**ABA Center on Children and the Law**

 **New York State**

**Kinship Policy and Best Practices Template**

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**Table of Contents**

[I. Removal Determination and Required Identification of Kin 1](#_Toc57984656)

[II. Asses Kin Home for Placement 2](#_Toc57984657)

[III. Kinship Firewall/Secondary Review – Before a Non-Kin Placement 3](#_Toc57984658)

[IV. Notification and Engagement of Family (Parents and Kin) 4](#_Toc57984659)

[V. Direct Placement – 1017 or N-Docket Custody 5](#_Toc57984660)

[VI. Legal Custody – Article 6 or V-Docket Custody 6](#_Toc57984661)

[VII. Emergency Foster Home Approval 7](#_Toc57984662)

[VIII. Kinship Foster Home Approval 9](#_Toc57984663)

[IX. Exceptions and Waivers 11](#_Toc57984664)

[X. Kinship Guardianship Assistant Program (KinGAP) 13](#_Toc57984665)

[XI. Kin Adoption 16](#_Toc57984666)

[XII. Interstate Compact on the Placement of Children (ICPC) 16](#_Toc57984667)

**Policy and Best Practices**

### Removal Determination and Required Identification of Kin

1. Investigations worker must determine if the child needs be removed or can safely remain in the home. During this determination the investigations worker must:
	1. Examine supportive services and reasonable efforts provided to prevent removal, unless immediate removal is necessary to avoid imminent danger.
	2. Identify all potential placement resources and document in the case file.
	3. Interview all parents, children, household members and other significant individuals, such as school staff, health care providers, and neighbors to help identify maternal and paternal family supports and possible placement resources.
	4. Discuss the importance of family and kin involvement and ask about family supports and resources at the first meaningful meeting with the parents.
	5. Decide the best placement if the child needs to be removed, try to make the first placement the only placement.
	6. For all removal cases, document all interviews with identified kin in the case file.
2. When removal from the home is necessary, the parents will be asked to provide possible kin placement resources.
	1. The investigations worker should discuss the notice requirements from the Fostering Connections Act with the parents prior to contact with kin.
3. Within [X] business days of removal the worker will make efforts to contact adjudicated non-custodial parent to identify kin.
	1. This includes incarcerated parents.
	2. If there is no adjudicated non-custodial parent, but there is a suspected non-custodial parent, the worker will contact the suspected father to attend court to establish paternity.
4. As required by law, [18 CRR-430.11(c)(4)](https://govt.westlaw.com/nycrr/Document/I50cd813fcd1711dda432a117e6e0f345?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)), LDSS must use due diligence within 30 days of removal to identify the following relatives:
	1. child’s grandparents,
	2. all parents of a sibling of the child where such parent has legal custody of the sibling, and
	3. other adult relatives, including adult relatives suggested by the child’s parent or parents,
	4. with the exception of relatives with a history of family or domestic violence.
5. Efforts made to identify relatives and fictive kin by the worker should include at least the following strategies:
	1. Search for any nonrespondent parent and paternal relatives who may not be immediately identifiable. [See 05-OCFS-INF-05, Locating Absent Fathers and Extended Family Guidance Paper](https://ocfs.ny.gov/main/policies/external/OCFS_2005/INFs/05-OCFS-INF-05%20Locating%20Absent%20Fathers%20and%20Extended%20Family%20Guidance%20Paper.pdf), for comprehensive information on identifying and locating absent fathers and extended family of children involved in the child welfare system. This includes:
		1. Contacting the Prison Locator Service System (518-457-0034) to find out whether the father is incarcerated in New York State
		2. Contacting the Putative Father Registry (800-345-5437)
		3. Checking the Welfare Management System (WMS) for information, including the names of people the father may have lived with in the past who may also be contacted for help locating the father and other resources.
	2. Contact resources identified in previous child protective, preventive, and foster care case records, including available databases (i.e., CONNECTIONS, Juvenile Justice Information System for Child Welfare).
	3. Search child support records, school records, and the child’s medical records, and conduct internet and social media searches.
	4. Utilize genograms to facilitate discussion and identification of kin as needed.

### Asses Kin Home for Placement

1. After initial placement and if the worker is placing the child with kin under a Safety Plan or recommending kin for [N-Docket/1017/Direct custody], they must obtain a release from kin to conduct a background check.
	1. Although it is acceptable to obtain a verbal approval to conduct the background check, the worker must obtain a signed release within [X] days of the verbal release.
2. Prior to placement in the kin’s home, and after obtaining written consent, the worker must conduct the following background and safety checks on the possible kin placement resources and people in the house aged 18 and older:
	1. Connections check – review and indicated CPS history, nature of offense, time of occurrence, removal of biological children;
	2. Sex Offender Registry;
	3. Active warrants;
	4. NYS Prison website; and
	5. [OTHER LOCAL BACKGROUND CHECKS].
3. A worker will not place child in a home without consulting his or her supervisor if any adults in the home have:
	1. Active warrants;
	2. Hit on Sex Offender Registry;
	3. Active investigation, open direct preventive, or open permanency case (child currently removed from the home) (as indicated in Connections check); or
	4. Active parole or probation.
4. Prior to placement, the worker should visit the kin’s home and complete a [LDSS SAFETY ASSESSMENT] and give consideration to the following:
	1. Nature and quality of the relationship between the child caregiver.
	2. Evaluate the child’s needs and the caregiver’s ability to meet those needs.
	3. Ability and desire of the caregiver to protect the child from abuse and maltreatment.
	4. The safety of the caregiver’s home.
	5. The health status of the caregiver, including any current physical, mental health, or substance abuse issues.
	6. Any potential risk to the health or safety of the child.
5. The worker will discuss all options for placement with the potential kin caregiver again, using the relevant kinship resources.
6. If there are multiple kin being assessed, the worker should assess the kin’s interest and discuss possible placements with parents, and if applicable, their preference.
	1. The worker should consult with his or her supervisor to determine the best placement option.
	2. If the initial placement was in a non-kin foster home or a short-term kinship placement, the worker will do an assessment on all kin expressing an interest in being considered a placement option for the child or potential kin placements recommended by the parent.

