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501 Kinship Services Philosophy, Active Search, And Preferences For Placement

Major objectives:

- A. Child and Family Services will make active efforts to locate potential kinship caregivers for placement of a child in agency custody and to build and sustain family connections for the child.
- B. In selecting a placement for a child in agency custody, preferential consideration will be given to a non-custodial parent, relative, or friend of the parent or guardian, as established in law, subject to the child's best interests.

Applicable Law

Utah Code Ann. [§62A-4a-202.1](#). Entering home of a child – Taking a child into protective custody – Caseworker accompanied by peace officer – Preventive services – Shelter facility or emergency placement.

Utah Code Ann. [§62A-4a-209](#). Emergency placement.

Utah Code Ann. [§78A-6-306](#). Shelter hearing.

Utah Code Ann. [§78A-6-307](#). Shelter hearing – Placement – DCFS custody.

Utah Code Ann. [§78A-6-307.5](#). Post-shelter hearing placement of a child who is in division custody.

U.S. Code [Title 25, Chapter 21](#). Indian Child Welfare.

501.1 Philosophy

All children need permanency through enduring relationships that provide stability, familiarity, and support for the culture of the child; support the child's sense of self based on existing attachments; provide for the child's safety and physical care; and connect the child to their past, present, and future through continuing family relationships. First priority is to maintain a child safely at home. However, if a child cannot safely remain at home, kinship care has the potential for providing these elements of permanency by virtue of the kin's knowledge of and relationship to the family and child.

All kinship work is done in the context of a Child and Family Team. Kinship care includes elements of child protection, in-home services, family preservation, and foster care. When a child cannot safely remain home, kinship care is preferable to other out-of-home placements if the kinship caregiver can keep the child safe and appropriately meet the child's needs.

114 The caregiver's willingness and ability to care for and keep the child safe are
115 fundamental. The kinship caregiver must have or acquire knowledge of the child, be
116 able to meet the child's needs, support reunification efforts, and be able to provide the
117 child access to parents, siblings, and other family members through visits or caring for
118 the child and siblings as a group.

119
120 Ongoing assessment of the child's safety, permanence, and well-being is important to
121 the stability and value of kinship care. Ongoing assessment of safety is based on the
122 components of safety decision-making, which include threats of harm, vulnerabilities of
123 the child, and protective capacities of the kinship caregiver and their support system.

124
125 Providing for kinship care in the Child and Family Services spectrum of services
126 requires active efforts to identify and locate kin families with whom children may form or
127 continue relationships at home or in temporary or permanent placements. Support to
128 kinship caregivers is essential to the success of the child's placement with the family
129 and to the family's ability to respond to the needs of the child. As members of the Child
130 and Family Team, kinship caregivers will seek support from other family members and
131 from informal and formal supports to provide for the child.

132

133 **501.2 Definitions**

134

135 A. Friend means an adult the child knows and is comfortable with. A friend does not
136 meet the definition of a relative of the child as defined in Utah Code Ann. [§78A-6-](#)
137 [307](#), and may be an extended relative of the child that is not included in the
138 definition of relative. An emergency placement may be made with a friend, if one
139 is designated by the custodial parent or guardian of the child and the friend is
140 willing to become a licensed foster parent within six months or sooner of the child
141 being placed with them. [See: Practice Guidelines [Section 502.8](#).]

142

143 B. Guardian is a person who has been appointed by a judge to take care of a minor
144 child personally and/or manage that person's affairs until the child reaches
145 majority at 18 years of age. The guardian (caregiver or responsible adult) has
146 the authority to consent to the child's marriage; enlistment in the armed forces;
147 major medical, surgical, or psychiatric treatment; and to legal custody, if legal
148 custody is not vested in another person, agency, or institution. [See: Utah Code
149 Ann. [§78A-6-105](#).]

150

151 C. Kinship caregiver means a non-custodial parent, relative, or friend as defined in
152 this section, who is selected for placement and care of a child in Child and Family
153 Services custody.

154

155 D. Non-custodial parent is a natural parent as defined in Utah Code Ann. [§78A-6-](#)
156 [307](#) who is a biological or adoptive mother, an adoptive father, or a biological
157 father who was married to the child's biological mother at the time the child was

158 conceived or born or who has had paternity established, and who has not been
159 granted legal custody of the child.

160
161 E. Preliminary Placement means an out-of-home placement with a non-custodial
162 parent or relative, or a friend designated by the parent who the child is
163 comfortable with and who is willing to become licensed as a foster parent as
164 authorized in Utah Code Ann. [§78A-6-307](#) and [§62A-4a-209](#).

165
166 F. Relative is defined in Utah Code Ann. [§78A-6-307](#) as a relative who is the child's
167 "grandparent, great-grandparent, aunt, great-aunt, uncle, great-uncle, brother-in-
168 law, sister-in-law, stepparent, first cousin, stepsibling, sibling, or the first cousin of
169 the parent," or an adult who is an adoptive parent of the child's sibling. For an
170 Indian child, relative also includes an "extended family member" as defined by
171 the Indian Child Welfare Act (ICWA), [Title 25, Chapter 21](#), which is "by the law or
172 custom of the Indian child's tribe or, in the absence of such law or custom, will be
173 a person who has reached the age of eighteen and who is the Indian child's
174 grandparent, aunt, or uncle, brother or sister, brother-in-law or sister-in-law, niece
175 or nephew, first or second cousin, or stepparent."

176

177 **501.3 Diligent Search For Kin And Written Notice**

178

179 Federal and state laws require the caseworker to actively search for and provide
180 notification to kin when a child enters protective custody of Child and Family Services.
181 Within 30 days of removal, the caseworker will initiate diligent searches to identify and
182 locate missing parents, grandparents, relatives, and/or potential kinship caregivers. The
183 caseworker will work with designated kin locators or region appointed person to provide
184 them with notice that a child related to them is in the custody of Child and Family
185 Services. Efforts to locate kin and to build and sustain connections for the child will
186 continue during the child's involvement with Child and Family Services.

187

188 Caseworker Responsibilities

189 A. The caseworker will conduct a diligent and reasonable search to locate potential
190 kinship caregivers (including the child's non-custodial parent, grandparents, other
191 adult relatives, adults who are adoptive parents of the child's sibling, or friends
192 willing to care for the child, by taking as many of the following steps as
193 necessary:

194 1. Interview the custodial parent or guardian to obtain the names, addresses,
195 and telephone numbers of all potential kinship caregivers (including
196 adoptive parents of the child's siblings) or friends who may be able to
197 provide care for the child, or who may be a resource to a kinship caregiver
198 or friend that will have the child placed with them.

199 a. If a custodial parent or guardian objects to Child and Family
200 Services contacting a potential kinship caregiver, the supervisor

- 201 and the caseworker may assess whether to still contact the
202 potential kinship caregiver by considering the following factors:
203 (1) If the safety of the child or the custodial parent or guardian
204 will be jeopardized if the potential kinship caregiver is
205 contacted.
206 (2) If contacting the potential kinship caregiver is in the best
207 interest of the child.
208 (3) If contacting the potential kinship caregiver will substantially
209 limit Child and Family Services' ability to work with the
210 custodial parent or guardian to the detriment of the child.
211 b. If the custodial parent or guardian is uncooperative in providing the
212 names of potential kinship caregivers or friends who may have the
213 child placed with them, the caseworker may contact the Assistant
214 Attorney General (AAG) to request the court to order the custodial
215 parent to provide the names of all potential kinship caregivers
216 within five working days.
- 217 2. Interview the child for names, addresses, and telephone numbers of kin or
218 friends with whom the child is comfortable. If the child is of sufficient
219 maturity to articulate their wishes regarding placement, Child and Family
220 Services will consider the friend designated by the child. In determining
221 whether a friend is a willing and appropriate temporary emergency
222 placement for a child, Child and Family Services is required to consider no
223 more than one friend designated by each parent or legal guardian of the
224 child and one friend designated by the child. Child and Family Services
225 may limit the number of designated friends to two, one of whom shall be
226 designated by the child if the child is of sufficient maturity to articulate their
227 wishes. If the basis for removal is sex abuse of the child, Child and Family
228 Services shall give preference to the child's wish for placement.
- 229 3. The kin locator or region-appointed person will complete diligent searches
230 on relatives/friends as defined in Utah Code Ann. [§78A-6-307](#) within 30
231 days of the removal using approved processes and resources.
- 232 4. Ask participants at a Child and Family Team Meeting to help identify other
233 potential kinship caregivers or friends who may be willing and able to care
234 for the child.
- 235 a. Any friend or relative attending a Child and Family Team Meeting
236 will be provided with the Notification Letter.
- 237 5. Interview known relatives or friends of the child.
- 238 6. Conduct a search in SAFE on the parent to determine if the parent has
239 had previous cases with Child and Family Services where the child has
240 been adopted. If possible, obtain the contact information of the adoptive
241 parent.
- 242 7. As early as possible, contact the Native American tribe's ICWA
243 caseworker to request names, telephone numbers, and addresses of

244 possible kin for any eligible Indian child, then follow-up with tribal
245 placement preferences during case development.
246

247 B. The caseworker will contact the identified potential kinship caregiver(s) or friends
248 by telephone, asking if they would like to be considered as a placement for the
249 child, disclosing only the information necessary to assess their interest and/or to
250 help identify additional kinship caregivers or friends who may have the ability to
251 have the child placed with them. The potential kinship caregiver/friend will be
252 informed that the information discussed is confidential and will only be used by
253 Child and Family Services to address the best interests of the child.
254

255 C. The caseworker/kin locator or region appointed person will provide written notice
256 ([Kinship Pamphlet](#)) to a non-custodial parent, all grandparents, and other adult
257 relatives (including an adult who is an adoptive parent of the child's sibling)
258 known to Child and Family Services or suggested by the legal parent(s) within 30
259 days of removal, except when family or domestic violence justifies not providing
260 notice. The written notice will:

- 261 1. Specify that the child has been or is being removed from the custody of
262 the parent or parents of the child;
- 263 2. Explain the options the relative has under federal, state or local law to
264 participate in the care and placement of the child, including any options
265 that may be lost by failing to respond to the notice; and
- 266 3. Describe the requirements to become a licensed resource family or to
267 request court ordered custody and guardianship and any additional
268 services and supports that are available for children placed in a kinship
269 caregiver home.
270

271 If a permanent placement has not been identified and if it is in the best interest of
272 the child, the caseworker will continue to search for kinship caregivers. Kinship
273 searches are required when children are not placed with kin and are in custody
274 for over 12 months with no permanency options, or if there is any disruption or
275 change in placement unless a kinship search was done within the past 90 days.
276

277 At the shelter hearing and subsequent hearings when requested, the caseworker
278 will report progress of kinship exploration to the Guardian ad Litem (GAL), AAG,
279 and court.

- 280 1. Record all identified relatives or friends in SAFE located in the Person
281 Screen under the Child and Family Relationships field.
- 282 2. The ongoing worker will make phone or face-to-face contact with
283 kin/friends who have expressed interest in being involved with the child.
- 284 3. Responses to the Notification to Kin Letters will be filed in the green binder
285 under the kinship tab.
- 286 4. The caseworker will continue searches as needed and contact kin locator
287 with identified information on possible relatives.

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Kin Locator or Region Appointed Person Responsibilities:

- A. The kin locator or region appointed person will complete all searches on relatives/friends within 30 days of removal using only Child and Family Services approved processes. Complete searches on identified relatives or friends referred by the caseworker.

- B. If unable to identify or locate a non-custodial parent or family member:
 - 1. The authorized Child and Family Services worker must complete the ORS Kinship Locate Request form for each child (if kinship locate services are being requested for more than one child). All kinship locate requests must contain the following information:
 - (a) The child's name;
 - (b) The child's date of birth or Social Security Number;
 - (c) The individual's name;
 - (d) The individual's relationship to the child; and,
 - (e) The individual's date of birth or social security number.[See: Administrative Rules [R495-884-3](#) and [R495-884-4](#).]
 - 2. The Child and Family Services worker must provide the person's relationship to the child.
 - 3. Once the form is complete, the Child and Family Services worker will email it to orskinshiplocator@ors.gov.
 - 4. Urgent requests: If there is an emergency situation that requires immediate attention, the Child and Family Services worker will mark the email request as a High Priority in the subject line. If an individual is not known to the ORS information system, it is not possible to receive a quick response, even in a high priority situation.
 - 5. Information received from ORS regarding a child: If the request for kinship locate is for the child, ORS may provide Child and Family Services with the name, date of birth, Social Security Number, and any paternity information for the child, if available.
 - 6. Information received from ORS for a parent or adult relative: ORS may provide the following kinship locate information, if known, about a parent, alleged father, or non-parent relative:
 - (a) Name;
 - (b) Date of birth;
 - (c) Social Security Number;
 - (d) Most recent address;
 - (e) Employer name, identification number (EIN), and address; and
 - (f) Whether or not the information is safeguarded. When a case has been safeguarded, ORS cannot release any locate information on that individual without an order from the court.
 - 7. The timeframes for receiving information on a kinship locate request may vary. If an individual is already known to the ORS information system, the

- 332 Child and Family Services worker may receive a response within one
333 business day. However, if an individual is not known to the ORS
334 information system, a response may take up to 30 days.
- 335 8. The response from ORS will be sent to Child and Family Services on the
336 Locate Response for DCFS Kinship Locators form via email. The form will
337 contain the information requested, if available. If no information was
338 found, the form will still be returned, indicating that no information could be
339 found.
- 340 9. Questions about the kinship locate process should be sent to the Child
341 and Family Services state kinship program administrator, who will contact
342 the ORS Child Support Policy and Training Unit, if necessary.
- 343 10. Provide written notice (Notification to Relative Letter) to a non-custodial
344 parent, all grandparents, all adoptive parents of the child's siblings, and
345 other adult relatives known to Child and Family Services or suggested by
346 the legal parent(s) within 30 days of removal, except when family or
347 domestic violence justifies not providing notice. The written notice will:
- 348 a. Specify that the child has been or is being removed from the
349 custody of the parent or parents of the child;
- 350 b. Explain the options the relative has under federal, state, or local law
351 to participate in the care and placement of the child, including any
352 options that may be lost by failing to respond to the notice; and
- 353 c. Describe the requirements to become a licensed resource family or
354 to request court-ordered custody and guardianship and any
355 additional services and supports that are available for children
356 placed in a kinship caregiver home.
- 357 11. Record all identified relatives or friends in SAFE located in the Child and
358 Family Relationships field.
- 359 12. Log returned Notification to Relatives response letters in SAFE Person
360 Screen.
- 361 13. Forward all returned Notification to Relatives letters to the caseworker for
362 follow up. File these forms in the client's green binder under the kinship
363 section.
364

365 **501.4 Preferences For Placement**

- 366
- 367 A. If parents share legal joint custody of a child but do not live together and Child
368 and Family Services has determined that the child must be removed from one
369 parent, protective custody is invoked. The child may be placed with the other
370 parent according to the Preliminary Placement requirements for a non-custodial
371 parent. Using the components of safety decision-making, determine with the
372 other parent the supports necessary to keep the child safe. Report the legal joint
373 custody status of the other parent to the court at the shelter hearing for the judge
374 to make a decision about releasing the child to the other parent or ordering the
375 child into Child and Family Services custody.

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- B. The following order of preference applies to placement of a child in the custody of Child and Family Services, and is subject to the child's best interest:
1. A non-custodial parent of the child.
 2. A relative of the child.
 3. A friend designated by the custodial parent or guardian of the child, if the friend is licensed or willing to become a licensed foster parent within six months or sooner of the child being placed with them. The custodial parent or guardian may only designate up to two as potential Preliminary Placements, unless Child and Family Services otherwise agrees.
 4. A former foster placement if still licensed, crisis care facility, or other foster placement designated by Child and Family Services.
- C. An eligible Indian child must be placed within the foster/pre-adoptive placement preferences established by ICWA:
1. A non-custodial parent of the child.
 2. Member of the child's extended family, according to the tribe's customary definition of extended family ([25 U.S.C. §1903\(2\)](#)).
 3. Foster home licensed, approved, or specified by the Indian child's tribe.
 4. Indian foster home licensed or approved by an authorized non-Indian.
 5. An institution for children approved by an Indian tribe or operated by an Indian organization that has a program suitable to meet the child's needs.
 6. If none of the above is possible, the child may be placed in a non-Indian foster home or other appropriate out of home placement.
- D. A child will be placed in a placement consistent with the child's needs, first taking into consideration preference of placement found in Practice Guidelines [Section 704](#). The type of out-of-home placement for the child, either the initial placement or change in placement, will be determined within the context of the Child and Family Team. Placement level decisions will be made based upon the needs, strengths, and best interests of the child according to the following criteria (these are in no particular order, rather they will be considered in the context of each case and situation):
1. Safety factors in regards to the potential placement, including the threats of harm to the child or that the child poses to others, the protective capacities of the caregiver, and the child's vulnerabilities.
 2. Reasonable proximity to the child's home.
 3. Placing siblings together unless there is a safety concern.
 4. Educational needs, including proximity to the child's school and child's need for maintaining connections to school.
 5. Needs specific to the child's age, including developmental level.
 6. Cultural factors, language, and religion specific to the child.
 7. Existing relationships between the child and a caregiver or other significant individuals in the child's life.

