraph,</p> <p>(i) the net clear openable height may not be less than 24 inches; if the height is 24 inches, the width may not be less than 34.25 inches; and</p> <p>(ii) the net clear openable width may not be less than 20 inches; if the width is 20 inches, the height may not be less than 41.25 inches;</p> <p>(4) a window screen is not used if it permanently prevents exit or if it cannot be easily removed for exit;</p> <p>(5) the entity is free of any accumulation of combustible waste material and other fire hazards in or around the premises;</p>
<p>Bedrooms used by children in care shall:</p> <ul style="list-style-type: none"> • Be safe and have adequate space for each child, in accordance with the standards of the local 			<p>7 AAC 50.530. Space.</p> <p>(a) A facility must have indoor and outdoor space to accommodate the physical and developmental needs of the children served.</p>

<p>community;</p> <ul style="list-style-type: none"> • Provide sufficient natural light and ventilation, in accordance with the standards of the local community; <p>Normally have no more than four children to a bedroom. More than four children may share a bedroom in situations where this practice is consistent with community standards and after consideration of the age, health, development and history of the children it has been determined that sharing a bedroom adequately ensures that the health, safety and privacy needs of the children in care are met and does not increase the risk of harm to children;</p>			<p>(e) A facility shall ensure that there is space and a specific place for each child to keep the child's own clothing and personal possessions.</p> <p>OCS has no regulations regarding the number of children in a bedroom.</p>
<p>Have a bed for each child and a crib for each infant. Children may share a bed, if, after an evaluation of factors such as the age, health, developmental level, special needs and history of the children, it has been determined that such an arrangement would not pose a risk to the health, safety or well being of the children or increase the risk of harm to children in care;</p>			<p>7 AAC 50.540 Equipment and supplies</p> <p>(g) A foster parent shall provide beds, cribs, bedding, and sleeping space for the foster children in the home. A foster parent shall provide foster children with individual beds and cribs, except that young children of the same sex may share a double bed;</p>
<p>Foster parents must ensure that the bedding used by foster children is kept in a sanitary condition at all times and adequately provides warmth and comfort to the children.</p>			<p>No reg specific to this issue</p>
<p>Health:</p>			
<p>Each child will have access to resources to enable personal hygiene and grooming, based on the standards of the local community.</p>			<p>No reg specific to this issue</p>
<p>Foster parents shall provide each child individual items necessary for personal hygiene and grooming, in accordance with the standards of the local community.</p>			<p>"No reg specific to this issue</p>

<p>Foster parents shall prepare and serve meals in a safe and sanitary manner that minimizes the possibility of food poisoning or food infection.</p>	<p>The FFH provider shall maintain personal cleanliness while preparing food.</p> <ol style="list-style-type: none"> 1. Food and cooking utensils shall be stored to protect them from dust, vermin, and leakage from pipes or other contamination. 2. Food and cooking utensils shall be stored at a temperature that will prevent spoilage and bacterial growth. 3. Appliances regularly used in the storage and preparation of food shall be safe and in good working order. 4. The use of home-canned fruits and vegetables is permitted. 5. Measures shall be taken to protect against the entrance into the home of and/or breeding of vermin and insects. 6. Children in care shall be adequately supervised at all times. 		<p>7 AAC 1065. Food Service and preparation.</p> <p>(a) An entity for which a food service permit is required by the Department of Environmental Conservation shall meet the applicable requirements of 18 AAC 31. If that department has set minimum standards for an entity, the entity shall meet those minimum standards.</p> <p>(b) Except for a foster home or foster group home, an entity providing care for children shall ensure that any meals or snacks brought from a child's home are labeled with the child's name and the date.</p> <p>(c) An entity that is exempt under 18 AAC 31.012 or 18 AAC 31.014 from the requirements of 18 AAC 31 shall maintain sanitary facilities for the proper care, storage, refrigeration, and preparation of food. The entity shall ensure that</p> <ol style="list-style-type: none"> (1) for purposes of AS 17.20.020, food served is not adulterated; and (2) fruits and vegetables are thoroughly washed with potable water before use.
<p>Foster parents shall ensure that foster children are supervised and appropriate safety precaution is taken when engaging in activities that are otherwise appropriate but that pose a risk of harm to the children (such as water-related activities or inherently dangerous subsistence activities).</p>	<p>""</p>		<p>7 AAC 50.400. Supervision of children.</p> <p>(a) A facility shall ensure that the children in its care will receive responsible supervision appropriate to their age and developmental needs. A facility shall provide for creation of a staffing plan, where applicable, and a plan for supervision of children. In a foster home the plan of supervision must include supervision of children by a responsible person during an</p>

			<p>absence of the foster parent.</p> <p>(f) A foster home shall designate an adult who is available to assist in case of serious illness, accident, or other emergency. If this adult assists only in emergency situations, caregiver qualifications set out in 7 AAC 50.210 are not required.</p> <p>(g) A facility shall prevent exposure of children to individuals, animals, and situations known to be a danger. A facility may not expose a child to high-risk activities or hazards such as</p> <ol style="list-style-type: none"> (1) use of an infant walker; (2) a young child walking along a river edge or riding an all-terrain vehicle or snowmobile; or (3) a child of any age riding an all-terrain vehicle with only three wheels, boating without a personal floatation device or in dangerous water conditions, or participating in an air borne activity such as hang gliding. <p>(i) A full time care facility shall request the child's placement worker to obtain advance permission from the child's parent, for a child to participate in risk activities that are not usual for the community and to participate in other activities of moderate risk, such as operation of a vehicle, participation in contact sports or adventure activities or in a foster home, handling of a firearm.</p>
Foster parents are accountable for the safety of foster children at all times whether or not they are supervising the activities of the children.			<p>7 AAC 50.400. Supervision of children</p> <p>(a) A facility shall ensure that the children in its care will receive responsible supervision appropriate to their age and</p>

			developmental needs. In a foster home the plan of supervision must include supervision of children by a responsible person during an absence of the foster parent.
Foster parents shall store all medications, poisonous chemicals, and cleaning materials in a way that prevents access by children.		<p>Poison: Providers shall keep all medicines, insecticides, and flammable liquids out of reach of children and not in close proximity to food.</p> <p>Protection against environmental hazards: The child shall not be placed or continued in a placement upon the determination that the physical plant of the home or the surrounding environment is contaminated by uranium tailings or in are wit high-level radiation exposure.</p>	<p>7 AAC 10.1070. Medications.</p> <p>(a) Subject to 12 AAC 44.965, or another applicable statute or regulation, an entity listed in 7 AAC 10.1000(b) shall meet each applicable requirement of this section unless the entity has an onsite pharmacist and consequently follows a more stringent procedure for that requirement, including a procedure required under 12 AAC 52, or by federal law, and the department has been informed in writing of the more stringent procedure and has approved its use for purposes of this section.</p> <p>(c) Except as provided in (g)(4) of this section, an entity subject to this section shall</p> <ol style="list-style-type: none"> (1) ensure that each stored medication, including each nonprescription medication, is in its original container and properly labeled with the name of the adult or child for whom it is intended, the name of the medication, the dosage, expiration date, and directions for administration; except as provided in 7 AAC 10.1000(c), (2) store medications in a manner that prevents access by unauthorized persons; (4) store medications, including controlled substances, in accordance with the manufacturer's recommendations; and

			<p>(5) ensure that nonprescription medications and health products, including nonaspirin fever reducers, naturopathic remedies, vitamin and mineral supplements, diaper ointments and powders, sunscreen, and insect repellent, are used only at the dose, duration, or method of administration specified on the manufacturer's label.</p> <p>7 AAC 10.1095. Toxic substances</p> <p>(a) An entity shall ensure that</p> <p>(1) each cleaning material, detergent, aerosol can, pesticide, poison, and other toxic material is</p> <p>(A) stored in the original labeled container; the requirement in this subparagraph does not apply to a spray bottle that contains a commercial sanitizing solution or a bleach-water solution used to sanitize toys, tables, counters, and other surfaces throughout the day, if that bottle is appropriately labeled and is stored as provided in (B) of this paragraph;</p> <p>(B) inaccessible to children or to adults with impaired judgment, and stored separately from medication and food;</p>
Foster parents shall have the ability to communicate with emergency medical services and to obtain the same emergency services available generally to the residents of the local community.	The FFH provider shall have a means for contacting the (tribal foster care authority) twenty-four (24) hours per day, seven days per week (tribal foster care authority requirement).		<p>7 AAC 50.540. Equipment and supplies.</p> <p>(d) A facility must have a telephone or message phone, unless telephones are not readily available in the community.</p>