### Kinship Firewall/Secondary Review – Before a Non-Kin Placement

1. Before a child may be placed in a non-kinship home, either at initial placement or prior to any placement change, a secondary review must occur per [20-OCFS-ADM-18](https://ocfs.ny.gov/main/policies/external/ocfs_2020/ADM/20-OCFS-ADM-18.docx) and [20-OCFS-ADM-18 Kin-First Firewall FAQ](https://ocfs.ny.gov/main/policies/external/ocfs_2020/ADM/20-OCFS-ADM-18-FAQ.docx).
	1. The worker must request a secondary review for a non-kinship placement verbally or in writing and document the request in CONNECTIONS. [CREATE LOCAL REQUEST FORM]
	2. If an emergency removal is necessary and a kinship placement is not immediately available, the child may be placed temporarily in a non-kinship certified foster boarding home and efforts to place with kin must begin immediately.
		1. If after [X] days the child is still in a non-kin home, a secondary review must be initiated.
2. The following staff must participate in the review:
	1. [DESIGNATED REVEIWER(S) – MUST BE IN A SUPERVISORY OR MANAGEMENT LEVEL ROLE];
	2. Case manager (CPS, preventive, or ongoing worker);
	3. Case manager supervisor;
	4. Kinship champion (or designated kinship worker, if applicable); and
	5. [ANY OTHER LOCAL PARTICIPANTS IDENTIFIED BY LDSS].
3. During the secondary review, reviewer(s) should:
	1. Examine efforts made to place with kin (see Section I) by:
		1. Reviewing of the case record; and
		2. Asking the worker about conversations with the parents, collateral contacts, and with the child (if age and developmentally appropriate) to obtain information about kinship resources.
	2. Evaluate the need for additional efforts by staff which must take place before a non-kinship placement may be approved.
	3. If additional efforts are identified reviewer(s) should document and direct staff to:
		1. Identify and locate kin; and/or
			1. Engage the parents and child(ren) to talk about if there are any kin and fictive kin not already documented in the case file and document any newly identified kin.
			2. Explore resources identified at the first court appearance by the parent and any kin that attend the hearing.
			3. Contact all kin that have been identified as having a “significant relationship” to the child and parents to discuss level of interest/potential role.
			4. Critically examine interested kin for placement suitability and discuss requirements to become an approved foster home.
			5. For all appropriate possible kinship placement resources follow the same steps outlined above (Section II Assess the Home).
		2. Provide necessary solutions and support for removing any kinship placement barriers to achieve child’s placement with kin, including:
			1. Utilizing exceptions and waivers following the below outlined process (Section VIII Exceptions and Waivers);
			2. Purchasing services and/or items necessary to meet requirements for approval as foster parents such as those relating to fire safety, sleeping arrangements, car seats, medical clearances, and transportation;
			3. Providing flexible and specialized trainings for kin caregivers desiring to becomes approved foster parents;
			4. Assisting the kin caregiver to in applying for benefits to alleviate concerns about the costs of caregiving;
			5. Linking caregivers to community resources; and/or
			6. Being responsive to kin caregivers by keeping an open line of communication to immediately address concerns or issues as they arise.
4. If after the review it is determined that sufficient efforts to place with kin have been made and a non-kinship placement is appropriate and in the best interest of the child document this approval in [CONNECTIONS OR OTHER COUNTY FORM].
5. If the child still is not placed with kin, efforts must continue to achieve kinship placement and be on-going throughout the life of the case, at the minimum at every service plan review.
	1. Document the kin’s level of interest/potential role.
	2. Continue to search for and engage kin to maintain connections and provide support while the child is in care.

### Notification and Engagement of Family (Parents and Kin)

1. As required by law, [18 CRR-430.11(c)(4)](https://govt.westlaw.com/nycrr/Document/I50cd813fcd1711dda432a117e6e0f345?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)), LDSS must use due diligence within 30 days of removal to identify relatives and provide notice to the following:
	1. child’s grandparents,
	2. parents of a sibling of the child where such parent has legal custody of the sibling and
	3. other identified relatives
	4. with the exception of relatives with a history of family or domestic violence.
2. The worker must notify all kin within 30 days of removal. Per [18-OCFS-ADM-23](https://ocfs.ny.gov/main/policies/external/ocfs_2018/ADM/18-OCFS-ADM-23.pdf) and [20-OCFS-ADM-05,](https://ocfs.ny.gov/main/policies/external/ocfs_2020/ADM/20-OCFS-ADM-05.pdf) the worker must:
	1. Mail to all identified kin:
		1. The appropriate kin notification letter ([KinGAP Relative Notification Letter](https://ocfs.ny.gov/main/Forms/kinship/KinGAP-Relative-Notification-Letter.doc); [Non-Relative Notification Letter](https://ocfs.ny.gov/main/forms/kinship/KinGAP-Non-Relative-Notification-Letter.doc); or [the Sibling Parent Notification Letter](https://ocfs.ny.gov/main/forms/kinship/KinGAP-Parent-of-Sibling-Notification-Letter.docx));
		2. [Know your Options: Kin caring for Children Brochure (Pub. 5175)](https://ocfs.ny.gov/main/publications/Pub5175.pdf); and
		3. [Make an Informed Choice: Kin Caring for Children (Pub. 5120)](https://ocfs.ny.gov/main/publications/Pub5120.pdf)
	2. Document in the case file who the notice letter was sent to and keep hard copies of all notice letters in the file.
3. If the child is placed with kin, the worker will contact the kinship placement immediately upon case assignment and within [X] days meet with the kinship caregiver and document such meeting in Connections. The worker will:
	1. Discuss all permanency and placement options.
	2. Provide the kin caregiver with required documents and resources, including:
		1. Make an Informed Choice: Kin Caring for Children ([OCFS 5120](https://ocfs.ny.gov/main/publications/Pub5120.pdf));
		2. Know your Options: Kin caring for Children Brochure ([OCFS 5175](https://ocfs.ny.gov/main/publications/Pub5175.pdf));
		3. Know Your Resources: Non-Parent Caregiver Benefits ([OCFS 5194](https://ocfs.ny.gov/publications/OCFS-Pub5194.pdf));
		4. NYS Kinship Navigator Pamphlet and Permission to Contact Form; and
		5. [ANY OTHER LDSS RESOURCES].
	3. Discuss:
		1. non-placement/supportive roles including visitation, acting as a supervised visitation resource, or a visitation host.
		2. the process to become certified as a foster parent on an expedited basis and how to begin that process (see section VI).
		3. Best Interest for Schools (with the help of the kin caregiver).
	4. Ask for contact information for other kin to keep the child connected to all family members.
	5. Ask possible kin resources to sign background check releases if not already obtained by Investigations worker.
	6. If the kin identifies during the initial conversation they are interested in being a foster parent, the worker will also give them:
		1. Self-Assessment Form ([OCFS 5183A](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183A.docx)),
		2. Foster Parent Application ([OCFS 5183B](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183B.docx)), and
		3. Know Your Permanency Options: The Kinship Guardianship Assistance Program ([OCFS 5108](https://ocfs.ny.gov/main/publications/pub5108.pdf))
	7. A worker will bring vouchers, clothes and any other items necessary to assist the kin resource with meeting the child’s basic needs.

