

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

POLICY GUIDE 2024.01

Relative Caregiver Certification Pilot Program

DATE: July 31, 2024

TO: DCFS and Child Welfare Contributing Agency Permanency and Licensing Staff, Child Protection Staff, and Central Office of Licensing Background Checks Unit Staff.

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EFFECTIVE: Immediately

I. PURPOSE

The purpose of this Policy Guide is to outline the process for the Relative Caregiver Certification Pilot.

II. PRIMARY USERS

The primary users of this Policy Guide are Department and Child Welfare Contributing Agency (contributing agency) permanency staff, child protection staff, and Central Office of Licensing Background Checks Unit staff involved in the Relative Caregiver Certification Pilot Program.

All staff **not** involved in the pilot program should continue to follow and use the forms for Rule and Procedures 301.80, Relative Home Placements.

III. BACKGROUND AND SUMMARY

A new rule published by the Administration for Children and Families on September 28th, 2023 allows title IV-E agencies to adopt relative specific certification standards for relative foster family homes. The new rule mandates standards for relative certification be reasonably in accord with recommended standards of national organizations and allows for federal funding for certified relative homes to match licensed relative homes. Illinois along with several other states have agreed to pilot the recommended standards. Starting July 15, 2024, the pilot program will run for 45 days (September 16th, 2024) for the chosen pilot sites in Cook County and in the Central Region. The pilot may finish sooner if the number of relative caregivers identified for each agency and child protection are completed.

Each agency piloting the program will be identifying current unlicensed relative homes and encouraging them to apply for certification. For the purpose of the pilot, permanency caseworkers shall complete these relative home certification forms. In addition, any new relative homes going forward will be able to apply for certification through an identified pilot site. For the purpose of the pilot, child protection investigators in the pilot sites shall complete relative home certification forms for all newly identified relative homes.



In order to become certified, the following three components must be completed:

- 1) A background check that meets the specific criteria outlined below.
- 2) A safety and needs assessment focused on evaluating a safe living space and identifying any necessary concrete goods or safety modifications for the assigned worker's agency to provide or to assist the relative in meeting the needs of the child.
- 3) A caregiver assessment focused on the relative caregiver's ability to care for all the child's physical, emotional, medical, and educational needs.

IV. INSTRUCTIONS

The caseworker or investigator shall begin by identifying and contacting prospective or current relative caregivers and assessing the relative's willingness to help and support the youth in care, following the process outlined in **P301.80(b) Identifying, Searching for and Engaging Relatives**

Once a prospective or current relative caregiver has been identified, the caseworker will explain what relative caregiver certification is, the benefits of becoming certified, and the process to become certified.

A relative may apply for certification as a relative home for a related youth in care prior to placement in the home.

When a relative caregiver intends to apply for certification, caseworkers should assist families in completing the steps required for the approval process. This may include: completing forms together, obtaining court records or dispositions, accessing translation services, provide support with identifying options for fingerprinting, including assistance scheduling appointments that are accessible and available at times that fit the caregiver's schedule, making a plan to get fingerprinted in a timely manner that works with the caregiver's schedule and resources, providing transportation for a fingerprinting appointment, providing childcare for a fingerprinting appointment, helping with minor home maintenance to resolve critical safety issues, and purchasing required safety or comfort items such as a car seat or mattress.

Background Check Guidelines for Placement

A background check completed for placement prior to beginning the certification process includes the following:

For any other person living in the home age 13 through 17:

- A search of the DCFS State Central Register (SCR) to determine whether an individual is currently alleged, or has been indicted as a perpetrator of child abuse or neglect.
- A search of the Illinois Sex Offender Registry (SOR) and the National Sex Offender Public Website (NSOPW).

- A search of state-based child abuse and neglect registry or databases for each state where the individual resided during the preceding 5 years.
- A search of state-based sex offender registry or repository for each state where the individual resided during the preceding 5 years.

