

STATEWIDE INTERCOUNTY PROTOCOL
FOR
RESOURCE FAMILY APPROVAL

I. PURPOSE

The purpose of this Statewide Intercounty Protocol is to provide guidance to a county seeking the emergency assessment (pursuant to WIC 361.4) and emergency placement (pursuant to WIC 309(d) or WIC 361.45) of a child in a Resource Family Home and/or approval of a Resource Family home within the geographic boundaries of another county per the current Resource Family Approval Written Directives. This protocol does not delineate requirements for courtesy supervision of a dependent child/Non-Minor Dependent or delinquent youth/Non-Minor Dependent in another county. This agreement shall apply to county child welfare agencies when managing their own approvals and in those instances when the child welfare department has agreed to approve/monitor resource families recruited by probation departments.

II. DEFINITIONS

- a. "Approving county" means the county that completes the RFA process for a family.
- b. "Emergency placement" means a placement of a child/youth or NMD with a relative or nonrelative extended family member (NREFM) (not currently licensed, certified or approved) prior to Resource Family Approval.
- c. "Emergency assessment" means completion of the activities prior to the placement of a child pursuant to WIC 361.4
- d. "Foster Child" means any person who is a minor dependent, non-minor dependent or ward of the Juvenile Court in a California County.
- e. "Host County" means the county that is the legal residence of the Resource Family.
- f. "Nonrelative extended family member" or "NREFM" means an adult who has an established familial relationship with a relative of a foster child or a familial or mentoring relationship with a child as described in Welfare and Institutions Code section 362.7.
- g. "Placing County" means the county of jurisdiction for a ward or dependent child/youth of a California County court.
- h. "Resource Family" means an individual or family that a County determines to have successfully met the application and assessment criteria necessary for providing care for a foster child or nonminor dependent who is under the jurisdiction of the juvenile court, or otherwise in the care of a county child welfare agency or probation department.
- i. "Resource Family Approval" (RFA) means an applicant or Resource Family successfully meets the home environment assessment and permanency assessment standards adopted pursuant to Welfare and Institutions Code section 16519.5.

III. GENERAL PROVISIONS

- a. CDSS will maintain a list that will provide an Out of County Single Point of Contact (OOC SPOC) for the purposes of implementing this Protocol.
 - i. Initial contact between counties shall always occur through the OOC SPOCs.
- b. Contiguous counties shall to do their own RFA approvals and emergency assessments, unless those contiguous counties have an alternative agreement in place.
- c. Individual counties may establish their own reciprocity agreements with other, non-contiguous counties that supersede the statewide Intercounty Approval Agreement.
- d. Written Directives 5-03B(c) specifies that a county require a caregiver to submit an RFA application within five (5) business days after an emergency placement. Counties who complete an emergency placement prior to RFA approval shall submit the OOC referral using the RFA Out of County Assessment Request Form (LINK) to the Host county as soon as possible, and no later than ten (10) business days from date of placement. If the Placing county does not meet this timeframe, they shall complete the RFA process in its entirety, unless the Host county agrees to complete the RFA process. Upon approval of the Resource Family, the Placing/Approving County may transfer the Resource Family Home to the Host County following the case transfer protocol. See section IX.
- e. If a Host county refuses to accept an OOC referral from a Placing county, the SPOC shall immediately notify the Placing county's RFA manager. The Placing county's RFA manager shall contact the Host county's RFA manager to discuss the situation. If the Host county continues to refuse to accept the OOC referral, the Placing county shall contact their Director, or designee, to discuss with the Host county's Director, or designee.
- f. This protocol shall also apply to "conflict of interest" families. A conflict of interest family is one who resides within the geography of the Placing county but their direct and substantial relationship to the Placing county could impact or could be seen as impacting fair and unbiased decisions. The term "Host County" shall apply to the county that agrees to accept an application.
- g. Incoming out of county referrals shall be given the same prioritization as the Host county's RFA cases.