### Direct Placement – 1017 or N-Docket Custody

1. If the child has been placed with a kin caregiver under a 1017 custody order, the worker must within [X] days:
	1. Connect custodian to benefits and other services.
	2. Refer the custodian to the New York State Kinship Navigator Program to obtain information about available supports, services, and benefits.
	3. Review the [Know Your Resources: Non-Parent Caregiver Benefits Booklet (OCFS-5194)](https://ocfs.ny.gov/publications/OCFS-Pub5194.pdf).
2. If recommending to the court that the child be placed under a Direct Custody Order (1017 or N-Docket) the worker will review the rights, responsibilities, and expectations with the prospective kinship custodian [SEE SAMPLE COUNTY FORM]. The kinship caregiver must agree to:
3. Provide a safe home for the child;
4. Care for all physical, emotional, medical, and educational needs of the child, including scheduling and transporting the child to all appointments;
5. Commit to keeping the parent(s) informed and engaged in the child(ren)’s lives;
6. Apply for public benefits, if desired, to help meet financial needs of caring for the child;
7. Schedule, transport, facilitate, and supervise, if ordered, visitation between the child and the biological parents and siblings;
8. Participate in all court hearings;
9. Communicate with the children’s attorney and provide access to the child when requested by the children’s attorney;
10. Cooperate with the worker, including allowing home visits and access to the child;
11. Keep the agency updated on all contact information and any changes to household members, address, or telephone numbers;
12. Keep a record of all visits with parents and siblings;
13. Not travel out of state without the biological parent’s written permission; and
14. Inform the agency if problems with the child in the home occur and allow the agency a reasonable amount of time to resolve the issue.
15. The worker must provide necessary services and county required monthly contacts to the child’s parents, the child, and kinship custodian, as needed, to stabilize the family and support reunification.
16. Within [X] days of placement, and if reunification is not imminent, the caseworker must:
	1. Review all permanency and placement options with the kinship custodian, including foster care certification or approval.
	2. The permanency plan should be reviewed monthly with the kin caregiver including a discussion of the kin’s placement and permanency options.
	3. Review the relevant kinship resources and note they have reviewed required documents in the case file.
	4. If the kin is interested in pursuing foster home certification or approval, explain the requirements and refer the case to the [foster placement/resource/homefinding unit] within [X] business days.
	5. Discuss alternative permanency options, such as filing for Article 6 custody, if the kinship caregiver is not interested in pursuing foster home certification or approval.

### Legal Custody – Article 6 or V-Docket Custody

1. If the kin is a [1017/N-Docket custodian], [X] days prior to the first scheduled permanency hearing, the worker should have another conversation with the kin about the permanency plan if they will be seeking Article 6 /V-Docket custody.
2. If the kin caregiver chooses to pursue Article 6 custody, the worker will provide them with information on how to get help filing an Article 6 custody petition.
	1. The kin must be informed of their right to ask the court for a referral for an attorney pursuant to Family Court Act 262(b).
	2. The kin must file a petition for permanent Article 6/V-Docket custody.
	3. If the parent does not consent, the kin must prove extraordinary circumstances exist to place the child outside of the parent’s custody.
3. The worker will refer the custodian to the New York State Kinship Navigator Program to obtain information about available supports, services, and benefits.
4. Once Article 6/V-Docket custody is granted, the worker will close the case.

### Emergency Foster Home Approval

1. If a potential kin caregiver is interested in becoming an emergency foster board home for a specific child, the worker must assess if the kin (relative or non-relative with a positive relationship to the child) would qualify per [18 CRR-NY 443.1 , 18 CRR-NY 443.7](https://govt.westlaw.com/nycrr/Document/I50ce4498cd1711dda432a117e6e0f345?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)) and [20-OCFS-ADM-08](https://ocfs.ny.gov/main/policies/external/ocfs_2020/ADM/20-OCFS-ADM-08.pdf) – Approval of Emergency Foster Boarding Homes and Expanded Waiver Authority based on the following:
	1. The child was removed from his or her home and placed into foster care.
	2. There is a documented compelling reason to approve this home on an emergency basis.
	3. If the potential kin caregiver is eligible by being one of the following:
		1. An adult related to the child’s parent or stepparent through blood, marriage, or adoption to any degree of kinship; or
		2. An adult with a positive relationship to the child or the child’s family including, but not limited to, a child’s godparent, neighbor, or family friend, or
		3. An unrelated person where placement with such person allows half siblings to remain together in an approved foster home, and the parents or stepparents of one of the half siblings is a relative of such person.
2. The worker must discuss all options to care for the child and clarify with the caregiver from the beginning the:
	1. Need to work toward reunification.
	2. Caregiver’s role to assist with permanency for the child (reunification or other permanency goals).
	3. Caregiver’s commitment to continuing care of the child.
	4. Overview of foster care requirements and need to complete approval process within 90 days.
3. Per the Expedited Home Study Checklist for Caseworker([OCFS-5300D](https://ocfs.ny.gov/forms/ocfs/OCFS-5300D.docx)), **prior to placement** the following must be completed or agreed to:
	1. Agency child maltreat and abuse records review for all adults in the household 18 and over.
	2. Sign and date the Emergency Foster Parent Application Statement ([OCFS-5300B](https://ocfs.ny.gov/forms/ocfs/OCFS-5300B.docx)), which includes the kinship caregiver and all adults over 18 residing in the home agreement to complete within 7 days:
		1. SCR Database Check Form (LDSS-3370)
		2. Agree to obtain documentation necessary for [LDSS] to request out-of-state child abuse registry for all states they have lived in for the past 5 years;
		3. Criminal history record check (fingerprinting); and
		4. A Staff Exclusion List (SEL) check through the Justice Center for Protection of People with Special Needs registry.
	3. Provide information for 3 character references to be contacted including name, address and phone number.
	4. Review Keeping Sleeping Babies Safer (OCFS-5002).
	5. Agree to attend an OCFS-approved training program.
	6. Expedited Home Study Evaluation ([OCFS-5300C](https://ocfs.ny.gov/forms/ocfs/OCFS-5300C.dotx)) on the home and it is determined there is no apparent risk to the health and safety of the child.
4. As stated in Section II(B), **prior to placement** in the kin’s home, the worker must conduct the following background and safety checks on the possible kin placement resources and people in the house aged 18 and older:
	1. Sex Offender Registry;
	2. Active warrants;
	3. NYS Prison website; and
	4. [OTHER LOCAL BACKGROUND OR POLICE CHECKS AND/OR LOCAL SAFETY ASSESSMENTS].
5. As soon as possible, but no later than 2 days after placement in the emergency home, the worker will open the case in Connections in the Foster and Adoptive Home Development (FAD) module as an emergency case.
6. The worker will confirm the kin is an appropriate candidate for emergency approval including obtaining proof of age and along with the kin complete the forms listed below. If there are two prospective foster parents, ensure both are present as they will need to sign forms. Some of these forms may collect duplicate information, make sure all forms are completed even if some of the information was previously obtained. Once completed, the worker will evaluate and approve the following:
	1. Emergency Foster Home Application ([OCFS-5300A](https://ocfs.ny.gov/forms/ocfs/OCFS-5300A.docx)), and
	2. Remainder of tasks listed in Expedited Home Study Checklist for Caseworker([OCFS-5300D](https://ocfs.ny.gov/forms/ocfs/OCFS-5300D.docx)) – see checklist for required times to complete all tasks.
7. If seeking an exception or a waiver to approve this home, see Section VIII below.
8. If all requirements are met and the home is found suitable, the home will be approved as an emergency kinship foster home for 90 days from the date of foster care placement of the child in the home.
9. If the home is not approved as an emergency foster home, the worker will explain the reason for the denial to the prospective emergency foster parent(s) and document it on the [OCFS-5300C](https://ocfs.ny.gov/forms/ocfs/OCFS-5300C.dotx).
10. On the date of the child’s placement in the approved emergency foster home or within 1 business day, the worker must provide the Fingerprint letter form – OCFS- 4930 ASFA and the Notice Regarding Fingerprint Requirements – OCFS -2660 to the kin and each person over the age of 18 currently residing in the home.
	1. The kinship caregiver and applicable household members must have fingerprints completed within 2 weeks following receipt of documents above.
11. Within **7 days of placement**, in order to assist the kin in completing all remaining requirements for approval within 90 days, the worker must:
	1. Obtain applicants’ completed SCR form (LDSS-3370) for LDSS toto LDSS and submit to OCFS.
	2. Complete SEL check of the Justice Center for Protection of People with Special Needs registry.
	3. Discuss and sign Foster Parent Agreement with Authorized Agency ([OCFS 5183J](https://ocfs.ny.gov/forms/ocfs/OCFS-5183J.doc)).
	4. If necessary, conduct record checks from other states of residence from the last 5 years for applicant or anyone residing in the home over the age of 18.
12. Within 60 days of receipt of above background checks, the LDSS must decide to fully approve the home per [18 CRR-NY 443.7](https://govt.westlaw.com/nycrr/Document/I50ce4498cd1711dda432a117e6e0f345?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)).
	1. The kin may continue to provide care beyond the 90 days if they meet all the necessary requirements but are still waiting to receive background checks and the worker must provide them with notice no later than 20 days prior to the expiration date of the continuation of placement.
13. Pursuant to [18 CRR-NY 443.7(i)](https://govt.westlaw.com/nycrr/Document/I50ce4498cd1711dda432a117e6e0f345?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)), if the family fails to meet the necessary requirements for full approval within 90 days, unless awaiting an SCR or fingerprint clearance the worker will:
	1. Give notice to the kin, explaining the reason for denial, and inform the kin of their right to a hearing no later than 20 days prior to the expiration of the emergency approval;
	2. Revoke the home’s approval; and
	3. Remove the child from the home and place the child in another approved foster care placement (including eligible kin), inform kin of the right to request a fair hearing or review for modification back to a 1017 placement with the emergency caregiver.
14. **Once the home is emergently approved**, the worker must:
	1. Modify the order to place the child in LDSS custody, if child is placed under a 1017.
	2. Within [X] business days, meet with the necessary unit to update placement type to reflect foster care placement status to ensure payment.
	3. Immediately refer the kin to the county’s kinship foster parent training (approved by OCFS Regional Office) which must be started during the 90-day period but need not be completed during these 90 days, but must be completed within the first three months after full approval.
		1. Any amendments to a foster parent training and preparation plan must be submitted and approved by the appropriate OCFS regional office
15. See Section VII for steps to complete the full approval process for homes that are approved emergency homes. Note, the approved emergency foster parent(s) does not need to duplicate the parts of the full approval process that were already completed during the expedited home study. This includes,
	1. Signing sworn statement(s),
	2. Provision of references, and
	3. Reviewing and signing of the Foster Parent Agreement ([OCFS-5183J](https://ocfs.ny.gov/forms/ocfs/OCFS-5183J.doc)).