<p>Foster parents shall restrict children's access to potentially dangerous animals.</p>	<p>FFH homes that have house pets shall ensure that such pets have had all necessary shots. FFH homes shall not have chickens or ducks as house pets.</p>	<p>Animals: Undomesticated animals shall be kept out of the living dwelling in placements of children under three. All animals susceptible to rabies shall be vaccinated. Occupations and Environmental Health Offices provide vaccinations free of charge.</p>	<p>7 AAC 50.400. Supervision of children. (g) A facility shall prevent exposure of children to individuals, animals, and situations known to be a danger.</p> <p>7 AAC 10.1090. Animals (a) An entity shall ensure that any animal kept in the entity has no communicable disease, has immunizations required under state and federal law, and is free of internal and external parasites. The entity must show proof of compliance with required immunizations to the department upon request. (b) The entity shall inform each adult in care or that adult's representative, parents of children in care, social workers, care coordinators, and case managers, as applicable, if any animal is present in the entity. (i) The entity shall (1) disclose to the department information regarding any animal in the entity, if that animal has (A) been the subject of a past contact with an animal control official because of aggressive behavior or biting; or (B) a history of aggressive behavior or biting, regardless of whether the animal has been the subject of a past contact with an animal control official; (2) notify the department within 24 hours of any occurrence of aggressive behavior or biting by an animal in the entity,</p>
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			<p>including whether the occurrence resulted in a contact with an animal control official;</p> <p>(3) immediately remove from contact with adults or children in care, an animal described in (1) or (2) of this subsection; and</p> <p>(4) permanently remove from the entity an animal described in (1) or (2) of this subsection, if the department determines that the animal is a threat to the life or safety of adults or children in care.</p>
Foster parents shall store any ammunition and unloaded and operable firearms in separate locked places.			<p>7 AAC 10.1080. Firearms and ammunition</p> <p>(b) An entity that is not subject to (a) of this section shall ensure that any firearms are unloaded and stored in a locked gun safe or other locked place that is not visible or accessible to adults or children in care. The entity shall ensure that ammunition is stored separately from the firearms in a place inaccessible to adults or children in care.</p> <p>(c) The entity shall inform each adult in care or that adult's representative, parents of children in care, or social workers, care coordinators, or case managers, as applicable, if firearms are present in the entity.</p>
Foster parents will not travel in a vehicle with a loaded firearm with foster children in the vehicle.			"not specifically addressed"
Foster parents shall have first aid supplies in a place easily accessible to adults.			<p>7 AAC 10.1075. First aid kit and procedures</p> <p>(a) An entity shall review, and shall post or make readily available, first aid procedures. The entity shall post and keep current emergency telephone numbers, including the</p>

			<p>number for the poison control center, near one or more telephones in the entity. The entity shall maintain</p> <ul style="list-style-type: none"> (1) at least one first aid kit described in (c) of this section that is kept at the entity; (2) at least one additional first aid kit described in (c) of this section for field trips or outings away from the entity; and (3) an abbreviated first aid kit for a neighborhood walk of 30 minutes or less;
Transportation Safety			
Foster parents shall provide or arrange for safe transportation for children in placement to attend school, recreational, and medical activities.		<p>Transportation: The provider shall have reliable means of transporting the children to school, medical and health facilities, practitioners, parents' visits and social and cultural activities. The means by which transportation is available shall be communicated to the (designated tribal licensing authority) and a written plan shall be on file with the (designated tribal social service agency).</p>	<p>7AAC 50.425. Program in residential child care facilities.</p> <p>(c) A facility must have a vehicle or other means of transportation to transport children.</p>
Foster parents shall maintain all personal vehicles owned by them used to transport children in a safe operating condition, in accordance with the standards of the local community.			<p>7 AAC 10.1085. Smoking</p> <p>(e) Any vehicle used to transport children must be smoke-free.</p>
Termination, Suspension and Revocation of License			
<p>Termination: Foster parents may terminate their foster care responsibilities to children in their homes only on 30 days written notice to the Tribe and after consultation with the caseworker. The Tribe may waive this notice requirement if such waiver would be in a child's best interests.</p>	<p>Withdrawal and Termination (Sample Regulations)</p> <p>The foster care license may be terminated either by request from the licensing agency, the foster family, or by mutual consent of the foster family and the tribal licensing authority.</p> <p>Foster Home to Give Notice of Withdrawal of Licensure (Sample</p>	<p>Withdrawal and Termination (Sample Regulations)</p> <p>The foster care license may be terminated either by request from the licensing agency, the foster family, or by mutual consent of the foster family and the tribal licensing authority.</p> <p>Foster Home to Give Notice of Withdrawal of Licensure (Sample</p>	<p>Sec. 47.32.200. Notice of changes from an entity</p> <p>(d) Not less than 20 days before the effective date of a decision to relinquish the entity's license, the entity shall notify the department of the decision.</p>

	Regulations) The foster parents are required to notify the agency of their intention to withdraw their home from licensure.	Regulations) The foster parents are required to notify the agency of their intention to withdraw their home from licensure.	
Suspension: The Tribe may suspend a foster home license because of violations of one or more licensure rules or because of conditions in the home that render it unlicensable.			Sec. 47.32.140. Enforcement actions (a) If the department's report of investigation or inspection under <u>AS 47.32.120</u> concludes that the department has reasonable cause to believe that a violation of an applicable statute or regulation has occurred, the department shall provide notice to the entity of the violation and an opportunity to cure the violation within a reasonable time specified by the department. The notice must include a copy of the department's report under <u>AS 47.32.120</u> , a statement that the entity may submit a written response to the report, any department requirement that the entity submit a written response to the report, a description of any enforcement action the department intends to take under (d) or (f) of this section, and information regarding the entity's appeal rights.
A notice of suspension must be in writing and must list the violations, along with the actions necessary for compliance, and any services available to assist the foster parents with compliance.	Procedures for Revocation, Denial, Modification or Refusal of License, Grounds Notices, and Hearings. (Sample Regulations) License shall not be revoked, a renewal thereof shall not be denied, or a regular license shall not be modified to a provisional status unless the licensee or applicant is given notice verbally, and in writing, of the grounds of the proposed revocation, denial, modification, or refusal.	Procedures for Revocation, Denial, Modification or Refusal of License, Grounds Notices, and Hearings. (Sample Regulations) License shall not be revoked, a renewal thereof shall not be denied, or a regular license shall not be modified to a provisional status unless the licensee or applicant is given notice verbally, and in writing, of the grounds of the proposed revocation, denial, modification, or refusal.	Sec. 47.32.130. Enforcement actions; immediate revocation or suspension (b) Notice under this section shall be provided as follows: (2) the department shall provide formal written notice to the entity within 14 working days after the immediate revocation or suspension decision; formal written notice must include (A) a copy of the department's report under <u>AS 47.32.120</u> , a statement of the

			<p>entity's right to submit a written response to the report, and any department requirement that the entity submit a written response to the report;</p> <p>(B) a description of any enforcement action the department intends to take under <u>AS 47.32.140</u> (d) or (f); and</p> <p>(C) information regarding the entity's appeal rights.</p> <p>47.32.140. Enforcement actions</p> <p>(b) An entity receiving a notice under (a) of this section, or a notice under <u>AS 47.32.130</u> (b)(2) that contains the information specified in <u>AS 47.32.130</u> (b)(2)(B), shall submit a plan of correction to the department for approval. Once it has cured its violations, the entity shall submit to the department an allegation of compliance. Upon receipt of the allegation of compliance, the department may conduct a follow-up investigation or inspection to determine compliance. The department may take one or more enforcement actions under (d) and (f) of this section regardless of whether the entity achieves compliance under this subsection.</p> <p>(c) If the department believes that an entity has not voluntarily corrected the violation or entered into a plan of correction with the approval of the department, the department may require that the entity participate in a plan of correction under regulations of the department. Once the entity has</p>
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			cured its violations, it shall submit to the department an allegation of compliance. Upon receipt of the allegation of compliance, the department may conduct a follow-up investigation or inspection to determine compliance. The department may take one or more enforcement actions under (d) and (f) of this section regardless of whether the entity achieves compliance under this subsection.
A license may be suspended for up to 180 days.			No such timeframe found
Children in placement will be removed from homes with suspended licenses.			Sec. 47.32.140. Enforcement actions (d) The department may take one or more of the following enforcement actions under this section: (3) suspension of the entity's operations for a period of time set by the department; (4) suspension of or a ban on the entity's provision of services to individuals not already receiving services from the entity for a period of time set by the department;
No additional placements will be made during the period of suspension.			7 AAC 47.32.140 as above
Within 30 days of the effective date of the suspension, the foster parents shall submit a written corrective action plan to the Tribe. This plan must list the steps that will be taken to correct the deficiency.			47.32.140. Enforcement actions (b) An entity receiving a notice under (a) of this section, or a notice under <u>AS 47.32.130 (b)(2)</u> that contains the information specified in <u>AS 47.32.130 (b)(2)(B)</u> , shall submit a plan of correction to the department for approval. Once it has cured its violations, the entity shall submit to the department an allegation of compliance. Upon receipt of the allegation of compliance, the department may conduct a follow-up investigation or inspection to determine

