 Department of Children & Family Services <i>Building a Stronger Louisiana</i>	Division/Section	Child Welfare
	Chapter No./Name	9 - Home Development (HD)
	Part No./Name	2 - Minimum Requirements for Foster and Adoptive Homes
	Section No./Name	Minimum Requirements for Foster and Adoptive Homes
	Document No./Name	9-210 Qualifications of the Foster and Adoptive Parents
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I. STATEMENT OF POLICY

It is the policy of the Department of Children and Family Services (DCFS) to ensure the health, safety and well being of the children of the state who are in out-of-home care. The Department has the responsibility for developing foster/adoptive home resources for children in the custody of DCFS. It is also the policy of the Department to ensure that foster/adoptive applicants meet prescribed minimum standards for the safety, health and well-being of children entering foster care and adoption.

II. PROCEDURES

A. RESIDENCY

Persons applying to become a foster/adoptive parent shall provide proof of Louisiana residency by submitting a valid Louisiana driver's license, Louisiana voter registration card, or Louisiana vehicle registration. Any persons in active duty armed forces stationed in Louisiana shall provide a copy of current military orders and identification.

The applicant shall provide proof of United States Citizenship or Legal Alien Status. Documentation of citizenship may include a birth certificate; and legal alien status may be documented with a permanent child card, as described in [8 U.S.C. 1151](#).


B. MARITAL STATUS/ADULT LIVING ARRANGEMENTS

Persons receiving initial approval as foster/adoptive parents shall be either a single person or a legally married couple who has exhibited a stable relationship. Because of the complexity of the role foster/adoptive parents play, DCFS will carefully assess the stability of each couples relationship. A single person is defined as a widowed, divorced, or never married individual.

* Foster/adoptive parents must self identify as "straight or heterosexual," "gay or lesbian," "bisexual," "don't know," "something else," or decline to answer. ** Foster/adoptive parents shall provide a copy of their marriage certificate, divorce judgment, or death certificate as proof of their current marital status and the termination of any previous marriages.

An individual shall not be denied the right to apply for and be certified as a foster/adoptive parent solely because of his/her sexual orientation * or gender identity expression. ** In households where two related or unrelated adults are applying, both individuals can be considered as an applicant. In these incidences, each applicant is to have his/her own case record where one will be designated the applicant and the other will be considered a member of the household.

In a household of two related or unrelated adults in which only one is interested in applying, the other adult will be listed as a household member. If the other adult will play a role in

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parenting the children placed in the home, they shall be assessed as part of the home study process and should attend pre-service training.

C. AGE

Foster/adoptive parents shall provide a copy of a birth certificate or other legal documentation such as a driver's license or passport, etc. as evidence that they meet the following requirements:

- a foster/adoptive parent shall be at least 21 years of age; and
- less than 65 years of age.

If the foster/adoptive parent(s) is a relative, the foster parent(s) shall be considered if:

- age 18 and over; and
- is able to meet the needs of the child to be placed in the applicant's home.

D. APPROVED CHILD CARE PLAN AND SUPPORT SYSTEM

Foster/adoptive parents shall have an appropriate child care plan. The plan shall:


- designate the support system on which the foster/adoptive parent will rely to supervise and provide care for the foster children on an on-going basis, if both parents are employed; and
- allow the foster/adoptive parent opportunities for conducting personal business and for enjoying occasional breaks from the responsibility of the children.

The initial child care plan shall be:

- stated in the Home Study Assessment;
- filed in the case record; and
- updated at the time of recertification using CW Form [604-II](#) Foster/Adoptive Recertification Questionnaire.

Specific child care arrangements should be approved by the Foster Care (FC) Worker. (Refer to Chapter 6 Section [6-925](#).) The foster/adoptive parent shall indicate his/her agreement, by signing CW Form [604-II](#), to adhere to the following criteria when making child care arrangements:

- Select person(s) to provide child care who can provide a safe environment, adequate care and supervision for the child.
- Follow the policy guidelines in Chapter 12 which outlines the use of day care centers.
- Select a sitter that is 15 years of age or older to provide short term, hourly child care. The foster/adoptive parent should leave his/her telephone number where he/she can be reached and should check in with the sitter at least once during his/her absence.
- Ensure caretaker is a mature adult over 21 years of age, if the children are left overnight.