### Kinship Foster Home Approval

1. If the home is **not already an approved emergency foster home**, a worker must (if not already done):
	1. Within [X] days of initial contact, discuss all the options to care for the child and if interested in becoming a foster parent for the child.

a. This includes providing information on the process and the requirements to become an approved foster home.

* 1. Clarify with the caregiver the:
		1. Need to work toward reunification.
		2. Caregiver’s role to assist with permanency for the child (reunification or other permanency goals).
		3. Caregiver’s commitment to continuing care of the child.
	2. Under [19-OCFS-ADM-07](https://ocfs.ny.gov/main/policies/external/ocfs_2019/ADM/19-OCFS-ADM-07.pdf) assist the kin and their families with completing:
		1. Self-Assessment Form ([OCFS - 5183A](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183A.docx)).
		2. Foster-Adoptive Parent Application ([OCFS - 5183B](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183B.docx)).
	3. Make the referral to the [Placement/Homefinding] unit and provide the following documentation:
		1. Connections clearance results,
		2. Self-Assessment Form ([OCFS-5183A](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183A.docx)),
		3. Foster-Adoptive Parent Application ([OCFS - 5183B](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183B.docx)),
		4. [Any local Intent to Approve/Certify form, if one exists],[LOCAL SAFETY ASSESSMENT OR HOME STUDY], and[LOCAL BACKGROUND CHECKS].
	4. Once the [Placement/Homefinding unit] receives these forms they will open the prospective home in Connections, if not already opened as an emergency home. The worker will assist with obtaining the clearances and completing the home study.
	5. Once the clearance and medical forms are obtained the worker will help the kin complete the following forms, unless held in abeyance by the state awaiting criminal or indicated history clearance (as denoted by \*):
		1. Foster-Adoptive Applicant Medical Report ([OCFS 5183D](https://ocfs.ny.gov/forms/ocfs/OCFS-5183D.doc))
		2. Safety Review Form ([OCFS 5183E](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183E.docx))\*
		3. Resource Characteristics ([OCFS 5183I](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183I.docx)), if applicable
		4. Foster Parent Agreement with Authorized Agency ([OCFS 5183J](https://ocfs.ny.gov/forms/ocfs/OCFS-5183J.doc))\*
	6. The [Placement/Homefinding unit] will complete the following forms with kin:
		1. Household Compositions and Relationships ([OCFS-5183F](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183F.docx))
		2. Sample Genogram Template ([OCFS-5183G](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183G.docx))
		3. Personal References ([OCFS-5183H](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183H.docx))
	7. Within [X] months of the initial application, the worker will complete the home study concurrently with an approved training program and review if the home may be approved.
		1. The home study must include an SCR background check for the applicant and any household members age 18 or older.
		2. To request an exception or waiver of a qualifying foster board home requirements, see Section VIII below.
	8. After the home study is completed, the Final Assessment and Determination ([OCFS 5183K](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183K.docx)) and a Certificate of Approval is completed by the worker and signed by the kin.
1. If the home is **already an approved emergency foster home**, a worker in partnership with [Placement/Homefinding Unit] must:
	1. Under [19-OCFS-ADM-07](https://ocfs.ny.gov/main/policies/external/ocfs_2019/ADM/19-OCFS-ADM-07.pdf) assist the kin and their families with completing the following forms, unless held in abeyance by the state awaiting criminal or indicated history clearance (as denoted by \*):
		1. Foster-Adoptive Applicant Medical Report ([OCFS 5813D](https://ocfs.ny.gov/forms/ocfs/OCFS-5183D.doc))
		2. Resource Characteristics ([OCFS 5183I](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183I.docx)), if applicable
		3. Household Compositions and Relationships ([OCFS-5183F](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183F.docx))
		4. Sample Genogram Template ([OCFS-5183G](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183G.docx)), optional
2. After the home study is completed, the Final Assessment and Determination ([OCFS 5183K](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183K.docx)) and a Certificate of Approval is completed by the worker and signed by the kin.
3. Once the home is approved:
4. For a child placed under a 1017, the worker must consult legal to request child be placed in the custody of the LDSS and modify the order
5. Worker must meet with the Eligibility Unit to update placement type to reflect foster care placement status to ensure payment.
6. Worker will finalize contract and add the kinship home in Connections.
7. Worker must indicate in Connections that the home is an approved kinship home in the services tab.
8. If it is determined that approval cannot be met, a denial will be issued, and all parties notified. If the home is denied the worker will:
	1. Provide notice of denial in accordance with 18 CRR-NY 443.2 and 443.11,
	2. If the reason for the denial is based on negative criminal history use the Notice of Results of Fingerprinting Criminal Record Found, Denial-Revocation Letter - OCFS 2659.

