

Module 4: Licensing Process Transcript

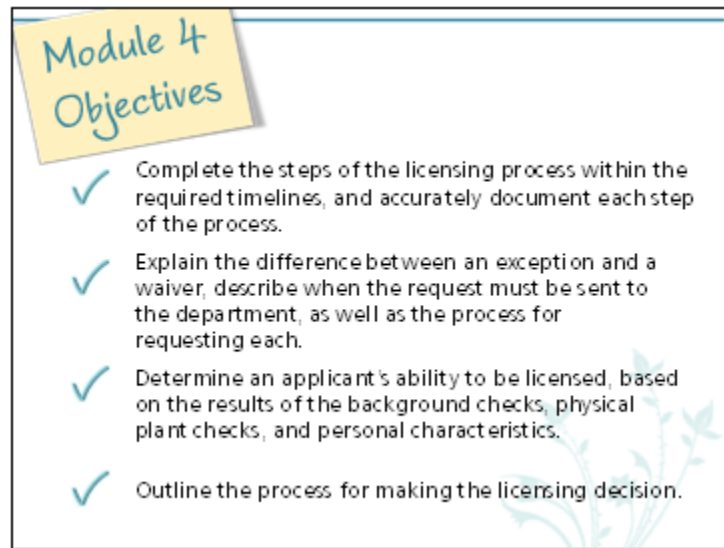
Slide 1



You have learned about your overall role within your agency and in your work with families. In this module, you will walk through the steps you will take when completing the licensing process with applicants.

Throughout this module, you will hear about a prospective foster family and how you, as their licensor, will take them through the licensing process. You will receive an introduction to many of these topics in this module, and you will receive more in-depth information in the 56 training.

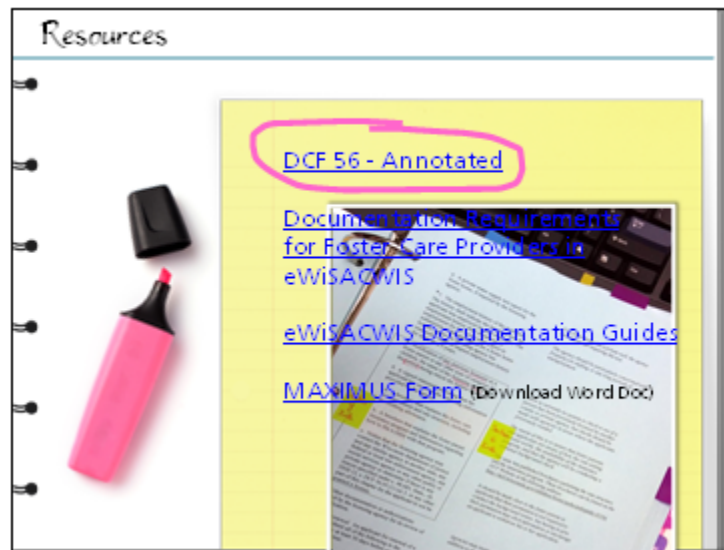
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Upon completion of this module, you should have the knowledge and skills to:

- Complete the steps of the licensing process within the required timelines, and accurately document each step of the process.
- Explain the difference between an exception and a waiver, describe when the request must be sent to the department, as well as the process for requesting each.
- Determine an applicant's ability to be licensed, based on the results of the background checks, physical plant checks, and personal characteristics;
- Outline the process for making the licensing decision.

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You've heard about DCF 56 in earlier modules. In this module, we'll go deeper into 56. Be sure to have 56 open to reference, as this will be your guide as you license foster homes. You can click on the link if you need to access it now.

(<https://dcf.wisconsin.gov/files/publications/pdf/0131a.pdf>)

As you go through the information, you may have questions; please ask a supervisor or bring the questions with you when you attend the 56 training.

Remember, this is your personal copy of DCF 56 – make notes or highlight areas, add whatever helps you use this document.

In addition to the information found in this module, please refer to the additional documents listed here on when and how to document licensing requirements in eWiSACWIS.

Documentation Requirements for Foster Care Providers in eWiSACWIS:

<https://dcf.wisconsin.gov/files/cwportal/policy/pdf/memos/2015-02.pdf>

eWiSACWIS Documentation Guides:

<https://dcf.wisconsin.gov/knowledgeweb/training/ewisacwis-user-guides>

MAXIMUS form: <https://dcf.wisconsin.gov/files/forms/doc/2386.docx>

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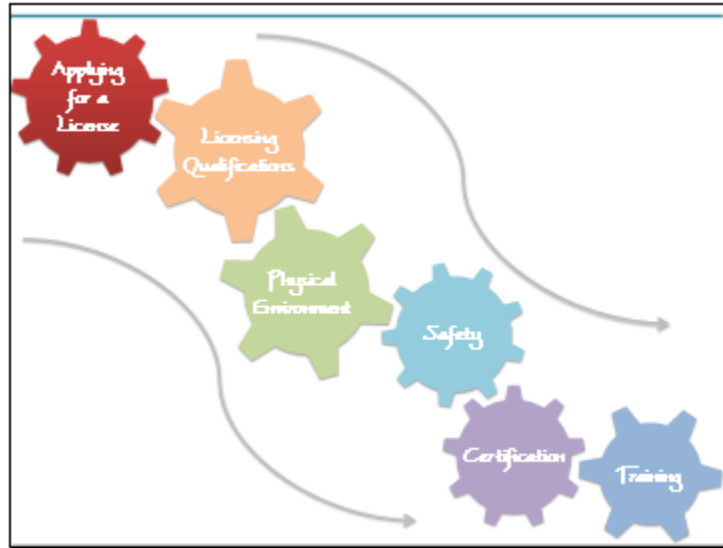
The assessment process of licensing and re-licensing a foster family has multiple components. You will continue to monitor all of these components as long as the family is licensed to provide foster care.

You will find that DCF 56 walks you through the components of the licensing and re-licensing process, which include:

- Who must apply for a license,
- Applying for a license;
- Licensing qualifications, including background checks,
- The physical environment of the foster home,
- Safety considerations,
- Level of Care certification of the foster family, and
- Training for the foster parents.

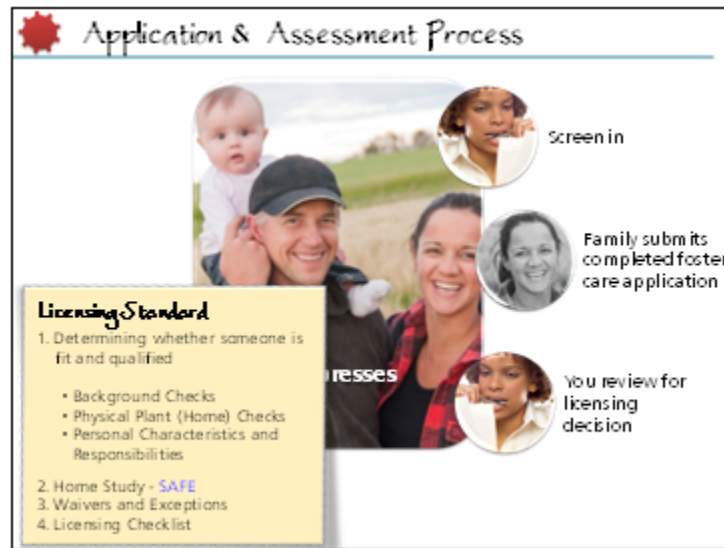
Now let's look into each of these in more detail.

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Applying for a License Section

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When prospective foster parents express interest in becoming licensed, you should work with them to determine if they are a good fit with the needs of your agency; you have the option to screen them in or out. If you screen them in and they submit a foster care application, you must make a licensing decision within 60 days of the receipt of the completed application.

There are two exceptions to making a licensing decision within 60 days. If a 30-day extension is granted, or if the application is for a pre-adoptive placement, a decision must be made within 6 months.

You will have the option to license or deny the applicant or licensee. Public child welfare agencies must make a licensing decision on any applicant or licensee who submits a completed application.

To determine if an applicant is “fit and qualified” the licensing agency will complete the assessment process. This assessment will review:

- Background checks;
- The physical plant portion of the licensing decision, which is based on a review of the home;
- The personal characteristics required for foster care licensure,
- And you will also need to assess the prospective family’s motivation for providing foster care.

Once you have gathered enough information related to determining if the applicant is “fit and qualified” and whether their home meets licensing requirements, you will complete a written document called, the “home study”. You will also complete the Licensing Checklist and make a determination if the applicant and their home meet licensing requirements.

Based on this information, you will then make a written decision to either issue or deny the application for licensure or re-licensure.

Home Study - SAFE: <https://dcf.wisconsin.gov/files/cwportal/policy/pdf/memos/2016-34.pdf>

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We'll use a scenario to explore the licensing process....

On a Tuesday morning, you receive a call from law enforcement from a small rural town stating that they have two young children in custody after their father murdered their mother. The children's paternal grandfather, Leroy, and his live-in girlfriend, Ernestine, are willing to care for the children and the children were placed there late last night. The children, a 3-year-old boy Michael, and a 7-year-old girl, Jenna, have a positive relationship with their grandpa and his girlfriend, whom they call "granny," and had spent lots of time with them throughout their lives. The children's father, James, is Leroy's only child, and is currently in custody for the killing of his wife. The murder happened in the town in which the entire family lives, but the children did not witness this.