Components of Relative Home Certification

Background Check Guidelines

A background check for relative home certification includes:

For the relative caregiver and any other adult living in the home age 18 or older who regularly lives, shares common areas, and sleeps in the home. This includes an individual who is living, sharing common areas, and sleeping in a home temporarily for more than two consecutive weeks.

- A check of the Law Enforcement Agency Data System (LEADS).
- Fingerprints submitted to the Illinois State Police (ISP) for comparison to their criminal histories record.
- A search of the DCFS State Central Register (SCR) to determine whether an individual is currently alleged, or has been indicated as a perpetrator of child abuse or neglect.
- A search of the Illinois Sex Offender Registry (SOR).
- A search of the National Sex Offender Public Website (NSOPW).
- Fingerprints using Next Generation Identification submitted to the Federal Bureau of Investigation (FBI) for comparison to their national crime information databases.
- A search of the National Crime Information Center National Sex Offender Registry (NCIC/NSOR).
- A search of the following registries, repositories, or databases in each state where an individual resided during the preceding 5 years:
 - State-based criminal registry or repository (fingerprint use optional).
 - State-based child abuse and neglect registry or database.
 - State sex offender registry or repository.

A CFS 450-1 Authorization for Background Check for Relative Home Certification Form must be completed for each adult living in the home and sent to the Department's background check unit to complete the required checks at DCFS.UnlicensedRelatives-301.80@illinois.gov

A CFS 450-3 Out-of-State Child Abuse and Neglect Findings Request must be completed and sent to the state whose registry needs to be checked.

In the case of emergency placement, fingerprint-based background check results do not have to be back before making the placement.

Each adult shall be fingerprinted within 14 days of placement, with an extension of up to thirty days for exceptional circumstances.

For existing relative homes, adults only need to be re-fingerprinted if they have not been fingerprinted within the last two years. SCR and LEADS checks only need to be completed if a check has not been completed in the last 6-months.

If a report of abuse or neglect exists, staff of the placing agency shall make an appropriate decision on whether the youth in care should be placed with the relative based on the following considerations:

- The type of abuse and neglect.
- The age of the individual at the time of the report.
- The length of time that has elapsed since the most recent indicated report.
- The relationship of the report to the ability to care for the related children.
- Evidence of successful parenting.

If, upon completion of the background check, it is determined an adult has a criminal record, the caseworker shall use **CFS 450-2 Evaluate Child Abuse, Neglect, Criminal History Form**. This form will assist with evaluating the criminal history of the adult and the impact the history has on the relative's ability to parent the youth in care today.

Evaluation of criminal history shall always include a discussion with the caregiver or other adult in the home to determine if the safety of any child in the home will be impacted. This can include asking the individual with a history of abuse, neglect, or criminal convictions; what changes the person has made to make them safe to work around or care for others. Or asking the individual to explain their accomplishments such as work history, caretaker history, counseling, therapy, or parenting class, for example.

Criminal convictions must be evaluated, but past records for arrests only or charges where the individual was not convicted should not be considered in the evaluation. However, if there is a recent arrest or charge that has not yet been resolved, it is relevant to considering a backup permanency plan should the caregiver become ineligible for certification. If an expunged crime is discovered, it must not be included in an evaluation.

No youth in care shall be placed in a home where an adult was convicted of one of the crimes listed in the attached Criminal Convictions that Prevent Certification of Relative Caregivers document.

For those crimes that fall under the timeframe of "must not have been committed in the last five years," the timeframe shall begin on the date the crime was committed and end on the date the certification is being considered for approval. The timeframe should **not** begin the date of the conviction or date of prison release.