IV. EMERGENCY PLACEMENT OF A FOSTER CHILD WITH A RELATIVE OR NREFM IN ANOTHER COUNTY

For purposes of this section, an emergency placement with a relative or NREFM refers to a home that is not currently licensed, certified or approved, although the relative or NREFM could be in the application process. (Please refer to Section V for information regarding Compelling Reason placements.)

- a. The Placing county may request a Host county where the relative/NREFM resides (and the foster child or children are to be placed) to process an emergency assessment.
 - i. The default presumption is that the child's county of jurisdiction will process an emergency assessment for a foster child's placement with a relative or NREFM in another county.
 - ii. The Host county may decline processing of the emergency assessment.
 - iii. The child's county of jurisdiction shall obtain permission from the dependency court to place out of county prior to making a request to process emergency placement, if such permissions are required within the county of jurisdiction.

- b. If the Host county agrees to process the emergency assessment, the counties will take the following actions, in the order that is listed below:
 - i. The Placing county shall request that the Host county initiate the emergency assessment process with the identified relative or NREFM.
 1. The request shall be made using the RFA Out of County Assessment Request Form and shall include the following at minimum:
 - Name(s), address and contact information of relative or NREFM
 - Name, date of birth, driver's license number or number of alternative identification, and social security number of every adult in the home
 - Relationship to the foster child(ren)
 - Age and name of the foster child(ren) to be placed
 - ii. The request shall be made in a format indicated on the CDSS website OOC SPOC listing and may be done by phone, email or other written communication. Host counties are encouraged to accept requests via phone/email/fax, including after-business hour requests, in order to expedite this process. If the request is done by phone, the Placing county shall follow up in writing using the referral form the next business day.
 - iii. The Host county shall respond to the request within two (2) business days and provide a date that initial contact will be attempted with the family. Since this is an emergency assessment request, the initial attempted contact shall not exceed two (2) business days from the request.
 - iv. The Host county will then begin the process for emergency assessment with a relative or NREFM as outlined in the Written Directives, and according to the Welfare and Institutions Code section 309 or 361.45. If the emergency placement family is approved for placement, the Host county shall notify the Placing county—verbally on the same day, and in writing within two (2) business days. The Host county shall obtain the completed RFA 01A by the family (Per Written Directive Section 5-03B(c)) within five (5) business days of placement. An email or other means of

verification that the RFA 01A has been signed by the caregivers is sufficient to begin funding.

- iv. Once the home is approved for emergency placement, the Placing county is able to make arrangements for placement in the relative/NREFM home.
 1. Approval for an emergency placement shall be valid for no more than 30 days. If the relative/NREFM home has not yet submitted an application and the Placing county wishes to place on an emergency basis after that 30-day period, a Placing county must submit a new request. (If second request, placing county must check the “2nd request” box on the RFA Out of County Assessment Request Form.)
 2. The Placing county shall give a written notice to the Host county within two (2) business days that placement has been made.
 3. Once placement occurs, the Host county shall commence the RFA process within five (5) business days, or within five (5) business days of being notified by the Placing county, as outlined in the Written Directives, unless the relative/NREFM has already submitted an application to the Host county. The RFA comprehensive assessment shall be completed within 90 days of the emergency placement of a child or NMD, per the Written Directives, unless good cause exists for the delay.
 4. The relative/NREFM shall meet the approval standards of the Host county, including specified training requirements.
 - v. If the relative/NREFM is not approved for emergency placement, the Host county shall notify the placing county within two (2) business days and include the reason for the denial in writing.
- c. If the Placing county must place a child on an emergency basis when the Host county has already received an application, the Placing county must immediately notify the Host county of the emergency placement, and shall speak with the host county prior to the emergency placement if at all possible.
 - d. Once the emergency placement is complete, the Host county shall follow the procedures outlined in section V.
 - i. If the Placing county makes an emergency placement and would like the Host county to complete the RFA comprehensive assessment, the Placing county shall take the following actions, in the order that is listed.
 1. Enter the family information in CWS/CMS with the RFA Probationary period to reflect the placement date.
 - The Placing county may assign a temporary “X...” case number.