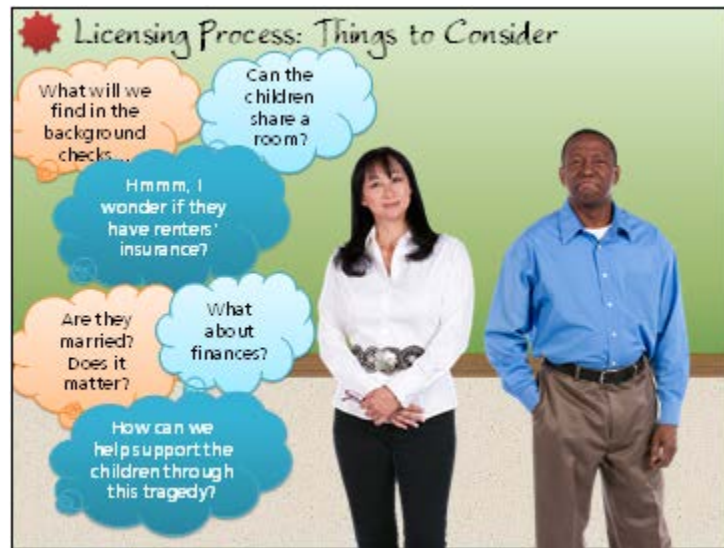
You call Leroy and Ernestine to schedule a time to talk with them and go to meet with them later that afternoon. Leroy and Ernestine tell you that they love their grandchildren dearly and will do whatever they can to care for them, but that they will probably need some financial assistance to do so properly, as well as some additional information on caring for children, since it has been many years since they parented young children.

Leroy is 60 years old and Ernestine is 57, and they have been together for 20 years. Leroy has one son, James, who is 35 years old, and Ernestine has three grown children – one son, Paul, and two daughters, Renee and Laura, who are all in their 30s. When you bring up the idea of

becoming foster parents, they express interest, but tell you that they do not want to adopt the children. Leroy acknowledges his son's crime, but says that he does not want to take his son's place as the children's father. Leroy and Ernestine state their commitment to the children and ask you for more information on foster care.

When you go out to the home later that afternoon, you learn that Leroy and Ernestine are both retired and live in a modest two-bedroom, two-bathroom duplex that they have rented for many years. There is a large living room and a family room for the children to use as a playroom, and a nice backyard that they share with their neighbors. They do not have renter's insurance for the duplex, and they share a vehicle that is insured.

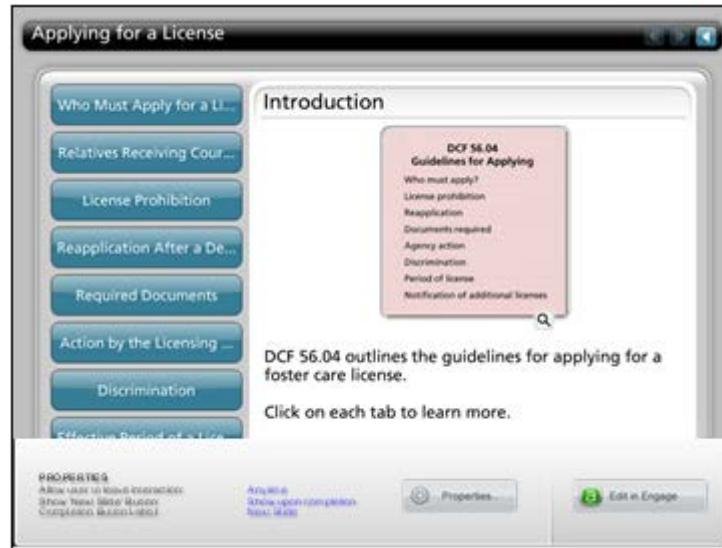
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As you proceed in the licensing process with Leroy and Ernestine, you will want to consider the following potential issues:

- Leroy and Ernestine live in a 2-bedroom home, so the children will have to share a bedroom. Are there any issues with this?
- Do they have any convictions or findings that substantially relate to caring for children in their backgrounds?
- They do not have renters insurance for their duplex, is this an issue?
- Leroy and Ernestine are not married; does this matter?
- Do they need financial assistance to support the additional costs of caring for their grandchildren?
- Leroy and Ernestine expressed interest in additional information regarding helping their grandchildren through the tragic loss of their mother and caring for the children.

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DCF 56.04 outlines the guidelines for applying for a foster care license, including:

- Who must apply for licensure
- License prohibition
- Re-application following denial or revocation
- Documents required prior to licensing
- Actions by the licensing agency
- Discrimination
- The Effective period of a license, and
- Notification of application or issuance of additional licenses

Who Must Apply For a License

Application for foster care licensure is required for anyone applying to provide foster care, and relative caregivers who are applying to receive *Court-Ordered Kinship Care* under Ch. DCF 58.

(http://docs.legis.wisconsin.gov/code/admin_code/DCF/021_099/58)

Relatives Receiving Court-Ordered Kinship Care

Relative caregivers receiving Court-Ordered Kinship Care are required to complete the *Joint Court Ordered Kinship and Foster Care Application*. Click on the link to access the form now, and take some time to review it. (<https://dcf.wisconsin.gov/files/forms/doc/2483.docx>)

Part A of the application must be signed and returned so the agency can make a determination on eligibility for Kinship Care under Ch. DCF 58.

Court-ordered Kinship Care recipients must also complete and submit Part B of the foster care application within 45 days of signing Part A. Within 45 days they must also meet with agency staff for interviews, allow a physical inspection of the home, and provide required information to complete background checks. If they fail to complete all these steps, Kinship Care payments will be terminated. Bring any questions you have to your supervisor, or to your face-to-face 56 training.

License prohibition

Licensing agencies may not issue foster care licenses to employees of their agency or relatives of employees of the agency if that employee works in the area of the agency that issues foster care licenses.

For example, a county child welfare program cannot license any employee in the child welfare program but could license an employee working in the economic support program even though both programs are in the same department.

Re-application following denial or revocation

If an individual had a foster care license revoked, or an application for foster care denied for *substantive reasons*, they may not reapply for a foster care license with any licensing agency within a two-year period unless two specific conditions are met.

Substantive reasons include inappropriate discipline practices, inadequate mental health functioning or current abuse of alcohol or drugs.

The two conditions are:

The initial denial or revocation was based on a criminal conviction or governmental finding that required rehabilitation approval under Ch. DCF 12 and the applicant or licensee failed to prove rehabilitation as required by DCF 12.

The applicant or former licensee applied for rehabilitation under DCF 12 and it was granted.

Actions by the licensing agency

Licensing agencies must make a licensing decision on a Completed Application within 60 days of receiving a completed application. One 30-day extension is allowed, if needed, to collect information necessary to make an informed decision, such as criminal records checks or responses from references. The extension can only be granted for re-licensing when the period of licensure has not already been for a period of 2 years.

A Completed Application means the paper application has been received by the agency, there have been meetings with agency staff for interviews, a physical inspection of the home was allowed, and required information was provided to complete background checks.

If the application is for a pre-adoptive placement, the licensing agency shall either issue the license or deny the application within six calendar months from the receipt of the completed application.

In any situation in which a licensing agency denies an application, the agency shall provide the applicant with reasons for the denial and the right to appeal the decision in writing.

Discrimination

A licensing agency may not discriminate against an applicant for a foster home license or license renewal based on age, sex, race, color, creed, sexual orientation, national origin, or handicap.

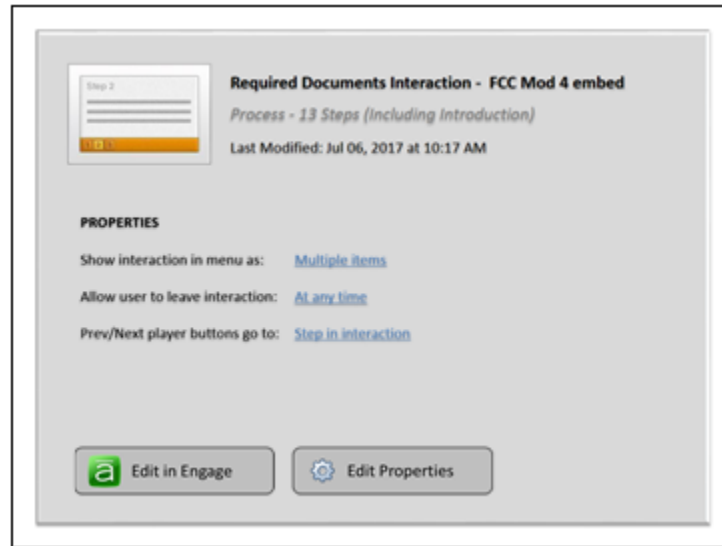
The Effective period of a license

A foster home license shall be effective for no longer than two years, and agencies may specify shorter effective periods of licensure if desired.

Notification of application or issuance of additional licenses

If an applicant or licensee applies for any other license or is granted any other license, they must notify the licensing agency. A licensee may not hold any other foster care license or a license to operate a group home while licensed to provide foster care.

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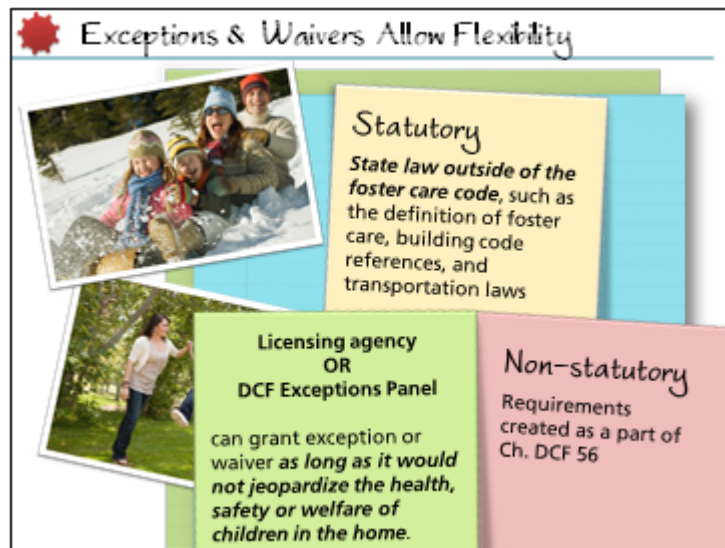
**Documents required prior to licensing**

For initial licensure, there is required documentation that must be submitted. Click to learn more...