### Exceptions and Waivers

1. Requests for an exception or waiver of a foster boarding home requirement may be necessary during the approval of emergency foster homes or to fully approve a foster home.
	1. Per [20-OCFS-ADM-08](https://ocfs.ny.gov/main/policies/external/ocfs_2020/ADM/20-OCFS-ADM-08.pdf) and  [18 CRR-NY 443.3(b)(16)](https://govt.westlaw.com/nycrr/Document/I50ce448ccd1711dda432a117e6e0f345?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)), an “exception” is an acceptable alternative to meeting a specific foster home licensing requirement to allow for the approval of a kinship placement. Exceptions may be made as long as they are in the best interest of the child and are consistent with the health, safety, and welfare of the child(ren). Exceptions include:
		1. Separate bedrooms – exception if the children are siblings or half siblings;
		2. Bedroom occupancy – can be more than three people if the children are siblings or half siblings and it is necessary to keep them together in the same foster home;
		3. Number of children in home – exception allowed for up to 2 more children if they are siblings of a child in the home, freed for adoption, or placed for adoption, and
		4. Infants under 2 years of age – exception if foster parents have demonstrated the capacity to do so and a sibling group would otherwise be separated.
		5. Business on the premises including renters/Lodges – exception may be allowed if permitted by LDSS or Voluntary Agency that approved the home
	2. Per [20-OCFS-ADM-08](https://ocfs.ny.gov/main/policies/external/ocfs_2020/ADM/20-OCFS-ADM-08.pdf), a “waiver” is a request to waive or exempt any non-safety, non-statutory, regulatory requirement for approving a foster home. The requested waiver must be necessary to board the foster child; in the best interests of the child; and consistent with the health, safety, and welfare of the child. Waivers should be made for other non-safety related requirements that are not specifically outlined as an exception above.
	3. A waiver must be requested in writing and authorized by [an LDSS supervisor who does not have direct supervisory responsibility over the case management of the child(ren) placed in the home].
	4. If it is determined that an exception or waiver is necessary for an approved emergency foster home prior to opening in Foster and Adoptive Home Development (FAD):
		1. The worker must document the request on the Home Study Checklist for Caseworkers ([OCFS-5300D](https://ocfs.ny.gov/forms/ocfs/OCFS-5300D.docx)) and, if applicable, the time frame for resolution;
		2. A supervisor must review and sign the Home Study Checklist (for a waiver the supervisor must not have direct supervisory responsibility); and
		3. Signed approvals must be maintained in the case file until the foster home is opened in FAD.
	5. If an exception or waiver is necessary for an emergency foster home already opened in FAD or a fully approved foster home an Exception/Waiver Request Form in CONNECTIONS must be completed and submitted for supervisory approval documenting what will be done to protect the health, safety, and well-being of the child if such regulation is waived.
		1. If the foster home is being approved by a voluntary agency and a waiver is necessary, the Voluntary Agency worker must complete the request form and submit it to the LDSS for approval.
		2. If approved by the LDSS, the VA worker will submit it for supervisory approval in FAD.
	6. The necessity of an exception or waiver must be documented annually on the Annual Reauthorization Assessment and Determination form ([OCFS-5183L](https://ocfs.ny.gov/forms/ocfs/OCFS-5183L.doc)).
2. Requests for a waiver of a negative SCR history may be necessary during the approval of a foster home.
	1. If the SCR check indicates negative history, the prospective foster parent applicant must request the relevant records.
	2. The worker must assess indicted SCR reports based on the following criteria listed in [18-OCFS-ADM-08](https://ocfs.ny.gov/main/policies/external/ocfs_2018/ADM/18-OCFS-ADM-08.pdf):
		1. Seriousness of the incident in the indicated report
		2. Seriousness and extent of injury sustained
		3. Detrimental or harmful effect on children as result of action or inaction
		4. Age of subject and children at time of incident
		5. Time elapsed since most recent incident
		6. Number and frequency of indicated incidents
		7. Proof of rehabilitation and successful efforts to rectify problems
		8. Employment or practice in childcare field has been successful
		9. Extra weight and scrutiny to reports resulting in a fatality, sexual abuse, subdural hematoma, internal injuries, extensive lacerations, bruises, welts, burns, scalding, malnutrition or failure to thrive
3. Requests for a waiver of a negative criminal history may be necessary during the approval of a foster home.
	1. If after completing the necessary steps outlined in Fingerprinting and Criminal History Record Checks for Foster and Adoptive Parents and Persons 18 Years of Age or Older Residing in Foster Boarding Homes per [18-OCFS-ADM-05](https://ocfs.ny.gov/main/policies/external/ocfs_2018/ADM/18-OCFS-ADM-05.pdf) and [16-OCFS-ADM-20](https://ocfs.ny.gov/main/policies/external/OCFS_2016/ADMs/16-OCFS-ADM-20.pdf) a charge or conviction of any crime is found by the prospective foster parent or of any other person over the age of 18 who resides in the home of such foster parent, the worker must perform a safety assessment of the conditions in the household to include:
		1. whether the subject of the charge or conviction resides in the household;
		2. the extent to which such person may have contact with foster children or other children residing in the household; and
		3. the status, date and nature of the criminal charge or conviction
	2. Further, the worker must consider whether the criminal history is considered mandatory or non-mandatory disqualifying criminal history and assess such history as the basis for denial per [18 NYCRR 443.8](https://govt.westlaw.com/nycrr/Document/I50ce449bcd1711dda432a117e6e0f345?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)) and Social Services Law § 378-a which states that:
		1. You **must** deny an application if the applicant has a felony conviction for:
			1. child abuse or neglect,
			2. spousal abuse,
			3. a crime against children (including child pornography),
			4. a crime involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery
			5. a felony conviction within the past five years for physical assault, battery, or a drug-related offense.
		2. You **may** deny an application for certification or approval of an application when:
			1. a criminal history record of the prospective or existing foster parent reveals a charge or a conviction of a crime other than one set forth above; or
			2. a criminal history record of any other person over the age of 18 who resides in the home of the prospective or existing foster parent reveals a charge or a conviction of any crime

C. If after such assessment it is decided that the LDSS will seek a waiver of negative SCR and/or criminal history, the following steps must be taken:

1. [Develop a local waiver process and insert here, include who needs to review and approve waivers and exceptions - SEE SAMPLE COUNTY WAIVER PROCEDURES for assistance]

D. If it is decided that a waiver or exception will not be granted, the LDSS must provide notice of denial in accordance with [18 CRR-NY 443.2](https://govt.westlaw.com/nycrr/Document/I50ce4489cd1711dda432a117e6e0f345?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)) and [443.11](https://govt.westlaw.com/nycrr/Document/I50ce44a4cd1711dda432a117e6e0f345?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)), using the Notice *of Results of Fingerprinting Criminal Record Found, Denial-Revocation Letter* - [OCFS 2659](https://ocfs.ny.gov/main/policies/external/OCFS_2016/ADMs/OCFS-2659.dotx).

