



NATIONAL
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Development and Implementation of Tribal Foster Care Standards

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Materials developed by

The National Indian Child Welfare Association

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DEVELOPMENT AND IMPLEMENTATION OF TRIBAL FOSTER CARE STANDARDS

INTRODUCTION

American Indian tribes have and always have had the sovereign authority to regulate the civil relationships in their communities. This includes child custody matters such as child welfare and all related services. Since the passage of the Indian Child Welfare Act in 1978 tribes have increasingly taken responsibility for providing child welfare services, including foster care services. When a tribe assumes responsibility for the care of a child through its tribal code, judicial process, and foster care system, it subcontracts the care of that child to a particular family. Through its child welfare program, the tribe must ensure that the child's substitute family will provide him/her with adequate levels of care. In order to effectively manage foster care services, the following questions must be addressed: What is an adequate level of care? How should children be treated? And at what level should a child's needs be maintained? Answers to these questions form the basis of foster care standards. In turn, the child welfare program uses those standards to license and regulate foster care homes.

Until recently, most models of foster care available to tribes were developed in the dominant society's child welfare system. Indian programs often found it difficult to implement pre existing standards established primarily for white middle-class America. While non-Indian models for foster care standards abound, little information is available about setting tribal standards and managing foster home licensing within the context of the Indian community.

This booklet suggests a process through which tribes can develop locally appropriate standards. It is based on the premise that foster care standards are most useful when they are developed by the Indian community in which they will be used and when a broad segment of that community participates in the development and implementation process.

FOSTER CARE STANDARDS—WHAT ARE THEY?

In a broad sense, foster care standards reflect a tribe's assumptions or beliefs about children. Standards are based both on known facts or theories about children's developmental needs and the tribe's goals for its foster care program. Beliefs, facts and goals are translated into written policies and procedures that guide the delivery of foster care services.

Simply put, foster care standards designate the level of care that a tribe expects foster parents to provide for children placed with them. Standards become the criteria for determining which homes are suitable for foster care children and which are not. These criteria are usually applied in the form of a licensing process. Clearly written foster care standards, based on a tribe's goals, beliefs and values, serve to protect the needs of children for whom the tribe has assumed responsibility. They provide a measure of credibility for the Indian child welfare program with community members, with the tribal council and administration, and with outside funding sources such as state agencies.

Given their importance, foster care standards need wide acceptance within the community. The standard-setting process should allow for sorting out the community's assumptions and beliefs about children. A common set of expectations is derived from many divergent opinions. We call that process a community consensus model. Its advantages and disadvantages are discussed below.

COMMUNITY CONSENSUS: ADVANTAGES AND DISADVANTAGES

Building broad community participation into the standard-setting process takes significantly more time, energy and care than importing a set of standards from outside the community. The process may become political. It is important to avoid feelings that one tribal faction has more control than another or that individual participation has been unequal. There may be fears that the standards will be used politically in selective applications to exclude some foster home candidates. People may have different opinions about how liberal or restrictive the standards should be, forcing tough decisions between standards that are restrictive enough to ensure safe foster homes, but liberal enough to encompass the needs and characteristics of all children. There may also be disagreements about how flexible the Child Welfare program can be in applying the standards, so that people who would be good foster parents are not automatically excluded because they do not meet all the standards.

The advantages of the community consensus model fall into two main categories: those that benefit the community and those that benefit the Indian child welfare program. The community consensus model is compatible with the cultural traditions of various tribes. Historically, our leaders took a stewardship role, which meant they carried with them a sense of responsibility for their people. This sense of stewardship can be rekindled if the tribe's formal and informal leaders participate in the standard-setting process. The community is presented with an opportunity to work together around a common need, rebuilding the sense of interdependence and cooperation that was central to tribal life.

The community's values and beliefs about children and their needs provide a philosophical base for Indian Child Welfare services. More specifically, foster care standards provide ICW staff members with criteria for evaluating the program's services. They can get the information they need to plan improvements in foster home performance and to train staff and foster parents. When community viewpoints are represented in the standards, there is more acceptance and support for these activities. Finally, the community consensus model contributes to advocacy for children's needs, especially the need to justify budget requests to tribal government or other funding sources. When foster care standards are in place, Indian Child Welfare administrators are in a better position to say to funders, "If we are to meet our standards, then we need X amount of resources." Funders generally receive requests for resources more openly when standards have been set by using the community consensus model.

KEY PEOPLE IN THE COMMUNITY CONSENSUS MODEL

The community consensus model relies on a small group of people, representing all aspects of the community, who will do the work of drafting preliminary foster care standards for the community's review and approval. Usually, this standard-drafting committee or task force will be brought together by the Indian child welfare program. Careful thought should be given to who will be involved in the process.

Committee membership is critical if the foster care standards are to be accepted and supported. Members are drawn from professionals, parents, foster parents, elders, educators, spiritual leaders, and natural helpers so that the committee represents a multidisciplinary team of experts. It is also important to consider those people in the community who set formal or informal standards. For example, tribal court judges are probably the most influential in determining what the formal standards of care should be. Just as influential, however, are people who are recognized as having the authority to set informal standards. By their very presence on the committee, they legitimize the standard-setting process in the eyes of the community. These informal leaders, are often elders, spiritual leaders or natural helpers.

It is useful for the committee to have a designated coordinator who will bring the committee together, help facilitate meetings, and make sure the committee has access to needed information. Usually, the coordinator is a supervisor or staff member of the Indian child welfare program. The coordinator must be familiar with foster care and understand the community's formal and informal leadership. The coordinator should also be able to bring different groups of people together and facilitate meetings. Finally, the coordinator must have sufficient time to work with the committee and have access to clerical support.

In addition to the coordinator, the committee may also want to select a chairperson from its members. The chairperson should be someone who the committee believes can best represent its work to the rest of the community. Working with the coordinator, the chairperson will also develop agendas for committee meetings and conduct the meetings. We suggest that the agendas follow the framework provided below.