- An application, which must be signed by the applicant. Any and all household members who will have a caregiving role must sign the application, and married persons living together must both sign the application.
- Verification of homeowner's or renter's insurance (or a request for a waiver), as well as vehicle liability insurance if the applicant plans to transport foster children in their vehicle.
- A written statement from a physician, physician assistant, or nurse practitioner that explains any physical or mental conditions for the applicant or other household members that would affect their ability to care for foster children, or that would threaten the health or safety of a foster child.
- Documentation of an exception if a household member does not have health insurance coverage or if a medical examination would cause a significant financial burden. If this exception is granted by the licensing agency, the household member must submit a signed statement that explains any physical or mental conditions that they have which would affect their ability to care for a foster child or would threaten the safety of a foster child.
- Documentation of the fire safety inspection of the foster home, if required by the licensing agency.
- A drawing of the layout of the foster home.

- A water supply test report, if required by the licensing agency.
 - The employment history of the applicant(s).
 - Notification of any previous licensure as a foster parent or other type of caregiver for children.
 - A signed statement acknowledging that the applicant has received the following from the licensing agency:
 - A brochure explaining the foster care reimbursement and rate structure.
 - A brochure explaining the Foster Parent Liability Insurance Program.
 - Notice that the licensing agency may contact the Wisconsin Department of Justice as well as any similar agency in another state, any federal or local law enforcement agency, any social service agency or any other public or private agency to determine any reasons for the applicant to not be granted a foster care license.
 - Other documentation or authorization required by the licensing agency.
- For renewal of the license, the applicant must submit these items at least 30 days prior to the expiration of the current license.
- Application
 - Insurance Verification
 - Physical or Mental Conditions
 - Household member does not have health insurance
 - Fire Safety Inspection
 - Water Supply Report
 - Other documentation or authorization required by the licensing agency
- Modifications to the license, which includes exceptions as well as changes to the number, age, or sex of children to be placed in the home, can be requested by the applicant or licensee at the time of licensure or at any time during the effective period of a license. There are specific timelines associated with requests for modification, which can be found in DCF 56.04(4)(c)2.

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As you go through the licensing process with a prospective foster family, there may be portions of administrative code that, for various reasons, the family cannot meet. This will not necessarily prevent them from becoming licensed, depending on which portions of code cannot be met. Flexibility through exceptions and waivers is built into the foster care licensing code, to allow applicants who are deemed valuable resources for children needing care to become foster parents. This helps allow more applicants to become foster parents to children needing care.

There are two main categories that sections of the licensing code fall under: statutory and non-statutory requirements.

Statutory requirements are those requirements that are state law *outside* of the foster care code, such as the definition of foster care, building code references, and transportation laws. Neither the licensing agency nor the Department can grant exceptions to those items.

Non-statutory requirements are those requirements created as a part of Ch. DCF 56. Depending on the section of code, either the licensing agency or the DCF Exceptions Panel can grant the exception or waiver as long as it would not jeopardize the health, safety or welfare of children in the home.

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The Difference Between Exceptions & Waivers

Exceptions:
There must be a plan in place to meet the intent of the requirement or a plan to come into compliance with code

Waivers:
May only be granted to relative caregivers and do not require a plan to come into compliance or an alternative to meet the intent of the requirement.

Exceptions:

- (1) The foster child may regularly sleep in any building, apartment or other structure on the premises which is separate from the foster home, not any one foster child regularly sleep in an unlicensed unit, an unlicensed bedroom, a hallway or in any room normally used for purposes other than sleeping. This household member may regularly sleep in any of these places in order to accommodate the presence of the foster child.
- (2) The foster child under the age of 7 years or a child with limited mobility or hearing may regularly sleep in a licensed bedroom bedroom or in a bedroom above the second floor of a single family dwelling.
- (3) The foster child 7 years of age or older may regularly sleep in a licensed bedroom bedroom or in a bedroom above the second floor of a single family dwelling under all of the following conditions: are not:
 1. There are 2 units to grade from that floor level. Each floor in basement shall comply with a. Codes 11-01 (1), (2), and (3).
 2. There has been need for heating, cooling, ventilation, and water.

Waivers:

Please note "regularly" if a child is having nightmares or is scared, it would be appropriate and allowable for the child to share a bed or bedroom with a foster parent. This should not be a "regular" event, however.

This is true regardless of the age of the foster child.

This means open floor space and does not include the space under the bed or other furniture items. It is important to understand that many foster children have night terrors or "crying fits" and should have the opportunity and location to do so compliantly.

Applies "regularly" is a key. If it is a one-time and a foster child wants to sleep on a couch or a porch, for example, that would be allowable.

We do not want to create situations where a foster parent or family could never sleep in a situation not allowable for a foster child in order to accommodate the foster child.

The 7-year old standard should be used as a minimum. A licensing agency may want to apply this requirement to children under age 10 if it is necessary to protect the child's health, safety or welfare.

The applicability of the waiver code. For a bedroom, one may need to determine that both in grade or a floor or basement level that both in grade or an outdoor sleeping. The second may help to enter a bedroom, hallway or the floor above the basement.

So what is the difference between an exception and a waiver?

An exception means that there must be a plan in place to meet the intent of the requirement, or a plan to come into compliance with code. Your agency is allowed to grant exceptions to some of the non-statutory requirements. Only the DCF Exceptions Panel may grant exceptions to the portions of code listed in DCF 56.02(2)(a)1., which in the annotated version of DCF 56 are “boxed”.

So in this example from DCF 56.07 which discusses the physical environment and sleeping arrangements, you can see there are very specific requirements that must be met.... Children must sleep in bedrooms, and they cannot sleep in a basement bedroom unless they are at least 7 years in age. Since these requirements have a box, it means that if an exception is being requested, then only the DCF Exceptions Panel could grant it.

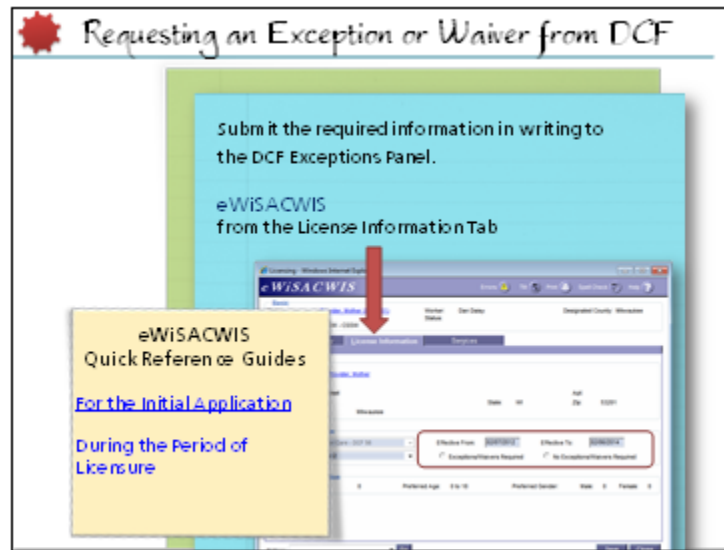
Waivers on the other hand may only be granted to relative caregivers and do not require a plan to come into compliance, or an alternative to meet the intent of the requirement. Only the DCF Exceptions Panel may grant waivers to items listed in DCF 56.02(2)(c)2. Waivers are identified by an asterisk or star in the annotated version of DCF 56. Waivers that the DCF Exceptions Panel can grant appear as stars within boxed items.

So in this example, a waiver may be requested for a foster child to share a bedroom with an adult or another foster child of the opposite gender.

So if the bedroom has less than 60 square feet per child in a bedroom, you as the Licensing Agency may grant an exception or waiver for a relative caregiver to this requirement. Notice it appears with the asterisk, but NOT the box.

Exceptions and waivers are granted on a case-by case basis at any Level of Care Certification. They must be cited on the license, documented in eWiSACWIS, and may only be in effect as long as the conditions remain, but no longer than two years from the date on which it was granted or the date the license terminates, whichever occurs first.

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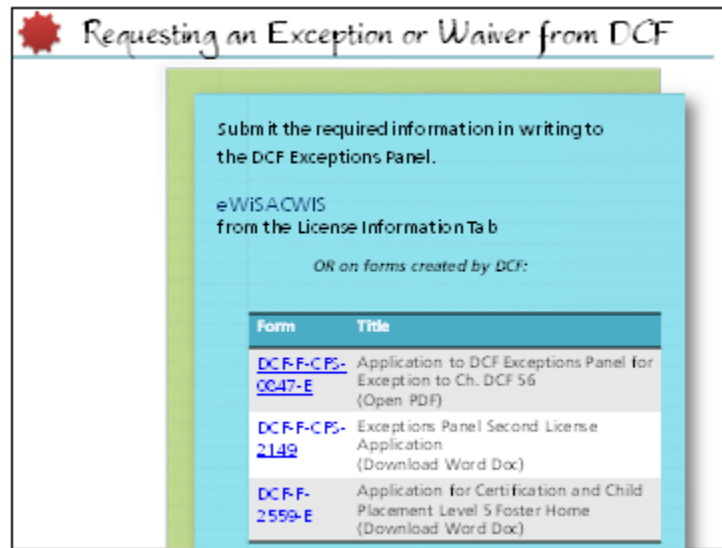
If an applicant or licensee is requesting an exception or waiver to a portion of licensing code that only the DCF Exceptions Panel can grant, the licensing agency will be required to submit the required information in writing to the panel. Licensing agencies with access to eWiSACWIS do this electronically from the License Information Tab.

You can access the Quick Reference Guides for more information about requesting an exception or waiver from the DCF Exceptions Panel.

For the Initial Application: <https://dcf.wisconsin.gov/files/ewisacwis-knowledge-web/quick-reference-guides/license/licensing-home-providers.pdf>

During the Period of Licensure: <https://dcf.wisconsin.gov/files/ewisacwis-knowledge-web/quick-reference-guides/license/modifying-a-license.pdf>

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Requesting an Exception or Waiver from DCF

Submit the required information in writing to the DCF Exceptions Panel.

eWisACWIS
from the License Information Tab

OR on forms created by DCF:

Form	Title
DCF-F-CPS-0047-E	Application to DCF Exceptions Panel for Exception to Ch. DCF 56 (Open PDF)
DCF-F-CPS-2149	Exceptions Panel Second License Application (Download Word Doc)
DCF-F-2559-E	Application for Certification and Child Placement Level 5 Foster Home (Download Word Doc)

Licensing agencies without access to eWisACWIS are required to submit the requests on forms created by DCF.

