

## 1009.0 Employee Emergency Shelter Care, Foster Care and Adoption Placement Policy

### 1009.1 Policy Approval Clearance Record

<input checked="" type="checkbox"/> Collaborative Policy Date Effective: 02/01/2013	This policy supersedes: State Policy 04-03 (2004)	Number of pages in Policy: 5
PART Review & Approval	N/A	Policy Lead: Trina Hofbauer, SSPS III Dorothy Edwards, SSCII
DMG Approval	N/A	Policy Lead: Trina Hofbauer, SSPS III Dorothy Edwards, SSCII
DMG Approved Revisions	N/A	Policy Lead: _____
DMG Approved Revisions	N/A	Policy Lead: _____
DMG Approved Revisions	N/A	Policy Lead: _____
DCFS Administrator Approval:		Signature: _____
Review by Representative from the Office of the Attorney General:		Signature: _____

### 1009.2 Statement of Purpose

**1009.2.1 Policy Statement:** With the approval of the Administrator or designee of the Division of Child and Family Services (DCFS), and pursuant to criteria outlined in Nevada Revised Statute (NRS) 432.030 and Nevada Administrative Code (NAC) 424.300, employees of agencies that provide child welfare services are allowed to provide maintenance and special services (foster care) to any child(ren) other than a child(ren) who is on that employee's caseload presently or has been on their caseload in the preceding three years.

Employees of an agency that provides child welfare services may only provide such services to a child(ren) who is or has been on their caseload, pursuant to a court order or request; or upon the referral of law enforcement officials for emergency care and with the approval of the Administrator or designee.

**1009.2.2 Purpose:** The purpose of this policy is to provide guidelines for the application to provide foster care, adoption and/or emergency care by employees of agencies that provide child welfare services. These guidelines will ensure fair and objective consideration of employee applications, compliance with statutory requirements as well as ensuring placement and case planning focuses on the best interest of the child(ren) involved.

### 1009.3 Authority

NRS 432.030  
 NRS 424.020  
 NRS 284.143, 284.1729  
 NRS 63.510  
 NAC 284.738, 284.742, 284.754, 284.758  
 NAC 424.300

### 1009.4 Definitions

**1009.4.1 Administrator:** The Administrator of the Division of Child and Family Services (DCFS).

**Child Welfare Agency:** In Nevada there are three primary areas based upon a geographical area. These are Clark County Department of Family Services (CCDFS), Washoe County Department of Social Services (WCDSS) and the Division of Child and Family Services (DCFS) Rural Region. Any of these three is considered a child welfare agency.

**Employee:** Any person employed by either CCDFS, WCDSS, DCFS, including full-time, part-time and temporary employees.

**Maintenance:** Means general expenses for care such as board, shelter, clothing, transportation and other necessary or incidental expenses, or any of them, or monetary payments therefor and includes the provision of foster care and adoption of foster care children.

**Special services:** Means medical, hospital, psychiatric, surgical or dental services, or any combination thereof.

## 1009.5 Procedures

### 1009.5.1

#### Foster and/or Adoption of a Child(ren) in Child Welfare Custody

##### A. Employee Application

1. An employee interested in becoming a foster care provider and/or adoptive parent for a child(ren) in child welfare custody must contact their immediate supervisor, notifying that supervisor of their interest/intent.
2. The employee's supervisor will review Statewide Collaborative Policy 1009.0 with the employee, and provide the employee with the Employee Request for Adoption and Foster Care Form 1009A.
3. The employee will complete and submit the Employee Request for Adoption and Foster Care Form 1009A to their supervisor.
4. The supervisor will consult with the program manager, if applicable, and will forward the employee's completed request to the Administrator or designee within five (5) business days of receipt.
5. The Administrator or designee will send the decision to the program manager and/or supervisor for distribution to the employee.
6. An employee who receives Administrator or designee approval to proceed with their request, must participate in the same process required of all foster/adoptive parent applicants, including but not limited to:
  - a. pre-service training;
  - b. background checks, fingerprints, and references;
  - c. home study; and,
  - d. foster home licensing requirements.
7. Following the employee's completion of all required foster/adoptive parent/emergency shelter provider application steps, the completed home study and any required waiver requests will be submitted by the foster care licensing supervisor, through the program manager and/or supervisor, to the Administrator or designee.
8. The Administrator or designee will send the final approval or denial of the request to the program manager and/or supervisor and employee.

##### B. Agency Placement Decisions and Prohibitions

1. The initiation of the application process to provide foster care, adoption and/or emergency care by employees of child welfare agencies does not