			<p>compliance. The department may take one or more enforcement actions under (d) and (f) of this section regardless of whether the entity achieves compliance under this subsection.</p> <p>(c) If the department believes that an entity has not voluntarily corrected the violation or entered into a plan of correction with the approval of the department, the department may require that the entity participate in a plan of correction under regulations of the department. Once the entity has cured its violations, it shall submit to the department an allegation of compliance. Upon receipt of the allegation of compliance, the department may conduct a follow-up investigation or inspection to determine compliance. The department may take one or more enforcement actions under (d) and (f) of this section regardless of whether the entity achieves compliance under this subsection.</p>
This action plan must be approved by the Tribe and signed by both the foster parents and the Tribe. Failure to submit a plan will constitute a withdrawal from licensure.			Not specifically addressed
<p>At the end of the suspension period or when the foster parent complies with the plan to remedy the conditions that led to the suspension, the Tribe may:</p> <ul style="list-style-type: none"> • Reinstatement the license for the term of the original license; • Issue a new license; • Deny an application for re-licensure; or • Notify the foster parents of the intent to revoke the license. 			47.32.140. Enforcement actions – see above

<p>Revocation:</p> <p>The Tribe will revoke a foster home licensure only after one or more of the above steps have been attempted or when child safety concerns warrant an immediate revocation.</p>			<p>47.32.130. Enforcement actions; immediate revocation or suspension – see above</p>
<p>A notice of revocation shall be in writing and shall state the reasons for revocation.</p>			<p>See above</p>
<p>The Tribe may take any action necessary to protect the health, safety and welfare of foster children, including emergency removal of foster children from a foster home or referral to any law enforcement or other child protective agency or organization to effect such removal.</p>	<p>(Sample Regulations) A revocation may take place upon the legal determination of abuse or neglect of the child in care, with the child removed immediately for the facility or home and place in substitute placement.</p>	<p>(Sample Regulations) A revocation may take place upon the legal determination of abuse or neglect of the child in care, with the child removed immediately for the facility or home and place in substitute placement.</p>	<p>47.32.130. Enforcement actions. (a) If the department's report of investigation or inspection under <u>AS 47.32.120</u> concludes that the department has reasonable cause to believe that a violation of an applicable statute or regulation has occurred that presents an immediate danger to the health, safety, or welfare of an individual receiving services from the entity, the department, without an administrative hearing and without providing an opportunity to cure or correct the violation, may immediately revoke or suspend the entity's license or, if the entity is not licensed under this chapter, may revoke the entity's ability to become licensed under this chapter or to provide services as an entity exempted under this chapter. A suspension or revocation under this subsection takes effect immediately upon initial notice to the entity from the department, is in addition to any enforcement action under <u>AS 47.32.140</u>, and continues until a final determination under (c) of this section or <u>AS 47.32.150</u>.</p>

<p>Foster parents may appeal the suspension or revocation of their license by making a written request to the Tribe.</p>	<p>(Sample Regulations) Revocation, denial or modification may be appealed within 60 days of the receipt of the notice. The appeal shall be in writing and addressed to the (designated licensing body). This designated representative shall appoint a Hearing Board. The Hearing Board should be composed of)(a specific number) members who shall represent the region from which the provider or agency originate and shall have a sound knowledge of the principles of the (designated child care licensing law) and regulations; a commitment to the improvement of (designated) child welfare services and an understanding of administration and organizational structures of such designated services. Members of the Ad Hoc Committee may serve as hearing officers. The applicant or licensee may present evidence and testimony on his or her behalf and show cause why revocation, denial or medication of license should not occur. An official of the (designated licensing body) shall be present at the hearing and present testimony on behalf of the (designated licensing authority).</p> <p>The decisions of the Hearing Board shall be made in writing within (a specific number of) working days following the hearing and forwarded to the principle caretaker of the child in care by certified mail.</p>	<p>(Sample Regulations) Revocation, denial or modification may be appealed within 60 days of the receipt of the notice. The appeal shall be in writing and addressed to the (designated licensing body). This designated representative shall appoint a Hearing Board. The Hearing Board should be composed of)(a specific number) members who shall represent the region from which the provider or agency originate and shall have a sound knowledge of the principles of the (designated child care licensing law) and regulations; a commitment to the improvement of (designated) child welfare services and an understanding of administration and organizational structures of such designated services. Members of the Ad Hoc Committee may serve as hearing officers. The applicant or licensee may present evidence and testimony on his or her behalf and show cause why revocation, denial or medication of license should not occur. An official of the (designated licensing body) shall be present at the hearing and present testimony on behalf of the (designated licensing authority).</p> <p>The decisions of the Hearing Board shall be made in writing within (a specific number of) working days following the hearing and forwarded to the principle caretaker of the child in care by certified mail.</p>	<p>47.32.130. Enforcement actions; immediate revocation or suspension (c) An entity to which a notice has been provided under this section may appeal the department's decision to impose the enforcement action, including an enforcement action the department intends to take under <u>AS 47.32.140</u> (d) or (f), by filing a written request for a hearing, on a form provided by the department, within 15 days after receipt of the notice. If a hearing is not timely requested under this subsection, the department's notice constitutes a final administrative order for which the department may seek the court's assistance in enforcing.</p> <p>47.32.140. Enforcement actions (g) An entity to which a notice has been provided under this section regarding an enforcement action under (d) or (f) of this section may appeal the department's decision to impose the enforcement action by filing a written request for a hearing, on a form provided by the department, within 15 days after receipt of the notice of the enforcement action.</p>
<p>If the Tribe has not received a request for a hearing within 21 days of mailing or other service of the notice, the foster parent shall have waived the right to a hearing.</p>	<p>If the proposed revocation, denial, modification, or refusal is not appealed, the license may be revoked or the application of the renewal thereof refused.</p>	<p>If the proposed revocation, denial, modification, or refusal is not appealed, the license may be revoked or the application of the renewal thereof refused.</p>	<p>47.32.130 and 47.32.140. Enforcement actions – see above</p>

