

**Native Village of Barrow
Tribal Foster Care Licensing Standards**

I. Family Qualifications

- A) Applicants shall comply with all reasonable requests by the Tribe in the licensing process, and any ongoing monitoring of their homes after licensure.
- B) During and after licensure, foster families shall keep the Tribe informed of any changes in their status, including employment, names and number of children and adults living in the home, and how long they're going to stay if the adults are living there temporarily, and any change of address or telephone number.
- C) Applicants shall provide the Tribe with the following information:
 - 1) Name, sex, address, birth date, tribal identification number, social security number (optional), and driver's license number (where possible) of applicants and all persons residing in the home, including the children of the foster parents old enough to drive a motor vehicle.
 - 2) Proposed number, sex and age of foster children to be served.
 - 3) Names and addresses of at least four persons, three of whom are unrelated, who have known the applicant(s) for two years or more and who can attest to their character and ability to care for children. The Tribe may contact schools, employers, adult children, and other sources for references.
 - 4) A statement as to whether the applicants have ever operated or currently are operating a licensed/certified care facility or foster home for children or adults, and reasons for any termination of such license or certification.
 - 5) Reports or where not available a statement of the applicants of all criminal or juvenile delinquency charges for all persons living in the home, including all employees, volunteers and minor children.
 - 6) Reports or where not available a statement of the applicants of all allegations of child abuse and neglect, with dates and locations and resolution of those allegations for all persons living in the home, including all employees and volunteers.

- 7) A statement demonstrating that the applicants generate an income sufficient to meet the needs and ensure the stability and financial security of the family, independent of any foster care maintenance payment.
 - 8) Documentation of all child support obligations in any state, whether the obligor is current with payments or in arrears, and whether any applicant's/ foster parent's wages are being attached or garnished for any reason.
- D) Verification that at least one foster parent in the home is 18 years of age or older.
 - E) Within 10 days of a request for home licensure, the Tribe shall advise the applicant of the information and supporting material required to support the application.
 - F) Within 45 days of receiving all requested material, the Tribe shall approve or deny the request for licensure or request additional material in support of the application.
 - G) If the Tribe requests additional information, then it shall approve or deny the licensure within 30 days of receiving the requested information.
 - H) Any denial shall be accompanied by a concise statement of the grounds for denial.
 - I) The Tribe will not issue a license if the prospective foster parents falsify (including by acts of omission) the application or supporting documents. The Tribe may act to revoke a license if falsification is discovered after licensure, or if foster parents fail to inform the Tribe of any disqualifying condition that arises after licensure.
 - J) The Tribe will not issue or renew a license if any safety rule or other standard required by the Tribe is not met.
 - K) The Tribe will issue a provisional license for one year to a new applicant when all required documentation has been received and all applicable standards have been assessed as being met. A license will not be issued to an applicant before all standards have been reviewed with the applicant and the applicant agrees to comply with all standards when the foster home license is issued. A license will not be issued until the required background checks for the applicant(s) and household members have been completed and show no evidence of criminal or other history, that would prohibit the home from being licensed to provide foster care.

- L) Before the end of the first year of licensure the Tribe will assess compliance with licensing standards. If the foster home meets all requirements, the Tribe will issue a Biennial Foster Home license that will be in effect for two years.
- M) Before the expiration of a Biennial license the Tribe will reassess compliance with all licensing standards. If the foster home is in compliance with the standards, the Tribe will renew the Biennial license for another two years.