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- Obtain approval of the FC Worker or Adoption Specialist for any sitting arrangements longer than 24 hours in duration.
- Ensure the person designated to provide child care shall agree to abide by the agency's policy on discipline.
- Ensure at all times at least one mature adult (over age 21) will be responsible for direct supervision of the children or be on call.

This policy is not to be construed as prohibiting a child in foster care from spending the night with a friend or extended foster family member with the approval of the foster/adoptive parent. In those cases, the foster/adoptive parent is responsible for determining whether the home of the friend or extended foster family member can provide a safe environment and adequate care and supervision for the child.

Additionally, foster/adoptive parents shall have a safe, adequate means of transportation to meet the needs of their household (inclusive of the foster/adoptive child) and to evacuate on short notice, if and/or when necessary.


E. EMPLOYMENT

As part of the initial certification process, foster/adoptive parents shall sign a release of information for the Home Development (HD) Worker to secure an employment reference if the applicant is employed ([Chapter 9, Appendix J: Employment Reference](#)). Employment is a consideration only in terms of the effect it will have on the child in the home and the foster/adoptive parent's ability to fulfill his/her role and responsibilities to the agency and the child.

Regional Office approval is required for a business conducted in the home. The foster/adoptive parents must demonstrate that activities related to this business will not interfere with the care of the child(ren) and the professional responsibilities of the foster/adoptive parent. A foster home shall not be used as lodging for transient roomers. Employment inside the home should not be construed to establish eligibility for daycare services.

F. INCOME

Foster/adoptive parents shall provide a copy of their income tax report(s), an employee check stub, SSI or FITAP letter of eligibility, or other documentation as proof of income. They shall also provide a financial statement of their expenses using [Appendix I, Financial Statement](#). Income for foster/adoptive parents must be stable and sufficient for the maintenance of the family so that the reimbursement for the child's maintenance is not needed for the foster family's own expenses. A statement regarding financial stability and how it was determined shall be documented in the home study. Income for adoptive parents shall be evaluated in terms of their eligibility for an adoption subsidy and their ability to manage available resources.

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Adoptive parents shall include their insurance and health benefits, if any, in their financial statement.

G. CRIMINAL RECORD CLEARANCE

A fingerprint-based criminal record clearance on foster/adoptive parent applicants and all household members 18 years of age or older shall be conducted prior to certifying a family to foster or adopt in accordance with [R.S. 46:51.2](#) for any crime enumerated [R.S. 15:587.1](#), [R.S. 46:51.2\(C\)](#) and 42 USC 671a(20) (Public Law 105-89). The MORPHOTRAK is available in each regional office for use in obtaining these clearances.


The worker will have the foster/adoptive applicants and all adult household members come into the Regional Office to complete the fingerprinting process to obtain criminal record clearances. Home Development staff completes this phase of the certification process by Session 3 of * pre-service training **. Staff sends a copy of the MORPHOTRAK log to State Office, Attention: Administrative Services. Refer to [Chapter 1, Administrative Policy, Section 1-1000 A. Fingerprint Based Criminal Clearance](#), for details on the criminal clearance process.

For prospective foster/adoptive household members, age 18 or older, who are physically challenged due to a serious health condition and incapable of coming into the Regional Office to use the MORPHOTRAK equipment, utilize the manual fingerprinting process. Refer to [Chapter 1, Section 1-1000 B. Name Based Clearance](#) to review the manual fingerprinting process. All case activities are to be documented on the CR-8.

Should the criminal record check clearance not contain the disposition of criminal charges of a prohibited offense or lacks information sufficient to make a conclusive determination concerning the safety of the child, then the applicant must be determined as requiring additional information for a decision. This may not be waived.

The applicant may contact the reporting authority to clear/clarify charges reflected on his/her criminal clearance without a disposition. For those dispositions of criminal charges not listed in [R.S. 15:587.1](#), [R.S. 46:51.2\(C\)](#), or 42 USC 671a(20) staff may discuss criminal clearance findings with the individual on whom the clearance was completed, without providing a copy of the clearance. If an individual on whom a criminal clearance was completed wants a copy of the clearance, the individual should be directed to the FBI website (www.fbi.gov) for information on how to obtain a copy of his/her own. The FBI prohibits DCFS from providing copies of the criminal clearance to applicants.