- 420 8. Health and mental health needs.
421 9. Potential for ongoing care or permanency with the caregiver to prevent
422 unnecessary changes in placement.
423
- 424 E. Paternal and maternal relatives are to be considered equally when assessing for
425 the best placement for the child.
426
- 427 F. For the purpose of a Preliminary Placement, siblings who have only one parent in
428 common may be placed together with the sibling's relative, if it is in the unrelated
429 sibling's best interests. The relative will meet the Preliminary Placement
430 requirements for a relative. Pursuit of a foster care license will be recommended
431 to the caregiver if this is the selected ongoing placement for the child.
432
- 433 G. When choosing from multiple placement options, the Child and Family Team will
434 try to reach a consensus as to which kinship placement would be the most
435 appropriate for the child.
436
- 437 H. A potential kinship caregiver will not automatically be excluded from
438 consideration for Preliminary Placement of a child in Child and Family Services
439 custody due to factors that may prevent them from becoming licensed through
440 the Office of Licensing, such as a citizenship status that is undocumented.
441
- 442 I. Preferential consideration means the Child and Family Team will consider the
443 relative/friend for selection as a possible placement for the child, but does not
444 guarantee that more than one potential kinship caregiver/friend will have
445 background screening, limited home inspection, a Child-Specific Home Study, or
446 that the child will be placed with the kinship caregiver/friend. Documentation of
447 consideration and selection of potential kinship caregivers/friend by the Child and
448 Family Team will be maintained in SAFE in Child and Family Team notes.
449
- 450 J. Preferential consideration given to kinship caregivers in Utah Code Ann. [§78A-6-](#)
451 [307](#) expires 120 days from the date of the shelter hearing or, if no shelter hearing
452 was held, then from the date the child was ordered into the custody of Child and
453 Family Services. The Child and Family Team may consider potential kinship
454 caregivers for placement after the 120 days has lapsed if it is in the best interest
455 of the child.
456
- 457 K. Preferential consideration may be given to a friend if the friend is willing to
458 become a licensed foster parent and actively working towards licensure within
459 120 days of the shelter hearing, or if no shelter hearing was held, within 120 days
460 of the child being ordered into the custody of Child and Family Services. [See:
461 Practice Guidelines [Section 502.8](#).]
462

501.5 Factors That May Delay Placement Or Hinder Permanency

When selecting a kinship caregiver, consideration will be given to factors that may result in a delay of placement or that may hinder progress towards the child's permanency goals. Factors of concern will be communicated to the potential kinship caregiver/friend, which may lead them to recommend a different kinship caregiver/friend to prevent a delay in placement or to better support potential permanency options.

- A. Previous Child Abuse or Neglect Finding or Criminal History: Placement will likely be delayed if any adult in the home of the potential kinship caregiver/friend has had a previous child abuse or neglect finding or criminal history because more extensive identity verification and evaluation of threat of harm to a child is required. The kinship caregiver/friend may also be required to obtain and provide legal documents further explaining the criminal history. In addition, a Region Background Screening Committee will likely be required to evaluate the history before a decision regarding approval or denial can be made.
- B. Out of Area/Out of State: If the potential kinship caregiver/friend lives out of the area, reunification efforts could be impacted by distance. Also, if the kinship caregiver/friend lives out of state, a significant amount of time may be required to complete the Interstate Compact for the Placement of Children (ICPC) requirements, including an out of state background screening and home study, which must be met prior to placement.
- C. Inability to Qualify for Adoption or as a Foster Parent:
1. If child abuse findings or criminal history do not meet the standards for the Office of Licensing, a kinship caregiver/friend would not be able to qualify for ongoing care of the child as a licensed foster parent or for adoption assistance, if that becomes the plan for the child.
 2. If a kinship caregiver/friend is not able to provide documentation to show U.S. citizenship or residential status, ongoing care as a licensed foster parent and adoption assistance may not be an option; potential arrest or deportation may also be a concern.
 3. If adults in the home are cohabitating and are not legally married, careful consideration will be given to permanency options because Child and Family Services cannot place a child in custody with caregivers that are cohabitating, even if they are licensed as foster parents, and neither adoption nor adoption assistance could be pursued in Utah.

If a decision is made in any of these types of circumstances to recommend custody and guardianship to the kinship caregiver/friend, the court must be fully educated on the risks and limitations for permanency.

502 Kinship Services - Preliminary Placement

Major objectives:

- A. Child and Family Services may place a child in custody into a Preliminary Placement with a kinship caregiver (non-custodial parent or relative), or a friend designated by a parent/guardian who is willing to become a licensed foster parent within six months or sooner of the child being placed with them.
- B. A Preliminary Placement is used to keep a child in Child and Family Services custody safe while the Child and Family Team makes decisions regarding the child's ongoing care and determines what steps are necessary to promote the safety, well-being, stability, and permanency of the child.
- C. Criteria for approving a kinship caregiver/friend for Preliminary Placement include background screening, assessment of safety, limited home inspection, general qualifying criteria, and may include a reference check.
- D. The kinship caregiver/friend is responsible to meet the basic needs of the child while in their care. The caseworker will educate and assist the kinship caregiver/friend on possible financial and medical resources to support the child's needs.
- E. The kinship caregiver/friend will assist in carrying out plans for visitation for the child and will be engaged as a participant in the Child and Family Team.

Applicable Law

Utah Code Ann. [§62A-2-120](#). Criminal background checks – Direct access to children or vulnerable adults.

Utah Code Ann. [§62A-4a-202.1](#). Entering home of a child – Taking a child into protective custody – Caseworker accompanied by peace officer – Preventive services – Shelter facility or emergency placement.

Utah Code Ann. [§62A-4a-209](#). Emergency placement.

Utah Code Ann. [§62A-4a Part 7](#). Interstate Compact on the Placement of Children.

Utah Code Ann. [§78A-6-306](#). Shelter hearing.

Utah Code Ann. [§78A-6-307](#). Shelter hearing – Placement – DCFS custody.

Utah Code Ann. [§78A-6-307.5](#). Post-shelter hearing placement of a child who is in division custody.

U.S. Code [Title 25, Chapter 21](#). Indian Child Welfare.

502.1 Preliminary Placement Overview

A Preliminary Placement is an out-of-home placement with a non-custodial parent, relative, or a friend (including an extended relative) of the custodial parent or guardian.
A Preliminary Placement is used to keep a child in Child and Family Services custody

549 safe while the Child and Family Team makes decisions regarding the child's ongoing
550 care and determines what steps are necessary to promote the safety, well-being,
551 stability, and permanency of the child. Preliminary Placement with a kinship caregiver
552 or friend is preferred over crisis care and may be considered for emergency foster care
553 to avoid the use of another out-of-home placement with a caregiver who is unfamiliar to
554 the child. The Preliminary Placement may also remain as the child's ongoing placement
555 with the kinship caregiver becoming a licensed foster parent or being granted custody
556 and guardianship. The Preliminary Placement may also remain as the child's ongoing
557 placement with the friend becoming a licensed foster parent. Child and Family Services
558 may not recommend that friends be granted custody and guardianship of the child.
559

560 A Preliminary Placement may be made while a child is in protective custody prior to a
561 shelter hearing or after a court has ordered a child into the custody of Child and Family
562 Services. A Preliminary Placement may continue while an evaluation is conducted and
563 a plan is formed for ongoing care of the child.
564

565 If it is determined that the Preliminary Placement will not be the ongoing placement for
566 the child, the Preliminary Placement may assist in transitioning the child to an ongoing
567 caregiver.
568

569 **502.2 Selection Of Kinship Caregiver For Preliminary Placement**

570
571 Child and Family Services is primarily responsible to select a kinship caregiver/friend for
572 Preliminary Placement, taking into account preferences for placement, the best interest
573 of the child, the kinship caregiver/friend's ability to meet qualifying requirements, and
574 factors that may delay placement, result in multiple moves, or hinder progress towards
575 the child's permanency goals.
576

577 Out-of-Home Practice Guidelines [Section 300](#) apply during a Preliminary Placement
578 with the following exceptions:
579

580 A. Traditional foster care placement screening or legal risk screening for
581 foster/adoptive placements are not required when Preliminary Placement with a
582 kinship caregiver/friend is being considered.
583

584 B. No crisis care or residential screening processes are required.
585

586 The kinship caregiver will be at least 18 years of age; age 21 years or older is preferred
587 because of age requirements to be licensed as a child-specific foster parent. A friend
588 would be required to be aged 21 due to the requirement for them to obtain a foster
589 parent license. In the event a non-custodial parent is younger than age 18 years, care
590 must be given that the non-custodial parent has a permanent residence and sufficient
591 means to care for and ensure the safety of the child, preferably with a responsible
592 relative or other adult.

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It may be necessary for the child to receive temporary care while background screening and a limited home inspection are being completed, or while waiting for the non-custodial parent, kinship caregiver, or friend to arrive to pick up the child. This care may be provided at sites identified by the region such as a crisis care facility or home, family support center, or other appropriate location.

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502.3 Background Screening Requirements For Preliminary Placement And Ongoing Care Regarding Non-Custodial Parent And Kinship Caregivers

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- A. PRELIMINARY PLACEMENT With Non-Custodial Parent: The following background screenings are required for the non-custodial parent and all individuals living in the home of the non-custodial parent.
1. If the child is being placed with a non-custodial parent, the following checks may be completed for the non-custodial parent and any other individuals living in the home before or within one day after a child is placed, excluding weekends and holidays, if based upon a limited investigation Child and Family Services determines that:
 - a. The non-custodial parent has regular, unsupervised visitation with the child that is not prohibited by law or court order; and
 - b. Based on the caseworker's best judgment and analysis of available information, there is no reason to believe that the child's health or safety will be endangered by making the placement prior to the background screening being completed.
 2. Utah Criminal History Bureau of Criminal Identification (BCI): A non-fingerprint-based Utah BCI criminal history check must be approved for the non-custodial parent and all adults age 18 years and older living in the home.
 3. Child and Adult Abuse and Neglect History Checks through SAFE: SAFE background checks for child and adult abuse and neglect must be approved for the non-custodial parent and all individuals living in the home.
 4. Juvenile Criminal History: A name-based check through the Utah Criminal Justice System (UCJIS) must be approved for the non-custodial parent and all adults age 18 years and older living in the home.
 - a. A name-based check through the UCJIS must be approved for all individuals age 12 to 17 years old living in the home of the non-custodial parent.
 5. The following background screenings are not required for the non-custodial parent, but Child and Family Services may require any of these checks if Utah criminal history or SAFE child abuse checks result in concerns about potential threat of harm to the child.

- 636 a. Federal Bureau of Investigation (FBI) Fingerprint-Based
637 Criminal History Check.
638 b. Out of State Child Abuse Registry Check.
639
- 640 B. PRELIMINARY PLACEMENT With Kinship Caregiver Relative: The following
641 background screenings are required for the kinship caregiver relative and all
642 individuals living in the home of the kinship caregiver relative PRIOR to
643 placement of a child.
- 644 1. Utah Criminal History Bureau of Criminal Identification (BCI): A non-
645 fingerprint-based Utah BCI criminal history check must be approved for
646 the kinship caregiver relative and all adults age 18 years and older living in
647 the home.
- 648 2. Child and Adult Abuse and Neglect History Checks through SAFE: SAFE
649 background checks for child and adult abuse and neglect must be
650 approved for the kinship caregiver relative and all individuals living in the
651 home.
- 652 3. Juvenile Criminal History: A name-based check through the Utah Criminal
653 Justice System (UCJIS) must be approved for the kinship caregiver
654 relative and all adults age 18 years and older living in the home.
- 655 a. Juvenile Criminal History: A name-based check through the UCJIS
656 must be approved for all individuals age 12 to 17 years old living in
657 the home of the kinship caregiver relative.
658
- 659 C. ONGOING CARE With Kinship Caregiver Relative: The following background
660 screenings are required for the kinship caregiver relative and all adults age 18
661 years and older living in the home but may be completed AFTER placement of
662 child has occurred.
- 663 1. Federal Bureau of Investigation (FBI) Fingerprint-Based Criminal History
664 Check:
- 665 a. Live Scan fingerprint scanning must be completed or fingerprint
666 cards submitted within 10 business days after placement of the
667 child.
- 668 2. Out of State Child Abuse Registry Check: An out of state child abuse
669 registry check is required for any state in which the relative or other adult
670 age 18 years and older living in the home has lived in the previous five
671 years.
672
- 673 D. PRELIMINARY PLACEMENT With Kinship Caregiver Friend BEFORE
674 SHELTER HEARING: The following background screenings are required for the
675 kinship caregiver friend and all individuals living in the home PRIOR to placement
676 of a child.
- 677 1. Utah Criminal History Bureau of Criminal Identification (BCI): A non-
678 fingerprint-based Utah BCI criminal history check must be approved for

- 679 the kinship caregiver friend and all adults age 18 years and older living in
680 the home.
- 681 2. Child and Adult Abuse and Neglect History Checks through SAFE: SAFE
682 background checks for child and adult abuse and neglect must be
683 approved for the kinship caregiver friend and all individuals living in the
684 home.
- 685 3. Juvenile Criminal History: A name-based check through the Utah Criminal
686 Justice System (UCJIS) must be approved for the kinship caregiver friend
687 and all adults age 18 years and older living in the home.
- 688 a. Juvenile Criminal History: A name-based check through the UCJIS
689 must be approved for all individuals age 12 to 17 years old living in
690 the home of the kinship caregiver friend.
- 691 (1) Federal Name-Based Check: A federal name-based
692 criminal history check through Interstate Identification Index
693 (III) must be approved for the kinship caregiver friend and all
694 adults age 18 years and older living in the home.
- 695
- 696 E. ONGOING CARE With Kinship Caregiver Friend When Placement Occurred
697 BEFORE Shelter: The following background screenings are required for the
698 kinship caregiver friend and all adults living in the home but may be completed
699 AFTER placement of child has occurred.
- 700 1. Federal Bureau of Investigation (FBI) Fingerprint-Based Criminal History
701 Check: A fingerprint-based criminal history check for the kinship caregiver
702 friend and all adults age 18 years and older living in the home.
- 703 a. Live scan fingerprinting must be completed or fingerprint cards
704 submitted within 15 calendar days of III check being completed.
- 705 b. If the kinship caregiver friend or any adults age 18 years or older
706 living in the home fail to complete live scan fingerprinting within the
707 designated time frame, then the child shall immediately be removed
708 from the home [see: Practice Guidelines [Section 301.2](#)].
- 709 2. Out of State Child Abuse Registry Check: An out of state child abuse
710 registry check is required for any state in which a kinship caregiver friend
711 or other adult age 18 years and older living in the home has lived in the
712 previous five years.
- 713
- 714 F. PRELIMINARY PLACEMENT With Kinship Caregiver Friend AFTER SHELTER
715 HEARING: The following background screenings are required for the kinship
716 caregiver friend and all individuals living in the home PRIOR to placement of a
717 child.
- 718 1. Federal Bureau of Investigation (FBI) Fingerprint Based Check: A
719 fingerprint-based criminal history check for the kinship caregiver friend and
720 all adults age 18 years and older living in the home.
- 721 2. Child and Adult Abuse and Neglect History Checks through SAFE: SAFE
722 background checks for child and adult abuse and neglect must be

- 723 approved for the kinship caregiver friend and all individuals living in the
724 home.
725 3. Juvenile Criminal History: A name-based check through the Utah Criminal
726 Justice System (UCJIS) must be approved for the kinship caregiver friend
727 and all adults age 18 years and older living in the home.
728 a. Juvenile Criminal History: A name based check through the UCJIS
729 must be approved for all individuals age 12 to 17 years old living in
730 the home of the kinship caregiver friend.
731

732 G. ONGOING CARE With Kinship Caregiver Friend When Placement Occurred

733 AFTER Shelter: The following background screenings are required for the
734 kinship caregiver friend and all adults living in the home but may be completed
735 AFTER placement of child has occurred.

- 736 1. Out of State Child Abuse Registry Check: An out of state child abuse
737 registry check is required for any state in which a kinship caregiver friend
738 or other adult age 18 years and older living in the home has lived in the
739 previous five years.
740 2. Friend or Extended Family Member: In cases where a placement is made
741 with a friend or kinship caregiver that is already a licensed foster parent,
742 no additional background screening is required for Preliminary Placement
743 or as part of the evaluation of capacity for ongoing care of the child, unless
744 there is valid reason to believe that the information obtained through the
745 licensing process may no longer be complete. The background screening
746 has already been completed as a part of the licensure process.
747

748 H. Option to Require Additional Background Screening Prior to Placement: Child
749 and Family Services may require a fingerprint-based national criminal history
750 check, out of state child abuse registry check, or out of country criminal history
751 check prior to placing a child in a Preliminary Placement with a kinship
752 caregiver/friend when there is reason to believe that the additional background
753 screening may be necessary to prevent threat of harm for the child.

- 754 a. If out of country documentation is needed, the following can be accepted.
755 Note that the United States territories of Puerto Rico, American Samoa,
756 United States Virgin Islands, and Guam are considered outside of the
757 United States. Contact information for embassies of countries outside of
758 the United States can be obtained at <http://www.embassy.org/embassies/>.
759 (1) A criminal history report from each country lived in; or
760 (2) A letter of honorable release from the United States Military or full-
761 time ecclesiastical service, from each country lived in; or
762 (3) Other written verification of criminal history from each country lived
763 in or efforts to obtain such history.
764

765 Examples of circumstances in which additional background screening may be
766 appropriate include need for verification of identity for a non-fingerprint-based

767 Utah BCI criminal history report, indication of multi-state offense on the Utah BCI
768 criminal history report, recent move to Utah, suspicious behavior or
769 circumstances, or concerns regarding out of state criminal or abuse activity
770 reported by a person known to the individual.
771

772 **502.4 Limited Home Inspection For Preliminary Placement**

- 773
- 774 A. The caseworker, supervisor, or other employee designated by the region director
775 will conduct a limited home inspection (KBS16) in the home of the potential
776 kinship caregiver/friend prior to placement to determine if there are apparent
777 conditions that may present a threat of harm to the child, with one exception as
778 indicated below.

779

780 If the child is being placed with a non-custodial parent, the limited home
781 inspection may be completed before or within one day after a child is placed,
782 excluding weekends and holidays, if based upon a limited investigation Child and
783 Family Services determines that:

- 784 1. The non-custodial parent has regular, unsupervised visitation with the
785 child that is not prohibited by law or court order; and
786 2. Based on the caseworker's best judgment and analysis of available
787 information, there is no reason to believe that the child's health or safety
788 will be endangered by making the placement prior to completion of the
789 limited home inspection.