<p>Training</p> <p>The Tribe will require tribally licensed foster parents to complete foster parent training each year. A foster parent in a one-parent foster home shall complete a minimum of 10 hours of training annually. Foster parents in a two-parent foster home shall complete a minimum of 15 hours of training annually that may be shared between the two foster parents. However, each parent in a two-parent foster home shall complete a minimum of five hours of training annually. Training may be accomplished through on site trainings, self-study packets or electronically received training materials. Training is required in order to continue being licensed.</p>	<p>Family foster care providers shall participate in training to develop and enhance their skills.</p> <p>Satisfactory Compliance</p> <ol style="list-style-type: none"> 1. Every applicant for a FFH license shall begin the minimum of six (6) hours of orientation prior to receiving the first child in placement. 2. An FFH provider, who wishes to take a leave of absence from foster care for up to twelve months may have the annual training requirement waived for that twelve-month period. (As long as people are "licensed" they have to attend training, whether they have children in placement or not. If they take a leave, they would have to be relicensed later.) 3. Every FFH provider shall participate in a minimum of _____(e.g., twelve [12]) hours annual training related to foster care. (Note: The definition of training can be inclusive, i.e., parenting a special needs child often involves learning about their special needs and how to deal with them, often hand-on with psychologists, teacher, etc.) 4. Training opportunities shall include, but are not limited to <ol style="list-style-type: none"> a. Child and adolescent development b. Communication skills c. Roles and relationships in foster care d. Community services for children e. Methods of discipline f. Constructive problem solving g. The meaning of a foster child's 	<p>Training: The provider shall participate in training programs offered by the (designated tribal licensing authority), designed to improve the services rendered to the child and the child's family.</p>	<p>47.32.030. Powers of the department; delegation to municipality</p> <p>(a) The department may</p> <ol style="list-style-type: none"> (8) require an individual who is or will be operating an entity to complete training related to the operation of the entity; . <p>7 AAC 50.250. Orientation and training.</p> <p>(g) A foster parent in a one-parent foster home shall complete a minimum of 10 hours of training annually. Foster parents in a two-parent foster home shall complete a minimum of 15 hours of training annually that may be shared between the two foster parents. However, each foster parent in a two-parent foster home and each other caregiver in a foster home shall complete a minimum of five hours of training annually. Training hours must be in addition to orientation required by (a) of this section.</p> <p>(i) A caregiver may count orientation and pre-service training hours required under 7 AAC 50.030(a) that exceed six hours toward caregiver training hours required under (e) – (g) of this section.</p>
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	<p>natural parents (or birth parents, the use of natural may appear to infer that foster is unnatural)</p> <ul style="list-style-type: none"> h. Basic first aid i. Home safety j. Trauma of separation and skills for handling k. Human sexuality l. The effects of sexual and physical abuse on children <p>5. An FFH with five consecutive years of experience as a FFH may be exempted from mandatory annual at the discretion of the agency. (Note: This is an option because children and their needs change over time, as does parenting information, and all children are different, so year of experience of "easy" children doesn't prepare a parent for one with FAE, or SED, etc.)</p> <p>6. In addition to regular training requirements, every FFH licensed as an Emergency Shelter Home or a Special Services Home or a Group Family Foster Home shall participate in a minimum of six (6) hours annually of additional training related to the special needs of these children.</p>		
Within 90 days of licensure the Tribe shall require at least one parent in the home to possess a current Infant/Child Cardio Pulmonary Resuscitation (CPR) certification.			7 AAC 50.250. Orientation and training – Same as above
<i>Variances and Waivers</i>			
Variances may be requested by the foster parent. The Tribe will consider requests on a case by case basis to ensure that the variance allows the foster home to meet the standard in another way and will approve or deny	Consideration shall be given to varying lifestyles and different cultures when determining whether applicants meet the standards. If approval could require deviation from the standards, the agency must request a waiver in		7 AAC 10.9505. General variance (a) Subject to 7 AAC <u>10.9500(b)</u> (2) and (3), and (b) of this section, the department may grant a general variance if (1) the applicable requirements of

the request based on their findings so as to protect the health, safety and well being of the child/ren.	writing from the (governing body of the tribe), taking into consideration the health and safety of the child(ren) in placement (tribal care authority requirement)		<p>7 AAC <u>10.9500</u> - 7 AAC <u>10.9515</u> are met;</p> <p>(2) an alternative means, acceptable to the department, satisfies the purpose of the requirement for which the variance is sought; and</p> <p>(3) the health, safety, and welfare of recipients of services are protected.</p>
Non-safety standards may be waived for relative foster parents. Criminal background clearances and other safety standards may not be waived. A non-safety standard may only be waived for relative foster parents and only when the health, safety and well-being of the child is otherwise supported in the foster home.	<p>Waiver of Regulations (Sample Regulations)</p> <p>The Tribal Licensing Authority may upon written request of an agency waive provision of the regulations if the principal caretaker of the child provides clear and convincing evidence, which may include expert opinion, that the applicant's alternative method will comply with the intent of the regulations. The waiver request shall be in writing and, unless a shorter time is mutually agreed upon, shall be only for the duration of the license then in effect. <i>(This provision may not be allowed under federal regulation for tribes operating foster care under Title IV-E agreements.)</i></p>	<p>Waiver of Regulations (Sample Regulations)</p> <p>The Tribal Licensing Authority may upon written request of an agency waive provision of the regulations if the principal caretaker of the child provides clear and convincing evidence, which may include expert opinion, that the applicant's alternative method will comply with the intent of the regulations. The waiver request shall be in writing and, unless a shorter time is mutually agreed upon, shall be only for the duration of the license then in effect. <i>(This provision may not be allowed under federal regulation for tribes operating foster care under Title IV-E agreements.)</i></p>	<p>7 AAC 50.055. Variances for foster care by relatives</p> <p>(a) Except as provided in (c) of this section, the licensing representative may apply the abbreviated procedure in (b) of this section to grant a variance for a requirement contained in this chapter for a foster home headed by a relative of a child. This procedure applies only for the specific relative child or children. If a different relative or a non-relative child is to be received in the home, any variance granted under this section must be reviewed and approved by the division under <u>AS 47.32</u> and <u>7 AAC 10.9500 – 7 AAC 10.9535</u>.</p> <p>(b) In evaluating a relative applicant for a license or in the reevaluation of a licensed foster home for a relative child, the licensing representative will discuss with the applicant and document any recommended variance from a requirement. The supervisor will review the evaluation to ensure the health, safety, and well-being of the child is protected and, if approved, will forward the license for issuance under regular procedures.</p> <p>(c) A variance from a requirement that might pose a risk to the child's</p>

			safety or well-being will be considered by the division under procedures in <u>AS 47.32</u> and <u>7 AAC 10.9500 – 7 AAC 10.9535</u> .
Civil Rights			
All actions taken by the council or its agents or employee's shall conform to the requirements of the Indian Civil Rights Act, 25 U.S.C Section 1302		Legal Representation: The foster child shall be guaranteed access to legal representation, and to grievance and complaint mechanisms.	As cited within.
Amendments			
The Tribe/Tribal organization may submit recommendations for change to these "Alaska Standards" to the Tribal/State Collaboration Group upon a majority vote of the membership at a duly convened meeting.			No reference in our statutes/regs.
The sovereign immunity of the Tribe, the members of the council, law enforcement officers, prosecutors, judges, court personnel, and any other personnel necessary for implementation and enforcement of these "Alaska Standards" is in no way waived by using these Alaska Tribal Foster Care Licensing Standards.	Pre-Existing Agency Clause All Foster Family Homes and Foster Family Group Homes established and operating under the jurisdiction of the (specific tribe) previous to the passage of this aw shall be subject to the rules and regulations promulgated under this law from the date of its enactment.		No reference in our statutes/regs.
	Persons Authorized to Place. (Sample Regulations) A parent or legal guardian of a child may voluntarily place a child with a childcare provider. No involuntary placements of a child shall be made without a court order.	Persons Authorized to Place. (Sample Regulations) A parent or legal guardian of a child may voluntarily place a child with a childcare provider. No involuntary placements of a child shall be made without a court order.	
	Tribal Child Care Compacts Regarding Child Placements Outside the Jurisdiction of the Tribe. The (tribal foster care authority) and (authorized placement agencies) shall enforce compliance with Tribal Child Care Compacts in the placement of children outside the jurisdiction of the tribe. Such compacts shall require childcare		

	<p>providers outside the jurisdiction of the tribe and child placement agencies to:</p> <ol style="list-style-type: none"> 1. Prepare individual program plans on each child 2. Provide opportunities for reasonable visits with the child's family and to the family's home site, and coordinated services with the (tribal foster care authority) 3. Provide equal opportunity employment allowing for Indian staff 4. Provide case reporting to the (tribal foster care authority) 5. Expose the child to culture, language, tradition and religion during placement 6. Provide familiar counseling, treatment, methods, disciplinary practices and educational methods <p>Any individual, organization, or institution that invites childcare placement outside the jurisdiction of the (specific tribe) shall be licensed pursuant to the regulations of the (specific tribal child care licensing law).</p>		
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Attachment D
Amendment to the Title IVE Agreement
and
Alaska Tribal Foster Care Licensing Standards
Tribal State Collaborative Group
November 2002

Attachment D

Amendment to the Title IVE Agreement

INTRODUCTION

This amendment details the procedures that CCTHITA ("CCTHITA") will follow in providing the licensing services, as outlined in this amendment, to establish Tribally Licensed foster homes. The Division of Family and Youth Services (DFYS) will recognize this licensing process and provide foster care maintenance payments to children in state custody placed in homes licensed through this process.

PURPOSE

The purpose of this amendment is to increase the pool of Native foster homes available to Native children in State custody. This agreement provides a mechanism for the State to reimburse tribally licensed foster homes for placement of children in State custody.

BASIC AGREEMENT

CCTHITA agrees to license homes in accordance with the Alaska Tribal Foster Care Licensing Standards hereinafter referred to as the "Tribal Standards".