### Kinship Guardianship Assistant Program (KinGAP)

1. Per [11-OCFS-ADM-03](http://www.ocfs.state.ny.us/main/policies/external/OCFS_2011/ADMs/11-OCFS-ADM-03%20Kinship%20Guardianship%20Assistance%20Program%20%28KinGAP%29.pdf) and [18-OCFS-ADM-03](http://www.ocfs.state.ny.us/main/policies/external/ocfs_2018/ADM/18-OCFS-ADM-03-rev.pdf), a kinship foster parent’s KinGAP eligibility includes, but is not limited to, the following:
	1. Prospective kinship guardian must be:
		1. related to the child by blood, marriage or adoption, and the relationship can be to any degree of affinity, or
		2. related to a half sibling of the child by blood, marriage or adoption (to any degree of affinity) and is also seeking to become, or is, the guardian of such half sibling through KinGAP, or
		3. an adult with a positive relationship to the child that was established prior to the child’s current foster care placement.
			1. Determine that the positive relationship was established prior to the child being placed with the prospective KinGAP resource, not based on being placed in foster care with the resource.
			2. The relationship must be substantial; meaning both the child and the resource can speak of a positive established relationship.
	2. The kin must have cared for the foster child as a fully certified/approved foster parent for at least 6 consecutive months before the KinGAP application was submitted.
		1. Emergency approval does not count toward the 6 months.
	3. If the child was placed in Article 10 custody, the child’s first permanency hearing and fact-finding have been completed.
	4. Returning home and adoption are not appropriate permanency options for the case.
		1. LDSS must determine it is in the child’s best interest for the kin to become the guardian of the child,
		2. LDSS must document in case notes that compelling reasons exist that neither return home nor adoption is in the best interest of the child, and
		3. LDSS must document the conversation with the kin about the efforts made to discuss adoption by the child’s kin foster parent as a more permanent alternative to legal guardianship, and if the kin has chosen not to adopt, the reasons for such choice must be documented in the case notes.
	5. The child has a strong attachment to the kin caregiver.
	6. It must be determined that the prospective kinship guardian is ready, willing and able to provide a permanent home for the child until the child reaches adulthood.
	7. The child is IV-E eligible.
2. Six (6) months after the child has been living in an approved kinship foster home, the worker will discuss permanency for the child with the kinship foster parent. They will discuss the likelihood of reunification, explore KinGAP and adoption.
	1. If a kinship foster parent is interested in KinGAP, the worker will determine the kin’s interest in providing a permanent home for the child and fully discuss KinGAP compared to adoption and document conversation in Connections.
3. Within [X] days of [X], the worker must also discuss KinGAP with the birth parents and with the child (if age appropriate) and document in Connections.
	1. If parent is not available and cannot be located, the worker will document efforts to meet with the parent to discuss permanency for the child.
	2. If the child is age 14 or older the child must be consulted.
	3. If the child is age 18 or older, the child must give consent.
4. The following items must be documented in the case file:
	1. KinGAP is in the best interest of the child.
	2. If there is separation of siblings, the reason for that separation and if any other siblings in foster care can be moved to the proposed kinship arrangement or not.
	3. How the child meets the eligibility requirements of KinGAP.
	4. The efforts made to discuss KinGAP with the birth parents, unless the child is already freed for adoption.
	5. The efforts made to discuss adoption with the kin caregiver.
	6. The child’s feelings about the guardianship including consent if the child is 18 or older.
	7. IV-E eligibility.
5. After consultation with the relative, parent(s), and child and *before* the letters of guardianship are issued the worker must complete the following forms, documentation, and steps in the below order for each child:
	1. Within [X] days of the [X], help the kin complete all forms listed in [18-OCFS-ADM-03](https://ocfs.ny.gov/main/policies/external/ocfs_2018/ADM/18-OCFS-ADM-03-rev.pdf) -– Sections I-V of the KinGAP Eligibility Checklist ([OCFS-4435a](https://ocfs.ny.gov/main/forms/kinship/OCFS-4435a.docx)) using Checklist Instructions ([OCFS-4435b](https://ocfs.ny.gov/main/forms/kinship/OCFS-4435b.docx)); KinGAP Application ([OCFS-4430](https://ocfs.ny.gov/main/Forms/kinship/OCFS-4430-KinGap-Application.docx)); and the Kinship Guardianship Assistance and Non-Recurring Guardianship Expenses Agreement ([OCFS-4431](https://ocfs.ny.gov/main/Forms/kinship/OCFS-4431.docx)) and accompanying forms, and provide requested documentation to [XXX] including:
		1. Complete section I of the KinGAP Eligibility Checklist ([OCFS-4435a](https://ocfs.ny.gov/main/forms/kinship/OCFS-4435a.docx))
		2. Complete section II of the KinGAP Eligibility Checklist and KinGAP Application ([OCFS-4430](https://ocfs.ny.gov/main/Forms/kinship/OCFS-4430-KinGap-Application.docx))
			1. The prospective kinship guardian(s) must complete and sign the application, and any youth age 18 or over must also sign (as a confirmation of his or her consent).
			2. Where a prospective kinship guardian is married, both spouses are encouraged to apply together.
			3. The Application cannot be signed and submitted by the related foster parents until the events listed in part 2 of the application have occurred.
			4. The “Date of Application” is the date when the related foster parents sign and submit the Application.
		3. Complete Kinship Guardianship Assistance and Non-Recurring Guardianship Expenses Agreement ([OCFS-4431](https://ocfs.ny.gov/main/Forms/kinship/OCFS-4431.docx))
			1. Must be signed by the prospective kinship guardian(s) and the Commissioner of Dept. of Children & Family Services or designee
			2. Sections IV (Eligibility for KinGAP Payments) and V (Medical Assistance/Medical Subsidy) must be completed by the department’s Eligibility Unit.
			3. In case the kin completing the agreement dies or becomes incapacitated, he or she must name a prospective guardian in the agreement and complete Prospective Successor Guardian Criminal History Attestation ([OCFS-4409](https://ocfs.ny.gov/main/Forms/kinship/OCFS-4409.dot)). If a successor guardian is not assigned at the time of the agreement, an amendment must be completed at a later date if they would like to name or change the successor guardian([OCFS-4437](https://ocfs.ny.gov/main/Forms/kinship/OCFS-4437.dot) - Kinship Guardianship Assistance Program and Nonrecurring Guardianship Expenses Agreement Successor Guardian Amendment).
		4. Complete Affidavit of Relationship ([OCFS-4435c](https://ocfs.ny.gov/main/forms/kinship/OCFS-4435c.docx)) to determine and document eligibility.
		5. Complete Section III of the Eligibility Checklist (Title IV-E Reimbursement) and Section IV (Siblings Exception for Title IV-E Eligibility).
		6. Complete Section V of the Eligibility Checklist (Medical Assistance/Medical Coverage).
6. Within [X] business days of receiving a completed application from the kin, the worker must give the application to the LDSS Commissioner.
7. Within [X] business days of receiving a completed KinGAP application, LDSS Commissioner must approve or disapprove the application for KinGAP.
	1. If the application is denied, the kin must be notified in writing detailing the reasons for denial and informing them of their right to a fair hearing.
8. Within [X]days of determining the eligibility criteria has been met and the KinGAP application has been approved, the worker will:
	1. Give the kin the signed Kinship Guardianship Assistance and Non-Recurring Guardianship Expenses Agreement ([OCFS-4431](https://ocfs.ny.gov/main/Forms/kinship/OCFS-4431.docx));
	2. Refer the kin an attorney and inform the kin that they will be eligible for reimbursement of legal fees, directly related to assuming legal guardianship of the child, of up to $2,000 per child;
	3. Give the kin the Non-Recurring Kinship Guardianship Expenses Reimbursement Form ([OCFS-4434](https://ocfs.ny.gov/main/Forms/kinship/OCFS-4434%20Non-Recurring%20Kinship%20Guardianship%20Reimbursement%20Form.dot));
	4. Document in Connections “Kinship Legal Guardianship/Custody” as the current permanency goal.
9. Kin’s attorney will file the appropriate petition for guardianship after all of the above criteria have been met.
10. The caseworker will attend the guardianship hearing.
11. Within [X] business days of awarding guardianship, the worker will switch the case from foster care and begin the KinGAP subsidy and complete Section VI of the Eligibility Checklist (Eligibility Summary and Signature/Supervisory Review).
12. The Eligibility Checklist and the Letters of Guardianship should be part of the case file.