FRAMEWORK FOR MEETING AGENDAS

People who come together for the first time to work on a project often need to spend time talking about, Why are we here? What do we want to accomplish? How do we want to work together as a group? The committee may even want to develop some norms or guidelines for managing its meetings or discussions. For example, here are some general guidelines to consider.

- Everyone has a responsibility to share his/her thoughts and ideas.
- There are no bad ideas.
- All ideas should be recorded and discussed by the group.

Once the committee is comfortable with its task, the real work of developing foster care standards can begin. The following questions provide a framework for the committee's work.

Based on what we know and believe, what level of care does this tribe want to provide for its children?

A discussion built around this question will help develop a goal statement or collective sense of purpose that the committee can use to guide its work. This goal can also provide the overall theme for the standard themselves.

What level of care for children in this tribe do we take for granted?

This question will generate a lot of discussion about individual assumptions related to child rearing. There may be many different opinions about what "good" child-rearing practices are, and committee members will need to hear and understand these differences before they can move on to develop standards.

What level of care for children does this tribe actually provide?

This question forces the committee to compare its goals or major assumptions about childcare with current child-rearing practices in the community. At issue here is the safety and well being of foster children, or the need to safeguard them from environments that are potentially harmful. In some cases, the committee may want their standards to meet or be equal to community practice; in other cases, they may want to exceed community practice.

What level of care for children do experts recommend?

The committee may want to review existing literature or research on children's developmental needs, parenting, or health and mental health issues. The committee members can use this kind of professional information to stimulate their own thinking or give direction to some of their ideas.

What foster-care standards have other tribes developed?

The committee may also want to review standards from other tribes. In addition, the committee might examine standards from state agencies, private foster care agencies or national standard-setting bodies. We have included two examples of using various elements of existing standards from five tribes. These examples are located in later sections of this manual and provide good ideas for how to structure or write foster care standards.

DRAFTING THE STANDARDS

In this section, we have included guidelines for the areas of basic care and safety that require written standards in drafting foster care standards, the tribe should note that wide variety in standards and requirements exists. This section is based on general practices. It does not purport to encompass all aspects and is put forth as a checklist for tribes when setting foster care standards.

Usually, the requirements are not generally prohibitive to any particular lifestyle. An Indian foster family may be a couple or a single person. One or both parents may be employed outside the home, as long as childcare is available. Foster-care standards help define the range of possible situations that can be considered as appropriate for foster care.

The tribe could include the following items when considering foster home standards:

- Nutrition
- Number of bedrooms-sleeping arrangements
- Water supply
- Family composition and ages
- Personal qualities
- Income
- Drugs/alcohol use
- Age
- Marital status
- Cultural activities
- Spiritual activities
- Use of discipline
- Transportation
- Hygiene
- Pest control
- Health
- Safety of home for child
- Use of Kerosene and Space Heaters
- Fire Hazards
- Animals (vaccinated for rabies as per tribal ordinance)
- Firearms
- Location of toxic substances

Generally speaking, foster homes should meet certain safety standards. They may be apartments, duplexes, or single-family dwellings with adequate space for children. The foster parents may be required to obtain various health tests and maintain good health. For example, a tuberculosis test is usually required.

Foster families are usually required to have an adequate income to meet their own needs. The placement agency generally provides for the foster child's basic needs in the form of a monthly payment.

OBTAINING COMMUNITY CONSENSUS

Once the standard-setting committee has developed a goal statement, reviewed its assumptions, evaluated community practices, gathered relevant information, and reviewed other foster care standards, it can then draft preliminary standards for community review. These preliminary standards should be submitted for review and comment to as wide a cross section of the community as possible. This review and comment phase may take the form of a public hearing or it can be done informally. What is important is that the committee welcomes all feedback from community members.

After thorough consultation and review, the committee can use the feedback they received to revise the standards. The standards can then be submitted to the tribal council for approval. A nice addition would be a community signing ceremony to mark the work that has been accomplished and to affirm the tribe's convictions about foster children and their needs.

USE OF STANDARDS

Once standards are set, they become the yardstick by which families wishing to provide foster care are judged. Normally, the licensing agency conducts a home study. A sample foster home questionnaire is filled out and a personal interview is conducted.

The following are usual steps in the process:

Step 1: Formal application.

Step 2: Home study is conducted. The purpose of a home study is to:

- A. Determine if the family and dwelling meet licensing standards.
- B. Determine the parenting ability of applicants.
- C. Determine what kind of foster child would be suited to the family.

Step 3: It is recommended that an agreement is established between the tribe and the potential foster parents. The home study and foster parenting agreement help assure that a child placed with the family in a foster care situation will be well cared for and protected. An agreement could include, but is not limited to the following arrangements.

The foster parents agree to:

1. Cooperate with the tribal foster home certification.
2. Cooperate with the tribe's ongoing monitoring of the home.
3. Provide information (such as plans when leaving the reservation, where they are going, and how long they will be gone) required by the tribe.
4. Inform the tribe of any change of address or number of persons residing in the household. Attend all mandatory training (indicate a minimum number of hours).
5. Not combine foster care with boarding, day care, nursing, or convalescent care for adults without the written permission of the tribe.
6. Notify the tribe of any infectious disease in the home or any exposure to infectious disease capable of causing serious illness to children placed in the home.
7. Cooperate with visiting plans with relatives of the children.
8. Make appropriate and reasonable child care arrangements for the foster child when the foster parents are absent.
9. Assure that the child has opportunities to participate in activities that will maintain and enhance the child's cultural identity.
10. Assure that the child is provided with adequate food, clothing, and education.
11. Keep confidential all information and records obtained in the process of providing foster care.