- 790
- 791 B. The limited home inspection determines if the following are met:
- 792 1. The home is free from observable safety, health and fire hazards. [See:
793 Environmental Neglect in Practice Guidelines [Section 204.5.](#)]
794 2. There are adequate sleeping arrangements to meet the specific needs of
795 each child; and
796 3. Any firearms, ammunition, hazardous chemicals, and/or medications are
797 secured and not accessible to children.

- 798
- 799 C. In situations where the non-custodial parent, kinship caregiver, or friend lives in
800 Utah but outside of the region where the child resides, the caseworker will send a
801 Request for Kinship Support Services (KBS09) to the region kinship supervisor in
802 the region where the prospective kin/friend placement resides as soon as
803 possible to request a limited home inspection. The receiving region will make
804 contact with the non-custodial parent, kinship caregiver, or friend to schedule and
805 complete the limited home inspection according to the urgency identified by the
806 requesting region.
807

808 **502.5 Assessment Of Safety For Preliminary Placement**

809

810 The caseworker, supervisor, or other person designated by the region director will
811 conduct an assessment of safety for placement of a child with a potential kinship
812 caregiver/friend, based on safety decision-making, which includes:

813

814 A. Specific and Observable Threats of Harm:

815

816 1. Background screening results,

817

818 2. Other persons who have regular access to the home, and

819

820 3. Age-specific environmental conditions.

821

822 B. Vulnerabilities of the Child:

823

824 1. The child's comfort level with the kinship caregiver/friend, and

825

826 2. Age and developmental level of the child.

827

828 C. Protective Capacities of the Kinship Caregiver/Friend and Their Support System:

829

830 1. Ability of the kinship caregiver/friend to meet or address the safety,

831

832 physical, and emotional needs of the child, and

833

834 2. Access to resources.

835

836 **502.6 Reference Check For Preliminary Placement**

837

838 A. Child and Family Services may request the name and contact information for a
839 reference from the potential kinship caregiver/friend and may contact the
840 individual to obtain input about the potential kinship caregiver/friend's ability to
841 safely care for the child. The caseworker may ask for information such as:

842

843 1. How familiar the individual is with the kinship caregiver/friend.

844

845 2. If the individual would recommend the placement of a child in the home of
846 the kinship caregiver/friend.

847

848 3. What information the individual can provide regarding the kinship
849 caregiver/friend's capacity to care for a child.

850

851 4. Whether the individual has knowledge of the kinship caregiver/friend's
852 interaction with the child.

853

854 5. Whether the individual is aware of any other relatives or friends of the
855 child to consider as a possible preliminary or long-term placement.

856

857 6. Any other information the individual can provide that will assist the
858 caseworker in assessing the appropriateness of the placement.

859

860

861 B. The caseworker will assess the individual's level of familiarity with the potential
862 kinship caregiver/friend before giving significant consideration to the information
863 provided. If negative feedback is received from the individual, the caseworker
864 will consider further assessment of the potential kinship caregiver/friend prior to
865 making the Preliminary Placement.

866

852 **502.7 General Qualifying Requirements For Preliminary**
853 **Placement**

854
855 In addition to requirements specified above for a non-custodial parent, kinship
856 caregiver, relative, or friend, the following requirements must be met prior to approving
857 Preliminary Placement of a child with a kinship caregiver/friend:
858

- 859 A. If the Preliminary Placement is being considered prior to the shelter hearing,
860 Child and Family Services will ask the child's custodial parent or guardian to sign
861 a Preliminary Placement Agreement stating that they:
862 1. Agree not to remove the child from the home of the kinship
863 caregiver/friend.
864 2. Agree not to have any contact with the child until after the shelter hearing,
865 unless authorized by Child and Family Services in writing.
866

867 The caseworker will document in activity logs if the parent or guardian refuses or
868 is not able to sign a parent/guardian Preliminary Placement Agreement. Child
869 and Family Services may place a child with a kinship caregiver/friend if a parent
870 refuses or is unable to sign a Preliminary Placement Agreement if it is in the
871 child's best interest.
872

873 If the Preliminary Placement is being made after the shelter hearing and the court
874 has ordered the child into Child and Family Services custody, no custodial parent
875 or guardian agreement is required.
876

- 877 B. The kinship caregiver/friend:
878 1. Signs a Preliminary Placement Agreement stating that they:
879 2. Are able and willing to keep the child safe and provide daily care and
880 nurturance.
881 3. Agree not to allow the custodial parent or guardian to have any contact
882 with the child unless authorized by the court or Child and Family Services
883 in writing.
884 4. Agree to contact law enforcement and Child and Family Services if the
885 custodial parent or guardian attempts to make unauthorized contact with
886 the child.
887 5. Are able and willing to take the child to medical, mental health, dental, and
888 educational appointments at the request of Child and Family Services.
889 6. Are willing to apply for medical benefits through the Department of
890 Workforce Services within 10 business days of the child's placement.
891 7. Agree to allow Child and Family Services and the child's GAL to have
892 access to the child.
893 8. Are willing to support the child's permanency plan, including assisting the
894 custodial parent or guardian in reunification efforts at the request of Child
895 and Family Services.

- 896 9. Are willing to follow all court orders.
897 10. Have been informed and understand that Child and Family Services may
898 continue to search for other possible placements for long-term care of the
899 child, if needed.
900 11. Agree to submit a background screening application, copy of photo
901 identification, and fingerprints through Live Scan or hard copy cards for a
902 fingerprint-based background check within 10 business days of placement
903 of the child.
904 12. Agree to inform Child and Family Services of any changes or
905 circumstances that might affect the child's well-being such as a change in
906 health, address, or caregiving arrangements.
907
908 C. The child is comfortable with the kinship caregiver/friend.
909
910 D. A supervisor approves the placement.
911
912 E. Child and Family Services may not place a child with an individual who is
913 prohibited by court order from having access to that child.
914

915 **502.8 Preliminary Placement With A Friend**

916
917 A child may be placed in the home of a friend (including an extended relative)
918 designated by the custodial parent or guardian of the child, if the friend is a licensed
919 foster parent, or if the friend agrees to become a licensed foster parent within six
920 months of the child being placed with them. All Out-of-Home Practice Guidelines in
921 [Section 300](#) apply to the friend or extended relative of the child. [See: Administrative
922 Rule [R512-500-4](#).]
923

924 Child and Family Services staff will be aware that when a Preliminary Placement of a
925 child is made with a friend designated by the parent, the friend is not eligible for the
926 specified relative grant or other financial benefits through the Division of Workforce
927 Services (DWS). At this time, with the exception of cases where the child has a trust
928 account and/or a parent with the ability to pay child support, there are no financial
929 supports available for friends designated by the parents as caregivers for the child until
930 the friend becomes a licensed foster parent. Staff will give careful consideration to
931 whether the friend has the financial capability to support the child's needs during the
932 period before completion of foster care licensure. Friends chosen as caregivers for a
933 child in custody may be eligible to receive a Medicaid card for the child through DWS
934 while pursuing foster parent licensure.
935

936 When Child and Family Services makes a Preliminary Placement with an unlicensed
937 friend, the friend caregiver is required to be actively engaged in the process of obtaining
938 foster parent licensure within 60 days of the child being placed with them. If a friend
939 caregiver receives a provisional license, the friend caregiver must continue the process

940 and obtain foster parent licensure within six months of the child being placed with them
941 or the child will be removed from the home of the friend caregiver. Foster parent
942 licensure refers to being licensed as a foster parent or obtaining a child-specific license
943 through the Utah Department of Human Services, Office of Licensing.
944

945 When the kinship worker or other designated staff begin to meet with the friend
946 caregiver after the child is placed, information will be provided to the friend caregiver to
947 assist them in caring for the needs of the child and planning for the child's permanency.
948 The kinship worker will review with the friend caregiver the requirement that they obtain
949 foster parent licensure, help them understand the steps to complete for foster parent
950 licensure, as well as what resources are available to them once they become licensed.
951

- 952 A. The kinship or other designated staff will discuss with the friend caregiver the
953 advantages and responsibilities of becoming a licensed foster care placement for
954 the child. Resources and advantages include:
- 955 1. Monthly foster care payment.
 - 956 2. Medical needs maintained by Child and Family Services to cover
957 Medicaid, dental, and mental health needs.
 - 958 3. Access to and assistance from a Resource Family Consultant.
 - 959 4. Further options for supports and resources, such as trackers, respite, and
960 mental health services, other than those found through the local mental
961 health authorities.
 - 962 5. Educational and training opportunities to assist them in meeting the needs
963 of the child.
 - 964 6. Cluster support groups.
 - 965 7. Respite care.
 - 966 8. If the child's permanency goal changes to adoption, the AAG will facilitate
967 a process for termination of parental rights and the child will be assessed
968 for monthly adoption assistance.
 - 969 9. Transition to Adult Living resources.
 - 970 10. Health Care Nurse.

- 971
- 972 B. In an effort to support the permanency needs of the child and expedite the ability of
973 the friend caregiver to obtain foster parent licensure, a caseworker and/or kinship
974 worker will complete the following after the placement of the child with the friend
975 caregiver:

- 976 1. Within two months (or earlier) of initial placement of the child with the
977 friend caregiver: The caseworker, kinship worker, or other designated
978 Child and Family Services staff will conduct a child and family team
979 meeting for the purpose of addressing the permanency needs of the child.
980 The Child and Family Team Meeting will include the following individuals
981 (when applicable): the friend with whom the children were placed, other
982 potential kinship caregivers and relatives, the caseworker, the kinship
983 worker, and any other Child and Family Services staff involved in the

- 984 placement, including out of region staff if the placement is made in another
985 region. Other informal and formal supports to the family may include
986 supportive family, friends, health care nurse, therapist, school
987 representative, daycare provider, etc.). Child and Family Services staff
988 will do the following in the Child and Family Team Meeting:
- 989 a. Educate the friend caregiver regarding permanency timeframes and
990 other information associated with the case.
 - 991 b. Review the advantages of becoming licensed with the friend
992 caregiver (listed in A1 above). Remind the friend caregiver that
993 when the child was initially placed with them, they agreed to
994 become a licensed foster care provider.
 - 995 c. Review the progress of the friend caregiver in obtaining the
996 provisional license.
 - 997 d. If the friend caregiver does not have the provisional license, assess
998 whether there are systemic issues that have prevented it or
999 whether the friend caregiver has not actively engaged in the
1000 process of obtaining the provisional license. If the friend caregiver
1001 has not engaged in the process of obtaining a provisional license,
1002 assess whether the friend caregiver is able to care for the needs of
1003 the child and whether the child needs to be moved to a new
1004 placement.
 - 1005 e. If the friend caregiver has received a provisional license, explain
1006 there are further steps to achieve foster parent licensure and that
1007 the provisional license will expire after six months.
 - 1008 f. Review the steps for obtaining foster parent licensure.
 - 1009 g. Review the progress of the friend caregiver in obtaining foster
1010 parent licensure.
 - 1011 h. Assess whether the friend caregiver is actively engaged in the
1012 process of obtaining the foster parent license. Examples of being
1013 “actively engaged” include but are not limited to the following:
 - 1014 (1) Licensing application has been completed and given to the
1015 caseworker or kinship worker.
 - 1016 (2) Child and Family Services kinship staff has been contacted
1017 to schedule a home study.
 - 1018 (3) Medical appointments are scheduled or complete.
 - 1019 (4) FBI fingerprint background screening has been completed.
 - 1020 (5) Friend caregiver has begun required foster parent training.
 - 1021 i. If the friend caregiver is not actively engaged in the process of
1022 obtaining foster parent licensure, assess whether the child needs to
1023 be removed from the friend caregiver’s care and explore other
1024 placement options for the child.
 - 1025 (1) Remind the friend caregiver that if foster parent licensure is
1026 not completed prior to the provisional license expiring, the
1027 child will be removed from their care.

- 1028 (2) Introduce the concept of adoption to the friend caregiver and
1029 provide education regarding the child's need for
1030 permanency, including educating the friend caregiver
1031 regarding the resources available through Adoption
1032 Assistance and post adoption support if the friend caregiver
1033 becomes licensed.
- 1034 (3) If the friend caregiver has not yet become licensed, discuss
1035 any obstacles to obtaining licensure and help formulate a
1036 written action plan to overcome the barriers. The written
1037 plan will state Child and Family Services' expectations of the
1038 friend caregiver, provide specific steps and designate who is
1039 responsible for each step, and outline specific dates to
1040 accomplish the steps prior to meeting in two more months.
- 1041 2. Within four months (or earlier) of initial placement of the child with the
1042 friend caregiver, if the friend caregiver has not yet received the foster
1043 parent license, the caseworker or kinship worker will conduct a Child and
1044 Family Team Meeting for the purpose of assessing the progress of the
1045 friend caregiver on the written plan that was completed in the prior team
1046 meeting. Participants in the Child and Family Team Meeting will include
1047 those outlined above in B1. Child and Family Services staff will do the
1048 following in the Child and Family Team Meeting:
- 1049 a. Educate the friend caregiver that there are only two months
1050 remaining in which they should have completed or be well into the
1051 process of obtaining a foster parent license for the child placed in
1052 their home.
- 1053 b. Inform the friend caregiver that if foster parent licensure is not
1054 obtained and/or if the friend is not actively engaged in the process
1055 of becoming licensed within six months of the child being placed
1056 there, the child will be removed from their care.
- 1057 c. Discuss any obstacles to obtaining licensure and modify the action
1058 plan to overcome the barriers. The written plan will:
1059 State Child and Family Services' expectations of the friend
1060 caregiver
- 1061 (1) Provide specific steps and designate who is responsible for
1062 each step.
- 1063 (2) Outline specific dates to accomplish the steps in the action
1064 plan.
- 1065 (3) Schedule a further meeting to discuss any remaining barriers
1066 for obtaining the foster parent license prior to the end of the
1067 sixth month.
- 1068 (4) State in writing that if a foster parent license is not obtained
1069 within six months of the child being placed there, then the
1070 child will be removed from their care.

- 1071 (5) State in writing that if the foster parent license is not
1072 obtained by the end of the sixth month, the next meeting will
1073 be to discuss a transition for the child to another placement.
- 1074 d. Discuss other placement options for the child, and if possible,
1075 identify who the child will be placed with if the friend caregiver is
1076 unable to obtain the foster parent license.
- 1077 e. If the friend caregiver is not actively engaged in the process of
1078 licensure at the time of the four month meeting, plans to transition
1079 the child to live with another relative or foster home will be arranged
1080 and pursued immediately, in a manner that limits trauma to the
1081 child.
- 1082 3. Within six months of initial placement, if the friend caregiver has not
1083 received the foster parent license and the child remains in the home while
1084 retaining the status of being in foster care, the caseworker or kinship
1085 worker will:
- 1086 a. Assess whether the barriers to licensure or custody and
1087 guardianship are the result of barriers in the system or the result of
1088 the kinship caregiver's lack of follow through on the written action
1089 plan.
- 1090 b. If the barriers to licensure are the result of systemic issues, the
1091 kinship worker will staff the situation with a supervisor to determine
1092 if the barriers will likely be overcome and the child may remain in
1093 the home pending licensure. The staffing will include any steps that
1094 Child and Family Services must take in order to assist in completion
1095 of the licensure process. The staffing will be documented in the
1096 activity logs of each child's case.
- 1097 c. If the barriers are a result of the friend caregiver's lack of follow
1098 through, the kinship worker will conduct a child and family team for
1099 the purpose of planning to transition the child from the friend
1100 caregiver's home into the home of another relative or foster parent
1101 and addressing the child's permanency plan. Participants in the
1102 Child and Family Team Meeting will include those outlined above in
1103 B1, as well as the identified caregiver that will have the child placed
1104 with them.
- 1105 d. Unless the friend caregiver is close to completing licensure and has
1106 completed all the necessary steps to obtain the license, the child
1107 will be removed and placed in a home that is willing to provide
1108 permanency for the child.
- 1109 e. In unusual circumstances, the case may be staffed to determine if
1110 remaining in the unlicensed home that does not have custody or
1111 guardianship is in the best interest of the child. This option will not
1112 be readily utilized. The staffing shall be done first with the Child and
1113 Family Team. Then it will be done with the State Office kinship
1114 administrator and the deputy director of Child and Family Services.

1115

1116 **502.9 Preliminary Placement With A Kinship Caregiver Out Of**
1117 **State**

1118

1119 A. If the non-custodial parent lives outside of Utah, all requirements under the ICPC,
1120 including parent home study and background screening, must be completed as
1121 described in Practice Guidelines General Major Objectives [Section 703](#) prior to
1122 placement of the child out of state.

1123

1124 B. If a relative lives outside of Utah, all requirements under the ICPC, including
1125 relative home study and background screening, must be completed as described
1126 in Practice Guidelines General Major Objectives [Section 703](#) prior to placement
1127 of the child out of state.

1128

1129 C. If the friend who is designated for placement of the child lives outside of Utah, all
1130 requirements under the ICPC, including fingerprint-based background screening
1131 and being licensed as a foster parent in the receiving state, will be completed as
1132 described in Practice Guidelines General Major Objectives [Section 703](#) prior to
1133 placement of the child out of state.

1134

1135 D. If the child being placed is an Indian child and the kinship caregiver approved by
1136 the tribe lives outside of Utah, the tribe must have completed their own approval
1137 or licensure for the home prior to the child being placed out of state. Child and
1138 Family Services may only make foster care maintenance payments to the home
1139 if the home is licensed by the tribe or the receiving state, and may only make
1140 Title IV-E foster care maintenance payments if fingerprint-based background
1141 checks and out of state child abuse registry checks have been approved as part
1142 of the licensing process. If the tribe has custody of the child, then ICPC does not
1143 apply.