If the applicant's criminal record clearance includes a notation that the applicant's record contains information which has been expunged, DCFS shall contact the [Louisiana State Police, Bureau of Criminal Identification and Information](#) (225-925-7011 or 225-925-4110) in order to obtain further information regarding the expunged information. If the additional information provided to the Department indicates that the individual was convicted of a crime

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listed in [R.S. 15:587.1](#) (Child Protection Act), [R.S. 46:51.2\(C\)](#) or [42 USC 671a\(20\)](#) ([P.L. 105-89](#)), there can be no exception to allow a child to be placed in the care of the applicant. If the additional information provided to the Department indicates that the individual was convicted of any criminal offense not prohibited by [R.S. 15:587.1](#), [R.S. 46:51.2\(C\)](#), or [42 USC 671a\(20\)](#), the expunged criminal offense shall be waived.


Foster/adoptive parents and all household members 18 years of age or older are required to have a subsequent criminal record clearance conducted every three years following the initial certification.

At any time an adult moves into the foster home, a fingerprint-based criminal record clearance must be conducted. The HD worker must inform the foster parent to notify the worker immediately when an adult becomes a member of the household and when any member of the household is involved in criminal acts.

Criminal record clearances must be completed on all adult children of foster/adoptive parents who remain in the home upon attaining age 18. The clearances must be conducted within two weeks of the child reaching age 18. Foster/adoptive parents must be informed that they are required to notify the HD worker when an adult child (age 18 or older) who has moved out of the home returns for a stay of more than two weeks because criminal record check clearances must be conducted on these adult children. A criminal record clearance is not required for adult children of foster/adoptive parents who are away at college unless they return to the home for a period of two weeks or longer.

If there is reason to believe any foster parent or household member has been involved in adult criminal behavior since the certification and initial criminal record clearance or subsequent clearances, a criminal record clearance shall be completed to confirm the home continues to meet certification requirements. This includes a minor who is a member of the household if there is reason to believe criminal behavior occurred which resulted in the minor being convicted as an adult. If this member of the household remains a member, follow the same waiver procedures to recertify the home. The home shall be placed on suspend status until the issue is resolved. If the worker has personal knowledge of behavior which would place the foster child at risk of harm such as a newspaper report or the foster parent or household member reports criminal behavior, it may not be necessary to obtain a criminal record clearance to confirm the behavior in order for the worker to deny or revoke certification. The primary concern is safety of the foster child.

Families who are approved or have been approved to be foster/adoptive homes for private agencies and have remained continuously under the supervision of the private agency may desire to become foster/adoptive parents for the Department of Children and Family Services (DCFS). Those families must be informed that another fingerprint-based clearance is necessary and that if the criminal record report discloses a criminal history that would disqualify them, the family certification will be revoked. A new fingerprint-based criminal record

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clearance is also necessary for families that were previously certified under a private agency but have not maintained that certification.

Applications from individuals applying to be foster/adoptive parents and who have other adult household members who are found to have a criminal history shall be handled according to the following criteria.


1. Persons who have been convicted of any of the criminal offenses listed in [1-1000 A R.S. 15:587.1](#) Criminal Offenses or have been convicted of an attempt to commit or conspiracy to commit or have pled nolo contendere to any of the criminal offenses or who have other adult household members who have been convicted of any of the criminal offenses or have been convicted of an attempt to commit or conspiracy to commit or have pled nolo contendere of any of the criminal offenses are prohibited from being certified as foster/adoptive parents ([R.S. 15:587.1 Child Protection Act](#)).

No exceptions or waivers can be made to criminal behaviors listed in the Child Protection Act.

2. Pursuant to Louisiana [R.S. 46:51.2\(C\)](#), a child may not be placed with a prospective foster/adoptive parent until it has been determined that the prospective foster/adoptive parent has not been convicted of or pled nolo contendere to a felony listed in [R.S. 40:966 \(C\) and \(E\), 967 \(C\), 968 \(C\), 969 \(C\), or 970 \(C\)](#), Possession of Schedule I, II, III, IV, or V drugs), unless five or more years have elapsed between the date of proposed placement and the date of successful completion of any sentence, deferred adjudication, or period of probation or parole.
 - a. If a potential caretaker has been convicted of or pled nolo contendere to a felony listed in [46:51.2\(C\)](#), a child shall not be placed in the home until the potential caretaker submits to and passes an initial drug screen and has provided written consent to any plan of random drug testing required by the Department for the duration of the placement of the child in the home. Any required drug testing shall be at the expense of the individual.

No exceptions or waivers can be made to criminal behaviors listed in Louisiana R.S. 46:51.2(C).