This agreement may include a philosophical statement and describes the purpose of the program. An agreement further states the obligation of the Indian child welfare program. A placement agreement may be used when the care of a particular child requires special consideration or extraordinary skills or capacity.

The program agrees to:

1. Inform the family about all disabilities, emotional and physical, that the child is currently experiencing.
2. Provide for the basic needs of the child.
3. Protect the foster home from disruption.
4. Provide training and information on the needs of a particular child.
5. Provide regular home visits and supportive services to the foster family.
6. Provide needed medical, mental health, or related services to the foster child.

The process of licensing determines whether or not a family and home are suitable for foster care. In addition, it is designed to protect foster children and assure that they will receive competent care in the most suitable environment. An agreement binds the foster parents and program to a mutually agreed-upon set of expectations.

A FINAL WORD

The process of setting standards naturally produces conflict and tension. The various opinions that people hold, individual agendas and past difficulties with child welfare services may all generate resistance or resentment. These feelings should be expected and honored, because it is only through the sharing of differences that true consensus can be achieved. Further, keep in mind that a consensus can change over time - standards that were appropriate at one time may need to be revised later to reflect changes within the community.

Setting foster care standards ultimately is an exercise of sovereignty. Therefore, no tribe should let anyone from outside the tribe tell them what their standards should be. Accepting the challenge of clarifying their own values about children's needs is a major step toward ensuring that the tribe's standards will actually work.

SAMPLE REGULATIONS AND STANDARDS

The following sections provide one model of tribal childcare regulations based on tribal code and two models (Sample Standards 1 and Sample Standards 2) of foster care standards. These samples were developed to provide examples of the structure and possible content of foster care regulations and standards documents. The suggested content is intended to represent one example and is not intended to be an exclusive model for foster care regulations or standards documents. Each tribal community has unique needs and circumstances that may require documents very different from the two models provided here. The following is a brief description of Sample Regulations and Sample Standards 1 and 2.

Sample Regulations: The authority of a tribe to operate foster care programs comes from its sovereign authority over civil regulatory jurisdiction, including child custody matters. Tribal law or code articulates the authority and designates implementation of the code within the tribal government structure. This power to regulate is usually held by the council or the court. The council or court exercises its authority by creating regulations based on the code and the authority delegated to it. In turn, regulations usually delegate the process of standard setting. The regulation may be implemented by the council or court or may be delegated to the administration or a commission or committee. Regulations govern all aspects of the related services. Licensing, sometimes call certification, is done by the child welfare department based on the regulations and standards established under the tribal governments authority. The sample regulations provided here assume a written code (not provided).

Sample Standards 1: This model was developed as a comprehensive example for tribal communities with extensive resources. These resources include 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. Such tribes will need to comprehensively address the need for foster care standards.

Sample Standards 2: This model was designed for tribal communities that do not have extensive resources available to them. A tribal community, such as this, may or may not have a tribal court, tribal social services department, and the ability to provide tribally based child welfare services. Many times these communities such as this may have services provided by federal, state, or local child welfare agencies. In these instances, a set of foster care standards may help the tribe negotiate the placement of Indian foster children within its own community, rather than in foster care homes outside the tribal community. Tribal foster care standards may also enhance a tribe's ability to enter into state/tribal agreements or contracts.

The two models of foster care standards presented here are composites developed from elements of existing foster care standards from the following tribes:

- Kiowa Tribe of Oklahoma.
- Fort Sill Chiricahun, Warm Springs and Apache Tribes of Oklahoma.
- Navajo Nation.
- Sisseton-Wahpeton Sioux Tribe of South Dakota.
- Warm Springs Tribe of Oregon.

SAMPLE REGULATIONS

Authority. The authority for establishing and enforcing regulations for licensing of Foster Family Homes and Foster Family Group Homes operating under the jurisdiction of the (specific tribe) is based upon the (specific tribe) Child Care Licensing Law of (year).

Purpose. The purpose of the (specific tribe) Child Care Licensing Law is to provide for the protection of children through the licensing and regulation of child care providers and child placement agencies; to provide for the establishment of rules for child care providers and child placement agencies; to ensure continuity of the child’s culture, religion, family, and extended family ties, while providing for the establishment of services that meet the individual needs of the child; to mandate policies for community control and ensure jurisdiction and sovereignty over tribal child welfare services and care of children who come under this jurisdiction; to provide for penalties and to revise certain laws and parts of laws.

Obligation of Program to Client:

1. Purpose: reunite children with natural parents, if at all possible.
2. Work with foster parents to ensure a nurturing environment and quality care for the child.
3. Provide child with skills to develop to his/her potential in life.
4. Provide parent training to both natural parents and foster parents.
5. Provide for the well being, safety, and permanence of children in foster care.

Eligibility. Any Indian child identified in need of alternative care or those children in need of emergency and short-term care. Shelter care shall be provided within homes recruited and certified through a foster care program. (Indicate if voluntary placement also applies.)

(Note: “Alternative care” providers include kinship and relative care providers as defined under the Indian Child Welfare Act of 1978 and the Adoption and Safe Families Act of 1997. Standards apply to these families only when the placement is made under the auspice of the tribal child placing agency, either voluntarily or involuntarily.)

Licensing Exclusions. A Foster Family Home (FFH) must be licensed by the (designated tribal foster care authority), with the following exclusions:

1. A home providing care and supervision only to children related to the family through a private family arrangement. (Not applicable if children related to the family are placed by tribal authority or authorized for licensing and payment.)
2. A home providing care and supervision for a total period less than (specified amount of time, i.e., 30 days) in any twelve-month period. (*This optional provision may not be allowed under federal regulations for tribes receiving IV-E reimbursement for foster care.*)
3. A home providing care and supervision only to a child(ren) placed in that home by an agency for the purpose of legal adoption by that family, unless the adoption has not been completed within (specified amount of time, e.g., two years) of placement.
4. A home providing care and supervision only for one unrelated child of 16 or 17 years of age who has been independently placed by him/herself or his/her relative for purposes of education or work.