2. Email/fax the completed RFA Out of County Assessment Request form to the Host county no later than ten (10) business days from the emergency placement date. The Placing county shall ensure all fields are fully filled out, noting any concerns including criminal or Child Welfare history, home environment, and any special needs of the children in the home.
 3. Include Documented Alternative Plan (DAP) form/information, when applicable.
 4. May send the RFA application, RFA-01A, if accepted on behalf of the host county for the purpose of Emergency Caregiver funding documentation.
 5. May send any other pertinent documents e.g. RFA-02.
- ii. The Host county shall accept the request and respond acknowledgement of receipt within two (2) business days, to include the name of the assigned RFA worker, as well as the Host County's RFA/license number.
 - iii. The Placing county shall complete Process Placement Home Move in CWS/CMS and assign the case number as provided by the Host county to the family within five (5) business days of receipt of the OOC assessment request, unless the Host county had already received an application and created the home in CWS/CMS prior to the Emergency Placement.
 - iv. The Host county shall complete the RFA comprehensive assessment within 90 days of the emergency placement of a child or NREFM with a relative or NREFM, unless good cause exists for a delay.

V. COMPELLING REASON PLACEMENT OF A FOSTER CHILD WITH A RELATIVE OR NREFM IN ANOTHER COUNTY

For purposes of this section, a compelling reason placement with a relative or NREFM refers to a home that is not currently licensed, certified or approved, but for whom an application has been received.

- a. Compelling reason applies when a placing county wants to place with an applicant who has submitted the RFA application to the Host county. When this occurs, the following steps shall be followed:
 - i. The Placing county shall email the Host county's OOC SPOC requesting approval to place under compelling reason.
 - ii. The Host county shall acknowledge receipt of the request within 24 business hours.
 - iii. Within 48 business hours from acknowledging receipt of the request, the Host county shall verify if the Host county has completed the following:
 1. A home environment assessment is completed and documented on the RFA 03.

2. A background check is completed for the applicant(s) and all adults residing in or regularly present in the home, which includes the completion and approval/denial of any criminal record exemptions.
 3. In addition, should the Host county have other information of concern, this information shall be shared with the Placing county within the confines of confidentiality, and may affect the approval for compelling reason decision.
- iv. Within 48 business hours from acknowledging receipt of the request, the Host county shall reply to the Placing county and either approve or deny the request for compelling reason placement, or shall provide a status and estimate of the timeframe for decision. Approval for compelling reason placement shall be valid for no more than 30 days.
 - v. If the Placing county wishes to place on a compelling reason basis after the 30-day period, a new request must be made following the steps outlined in this section. The request must note that this is a second request.
 - vi. The Placing county shall notify the Host county OOC SPOC within 24 business hours of placing the child in the home.
 - vii. The Host county shall follow the Written Directives and complete the RFA Comprehensive Assessment within 90 days of the compelling reason placement, unless good cause exists for the delay.
- b. Upon approving an applicant for compelling reason placement and receiving notification that a child has been placed, the Host county shall amend the license and application status per the CWS instructions on the CDSS RFA website.

VI. APPROVAL OF RESOURCE FAMILY IN ANOTHER COUNTY

- a. A California county may choose to pursue consideration for Resource Family approval of a relative or NREFM, residing in another county, who has been identified for prospective placement of a child under its jurisdiction.
 - i. Prior to a Placing County commencing the RFA process in a Host County, the Placing County shall search Resource Management for any prior or pending approvals/denials, or Administrative Actions, for the applicants.
- b. When a Placing county wishes to request assessment of a relative or NREFM in another county for Resource Family approval by the Host county, the Placing county and Host county will take the following actions, in the order that is listed:
 - i. The Placing county shall make the request to the Host county, using the RFA Out of County Assessment Request form and shall complete the form in its entirety.
 1. The request will be made in a format indicated on the CDSS website OOC SPOC listing and can be done by email or other written communication.