1144

1145 **502.10 Notice Of Preliminary Placement**

1146

1147 Notice must be provided to the court and all parties to a case when a child is placed in
1148 or moved from a Preliminary Placement. Written notice must be provided within three
1149 days after making or changing the placement, excluding weekends and holidays.

1150

1151 **502.11 Preliminary Placement Coding In SAFE**

1152

1153 A. When the court orders a child into Child and Family Services custody, an SCF
1154 case will be opened in SAFE.

1155

1156 B. The caseworker will open a Preliminary Placement with a non-custodial parent,
1157 kinship caregiver, or friend in SAFE using the BHR code.

1158

502.12 Preliminary Placement Financial And Medical Support

The kinship caregiver/friend caregiver is responsible to meet the basic needs of the child while in their care, including meeting the health care requirements specified in Practice Guidelines [Section 303.5](#). The caseworker will educate the kinship caregiver about potential financial and medical resources that may be available to assist them while caring for the child and will assist them in submitting an application and supporting documents for financial and medical benefits to the Department of Workforce Services (DWS), if needed. Applications for assistance will be submitted to DWS within 10 business days after the child's placement.

Child and Family Services staff will be aware that when a Preliminary Placement of a child is made with a friend designated by the parent, the friend is not eligible for the specified relative grant or other financial benefits through the Division of Workforce Services (DWS). At this time, with the exception of cases where the child has a trust account and/or a parent with the ability to pay child support, there are no financial supports available for friends designated by the parents as caregivers for the child until the friend becomes a licensed foster parent. Staff will give careful consideration to whether the friend has the financial capability to support the child's needs during the period before completion of foster care licensure. Friends chosen as caregivers for a child in custody may be eligible to receive a Medicaid card for the child through DWS while pursuing foster parent licensure.

A. Financial Support:

1. Child Support – Office of Recovery Services (ORS):

- a. If a child is placed with a non-custodial parent, that parent may contact ORS to have an existing child support case reviewed to determine if child support payments may be discontinued or reduced or the non-custodial parent may apply to establish a child support case.
- b. If a child is placed with a relative or friend caregiver, the caseworker will inform the relative or friend caregiver that when a child is ordered into Child and Family Services custody, the court also orders the parent from whom the child is removed to contact ORS to establish a child support case to reimburse the state for cost of care. Some relatives are hesitant to apply for public assistance and to sign the required Duty of Support form when applying for financial or medical benefits because of fear it will result in the person from whom the child was removed having an obligation for child support. The relative needs to understand that the court already ordered this financial obligation when the child was taken into custody, and the relative receiving a specified relative grant does not add to the financial obligation of the parent from which the child was removed.

- 1203 2. Public Assistance – DWS:
1204 a. A non-custodial parent may apply for financial assistance, food
1205 stamps, or child care through DWS. Income and assets of all
1206 members of the household will be considered for determining
1207 eligibility.
1208 b. A relative may apply for specified relative financial assistance and
1209 Medicaid to care for a related child through DWS. Eligibility for
1210 specified relative assistance and Medicaid is based on the income
1211 and assets of the child. Other DWS benefits for the relative will be
1212 based on the household income.
1213 c. A friend may apply for Medicaid through DWS. Financial and other
1214 benefits will be based on the household income.
- 1215 3. Child's Unearned Income – Social Security or Supplemental Security
1216 Income: When a child in Child and Family Services custody receives
1217 unearned income, such as Social Security or Supplemental Security
1218 Income (SSI), Child and Family Services will become the representative
1219 payee for the child's income as specified in Practice Guidelines [Section](#)
1220 [303.16](#). If the child is placed with a non-custodial parent, unlicensed
1221 relative, or friend not eligible for a foster care payment (hereinafter
1222 "caregiver") in a Preliminary Placement, Child and Family Services will
1223 assess whether a Kinship Caregiver Maintenance Reimbursement will be
1224 issued to the caregiver from the child's trust account.
- 1225 a. The caregiver will complete the "Division of Child and Family
1226 Services Kinship Caregiver Maintenance Reimbursement
1227 Agreement" form at the time the child is placed with them. Each
1228 caregiver placement will require a newly-completed and signed
1229 form.
- 1230 b. Child and Family Services will issue the kinship caregiver
1231 maintenance reimbursement to the caregiver from the available
1232 funds in the child's trust account, minus the \$35 personal needs
1233 allowance, up to a maximum of the basic daily foster care rate. The
1234 rate paid to the caregiver will be based on the child's age and the
1235 number of days the child is in the caregiver's home. [See: [Section](#)
1236 [303.16](#).]
- 1237 c. The caseworker is required to access the Trust Account System
1238 monthly to request the kinship caregiver maintenance
1239 reimbursement, as well as personal needs funds through the SAFE
1240 web system. [See: [Section 303.16](#).]
- 1241 d. Payment will be issued the month after the child received care in
1242 the caregiver's home.
- 1243 e. This reimbursement is to be used for the maintenance and basic
1244 needs of the child (such as housing, utilities, food, supervision, and
1245 personal incidentals).

- 1246 f. The caregiver will not be required to provide Child and Family
1247 Services with receipts for these maintenance and basic needs
1248 expenses, once the maintenance reimbursement is established.
1249 g. The caregiver may submit a request for funds to the caseworker to
1250 help pay for specific additional needs of the child. Approval is
1251 subject to availability of funds and administrative approval.
1252 Receipts are required for approved expenses.
1253 h. Child and Family Services will continue to verify the child lives with
1254 the caregiver.
1255 i. The caregiver will notify the caseworker if the child no longer
1256 resides in the home.
- 1257 4. Foster Care Payment: After completion of the foster care licensing
1258 process, a friend or relative who is selected for ongoing placement of the
1259 child will receive a foster care payment appropriate for the child's level of
1260 need and the provider's level of training.
- 1261 5. Special Needs Payment: Special needs payments may be made for
1262 children who are in a Preliminary Placement with a kinship
1263 caregiver/friend, according to limits for children in out of home care, if
1264 other resources are not available to meet those needs.
1265
- 1266 B. Health Care Resources: A kinship caregiver that is not a licensed foster parent is
1267 responsible to seek resources to pay for health care for the child while in a
1268 Preliminary Placement.
- 1269 1. Medicaid and Children's Health Insurance Program (CHIP):
1270 a. Child and Family Services eligibility workers cannot issue Medicaid
1271 for a child who is in a Preliminary Placement with a non-custodial
1272 parent or relative who is not a licensed foster parent; however, the
1273 caseworker is still responsible to submit the DCFS Title IV-E and
1274 Medicaid Application within 30 days after the child is placed in Child
1275 and Family Services custody (see Practice Guidelines [Section](#)
1276 [303.9](#)) so an initial Title IV-E eligibility determination can be
1277 completed. Eligibility workers can issue Medicaid for a child who is
1278 placed in a Preliminary Placement or ongoing placement with friend
1279 or extended relative who is licensed as a foster parent.
- 1280 b. A non-custodial parent, relative, or friend may apply for Medicaid or
1281 CHIP for the child through DWS. Income and assets of all persons
1282 in the household will be considered for determining eligibility for the
1283 child who is placed with a non-custodial parent. Income and assets
1284 of the child only will be considered for determining eligibility for a
1285 child who is placed with a relative or friend. Medicaid may be
1286 requested on the same application submitted for financial
1287 assistance.
- 1288 c. When submitting an application for Medicaid, a non-custodial
1289 parent, relative, or friend should request that the application for

- 1290 Medicaid be retroactive back to the date the child was placed in the
1291 home; which is allowable for up to 90 days.
- 1292 2. Private Medical Insurance: A non-custodial parent, relative, or friend may
1293 be able to provide for the child's health care needs by adding the child to
1294 their own private medical insurance, when allowed by their insurance plan.
- 1295 3. MI706: An eligibility worker may issue an MI706 to the end of the month
1296 following the month a child is ordered into Child and Family Services
1297 custody, if the child is not enrolled in Medicaid when removed from the
1298 home. After that time and only as a last resort, the caseworker may
1299 request an MI706 from the Fostering Healthy Children nurse for specific
1300 health care needs of the child and for medical, dental, or mental health
1301 examinations required by Child and Family Services that the non-custodial
1302 parent, relative, or friend cannot pay for through other available resources.
1303 The non-custodial parent or relative should have applied for Medicaid,
1304 including requesting retroactive coverage, before an MI706 is requested or
1305 issued by a nurse.
1306

1307 **502.13 Preliminary Placement Visitation**

1308
1309 The kinship caregiver/friend will assist in carrying out plans for visitation for the child.
1310

1311 A. Child Visitation with Familial Connections:

- 1312 1. Pre-placement Visits with Potential Kinship Caregivers/Friends: If the child
1313 is not immediately placed in a Preliminary Placement, visitation between
1314 the potential kinship caregiver/friend and child will be part of a planned
1315 transition when it is determined that placement with the kinship
1316 caregiver/friend is in the best interest of the child. Visitation between the
1317 potential kinship caregiver/friend and the child may be limited and/or
1318 supervised until all requirements for Preliminary Placement are met.
- 1319 2. Visitation with Siblings, Parents, and Other Relatives: Visitation for the
1320 child with parents and siblings will be allowed in accordance with Practice
1321 Guidelines [Section 303.1](#) when a child is in a Preliminary Placement.
1322 Visitation between the child and extended relatives is allowable and may
1323 assist in helping the child maintain valuable connections with the child's
1324 family. The Child and Family Team will make a determination whether
1325 visitation between the child and the extended relative is in the best interest
1326 of the child before visitation occurs. Visitation between the child and
1327 extended relative will be individualized to meet the needs of the child.
1328

1329 B. Caseworker Visitation with a Child, Kinship Caregiver, and Parents During a 1330 Preliminary Placement:

- 1331 1. The caseworker will have an initial visit with the child by midnight of the
1332 second day after making the Preliminary Placement. If the kinship
1333 caregiver resides in another region, the caseworker may request the

- 1334 caseworker who conducted the limited home inspection to make this visit
1335 for them.
1336 2. For the first four weeks of a Preliminary Placement, the caseworker will
1337 visit with the child at least once per week in the home of the kinship
1338 caregiver/friend.
1339 3. The caseworker will follow Practice Guidelines [Section 302.2](#) regarding
1340 purposeful visiting with a child, out-of-home caregiver, and parents when a
1341 child is placed in a Preliminary Placement.
1342

1343 **502.14 Preliminary Placement - Child And Family Team**

1344 A. Role of the Child and Family Team:

- 1345 1. All kinship work is done in the context of a Child and Family Team. The
1346 team is identified to bring together critical supports for the family. This
1347 may include the biological parents, kinship caregivers/friend, children 12
1348 years of age or older, stepparents, other significant persons to family, the
1349 tribe/ICWA caseworker, health care nurse, therapist, and school
1350 representative. The caseworker will engage the kinship caregiver/friend to
1351 participate in the Child and Family Team.
1352 2. If the child has Native American heritage and is eligible as a registered
1353 tribal member, Child and Family Services will establish contact with the
1354 tribe/ICWA caseworker as early as possible to ensure the tribe is invited to
1355 participate in Child and Family Team Meetings.
1356 3. The caseworker will prepare for the unique circumstances of each family
1357 prior to a Child and Family Team Meeting. For example, if there are
1358 domestic violence issues, the caseworker will consider separate Child and
1359 Family Team Meetings for safety and confidentiality issues, and will
1360 prepare in advance to deal with barriers, attitudes, relationship issues,
1361 safety issues, and legal concerns.
1362 4. If background screening for a potential kinship caregiver/friend has been
1363 denied, the caseworker will discuss with the potential kinship
1364 caregiver/friend prior to the Child and Family Team Meeting, other ways
1365 they may support the child and their recommendations for another kinship
1366 caregiver/friend for Preliminary Placement. The caseworker will not
1367 discuss any specific criminal history or child abuse findings with the
1368 potential kinship caregiver/friend or the Child and Family Team but may
1369 provide information about how a kinship caregiver/friend may obtain a
1370 copy of their own criminal history or child abuse and neglect findings.
1371

1372 B. Primary Purposes of Initial Child and Family Team Meeting:

- 1373 1. As soon as possible, the caseworker will conduct an initial Child and
1374 Family Team Meeting. The initial Child and Family Team Meeting is used
1375 for the following:
1376

-
- 1377 a. Sharing how Child and Family Teams work to support the goals of
1378 the family.
1379 b. Explaining requirements for a Preliminary Placement.
1380 c. Gathering information to identify and notify possible kinship/friend
1381 placements and supports.
1382 d. Explaining the court process/status.
1383 e. Explaining roles/responsibilities and how to work with Child and
1384 Family Services.
1385 f. Explaining requirements of caring for the child, such as
1386 expectations for medical, dental, and mental health care
1387 examinations.
1388 g. Explaining the process for evaluation of ongoing capacity of the
1389 kinship caregiver/friend to care for the child and/or identifying the
1390 most appropriate relatives or friends to be considered for ongoing
1391 placement for the child.
1392 h. Exploring and developing strategies for other members of the Child
1393 and Family Team to support the kinship caregiver/friend in caring
1394 for the child and meeting agency requirements.
1395 2. The Child and Family Team will decide the best ongoing placement for the
1396 child and identify ways members of the team can support the placement,
1397 taking into consideration the best interests of the child, preferences for
1398 placement, and factors that may delay placement or hinder permanency
1399 for the child.
1400 3. For Preliminary Placements made with a friend, the Child and Family
1401 Team Meeting process outlined in Practice Guidelines [Section 502.8](#) must
1402 be followed.
1403

1404 **503 Kinship Services - Evaluation And Support For Ongoing**
1405 **Care Of A Child**

1406 Major objectives:

- 1407 A. Child and Family Services will evaluate with a kinship caregiver/friend their
1408 capacity for ongoing care of the child.
1409
1410 B. The region in which a kinship caregiver/friend resides will provide support in
1411 accessing local resources and in responding to urgent concerns.
1412
1413 C. The region with jurisdiction of a child is responsible for supporting limited financial
1414 needs of the child that cannot be met by the kinship caregiver/friend.
1415

1416
1417 **Applicable Law**

1418 Utah Code Ann. [§62A-2-120](#). Criminal background checks – Direct access to children or
1419 vulnerable adults.

1420 Utah Code Ann. [§62A-4a-202.1](#). Entering home of a child – Taking a child into
1421 protective custody – Caseworker accompanied by peace officer – Preventive services –
1422 Shelter facility or emergency placement.

1423 Utah Code Ann. [§62A-4a-209](#). Emergency placement.

1424 Utah Code Ann. [§62A-4a Part 7](#). Interstate Compact on the Placement of Children.

1425 Utah Code Ann. [§78A-6-306](#). Shelter hearing.

1426 Utah Code Ann. [§78A-6-307](#). Shelter hearing – Placement – DCFS custody.

1427 Utah Code Ann. [§78A-6-307.5](#). Post-shelter hearing placement of a child who is in
1428 division custody.

1429 Utah Code Ann. [§78A-6-308](#). Criminal background checks necessary prior to out-of-
1430 home placement.

1431 U.S. Code [Title 25, Chapter 21](#). Indian Child Welfare.
1432

1433 **503.1 Evaluation Of Kinship Caregiver/Friend Capacity For**
1434 **Ongoing Care Of A Child**

1435
1436 Child and Family Services will evaluate with the kinship caregiver/friend their capacity
1437 for ongoing care of the child, including consideration of long-term stability of placement,
1438 long-term view and permanency planning. The caseworker will initiate this evaluation
1439 process within 30 days of the child being placed in a Preliminary Placement with a
1440 relative. The process will be initiated immediately when a child is placed in a
1441 Preliminary Placement with a friend. The process is initiated by submitting a Request
1442 for Kinship Support Services to the region kinship supervisor. If the caregiver resides
1443 outside of the region, the region kinship supervisor will send the request to the kinship
1444 supervisor in the region where the kinship caregiver resides to complete the evaluation.
1445 This evaluation consists of the following:
1446

- 1447 A. Background screening: Background screening results from background
1448 screening for Preliminary Placement and from the Office of Licensing review
1449 must be approved for ongoing care of a child in custody. If background
1450 screening is not approved, the caseworker and Child and Family Team will
1451 carefully consider how the child's needs for enduring safety and permanency will
1452 be met (long-term view) and what the permanency goals, both primary and
1453 concurrent, for the child are before recommending that the court grant custody
1454 and guardianship to a kinship caregiver.
1455
- 1456 B. The Initial Kinship/Specific Family Application form to be filled out by the kinship
1457 caregiver/friend includes:
1458 1. Identifying information regarding the kinship caregiver/friend and the
1459 spouse, if applicable).
1460 2. Others living in the household: children of the kinship caregiver/friend or
1461 others residing in the home.
1462 3. References: At least two references and no more than four; only one may
1463 be a relative.
1464 4. Previous home studies.
1465 5. If the kinship caregiver is currently licensed as a daycare provider.
1466 6. Questionnaire #1 for kinship caregiver and the spouse (if applicable):
1467 History regarding the kinship caregiver's family, relationships, and medical
1468 information.
1469 7. Emergency Plan Form.
1470 8. Kinship/Specific Income Statement Form.
1471
- 1472 C. Reference checks: Child and Family Services will contact at least two references
1473 by email or regular mail using the approved Reference Request as part of the
1474 Child-Specific Home Study. Child and Family Services will receive at least two
1475 positive reference letters in order to approve the home study.
1476
- 1477 D. Questionnaire 2: This will be given to the kinship caregiver/friend and the spouse
1478 (if applicable) at the time of the home study visit and will be completed by the
1479 kinship caregiver/friend.
1480
- 1481 E. Child-Specific Home Study: Through Child and Family Team Meetings,
1482 interviews, and other conversations with the kinship caregiver/friend and others
1483 living in the home, the kinship home study worker will evaluate the kinship
1484 caregiver/friend's ability to provide current and ongoing care for the child.
1485 1. The Child-Specific Home Study will be comprehensive, objective, and will
1486 address the kinship caregiver/friend's long-term ability to care for the child.
1487 It may be used as a home study for a foster care license, as a report to the
1488 court for recommendations for custody and guardianship, and as an
1489 adoption home study if the child's permanency goal changes to adoption.