The DFYS will recognize this licensing process and provide foster care maintenance payments to children in state custody placed in homes licensed through this process.

CCTHITA agrees to obtain authorization from the applicants tribe, based on the membership or eligibility for membership of the individual or family seeking licensure, prior to initiating the foster home licensing process.

CCTHITA agrees to license homes within the area identified by their BIA Services contract or compact, as attached to this agreement.

CCTHITA agrees to work with Tribal ICWA workers in the licensing process when a member of the Tribe living in the village requests to be licensed.

CCTHITA agrees to limit provision of the services included in this agreement to Alaska Natives who are members of tribes with whom CCTHITA has an agreement.

PROCEDURES

File maintenance

CCTHITA agrees to provide DFYS the following information on each home which completes the Tribal licensing process:

- A copy of the foster care license.
- A copy of the, *Compliance Report, Tribally Licensed Foster Homes*
- Identifying information including:
 - Names and ethnic identity of the foster parents
 - The start and end date of the foster care license
 - The type of license:
 - Provisional; first year license
 - Biennial; second year license
 - Availability of home for placement of children with less than 24 hour notice
 - Gender and ages of children for which the home is licensed
 - Capacity – number of children home is licensed
 - Physical address, phone number and fax numbers
 - Mailing address of the foster family
 - Licensing worker's name, title and contact information
 - Documentation that background checks have been completed and show no history of ASFA prohibited crimes.

CCTHITA agrees to maintain all records that show compliance with licensing standards and procedures related to the licensed foster homes in accordance with DFYS Record Retention Schedule. See Current Licensing Retention Schedule for Foster Care Records.

CCTHITA will ensure that documentation related to the criminal records checks are maintained in the Licensure file.

CCTHITA agrees to review the licensure of each foster home at least every two years.

CCTHITA agrees to develop policy and procedures for the purpose of meeting the adopted "Tribal Standards".

CCTHITA agrees to make DFYS aware of any variances (alternate way to meet the licensing standards) on a licensed home where a child in state custody is placed. Variances will not compromise the health, safety or well being of children placed in the home.

CCTHITA agrees to allow DFYS access to all licensure records for the purpose of investigations, federal or state financial or program audits.

DFYS is not obligated to place a child in state custody in a home that is Tribally Licensed but shall follow placement preferences established in Public Law 95-608, the Indian Child Welfare Act, unless the child's tribe has approved a different placement preference order in writing.

Licensure Complaints and Investigations

CCTHITA agrees to respond to any complaint regarding Licensing standards by:

- a. investigating the complaint and making a safety check on the child as soon as the complaint is received;
- b. completing the investigation within 30 days of receiving the complaint (or notifying DFYS of the situation that warrants an extension);
- c. documenting the process in writing and providing a verbal report on the outcome and provide a written copy of the outcome to DFYS within 30 days.

The outcome report will include any plan of action or correction; any negative licensing action has been taken or is pending; and information regarding the voluntary relinquishment of the license as a result of the complaint or investigation, if any.

At a minimum the investigation will include an age appropriate discussion with every child placed in the home and discussing the complaint with the foster parent(s).

CCTHITA will inform the DFYS Regional Licensing Specialist and DFYS caseworker of all complaints as soon as the complaint is received, and the outcome of the investigation.

Reports and Investigations of Abuse and Neglect

CCTHITA will inform DFYS via the Intake Unit of the nearest DFYS office, of any behavior or concerns that may constitute a Report of Harm in a tribally licensed foster home, in accordance with Alaska Statute 47.17.020 (The Mandatory Reporters statute).

DFYS will investigate every Report of Harm in accordance with Children's Protective Services (CPS) manual. DFYS will advise CCTHITA and the child's tribe of any Report of Harm on a tribally licensed home and the outcome of the investigation.

DFYS may remove a child(ren) in state custody from a home that is currently being investigated for a licensure complaint or a report of harm. If this occurs, DFYS will work cooperatively with the child's tribe and CCTHITA to identify an alternate placement that will minimize disruption to the child(ren).

Child Protective Services Checks

In order to complete the CPS check, CCTHITA will obtain a release of information and will submit to the DFYS Regional Division Office, the names and dates of birth for household members 16 years of age and older for foster home applicants.

CCTHITA will complete the following background checks on all prospective licensed foster parents and others living in the home age 16 years or older:

- Child protective service check
- Prior licensing check with DFYS

- Sex Offender Registry check
- Courthouse check, to be completed every 90 days. (If Tribe doesn't have access to the APSIN system)
- State and federal fingerprint checks.

DFYS will review the client database and note if it identifies the person as the alleged perpetrator of a substantiated incident of child abuse or neglect or as an individual with an open CPS investigation or open case. DFYS will also review the Form One Blue database and note if it identifies the person as having been involved in a negative licensing action. If so, DFYS will:

- Review the corresponding hard-copy CPS case file or licensing file and
- Determine if the file clearly corroborates the Client database or Form One Blue data that the person abused or neglected a child or incurred a negative licensing action.

DFYS will provide the results of records review to CCTHITA. The records review will:

- Confirm or deny that an individual was identified as an alleged perpetrator of a substantiated report of harm;
- Confirm or deny that an individual was subject to negative licensing action by DFYS;
- Provide both the finding reached by DFYS staff and the factual basis for the finding, if there is a history of substantiated reports of harm, current CPS involvement and or history of negative licensing action.
- Be redacted to remove the names and other information that could identify persons who are not subject to CCTHITA's licensing process in order to protect their privacy.

Discipline of children in State custody

Children in state custody may not be subjected to corporal punishment while in substitute care. CCTHITA agrees to support and enforce this standard as stated in the Tribal Standards.

Training, Support and Monitoring of Tribally Licensed Foster Homes

Training:

CCTHITA shall provide training, consultation and technical assistance to the foster parents to ensure compliance with the Tribal Standards.

CCTHITA staff will monitor the training needs of tribally licensed homes based on the training needs of the foster parents and any special needs of the children placed in the home.

Tribally Licensed Foster Parents may access training opportunities through the Alaska Foster Parent Training Center or other foster parent training grantee of DFYS.

CCTHITA will, to the extent that they are able, participate, coordinate and provide training opportunities to Tribally licensed and State licensed foster parents.

Monitoring:

DFYS will monitor the placement of a child in state custody in a Tribally licensed foster home, in accordance with the Child Protect Services Manual Policy 3.2.1 Minimum Service Standards

CCTHITA staff or appropriate Tribal staff of Tribes with whom they have an agreement will monitor tribally licensed homes by making a home visit at least once per month to ensure licensing compliance and to provide a safety check for child/ren placed in the home.

Damage and Loss

Reimbursement may be made to a foster parent for a direct financial loss resulting from physical injury to a member of the foster family's household inflicted by the foster child or damage to or theft of property by a division-placed foster child and not covered by an insurance policy or restitution agreement. A Foster Parent Report of Damage/Loss form for property damage (06-9440), and a police report, if required, must accompany the Request for Funds.

While foster parents are not required to have insurance, it is expected that foster parents will have standard insurance coverage, such as homeowner's insurance. The \$5,000 reimbursement limit for damages and loss may be applied toward a foster parent's insurance deductible.

Requests for reimbursement for foster parent damage/loss will be considered under the following circumstances:

- The loss exceeded that which a parent might encounter in caring for a child not in foster care;
- The foster parents were providing adequate supervision and exercised reasonable precautions, taking into account the child's age, maturity, and behavioral history;
- The loss was not provoked by the actions or statements of the foster parent;
- The loss was caused by a child in the foster home who, at the time, acted deliberately with malicious intent, or with gross carelessness;
- The damage or loss is not covered by any insurance protection the foster parent has.
- The incident resulting in financial loss was reported to the division by the foster parent within 72 hours. If the loss, was caused by theft, criminal mischief or other criminal conduct, it must have been reported to the law enforcement agency having jurisdiction.
- The foster parents have submitted a completed Damages and Loss, Request for Reimbursement, Form 06-9440, within a reasonable period following the damage or loss;
- Adequate worker action has been taken to have the child assume responsibility for his/her actions. The worker may assist in facilitating restitution to be paid by the child in lieu of payment by the division. That facilitation may include an agreement with law enforcement, the courts, or the Division of Juvenile Justice.
- The damage or loss exceeds \$100 for a single event or \$150 cumulative each month, however reimbursement is limited to \$5,000.