Definitions

1. Definition of governing body of tribe (*i.e., tribal council*).
2. Definition of tribal foster care authority that is the delegated representative of the tribal governing body (*usually the court*).
3. Definition of the division of the social service agency that is primarily responsible for child welfare (*usually the child welfare program*).
4. Agency Requirement: Those portions of the standards binding upon the agency but not upon the provider, and so marked. Failure of the agency to meet one or more agency requirement is not a defense for the provider's failure to meet provider requirements.
5. Applicant: An individual who has submitted a signed and dated application form to the agency.
6. Child: Any person under the age of eighteen (18) years (*or as decided by the tribe*).
7. Definition of state, county or local social services agency that operates in area surrounding tribal community.
8. Foster Family Home (FFH): A family home licensed to provide one or more of the following types of care for (tribe) children who are (indicate if all or only those who are unrelated) to the family and who are cared for twenty-four (24) hours a day:
 - a. Interim home: An FFH caring for children expected to return home within (specified length of time, e.g., one year) or to be placed for adoption within (specified length of time, e.g., two years).

- b. Permanent home: An FFH caring for children (whether state wards or not) under written agreement for planned care until child reaches maturity.
 - c. Emergency shelter home: An FFH designated primarily for time-limited emergency placements, usually lasting no longer than thirty (30) days for any child.
 - d. Special service home: An FFH able to provide extraordinary care or services by virtue of training, experience and/or special skills.
 - e. Restricted home: An FFH licensed for a specific child. An FFH licensed as a restricted home may not accept a child(ren) other than the specifically named child(ren).
 - f. Group family foster home: An FFH providing care for no more than (number of children, e.g., 10) children, including the family's own children.
9. Handicap: A condition of developmental disability, mental illness, physical handicap, sight or hearing deficiency or chemical dependency.
 10. License: The document issued by the agency (as authorized by the [governing body or tribe]) authorizing the applicant to provide foster care.
 11. Licensed capacity: Maximum number of foster children who can live in a foster home at any given time.
 12. Provider: Person(s) giving care to foster child(ren) in a licensed FFH. The provider is responsible for meeting and maintaining minimum licensing requirements in cooperation with the (tribal social service agency).
 13. Related: Any of the following persons related to the child by marriage, blood or adoption: parent, grandparent, brother, sister, step-parent, stepsister, stepbrother, niece, nephew, uncle, aunt. It also includes a legally appointed guardian or the Indian custodian as defined by the Indian Child Welfare Act.
 14. Substitute caregiver: A person providing temporary care for a foster child(ren) in the absence of the foster parent(s). Arrangements for substitute care must have the approval of the agency and the foster parents.
 15. Waiver: Written permission from the (tribal social services agency) (as authorized by the (governing body of the tribe) to disregard a particular section of licensing standards for no longer than (designated time, e.g., 6-12 months).
 16. Tribal members: Persons enrolled as members of the (specific tribe) of (state of tribe).

Form of Payment. Payment for childcare shall be in the form of tribal checks issued to a designated payee approved by certification. Payment shall be determined by the number of days childcare is provided and with the approving signature of (designated foster care agent). Payment shall be for calendar months with day count upon certification approval by (designated foster care agent). A child may be temporarily absent (number of days), including the day leaving and the day returning, and payment will still be valid. An absence longer than (number of days) will result in non-payment for all days absent.

Absence will be paid for those reasons which are a part of normal home activity, such as camps and outings. (Designated foster care payment mechanism could be inserted here.)

Support Payments. 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.

Authorization for Medical Care

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 for non-emergency, elective surgery may be given by the court to the placement agency responsible for placing the child.

A standard form for medical authorization shall be utilized for all children under the jurisdiction of the (designated tribe).

Individual Child Care Plan. 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.

Foster Family Homes and Foster Family Group Homes shall be provided with assistance by the (designated tribal licensing authority) to prepare such plans.

Responsibilities of the Tribal Licensing Authority. The Tribal Licensing Authority shall establish rules and regulations for

1. Recruiting, licensing (*i.e.*, *certification*), relicensing, classification, and supervision of foster family homes and roster family group homes
2. Uniform amounts of payment for foster family home and foster family group homes according to type of license
3. The form and content of investigations, reports and studies concerning licensing and regulations
4. Denying, suspending, or revoking childcare licenses as provided for under the (specific tribe) Tribal Child Care Licensing Law

The Tribal Licensing Authority shall establish a reservation-wide ad hoc committee for the purpose of advising the formulation or amendment of the rules and regulations promulgated under the (specific tribe) Tribal Child Care Licensing Law. (This may be seen as not feasible.)

The Tribal Licensing Authority shall provide training, consultation, and technical assistance to Foster Family Homes and Foster Family Group Homes to ensure compliance with regulations promulgated under this law.

The Tribal Licensing Authority shall investigate and take action to prevent continued operation of Foster Family Homes and Foster Family Group Homes conducted or maintained without a license.

The Tribal Licensing Authority shall ensure that regulations represent child welfare practices that are appropriate, familiar and consistent with the child's culture and traditions, while providing a safe environment that will contribute toward the normal growth and development of meaningful relationships with family, extended family, peers, adults, and community.

The Tribal Licensing Authority shall not be obligated to make referrals or payments to a licensed Foster Family Home or Foster Family Group Home care providers.

Maintaining Adequate Standards of License

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.

Procedures for Obtaining a License. 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).

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 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.

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.

Certification of Foster Homes. Application for certification must be picked up at the (designated foster Care office).

1. An initial interview by the (designated foster care agency) will be scheduled to gain basic information and schedule home visits for evaluation. Application forms must be completed, signed and returned to (designated foster care agency) before scheduled home visit for evaluation.
2. 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.
3. 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.
4. Certification of the home shall occur with the signing of the foster parent agreement.
5. An appointment shall be scheduled within one week with a counselor reassigned after the home evaluation is completed.