II. Safety Checks

- A) Criminal History
 - 1) Prospective foster parents and members of the household age 16 years and older shall consent to a criminal record check and will provide finger prints for the purpose of state and federal criminal records checks. No license will be issued until the results of these checks have been received and the Tribe has determined none of the individuals has a criminal history that would prohibit him/her from being a foster parent or household member in a licensed foster home.
 - 2) The Tribe will require that any employee or volunteer in a foster home or any individual living in a part of the foster home where the individual would have direct access to children in care, meet the background requirements for foster parents described in these standards. Employees, volunteers and individuals residing in a facility where they would have direct access to children in care, will give the Tribe permission to check CPS history and criminal background by providing the Tribe with a “release of information” and fingerprint cards.
 - 3) The minimum standards of character that are to be prescribed under this section shall ensure that none of the foster parents or other adults, age 16 and older, shall have been found guilty of, or entered a plea of nolo contendere or guilty to, any offense under Federal, State, or tribal law involving crimes of violence; sexual assault, molestation, exploitation, arson, involving an imitation controlled substance or a controlled substance, contact or prostitution; or crimes against persons.
 - 4) The Tribe shall consider all information obtained through the criminal history checks including charges by complaint, indictments, arrests, and investigations of a serious criminal offense when issuing, renewing, denying or revoking a license.

- 5) In accordance with the Adoption and Safe Families Act (ASFA) and State law, the Tribe shall not issue or renew a license if a member of the household has been:
 - a) Convicted of committing, or attempting to commit, solicitation, or conspiracy to commit any of the following crimes or crimes of similar nature in any jurisdiction.
 - b) for child abuse or neglect,
 - c) domestic violence,
 - d) arson,
 - e) stalking,
 - f) a crime against the person and is a felony, except for a crime committed under AS 11.41.200-11.41.220 or 11.41.260,
 - g) a crime that is a felony and involves a victim who was a child under age 18 years of age at the time of the conduct, including a crime where the perpetrator was a person responsible for the child's welfare;
 - h) crimes against children (including child pornography),
 - i) a crime involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery. (Taken from ASFA) Example might include two males fighting
- 6) After a five-year period since the conviction of the crimes of either a felony physical assault, battery, or a drug related offense the Tribe may review and consider the circumstances surrounding the crime and conviction; the probability of committing future offenses; of rehabilitation (including counseling, therapy, and education); and the relationship between the offense and the ability to be a foster parent in making a licensing decision.

B) Child Protective Services (CPS) Background Checks

- 1) Tribal Licensing Workers will obtain a “release of information” from the licensing applicant(s) and all household members age 16 and older, giving the Tribe permission to submit the individual’s information for a CPS check. If the individual is found to have been the alleged perpetrator in a substantiated report of harm or there is an open case or report of harm in which the individual is involved, the Tribe will not issue a license to the individual or allow the individual to reside in a licensed foster home.

III. Personal Qualifications

- A) Foster parents shall be responsible, stable, emotionally mature adults, who exercise sound judgment and have the capacity to meet the mental, physical, and emotional needs of children placed in foster care.
- B) Foster parents shall understand the behavior of children in foster care, and shall use effective child-rearing practices that will enable children to grow and develop.
- C) Foster parents shall understand and use non-punitive ways of discipline and ways of helping a child build positive personal relationships and self-esteem.
- D) Foster parents must be able to provide temporary care, respect for the child’s relationships with his/her birth family, and the ability to work in partnership with the Tribe, and the State of Alaska, if the child is in State custody, toward the return of each child to his/her birth parents, or to achieve an alternative permanent plan.
- E) Foster parents shall demonstrate a capacity to give and receive affection, kindness, a sense of humor, and the ability to deal with frustration and conflict.
- F) Foster parents shall have supportive ties with family, friends, neighborhood, and community.
- G) Foster parents shall respect the Native culture and heritage of the Tribe and adhere to the Tribe’s culture and heritage in all aspects of care of the children.

IV. Health Qualifications

- A) Prospective foster parents shall provide the Tribe with the health history of each member of the household, including physical and mental health services and treatment received. Foster parents shall inform the Tribe if

any member of the household has or develops a serious communicable disease or other health condition.

- B) Foster parents and employees, volunteers, and other adults in the household caring for children shall be physically and mentally able to perform the duties of foster parents as prescribed in these rules. The Tribe may require a medical statement from a physician verifying that no person suffers from a communicable disease, specific illness or disability which would interfere with the family's capability to care for children in foster care.
- C) Applicants must notify the Tribe of any prior or on-going counseling or treatment of any parents, employees, volunteers and other adults in the household caring for the children. Once certified, the duty to notify the Tribe of any counseling or treatment is on going. Applicants and foster parents shall supply psychological, medical or physical, sex-offender, drug and alcohol, and psychiatric reports and evaluations to the Tribe. The Tribe may require that a release of information be signed for the purpose of obtaining the above or other reports.