Once a decision is made, DCF will provide a response to the licensing agency in writing either through eWisACWIS or on the original form submitted. Private Child Placing Agencies are also required to then submit the approved exceptions or waivers to Maximus.

All exceptions and waivers are required to be documented in eWisACWIS within 7 days.

Application to DCF Exceptions Panel for Exception to Ch. DCF 56:

<https://dcf.wisconsin.gov/files/forms/pdf/0847.pdf>

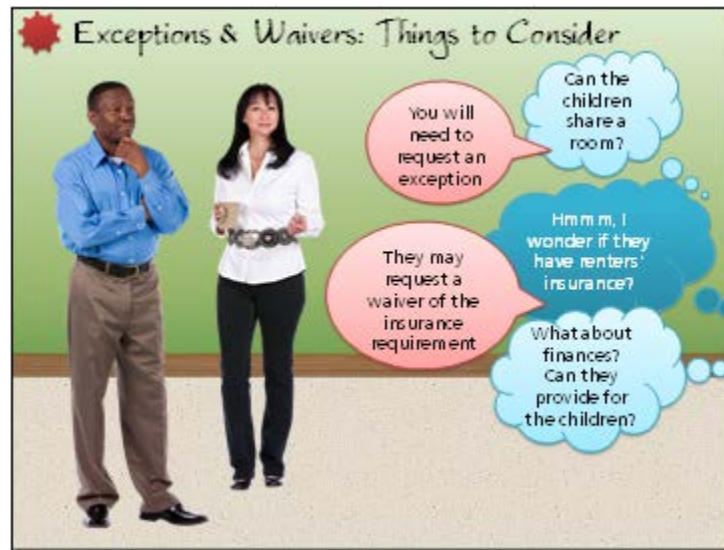
Exceptions Panel Second License Application:

<https://dcf.wisconsin.gov/files/forms/doc/2149.docx>

Application for Certification and Child Placement Level 5 Foster Home:

<https://dcf.wisconsin.gov/files/forms/doc/2559.docx>

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Let's look back at what we know about Leroy and Ernestine. You know that you'll need to request an exception to allow the children to share a bedroom, since Jenna is seven years old and Michael is three. You will need to submit this exception request to DCF. In doing so, you will need to consider the relationship between Michael and Jenna as well as any sexual acting-out or aggressive behaviors that either child has displayed in the past.

You also know that Leroy and Ernestine do not have renters' insurance.

A foster parent or applicant may request a waiver of the insurance requirement, if it causes undue financial hardship. DCF must grant this waiver. As you consider the reasons that Leroy and Ernestine do not have renters' insurance, whether they could purchase it, and if this is a financial hardship for them, you'll need to assess whether they have the financial resources to provide for the children.

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1. For each item, choose whether this applies to Exceptions, Waivers, or Both.

- Requires a plan to come into compliance with admin code
- No required plan to come into compliance
- Documented on foster care license

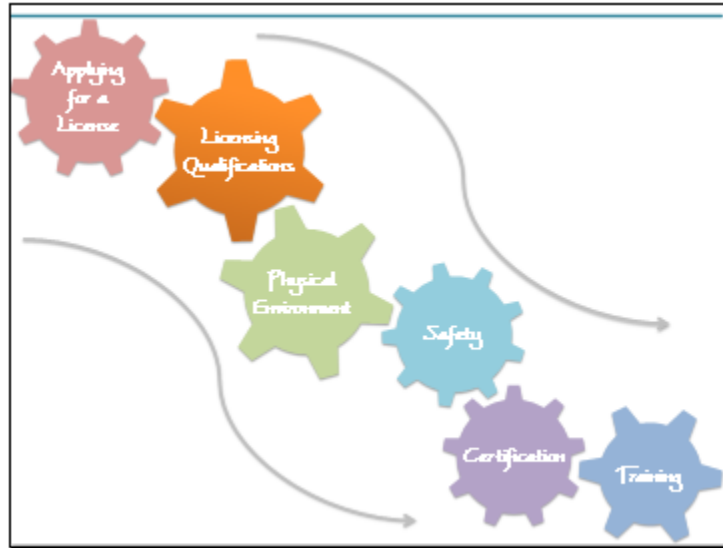
2. For each item, choose whether this applies to Exceptions, Waivers, or Both.

- Shown with an asterisk (*) in the annotated version of DCF 56
- Non-statutory requirements
- Boxed items only grantable by DCF Exceptions Panel

3. For each item, choose whether this applies to Waivers or Both Exceptions & Waivers.

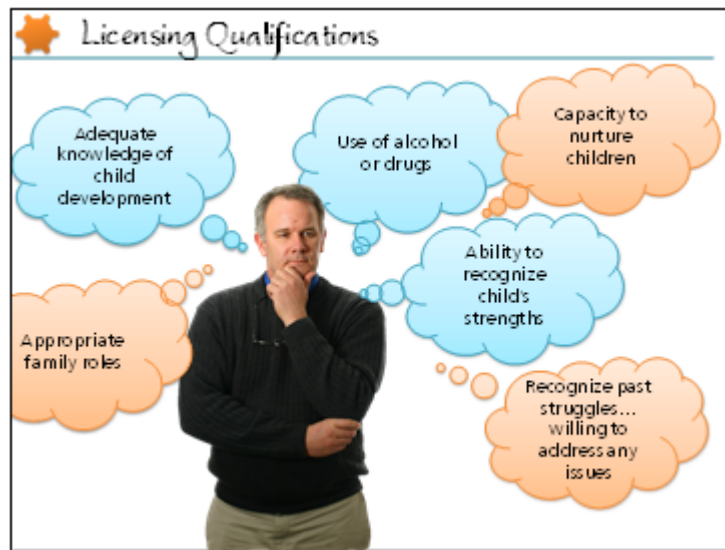
- Grantable for relative caregivers only
- Grantable by DCF and by Licensing Agency

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Licensing Qualifications Section

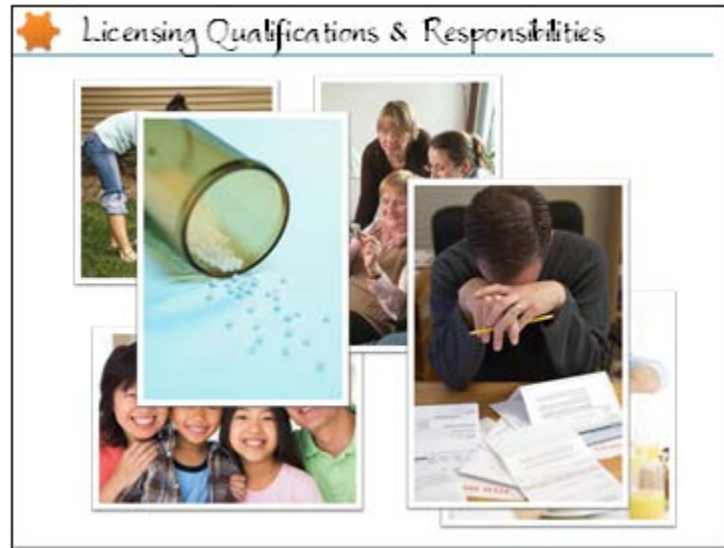
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As you proceed with licensing prospective foster parents, you will have many qualifications to consider in your assessment. One aspect of your assessment will be to determine if the prospective foster parents are “fit and qualified” to foster, which consists of assessing personal characteristics including, but not limited to:

- Use of alcohol or drugs
- History of criminal behavior
- Soundness of judgment
- The Capacity to nurture children
- Providing truthful information
- An Understanding of separation and loss, and the perspective of a foster child
- The Ability to recognize a child’s strengths
- A History of managing stress appropriately
- Satisfactory self-concept
- Recognition of past struggles and willingness to address any issues
- A History of positive parenting, if applicable
- Adequate knowledge of child development
- Constructive social relationships
- Effective family communication
- Appropriate family roles, and
- Knowledge of the specific behavioral, emotional or physical conditions faced by the child to be placed in their care.

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In addition to personal characteristics necessary to foster, you must also assess the prospective foster parents' ability to fulfill the responsibilities required of all foster parents. These responsibilities include, but are not limited to:

- Complying with all requirements of DCF 56
- Only accepting children into their home that is consistent with conditions specified on the license
- Cooperating with all agencies and informing them of the child's progress and any concerns or emergencies
- Maintaining relationships between the children in their care and their families
- Complying with agency expectations, including but not limited to confidentiality, notice for request of removal of a child, reporting serious incidents, and training requirements.

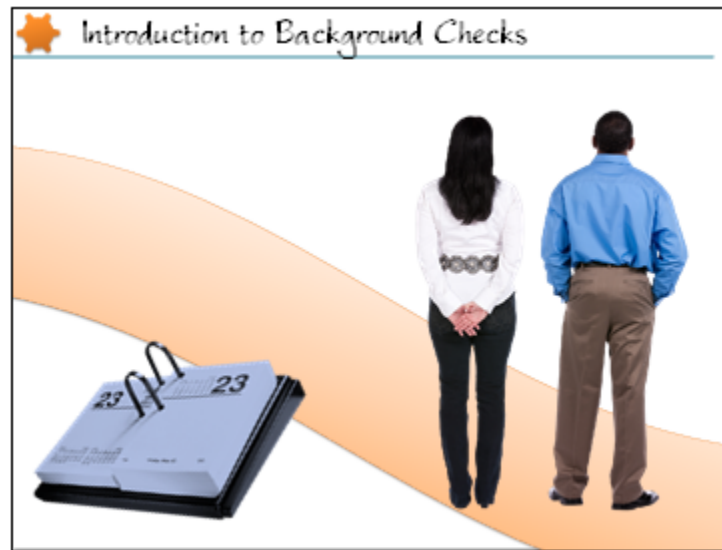
As you have heard previously in this module, you must also assess the health of the prospective foster parents. If at any time during licensure, the licensing agency has reason to believe that the physical or mental health of a licensee may pose a threat to the health, safety, or well-being of a foster child, the licensing agency can require an alcohol or drug abuse assessment or physical or mental health evaluation as a condition for continuing the license.