Section 2 of **CFS 450-2 Evaluate Child Abuse, Neglect, Criminal History Form** lists the criteria to be considered when evaluating an individual’s criminal history. Guidance for completing the form for each criterion is included here:

Criteria	Guidance
Role the individual plans to have with the child	Record in Section 1, “Applicant’s role in child’s care”
Type of crime	Record in Section 3, “Criminal Conviction” column
Individual’s age at the time of conviction	Describe in Section 3, “Description” column
Seriousness of the crime	Describe in Section 3, “Description” column
Amount of time passed since the crime	Evaluate based on Section 3, “Date” column
Total number and types of crimes, and ages at the time they were committed	Evaluate based on all criminal convictions in Section 3
Evidence of rehabilitation since conviction (may include completion of treatment, court-ordered classes, community service, character references, etc.)	Record in Section 4, “Evidence of changed behavior”

Section 5: Decision on the form should be completed by a supervisor. When considering comments in support of the decision, the supervisor should review the rest of the form in its entirety along with any other supporting documents. The supervisor shall ensure criminal bars included in the **Criminal Convictions that Prevent Certification of Relative Caregivers** document were not included on the form. The supervisor should consider the criteria and guidance in the chart above and be specific in the narrative on how they reached their decision.

Safety and Needs Assessment

Caseworkers shall use **CFS 450-4 Relative Safety, Needs, and Caregiver Assessment** to conduct a safety and needs assessment focused on evaluating a safe living space and identifying needed supports including, but not limited to, concrete goods or safety modifications for the caseworker to provide or assist the relative in meeting the needs of the youth in care.

Before conducting the assessment, it is recommended to share a checklist with the relative caregiver prior to the home visit so the caregiver will know what to expect and have their home as ready as possible.

The intention of the safety and needs assessment is to support and strengthen families, not deny them for lacking the safety measures included in the assessment. The standards in the assessment are designed with flexibility to equitably meet families’ needs across a diverse array of settings and children’s needs. The caseworker should assume good intent at the start that the caregiver is going to create a safe environment for the youth in care. The caseworker should share with the caregiver why each safety measure is important especially ones the caregiver has not readily met. A relative caregiver not meeting a standard **does not** constitute failing the assessment. The following provides guidance for each standard covered on the form:

- **Conditions of the Home**

- Water. This standard only focuses on access to safe water for drinking and bathing, rather than having a specific water system, such as indoor plumbing, septic system, or water tank. Indoor plumbing is not a requirement for safe access to water.
- Heating/cooling. This standard covers the spectrum of air temperature needs and may vary based on a particular family's needs, as well as geographic region.
- Electricity/lighting. This standard is specific to what children need, rather than a broad standard for electricity or lighting. Successful placements without electricity have been seen particularly in remote areas. The assessment should look at the child's medical needs and if any of those needs would require electricity rather than denying a home for simply not having electricity.
- Insects and rodents. This standard is specific to infestation only. Some insects in the home are expected. Relative caregivers in multi-unit buildings cannot always eliminate insect issues coming through a shared wall. In situations such as this, it is acceptable for relative caregivers to try to control the insects to the best of their ability without being disqualified. If there is an infestation issue and the relative caregiver is willing, the caseworker can work with the relative to identify options for temporary housing to give the caregiver time to fix the issue rather than automatically disqualifying the home in the assessment.
- Pets. This standard is limited to the caseworker's assessment, in discussion with the family, of whether pets are safe for children to be around. For some animals, it may take time to get used to new people. Pet vaccinations are not required as rabies is exceedingly rare and the cost of vaccines can be burdensome for lower income families. The pilot sites may pay for or subsidize pet vaccines. If there are issues between pets and children, caregivers can suggest a discussion with a vet to assist with mediating the issues. Rehoming a pet should be a last resort and is a decision that should be decided between the relative caregiver and their family.
- Outdoor areas. Safeguards are only needed for outdoor areas accessible to children. Locks, gates, door alarms, and supervision are especially helpful in cases where it's difficult to directly safeguard a hazard (*e.g.*, too expensive or burdensome to fence a pond). These are inexpensive options a caseworker can suggest and provide as supports. A fence for a pool is not required, unless local or state ordinances require otherwise.
- Other hazards. Other hazards can include overflowing garbage, uncontained pet waste, mold, peeling lead paint, or excessive debris. Standards for "safe" or "sanitary conditions" can be widely interpreted therefore, this standard focuses on the specific safety hazards that are critical to resolve.