Relicensing of Foster Homes. 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. When the (designated tribal licensing authority) fails to meet its relicensing responsibilities, 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 original program and/or purpose for care

Procedures for Revocation, Denial, Modification or Refusal of License, Grounds Notice, and Hearings. 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 provisions of the (designated child care licensing law), the child care regulations promulgated under these laws or the terms of the license.

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.

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 modification 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).

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.

If the proposed revocation, denial, modification, or refusal is not appealed, the license may be revoked or the application of the renewal thereof refused.

A revocation may take place upon the legal determination of abuse or neglect of the child in care, with the child removed immediately from the facility or home and placed in substitute placement.

Denial of Certification. Applicants for certification may be denied if there is a reasonable doubt that the homes 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.

Persons Authorized to Place. 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.

License for Specific Children When Home Does Not Meet All the Standards

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. *(This provision may not be allowed under federal regulation for tribes operating foster care under Title IV-E agreements.)*

Withdrawal and Termination

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.

Foster Home to Give Notice of Withdrawal of Licensure

The foster parents are required to notify the agency of their intention to withdraw their home from licensure.

Waiver of Regulations

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. *(This provision may not be allowed under federal regulation for tribes operating foster care under Title IV-E agreements.)*

Penalties

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.

SAMPLE STANDARDS 1: COMPREHENSIVE STANDARDS AND LICENSING

Regulations for Foster Family Homes (FFH) and Foster Family Group Homes Operating Under the Jurisdiction of the (Designated Tribe)

FFH QUALIFICATIONS AND TRAINING

- I. FFH applicants shall be kind, mature, and responsible people with a genuine liking for children. They shall possess consistent and healthy methods for handling the lifestyle unique to their own families. Evaluation of applicants shall consider cultural difference.

Rationale: Children who must live apart from their own homes are uniquely in need of stable, understanding families. Many children needing placement are emotionally, mentally or physically handicapped. These children need extra understanding and parenting to cope with their problems.

Satisfactory Compliance

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:

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 previous 10 years.

Satisfactory Compliance

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:

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.
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 affect ional 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 problems when difficulties arise
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.
16. Have an ability to openly discuss their attitudes about persons with differing lifestyles and philosophies and a capacity to accept people who are different from themselves.

II. FFH applicants and agencies must be able to work in partnership.

Rationale: The ICW program has overall responsibility for planning with the child. The service of foster parents is an integral and important part of that plan. The relationship between the FFH and the agency must be one of mutual trust and respect.

Satisfactory Compliance

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 that FFH has been without a placement for a 12-month period (tribal foster care authority requirement).
 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).
 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).
- III. 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.
- IV. The agency may request consultation from specialists in evaluating the abilities of prospective FFH providers, but must evaluate each applicant on an individual basis (tribal foster care authority).
- V. 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.
- VI. The health of persons living in the FFH shall not be a hazard to the children.

Satisfactory Compliance:

1. The applicant shall supply to the agency a statement from the applicant's physician dated within six months prior to ensure that either:
 - a. Members of the family have received a physical examination and are physically able to provide care to children, or
 - b. Members of the family are receiving all necessary continuing medical care and are physically able to provide care to children

This statement may not be necessary for children who are members of the foster family if current school reports indicate good health.

The agency may, at its own discretion, require a physical examination of any person living in the home.

2. The FFH shall make the agency immediately aware of any communicable or infectious disease in the FFH.
3. 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.

VII. Family foster care providers shall participate in training to develop and enhance their skills.

Rationale: The vast majority of children needing placement are children with problems. Many children are emotionally, mentally, or physically handicapped.

The intent of an ongoing training program is to build on the foster parents' initial interest in providing service and maximizing their ability to provide the highest-quality services to (specific tribe) children. The aim of this training is to transfer information about foster care and foster children.

Orientation and in-service training can, and should, take place in a variety of settings and through a variety of methods. These methods include for example, group sessions offered by local agencies or foster parent association; TV or correspondence courses; agricultural extension classes; organizational activities such as conferences, conventions, seminars, and workshops; special sessions offered by local school districts or mental health center; Red Cross training; one-to-one "tutoring" by agency staff or experienced foster parents.

Satisfactory Compliance

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
 - 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 natural parents (or birth parents, the use of natural may appear to infer that foster is unnatural)
 - 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
5. An FFH with five consecutive years of experience as a FFH may be exempted from mandatory annual training at the discretion of the agency. (*Note: The 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.*)
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.

VIII. No child shall be subjected to physical or psychological abuse. (Foster parents should sign an agreement regarding discipline.

Rationale: Although families differ in their approach to discipline, harsh or threatening methods are particularly damaging to children in foster care. Discipline should be defined as an overall plan for teaching acceptable behavior; punishment is, more narrowly, negative reinforcement for unacceptable behavior. The carrying out of the individual plan for a foster child or the contract between the child and the foster parents involving specified consequences should not be construed as imposing punishment on that child.

Satisfactory Compliance

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 periodically evaluated by the FFH and the agency.
9. Corporal punishment is prohibited. Corporal punishment includes, but is not limited to, hitting, slapping, pinching, shaking, kicking and biting.

IX. Private data about a child and his/her family shall be kept confidential.

NUMBER OF CHILDREN

- I. A Family Foster Home (FFH) shall be limited to the following, including the home's own children.

Rationale: The abilities of parent(s) to provide care to foster children differ greatly. The maximum number of children allowed in foster homes must be flexible; however, the maximum number must also allow foster family parents to devote sufficient time to each child. (Numbers provided here are for the purpose of examples only. Actual restrictions should be decided locally.)

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 Homes – 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 children total.
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).