As part of the assessment process, applicants must complete background checks, which you will hear more about in just a few minutes.

You will have to assess the financial stability of the applicants, since foster parents must have an income sufficient to meet their obligations without relying on the basic maintenance payments received for the care of the children in their home.

Applicants for licensure will also need to provide proof of vehicle liability insurance, and of homeowner's or renter's insurance, or a waiver of the requirement for homeowner's or renter's insurance.

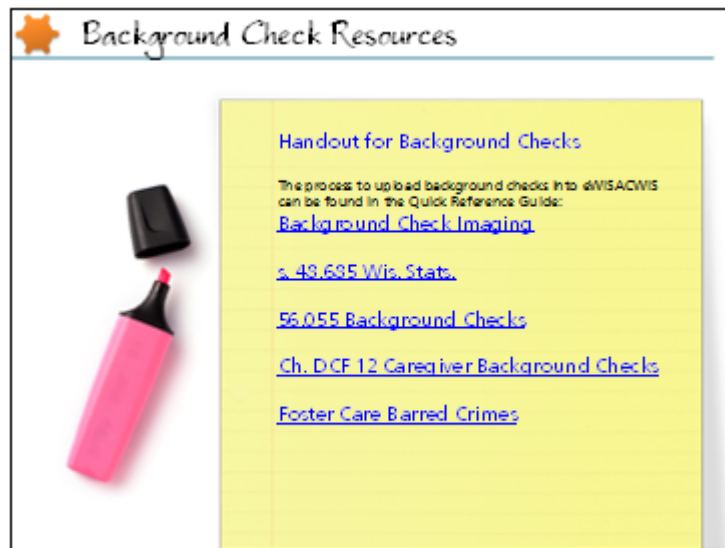
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During the licensing process, you will be responsible for completing multiple background checks on prospective foster parents, all of which are required to be completed and the results received prior to the issuance of a license. The results must be scanned and documented in eWISACWIS within seven calendar days from the issuance of the license.

Background checks are one of the main safety mechanisms in the licensing process. Both federal and state law establish requirements for all prospective and licensed foster parents to ensure child safety.

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Here are resources which support completion of the required background checks.

Handout for Background Checks: <http://wcpds.wisc.edu/related-training/fcc/m4/docs/FCC-m4-Background-Check-Handout.pdf>

The process to upload background checks into eWISACWIS can be found in the Quick Reference Guide:

Background Check Imaging: <https://dcf.wisconsin.gov/files/ewisacwis-knowledge-web/quick-reference-guides/imaging/private-provider-imaging-background-checks.pdf>

s. 48.685 Wis. Stats.: <https://docs.legis.wisconsin.gov/statutes/statutes/48/XVI/685>

56.055 Background Checks:
<https://docs.legis.wisconsin.gov/document/administrativecode/DCF%2056.055>

Ch DCF 12 Caregiver Background Checks:
https://docs.legis.wisconsin.gov/code/admin_code/DCF/001_020/12.pdf

Foster Care Barred Crimes: <https://dcf.wisconsin.gov/files/fostercare/pdf/fostersg-barredcrimes.pdf>

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There are six required types of background checks.

Any discrepancies between what the applicant believes their background check to contain and the results the agency finds are the applicants' responsibility to clear.

Click on each circle to learn more about each type of check.

Be sure to print out a copy of the Handout for Background Checks.

(<http://wcpds.wisc.edu/related-training/fcc/m4/docs/FCC-m4-Background-Check-Handout.pdf>)

Adam Walsh (FBI) is a fingerprint based check of the Federal Bureau of Investigation (FBI) records; not all arrests or convictions are reported to the FBI.

Adam Walsh Child Protective Services (CPS) is a check of Child Protective Service records in each county or state the person has lived in for the last 5 years.

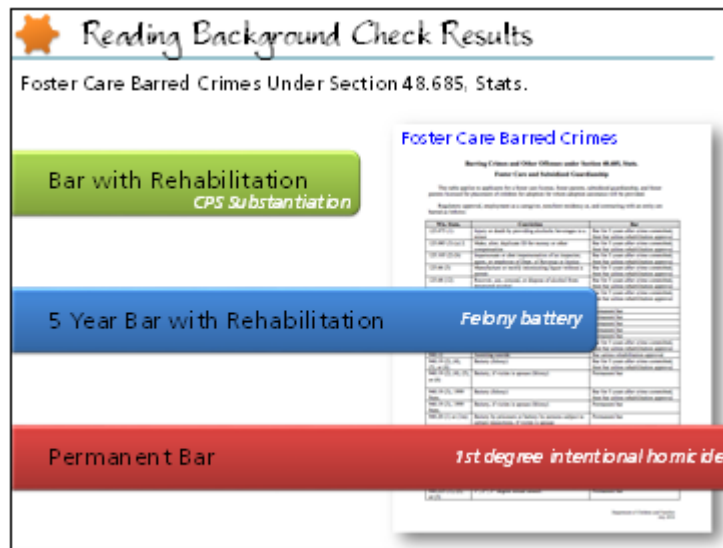
Wisconsin Department of Justice (or DOJ) is a check of arrests and convictions submitted to the Wisconsin Department of Justice. Not all local arrests and convictions are submitted to the DOJ.

Caregiver or IBIS Check: This includes a check of entity records for persons who have been denied, revoked, or otherwise prohibited from working with children or vulnerable populations. Note: this does not check child abuse and neglect records in Wisconsin.

Reverse Address Sex Offender registry check: The database checks nationwide sex offenders. This check indicates where registered sex offenders have reported to authorities they are living. Sometimes people are not forthcoming about who lives in their home. Checking this verifies whether any sex offender registrant is listing the foster home as their address.

Local Law Enforcement Checks: Due to the fact that not all local contact with law enforcement is reported to the Department of Justice, agencies must run local checks to determine the complete understanding of the background. This is done through CCAP and checking with local law enforcement where the applicant has lived for at least the last five years.

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All results of the background checks must be reviewed in comparison with The Foster Care Barred Crimes. (<https://dcf.wisconsin.gov/files/fostercare/pdf/fostersg-barredcrimes.pdf>)

There are some crimes that “bar” an individual from participating as a foster parent, or that require special conditions.

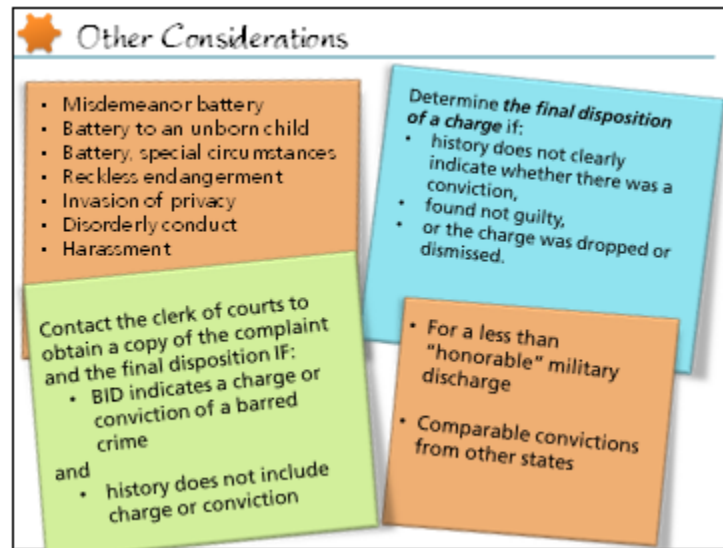
If the applicant has a conviction or finding from the list, then the corresponding bar applies to that situation:

A permanent bar means there is nothing that the agency or applicant can do to mitigate the finding unless there is a pardon from the governor.

A 5 year bar with rehabilitation means that the applicant must wait 5 years from the offense, and then complete a rehabilitation review and be found to be rehabilitated in order to be eligible for consideration of foster care licensure.

A bar with rehabilitation means that the applicant is prohibited from foster care licensure until a rehabilitation review is completed and they are found to be rehabilitated in order to be eligible for consideration of foster care licensure.

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The original criminal complaint or resulting court actions should be requested in the following situations.

If a person was convicted of any of the following crimes less than 5 years before the background check, the licensing agency must obtain a copy of the criminal complaint and judgment of conviction and make the substantially-related determination.

- Misdemeanor battery
- Battery to an unborn child
- Battery, special circumstances
- Reckless endangerment
- Invasion of privacy
- Disorderly conduct, or
- Harassment

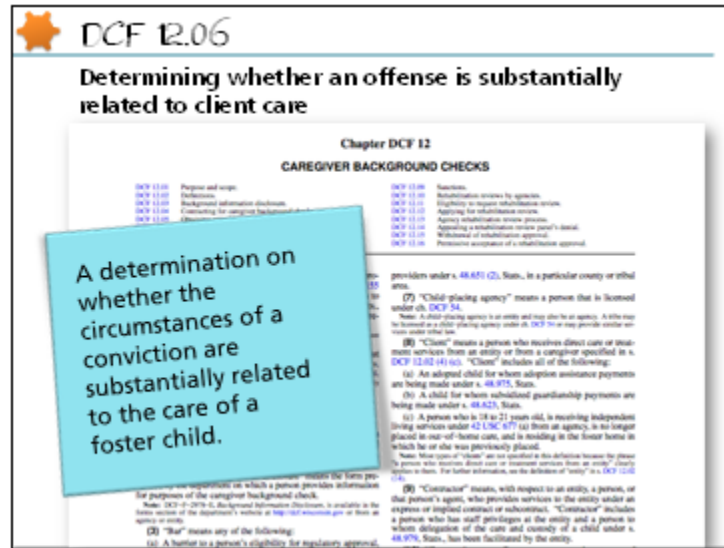
If the DOJ criminal history indicates a charge of a crime that would be a bar does not clearly indicate whether there was a conviction, the person was found not guilty, or the charge was dropped or dismissed, the licensing agency must make reasonable efforts to determine the final disposition of a charge.