- **Hazardous Material Storage**

- Tools and hazardous materials. Safety measures needed for tools and hazardous materials can vary considerably across children. Some children may have a background of substance abuse or tendencies of self-harm and need additional protections. Others may need ready access to certain supplies or tools to assist with cleaning and yard chores. Caseworkers should choose the least restrictive measure that meets the family's needs.
- Medications. Flexibility is key in medication storage and child access to medications in specific circumstances. For example, a child who takes their own medication or who has emergency medication, like an EpiPen or inhaler needs to have access. A caseworker should consider the needs of the family and child when completing the assessment and offering supports.
- Firearms and weapons. All firearms shall be unloaded and locked in places inaccessible to children at all times. All ammunition shall be locked separately from firearms and stored in places inaccessible to children at all times. Loaded guns shall not be kept in a certified relative home unless required by law enforcement officers, and in accordance with their law enforcement agency's safety procedures.

- **Emergency Preparedness**

- Phone. This standard is structured to allow for families that do not have their own phone, but have another way to call for help. A family only needs a way to call for help and not a specific type of method for calling.
- Fire hazards. A separate fire inspection should not be conducted. This standard should only be based on what a caseworker can reasonably identify in the home.
- Smoke and carbon monoxide detectors. Some jurisdictions may have stricter standards than what is included in this standard. If additional detectors are needed, additional detectors can be provided and installed.
- Fire extinguisher. It's important to ensure relative caregivers have the correct model of fire extinguisher or the correct model of fire extinguisher is provided to the caregiver. Fire extinguishers should be the model and type used in residential settings. It is recommended families be taught how to maintain and use a fire extinguisher by someone from their local fire department.
- Emergency evacuation drill. An evacuation plan map is not required for this standard as maps are difficult to create and hard to interpret. This standard focuses on what is more practical which is physically practicing the evacuation plan and go to the designated sheltering or meeting spot.
- Exits from children's sleeping spaces. This standard is limited to youth in care. It does not apply to the relative caregiver or other household members. If it is practical and safe, it is okay to test the window to make sure children can get out.

- **Sleeping Arrangements**

Sleeping spaces factor heavily into children’s sense of belonging since this is where they tend to spend the most time in the home. Sleeping spaces are also a site of more vulnerability, so extra measures for safety are critical to consider.

- Sleeping space. The term “sleeping space” is used instead of “bedroom”. Generally, children tend to sleep better and feel more secure having their own beds. However, bed sharing can help children self-regulate and heal from trauma or may be the cultural or community standard.
- For children under 12 months. Sleeping spaces should be kept free from anything besides fitted bedding. Pack and plays are not an ideal long-term solution, but are an important option for small living spaces.
- For children over 12 months. Sleeping on couches or air mattresses for a long-term could prevent children from feeling a sense of permanency. Mattresses on the floor, without a bedframe, and tatamis are permanent options. Bunk beds may have 2 or 3 tiers.
- Child preferences. Psychological safety and self-determination increases when children participate in household decision making. ACF and Title IV-E best practices affirm and support all children, including LGBTQIA+ children who may experience harm if sleep, room, or bed arrangements are made based on their assigned genders.
- Bed sharing or room sharing. There are no specific restrictions based on gender, age, or number of children per room. These types of restrictions can be arbitrary and harmful. Decisions should be made based on the individual family’s needs.
- Common space. For children sleeping in a common space, privacy measures could include access to a locked room to change, alone space, curtains, or room dividers.
- Past sexual trauma. Having a private sleeping space is important for children with past sexual trauma or sexualized behaviors. It is recommended along with a private sleeping space for children to be educated on what abuse is and how to talk about it.

- **Items and Support**

- Transportation. Options for transportation support can vary by location. Sometimes there are many options for transporting children. The key is to work with each family on a family-specific plan to support their needs.
- Additional needs for safety and well-being of children. The items listed on the form are considered the highest priority. It is recommended that discussions about additional long-term supports such as therapy, behavioral support, and Temporary Assistance for Needy Families (TANF), occur after placement whenever possible. This helps to ease the stress of placement and reassure families these topics are not part of the safety assessment.