### Kin Adoption

1. During the monthly permanency conversation, worker will discuss permanency for the child with the kinship foster parent including the likelihood of reunification and a comparison of adoption versus KinGAP.

B. If the kin caregiver plans to adopt a child, the worker will work with the family until the child is freed for adoption.

C. After the TPR petition is filed, the worker will make a referral to an adoption worker to be pre-assigned to the case.

D. Once an adoption worker is assigned, the procedure for processing an adoption case will be followed the same as it is for a non-kin.

### Interstate Compact on the Placement of Children (ICPC)

1. In general, the ICPC applies to the following types of interstate placements:
	1. Placements preliminary to an adoption
	2. Placements into foster care, including foster homes, group homes, residential treatment facilities, and institutions
	3. Placements with parents and kin when a parent or kin is not making the placement
2. If a kin is found in another state, request the court order an **expedited ICPC** if:
	1. Child is under the jurisdiction of a court as a result of action taken by a child welfare agency;
	2. Court has the authority to determine custody and placement of the child or has delegated said authority to the child welfare agency;
	3. Child is no longer in the home of the parent from whom the child was removed;
	4. Child is being considered for placement in another state with a parent, stepparent, grandparent, adult uncle or aunt, adult brother or sister, or the child's guardian; **and**
	5. Must meet at least one of the following criteria:
		1. Unexpected dependency due to a sudden or recent incarceration, incapacitation or death of a parent or guardian. Incapacitation means a parent or guardian is unable to care for a child due to a medical, mental or physical condition of a parent or guardian; **or**
		2. The child sought to be placed is four years of age or younger, including older siblings sought to be placed with the same proposed placement resource; **or**
		3. The court finds that any child in the sibling group sought to be placed has a “substantial relationship” with the proposed placement resource. Substantial relationship means the proposed placement has a familial or mentoring role with the child, has spent more than cursory time with the child, and has established more than a minimal bond with the child; **or**
		4. The child is currently in an emergency placement.
3. [X worker] completes ICPC packet if court grants request to expedite and submits to the state within [X] days using the forms found in [19-OCFS-ADM-08](https://ocfs.ny.gov/main/policies/external/ocfs_2019/ADM/19-OCFS-ADM-08.pdf) (Required Forms for Interstate Compact on the Placement of Children (ICPC) Placement Referrals).
4. If NY approves the home, the worker files a modification order to move the child out of state
5. If the court orders the child moved the worker keeps the case open and the receiving state monitors the child
	1. Worker continues to work with the parent or toward another permanency goal
6. If the home is required to be licensed, the receiving state’s licensing regulations apply and NY pays the foster care stipend and KinGAP subsidy, if applicable.

**APPENDIX**

**New York State Kinship Laws & Policies**

**State Laws and Regulations**

* Family Court Act § 1055 – diligent search for relatives
* Family Court Act § 1027 – search for relatives if removal is necessary
* Family Court Act § 1028-a – eligibility for kinship placement
* Family Court Act § 1017 – direct relative placement, immediate investigation searching for kin and notice to kin
* Family Court Act § 262(b) – judge can assign counsel if requested
* Soc. Serv. Law § 378(a) – criminal history record check
* Soc. Serv. Law § 458(a)-(e) – Kinship Guardianship Assistance Program
* Soc. Serv Law - § 384(b) – must make efforts to place child with kin
* [18 CRR-NY- 430.10(b)(2)](https://govt.westlaw.com/nycrr/Document/I50cd813ccd1711dda432a117e6e0f345?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)) – must attempt to place the child with kin
* [18 CRR-NY 430.11(c)(4)](https://govt.westlaw.com/nycrr/Document/I50cd813fcd1711dda432a117e6e0f345?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)) – Within 30 days of removal must use due diligence to identify relatives and provide notice
* [18 CRR-NY 443](https://govt.westlaw.com/nycrr/Browse/Home/NewYork/NewYorkCodesRulesandRegulations?guid=I79727f70b80f11dd9190c387f1d75965&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default)) – Certification, approval and supervision of foster family boarding homes
* [18 CRR-NY 443.1](https://govt.westlaw.com/nycrr/Document/I50ce4486cd1711dda432a117e6e0f345?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)) – Definition of Relative and Eligible Non -Relative
* [18 CRR-NY 443.7](https://govt.westlaw.com/nycrr/Document/I50ce4498cd1711dda432a117e6e0f345?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)) - Agency procedures for approving potential emergency foster homes and emergency kinship foster homes
* [18 CRR-NY 443.8](https://govt.westlaw.com/nycrr/Document/I50ce449bcd1711dda432a117e6e0f345?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)) - Criminal history record check
* [18 CRR-NY 443.11](https://govt.westlaw.com/nycrr/Document/I50ce44a4cd1711dda432a117e6e0f345?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)) – Notice letter of denial of certification/approval