V. Duty to Cooperate With the Tribe, the State, and the Birth Parents for Children in State Custody

- A) Foster parent shall cooperate with the Tribe in any investigation involving their license and/or any child in their home.
- B) The foster parents shall cooperate with the Tribe and the birth parents in developing and implementing a child's case and service plans and executing all court orders regarding the child.
- C) Foster parents shall notify the Tribe immediately of injury, illness, accidents, or any unusual circumstances which threaten the health, safety, physical or emotional well being of the foster child.
- D) Foster parents shall allow the Tribe reasonable access to their home and to the children placed in their care.
- E) The Tribe will determine the appropriate number and ages of children for which the foster home will be licensed. The foster parents shall not exceed the licensed capacity or accept a child outside of the licensed age range for placement. To ensure the health and safety of all children in the home, the Tribe will consider the ratio of adults to children, the level of supervision available, the skill levels of the foster parents, the health, safety and special needs of children in the home and the local standard in the community when determining the license capacity and age range for the foster home. The number of children in the home will not exceed the

limit that would assure that the needs of each child in the home can be met.

- F) The Tribe may modify the licensed age range or capacity based on a request from the foster parent and an assessment by the Tribe that the home can meet the health, safety and developmental needs of the children who would be placed as a result of the requested change(s). If the Tribe determines that a license will be modified for a change in capacity or age range, a new license reflecting the change(s) will be issued.
- G) In accordance with the case plan, foster parents shall:
 - 1) respect and support the child's relationship with his/her extended family members, including siblings;
 - 2) assist the caseworker in planning visits with the child and his/her parents and family members; and
 - 3) Allow children reasonable opportunities to communicate with their immediate and extended clan and birth family, Guardian Ad Litem, and social worker.
- H) The Tribe may develop a mentor program to assist foster families in resolving problems that arise in connection with the placement of children. Foster parents will participate in this program if so required by the Tribe.

VI. Confidentiality

- A) The foster family shall treat personal information about a child and the child's family in a confidential manner.
- B) Confidential information may be disclosed only when necessary to provide for the safety and well being of a child or other children in the home or as required by Tribal, State, or Federal law. The information shared must be limited to only what is necessary to comply with this rule. This duty not to disclose confidential information applies during the period in which the foster family cares for the children and forever thereafter.
- C) In maintaining children's records:
 - 1) Foster parents will maintain records on the physical and mental health care received during placement, immunizations, and educational and placement progress for the duration of the child's placement. Within ten days of the termination of a foster care

placement, the foster parents shall relinquish all records to the Tribe.

- 2) Foster parents shall keep such written records for each foster child in a manner that ensures their confidentiality.

VII. Care and Development of the Child

A) Daily Living:

- 1) Foster parents shall treat natural children and foster children placed in their home equitably.
- 2) Foster parents shall provide structure and daily activities designed to promote the physical, social, intellectual, spiritual, and emotional development of the children in home.
- 3) Playthings shall be available in the foster home, including games, recreational and educational materials, and books appropriate to the age and development level of the child.
- 4) Foster parents shall help the foster children placed in their home develop skills and perform tasks that promote independence and self-sufficiency.
- 5) Foster parents shall participate with the Tribe to help children in foster care maintain an awareness of their past, a record of the present, and a plan for the future.
- 6) In accordance with the case plan, the foster parent shall ask children placed in their home to assume work responsibilities appropriate to the child's age and ability and commensurate with those expected of their own children.
- 7) Foster parents shall not use mechanical restraints on children in their care other than car seat belts and normally acceptable infant safety products.
- 8) Each child in placement shall be treated with respect and dignity. The foster family shall:
 - a) respect the child's Native heritage;
 - b) provide meaningful opportunities for the child to develop relationships with Tribal members and practices of the Tribe;

- c) ensure regular contact with the foster child's caseworker;
and
- d) provide the child access to telephone and writing materials and other household resources, in accordance with the standard of the local community;
- e) Allow the child to receive and open her/his own mail and to have private phone calls unless the foster parent has been asked to monitor the communication by the placement social worker.