3. In addition to the criminal offenses listed in ([R.S. 15:587.1](#)), and [46:51.2\(C\)](#), [42 USC 671a\(20\) \(P.L. 105-89\)](#) prohibits certification, as foster or adoptive parents, of persons who have been convicted of certain felony offenses. The prohibited criminal offenses are:
 - felony offense against a spouse or former spouse;
 - felony offense against children including child pornography, child abuse or neglect;
 - a crime involving violence including sexual assault (battery), rape or homicide, but not including other physical assault/battery;

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- or, within the last five years, a felony physical assault (battery);
- or, within the last five years, a felony drug related criminal offense.


The criminal behaviors listed in [42 USC 671a\(20\)](#) are not actual legal titles of crimes in Louisiana’s criminal code but are general descriptions. Should the criminal record check include federal or other state criminal offenses, the worker would have to obtain an understanding of the acts that constituted the crime to screen the offense against the prohibited offenses listed in [R.S. 15:587.1](#), [R.S. 46:51.2\(C\)](#), and [42 USC 671a\(20\)](#). After obtaining definitions of crimes in other states, a consultation with the Regional Attorney may be needed to determine if a crime from another state is equivalent to a LA criminal code citation.

There can be no exceptions or waiver of the criminal offenses listed in [42 USC 671a\(20\)](#). No exceptions or waivers can be granted for individuals “on probation/parole.” Regardless of the criminal offense, individuals on probation/parole are to be excluded from being certified as foster/adoptive parents. An individual on probation/parole is a convicted criminal offender who has been released into the community under the supervision of a probation/parole officer in lieu of incarceration.

A probationary sentence is a period of time when a criminal is granted provisional freedom on the premise of good behavior; the individual must not commit any other crimes in order to avoid imprisonment. Any violation of specified standards of conduct subjects the individual on probation to having their probationary period revoked. Therefore, certification of and placement of a child with an individual on active probation/parole would leave a child vulnerable should the probation/parole be revoked. Revocation of the individual’s probation/parole would result with imposition of the sentence. Individuals under court ordered supervision, relative to criminal activity, cannot be certified as foster/ adoptive parents. Those individuals who cannot be certified because of their probationary/parole status (for a crime that does not exclude certification) may be encouraged to reapply with the Department after completion of their sentence.

The Regional Administrator or designee shall make the decision regarding the approval or denial of the application for certification of prospective foster/adoptive parents and household members who have a criminal record of offenses not prohibited by state or federal law. If the home is certified, written documentation giving the reasons for certification shall be recorded in the case record.

4. Private child-placing agencies, with which DCFS CW has a provider agreement, and private adoption agencies which are completing home studies for DCFS foster children are to submit the names of all adults living in the home along with payment to DCFS State Office Division of Programs - Foster Care Section. Payment (\$26 per person) for the state criminal record clearance should be made payable to the Department of Children and Family Services Child Welfare These private agencies shall contact the HD Unit in Regional Office for the parish in which the family lives to schedule a


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fingerprint clearance for each adult in the home being certified to serve foster children. The appointment should be at least one week from the time the criminal record clearance is requested from and payment is made to DCFS CW State Office. When CW State Office receives the private agency request/payment, the HD Unit in the Regional Office and the private agency will be e-mailed a confirmation of receipt. This will serve to alert the HD Units in the Regional Office to expect telephone contact to arrange the appointment for the prospective private agency foster/ adoptive applicant(s) to complete the fingerprinting process.

Private agencies submit a “Transmittal Form for DCFS Private Child Placing Providers to Request Criminal Records Clearances” and an “Authorization to Disclose Criminal History Records Information Form” to CW State Office along with payment for the state police clearance. The private providers will also give the prospective foster/adoptive family/individual a copy of the Transmittal Form to bring to the fingerprinting appointment. Home Development staff are to encourage the family/individual to wait until a confirmation of “good” fingerprints is received. This will allow immediate reprinting of the family/ individual if necessary.