- 1490 2. The Child-Specific Home Study will include an assessment of the home
1491 environment to evaluate if it meets the Office of Licensing health and
1492 safety requirements. The Office of Licensing may issue a waiver
1493 (variance) of any rule in regards to a kinship/specific home that does not
1494 impact the health or safety of the specific child or sibling group. This
1495 requires prior written approval by the director of the Office of Licensing.
1496 [See: Administrative Rule [R501-12-15](#).]
1497 3. The kinship home study caseworker will document the evaluation on the
1498 Child-Specific Home Study form, which when completed will be a typed,
1499 professional document of approximately 6-12 pages. The document may
1500 be presented to the court, if requested. The Child-Specific Home Study is
1501 a protected record.
1502 4. Areas assessed in the Child-Specific Home Study include:
1503 a. The kinship caregiver/friend's motivation, understanding, and
1504 expectations in providing ongoing care for the specific child.
1505 b. The kinship caregiver/friend's relationship with the specific child
1506 and how this placement was chosen.
1507 c. Information about the kinship caregiver/friend's childhood and
1508 family of origin, including strengths, challenges, and trauma history
1509 as it relates to their ability to care for this child.
1510 d. The kinship caregiver/friend's marital relationship, children in the
1511 home, extended family interactions, supports and barriers,
1512 proximity to, and the nature and quality of the relationship between
1513 the biological parents and the kinship caregiver/friend.
1514 e. Parenting skills and attitudes, including the kinship
1515 caregiver/friend's methods of discipline for various situations,
1516 family's rules and expectations, knowledge and/or skills pertaining
1517 to this child's specific needs, how kinship caregivers /friends
1518 support and challenge each other in parenting, parenting strengths
1519 and weaknesses, how they relieve stress, and what coping skills
1520 the kinship caregiver/friend find effective.
1521 f. Home and neighborhood description, including the length of time
1522 the kinship caregiver/friend has lived in the current home, sleeping
1523 arrangements for the child and other ways the home might
1524 accommodate the child's needs, benefits or risks for children
1525 including people who may have regular access to the child, and a
1526 list of schools in the area.
1527 g. The kinship caregiver/friend's financial capacity, including
1528 occupational information and length of time on the job, how the
1529 kinship caregiver/friend's employment affects their ability to care for
1530 the child in either positive and/or negative ways, earnings, and
1531 ability to meet their own financial needs and needs of the child
1532 without being dependent on foster care payments.

- 1533 h. Kinship caregiver/friend's current physical and mental health,
1534 including health conditions, history, medications, and treatment of
1535 any family member in the home and how these might affect ability
1536 to care for the child. Both the primary caregiver and the spouse (if
1537 applicable) will fill out their portion of the approved Office of
1538 Licensing Medical form and provide this form to their doctor to be
1539 completed and faxed back to the home study worker.
1540
- 1541 F. Educating the kinship caregiver/friend: Concurrently as the Child-Specific Home
1542 Study is conducted, the kinship home study caseworker will educate the kinship
1543 caregiver/friend about expectations of caring for a child who is under the
1544 jurisdiction of the court, including:
- 1545 1. Carrying out the orders of the court.
 - 1546 2. Working toward the child's permanency goal.
 - 1547 3. Meeting the needs of the child while in their care.
 - 1548 4. Being involved in the Child and Family Team process.
 - 1549 5. Complying with Child and Family Services requirements, such as visits
1550 with caseworkers, the child's visits with parents and siblings, maintaining
1551 the home-to-home book, role of the GAL, health care visits, and
1552 education.
 - 1553
- 1554 G. Information about the child will be given to the kinship caregiver/friend: The
1555 caseworker and other team members will discuss with the kinship
1556 caregiver/friend information the caseworker knows about the child and is relevant
1557 to the child's care, including medical, dental, education, mental health, and any
1558 behavioral issues or special needs the child may have. Best practice is allowing
1559 the kinship caregiver/friend an opportunity to review the child's file before making
1560 any long-term decisions to care for the child. If the kinship caregiver/friend is a
1561 licensed foster parent, refer to Practice Guidelines [Section 301.4](#) for details about
1562 the information that may be shared with the kinship caregiver/friend.
- 1563 1. The file may have limited information. However, it is important to share
1564 any relevant information that may help the relatives decide if they have the
1565 skills and supports to raise the child. When a child has an existing file, the
1566 caseworker will inform the relatives that the information in the file is often
1567 subjective opinions of the caseworker or therapist written at one time in
1568 the child's life. In addition, circumstances that occur in a given time in the
1569 child's development can change the way a child behaves and adjusts to
1570 life situations. For instance, the child may have received many different
1571 mental health diagnoses. The mental health diagnoses in a child's file are
1572 affected by each therapist's interpretation, the child's developmental
1573 stage, factors in the child's environment, and different life circumstances.
 - 1574 2. The following guidelines will be used when the potential kinship
1575 caregiver/friend views the child's file.

- 1576 a. Appropriate information about the child will be shared; however,
1577 neither the biological parents' nor prior foster parents' medical,
1578 psychiatric, psychological, or other personal information will be
1579 disclosed to the relative.
- 1580 b. Child and Family Services must use prudent judgment in helping a
1581 kinship caregiver/friend have information about the child that may
1582 be important for the permanency and stability of the child's
1583 placement. Parents' confidential information that may be important
1584 to caring for a child could be shared in general non-identifying
1585 ways. For example, if a parent's psychological diagnosis indicates
1586 schizophrenia, this specific information about the parent cannot be
1587 disclosed to the relatives. However, information regarding
1588 schizophrenia in general can be discussed.
- 1589 c. Child and Family Services file review guidelines:
- 1590 (1) The confidentiality agreement (SAFE form DCFS02) must
1591 be signed. Special care will be given to addressing the
1592 sensitive nature of confidential information about a child's
1593 family member.
- 1594 (2) The caseworker will orient the kinship caregiver/friend to the
1595 structure of the files and where information is located.
- 1596 (3) The caseworker will instruct the kinship caregiver/friend to
1597 consider specific types of information when available, such
1598 as medical conditions, developmental delays, disabilities,
1599 mental health diagnoses, placements and transfers,
1600 educational needs, and other considerations for the child.
- 1601 (4) If a child has an existing file, the kinship caregiver/friend will
1602 want to look for specific information in the file that will be
1603 important in caring for the child. (*Red italic script* identifies
1604 information the caseworker will copy for the kinship
1605 caregiver/friend review.)
- 1606 (a) Medical Information: *Immunizations, all allergies*
1607 *including food allergies*, disabilities and treatments,
1608 current medications and implications of discontinuing
1609 medications, history of illnesses, conditions from
1610 abuse or neglect, serious accidents, surgeries, past
1611 doctors, and hospital of birth.
- 1612 (b) Dental Information: Dental records, *past dentists*,
1613 orthodontic work, and *orthodontist*.
- 1614 (c) Educational Information: *Schools and grades,*
1615 *evaluations, special education plans such as*
1616 *Individual Education Plans (IEPs) or Student*
1617 *Education and Occupational Plans (SEOPs), learning*
1618 *disability including specific disability, and test results.*

- 1619 (d) Mental Health Information: *Current and prior*
1620 *therapists* and history of treatment, current and past
1621 medications, current and past diagnoses, including
1622 what the diagnoses means in raising a child. The
1623 kinship caregiver/friend will be encouraged to talk
1624 directly with the child's mental health therapist when
1625 possible about how behaviors are connected with the
1626 diagnoses and how behaviors are best dealt with.
- 1627 (e) Family History: *Health Data Report from SAFE,*
1628 culture, family situation, moves or stability factors,
1629 abuse and neglect history, domestic violence, reason
1630 for the child's removal from their biological family,
1631 *genogram including the siblings (with their birth*
1632 *dates), and timelines.* Family members' talents,
1633 hobbies, and interests. *Family photos and letters, if*
1634 *available.*
- 1635 d. After the kinship caregiver/friend has looked through the file,
1636 the caseworker will:
- 1637 (1) Talk with the kinship caregiver/friend about what they
1638 found in the file. Give them health and mental health
1639 diagnoses summary sheets, and answer questions
1640 they may have.
- 1641 (2) Share helpful websites such as:
- 1642 (a) American Academy of Child & Adolescent
1643 Psychiatry: www.aacap.org.
- 1644 (b) American Psychological Association:
1645 www.apa.org.
- 1646 (c) American Academy of Pediatrics:
1647 www.aap.org.
- 1648 (d) Substance Abuse and Mental Health Services
1649 Administration: www.samhsa.gov.
- 1650 (3) Give the kinship caregiver/friend time to process what
1651 they have learned. Encourage them to set another
1652 appointment to talk and ask other questions.
- 1653 (4) Help the kinship caregiver/friend know the importance
1654 of keeping the child's information and history.
- 1655 (5) Encourage the kinship caregiver/friend to review the
1656 child's file at intervals, especially after the child has
1657 been with the family for a couple of months.
- 1658 3. After disclosure, the caseworker will confirm with the kinship
1659 caregiver/friend their ability and willingness to become the
1660 placement option for the child.
1661

- 1662 H. Assessing Current Supports: Concurrently as the Child-Specific Home Study is
1663 conducted, the kinship home study caseworker will help the kinship
1664 caregiver/friend assess current resources that may be available to assist them in
1665 providing a stable placement for the child, which may include:
- 1666 1. Assistance for a specified relative from DWS for financial assistance (for
1667 those that fit the definition of a relative).
 - 1668 2. Health care resources, such as Medicaid, CHIP, or the family's health
1669 insurance.
 - 1670 3. Caregiver support groups such as the Utah Foster Care cluster groups
1671 and Grandfamilies.
 - 1672 4. Informal supports such as community, schools, church, friends, and
1673 extended family.
1674
- 1675 I. Ongoing Care of the Child: If the kinship caregiver/friend who is a licensed foster
1676 parent was the Preliminary Placement, the caseworker will assess with the
1677 kinship caregiver/friend and the Child and Family Team the kinship
1678 caregiver/friend's desire and ability to provide ongoing care for the child.
1679
- 1680 J. Licensing or Temporary Custody and Guardianship: If the kinship caregiver is an
1681 unlicensed relative, concurrently as the Child-Specific Home Study is conducted,
1682 the kinship home study caseworker will provide information to the kinship
1683 caregiver to assist them in assessing and comparing the possible resource
1684 supports and responsibilities associated with the options of becoming a licensed
1685 foster parent or requesting temporary custody and guardianship for ongoing care
1686 of the child. If the kinship caregiver is a non-custodial parent, the discussion will
1687 be limited to consideration for requesting temporary custody and guardianship. If
1688 the caregiver is an unlicensed friend identified by the parent, they are required to
1689 become licensed within six months or sooner of the child being placed with them,
1690 and Child and Family Services may not recommend the option of taking
1691 temporary custody and guardianship of the child.
- 1692 1. Discuss with the kinship caregiver/friend the advantages and
1693 responsibilities of becoming a licensed foster care placement for the child.
 - 1694 a. Resources and advantages include:
 - 1695 (1) Monthly foster care payment.
 - 1696 (2) Medicaid maintained by Child and Family Services to cover
1697 medical, dental, and mental health needs.
 - 1698 (3) Child and Family Services Resource Family Consultant help.
 - 1699 (4) Educational opportunities for meeting the needs of the child.
 - 1700 (5) Cluster support groups.
 - 1701 (6) Family's own informal support network, such as community,
1702 schools, church, and extended family.
 - 1703 (7) Respite care

- 1704 (8) If the child's permanency goal changes to adoption, the AAG
1705 will facilitate a process for termination of parental rights and
1706 the child will be assessed for monthly adoption assistance.
1707 b. Requirements to become a licensed foster parent include:
1708 (1) If married, both kinship caregivers/friends will complete the
1709 required training provided for kinship caregivers/friends
1710 through the current contractor for training, recruitment, and
1711 retention services.
1712 (2) All licensing requirements must be met including submission
1713 of an application, financial and medical documentation,
1714 obtaining written references, questionnaires, and safety
1715 home inspection.
- 1716 2. Discussing with the kinship caregiver the advantages and responsibilities
1717 of becoming a kinship caregiver and the process to request temporary
1718 custody and guardianship of the child from the court. (Unlicensed friends
1719 identified by the parents as caregivers for the child will not be
1720 recommended by Child and Family Services for temporary custody and
1721 guardianship and will be given instructions on becoming licensed foster
1722 parents.) Resources may include:
1723 a. Financial assistance for a specified relative (or from public
1724 assistance for a non-custodial parent) from DWS or child support
1725 from ORS.
1726 b. Medicaid or CHIP for the child or a private health insurance plan of
1727 the kinship caregiver to cover the child's medical, dental, and
1728 mental health needs.
1729 c. Support groups through the private provider, Grandfamilies, and/or
1730 other sources.
1731 d. Family's own informal support network, such as community,
1732 schools, church, friends, and extended family.
1733
- 1734 K. Initiating the Process to Apply to Become a Licensed Foster Parent: In order for
1735 the kinship caregiver/friend to apply to become a licensed child-specific foster
1736 parent, the caseworker or region kinship consultant will follow Practice
1737 Guidelines [Section 503.1](#) meeting current Utah Office of Licensing requirements.
1738 The region kinship supervisor or designated person will send a Request for
1739 Licensing a Child Specific Foster Home with the home study documentation to
1740 the Office of Licensing. The Office of Licensing will issue a provisional license
1741 when all of the necessary documentation is received from the kinship/specific
1742 caregiver and will work with the family to complete the licensing process. The
1743 caseworker will encourage the family to complete licensing requirements,
1744 including training, before the provisional license expires five months from the
1745 date of the provisional license being issued.
1746

1747 **503.2 Child And Family Services Support Of The Kinship**
1748 **Caregiver/Friend While The Child Is In Child And Family Services**
1749 **Custody**

- 1750
- 1751 A. The region in which the kinship caregiver/friend resides will support the kinship
1752 caregiver/friend in responding to urgent concerns or accessing local resources
1753 (such as Medicaid and Specified Relative Grant through DWS, establishing a
1754 local Child and Family Team or Utah Foster Care clusters).
- 1755
- 1756 B. If the kinship caregiver/friend lives in a different region than the region with
1757 jurisdiction over the child, the caseworker/kinship worker will send a Request for
1758 Kinship Support Services to the kinship supervisor in the sending region. The
1759 kinship supervisor will send the request to the region kinship supervisor in the
1760 region where the prospective caregiver resides to complete the evaluation.
- 1761
- 1762 C. The region that has jurisdiction for the child is responsible for supporting limited
1763 financial needs of the child that cannot be met by the kinship caregiver/friend
1764 (such as mileage, special needs payments, or MI706).
- 1765

504 Kinship Background Screening Process

Major objectives:

- A. Child and Family Services is authorized to conduct background screening for the purpose of assessing safety and threat of harm to a child when considering Preliminary Placement with a kinship caregiver for a child in agency custody.
- B. Child and Family Services will coordinate with the Office of Licensing to complete the background screening process for a kinship caregiver after Preliminary Placement has been made.
- C. A region Terminal Agency Coordinator (TAC) or alternate will complete background screening and will do an initial analysis of results.
- D. A region background screening committee will be established in each region to review background screening for Preliminary Placement.
- E. Background screening results will be safeguarded and disseminated only to those authorized to receive the information, in accordance with the Bureau of Criminal Identification (BCI) policies.

Applicable Law

Utah Code Ann. [§62A-2-120](#). Criminal background checks – Direct access to children or vulnerable adults.

Utah Code Ann. [§62A-4a-202.1](#). Entering home of a child – Taking a child into protective custody – Caseworker accompanied by peace officer – Preventive services – Shelter facility or emergency placement.

Utah Code Ann. [§62A-4a-209](#). Emergency placement.

Utah Code Ann. [§62A-4a Part 7](#). Interstate Compact on the Placement of Children.

Utah Code Ann. [§78A-6-306](#). Shelter hearing.

Utah Code Ann. [§78A-6-307](#). Shelter hearing – Placement – DCFS custody.

Utah Code Ann. [§78A-6-307.5](#). Post-shelter hearing placement of a child who is in division custody.

Utah Code Ann. [§78A-6-308](#). Criminal background checks necessary prior to out-of-home placement.

U.S. Code [Title 25, Chapter 21](#). Indian Child Welfare.