- Resources for relative caregivers. Resources that can be offered to caregivers should include childcare, respite care, transportation, case management, and training and support groups.
 - Seven pieces of literature are recommended to be provided at the end of the assessment. The literature includes: *PARENTS' GUIDE to Fire Safety for Babies and Toddlers, A Helpful Guide for Parents and Caregivers, Back to Sleep, Get water wise. . .SUPERVISE, Never Shake a Baby!, Practice Methadone Safety* (only if applicable), and *Violence Prevention*. The literature can be ordered from Central Stores.
 - If a relative caregiver has access to the internet, the caregiver can be recommended the following websites:
 - American College of Emergency Physicians, www.acep.org
 - American Association of Poison Control Centers, <http://www.aapcc.org>
 - American Red Cross Health and Safety Services, <http://www.redcross.org>
 - National Safe Kids Campaign, <http://www.safekids.org>
 - American Humane Society, www.americanhumanesociety.org
 - American Veterinary Medical Association, www.avma.org
 - Centers for Disease Control and Prevention, www.cdc.gov
 - National Center for Injury Prevention and Control, www.cdc.gov/injury/index.html
 - United States Consumer Product Safety Commission, www.cpsc.gov

Caregiver Assessment

Caseworkers and investigators in the pilot shall use **CFS 450-4 Relative Safety, Needs, and Caregiver Assessment** to conduct a caregiver assessment. The assessment considers the relative's ability to make reasonable parental decisions that maintain the youth in care's health, safety, and best interests in accordance with the reasonable and prudent parenting standard. The assessment considers the caregiver's ability to care for all physical, emotional, medical, and educational needs of the youth in care.

The caregiver assessment should document the caregiver's plans, utilization of available resources, and reactions to situations to ensure the caregiver can meet the children's needs. Questions are meant to prompt the caseworker when interviewing the caregiver and help form a narrative of the caseworker's observations and the caregiver's responses. It is recommended to have a natural flow of conversation with the caregiver and not read the prompts one by one. While most of the prompts will apply to all situations, not all of the prompts will. Further questions may be asked based on each caregiver and their family's unique situation.

Approval and Denial

Relative caregiver certification will only be granted based on the evaluation of the relative's caregiver assessment results, the safety and needs assessment results, and the background checks.

When a relative caregiver has been determined to be certified, the Department will mail a **CFS 450-6 Certification Letter** to the caregiver confirming certification. The letter can be saved and serve as proof of certification.

An approved relative caregiver should not require a renewal of certification for the same placement, unless original circumstances change, such as moving to a different home. In the case of a change in circumstances, it should not be necessary to re-fingerprint anyone.

Denial and Certification Decision Review

If a relative caregiver is denied certification based on the results of the background check, safety and needs assessment, or the caregiver assessment, the caseworker must complete the **CFS 450-5 Denial and Request for Certification Decision Review Letter** and mail it to the relative caregiver. This letter must explain the reason for denial. Included with the letter are directions for the relative caregiver to request a Certification Decision Review, if the relative chooses to do so. All requests for a Certification Decision Review will be sent to DCFS.CertificationReview@illinois.gov or DCFS, Certification Review, 15115 Dixie Hwy, Harvey, IL 60426.

Upon receipt of a decision review, the designated permanency staff will gather the relevant documents and write a brief summary of the case. Relevant documents shall include but is not limited to a copy of the background check information, a copy of the **CFS 450-2 Evaluate Child Abuse, Neglect, Criminal History** if applicable, and a copy of the **CFS 450-4 Relative Safety, Needs, and Caregiver Assessment**.

The Department will hold a Certification Decision Review within 10 business days upon receipt of a request for a review from a relative denied certification.