- II. Exceptions to the maximum number of foster children will be allowed when
 - 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.
- III. All FFH providers must be at least 21 years of age at the time of licensure.
- IV. A license is not transferable to another provider or site.
- V. 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 persons in the home.
- VI. 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.

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.

HEALTH

- I. The FFH provider shall be prepared to cope with health emergencies.

Satisfactory Compliance

- 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. Any medicine prescribed for a foster child shall be given exactly as prescribed and shall be given by an adult.
- 4. 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.

- II. 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.
- III. 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.
- IV. The FFH provider shall be responsible for carrying out the agreed upon plan for medical and dental care for the foster child(ren).
- V. 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).
- VI. The FFH provider shall ensure the agency has current directions to the home.

PHYSICAL ENVIRONMENT

- I. 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 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).
- II. There must be a safe water and milk supply.
- III. The house and premises shall be reasonably clean and reasonably neat and free from hazards that jeopardize health and safety.

Satisfactory Compliance

1. FFH premises shall be inspected by the agency (tribal foster care authority requirement).
 2. House and premises shall be clean, reasonably 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.
- IV. The FFH provider shall maintain personal cleanliness while preparing food.

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.

V. The FFH shall be safe from fire and structural hazards.

Satisfactory Compliance

1. An inspection for fire safety using the Fire Safety Checklist shall be made jointly by the applicant and the (tribal foster care authority) before licensure and annually thereafter before relicensure. The (tribal foster care authority) may request a fire marshal inspection or IHS 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 one that can be opened from the inside.
10. Any bathroom door lock shall be designed to permit the opening of the locked door from the outside in case of an emergency.

11. A report shall be made to the agency after the occurrence of a fire.
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).
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.

VI. The FFH provider shall be prepared to cope with emergencies.

Satisfactory Compliance

1. The FFH provider shall make arrangements, approved by the (tribal foster care authority), for substitute care during emergencies.
2. A list of emergency telephone numbers shall be prominently posted, including police, fire, doctor, hospital, ambulance and emergency social service.
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.

NUTRITION

- I. The FFH provider shall consult with a 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.
- II. Well-balanced meals shall be served daily.

Rationale: Balanced nutrition is basic to the attainment of good health. A child grows and develops rapidly. This growth and development is related to nutrition.

Satisfactory Compliance

1. Each day's menu shall include servings from each of the four basic food groups as indicated in the (supplemental discussing healthy nutritional requirements).

DAILY ACTIVITIES

Every foster child shall be treated as a member of the FFH. The foster child shall share in the privileges and responsibilities of the home as appropriate to the child's age and abilities. 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 encouraged.

Infants

- I. Each infant must be held during bottle-feeding until safely able to hold his/her own bottle.

Rationale: An infant's first sense of security is closely related to his/her food. Being held during feeding helps him/her to develop a trust relationship with others. It is possible for a young infant to choke on milk or water from a propped bottle.

II. 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.

III. Each infant must be held, rocked, cuddled and played with during each day of care.

Rationale: Physical closeness to others is indispensable as a first step in developing social relationships.

IV. Infants' attempts to communicate must be responded to.

Rationale: Baby sounds are the beginnings of speech and language development. Socialization is encouraged when the infant receives a response to his/her babbling.

V. Infants need large muscle activity in order to develop properly, physically and mentally. Infants learn by exploring their environment.

Satisfactory Compliance

1. The noncreeping 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.

VI. The infant must be provided with an environment that stimulates all his/her senses.

Rationale: The infant develops in response to stimuli; normal development can be retarded by a lack of stimulation.

Satisfactory Compliance

Infants should be provided with (commercially made, homemade or natural)

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)

Toddlers, Preschoolers and School Age Children

- I. Each child shall be allowed as much independence as he/she can safely handle.

Rationale: Children need to establish their own identity; children learn through exploring and manipulating their environment.

- II. Each child shall be provided with limits consistent with his/her age of understanding.

Rationale: The child needs to learn rules for his/her and others' safety.

- III. Each child shall be encouraged to communicate verbally.

Rationale: Speech and language development occurs through practice and encouragement. Socialization is encouraged when the child receives a response.

- IV. Each child shall be given physical signs of affection as appropriate for age and maturity.

Rationale: Children need physical closeness although they may reject it at times because of their growing need for independence. This independence must be respected, but rocking, hugging, and other physical signs of affection must be offered.

- V. Each child shall be provided with materials and equipment that will enhance his/her physical, mental, and emotional development.

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

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., puzzles, books)
5. Social activities (e.g., games)

- VI. Toilet training shall be undertaken only when appropriate to each child's age and stage of development.

Satisfactory Compliance

1. Toilet training by the FFH provider shall be within the limits of the licensing rules.
2. No child shall be punished for accidents occurring during toilet training. (See also D.8.)
3. The agency shall offer consultation and training to providers about toilet training.

- VII. Each child shall nap or rest as is appropriate for age and stage of development.

Rationale: Children's needs for naps differ even at similar ages.

Adolescents

The view of adolescents upon which the following is based is that adolescence is a segment of continuing human development . Adolescence is a stage of human development. Adolescents are persons with specific qualities and characteristics who have a participatory and responsible role to play, tasks to perform and skills to develop at that particular time of life. The degree and extent to which adolescents experience such responsible participation will determine and maximize their human development.

Conditions for health and development should provide young people with the following opportunities:

- I. To participate as citizens, as members of a household, as workers, as tribal members, and as responsible members of society.

Rationale: Adolescents are growing, developing persons in a particular age group— not pre-adults, pre-parents, or pre-workers, but human beings participating in the activities of the world around them.

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.

- I. To gain experience in decision-making.

Rationale: In our complex society, youth must develop the capacity to make decisions in many areas: school interests, work interests, use of discretionary time, the kinds of friends they want to cultivate, etc.

Satisfactory Compliance

Each child shall be provided practical learning opportunities.