B) Alternate Caregivers:

- 1) The foster parents shall arrange for safe and responsible childcare.
- 2) When the foster parents are absent overnight, or longer, a person of at least 18 years of age, capable of assuming foster care responsibilities, shall be present in the same home to supervise the children. The foster parents shall provide contact information where they can be reached during their absence. Foster parents shall not leave children for more than 48 hours without first giving notice to the caseworker.

C) Food and Nutrition:

- 1) Foster parents shall provide well-balanced daily meals.
- 2) Foster parents shall provide for any special dietary needs of the children placed in their homes.

D) Clothing and Personal Belongings:

- 1) Foster parents shall provide each child with his or her own clean, well-fitting, attractive, seasonal clothing appropriate to age, sex, individual needs, and comparable to the local community standards.
- 2) Foster parents shall allow children to bring and acquire personal belongings.
- 3) Foster parents shall send all personal clothing and belongings with the children when they leave the foster home.

E) Discipline and Guidance:

- 1) Many children come into foster care because they have suffered physical abuse and severe punishment. It is vital that foster parents use positive discipline and guidance to help the child develop acceptable behavior.
 - 2) Foster parents shall teach and discipline children with kindness and understanding.
 - 3) Foster parents shall set clear expectations, limits, and consequences of behavior.
 - 4) Foster parents shall teach each child with techniques that stress praise and encouragement.
 - 5) No foster child or other child in a foster home shall be subjected to corporal punishment, physical abuse, sexual abuse, sexual exploitation, neglect, emotional abuse, mental injury, or threats of harm.
 - 6) Foster parents shall not deny a child food, clothing, shelter, rest or contact with family members and the Tribe.
- F) Health Care:
- 1) Foster parents shall work with the Tribe to ensure that health care needs of children placed in their care are met, including making and arranging transportation to medical, dental and counseling appointments as needed, and as is possible based on the resources available in the local community and the region.
 - 2) Foster parents shall obtain necessary emergency medical care for children placed in their home as is possible based on the resources available in the local community and the region. Foster parents shall obtain permission, where possible, from the birth parents and the Case worker for major medical decisions that are not of an emergency nature.
 - 3) Foster parents shall be responsible for keeping immunizations current for children placed in their home.
 - 4) Foster parents shall give children prescription medication only in accordance with a physician's prescription or authorization.
 - 5) Foster parents shall give children prescription psychotropic (mental health) medication only with the parent's permission or if

the Department of Social Services gets a court order approving the children's use of the medication.

- 6) Foster parents shall not provide tobacco products in any form to children under the age of 18 placed in their home.

VIII. Other Activities

- A) In accordance with the case plan, foster parents shall participate with the Tribe to arrange transportation to Tribal events.
- B) Foster parents shall not require children to participate in activities that may demean their Native heritage or violate cultural tenets or beliefs.
- C) Foster parents shall encourage the children to participate in Tribal activities and events.
- D) Foster parents shall provide opportunities for recreational activities appropriate to the age and abilities of the child.
- E) Foster parents shall encourage the children to participate in religious activities and promote the religious preference of the birth parents or the child if age appropriate, if so requested by the birth parents. The foster parents shall not impose their religious beliefs or practices on the foster children placed in their care.

IX. Education

- A) Foster parents shall enroll each child of school age in a school within five school days of placement of the child or in accordance with the case plan.
- B) Foster parents shall be actively involved in educational programs appropriate for the child's age, abilities, and in accordance with the case plan.
- C) Foster parents shall plan with school personnel when there are issues with the child in school, and report to the Tribe any situations that may require the Tribe's involvement.