- imply approval as a foster care provider and/or adoptive parent or approval of the placement of a specific child(ren) with the employee.
2. All foster care provider, emergency care provider and/or adoption parent applications by employees of an agency that provides child welfare services must be submitted using Employee Request for Adoption and Foster Care Form 1009A.
  3. All foster care provider, adoption parent and/or emergency shelter care applications by employees of an agency that provides child welfare services must be approved by the Administrator or designee including those placements that are made pursuant to court order or request; or, upon referral of appropriate law enforcement officials for emergency care.
  4. The Administrator or designee will not approve any application for the above services if a child(ren) is on that employee's caseload presently or has been on their caseload in the preceding three years unless the following conditions exist:
    - a. A court order or request for the specific placement; or,
    - b. A referral by appropriate law enforcement officials for emergency care.
  5. An employee of an agency which provides child welfare services and who is otherwise qualified to provide maintenance and special services to a child, shall not accept placement of a child (ren) into their home, even on an emergency shelter care basis, if the child is currently on their caseload or has been within the preceding three (3) years without the Administrator or designee's approval and the following conditions exist:
    - a. A court order or request for the specific placement; or,
    - b. A referral by appropriate law enforcement officials for emergency care.
  6. All placements into an employee's home who is a licensed foster parent must be approved by the Administrator or designee using the Placement Request Form 1009B. This form must be submitted prior to any placement of a child (ren) with the exception of emergency shelter care. All emergency shelter care placements must have the form completed by the end of the next business day following placement of a child(ren).
  7. An employee who is a licensed foster parent may be licensed for emergency shelter care. However, an employee, who is a licensed foster parent, responding to after hours emergency calls shall not place a child(ren) involved in emergency placement situations into their own home for the purpose of emergency shelter care.
  8. Decisions about placement of any child with an employee for purposes of adoption will be made by an adoption review team outside of the region in which the employee works. The Placement Request Form 1009B shall be included in the adoption review team referral packet. All team members will maintain confidentiality regarding employee information.
  9. No foster care or adoption placement with an employee shall be made within three years of that employee's negotiation, participation in acceptance through signature, or any manner of involvement in a relinquishment of parental rights.
  10. A child welfare agency may not bind former employees to this policy except insofar as a child (ren) who is on a full-time, part-time or temporary employee's caseload presently *or has been* on that employee's caseload in the preceding three years may not be fostered/adopted by that employee. In short, the three year period of time in which an employee may not foster/adopt a child(ren) on his/her

caseload is not affected by termination of the employer/employee relationship; the three year period stands despite severing the employment relationship.

**C. Adoptions of Children in the Custody of Other Public Agencies**

1. An employee who desires to foster and/or adopt a child in the custody of another state must adhere to all requirements as outlined in the Interstate Compact for the Placement of Children (ICPC). ICPC adoptions of children in the custody of another public agency do not require Administrative review.

**D. Private Adoptions**

1. Employees adopting a child (ren) not in child welfare custody should seek private adoption services through an approved child placing agency when available. Private adoptions do not require Administrative review.
2. If services through a private adoption agency are unavailable, an employee may contact the child welfare agency adoption program for assistance based upon the fee for service schedule.

**E. Personal Leave**

1. If an employee needs to take time away from work for the care of their adopted or foster child(ren), they shall request appropriate leave time as outlined in the personnel policies.
2. Employees shall not, under any circumstances, transport *their* adopted or foster child(ren) in a state vehicle.
3. Employees must meet all work obligations and will not be granted any leave time other than that described in the personnel policies.

**F. Confidentiality of Files and Information**

1. The case records and information regarding employees must remain confidential in accordance with applicable law.
2. Hard copy files will be afforded special handling to prevent them from becoming available to co-workers and to ensure the appropriate confidentiality of employee, child(ren), and birth parent case records.
3. Electronic files will be afforded the level of confidentiality provided by UNITY.
  - a. The case records of employees will be kept in a locked file cabinet and made available only to the worker who handles the case or the foster care/adoption supervisors.
  - b. Employees may not have access to records or otherwise receive information about children needing foster or adoptive families except that which is given to any foster or adoptive parent who is inquiring about potential placement of a child.
  - c. In addition, access to employee's foster and adoptive home studies is limited to those directly involved in working with them as foster or adoptive families.
  - d. All employees must comply with all confidentiality policies.

**G. Investigation of CPS referrals or licensing complaints**

1. Any referral or complaint will be investigated jointly by CPS and licensing workers outside the local or regional office in which the employee works.

**1009.5.2**

**Timelines:**

Table 1009.1: Timelines for "Employee Emergency Shelter Care, Foster Care and Adoption Placement" Policy

Form	Start date	Responsible Party	Actions to be Taken	Deadline

1009A	Prior to initiating foster care/adoption clearance process.	Employee and supervisor/program manager	Forward to Administrator or designee for approval.	5 business days from receipt (from employee)
1009B	Prior to placement or within one business day following emergency placement.	Employee	Notification of placement	N/A

**1009.5.3 Forms and Tools:**

**A. Employee Request for Adoption and Foster Care Form 1009A**

1. This form is to be submitted prior to initiating the process of applying to become a foster and/or adoption placement resource. Employee identifying information, child welfare agency, child(ren)'s identifying information (if known) and the disclosure statement sections are to be completed.

**B. Placement Request Form 1009B**

1. This form is to be submitted prior to the placement of any child(ren) in the home of a child welfare agency employee with the exception of emergency shelter care. All emergency shelter care placements must have the form completed by end of the next business day following the placement of a child (ren).

**1009.6 Jurisdictional Action: N/A**

**1009.7 State Responsibilities**

**1009.7.1 Participants in Policy Development**

- A. FPO Staff:** Trina Hofbauer, SSPS III; Dorothy Edwards, SSCII  
 Reformatted policy number 04-03 (2004).
- B. Jurisdictional Representatives:** CCDFS, WCDSS, DCFS-Rural Region
- C. External Stakeholders:** Not applicable

**1009.7.2 Technical Assistance: N/A...**

**1009.7.3 Clearance Process**

- A. Reformat completed: 1/30/2013**
- B. Approved by Administrator: 2/1/2013**
- C. Reviewed and Approved by Deputy Attorney General: 1/30/2013**

**1009.8 Policy Cross Reference**

- 1009.8.1 Policies:** Employee Emergency Shelter Care, Foster Care and Adoption Placement Policy 04-03 (2004) (Revised)

**1009.9 Attachments**

**1009.8.1 FPO 1009A – Employee Request for Adoption and Foster Care**

**1009.8.2 FPO 1009B – Placement Request**

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