As DCFS is the agency permitted by law to request and receive fingerprint-based criminal clearances for certification of foster/adoptive homes, these criminal record clearances shall be marked “Confidential” but filed in the child’s case record for child specific clearances or the home development record for potential foster/adoptive parents. The criminal record clearance from the case record of a foster/adoptive family should be scanned through Document Imaging into the online case for that family by the HD worker as soon as it is received and then shredded. Criminal record clearances should never be included in the case record when it is being sent to the Document Processing Center for scanning. No copy of any information contained in a fingerprint clearance may be released to any agency or individual outside DCFS, including the applicant(s). Staff may discuss criminal clearance findings with the individual on whom the clearance was completed, without providing a copy of the clearance. The agency may only release to the private child placing agency * (using form [CW Criminal Record Clearances for Potential Caregivers in Residential Settings](#)) ** that requested the report, a decision regarding the foster/adoptive applicant’s eligibility for certification after reviewing the criminal record clearance. Within DCFS, criminal record clearances may only be viewed by staff directly involved in the reason for which the criminal record clearance was completed; such as, the HD Supervisor/Worker (for clearances completed for foster/adoptive home certification) or the FC Supervisor/Worker (for clearances completed for child specific relative home studies, etc.). Auditors of department practices in serving clients and utilization of taxpayer funds may be allowed to view the clearances as part of the audit process, when necessary.

Staff may discuss, but cannot provide copies of, criminal clearances to judges in juvenile court proceedings and to auditors. Staff shall not show the criminal clearance to attorneys and shall not make the criminal clearance information a part of the court record. Provision of criminal

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clearances to judges will aid in clarifying the safety decision-making process regarding individuals considered for child specific placement.


H. AGENCY CASE CLEARANCES

Foster/adoptive parent applicants and all other members of the household 18 years of age or older shall be cleared through the Louisiana State Central Registry (SCR) as well as local parish records and regional records. The designated CW staff shall conduct a TIPS name clearance for a valid finding of abuse or neglect as a perpetrator using the name, DOB and Social Security Number provided in the application information for DCFS prospective foster/adoptive parents and all adult members of the household. The TIPS printout must be attached to the [CW Form 29-A](#). The results of the search shall be filled in the case record for verification. The designated DCFS staff worker is responsible for reviewing the agency investigation record to confirm that the information in TIPS concerning valid finding and the perpetrator name was correctly entered into TIPS ***. For applicants and other adult members of the household who have resided less than five years in Louisiana, the HD Worker shall contact the appropriate state child protection agency in the state or states where they previously resided to request a courtesy abuse/neglect clearance. A completed confidentiality release shall be sent to the contacted state(s) when making the request. Clearances are obtained by staff as per procedures of the contacted state. If the state of previous residence has a county based child protection system without a state central registry, then the clearance is to be obtained from the appropriate county agency.

When an applicant or member of the applicant's household has a valid finding of child abuse/neglect, a waiver/policy exception can be requested. Waivers/policy exceptions shall only be requested after a thorough risk assessment has closely examined the facts involved in the known incident, and based on that risk assessment has determined that the home does not pose a threat to any child in care. The Regional Administrator's signature is required on a waiver/policy exception request for a valid finding on an applicant or household member.

When a valid finding of child abuse/neglect is determined on a certified foster/adoptive family, an approved waiver/policy exception is required to keep the home certified. A waiver/policy exception shall be requested within seven days of the validity decision. A waiver/policy exception shall only be requested after a thorough risk assessment had determined that allowing the home to remain certified will not pose a threat to any child in care. The Regional Administrator's signature is required on a waiver/policy exception request for a valid finding on a certified home.

When certified foster/adoptive parents, having a valid finding of child abuse/neglect, desire to adopt a foster child in their home, refer to Section [*9-575**](#) Certification of Foster Parents as Adoptive Homes.

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When requested by a private agency, the HD Worker conducts a TIPS name clearance of individuals listed on the [CW Form 29-A](#) or other request for a Louisiana Central Registry clearance and consent to release information for private agency clearances. The HD Worker must confirm the accuracy of the TIPS data by reviewing the *** Child Protective Services (CPS) **** record when an individual is shown as a perpetrator of abuse or neglect in TIPS ******* before advising the private agency of a valid finding. The [CW Form 29-A](#) shall be provided upon request to private adoption agencies which are completing home studies for DCFS foster children and to private child placing agencies (i.e., TFC and PFC) with whom DCFS has a provider agreement ([CW Form 427-G](#)) for placement of DCFS foster children. The private agency shall submit the [CW Form 29-A](#) to the HD Unit in the region in which the foster/adoptive home is located.

For private agency requests for Central Registry clearance, the HD Worker completes the bottom portion of the [CW Form 29-A](#) and returns the form by certified mail to the submitting private agency advising that a valid record was found for “name, DOB, year” or, that no valid record was found. For valid record findings, a description of the circumstances of the valid finding shall be provided including the: age of the child victim, date of the finding, type of child abuse/neglect, role of the individual in the CA/N, severity of harm; and any extenuating circumstances.