Collaborative Efforts

CCTHITA and DFYS agree to meet quarterly for ongoing review of program and agreement.

DFYS will share any changes or pending changes to regulations, statutes, or laws, impacting this Agreement or procedures for carrying out the Agreement.

The process for changing the Tribal Standards is through the Tribal State Collaboration Group. DFYS and CCTHITA agree to work through T/SCG to address and resolve concerns or problems with the Tribal Standards.

LIMITATION OF THE AGREEMENT

This agreement is limited to DFYS paying foster care maintenance for children in State custody placed in tribally approved foster homes and subject to appropriate federal law and legislation.

EFFECTIVE DATE AND CONDITIONS

This amendment is effective November 4, 2002 and shall remain in effect unless so terminated or modified. The Agreement can be terminated or modified by either party, giving 60 day written notice to their counterpart.

AUTHORIZATION

ALASKA DEPARTMENT OF HEALTH & SOCIAL SERVICES

By: Theresa Tanoury 11/5/02
Theresa Tanoury, Director
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Indian Tribes of Alaska
Date

Alaska Tribal Foster Care Licensing Standards
“Alaska Standards”

I. Family Qualifications

- A) Applicants shall comply with all reasonable requests by the Tribe in the licensing process, and any ongoing monitoring of their homes after licensure.
- B) During and after licensure, foster families shall keep the Tribe informed of any changes in their status, including employment, names and number of children and adults living in the home, and how long they're going to stay if the adults are living there temporarily, and any change of address or telephone number.
- C) Applicants shall provide the Tribe with the following information:
 - 1) Name, sex, address, birth date, tribal identification number, social security number (optional), and driver's license number (where possible) of applicants and all persons residing in the home, including the children of the foster parents old enough to drive a motor vehicle.
 - 2) Proposed number, sex and age of foster children to be served.
 - 3) Names and addresses of at least four persons, three of whom are unrelated, who have known the applicant(s) for two years or more and who can attest to their character and ability to care for children. The Tribe may contact schools, employers, adult children, and other sources for references.
 - 4) A statement as to whether the applicants have ever operated or currently are operating a licensed/certified care facility or foster home for children or adults, and reasons for any termination of such license or certification.
 - 5) Reports or where not available a statement of the applicants of all criminal or juvenile delinquency charges for all persons living in the home, including all employees, volunteers and minor children.
 - 6) Reports or where not available a statement of the applicants of all allegations of child abuse and neglect, with dates and locations and resolution of those allegations for all persons living in the home, including all employees and volunteers.
 - 7) A statement demonstrating that the applicants generate an income sufficient to meet the needs and ensure the stability and financial security of the family, independent of any foster care maintenance payment.

- 8) Documentation of all child support obligations in any state, whether the obligor is current with payments or in arrears, and whether any applicant's/ foster parent's wages are being attached or garnished for any reason.
- D) Verification that at least one foster parent in the home is 18 years of age or older.
- E) Within 10 days of a request for home licensure, the Tribe shall advise the applicant of the information and supporting material required to support the application.
- F) Within 45 days of receiving all requested material, the Tribe shall approve or deny the request for licensure or request additional material in support of the application.
- G) If the Tribe requests additional information, then it shall approve or deny the licensure within 30 days of receiving the requested information.
- H) Any denial shall be accompanied by a concise statement of the grounds for denial.
- I) The Tribe will not issue a license if the prospective foster parents falsify (including by acts of omission) the application or supporting documents. The Tribe may act to revoke a license if falsification is discovered after licensure, or if foster parents fail to inform the Tribe of any disqualifying condition that arises after licensure.
- J) The Tribe will not issue or renew a license if any safety rule or other standard required by the Tribe is not met.
- K) The Tribe will issue a provisional license for one year to a new applicant when all required documentation has been received and all applicable standards have been assessed as being met. A license will not be issued to an applicant before all standards have been reviewed with the applicant and the applicant agrees to comply with all standards when the foster home license is issued. A license will not be issued until the required background checks for the applicant(s) and household members have been completed and show no evidence of criminal or other history that would prohibit the home from being licensed to provide foster care.
- L) Before the end of the first year of licensure the Tribe will assess compliance with licensing standards. If the foster home meets all requirements, the Tribe will issue a Biennial Foster Home license that will be in effect for two years.
- M) Before the expiration of a Biennial license the Tribe will reassess compliance with all licensing standards. If the foster home is in compliance with the standards, the Tribe will renew the Biennial license for another two years.

II. Safety Checks

A) Criminal History

- 1) Prospective foster parents and members of the household age 16 years and older shall consent to a criminal record check and will provide finger prints for the purpose of state and federal criminal records checks. No license will be issued until the results of these checks have been received and the Tribe has determined none of the individuals has a criminal history that would prohibit him/her from being a foster parent or household member in a licensed foster home.
- 2) The Tribe will require that any employee or volunteer in a foster home or any individual living in a part of the foster home where the individual would have direct access to children in care, meet the background requirements for foster parents described in these standards. Employees, volunteers and individuals residing in a facility where they would have direct access to children in care, will give the Tribe permission to check CPS history and criminal background by providing the Tribe with a "release of information" and fingerprint cards.
- 3) The minimum standards of character that are to be prescribed under this section shall ensure that none of the foster parents or other adults, age 16 and older, shall have been found guilty of, or entered a plea of nolo contendere or guilty to, any offense under Federal, State, or tribal law involving crimes of violence; sexual assault, molestation, exploitation, arson, involving an imitation controlled substance or a controlled substance, contact or prostitution; or crimes against persons.
- 4) The Tribe shall consider all information obtained through the criminal history checks including charges by complaint, indictments, arrests, and investigations of a serious criminal offense when issuing, renewing, denying or revoking a license.
- 5) In accordance with the Adoption and Safe Families Act (ASFA) and State law, the Tribe shall not issue or renew a license if a member of the household has been:
 - a) Convicted of committing, or attempting to commit, solicitation, or conspiracy to commit any of the following crimes or crimes of similar nature in any jurisdiction.
 - b) for child abuse or neglect,

- c) domestic violence,
 - d) arson,
 - e) stalking,
 - f) a crime against the person and is a felony, except for a crime committed under AS 11.41.200-11.41.220 or 11.41.260,
 - g) a crime that is a felony and involves a victim who was a child under age 18 years of age at the time of the conduct, including a crime where the perpetrator was a person responsible for the child's welfare;
 - h) crimes against children (including child pornography),
 - i) a crime involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery. (Taken from ASFA) Example might include two males fighting
- 6) After a five-year period since the conviction of the crimes of either a felony physical assault, battery, or a drug related offense the Tribe may review and consider the circumstances surrounding the crime and conviction; the probability of committing future offenses; of rehabilitation (including counseling, therapy, and education); and the relationship between the offense and the ability to be a foster parent in making a licensing decision.

B) Child Protective Services (CPS) Background Checks

- 1) Tribal Licensing Workers will obtain a "release of information" from the licensing applicant(s) and all household members age 16 and older, giving the Tribe permission to submit the individual's information for a CPS check. If the individual is found to have been the alleged perpetrator in a substantiated report of harm or there is an open case or report of harm in which the individual is involved, the Tribe will not issue a license to the individual or allow the individual to reside in a licensed foster home.

III. Personal Qualifications

- A) Foster parents shall be responsible, stable, emotionally mature adults, who exercise sound judgment and have the capacity to meet the mental, physical, and emotional needs of children placed in foster care.

- B) Foster parents shall understand the behavior of children in foster care, and shall use effective child-rearing practices that will enable children to grow and develop.
- C) Foster parents shall understand and use non-punitive ways of discipline and ways of helping a child build positive personal relationships and self-esteem.
- D) Foster parents must be able to provide temporary care, respect for the child's relationships with his/her birth family, and the ability to work in partnership with the Tribe, and the State of Alaska, if the child is in State custody, toward the return of each child to his/her birth parents, or to achieve an alternative permanent plan.
- E) Foster parents shall demonstrate a capacity to give and receive affection, kindness, a sense of humor, and the ability to deal with frustration and conflict.
- F) Foster parents shall have supportive ties with family, friends, neighborhood, and community.
- G) Foster parents shall respect the Native culture and heritage of the Tribe and adhere to the Tribe's culture and heritage in all aspects of care of the children.