- II. To interact with peers and acquire a sense of belonging.

Rationale: Adolescents are moving toward wider interdependence with their peers and require a sense of belonging to their own age groups, as well as to adults. They need to acquire the ability to handle their sexuality, develop and maintain friendships and experience closeness.

Satisfactory Compliance

Each child shall have the opportunity to participate in a variety of activities.

- III. To reflect on themselves in relation to others and discover themselves by looking outward, as well as inward.

Rationale: Adolescents encounter conflicting values in a rapidly changing world and should have the opportunity to act out their reactions, consider the pluses and minuses, and try to determine where they stand.

Satisfactory Compliance

Each child shall be encouraged to participate in open discussions with adults exposing, but not imposing, their value systems on the child.

IV. To discuss conflicting values and formulate their own value systems.

Satisfactory Compliance

Each child shall be provided opportunity for significant experiences and careful examination and reflection on those experiences for his/her moral development.

V. 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.

Rationale: Adolescents should be able to try out various roles without being obligated to pursue a given course.

Satisfactory Compliance

Each child shall be allowed opportunities to experiment, within the constraints of law, with his/her own identity in a nonjudgmental atmosphere.

VI. To develop a feeling of accountability in the context of a relationship among equals.

Rationale: Genuine participation and genuine responsibility go hand in hand. A basic tenet of our social system is that for every right, there is a corresponding responsibility; this results in the commitment necessary in a mature society.

Satisfactory Compliance

Each child shall be provided opportunities for participation and accountability in a family relationship.

VII. To cultivate a capacity to enjoy life.

Rationale: Maturity includes enjoyment, creativity and frivolity, doing things on one's own and learning to interact with all kinds of people.

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.

Other

- I. Special activities related to a child's religious or cultural heritage shall be available to him/her.
- II. Special activities related to a birth family shall be available to him/her, based on the agency's plan.

RECORDS

- I. The (tribal foster care authority) shall establish and maintain an individual record for the foster family home (tribal foster care authority requirement).

Rationale: The foster home record serves as the basis of evaluation both of foster home quality and of (tribal foster care authority) practice. Recommendations to the (governing body of the tribe) about the foster home must be substantiated through the (tribal foster care authority) records.

Satisfactory Compliance

The (tribal foster care authority) record shall contain:

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 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 IHS 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 borne study.
 6. References from individuals who can evaluate the applicant(s) as potential foster care providers. If the applicant(s) have been licensed through another agency within the previous five years, the (tribal foster care authority) shall request a reference from that agency.
 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).
- II. Individual case records for children placed in foster care shall be kept separately from the licensing records (tribal foster care authority requirement).
- III. 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).

SPECIAL SERVICES (ADDITIONAL REQUIREMENTS)

Rationale: Children with special needs require special understanding. FFH providers who undertake to care for these children must possess more than ordinary abilities. Such children require extraordinary care.

Opportunities for achieving the special knowledge and skills can include observing children with special needs, meeting with other foster parents who have cared for children with special needs, holding discussions with specialists and community resource people and/or attending workshops or conferences.

- I. Prior to licensure for special services, the FFH provider must have structured opportunities for achieving knowledge and skills necessary and pertinent to specific special need(s) or handicap(s).
 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

- II. 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).

Rationale: The growth and development of children with special needs or handicaps must be planned and evaluated regularly.

Satisfactory Compliance

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).
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 roster 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).

FOSTER FAMILY GROUP HOMES (ADDITIONAL REQUIREMENTS)

Rationale: Not all foster homes fit into neat categories. There are families with many children of their own. There is a need to develop innovative ways of caring for children away from their own families—such as emergency shelters and teenage peer groups. It is both necessary and desirable to provide flexibility and room for innovation in the field of foster care, while still ensuring the basic needs of children.

- I. 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.
- II. The Foster Family Group Home and (tribal foster care authority) shall have a written and signed agreement containing:
 1. Admission and discharge policy for the children
 2. Individualized program plans for the child(ren) and designated responsibilities for developing and implementing these plans
 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
- III. There shall be a minimum of one adult in residence for every five children in the Foster Family Home.
- IV. The Group Family Foster Home shall care for no more than ten children, including their own children.
- V. Physical facility:
 1. There shall be 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 personal possessions.

VI. The application for licensure shall be signed by both the (tribal foster care authority) and the applicant(s).

VII. 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.

PREEXISTING 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 law shall be subject to the rules and regulations promulgated under this law from the date of its enactment.

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 providers outside the jurisdiction of the tribe and child placement agencies to:

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

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).

SAMPLE STANDARDS 2: BASIC STANDARDS AND LICENSING REGULATIONS

Regulations for Foster Family Homes and Foster Family Group Homes Operating Under the Jurisdiction of the (Designated Tribe)

APPLICANT REGULATIONS

- I. 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.
- II. 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).
- III. Income: The income of the provider shall be sufficient to maintain the family without relying upon foster care payments.
- IV. 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 licensing authority) at a (specified time) prior to licensing.
- V. 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.
- VI. 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.

GENERAL REGULATIONS

- I. 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.
- II. Accessibility of premises: Providers shall maintain premises that will allow for accessibility of physically and mentally handicapped children.
- III. 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.
- IV. 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.

- V. Bedding space: The foster child shall be provided with personal space and bedding designated for his or her own use.
- VI. 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).
- VII. Community involvement: Providers shall allow the child to participate in community activities.
- VIII. Discipline: The provider shall discipline the child in reasonable ways familiar to each child in care.
- IX. 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.
- X. 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.

HEALTH AND SAFETY REGULATIONS

- I. Fire safety: Providers shall follow minimum fire safety standards, that shall include but are not limited to
 - 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.
- II. 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 fastened to rugs or walls, and all exposed wiring is fully insulated.