X. Home Environment, Health, and Safety

A) Home Environment:

- 1) The foster parent's home shall, to the extent possible in the local community, and in accordance with local community standards, be accessible to schools, recreation, churches, medical care and community facilities.
- 2) The premises shall, to the extent possible in the local community, and in accordance with local community standards, be free from pests, objects, materials, and conditions that might constitute a danger to the occupants.
- 3) Foster parents shall take measures to keep the house and premises free from rodents and insects.
- 4) The home shall be well heated and well ventilated, in accordance with the standards of the local community.
- 5) Stairways shall be equipped with safety features in accordance with local community standards.
- 6) Foster parents shall install and maintain working smoke alarms in every room in which a foster child sleeps and at least one on each floor of the home.
- 7) A foster home shall post a diagramed fire escape plan. This escape plan is to be in an accessible location within the foster home and reviewed periodically with the foster children. In addition, the foster parents are to provide the Tribe with a copy of the escape plan.
- 8) A foster home shall have one class 2-A-10BC rated fire extinguisher in the house, or demonstrate that there is a system in place to extinguish fires that is satisfactory to the Tribe.
- 9) The foster home shall have a continuous supply of safe, clean drinking water. Private water sources and septic tank systems shall be safe and operable.
- 10) The foster home shall have an adequate system for disposing of human waste that is sanitary, in accordance with the standards of the local community.

- 11) Foster parents shall keep the home clean and free of hazards to the health and physical well being of the family.
- 12) The foster home shall have an adequate supply of hot water for bathing and dish washing.
- 13) Foster parents shall provide each child with adequate storage space for personal belongings, in accordance with the standards of the local community.
- 14) Foster parents may allow a child over the age of five to sleep in the same bedroom as a child of the opposite sex, only after consulting with the Tribe and determining that factors such as the age, health, developmental level and history of the children would not affect the health, safety or well being of the children.
- 15) Bedrooms used by foster children must have easily accessible and safe emergency access and egress to and from the room, and to and from the home.
- 16) Bedrooms used by children in care shall:
 - a) be safe and have adequate space for each child, in accordance with the standards of the local community;
 - b) provide sufficient natural light and ventilation, in accordance with the standards of the local community;
 - c) normally have no more than four children to a bedroom. More than four children may share a bedroom in situations where this practice is consistent with community standards and after consideration of the age, health, development and history of the children it has been determined that sharing a bedroom adequately ensures that the health, safety and privacy needs of the children in care are met and does not increase the risk of harm to children;
 - d) have a bed for each child and a crib for each infant. Children may share a bed, if, after an evaluation of factors such as the age, health, developmental level, special needs and history of the children, it has been determined that such an arrangement would not pose a risk to the health, safety or well being of the children or increase the risk of harm to children in care;

- e) Foster parents must ensure that the bedding used by foster children is kept in a sanitary condition at all times and adequately provides warmth and comfort to the children.

B) Health:

- 1) Each child will have access to resources to enable personal hygiene and grooming, based on the standards of the local community.
- 2) Foster parents shall provide each child individual items necessary for personal hygiene and grooming, in accordance with the standards of the local community.
- 3) Foster parents shall prepare and serve meals in a safe and sanitary manner that minimizes the possibility of food poisoning or food infection.

C) Safety:

- 1) The foster parents shall protect the children from safety hazards.
- 2) Foster parents shall ensure that foster children are supervised and appropriate safety precaution is taken when engaging in activities that are otherwise appropriate but that pose a risk of harm to the children (such as water-related activities or inherently dangerous subsistence activities).
- 3) Foster parents are accountable for the safety of foster children at all times whether or not they are supervising the activities of the children.
- 4) Foster parents shall store all medications, poisonous chemicals, and cleaning materials in a way that prevents access by children.
- 5) Foster parents shall have the ability to communicate with emergency medical services and to obtain the same emergency services available generally to the residents of the local community.
- 6) Foster parents shall restrict children's access to potentially dangerous animals.
- 7) Foster parents shall store any ammunition and unloaded and operable firearms in separate locked places.