- ii. The Host county will respond within five (5) business days acknowledging acceptance of the request and will provide the date initial contact will be attempted with the family.
- iii. The Host county will begin the RFA process, according to their RFA processes, with the prospective family and provide updates to the Placing county on the approval process (including the OOC SPOC in these communications) every 30 days.
- iv. If the family is approved, the Host county shall notify the Placing county OOC SPOC and provide them with a copy of the Approval Certificate and the Written Report as well as any other documents need to determine Title IV-E eligibility.
 - 1. The Approval Certificate and the Written Report may be uploaded to the family's CWS/CMS Resource Management case.
 - 2. Any exemptions granted in relation with an approval must be noted in the Written Report, including the type of exemption granted.
 - The Placing county shall be responsible for contacting the Host county to discuss any Standard or Conditional exemptions, and the Host county shall provide the relevant details regarding the exemption in order to allow the Placing county to make an appropriate placement decision.
- v. If the Host county is considering a possible denial, the Host county shall notify the Placing county OOC SPOC in writing no later than at the time legal consult is requested prior to the denial and provide the reason for the denial.
 - 1. The Host county shall be responsible for completing the denial process, including legal consult, sending of the notice of action(s), and due process to the family if an appeal is filed.
- c. If the Host county has notified the Placing county that it has denied the request for initiating the Resource Family approval process for the placing county's prospective placement family due to a non-timely request after an emergency placement (see Section III(d)), the Placing county may proceed to accept an application from the prospective placement family and proceed with its usual RFA process, including all of the activities outlined in Section VII, below.
- d. In the case of Probation requests for approval out-of-county, the Placing Probation agency shall process the approval request, unless the host Probation agency and Placing Probation county have an alternative agreement.

VII. SUPERVISION OF RESOURCE FAMILY HOMES

- a. Whichever county does the approval is then responsible for all subsequent activities related to the supervision and investigation of the Resource Family. These activities include:
 - i. Criminal clearance and exemption processes
 - ii. Updates
 - iii. Investigation of complaints
 - iv. Completion of the appeal process
 - v. Receipt of criminal clearance sub-arrest notification and any indicated action.
 - vi. Updated home and grounds inspection when the family moves.
- b. If the Host county is the approving county, the Host county shall notify the Placing county OOC SPOC of any child abuse referrals, complaints, or sub-arrest notifications and any actions taken against the resource family, no later than five (5) business days, using the Out of County Compliant Notification (LINK) or the Out of County Child Abuse Referral Notification (LINK).
 - i. If the Host county and the Placing county have a separate protocol regarding child abuse referrals, that protocol shall be followed.
 - ii. If the Host county is not the approving county but receives information regarding a child abuse referral or a complaint, the Host county is to notify the Placing county OOC SPOC, no later than five (5) business days, using the Out of County Compliant Notification (LINK) or the Out of County Child Abuse Referral Notification (LINK), or the separate child abuse referral protocol if applicable.
- c. Any concerns regarding a resource family on the part of the Placing or Host county shall be communicated to the other county in writing, through the OOC SPOC.

VIII. PLACEMENT CONSIDERATIONS

- a. Once a relative or NREFM is approved as a Resource Family, that home shall be available to be considered for placement of relative or nonrelative foster child(ren) under the jurisdiction of any county.
 - i. Approval of a Resource Family does not guarantee initial or continued placement of a foster child.
- b. Any county intending to place with a Resource Family approved by another county will contact the Approving county OOC SPOC prior to placement to discuss their intention and to obtain agreement.
- c. A family approved by the Host county may accept additional placements as a resource family for that Host county, unless the family has a child-specific approval.