- III. 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.
- IV. 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.
- V. Poison: Providers shall keep all medicines, insecticides, and flammable liquids out of reach of children and not in close proximity to food.
- VI. 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.
- VII. Training: The inspection of water, heating, electrical and fire safety as well 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.
- VIII. 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).

REGULATIONS GOVERNING CHILD RIGHTS

- I. Abuse: Physical and verbal abuse, ill treatment, and harsh and degrading punishment are prohibited. There shall also be *safeguards*
- II. *s* protecting children from exploitation and/or abuse by peers or other individuals in the child(ren)'s environment.
- III. Activities: The children shall be permitted to participate in appropriate recreational, physical, and athletic activities according to individual taste and ability.
- IV. Case plan: The child shall be informed about the case plan to the extent that he/she is able to understand it.

- V. 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.
- VI. 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.
- VII. Legal representation: The foster child shall be guaranteed access to legal representation, and to grievance and complaint mechanisms.
- VIII. 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 area with high-level radiation exposure.
- IX. 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.
- X. 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 (designated tribal licensing authority) shall be advised prior to the use of medicine for the foster child.
- XI. 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.
- XII. Services: Appropriate social, educational, vocational, health, religious, and cultural services shall be available for the benefit of the Foster Family or Foster Family Group Home.
- XIII. 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.
- XIV. Visits: Children shall be allowed visits with their parents, family, extended family members, clan relation, and friends in accordance with the case plan.

THE FOSTER HOME SHALL

- 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

- V. Not place child(ren) in any situation that endangers his/her health, schooling or recreation
- VI. Not use severe or harsh punishment, including spanking
- VII. Respect religious affiliations of the child
- VIII. Have sufficient income to meet own needs without support monies of child
- IX. Provide nutritious and sufficient diet daily
- 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

FAMILY COMPOSITION

- 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
 - a. Foster parent(s) shall care for one and not more than two infants (under two), including the foster parent(s) own children.
 - 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.

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:

- 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
 - 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

FOSTER PARENTING ABILITIES

An assessment of prospective foster parents' parenting ability regarding a specific child shall take into account the following:

- 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.
- 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.

DISCIPLINE

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.

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.

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.

Acceptable Methods of Discipline

1. Give something rewarding.
2. Remove something negative.
3. Remove something rewarding.
4. Give something negative.
5. Time out.

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.

Remove Something Negative. For good behavior, excuse a child from doing something he/she dislikes, for example, doing dishes, taking out garbage, cleaning house, or extend bedtime or curfew a little bit.

Remove Something Rewarding. Take away privileges 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 that is important to the child’s development. Careful consideration should be given when withholding participation in school team sports or activities.)

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.

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.

Unacceptable Methods of Discipline

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

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

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

Final Note

All foster parents are subject to the *(Fill in your tribal code for child care provision here.)*
A neglected child may be one who is:

1. Abandoned by his or her parents.
2. Deprived of adequate or necessary food, clothing, housing, education, supervision, maintenance, or other care from his or her parent or guardian, including any special care made necessary by the mental or physical condition of the juvenile, to the detriment of the juvenile's health, welfare, safety or morals.
3. Physically abused by his or her parent or guardian.
4. In a situation or occupation that is causing or threatening to cause injury to the health, safety, welfare, or morals of the juvenile.

AGREEMENT WITH FOSTER PARENTS

The (tribal foster care authority) of the (specific tribe) and

_____ (Foster Parent)

and

_____ (Foster Parent)

AGREE AS FOLLOWS:

The (tribal foster care authority) agrees to accept its responsibilities including but not limited to visiting the foster family on a regular basis and providing all necessary services to the foster family, the child, and the child's own family.

THE FOSTER PARENTS AGREE AS FOLLOWS:

1. To accept the child/children named above for temporary foster care and maintain the child/children's health and welfare.
2. To accept the condition that any children placed for foster care in our home by the (tribal foster care authority) are placed for the purpose of their foster care only, and not for the purpose of adoption by us.
3. To accept the (tribal foster care authority) decision to remove a foster child from our home when it deems such removal is in the child's best interest.
4. To accept the condition that the foster care program is responsible for making, carrying out, or approving all plans for the children placed by them in our foster home.
5. To cooperate with the (tribal foster care program) in such planning and to follow recommendations regarding the care, education, and training of the foster children.
6. To allow the assigned representative of the (tribal foster care program) to visit our home at least (specific time, e.g., one month) during a mutually agreed upon time and/or to meet with representative in the (tribal foster care authority) office.
7. To report at once to the foster care program any accident or unusual sickness of the children and any serious or continues illness in the family.
8. To report to the (tribal foster care authority) any change of address or change in family composition; to secure permission before making any plans for taking the children out of the state for residence or vacation plans away from the (specific tribe).
9. To contact the (designated health service and tribal foster care authority) for medical services and emergencies rendered to the foster child.
10. To contact the (tribal foster care authority) for all other emergencies.
11. To authorize the (tribal foster care authority) to investigate the medical status of our family and children in order to ensure the health of the child.

We certify that we have read and understand this agreement and are retaining a signed copy:

Foster Father/Foster Mother

Representative Date

Following is a sample questionnaire. Again, there will be variations. Each child-placing agency may utilize forms and questionnaires responsive to their own particular needs.

SAMPLE
TRIBAL AGENCY
FOSTER HOME QUESTIONNAIRE

Name of husband: _____

Name of wife: _____

Address: _____

City, State, Zip: _____

Phone: Home _____

Work _____

Nearest grade school: _____

Distance: _____

APPLICANTS

HUSBAND

Birth date: _____

Place of birth: _____

Occupation: _____

Salary: _____

Religion: _____

Tribal affiliation/race: _____

Driver's license #: _____

WIFE

Birth date: _____

Place of birth: _____

Occupation: _____

Salary: _____

Religion: _____

Tribal affiliation/race: _____

Driver's license #: _____