If the person's background information disclosure indicates a charge or conviction of a barred crime but the DOJ criminal history does not include the charge or conviction, the licensing agency must make every reasonable effort to contact the clerk of courts to obtain a copy of the complaint and the final disposition.

If a military discharge was other than "honorable", the licensing agency must determine if that substantially relates to the care of a foster child.

Comparable convictions from other states or US jurisdictions should be treated the same as if they were in Wisconsin.

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In addition to the crimes and offenses listed in the state statute, the licensing agency must review the circumstances of convictions of any offense that is not barred by the statute to determine if the conviction is substantially related to the care of a foster child.

What does “substantially related to the care of a foster child” mean?

Section DCF 12.06 provides the factors for the licensing agency to consider in making this determination.

Let’s learn more.

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DCF 12.06 contains three main elements when considering whether or not a conviction or finding substantially relates to caring for foster children. You will need to consider all three elements as you evaluate a conviction or finding that is not already barred.

1-In relation to Fostering:

- the scope of contact with children,
- the discretionary authority and independence over decisions for children,
- the opportunity to commit a similar offense,
- how much of fostering relies on the trust of a child's parent/guardian, and
- the amount of supervision provided to the foster parent

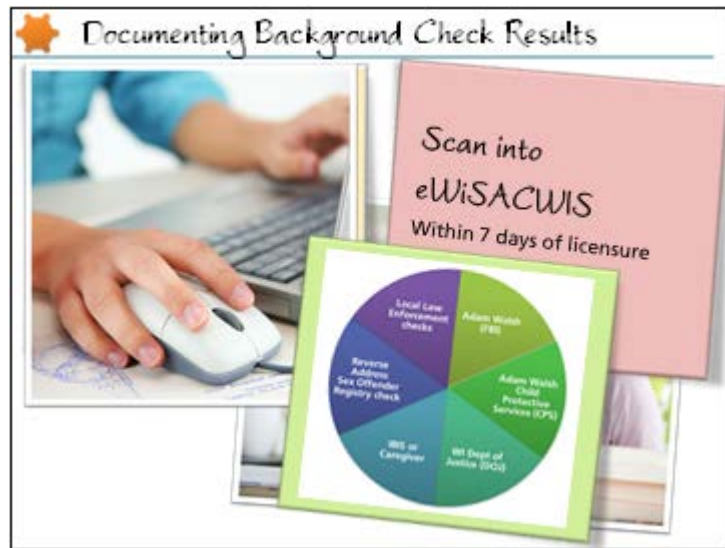
2-In relation to the offense:

- was intent an element of the offense
- are elements of the offense substantially related to caring for children,
- any pattern of offenses
- the extent to which the offense relates to a vulnerable population,
- the involvement of violence or threat of harm in the offense,
- whether the offense is sexual in nature

3-In relation to the person:

- The number and type of offenses the person committed or for which the person has been convicted,
- The length of time between the convictions or offenses and the application to foster,
- The person's employment history, including references if available,
- The person's participation in or completion of pertinent programs of a rehabilitative nature,
- The person's probation or parole status,
- The person's ability to foster consistently with the safe and efficient operation of the program and the confidence of the clients served including applicable parents or guardians.
- The age of the person on the date of conviction or the dates of conviction.

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You have heard a lot about all of the background information that is required for a foster parent applicant, to ensure the health and safety of foster children... But what do you do with all the information you receive?

All of the background checks are required to be documented in two ways.

First, there needs to be a written Home Study of your agency's assessment of the applicant completed by the agency. The Home Study includes a portion dedicated to the background of each applicant.

The Home Study should split the background check section into at least three paragraphs:

- The first is a list of the background checks completed and the date upon which the results were received.
- The second paragraph should list any resulting charges, convictions, or findings. If there are results you must describe if any are bars for foster care licensure.
- If there are no bars, however there are convictions or findings, you must describe whether the crimes substantially relate to caring for children.

The second step is to scan the Background Checks into eWiSACWIS: All required background check results are required to be entered and scanned into eWiSACWIS within 7 days of licensure.

Please refer to the Quick Reference Guide for more detailed information about how to upload this information. The link can be found on the Resources page.

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Check Your Understanding - Background Checks
Question 1 of 1

As you proceed with completing background checks for Leroy and Ernestine, you discover that Ernestine had a substantiation for neglect of her son when she was 28 years old. Please check all of the things that you would need to do to address this.

- Tell Ernestine and Leroy they cannot be licensed and deny them
- Discuss option of a rehabilitation review
- Remove the children from the home

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User may attempt quiz.

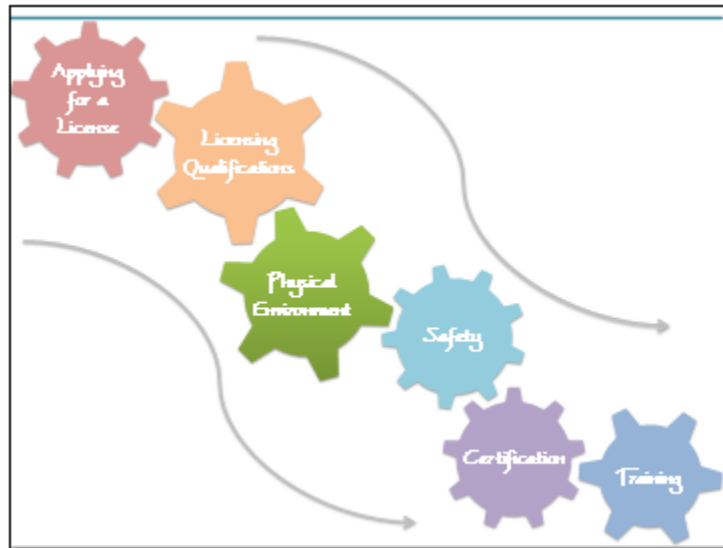
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1. As you proceed with completing background checks for Leroy and Ernestine, you discover that Ernestine had a substantiation for neglect of her son when she was 28 years old. Please check all of the things that you would need to do to address this.

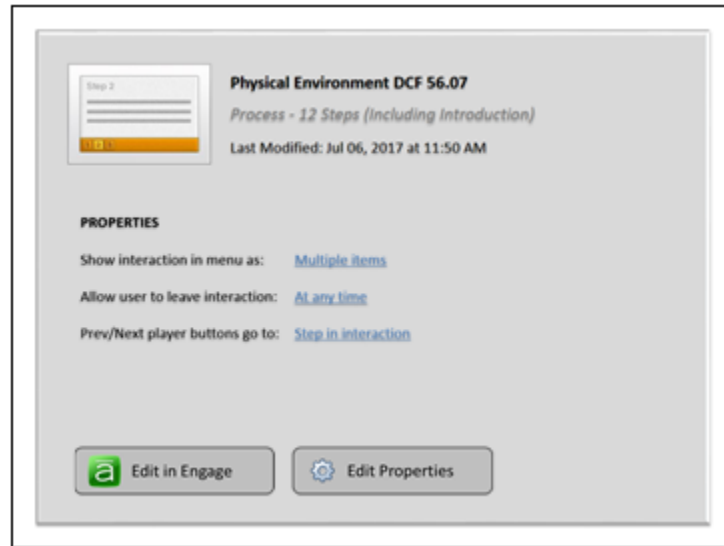
- Contact CPS substantiating agency
- Discuss option of a rehabilitation review
- Tell Ernestine and Leroy they cannot be licensed and deny them
- Remove the children from the home

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Physical Environment Section

Slide 30



Now that you have learned about what makes the applicant or licensee deemed as “fit and qualified” let’s look at how to review the environment of the home, which is also known as physical plant requirements.

Foster care administrative code outlines specific requirements for the physical plant of the foster home.

Please refer to code for additional information on specific physical plant requirements.

Please take a few minutes and review some of the “comments” that are included in the annotated version of 56, to learn more about the physical environment review.

Click on each item to hear more.

- General Requirements, which requires an attention to the safety of all occupants of the home
- Exterior access, if necessary for the child to access the home, at least one entrance to the foster home should be level or ramped to provide safe access.
- Interior Living Area, which addresses the amount of space necessary to accommodate the members of the household
- Bath and Toilet Facilities, including the number of bathrooms necessary as well as access to such facilities

- Sleeping Arrangements, including where children can and cannot sleep, bedding, placement of beds in a bedroom, sharing of bedrooms, and access to sleeping areas
- Telephone, which includes access to a phone as well as to emergency phone numbers
- Heating, including climate control in a foster home and the use of heating equipment
- Storage, which includes providing adequate storage for each foster child's belongings
- Outdoor Recreation and Play Space, which addresses accessibility to outdoor play space for foster children, fences, and railings
- Maintenance and Repair, requiring foster homes to remain in a state of repair
- Sanitation, which includes maintaining play equipment in a clean and sanitary condition and screening windows

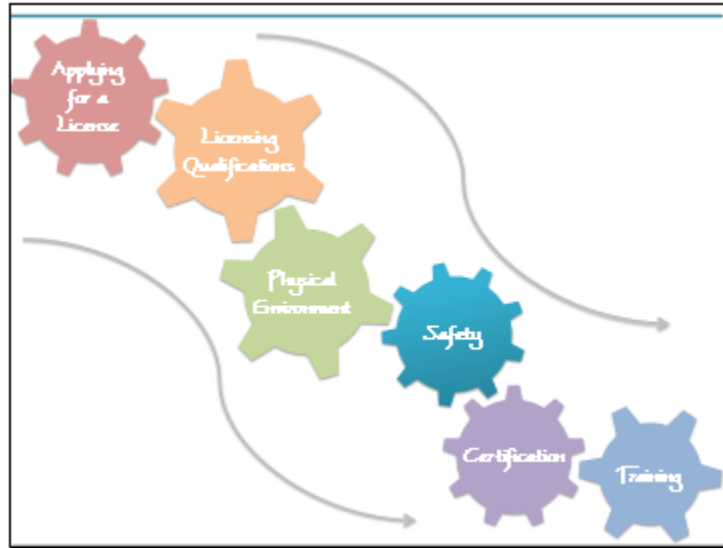
Slide 31



Let's return to Leroy and Ernestine's situation and think about some things to consider.