IV. Health Qualifications

- A) Prospective foster parents shall provide the Tribe with the health history of each member of the household, including physical and mental health services and treatment received. Foster parents shall inform the Tribe if any member of the household has or develops a serious communicable disease or other health condition.
- B) Foster parents and employees, volunteers, and other adults in the household caring for children shall be physically and mentally able to perform the duties of foster parents as prescribed in these rules. The Tribe may require a medical statement from a physician verifying that no person suffers from a communicable disease, specific illness or disability which would interfere with the family's capability to care for children in foster care.
- C) Applicants must notify the Tribe of any prior or on-going counseling or treatment of any parents, employees, volunteers and other adults in the household caring for the children. Once certified, the duty to notify the Tribe of any counseling or treatment is on going. Applicants and foster parents shall supply psychological, medical or physical, sex-offender, drug and alcohol, and psychiatric reports and evaluations to the Tribe. The Tribe may require that a release of information be signed for the purpose of obtaining the above or other reports.

V. Duty to Cooperate With the Tribe, the State, and the Birth Parents for Children in State Custody

- A) Foster parent shall cooperate with the Tribe and the State of Alaska in any investigation involving their license and/or any child in their home.
- B) The foster parents shall cooperate with the Tribe, the State of Alaska, and the birth parents in developing and implementing a child's case and service plans and executing all court orders regarding the child.
- C) Foster parents shall notify the Tribe and the State of Alaska when the child is in State's custody and placed in a tribally licensed foster home, immediately of injury, illness, accidents, or any unusual circumstances which threaten the health, safety, physical or emotional well being of the foster child.
- D) Foster parents shall allow the Tribe and the State of Alaska when the child is in State's custody and placed in a tribally licensed foster home, reasonable access to their home and to the children placed in their care.
- E) The Tribe will determine the appropriate number and ages of children for which the foster home will be licensed. The foster parents shall not exceed the licensed capacity or accept a child outside of the licensed age range for placement. To ensure the health and safety of all children in the home, the Tribe will consider the ratio of adults to children, the level of supervision available, the skill levels of the foster parents, the health, safety and special needs of children in the home and the local standard in the community when determining the license capacity and age range for the foster home. The number of children in the home will not exceed the limit that would assure that the needs of each child in the home can be met.
- F) The Tribe may modify the licensed age range or capacity based on a request from the foster parent and an assessment by the Tribe that the home can meet the health, safety and developmental needs of the children who would be placed as a result of the requested change(s). If the Tribe determines that a license will be modified for a change in capacity or age range, a new license reflecting the change(s) will be issued.
- G) In accordance with the case plan, foster parents shall:
 - 1) respect and support the child's relationship with his/her extended family members, including siblings;
 - 2) assist the caseworker in planning visits with the child and his/her parents and family members; and

- 3) Allow children reasonable opportunities to communicate with their immediate and extended clan and birth family, Guardian Ad Litem, and social worker.
- H) The Tribe may develop a mentor program to assist foster families in resolving problems that arise in connection with the placement of children. Foster parents will participate in this program if so required by the Tribe.

VI. Confidentiality

- A) The foster family shall treat personal information about a child and the child's family in a confidential manner.
- B) Confidential information may be disclosed only when necessary to provide for the safety and well being of a child or other children in the home or as required by Tribal, State, or Federal law. The information shared must be limited to only what is necessary to comply with this rule. This duty not to disclose confidential information applies during the period in which the foster family cares for the children and forever thereafter.
- C) In maintaining children's records:
 - 1) Foster parents will maintain records on the physical and mental health care received during placement, immunizations, and educational and placement progress for the duration of the child's placement. Within ten days of the termination of a foster care placement, the foster parents shall relinquish all records to the placement agency (Tribe/State).
 - 2) Foster parents shall keep such written records for each foster child in a manner that ensures their confidentiality.

VII. Care and Development of the Child

- A) Daily Living:
 - 1) Foster parents shall treat natural children and foster children placed in their home equitably.
 - 2) Foster parents shall provide structure and daily activities designed to promote the physical, social, intellectual, spiritual, and emotional development of the children in home.
 - 3) Playthings shall be available in the foster home, including games, recreational and educational materials, and books appropriate to the age and development level of the child.

- 4) Foster parents shall help the foster children placed in their home develop skills and perform tasks that promote independence and self-sufficiency.
- 5) Foster parents shall participate with the Tribe to help children in foster care maintain an awareness of their past, a record of the present, and a plan for the future.
- 6) In accordance with the case plan, the foster parent shall ask children placed in their home to assume work responsibilities appropriate to the child's age and ability and commensurate with those expected of their own children.
- 7) Foster parents shall not use mechanical restraints on children in their care other than car seat belts and normally acceptable infant safety products.
- 8) Each child in placement shall be treated with respect and dignity. The foster family shall:
 - a) respect the child's Native heritage;
 - b) provide meaningful opportunities for the child to develop relationships with Tribal members and practices of the Tribe;
 - c) ensure regular contact with the foster child's caseworker; and
 - d) provide the child access to telephone and writing materials and other household resources, in accordance with the standard of the local community;
 - e) Allow the child to receive and open her/his own mail and to have private phone calls unless the foster parent has been asked to monitor the communication by the placement social worker.

B) Alternate Caregivers:

- 1) The foster parents shall arrange for safe and responsible childcare.
- 2) When the foster parents are absent overnight, or longer, a person of at least 18 years of age, capable of assuming foster care responsibilities, shall be present in the same home to supervise the children. The foster parents shall provide contact information where they can be reached during their absence. Foster parents shall not leave children for more than 48 hours without first giving notice to the caseworker.

C) Food and Nutrition:

- 1) Foster parents shall provide well-balanced daily meals.
 - 2) Foster parents shall provide for any special dietary needs of the children placed in their homes.
- D) Clothing and Personal Belongings:
- 1) Foster parents shall provide each child with his or her own clean, well-fitting, attractive, seasonal clothing appropriate to age, sex, individual needs, and comparable to the local community standards.
 - 2) Foster parents shall allow children to bring and acquire personal belongings.
 - 3) Foster parents shall send all personal clothing and belongings with the children when they leave the foster home.
- E) Discipline and Guidance:
- 1) Many children come into foster care because they have suffered physical abuse and severe punishment. It is vital that foster parents use positive discipline and guidance to help the child develop acceptable behavior.
 - 2) Foster parents shall teach and discipline children with kindness and understanding.
 - 3) Foster parents shall set clear expectations, limits, and consequences of behavior.
 - 4) Foster parents shall teach each child with techniques that stress praise and encouragement.
 - 5) No foster child or other child in a foster home shall be subjected to corporal punishment, physical abuse, sexual abuse, sexual exploitation, neglect, emotional abuse, mental injury, or threats of harm.
 - 6) Foster parents shall not deny a child food, clothing, shelter, rest or contact with family members and the Tribe.
- F) Health Care:
- 1) Foster parents shall work with the Tribe to ensure that health care needs of children placed in their care are met, including making and arranging transportation to medical, dental and counseling appointments as needed, and as is possible based on the resources available in the local community and the region.

- 2) Foster parents shall obtain necessary emergency medical care for children placed in their home as is possible based on the resources available in the local community and the region. Foster parents shall obtain permission, where possible, from the birth parents and the DFYS Case worker for major medical decisions that are not of an emergency nature.
- 3) Foster parents shall be responsible for keeping immunizations current for children placed in their home.
- 4) Foster parents shall give children prescription medication only in accordance with a physician's prescription or authorization.
- 5) Foster parents shall give children prescription psychotropic (mental health) medication only with the parent's permission or if DFYS gets a court order approving the children's use of the medication.
- 6) Foster parents shall not provide tobacco products in any form to children under the age of 18 placed in their home.

VIII. Other Activities

- A) In accordance with the case plan, foster parents shall participate with the Tribe to arrange transportation to Tribal events.
- B) Foster parents shall not require children to participate in activities that may demean their Native heritage or violate cultural tenets or beliefs.
- C) Foster parents shall encourage the children to participate in Tribal activities and events.
- D) Foster parents shall provide opportunities for recreational activities appropriate to the age and abilities of the child.
- E) Foster parents shall encourage the children to participate in religious activities and promote the religious preference of the birth parents or the child if age appropriate, if so requested by the birth parents. The foster parents shall not impose their religious beliefs or practices on the foster children placed in their care.

IX. Education

- A) Foster parents shall enroll each child of school age in a school within five school days of placement of the child or in accordance with the case plan.
- B) Foster parents shall be actively involved in educational programs appropriate for the child's age, abilities, and in accordance with the case plan.