IX. TRANSFER OF APPROVED RESOURCE FAMILIES TO ANOTHER COUNTY

- a. An approved resource family who resides outside the Approving county may be transferred to the county of residence with the family's agreement.
 - i. Situations may include but are not limited to:
 - 1. When an approved Resource Family moves from the Approving county to another county

2. When a relative/NREFM family is converted to RFA and lives outside the Converting/Approving county
3. When a family is approved for some other reason by a county that is not the county of residence
- ii. For conflict of interest cases, an agreement shall be reached between the two counties regarding the appropriateness of the transfer.
- iii. Any overdue renewals to the approval must be completed by the Sending county prior to initiating the request for transfer to the Receiving county.
- b. Once the Resource Family agrees to the transfer to the new county, the two counties shall follow the protocol outlined below:
 - i. The Sending county shall email the RFA Transfer Packet to the Receiving county OOC SPOC. The Transfer Packet shall include:
 1. Fully completed RFA Relocation and Conversion Transfer Form
 2. BCII9002 (or equivalent form as required by the Department of Justice) for every adult in the home with Step 2 completed, following the instructions in the Background Assessment Guide Section 122
 3. Written Report (original and any updates) and Approval Certificates
 - ii. The Receiving county shall respond via email to the Sending county OOC SPOC within two (2) business days acknowledging receipt of the RFA Transfer Packet and providing a physical address for the copy of the RFA file to be mailed.
 - iii. The Sending county shall forward a complete copy of the Resource Family file to the Receiving county within five (5) business days of receipt of the address for mailing. The CORI is not to be included in the file.
 1. Delays in sending the copy of the complete RFA file may impact the further provisions of this section.
 - iv. The Receiving county shall assign an RFA worker to the family within five (5) business days of the receipt of the RFA Transfer Packet, and will notify the Sending county OOC SPOC of the name and contact information for that RFA worker.
 - v. The Receiving county will assign an RFA number consistent with the numbering practices of the Receiving county.
 - vi. The Receiving county will contact the family within five (5) business days of their assignment and no later than ten (10) business days of the receipt of the RFA Transfer Packet to schedule a home and grounds inspection.
 - vii. The Receiving county shall:
 1. Review the paper copy of the complete RFA file received from the Sending county and ensure all required documents are included
 2. Complete the building and grounds inspection pursuant to the Written Directives
 3. Facilitate completion of Section 1 of the BCII 9002 (or equivalent as required by the DOJ) by the family, complete

Section 3 of the form, and submit to the Department of Justice.

4. Complete an updated Written Report and Approval Certificate.
 - The Written Report and Approval Certificate shall be considered in draft until the transfer is finalized with the notification from DOJ of the approval of the sub-arrest transfer. See below.
- viii. Upon the receipt of the DOJ approval of the sub-arrest transfer, the Receiving county shall:
 1. Finalize the draft written report and approval certificate.
 2. Notify the OOC SPOC of the Sending county of the DOJ approval and the new RFA number for the family.
 3. Notify any jurisdictional county with children placed in the home, through their OOC SPOC, of the finalized transfer of the home to the Receiving county. A copy of the new Written Report and Approval Certificate shall be included with this notification.
 - This may include the Sending county, but may also include other counties who have dependent children in that home.
 4. Assume full responsibility for the RFA family as of the date of receipt of the DOJ approval of the sub-arrest transfer.
- ix. The Sending county, upon receipt of the DOJ approval of the sub-arrest transfer and the new RFA number from the Receiving county, shall:
 1. Complete the Placement Process Home Move (PPHM) in CWS/CMS as of the date of receipt of the DOJ approval of the sub-arrest transfer.
 2. Submit No Longer Interested Notifications (BCIA 8302 or electronic) on every adult in the Resource Home.
 3. Relinquish responsibility for the RFA family as of the date of receipt of the DOJ approval of the sub-arrest transfer.