You've already requested an exception from the department for Michael and Jenna to share a bedroom, and you'll now need to consider whether Leroy and Ernestine's duplex provides the required minimum of 200 square feet of living area for each member of the household. Is there enough space for the children to have play space? Is there a place for Michael and Jenna to play outside, or is there a park or playground nearby?

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Safety Section

Slide 33



We'll switch gears now and think about safety, which, as you know, is very important.

DCF 56.08 describes the requirements that must be met in order to ensure the safety of the foster home. This portion of code is separated into the different areas of safety requirements, and the information on this slide is not a comprehensive list of all safety requirements. Please refer to DCF 56.08 for the complete list of safety expectations.

Safety requirements are listed for

- General requirements
- Electricity
- Household Pets
- Transportation
- Firearms and Other Weapons
- Hazardous Machinery and Equipment
- Fire Safety; which includes fire protection, fire safety evacuation plan, fire safety inspection, carbon monoxide detectors, and reporting fires
- Disaster Planning
- Safety of Children with Disabilities, and
- Stairways

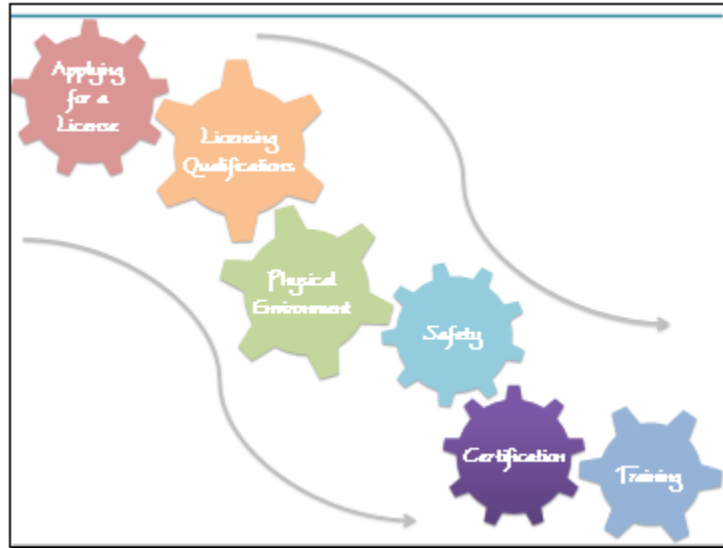
Please refer to the code for additional information on specific safety requirements.

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What safety concerns do you have regarding Michael and Jenna? What other issues should you consider?

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Certification Section

Slide 36

Level of Care Certification – DCF 56.13

Knowledge, skills, abilities

Experience, references, training

Child's Level of Need	Provider's Level of Care	Placement Options		
		Foster Home	Group Home	Residential Care Center
 1 2 3 4 5 6	1	Child-Specific		
	2	Basic		
	3	Moderate Treatment	Group Home	
	4	Specialized Treatment		
	5	Exceptional Treatment		Residential Care Center
6	6			

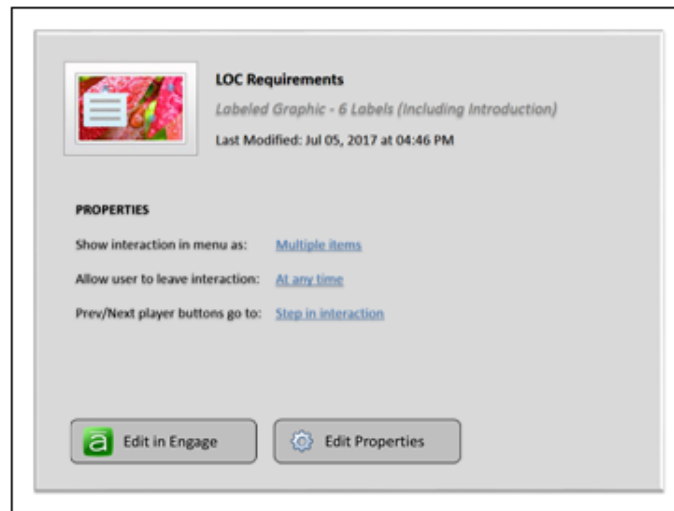
In your determination to license the home, you must establish a Level of Care Certification or “LOC”. The LOC certification is based on the knowledge, skills, abilities of the applicants or licensees as determined by experience, references, and training. There are five Levels of Care, each of which has specific criteria and training requirements.

As we saw in Module 2, the placement complexity chart describes how to match a foster child’s Level of Need with a provider’s Level of Care Certification. Remember, the Level of Need and Level of Care certification don’t have to match. For more information, please refer back to Module 2 of this training or Module 2 of the CANS training.

The applicant or licensee shall be involved in deciding which Level of Care Certification to pursue. Agencies cannot for instance only allow relatives to obtain Level of Care Certification 1, they must be provided the same opportunity as others to obtain a higher Level of Care Certification if they are able to meet the requirements established in Ch. DCF 56.

Additional information regarding the certification levels can be found in DCF 56.13.

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Now let's look at the requirements for each LOC.

Level 1 is reserved for child-specific licenses only. To be child-specific it requires the person to be a relative of the child or to have a prior relationship between the foster parent and the child or child's family. While Level 1 is reserved solely for child-specific licenses, you may have a child-specific license at any level. There are no prior experience requirements or references required for a Level of Care 1.

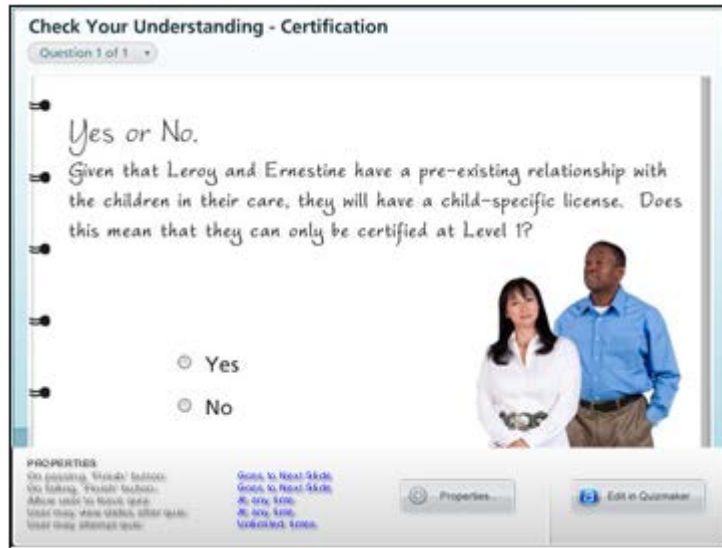
Level 2 is basic foster care, or what used to be referred to as "general" foster care. They are required to provide 3 favorable references.

Level 3 is considered moderate treatment foster care, which is foster care that can provide additional supervision and care to children with higher needs than those in basic foster care. They must submit three favorable references from non-related individuals and one favorable reference from a relative, preferably an adult child. They are required to meet three of the prior experience requirements.

Level 4 is considered specialized treatment foster care, which is structured to meet the higher needs of children and often addresses specific population needs, such as teen parents or youth with sexually aggressive behaviors. They must submit three favorable references from non-related individuals and one favorable reference from a relative, preferably an adult child.

Level 5 is exceptional treatment foster care, and is also sometimes referred to as "shift-staffed" foster care. These foster homes have staff members who work in rotating shifts to care for the children. Level 5 foster homes are generally created to meet the needs of specific children who need care into adulthood and the home becomes the adult resource. All Level 5 foster homes must receive prior approval from the DCF Exceptions Panel before they are pursued and during the licensing and re-licensing process.

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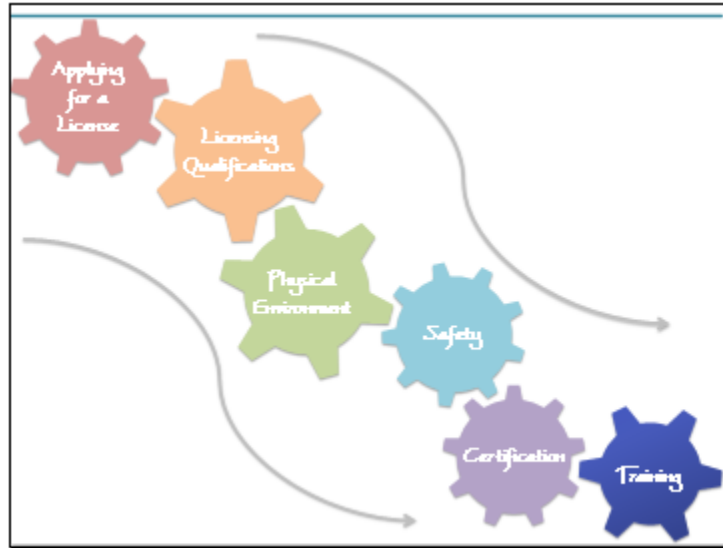


1. Yes or No.

Given that Leroy and Ernestine have a pre-existing relationship with the children in their care, they will have a child-specific license. Does this mean that they can only be certified at Level 1?