504.1 Kinship Background Screening Process – Authority And Uses

A. Authority:

1. The BCI within the Department of Public Safety maintains criminal records in Utah. Child and Family Services accesses both Utah and national

- 1810 fingerprint-based criminal records through BCI in accordance with federal
1811 and state laws and BCI policies.
1812 2. Utah Code Ann. [§62A-4a-202.4](#), [§62A-4a-209](#), [§78A-6-307](#), and [§78A-6-](#)
1813 [308](#) authorize Child and Family Services to complete background
1814 screening for potential kinship caregiver/friends of children in custody.
1815 3. The Office of Licensing will complete the background screening process
1816 for kinship caregiver/friends after Child and Family Services has
1817 conducted the non-fingerprint-based check for Preliminary Placement.
1818

1819 **B. Uses of Background Screening Results in Kinship Care:**

- 1820 1. Background screening conducted by the TAC/alternate or reviewed by the
1821 Region Background Screening Committee is used to help assess safety
1822 and threat of harm to a child for the purpose of approving or denying a
1823 Preliminary Placement.
1824 2. Background screening conducted by Office of Licensing is used to help
1825 confirm the appropriateness of a Preliminary Placement and as part of the
1826 Child-Specific Home Study and safety assessment for evaluation of a
1827 kinship caregiver/friend's capacity for ongoing care of the child. Office of
1828 Licensing background screening results may also be used for the purpose
1829 of a foster care license, subsequent adoption (if within 18 months of when
1830 the background screening was originally approved and there is no reason
1831 to believe the background screening is incomplete), or for a
1832 recommendation to the court for temporary custody and guardianship.
1833

1834 **504.2 Kinship Background Screening Process – Expedited**
1835 **Request For Initial Background Screening For Preliminary Placement**
1836

1837 A caseworker may request to expedite the initial background screening for Preliminary
1838 Placement verbally. Steps to expedite background screening include:
1839

- 1840 A. The caseworker will obtain and write down the following information for the
1841 kinship caregiver/friend and for all adults age 18 years and older residing in the
1842 home on the Expedited Background Screening for Preliminary Placement form
1843 (SAFE KBS00):
1844 1. Name, including correct spelling of first, middle, last, maiden, alias, and
1845 previous married names.
1846 2. Social Security number, if a number has been issued.
1847 3. Date of birth.
1848 4. Relationship to the child.
1849
1850 B. The caseworker will view the photo identification of the kinship caregiver and
1851 other adults age 18 years and older in the home to ensure the photo is of the
1852 same individual, and spelling of name, date of birth, and if listed, Social Security
1853 number are correct. The caseworker will also verify that the ID is not expired.

- 1854 Driver privilege cards and school IDs are not acceptable identification. The
1855 caseworker will document on the form that this has been completed.
1856
- 1857 C. The caseworker will have the kinship caregiver/friend and each adult review and
1858 sign the form to verify that the information is correct and that Child and Family
1859 Services is authorized to conduct background screening for the purpose of
1860 Preliminary Placement.
1861
- 1862 D. The caseworker will request initial background screening for Preliminary
1863 Placement through an authorized TAC or designated alternate.
1864 1. For on-call background screenings for Preliminary Placements, contact
1865 Intake
1866 2. If a request is made after hours to Intake, background screening
1867 documentation will be sent the next business day by the caseworker who
1868 requested the background screening to the TAC/alternate in the region
1869 where the kinship caregiver/friend resides. The TAC/alternate in the
1870 sending region may retain a copy of the documentation in a locked file for
1871 audit purposes.
1872 3. The Intake worker who completed the background screening will
1873 document in a dissemination log that the background screening was
1874 completed.
1875
- 1876 E. The caseworker will provide the identifying information to the TAC/alternate by
1877 phone, email through state email, fax, or in person.
1878 1. The caseworker will give the TAC/alternate the name of the child being
1879 considered for placement and, if known, the child's date of birth, SAFE
1880 case number if a case is open, and if an out of region request, the
1881 caseworker's region and kinship caregiver/friend's region of residence.
1882 2. The caseworker will give the TAC/alternate the information provided by
1883 the kinship caregiver/friend for all adults in the home, including the correct
1884 spelling for all names, and will verify to the TAC/alternate that each of the
1885 adults in the home signed the Expedited Background Screening for
1886 Preliminary Placement form.
1887 3. As follow-up to a verbal, emailed, or faxed request, the caseworker will
1888 send the TAC the original Expedited Background Screening for
1889 Preliminary Placement form signed by the kinship caregiver/friend and
1890 adults in the home and by the caseworker.
1891
- 1892 F. The caseworker will notify the kinship caregiver/friend that this expedited
1893 background screening is preliminary and that the kinship caregiver/friend and
1894 other adults age 18 years and older in the home must also complete additional
1895 background screening requirements to complete the process (see Practice
1896 Guidelines [Section 504.3](#)).
1897

- 1898 G. The TAC/alternate may notify the caseworker verbally if the background
1899 screening was approved, needs further review, is denied, or could not be
1900 completed based upon the verbal information presented. Specific details may be
1901 provided according to dissemination policies in practice guideline [Section 504.11](#).
1902
1903 H. If the result of the background screening is a mandatory denial then the
1904 TAC/alternate will send a denial letter to the applicant.
1905

504.3 Kinship Background Screening Process – Initiating Background Screening For Preliminary Placements And Ongoing Care

1909 The following steps are required before the kinship caregiver background screening is
1910 complete. If expedited background screening was used, these steps are required as
1911 follow-up to the expedited process. If expedited background screening was not used,
1912 these steps will initiate ongoing background screening.
1913

A. Caseworker Responsibilities:

- 1914
1915
1916 1. The caseworker is responsible to ensure that required background
1917 screening is completed for all adults in the home. Another caseworker,
1918 such as a supervisor, region kinship consultant, or senior assistant
1919 caseworker, may assist with the tasks described below.
1920 2. The caseworker will notify the kinship caregiver of background screening
1921 requirements and processes.
1922 3. The caseworker will print the Kinship Background Screening Application
1923 (SAFE KBS01) from SAFE and will write on Page Two of the application
1924 the caseworker name and child's name, date of birth, and SAFE case
1925 number.
1926 4. The caseworker will make copies of the application for the kinship
1927 caregiver and all persons age 18 and older living in the home and will
1928 provide them written instructions for completing the background screening
1929 process, including how to access Live Scan or to submit hard copy
1930 fingerprint cards.
1931 5. The caseworker will follow up to ensure the application and fingerprints
1932 were submitted.

B. Kinship Caregiver Responsibilities:

- 1933
1934
1935 1. The kinship caregiver and each adult age 18 years or older residing in the
1936 home must obtain the Kinship Background Screening Application (SAFE
1937 KBS01) from the caseworker, complete the application following
1938 instructions on the form, submit copies of photo identification and Social
1939 Security cards, and bring it to the Child and Family Services office.

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2. The kinship caregiver and any other adults age 18 years and older living in the home must submit fingerprints for an FBI national criminal records check.
 - a. Fingerprints may be submitted using Live Scan at Child and Family Services offices, following the procedures described below. The kinship caregiver or adults in the home are responsible to pay the fee for scanning the prints.
 - b. Fingerprints may be submitted using hard copy fingerprint cards, following the procedures described below. The kinship caregiver or adults in the home are responsible to pay the fee for having the prints rolled by a law enforcement agency or BCI and to pay the transmitting fee for scanning the fingerprint cards.
 - c. Live Scan or submission of fingerprint cards must be completed no later than 10 business days after the child's placement in the home.
- C. Live Scan Process:
1. Live Scan Operators. Live Scan operators are designated by the region and must receive training on scanning fingerprints and submitting Live Scan data from qualified persons, such as BCI trainers or other qualified Live Scan operators. The region will notify the Background Screening Coordinator at the State Office when making a change in Live Scan operators. Live Scan operators are responsible to verify applicant identity and to electronically scan and submit fingerprints of background screening applicants to the BCI.
 2. Live Scan Appointment. Persons required to have a fingerprint-based background screening will schedule an appointment for Live Scan by phone in advance. The Kinship Background Screening Application (SAFE KBS01) must be completed prior to the appointment.
 3. What Individuals Must Bring for Live Scan. Persons required to have a fingerprint-based background screening will bring the following with them to their Live Scan appointment:
 - a. Original Kinship Background Screening Application (SAFE KBS01) completed and signed.
 - b. Photo Identification. This must be a current photo identification issued by a state or federal government such as a driver license or identification card issued by Department of Motor Vehicles or issued by the United States government such as a passport. School identification and driver privilege cards are not acceptable. If no United States identification is available, current photo identification issued by the government of another country may be used. If photo identification has expired, Live Scan cannot be completed.
 - c. Social Security card, if available at time of appointment.

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- d. Fee to scan the prints. Each person is required to pay a fee to have fingerprints scanned. Payments must be by cashier's check or money order payable to Department of Human Services. Some offices also accept cash.
 - 4. Live Scan Process. The Live Scan operator will complete the following steps for the Live Scan process:
 - a. Prepare the Live Scan Authorization Form.
 - b. Hand out a copy of the FBI Privacy Rights to the Live Scan applicant.
 - c. Receive payment.
 - d. Verify and make an enlarged, clear copy of photo identification and Social Security card. (If expiration date or corrections are listed on back, copy both sides of identification.)
 - e. Document Live Scan billing code, Live Scan operator's initials, and date of Live Scan submission on the second page of the Kinship Background Screening Application.
 - f. Send the original Kinship Background Screening Application and a clear copy of both sides of photo identification and Social Security card to the regional TAC.
 - g. Scan and email a copy of the Live Scan Authorization Form to the Background Screening Coordinator.
 - D. Hard Copy Fingerprint Card Process:
 - 1. Obtain Copy of Fingerprint Cards: If any persons who need a fingerprint-based check do not have access to a Child and Family Services Live Scan location, they can submit two hard copy 10-print fingerprint cards. Each person is responsible to go to a law enforcement agency or other agency approved by the BCI to have their fingerprints rolled on a 10-print fingerprint card. Each person is responsible to pay the cost charged by the agency to have the fingerprint rolled. Photo identification will be required.
 - 2. Submission of the Fingerprint Cards and Payment for Submission:
 - a. The kinship caregiver or adult in the home will submit to the caseworker the Kinship Background Screening Application (SAFE KBS01), copy of photo identification, Social Security card, two sets of fingerprint cards, Live Scan Authorization Form, and payment for fee to scan and transmit the fingerprint cards.
 - b. The caseworker will give the application, fingerprint cards, copies of photo identification and Social Security card, Live Scan Authorization Form, and payments to the region TAC.
 - c. The region TAC will submit all of the above paperwork, except the payment, to the State Office background screening coordinator.

504.4 Conducting Background Screening – TAC/Alternate

The region director will designate the region's TAC and any alternates. Each TAC/alternate must receive approval and training to conduct background screening through the Background Screening Coordinator at the Child and Family Services State Office and through BCI, and must have an approved fingerprint-based national criminal history check submitted through BCI to the FBI.

The TAC/alternate will conduct background screening for each kinship caregiver and adult age 18 years and older in the home (referred to below as "applicant") to identify if an adult or child abuse or neglect finding or criminal history record exists for each applicant.

- A. Verify Identity: The TAC/alternate will make a "good faith" effort to determine that the identification and information submitted for each applicant is valid and does not appear to be forged or altered, based upon review of the applicant information on any background screening application submitted and photo identification. If background screening for a Preliminary Placement is being conducted based upon an expedited verbal request, the effort to verify identity will be completed based upon information available in data systems and upon post-screening review of the application and photo identification after submission by the caseworker or Live Scan operator.
- B. Child Abuse and Criminal Record Checks: The TAC/alternate will research the systems listed below, in accordance with laws and policies authorizing Child and Family Services to access these records, to determine if an applicant has child or adult abuse or neglect findings or a criminal history.
 1. Preliminary Placement Background Screening - Utah Criminal Justice Information System (UCJIS):
 - a. UCJIS is searched to determine if the applicant has criminal convictions or patterns of arrests or convictions that indicate a likely threat to safety of a child. Analysis will be based upon statutory criteria specified in Utah Code Ann. [§62A-2-120](#).
 - b. Utah Criminal History reports are run with a purpose code X if the background screening is occurring BEFORE the shelter hearing and the child is in the custody of Child and Family Services. The SAFE case number will be entered into the audit field. If no SAFE case number has been established, enter 111 (number one repeated three times) and the child's name in the audit field. Purpose code C is used if the background screening is occurring AFTER the shelter hearing or if child is not yet in the custody of Child and Family Services.
 2. Preliminary Placement Background Screening – SAFE Management Information System and Licensing Information System: The SAFE

- 2070 Management Information System and Licensing Information System is
2071 searched for the following:
- 2072 a. To determine if the applicant has findings of a severe type of child
2073 abuse or neglect as defined in Utah Code Ann. [§62A-4a-1002](#)
2074 accessible in the LIS portion of SAFE, or if other child welfare or
2075 domestic violence case history or patterns of behavior may pose a
2076 likely threat to the safety of a child.
- 2077 b. To determine if the applicant has findings of adult abuse.
- 2078 3. Preliminary Placement Background Screening-Juvenile Criminal History:
- 2079 a. To determine if the applicant has juvenile criminal convictions or
2080 patterns of arrests or convictions that indicate a likely threat to
2081 safety of a child. Analysis will be based upon statutory criteria
2082 specified in Utah Code Ann. [§62A-2-120](#).
- 2083 4. Preliminary Placement Background Screening-Federal Name Based
2084 Check through Interstate Identification Index (III):
- 2085 a. This check only applies for an expedited background screening on
2086 a kinship caregiver friend if the background screening is occurring
2087 BEFORE the shelter hearing as per emergency statute [§62A-4a-](#)
2088 [209](#).
- 2089 b. To determine if the applicant has criminal convictions or patterns of
2090 arrests or convictions that indicate a likely threat to safety of a child.
2091 Analysis will be based upon statutory criteria specified in Utah
2092 Code Ann. [§62A-2-120](#).
- 2093 5. Preliminary Placement Background Screening-Fingerprint-Based:
- 2094 a. This check applies for a preliminary placement with a kinship
2095 caregiver friend when placing with a friend AFTER shelter hearing
2096 as per shelter hearing statute [§78A-6-307](#).
- 2097 b. Fingerprint-based FBI national criminal history records are checked
2098 to determine if the applicant has criminal convictions or patterns of
2099 convictions that indicate a likely threat to safety of a child. Analysis
2100 will be based upon statutory criteria specified in Utah Code Ann.
2101 [§62A-2-120](#).
- 2102 6. Completing Ongoing Background Screening – Fingerprint-Based Check:
- 2103 a. If fingerprinting has not already occurred, fingerprint-based FBI
2104 national criminal history records are checked to determine if the
2105 applicant has criminal convictions or patterns of convictions that
2106 indicate a likely threat to the safety of a child. Analysis will be
2107 based upon statutory criteria specified in Utah Code Ann. [§62A-2-](#)
2108 [120](#).
- 2109 b. Live Scan results of multi-state and FBI national criminal history
2110 records are accessed through BCI/Applicant Background Checks
2111 (ABC) Webpage, which may include obtaining hard copy reports.
2112 (1) If the Live Scan results are “approved,” no history exists.

- 2113 (2) If the Live Scan results indicate “research,” the
2114 TAC/alternate must wait for either a result of “approved,
2115 pending, or needs agency review” to determine if a criminal
2116 history exists.
- 2117 (3) If Live Scan results indicate “pending or needs agency
2118 review,” a criminal history may exist and a hard copy report
2119 must be obtained by printing the report from the BCI/ABC
2120 Webpage to determine if background screening is approved
2121 or denied.
- 2122 c. If fingerprints were submitted on 10-print fingerprint cards, results
2123 will be accessed through the BCI/ABC Webpage.
- 2124 7. Completing Ongoing_Background Screening – Interstate Child Abuse
2125 Registry Checks:
- 2126 a. Out of State Child Abuse Registry checks will be conducted for
2127 each state in which an applicant resided in the previous five years
2128 to determine if the applicant has findings of a severe type of child
2129 abuse or neglect that are consistent with those defined in Utah
2130 Code Ann. [§62A-4a-1002](#) or if other child welfare case history or
2131 patterns of behavior may pose a threat of harm to a child.
- 2132 b. The TAC/alternate will complete and submit the paperwork and any
2133 payments required for the specific state, and if necessary work with
2134 the applicant to obtain state-specific paperwork from them.
2135

2136 **504.5 Conducting Background Screening – Office Of Licensing**

- 2137
- 2138 A. As the authority to conduct background screening for prospective foster and
2139 adoptive homes, the Office of Licensing will conduct background screening for
2140 kinship caregiver and other adults age 18 years and older in the home after Child
2141 and Family Services has completed background screening for Preliminary
2142 Placement.
- 2143
- 2144 B. The regional TAC will compile the background screening application, reports,
2145 documentation submitted by the applicant for review, verify or attach copies of
2146 photo identification and Social Security cards for each kinship caregiver and
2147 other adults age 18 and older in the home, and will submit these to the Child and
2148 Family Services background screening coordinator.
- 2149
- 2150 C. The Child and Family Services Background Screening Coordinator will check the
2151 paperwork submitted, log information received, and submit it to the Office of
2152 Licensing background screening coordinator.
- 2153
- 2154 D. The Office of Licensing background screening coordinator will return the
2155 approved or denied background screening application to the Child and Family

- 2156 Services Background Screening Coordinator, and the coordinator will return the
2157 approved or denied background screening application to the regional TAC.
2158
- 2159 E. The regional TAC will disseminate information from the Office of Licensing
2160 Screening according to Practice Guidelines [Section 504.11](#).
2161
- 2162 F. If the kinship caregiver does not have a Social Security Number or an ID that
2163 would be accepted by the Office of Licensing, a variance of [Rule 501-14-3](#)
2164 through Office of Licensing may be requested by submitting the Kinship
2165 Background Screening Application (KBS01) with supporting documentation to the
2166 region TAC. The region TAC will submit the paperwork to the State Office
2167 Background Screening Coordinator, who will coordinate with the Office of
2168 Licensing to determine if the information submitted is sufficient enough to verify
2169 identity. The Office of Licensing will determine if the variance will be accepted.
2170

2171 **504.6 Analysis Of Background Screening Results**

2172
2173 The TAC/alternate will complete an initial analysis of the background screening results
2174 to determine:

- 2175
- 2176 A. No Criminal History or Child/Adult Abuse or Neglect Findings: If the
2177 TAC/alternate finds NO history from any of the management information systems
2178 or hard copy reports, the TAC/alternate will approve the background screening.
2179
- 2180 B. Criminal History or Abuse or Neglect Findings That Require Mandatory Denial:
- 2181 1. If the TAC/alternate identifies criminal records that require mandatory
2182 denial based upon Utah Code Ann. [§62A-2-120](#), the TAC/alternate may
2183 deny background screening or may staff the report with the Region
2184 Background Screening Committee Chairperson, Background Screening
2185 Coordinator, or Kinship Program Administrator to verify accuracy of the
2186 decision before denying the background screening.
- 2187 2. A child will not be placed in a Preliminary Placement if criminal history
2188 requires mandatory denial. If there is any question about mandatory
2189 denial for a Preliminary Placement, the TAC/alternate will refer the
2190 background screening to the Region Background Screening Committee
2191 Chairperson, Background Screening Coordinator, or Kinship Program
2192 Administrator for review and for a decision to approve or deny background
2193 screening for Preliminary Placement.
- 2194 3. If the result of the background screening is a mandatory denial, the
2195 TAC/alternate will send a denial letter to the applicant.
2196