The Certification Decision Review will be conducted by a team of staff from the following units: Permanency, Child Protection, Legal, Clinical, Director's Office, Background Check Unit, and the Placement Clearance Desk (PCD). When needed, multiple staff from each of these units may attend. The team reserves the right to include other divisions when deemed necessary on a case-by-case basis.

Upon completion of the review, the team will make a recommendation to either uphold the certification denial or overturn the decision and grant certification.

After the review, the Department will notify the relative caregiver within 10 business days with a final decision.

V. NEW, REVISED AND/OR OBSOLETE FORMS

- **CFS 450 Relative Caregiver Application Form for Certification (New 7/2024)**
- **CFS 450-1 Authorization for Background Check for Relative Home Certification (New 7/2024)**
- **CFS 450-2 Evaluate Child Abuse, Neglect, Criminal History (New 7/2024)**
- **CFS 450-3 Out-of-State Child Abuse and Neglect Findings Request (New 7/2024)**
- **CFS 450-4 Relative Safety, Needs, and Caregiver Assessment (New 7/2024)**
- **CFS 450-5 Denial & Request for Certification Decision Review Letter (New 7/2024)**
- **CFS 450-6 Certification Letter (New 7/2024)**

VI. QUESTIONS

Questions regarding this Policy Guide may be directed to the Office of Child and Family Policy via Outlook at DCFS.Policy@illinois.gov.

Criminal Convictions that Prevent Certification of Relative Caregivers

Youth in care shall not be placed with a relative or allowed to remain in the home of a relative if the relative caregiver or any adult member of the household has been convicted of committing any of the following crimes:

1) Homicide

Murder

Solicitation of murder

Solicitation of murder for hire

Intentional homicide of an unborn child

Voluntary manslaughter of an unborn child

Involuntary manslaughter

Reckless homicide

Concealment of a homicidal death

Involuntary manslaughter of an unborn child

Reckless homicide of an unborn child

Drug induced homicide

2) Sex Offenses

Child pornography

Exploitation of a child

Sexual exploitation of a child

Obscenity

Harmful materials

Tie in sales of obscene publications to distributors

Indecent solicitation of a child

Indecent solicitation of an adult

Public indecency

Sexual relations within families

Prostitution

Soliciting for a prostitute
Soliciting for a juvenile prostitute
Solicitation of a sexual act
Pandering
Keeping a place of prostitution
Keeping a place of juvenile prostitution
Patronizing a prostitute
Patronizing a juvenile prostitute
Pimping
Juvenile pimping

3) Kidnapping and Related Offenses

Kidnapping
Aggravated unlawful restraint
Forcible detention
Aiding and abetting child abduction
Aggravated kidnapping
Child abduction

4) Bodily Harm

Aggravated battery of a child
Criminal sexual assault
Aggravated criminal sexual assault
Predatory criminal sexual assault of a child
Criminal sexual abuse
Aggravated sexual abuse
Heinous battery
Aggravated battery with a firearm

Tampering with food, drugs, or cosmetics
Drug-induced infliction of great bodily harm
Aggravated stalking
Home invasion
Vehicular invasion
Criminal transmission of HIV
Criminal neglect of an elderly or disabled person
Child abandonment
Endangering the life or health of a child
Ritual mutilation
Ritualized abuse of a child
Domestic battery (Felony conviction)
Aggravated domestic battery
Violation of an order of protection (Felony conviction)
Violation of a stalking no contact order (Felony conviction)
Any violation of the Methamphetamine Control and Community Protection Act [720 ILCS 646].

An offense in any other state the elements which are similar and bear a substantial relationship to any of the offenses listed above.

A relative caregiver shall not be certified if any of the following are returned in the background check from the last 5 years:

- Felony conviction for physical assault.
- Felony conviction for battery
- Felony conviction for a drug-related offense listed under one of the following Illinois Acts:
 - The Cannabis Control Act [720 ILCS 550]
 - Methamphetamine Control and Community Act [720 ILCS 646]
 - Article IV of the Illinois Controlled Substances Act [720 ILCS 570/401-415]
 - Drug Paraphernalia Act [720 ILCS 600/1-7]