I. HEALTH AND HEALTH REPORTS

Foster/adoptive parents shall be in sufficiently good health to be able to meet the needs of the child(ren) placed with them. Prospective and recertifying foster/adoptive parents shall provide the agency with the health history of each member of the household including physical and mental health services and treatment received, as required below.

During orientation sessions and throughout the *** pre-service training **** sessions, applicants are to be informed that completed physical exam forms are to be submitted to DCFS staff before or at the last *** pre-service training **** session in order to complete certification. Failure to submit the forms will mean the applicant(s) may not be certified as foster/adoptive parent(s).

Prior to initial certification, each member of the foster/adoptive household shall be examined by a licensed physician or licensed *** advanced practice registered nurse **** verifying that he/she:

- has no past nor present physical or mental illness or condition that would present a health or safety risk to a child placed in the applicant’s home;
- is physically able to provide necessary care for a child; and
- is free of a communicable or infectious disease; or if not free from a communicable or infectious disease, there shall be a signed statement by the licensed treating physician or licensed treating *** advanced practice registered nurse **** verifying the following:
 - the individual is under the care of a licensed physician or licensed health care professional, and

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- the present condition does not present a health or safety risk to a child placed in the applicant's home. The agency provides [CW Form 98C](#)
- for this purpose. This exam is at the applicant's expense.

Physical examinations shall be updated for all household members, excluding DCFS children, every three years. [CW Form 98C](#) is provided to and received from the foster families prior to the recertification date. The agency will reimburse the foster parents for the follow-up exam up to \$25.00 per person. The foster parent shall provide a copy of his bill before reimbursement can be made. (Refer to the TIPS Procedural Manual for the major/minor codes and procedures for reimbursing medical report expenses.) Any new member of the household who has not previously submitted a health report shall be required to submit one at this time at the applicant's expense.

Adoptive parents shall be required to obtain an up-dated medical examination at their own expense prior to placement of a child if the previous medical exam is older than three years.

The foster/adoptive parent shall obtain a physical examination and provide a written report on the findings whenever required to do so by the agency. Foster parents will be reimbursed up to \$25.00 per person as described above. The medical exam for adoptive parents will be at their own expense.

The foster/adoptive parent shall supply psychological or psychiatric reports and evaluations to the agency when requested because of a question regarding the mental or emotional health of any member of the household. Applicants should be asked if they have ever been treated in-patient or out-patient for mental or emotional problems by a psychiatrist, psychologist, social worker, minister or other counselor. If the treatment was within the past ten years, the foster/adoptive parent applicant shall sign a release of information for the HD Worker to secure the records or report from the counselor. Any payment required for securing a copy of the report is the responsibility of the foster/adoptive parent.


J. INFORMED CONSENT OF HOUSEHOLD

Foster/adoptive parents shall ensure that all members of the household are informed of and agree to the acceptance of the foster/adoptive child into the home. The HD Worker shall interview all members of the household individually to determine their feelings about becoming a foster/adoptive family and shall document the findings in the home study.

K. MEMBERS OF THE HOUSEHOLD

Requirements regarding household members are as follows:

- Foster/adoptive parents shall not accept the children for placement in their home, who are not related to them, and who are not placed by DCFS or another agency with whom DCFS has an approved, written agreement.

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- Foster parents shall not care for unrelated adults in their home on a commercial basis.
- Foster parents shall not accept unrelated children into the home for day care at the same time they are certified to provide family foster care.
- Foster parents shall notify the HD Worker prior to allowing any person to take up residence in the family foster home.

A licensing waiver may be requested when the care of such children or adults, such as former foster children, does not interfere with the care of the children placed in the home or the ability of the foster/adoptive parent to fulfill his/her roles and responsibilities. Refer to Section [9-205](#).

L. REFERENCES

Foster/adoptive parents shall provide the names, addresses and telephone numbers of four persons who shall be contacted by the HD Worker in person, by mail or by telephone to attest to the character and ability of the applicant to care for children. The following shall be required for references:


- At least three references not related to the applicants;
- One reference who is related to the applicant but does not live in the home;
- * If there are grown children or other adults raised by the applicant, contact information must be provided by the applicant on all, and one or more will be contacted as a reference; ** and
- No reference under the employ, supervision, control, or financial dependency of the applicant.