- 2197 C. Criminal History or Abuse or Neglect Findings That May Be Approved Without
2198 Review:
2199 1. If the TAC/alternate identifies child abuse or criminal records that do not
2200 require mandatory denial or that do not fall within the crime or abuse
2201 categories or time periods that are subject to review, based upon Utah
2202 Code Ann. [§62A-2-120](#), or severe types of child abuse or neglect records
2203 based upon Utah Code Ann. [§62A-4a-1002](#), the TAC/alternate may
2204 approve the background screening or may staff the results with a member
2205 of the Region Background Screening Committee, Background Screening
2206 Coordinator, or Kinship Program Administrator before approving the
2207 background screening.
2208 2. If there is any question about being able to approve the background
2209 screening without review, the TAC/alternate will refer the background
2210 screening to the Region Background Screening Committee for review and
2211 for a decision to approve or deny background screening for Preliminary
2212 Placement.
2213

- 2214 D. Criminal History or Abuse or Neglect Findings Requiring Further Review Before
2215 Approval or Denial of Background Screening Can Be Determined: If the
2216 TAC/alternate identifies child or adult abuse or criminal records that do not
2217 require mandatory denial but fall within the crime or abuse categories or time
2218 periods that are subject to review based upon Utah Code Ann. [§62A-2-120](#), or
2219 severe types of child abuse or neglect records based upon Utah Code Ann.
2220 [§62A-4a-1002](#), the TAC/alternate will refer the background screening to the
2221 Region Background Screening Committee for review and for a decision to
2222 approve or deny the background screening for Preliminary Placement.
2223

2224 **504.7 Documentation Of Results**

2225

- 2226 A. Documentation of Results on Expedited Kinship Background Screening Form:
2227 1. The TAC/alternate will document on the Expedited Kinship Background
2228 Screening form either “yes” or “no” for existence of child abuse or neglect
2229 findings or a criminal history, regardless of whether or not the history
2230 affects approval of the placement. Each entry will be initialed and dated
2231 by the TAC/alternate.
2232 2. In addition, the TAC/alternate will document on the Expedited Kinship
2233 Background Screening form the results of the initial analysis, indicating
2234 approved for no history, approved for records not subject to review,
2235 mandatory denial, or records requiring review. This entry will be initialed
2236 and dated by the TAC/alternate. No specific details of findings or history
2237 will be written on the application. Records will be retained for five years.
2238
2239

2240 B Region Background Screening Committee: A decision by the Region
2241 Background Screening Committee to approve or deny a background screening
2242 application will be documented by the TAC on the Expedited Kinship Background
2243 Screening form with notes of the committee discussion attached to the original
2244 application. No specific details of findings or history will be written on the Kinship
2245 Background Screening form or committee report. Records will be retained for
2246 five years.

2247
2248 C. Supporting Documentation:

2249 1. Supporting documentation will be attached to the original Kinship
2250 Background Screening Application (KBS01) and submitted to the Office of
2251 Licensing for their background screening. Supporting documentation will
2252 include Livescan reports and may include out of state child abuse registry
2253 checks, original/certified court dockets, police reports, etc. The TAC will
2254 store a copy of the application and reports in a locked file. Records will be
2255 retained for five years.

2256 2. If fingerprints were submitted through Live Scan, the TAC/alternate will
2257 print Live Scan results with the applicant's identifying information from the
2258 BCI/ABC webpage results:

2259 a. Approved.

2260 b. Pending/Needs Agency Review. Pending/Needs Agency Review
2261 indicates this person may have a criminal history. The hard copy
2262 report from Live Scan when Pending/Needs Agency Review is
2263 reported will be printed by the TAC/alternate from the ABC
2264 webpage. The original hard copy report must be included as
2265 supporting documentation for the background screening, even if the
2266 report indicates there is no criminal history.

2267 3. Ten-print fingerprint card results scanned in through the Livescan machine
2268 will be accessible through the BCI/ABC Webpage. Repeat process 2 from
2269 above. The original hard copy report from the 10-print fingerprint check
2270 must be included as supporting documentation, even if the report indicates
2271 there is no criminal history.

2272
2273 **504.8 Follow-Up Action For No Disposition, Outstanding Warrant,
2274 Or Review**

2275
2276 A. If the criminal history record reports no disposition, an outstanding warrant, or if
2277 the background screening report is subject to review by the Region Background
2278 Screening Committee, Child and Family Services will give the individual an
2279 opportunity to provide additional documentation before making a decision to deny
2280 the background screening.

2281
2282 B. A fingerprint-based check will have been completed to verify that the record
2283 being considered belongs to the applicant.

- 2284
2285 C. The TAC/alternate will send a notice to inform the applicant that:
2286 1. The applicant's criminal history or findings of abuse or neglect require
2287 further review.
2288 2. The applicant is encouraged to submit a written statement about the
2289 applicant's age and circumstances under which the offense or incident
2290 occurred and to document rehabilitation, counseling, or psychiatric
2291 treatment received, additional academic or vocational schooling
2292 completed since the offense, or other information that the applicant
2293 believes is important for the review.
2294 3. The applicant will obtain court documentation to show final disposition of
2295 any reports for which disposition was not available and documentation that
2296 outstanding warrants have been resolved.
2297 4. All additional information requested from the applicant must be received
2298 by Child and Family Services within 30 calendar days of the written notice.
2299 5. The review being conducted by the regional committee is for the purpose
2300 of Preliminary Placement, and another background screening review may
2301 be required by the Office of Licensing as part of evaluation of their
2302 ongoing capacity to care for the child required by state law.
2303 6. When requested by a caseworker, the regional committee may review the
2304 background screening results for babysitting, visitation, or daycare
2305 purposes.
2306

2307 **504.9 Review Of History By The Region Kinship Background** 2308 **Screening Committee For Preliminary Placement** 2309

- 2310 A. When an applicant has a history or findings of abuse or neglect or criminal
2311 convictions that require review before a decision can be made for Preliminary
2312 Placement, the Region Background Screening Committee will conduct the
2313 review. The caseworker and/or supervisor may attend the committee meeting to
2314 provide pertinent information from their assessment of safety but may not be
2315 voting members of the background screening committee to approve or deny the
2316 background screening.
2317
2318 B. The region will designate specific members to form a Region Background
2319 Screening Committee, consisting of designated professional staff and alternates
2320 who have been trained in specific rules, statutes, Practice Guidelines, and
2321 committee protocol. Eight members are recommended. Members of the
2322 committee may include the region director, associate region director, program or
2323 child welfare administrators, caseworkers, supervisors, resource family
2324 consultants, or clinical consultants.
2325

-
- 2326 C. Each member of the Region Background Screening Committee will receive
2327 training on the role of committee members, scope of responsibility for Region
2328 Background Screening Committees, and background screening criteria.
2329
- 2330 D. At least three members must meet in order to approve or deny an applicant's
2331 background screening, with at least one member being an administrator above a
2332 supervisor level. A decision may be based on a simple majority of the voting
2333 members. The committee may meet by telephone, if necessary.
2334
- 2335 E. When the applicant lives in a different region than the region with jurisdiction over
2336 the child, the Region Background Screening Committee where the applicant
2337 resides will conduct the review. It is recommended that the caseworker attend
2338 the Region Background Screening Review by telephone. A member(s) of the
2339 Region Background Screening Committee from the region with jurisdiction over
2340 the child may also meet by telephone, if necessary.
2341
- 2342 F. In the event the Region Background Screening Committee has a conflict of
2343 interest in reviewing an applicant's history, the background screening review may
2344 be referred to another region's Background Screening Review Committee.
2345
- 2346 G. The TAC/alternate will provide available information to the Region Background
2347 Screening Committee including summaries of background screening reports and
2348 any information provided by the applicant. Information will not be sent
2349 electronically. Criminal history reports (rap sheets) will not be distributed to
2350 committee members. The TAC/alternate will maintain a dissemination record to
2351 track the names of the persons receiving the information (including the
2352 caseworker/supervisor if they participate in the screening) and will ensure that all
2353 copies of criminal history summaries have been returned to the TAC at the
2354 conclusion of the review.
2355
- 2356 H. The Region Background Screening Committee will act on a background
2357 screening application as soon as possible, but no later than 10 business days of
2358 receipt of applicant information requested for the review, or within 10 days
2359 following the time frame allowed for the applicant to submit their explanatory
2360 information.
2361
- 2362 I. The Region Background Screening Committee may request additional
2363 information from the applicant and may defer action on an application until the
2364 applicant submits this information.
2365
- 2366 J. The Region Background Screening Committee will not deny a background
2367 screening application without the region giving the applicant an opportunity to
2368 provide information regarding the history or findings that are being considered.
2369

- 2370 K. The Region Background Screening Committee may approve a report without
2371 additional information from the applicant if the report of history or findings
2372 contains sufficient information to make a decision about likely threat of harm to a
2373 child.
2374
- 2375 L. The Region Background Screening Committee may deny a background
2376 screening application in the event that an applicant fails to provide requested
2377 information within the required time frame.
2378
- 2379 M. The Region Background Screening Committee will carefully consider the
2380 applicant's criminal history and/or child or adult abuse or neglect findings along
2381 with any information submitted by the applicant to determine if approval of the
2382 background screening will create a likely threat of harm to a child.
2383
- 2384 N. The review will consider factors such as:
2385 1. The date of the offense or incident;
2386 2. The nature and seriousness of the offense or incident;
2387 3. The circumstances under which the offense or incident occurred;
2388 4. The age of the perpetrator when the offense or incident occurred;
2389 5. Whether the offense or incident directly relates to abuse of a child or
2390 vulnerable adult, including:
2391 a. Actual or threatened non-accidental physical or mental harm;
2392 b. Sexual abuse;
2393 c. Sexual exploitation;
2394 d. Negligent treatment;
2395 6. Any evidence provided by the person of rehabilitation, counseling, or
2396 psychiatric treatment received, or additional academic or vocational
2397 schooling completed by the person, and
2398 7. Any other pertinent information.
2399
- 2400 O. Approval or denial will be determined according to standards established in Utah
2401 Code Ann. [§62A-2-120](#) and Utah Code Ann. [§62A-4a-1002](#). If the committee
2402 denies the background screening, the region TAC or Region Background
2403 Screening Committee Chairperson will send the applicant a Kinship Background
2404 Screening Committee denial letter.
2405
- 2406 P. If the applicant's background has been denied by the Region Background
2407 Screening Committee, a Region Background Screening Committee denial letter
2408 will be sent to the applicant either by the Region Background Screening
2409 Committee Chairperson, the region TAC/alternate, or region-designated person.
2410 This notice will not include specific reasons for the denial.
2411

504.10 Steps If Background Screening Is Denied After A Child Has Been Placed With A Kinship Caregiver/Friend

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- A. If a child was placed with a kinship caregiver/friend in an approved Preliminary Placement, and subsequent background screening of an adult in the home is not approved, Child and Family Services will:
1. Reassess safety based on safety decision-making (see Practice Guidelines [Section 502.4](#)).
 2. Consult with the AAG and GAL assigned to the case.
 3. Child and Family Services cannot approve ongoing placement of a child in Child and Family Services custody with a kinship caregiver/friend that does not meet background screening requirements.
 4. Evaluate placement options and time frames in terms of immediate threat of harm, placement stability, and long-term view with the Child and Family Team. The team will decide if it is in the child's best interest to transition to another placement or to recommend to the court that custody and guardianship be granted to the kinship caregiver. If the child is placed with a friend that has been identified by the parent and the background screening is not approved, the child must be moved to a new placement as soon as possible, as the friend will not qualify to become a licensed foster parent. Child and Family Services will not recommend that temporary custody and guardianship be granted to a friend.
 5. If custody and guardianship is going to be recommended to the court, educate the court on the ramifications of granting custody and guardianship without an approved background screening (e.g., the family will not qualify for adoption assistance if they later decide to adopt).
- B. Prior to the Child and Family Team Meeting and before requesting a court hearing, the caseworker will meet with the kinship caregiver to discuss ramifications of taking custody and guardianship when background screening was not approved (e.g., will not qualify for adoption assistance if they later choose to adopt) so the decision can be made with full knowledge of the options.
- C. If a decision is made to move the child to another placement, the caseworker will work with the kinship caregiver/friend to transition the child to another appropriate placement in a time frame consistent with the urgency identified through the safety assessment.
- The caseworker will move the child to another placement and provide written notice of the change of placement to the court and all parties to the proceedings within three days of the removal, excluding weekends and holidays.
- D. If the Child and Family Team decides not to recommend that the kinship relative caregiver be granted custody and guardianship, the caseworker may inform the

2456 kinship caregiver of the their option to obtain their own legal counsel to seek
2457 temporary custody and guardianship of the child from the court on their own.
2458

2459 **504.11 Communication Of Background Screening Results And**
2460 **Dissemination Of Records**

- 2461
- 2462 A. Background Screening Results to Child and Family Services Staff:
- 2463 1. Expedited Request:
- 2464 a. If the caseworker verbally requested expedited background
2465 screening for a Preliminary Placement and communication of the
2466 results is urgent, the TAC/alternate may notify the caseworker
2467 verbally if the background screening is approved, needs further
2468 review, is denied, or could not be completed based upon the verbal
2469 information provided.
- 2470 b. The TAC/alternate will not provide specific details to a caseworker
2471 about a background screening history that was initiated by a verbal
2472 request until the TAC/alternate has received the Kinship
2473 Background Screening Application providing written authorization
2474 for the screening and photo identification. However, if
2475 dissemination of details is urgent to the Preliminary Placement
2476 decision, the results may be shared but will be considered tentative.
- 2477 2. UCJIS Report for Utah Criminal History, Juvenile Criminal History, III
2478 History, and FBI Reports:
- 2479 a. The TAC/alternate may only communicate details contained in a
2480 Utah criminal history, juvenile criminal history, III history, or FBI
2481 report obtained through UCJIS or the BCI/ABC Webpage to Child
2482 and Family Services staff who are authorized to receive the
2483 information (such as caseworker, supervisor, kinship consultant, or
2484 background screening committee members who have been trained,
2485 tested, and fingerprinted, and who have approved access rights
2486 through BCI).
- 2487 b. Any details shared will only be provided in a summary of the
2488 original report.
- 2489 c. All details can be shared verbally.
- 2490 d. A dissemination log can be maintained and a dissemination form
2491 can be completed to document the name of each person who
2492 received the information, if dissemination was verbal or written,
2493 date, case number, and signature of caseworker receiving the
2494 information. However, this is not mandatory.
- 2495 e. Any information reported prior to the TAC/alternate receiving the
2496 background screening application, photo identification, and
2497 fingerprint-based report will be considered tentative because
2498 positive identification of the applicant and record has not occurred
2499 through the fingerprinting process.

- 2500 f. The Utah BCI, juvenile criminal history, III history and FBI reports
2501 (rap sheets) may not be provided to staff and will not be transmitted
2502 electronically by fax or email and will not be stored in a case file.
2503 The TAC/alternate will ensure that any results printed from the
2504 UCJIS database or received from an FBI report will be locked in a
2505 secure file cabinet or will be shredded after being reviewed.
2506 Records will be retained for five years.
- 2507 3. SAFE Report of Child or Adult Abuse or Neglect: The TAC/alternate may
2508 provide the details of background screening reports obtained in SAFE to
2509 the Child and Family Services caseworker or background screening
2510 review committee.
- 2511
- 2512 B. Background Screening Results to the Court, Attorney General, and GAL:
- 2513 1. The TAC/alternate may provide a written summary of a Utah criminal
2514 history, III history, or FBI report obtained through UCJIS or BCI for the
2515 purpose of placement of children to the court, Attorney General's Office, or
2516 GAL.
- 2517 2. Any information reported prior to TAC/alternate receiving the background
2518 screening application, photo identification, and fingerprint-based report will
2519 be considered tentative because positive identification of the applicant and
2520 record has not occurred through the fingerprinting process.
- 2521 3. To disseminate Utah criminal history records to the court, Attorney
2522 General's Office, or GAL, the report will be run again in UCJIS using the
2523 purpose code X and stating the name and title of the judge, AAG, or GAL
2524 in the audit field. This serves as a dissemination log for audit purposes.
- 2525 4. The TAC/alternate or caseworker may provide the details of background
2526 screening reports obtained in SAFE to the court, Attorney General's
2527 Office, or GAL.
- 2528
- 2529 C. Reporting and Records Dissemination for Region Background Screening
2530 Committee:
- 2531 1. Information in Preparation for Committee Review:
- 2532 a. The TAC is responsible to notify the caseworker or designated
2533 regional kinship supervisor that a background screening application
2534 requires review by the Region Background Screening Committee
2535 when relevant findings or history of child abuse or criminal records
2536 are found. A summary of the background screening reports may be
2537 provided according to dissemination procedures for staff.
- 2538 b. The TAC will send the applicant notice of the review and give the
2539 applicant the opportunity to provide additional information required
2540 to complete the review. The notice will also include information
2541 about how the applicant may obtain their own criminal history or
2542 SAFE report of child and adult abuse or neglect findings and steps

- 2543 to take if they believe there are errors on the background screening
2544 report used by Child and Family Services.
- 2545 c. The TAC will compile and submit required documentation to the
2546 Region Background Screening Committee for their review following
2547 dissemination procedures for staff specified above.
- 2548 2. Information Dissemination Following Committee Review:
- 2549 a. The Region Background Screening Committee is responsible to
2550 notify the TAC and caseworker or regional kinship supervisor of the
2551 committee's decision to approve or deny background screening for
2552 Preliminary Placement. Dissemination guidelines must be followed
2553 for release of specific details of an applicant's criminal history.
- 2554 b. The Region Background Screening Committee will return the
2555 original and all copies of the application, report summaries, and
2556 supporting documentation to the TAC to be stored in a locked file or
2557 destroyed. The TAC will retain documentation of the committee
2558 decision with the application and supporting documentation for five
2559 years.
- 2560 c. If the Region Background Screening Committee denies the
2561 application, the TAC or Region Background Screening Committee
2562 Chairperson will send a written notice of denial to the applicant.
2563 Specific reasons for denial will not be provided.
- 2564
- 2565 D. Background Screening Application and Supporting Information for Office of
2566 Licensing:
- 2567 1. After background screening for Preliminary Placement has been
2568 completed and fingerprint results received, the TAC/alternate will send the
2569 Kinship Background Screening Application, out of state clearances (if
2570 applicable), ~~and~~ supporting documentation (if application), and Live Scan
2571 results to the Child and Family Services Background Screening
2572 Coordinator for submission to the Office of Licensing. The TAC will retain
2573 a copy of the information in a locked file until the stamped Kinship
2574 Background Screening Application is returned from the Background
2575 Screening Coordinator, who will record transfer of the information in the
2576 dissemination log.
- 2577 2. The TAC will let the caseworker or regional kinship supervisor know if the
2578 Office of Licensing has approved or denied the background screening
2579 application. The TAC/alternate will retain the original Kinship Background
2580 Screening Application. A copy of the application will be sent to the kinship
2581 home study caseworker to be retained with the Child-Specific Home
2582 Study.
- 2583 3. If the kinship caregiver applies for a foster care license, a copy of the
2584 approved background screening application will be submitted to the local
2585 licenser for the Office of Licensing with the Child-Specific Home Study.