- 8) When traveling with a loaded firearm in a vehicle, the foster parents will ensure child safety.
- 9) Foster parents shall have first aid supplies in a place easily accessible to adults.

XI. Transportation Safety

- A) Foster parents shall provide or arrange for safe transportation for children in placement to attend school, recreational, and medical activities.
- B) Foster parents shall maintain all personal vehicles owned by them used to transport children in a safe operating condition, in accordance with the standards of the local community.

XII. Termination, Suspension and Revocation of License

- A) Termination:
 - 1) Foster parents may terminate their foster care responsibilities to children in their homes only on 30 days written notice to the Tribe and after consultation with the caseworker. The Tribe may waive this notice requirement if such waiver would be in a child's best interests.
- B) Suspension:
 - 1) The Tribe may suspend a foster home license because of violations of one or more licensure rules or because of conditions in the home that render it unlicensable.
 - 2) A notice of suspension must be in writing and must list the violations, along with the actions necessary for compliance, and any services available to assist the foster parents with compliance.
 - 3) A license may be suspended for up to 180 days.
 - 4) Children in placement will be removed from homes with suspended licenses.
 - 5) No additional placements will be made during the period of suspension.
 - 6) Within 30 days of the effective date of the suspension, the foster parents shall submit a written corrective action plan to the Tribe.

This plan must list the steps that will be taken to correct the deficiency

- 7) This action plan must be approved by the Tribe and signed by both the foster parents and the Tribe. Failure to submit a plan will constitute a withdrawal from licensure.
- 8) At the end of the suspension period or when the foster parent complies with the plan to remedy the conditions that led to the suspension, the Tribe may:
 - a) reinstate the license for the term of the original license;
 - b) issue a new license;
 - c) deny an application for re-licensure; or
 - d) notify the foster parents of the intent to revoke the license.

C) Revocation:

- 1) The Tribe will revoke a foster home licensure only after one or more of the above steps have been attempted or when child safety concerns warrant an immediate revocation.
 - 2) A notice of revocation shall be in writing and shall state the reasons for revocation.
 - 3) The Tribe may take any action necessary to protect the health, safety and welfare of foster children, including emergency removal of foster children from a foster home or referral to any law enforcement or other child protective agency or organization to effect such removal.
- D) Foster parents may appeal the suspension or revocation of their license by making a written request to the Tribe.
- E) If the Tribe has not received a request for a hearing within 21 days of mailing or other service of the notice, the foster parent shall have waived the right to a hearing.

XIII. Training

- A) The Tribe will require tribally licensed foster parents to complete foster parent training each year. A foster parent in a one-parent foster home shall complete a minimum of 10 hours of training annually. Foster parents

in a two-parent foster home shall complete a minimum of 15 hours of training annually that may be shared between the two foster parents. However, each parent in a two-parent foster home shall complete a minimum of five hours of training annually. Training may be accomplished through on site trainings, self-study packets or electronically received training materials. Training is required in order to continue being licensed.

- B) Within 90 days of licensure the Tribe shall require at least one parent in the home to possess a current Infant/Child Cardio Pulmonary Resuscitation (CPR) certification.

XIV. Variances and Waivers

- A) Variances may be requested by the foster parent. The Tribe will consider requests on a case by case basis to ensure that the variance allows the foster home to meet the standard in another way and will approve or deny the request based on their findings so as to protect the health, safety and well being of the children.
- B) Non-safety standards may be waived for relative foster parents. Criminal background clearances and other safety standards may not be waived. A non-safety standard may only be waived for relative foster parents and only when the health, safety and well-being of the child is otherwise supported in the foster home.

XV. Civil Rights

- A) All actions taken by the council or its agents or employee's shall conform to the requirements of the Indian Civil Rights Act, 25 U.S.C Section 1302.

XVI. Amendments

- A) The sovereign immunity of the Tribe, the members of the council, law enforcement officers, prosecutors, judges, court personnel, and any other personnel necessary for implementation and enforcement of these Standards is in no way waived by using this Native Village of Barrow Tribal Foster Care Licensing Standards.