The HD Worker shall secure the information given by the reference in writing using *** [CW Form HDU 12](#) (Personal Reference for Foster/Adoptive Applicant) or shall record the information gained during the interview on [CW Form HDU 12](#) and shall file the document in the case record. In obtaining references from all persons raised by the applicant(s), only one of these references is required to be documented on the [CW Form HDU 12](#). Other references from these persons may be in the form of the worker's documentation of a verbal references, printout of an e-mail or other written documentation.

M. PROFESSIONAL QUALIFICATIONS

Foster/adoptive parents shall demonstrate through their current actions and statements, past history, personal and employment references and required criminal and agency clearances the following qualifications which shall be assessed by the HD Worker and the applicant/family during the mutual assessment. Foster/adoptive parents shall:

- Demonstrate good character, a responsible adult life-style, freedom from excessive use of alcohol and illegal drugs, and the ability to provide appropriate supervision, human care, reasonable discipline and a home like environment for the child(ren);

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- Demonstrate knowledge and capacity for non-physical discipline and setting realistic expectations for behavior and performance based on age, abilities, and disabilities of the children;
- Have achieved a stable emotional adjustment following any major change in a close interpersonal relationship (i.e. marriage, separation, divorce, death, disability, infertility);
- Demonstrate the emotional stability of a healthy adult as evidenced by a willingness to discuss and deal appropriately with their own feelings of anger, frustration, sorrow, conflict and affections, and those of others;
- Demonstrate knowledge and understanding of ways of helping a child build positive personal relationships;
- Give evidence of the capacity to respect persons with differing * sexual orientations of gender identity expressions and ** philosophies; and
- Demonstrate the ability to consider realistically which child(ren) they can accept, work with and integrate into their family.

N. CAPACITY


The requirements regarding the number of children to be placed in a foster/adoptive home are dependent on the type of certification, space within the home, number and ages of biological children within the home and the abilities and responsibilities of the foster/adoptive parents.

The following minimum requirements shall not be exceeded:

- No foster parent(s) shall have more than six dependents including foster children and their own children. They may have up to six dependents provided local ordinances or zoning laws are not violated.
- Family foster homes shall care for no more than six foster children at any given time.
- Specialized family foster homes shall care for no more than the maximum capacities outlined more specifically in Section [9-617](#) (Types of Specialized Family Foster Homes).
- Foster parents shall not care for more than two children under the age of two years, including their own children.
- Capacity shall be in agreement with the requirements concerning the Interior Environment of the home listed Section [9-215 A](#) of this manual.

An exception to any of the above capacity requirements requires Regional approval. The request for exceptions to capacity limits must be submitted to the Regional Administrator's Designee for approval. The request is then submitted to State Office Home Development for review and processing, as per Chapter 9, Section [9-205](#).

Exceptions will only be considered in order to keep siblings together if a sibling is already placed in the home when the exception will not have an adverse effect on the care of children already in the home, the children being placed and the professional responsibilities of the foster parents. Documentation for granting an exception shall be filed in the case record of the foster home. Once an exception has been granted, there shall be no additional placements

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made in the foster home until the number of foster children is reduced to the original capacity level.

Adoptive parents should be assessed for capacity according to their ability to provide for the needs of the children they wish to adopt, as long as local ordinances or zoning laws are not violated. Additional placement should not be made until current adoptive placements have been finalized. An exception may be made, in the case of siblings, with the approval of the Adoption Supervisor when it is in the best interest of the child being placed and will not adversely affect the child(ren) currently in the home.

III. FORMS AND INSTRUCTIONS

[Appendix J](#), * Employment Reference

[Appendix I](#), .Financial Statement

[CW Form HDU 12](#), Personal Reference for Foster Adoptive Applicants

[CW Form 29-A](#), State Central Registry Check Request

[CW Form 98-C](#), Physical Examination

[CW Form 427-G](#), Agreement Between OCS and Residential Provider **

[CW Form 604-II](#), Foster/Adoptive Recertification Questionnaire

* [CW Criminal Record Clearances for Potential Caregivers in Residential Settings](#) (private agency clearance) **

IV. REFERENCES

[R.S. 15:587.1 - Provision of information to protect children \(Child Protection Act\)](#)

[R.S. 46:51.2 - Criminal history and central registry information](#)

[Public Law 105-89 - Adoption and Safe Family Act of 1997](#)

[8 U.S.C. 1151](#)