-
- 2586 4. Summaries of background screening reports may be communicated to the
2587 kinship home study caseworker for consideration of safety as part of the
2588 home study process following dissemination procedures. Specific
2589 background screening details will not be included in the kinship home
2590 study report.
- 2591 5. Background screening reports and supporting documentation will not be
2592 submitted to local licensor.
- 2593
- 2594 E. Reporting of Background Screening Status and Results to the Applicant:
- 2595 1. The caseworker is responsible to keep the applicant informed regarding
2596 the status of background screening; specifically, if background screening
2597 is approved, denied, or requires further review. However, the caseworker
2598 is prohibited from reporting details of findings or history to the applicant, in
2599 accordance with BCI policies.
- 2600 2. The caseworker may give the applicant information about how to obtain
2601 their own criminal history or SAFE report of child or adult abuse or neglect
2602 findings.
- 2603 3. The TAC/alternate will notify the applicant of the opportunity to provide
2604 further information if background screening for Preliminary Placement is
2605 going to be reviewed by the Region Background Screening Committee
2606 and will send a written notice if denied.
- 2607

2608 **505** (NO LONGER USED)
2609

506 Temporary Custody And Guardianship With The Kinship Caregiver And Court-Ordered Kinship Support Services

Major objectives:

The Child and Family Services caseworker may recommend to the court that the child be placed in the temporary custody of a kinship caregiver and that Child and Family Services provide a comprehensive array of kinship support services to the child, the kinship caregiver, and the parent. Friends identified by the parents as caregivers for the child and with whom the child was placed in a Preliminary Placement but are not licensed foster parents at time the child is placed are not eligible for temporary custody and guardianship unless court ordered and Child and Family Services will recommend that friends become licensed foster parents

Applicable Law

Utah Code Ann. [§62A-4a-105](#). Division responsibilities.

Practice Guidelines

- A. Temporary custody to the kinship caregiver and court-ordered kinship support services may be recommended to the court when the initial permanency goal is reunification and the kinship caregiver has agreed to:
1. Work with the parent and Child and Family Services to reunify the child with the parent.
 2. Cooperate with Child and Family Services, the GAL, the AAG, and other support agencies.
 3. Follow all court orders.
 4. Commit to the long-term permanency plan, which may include adoption or permanent custody and guardianship of the child by the kinship caregiver.
 5. Resist and report inappropriate and unauthorized requests by the parent for access to the child.
 6. Commit to protect and care for the child as long as necessary.
 7. Provide a secure and stable environment for the child.
- B. The kinship caregiver needs to have the ability, commitment, and resources to access and use the services needed to address the child's developmental, mental health, educational, or medical needs.
- C. The Child and Family Services caseworker needs to provide the kinship caregiver with the following supports and services to meet the child's needs, assist the child's parents, and meet the relative's needs as caregivers:
1. Provide kinship support services for a minimum of six months unless otherwise ordered by the court.
 2. Contact the kinship caregiver within five working days of placement and visit the kinship caregiver's home within 10 working days of placement to:
 - a. Observe the conditions and circumstances of the kinship caregiver's home.

- 2698 1. Assist the kinship caregiver in setting up and attending the child's required
2699 mental health, dental, and health assessments. The assessment
2700 appointment needs to be scheduled within 30 days of placement.
2701 Ongoing treatment recommendations will be incorporated into the service
2702 plan and monitored by the caseworker. The Child and Family Services
2703 caseworker will report to the court, the GAL, and the AAG the status of the
2704 assessments.
- 2705 2. Conduct a minimum of one visit per month with the child (this may occur at
2706 the same time as the visit with the kinship caregiver). The Child and
2707 Family Services caseworker will visit with the child outside the presence of
2708 the kinship caregiver to help assure that the child has a safe and healthy
2709 relationship with the caregiver.
- 2710 3. Contact an individual other than the kinship caregiver who knows the child
2711 and who can provide feedback on the child's well-being.
- 2712 4. Facilitate contact and visits between the child and the parent unless safety
2713 concerns exist.
- 2714 5. Share information about the parent's activities and progress toward
2715 reunification or other permanency options.
- 2716 6. Prepare the child to return to the parent's care or another permanent
2717 arrangement including adoption or permanent guardianship by the kinship
2718 caregiver.
- 2719 7. Assist in maintaining relationships with siblings through visits and shared
2720 activities whenever possible.
- 2721 8. Provide an opportunity for input into the service plan, when age
2722 appropriate, and identify the roles and responsibilities of the child in the
2723 service plan.
- 2724 9. Advocate for the child in negotiating with other service systems and
2725 brokering access to resources for the child.
2726
- E. The Child and Family Services caseworker needs to provide the following
2727 services to parents that will support and enhance their functioning as parents:
2728 1. Involve parents in service planning and thoroughly inform them of their
2729 roles and responsibilities in the plan (if circumstances warrant, separate
2730 plans may be developed for each parent).
2731 2. Invite parents to participate in ongoing Child and Family Team Meetings to
2732 assess progress in meeting the service plan and the permanency planning
2733 goals.
2734 3. Assist parents in addressing the problems that led to their child's
2735 placement in kinship care and deliver or provide access to the services
2736 needed to remedy those problems to achieve reunification.
2737 4. Include as part of the service plan a visitation schedule to maintain contact
2738 with the child that meets the needs of the child, parent, and kinship
2739 caregiver in consultation with the GAL.
2740

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5. Deliver or provide access to services and resources to prepare the parents for reunification or other permanency options for the child.

2744 **507 Periodic Review Of Kinship Placement**

2745 Major objectives:

2746 Child and Family Services will periodically re-evaluate the appropriateness of the
2747 kinship/friend placement in consultation with the Child and Family Team.
2748

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2750 **Applicable Law**

2751 Utah Code Ann. [§62A-4a-105](#). Division responsibilities.
2752

2753 Practice Guidelines

- 2754 A. The Child and Family Services caseworker needs to assess the kinship/friend
2755 placement and the reunification efforts within six months of the placement, unless
2756 otherwise ordered by the court. The assessment needs to address the following:
- 2757 1. Has the parent made reasonable efforts to comply with the offered
2758 reunification services and the service plan?
 - 2759 2. Is the continuation of the placement in the child's best interests by
2760 supporting the safety, permanency, and well-being of the child?
 - 2761 3. Can the child and the kinship caregiver/friend maintain a stable
2762 relationship and function effectively with reduced or increased services
2763 from Child and Family Services?
 - 2764 4. Does the child have an ongoing need for financial assistance beyond
2765 basic maintenance?
 - 2766 5. Does the child and kinship caregiver/friend require the ongoing services of
2767 a caseworker?
 - 2768 6. Can the child's needs be met through the kinship caregiver/friend's use of
2769 community resources and has the kinship caregiver/friend agreed to
2770 access or continue to maintain those services?
- 2771
- 2772 B. The Child and Family Services caseworker needs to report the findings of the
2773 placement assessment and make a recommendation to the court as to whether:
- 2774 1. The placement with the kinship caregiver/friend continues to be in the best
2775 interest of the child.
 - 2776 2. The child should be returned home.
 - 2777 3. The child should be placed in the custody of Child and Family Services.
2778

2779 **507.1 Removal Of A Child From The Home Of A Licensed
2780 Relative/Friend**

- 2781
- 2782 A. When considering the removal of a child from a licensed relative/friend foster
2783 parent when the relative/friend foster parent is incapable of caring for the child
2784 due to the relative's age or health, consultation with the Assistant Attorney
2785 General assigned to the case is required.
2786

- 2787 B. Child and Family Services may not remove a child from a relative (as legally
2788 defined in Utah Code Ann. [§78A-6-307](#) and Indian Child Welfare Act 25 U.S.C.
2789 §1901-63), who is a licensed foster parent on the basis of the relative's age or
2790 health, unless the following criteria are met:
- 2791 1. There is clear and convincing evidence that the licensed relative foster
2792 parent is incapable of caring for the child and the child will be placed with
2793 another foster parent who is NOT a relative.
- 2794 Or
- 2795 2. There is a preponderance of the evidence that the licensed relative foster
2796 parent is incapable of caring for the child and the child will be placed with
2797 another relative. [*Refer to:* Utah Code Ann. [§62A-4a-206.](#)]
- 2798
- 2799 C. If a relative/friend who is a licensed foster parent requests that the child be
2800 moved to another placement, complete the form PR100 Request for Agency
2801 Action to Remove a Foster Child, which can be found in the Home-to-Home
2802 Packet.
2803

2804 **508** **Statutory Timelines For Establishing Permanency**
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2806 (Refer to Practice Guidelines [Section 301.2.](#))
2807

509 Preparing Kin For Permanency Plan

Major objectives:

Child and Family Services will adequately prepare the child's kin for a permanency plan.

Applicable Law

Utah Code Ann. [§62A-4a-105](#). Division responsibilities.

Practice Guidelines

- A. In order to recommend the most appropriate permanency plan for the child, the Child and Family Services caseworker needs to ensure the following issues are addressed:
1. If reunification with the parent is recommended:
 - a. Conditions, circumstances, or risks that resulted in removal of the child have been sufficiently reduced.
 - b. Reunification with the parent is in the best interest of the child.
 - c. Substantial efforts to comply with the service plan have been made by the parent.
 - d. A transition plan for the child's safe return home includes follow-up supervision, services to the child, and services to the parent.
 2. If permanent custody and guardianship with the kinship caregiver/licensed friend is recommended:
 - a. Reasonable efforts to reunify the child and parent were not successful or were not ordered by the court.
 - b. Permanent custody and guardianship is in the best interest of the child and is preferable to other permanency options.
 - c. The kinship caregiver/licensed friend is informed of the child's special needs and the circumstances of the child's removal.
 - d. The child and the kinship caregiver/licensed friend can maintain a stable, safe, and nurturing relationship.
 - e. The child's needs can be met through the kinship caregiver/licensed friend's use of community resources.
 - f. The kinship caregiver/licensed friend has been informed that they may contact the Child and Family Services family resource consultant at any time in the future if services or supports are needed for themselves or the child.
 - g. The parent has been informed of the child support obligation they will be required to provide if the kinship caregiver continues to receive a TANF Specified Relative payment.
 3. If termination of parental rights and adoption are recommended:
 - a. Facts and circumstances support termination.
 - b. Reasonable efforts to reunify the child and the parent were unsuccessful or were not ordered by the court.
 - c. ICWA requirements have been met for an Indian child.

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- d. Attitudes and wishes of the child regarding adoption and termination of parental rights have been considered.

510 Temporary Custody And Guardianship With Child And Family Services And Licensed Kinship Foster Care

Major objectives:

The Child and Family Services caseworker may recommend to the court that temporary custody of the child be ordered to Child and Family Services, the child be placed in the home of a kinship caregiver/friend, the identified kinship caregiver/friend becomes a licensed foster care provider, and Child and Family Services provides out-of-home care services.

Applicable Law

Utah Code Ann. [§62A-4a-105](#). Division responsibilities.

Practice Guidelines

- A. The Child and Family Services caseworker will adhere to out-of-home procedures and Practice Guidelines when a child is placed in kinship foster care. The Child and Family Services caseworker needs to provide the kinship caregiver/friend with the following supports and services to meet the child's needs, assist the child's parents, and meet the kinship caregiver/friend's needs:
1. Assist in obtaining needed supports and services, which may include day care, respite care, transportation, and counseling.
 2. Access to a family resource consultant to provide support, respond to questions and solve problems, offer referrals to training and workshops, conduct face-to-face quarterly field visits, and provide resource consultation.
 3. Conduct additional visits to the home of the kinship caregiver/friend if the kinship caregiver/friend needs assistance and instruction to deal with the child's special needs, or if Child and Family Services has reason to believe that the parent may harass or interfere with the kinship caregiver/friend and help is needed to cope with the interference.
 4. Assist in establishing a specific visitation plan between the child and the parent and develop rules that will govern the visits. If problems arise with visitation, the kinship caregiver/friend can request Child and Family Services to be actively involved in establishing visitation guidelines and schedules.
- B. In order to assist the kinship caregiver/friend to become a licensed foster home, the Child and Family Services caseworker needs to:
1. Provide follow-up assistance and advocacy until the kinship caregiver/friend receives foster parent licensure.
 2. Forward to the Office of Licensing a copy of the completed Kinship Home Study and the results of the criminal background check on the kinship caregiver/friend and all members of the household over the age of 18 years.

- 2899 3. Offer services and supports, as appropriate, to assist the kinship
2900 caregiver/friend in adapting the home to meet licensing standards and the
2901 needs of the child.
2902
- 2903 C. Placement recorded in SAFE: When a child is receiving court-ordered In-Home
2904 Services (PSS) and has been placed in the home of a non-custodial parent or
2905 kinship caregiver/friend, the kinship placement needs to be recorded in SAFE.
2906 The role of Kin Caregiver will be recorded as KR. The role of Kin Child will be
2907 recorded as KC. Placement with a non-custodial parent will be coded as NCP.
2908 Placement with a kinship caregiver/friend will be coded as BHR.
2909

511 Permanent Custody With The Relative

Major objectives:

When, at the shelter hearing or subsequent hearing, the court orders permanent custody and guardianship of the child to the relative and the child is no longer under the jurisdiction of the court, the Child and Family Services caseworker needs to contact the relative to explain available services.

Applicable Law

Utah Code Ann. [§62A-4a-105](#). Division responsibilities.

Practice Guidelines

The Child and Family Services caseworker needs to do the following:

- A. Contact the relative within five working days of the permanency order to:
 1. Outline all possible financial and medical resources available for the child and family, discuss the financial impact to selecting certain financial supports, and provide technical assistance in securing the documentation necessary for completing financial applications.
 2. Provide information on available community resources including educational, recreational, and medical services that could assist the child and the relative family.
- B. Assist the family with voluntary in-home services if requested by the kinship caregiver.
- C. Inform the relative that they may contact the Child and Family Services family resource consultant at any time in the future if services or supports are needed for themselves or the child.

2940 **512 Preparing Kin For Permanency Decision**

2941 Major objectives:

2942 The Child and Family Services caseworker will make reasonable efforts to adequately
2943 prepare kin/friend for permanency hearings and decisions.
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2946 **Applicable Law**

2947 Utah Code Ann. [§62A-4a-105](#). Division responsibilities.
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2949 Practice Guidelines

- 2950 A. At the permanency hearing, the Child and Family Services caseworker may
2951 recommend the following permanency options:
2952 1. Reunification with parents.
2953 2. Permanent custody and guardianship with the kinship caregiver/licensed
2954 friend.
2955 3. Adoption by the kinship caregiver/friend.
2956 4. Non-related adoption.
2957 5. Transition to independence.
2958 6. Long-term kinship care.
2959
- 2960 B. If long-term kinship care is recommended, the Child and Family Services
2961 caseworker needs to ensure the following issues are addressed:
2962 1. Reasonable efforts to reunify the child and parent were not successful.
2963 2. Long-term kinship care is in the child's best interest, provides stability and
2964 permanency, and is preferable to all other permanency options.
2965 3. Compelling reasons to not proceed with termination or permanent custody
2966 and guardianship have been documented on a case-by-case basis. The
2967 following examples may warrant not recommending a permanent home for
2968 the child:
2969 a. A child's Indian tribe is opposed to termination of parental rights
2970 and has determined the child needs to remain with the kinship
2971 caregiver.
2972 b. A child has complex and expensive mental health, medical, or
2973 developmental needs and the kinship caregiver/friend's benefits
2974 and resources are insufficient to reliably cover the costs of the
2975 child's present or anticipated care and treatment.
2976 c. A teenager is opposed to termination of parental rights and
2977 adoption.
2978 d. Services identified in the case plan were not provided in a timely
2979 fashion.
2980 e. The parents have made substantial progress in eliminating the
2981 problems causing the child's continued placement, and it is likely
2982 that the child will be able to return home safely within several
2983 months.