- Yes
- No

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Training Section

Slide 40

FP Training						More Info
Level 1	Level 2	Level 3	Level 4	Level 5 Program Mgr	Level 5 Program Staff	
Pre-Placement: 6 hours	Pre-Placement: 6 hours	Pre-Placement: 20 hours	Pre-Placement: 20 hours	Pre-Placement: 60 hours	Pre-Placement: 60 hours; 80 hours orientation (working with qualified, experienced program staff or similar professionals)	
Initial Licensing: Not Required	Initial Licensing: 20 hours (to be done in first licensing period)		Plus 4 hours of Child-Specific Training			
		Initial Licensing: 20 hours	Initial Licensing: 20 hours	Initial Licensing: 20 hours	Initial Licensing: Not Required	
			Plus 6 hours of Child-Specific Training			
Ongoing: Not Required	Ongoing: 10 hours each year of licensure beyond the initial licensing period	Ongoing: 10 hours each year of licensure beyond the initial licensing period	Ongoing: 20 hours each year of licensure beyond the initial licensing period	Ongoing: 20 hours each subsequent year of employment	Ongoing: 20 hours each year of licensure beyond the initial licensing period	

As you have heard previously in this training, your licensing agency is required to provide training to foster parents commensurate with their Level of Care certification. The three types of training are Pre-Placement, Initial Licensing, and Ongoing.

More Info: <https://dcf.wisconsin.gov/cwportal/fc/training>

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FP Training: Pre-Placement More Info					
Level 1	Level 2	Level 3	Level 4	Level 5 Program Mgr	Level 5 Program Staff
Pre-Placement: 8 hours	Pre-Placement: 8 hours	Pre-Placement: 20 hours	Pre-Placement: 20 hours Plus 4 hours of Child-Specific Training	Pre-Placement: 60 hours	Pre-Placement: 60 hours 80 hours orientation (working with qualified, experienced program staff or similar professionals)
<div style="border: 1px solid black; border-radius: 50%; padding: 10px; width: fit-content; margin: 0 auto;"> provides an overview of the child welfare system and the foster care program </div>					

Pre-Placement training provides an overview of the child welfare system and the foster care program. For Level 1 foster parents, Pre-Placement training can be completed before or after the placement of a child but no later than 6 months after the date of initial licensure.

For foster parents who are Levels 2, 3 or 4, Pre-Placement training may be completed before or after initial licensure but prior to the placement of any child in the home. If the license is child-specific, they must complete the training no later than 6 months after the date of initial licensure.

The standardized Pre-Placement curriculum is offered in both online and face-to-face methods.

More Info: <https://dcf.wisconsin.gov/cwportal/fc/training>

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FP Training: Initial Licensing More Info					
Level 1	Level 2	Level 3	Level 4	Level 5 Program Mngr	Level 5 Program Staff
Initial Licensing: Not Required	Initial Licensing: 20 hours (to be done in first licensing period)	<div style="border: 1px solid black; border-radius: 50%; padding: 10px; display: inline-block;"> More detail... including permanence, culture, child development, family connections, abuse and neglect, trauma, attachment, discipline, and the effects of fostering on the family. </div>			
		Initial Licensing: 20 hours	Initial Licensing: 20 hours Plus 8 hours of Child-Specific Training	Initial Licensing: 20 hours	Initial Licensing: Not Required

Initial Licensing training is the next step in foster parent training, and is meant to provide a solid foundation of education on issues relevant to foster care and the children involved in the child welfare system.

Initial Licensing training goes into more detail about issues that are introduced in the Pre-Placement training, such as permanence, culture, child development, family connections, abuse and neglect, trauma, attachment, discipline, and the effects of fostering on the family. Initial Licensing training is completed in the initial licensing period.

More Info: <https://dcf.wisconsin.gov/cwportal/fc/training>

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FP Training: Ongoing More Info					
Level 1	Level 2	Level 3	Level 4	Level 5 Program Mngr	Level 5 Program Staff
<p>Provided on a continual basis – specific to meeting the needs of the children in the home.</p>			<p>Each foster parent is required to have an Individualized Training Plan</p>		
Ongoing: Not Required	Ongoing: 10 hours each year of licensure beyond the initial licensing period	Ongoing: 18 hours each year of licensure beyond the initial licensing period	Ongoing: 23 hours each year of licensure beyond the initial licensing period	Ongoing: 23 hours each subsequent year of employment	Ongoing: 23 hours each year of licensure beyond the initial licensing period

Ongoing training is offered on a continual basis to provide education on topics relevant to the specific children in the home.

It’s an opportunity to explore areas of interest to the foster parent and to learn more about how to meet the needs of the children placed in the home. Ongoing training can be completed in various ways, and must be completed in each 12-month period of licensure subsequent to the initial licensing period.

Each foster parent is required to have an Individualized Training Plan which will help you to monitor their training and tailor their education to better meet the needs of the children in their care.

More Info: <https://dcf.wisconsin.gov/cwportal/fc/training>


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Check Your Understanding - Foster Parent Training

Question 1 of 2

In talking with Leroy and Ernestine, you have decided on a child-specific license with a Level of Care of 2. How long will they have to complete their Pre-Placement training?

6 months
 60 days
 2 years



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1. In talking with Leroy and Ernestine, you have decided on a child-specific license with a Level of Care of 2. How long will they have to complete their Pre-Placement training?

- 60 days
- 6 months
- 2 years

2. If Leroy and Ernestine were licensed on April 24, 2017, and their agency issues licenses for two-year periods, what would be the deadline for them to complete their Initial Licensing training?

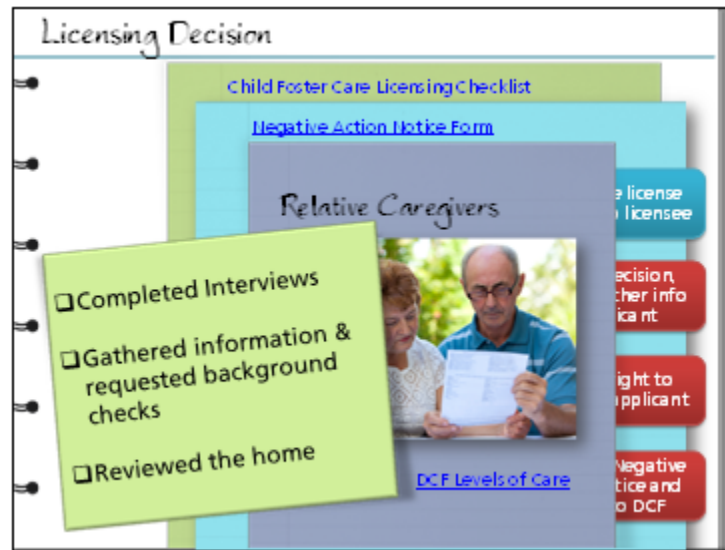
- Six months: October 24, 2017
- One year: April 23, 2018
- Two years: April 23, 2019

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Once you have completed interviews, gathered information to complete background checks, and reviewed the physical environment of the home you are ready to make a licensing decision. Through the licensing or re-licensing process, you will take the information gathered and complete the Licensing Checklist.

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The licensing checklist form serves as an agreement to the conditions of the license with the applicant or licensee. You will have the ability to record any comments, either yours or the foster parents', on the Licensing Checklist, as well as any exceptions or waivers being requested.

Then there will be a decision to either issue, deny, or not renew the application. If a foster care license is issued, a foster care license will be provided to the licensee. Licensing agencies may obtain paper copies of the foster care license by requesting them from DCF. Only those agencies issuing licenses through eWiSACWIS or private child placing agencies may request and receive copies of paper foster care licenses from DCF.

If you deny or decide to not-renew a foster care license, the decision, along with code citations, supporting information for the decision, and the right to appeal must be provided in writing to the applicant or licensee. If the denial or non-renewal is based on a background check bar according to Ch. DCF 12, the agency must also complete the Negative Action Notice and send this to DCF. For agencies with access to eWiSACWIS this is completed electronically, for all other licensing agencies this is done by submitting the Negative Action Notice form.

Relative caregivers applying because they are Court Ordered Kinship Care providers may also be deemed unlicenseable, if it is known or becomes known during the process that they will not be licenseable. You should consult with the relative applicant to let them know, if you were to

proceed with the licensing process, they would be denied and there may be implications for them. The applicant must withdraw their application in order for the agency to deem them unlicenseable for purposes of continuing Court Ordered Kinship Care funding.

To learn more, visit the Levels of Care page.

Any decision to issue, deny, or not renew a license should be done in consultation with a supervisor and may involve consultation with legal counsel for your agency. All licensing decisions must be documented in eWiSACWIS within seven days. The documentation guides in the beginning of this module will assist with documentation requirements.

Child Foster Care Licensing Checklist: <https://dcf.wisconsin.gov/files/forms/pdf/0787.pdf>

Negative Action Notice Form: <https://dcf.wisconsin.gov/files/forms/pdf/2191.pdf>

DCF Levels of Care: <https://dcf.wisconsin.gov/loc>

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Check Your Understanding - Licensing Checklist

Question 1 of 1

Leroy and Ernestine's duplex has two bedrooms, which means that Michael and Jenna will have to share a bedroom. Leroy and Ernestine have told you that they are willing to move once the lease expires in six months. What are your options until the family is able to move?

Have Michael and Jenna share a room. They get along really well and Leroy and Ernestine are okay with this. Your supervisor said it was okay too since it's a short period of time.

Have Jenna sleep on the couch. She falls asleep out there most nights anyway watching TV, so it's okay for her to just sleep there.

Request an exception from the DCF Exceptions Panel to DCF 56.07(4)(c), due to the fact that Jenna is over the age of 6 and that the children are of different genders.

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Properties

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- Have Michael and Jenna share a room. They get along really well and Leroy and Ernestine are okay with this. Your supervisor said it was okay too since it's a short period of time.
- Have Jenna sleep on the couch. She falls asleep out there most nights anyway watching TV, so it's okay for her to just sleep there.
- Request an exception from the DCF Exceptions Panel to DCF 56.07(4)(c), due to the fact that Jenna is over the age of 6 and that the children are of different genders.

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You have learned a great deal in this module regarding the licensing process, as you walked Leroy and Ernestine through obtaining their license.

You should be able to describe how to request an exception and a waiver, and when to send the request to the department. You should also be able to explain the difference between exceptions and waivers.

You have learned about the assessment process and the issues to consider as you license foster parents, such as background checks, personal characteristics, physical plant issues and safety.

And finally, you should be able to outline the process for making the licensing decision.

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Thank you for completing Module 4: Licensing Process.

When you're ready, continue on to the next module:
Module 5: During Licensure