- C) Foster parents shall plan with school personnel when there are issues with the child in school, and report to the Tribe, or the State of Alaska when the child is in State's custody, any situations that may require the Tribe's involvement (or the State of Alaska when the child is in State's custody).

X. Home Environment, Health, and Safety

A) Home Environment:

- 1) The foster parent's home shall, to the extent possible in the local community, and in accordance with local community standards, be accessible to schools, recreation, churches, medical care and community facilities.
- 2) The premises shall, to the extent possible in the local community, and in accordance with local community standards, be free from pests, objects, materials, and conditions that might constitute a danger to the occupants.
- 3) Foster parents shall take measures to keep the house and premises free from rodents and insects.
- 4) The home shall be well heated and well ventilated, in accordance with the standards of the local community.
- 5) Stairways shall be equipped with safety features in accordance with local community standards.
- 6) Foster parents shall install and maintain working smoke alarms in every room in which a foster child sleeps and at least one on each floor of the home.
- 7) A foster home shall post a diagramed fire escape plan. This escape plan is to be in an accessible location within the foster home and reviewed periodically with the foster children. In addition, the foster parents are to provide the Tribe with a copy of the escape plan.
- 8) A foster home shall have one class 2-A-10BC rated fire extinguisher in the house, or demonstrate that there is a system in place to extinguish fires that is satisfactory to the Tribe.
- 9) The foster home shall have a continuous supply of safe, clean drinking water. Private water sources and septic tank systems shall be safe and operable.

- 10) The foster home shall have an adequate system for disposing of human waste that is sanitary, in accordance with the standards of the local community.
- 11) Foster parents shall keep the home clean and free of hazards to the health and physical well being of the family.
- 12) The foster home shall have an adequate supply of hot water for bathing and dish washing.
- 13) Foster parents shall provide each child with adequate storage space for personal belongings, in accordance with the standards of the local community.
- 14) Foster parents may allow a child over the age of five to sleep in the same bedroom as a child of the opposite sex, only after consulting with the Tribe and determining that factors such as the age, health, developmental level and history of the children would not affect the health, safety or well being of the children.
- 15) Bedrooms used by foster children must have easily accessible and safe emergency access and egress to and from the room, and to and from the home.
- 16) Bedrooms used by children in care shall:
 - a) be safe and have adequate space for each child, in accordance with the standards of the local community;
 - b) provide sufficient natural light and ventilation, in accordance with the standards of the local community;
 - c) normally have no more than four children to a bedroom. More than four children may share a bedroom in situations where this practice is consistent with community standards and after consideration of the age, health, development and history of the children it has been determined that sharing a bedroom adequately ensures that the health, safety and privacy needs of the children in care are met and does not increase the risk of harm to children;
 - d) have a bed for each child and a crib for each infant. Children may share a bed, if, after an evaluation of factors such as the age, health, developmental level, special needs and history of the children, it has been determined that such an arrangement would not pose a risk to the health, safety or well being of the children or increase the risk of harm to children in care;

- e) Foster parents must ensure that the bedding used by foster children is kept in a sanitary condition at all times and adequately provides warmth and comfort to the children.

B) Health:

- 1) Each child will have access to resources to enable personal hygiene and grooming, based on the standards of the local community.
- 2) Foster parents shall provide each child individual items necessary for personal hygiene and grooming, in accordance with the standards of the local community.
- 3) Foster parents shall prepare and serve meals in a safe and sanitary manner that minimizes the possibility of food poisoning or food infection.

C) Safety:

- 1) The foster parents shall protect the children from safety hazards.
- 2) Foster parents shall ensure that foster children are supervised and appropriate safety precaution is taken when engaging in activities that are otherwise appropriate but that pose a risk of harm to the children (such as water-related activities or inherently dangerous subsistence activities).
- 3) Foster parents are accountable for the safety of foster children at all times whether or not they are supervising the activities of the children.
- 4) Foster parents shall store all medications, poisonous chemicals, and cleaning materials in a way that prevents access by children.
- 5) Foster parents shall have the ability to communicate with emergency medical services and to obtain the same emergency services available generally to the residents of the local community.
- 6) Foster parents shall restrict children's access to potentially dangerous animals.
- 7) Foster parents shall store any ammunition and unloaded and operable firearms in separate locked places.
- 8) When traveling with a loaded firearm in a vehicle, the foster parents will ensure child safety.
- 9) Foster parents shall have first aid supplies in a place easily accessible to adults.

XI. Transportation Safety

- A) Foster parents shall provide or arrange for safe transportation for children in placement to attend school, recreational, and medical activities.
- B) Foster parents shall maintain all personal vehicles owned by them used to transport children in a safe operating condition, in accordance with the standards of the local community.

XII. Termination, Suspension and Revocation of License

A) Termination:

- 1) Foster parents may terminate their foster care responsibilities to children in their homes only on 30 days written notice to the Tribe and after consultation with the caseworker. The Tribe may waive this notice requirement if such waiver would be in a child's best interests.

B) Suspension:

- 1) The Tribe may suspend a foster home license because of violations of one or more licensure rules or because of conditions in the home that render it unlicensable.
- 2) A notice of suspension must be in writing and must list the violations, along with the actions necessary for compliance, and any services available to assist the foster parents with compliance.
- 3) A license may be suspended for up to 180 days.
- 4) Children in placement will be removed from homes with suspended licenses.
- 5) No additional placements will be made during the period of suspension.
- 6) Within 30 days of the effective date of the suspension, the foster parents shall submit a written corrective action plan to the Tribe. This plan must list the steps that will be taken to correct the deficiency
- 7) This action plan must be approved by the Tribe and signed by both the foster parents and the Tribe. Failure to submit a plan will constitute a withdrawal from licensure.

- 8) At the end of the suspension period or when the foster parent complies with the plan to remedy the conditions that led to the suspension, the Tribe may:
 - a) reinstate the license for the term of the original license;
 - b) issue a new license;
 - c) deny an application for re-licensure; or
 - d) notify the foster parents of the intent to revoke the license.
- C) Revocation:
 - 1) The Tribe will revoke a foster home licensure only after one or more of the above steps have been attempted or when child safety concerns warrant an immediate revocation.
 - 2) A notice of revocation shall be in writing and shall state the reasons for revocation.
 - 3) The Tribe may take any action necessary to protect the health, safety and welfare of foster children, including emergency removal of foster children from a foster home or referral to any law enforcement or other child protective agency or organization to effect such removal.
- D) Foster parents may appeal the suspension or revocation of their license by making a written request to the Tribe.
- E) If the Tribe has not received a request for a hearing within 21 days of mailing or other service of the notice, the foster parent shall have waived the right to a hearing.

XIII. Training

- A) The Tribe will require tribally licensed foster parents to complete foster parent training each year. A foster parent in a one-parent foster home shall complete a minimum of 10 hours of training annually. Foster parents in a two-parent foster home shall complete a minimum of 15 hours of training annually that may be shared between the two foster parents. However, each parent in a two-parent foster home shall complete a minimum of five hours of training annually. Training may be accomplished through on site trainings, self-study packets or electronically received training materials. Training is required in order to continue being licensed.

- B) Within 90 days of licensure the Tribe shall require at least one parent in the home to possess a current Infant/Child Cardio Pulmonary Resuscitation (CPR) certification.

XIV. Variances and Waivers

- A) Variances may be requested by the foster parent. The Tribe will consider requests on a case by case basis to ensure that the variance allows the foster home to meet the standard in another way and will approve or deny the request based on their findings so as to protect the health, safety and well being of the child/ren.
- B) Non-safety standards may be waived for relative foster parents. Criminal background clearances and other safety standards may not be waived. Non-safety standards may only be waived for relative foster parents and only when the health, safety and well-being of the child is otherwise supported in the foster home.

XV. Civil Rights

- A) All actions taken by the council or its agents or employee's shall conform to the requirements of the Indian Civil Rights Act, 25 U.S.C Section 1302.

XVI. Amendments

- A) The Tribe/Tribal organization may submit recommendations for change to these "Alaska Standards" to the Tribal/State Collaboration Group upon a majority vote of the membership at a duly convened meeting.
- B) The sovereign immunity of the Tribe, the members of the council, law enforcement officers, prosecutors, judges, court personnel, and any other personnel necessary for implementation and enforcement of these "Alaska Standards" is in no way waived by using these Alaska Tribal Foster Care Licensing Standards.