**OCFS Policies and Forms: Notice and Placement**

* [09-OCFS-ADM-04](https://ocfs.ny.gov/main/policies/external/OCFS_2009/ADMs/09-OCFS-ADM-04%20Handbook%20for%20Relatives%20Raising%20Children.pdf) - Handbook for Relatives Raising Children
* [15-OCFS-ADM-01](https://ocfs.ny.gov/main/policies/external/OCFS_2015/ADMs/15-OCFS-ADM-01%20Definition%20of%20Siblings%20and%20Expansion%20of%20the%20Relative%20Notification%20Requirements.pdf) - Definition of Siblings and Expansion of the Relative Notification Requirements
* [17-OCFS-ADM-02](http://ocfs.ny.gov/main/policies/external/OCFS_2017/ADFs/17-OCFS-ADM-02-Changes-to-the-Family-Court-Act-CPS.pdf) - Changes to the Family Court Act Regarding Child Protective and Permanency Hearings, Including Changes Affecting the Rights of Non-Respondent Parents (1017)
* [18-OCFS-ADM-23](https://ocfs.ny.gov/main/policies/external/ocfs_2018/ADM/18-OCFS-ADM-23.pdf) - New Brochure: Know Your Resources: Non-Parent Caregiver Benefits and New Requirements for Distributing Publications
* [18-OCFS-ADM-27](https://ocfs.ny.gov/main/policies/external/ocfs_2018/ADM/18-OCFS-ADM-17.pdf) - Requirements for Use of the National Electronic Interstate Compact Enterprise (NEICE)
* [18-OCFS-ADM-03](https://ocfs.ny.gov/main/policies/external/ocfs_2018/ADM/18-OCFS-ADM-03-rev.pdf) - Expansion of the Kinship Guardianship Assistance Program (KinGAP)
* [KinGAP Annual Notification Letter](https://ocfs.ny.gov/main/forms/kinship/KinGAP-Annual-Notification-Letter.doc)
* [KinGAP Parent of Sibling Notification Letter](https://ocfs.ny.gov/main/forms/kinship/KinGAP-Parent-of-Sibling-Notification-Letter.docx)
* [KinGAP Relative Notification Letter](https://ocfs.ny.gov/main/Forms/kinship/KinGAP-Relative-Notification-Letter.doc)
* [KinGAP Non-Relative Notification Letter](https://ocfs.ny.gov/main/Forms/kinship/KinGAP-Non-Relative-Notification-Letter.doc)
* [OCFS-4930](https://ocfs.ny.gov/main/Forms/fingerprinting/OCFS-4930.docx) – Request for NYS Fingerprinting Services Form

* [19-OCFS-ADM-08](https://ocfs.ny.gov/main/policies/external/ocfs_2019/ADM/19-OCFS-ADM-08.pdf) - Required Forms for Interstate Compact on the Placement of Children (ICPC) Placement Referrals
	+ [Checklist OCFS-5050](https://www.ocfs.ny.gov/forms/ocfs/OCFS-5050.docx) - Checklist for Caseworkers for ICPC Home Study Requests
	+ [Checklist OCFS-5050g](https://www.ocfs.ny.gov/forms/ocfs/OCFS-5050g.docx) - Residential Placement Checklist for Caseworkers - Regulation 4
	+ [Form OCFS-5050a](https://www.ocfs.ny.gov/forms/ocfs/OCFS-5050a.docx) - Cover Sheet
	+ [Form OCFS-5050b](https://www.ocfs.ny.gov/forms/ocfs/OCFS-5050b.docx) -Certification of Title IV-E Eligibility for Interstate Placements of New York Children
	+ [Form OCFS-5050c](https://www.ocfs.ny.gov/forms/ocfs/OCFS-5050c.docx) - Financial-Medical Plan
	+ [Form OCFS-5050d](https://www.ocfs.ny.gov/forms/ocfs/OCFS-5050d.docx) - Detailed Child Summary
	+ [Form OCFS-5050e](https://www.ocfs.ny.gov/forms/ocfs/OCFS-5050e.docx) -Signed Statement of Sending Agency Case Manager
	+ [Form OCFS-5050f](https://www.ocfs.ny.gov/forms/ocfs/OCFS-5050f.docx) - Expedited Placement Decision Home Study Request Form - Regulation 7-Combined Form

• [20-OCFS-ADM-05](https://ocfs.ny.gov/main/policies/external/ocfs_2020/ADM/20-OCFS-ADM-05.pdf) – Requirement to Make Information Available to Non-Parent Caregivers Relating to Available Services and Assistance Programs

* Know Your Options: Kin Caring for Children ([Pub. 5175](https://ocfs.ny.gov/main/publications/Pub5175.pdf))
* Make an Informed Choice: Kin Caring for Children ([Pub. 5120](https://ocfs.ny.gov/main/publications/Pub5120.pdf))
* Know Your Resources: Non-Parent Caregiver Benefits ([Pub. 5194](https://ocfs.ny.gov/publications/OCFS-Pub5194.pdf))
* [20-OCFS-ADM-18](https://ocfs.ny.gov/main/policies/external/ocfs_2020/ADM/20-OCFS-ADM-18.docx) – Kin-First Firewall Practice
* [20-OCFS-ADM-18](https://ocfs.ny.gov/main/policies/external/ocfs_2020/ADM/20-OCFS-ADM-18-FAQ.docx) – Kin-First Firewall FAQ

**OCFS Policies and Forms: Foster Boarding Home Approval**

* [16-OCFS-ADM-20](https://ocfs.ny.gov/main/policies/external/OCFS_2016/ADMs/16-OCFS-ADM-20.pdf) – Fingerprinting and Criminal History Record Checks for Foster and Adoptive Parents
* [18-OCFS-ADM-04](https://ocfs.ny.gov/main/policies/external/ocfs_2018/ADM/18-OCFS-ADM-04.pdf) - Requirement to Forward Reports of Suspected Child Abuse or Maltreatment to the Local Departments of Social Services and Voluntary Authorized Agencies Charged With the Care, Custody, or Guardianship of a Child in Foster Care
* [18-OCFS-ADM-05](https://ocfs.ny.gov/main/policies/external/ocfs_2018/ADM/18-OCFS-ADM-05.pdf) - Criminal History Record Checks of Persons 18 Years of Age or Older Residing in Foster Boarding Homes
* [18-OCFS-ADM-07](https://ocfs.ny.gov/main/policies/external/ocfs_2018/ADM/18-OCFS-ADM-07.pdf) - Foster/Adoptive Home Certification or Approval Process
* [19-OCFS-ADM-07](https://ocfs.ny.gov/main/policies/external/ocfs_2019/ADM/19-OCFS-ADM-07.pdf) – FFPSA Model Licensing Standards and Updated Forms for the Certification or Approval of Foster/Adoptive Homes
* [Pub. 5183i](https://ocfs.ny.gov/main/policies/external/ocfs_2018/ADM/18-OCFS-ADM-07-Pub5183i.docx) - Foster-Adoptive Parents Certification-Approval Process Chart
* [Pub. 5183ii](https://ocfs.ny.gov/main/policies/external/ocfs_2018/ADM/18-OCFS-ADM-07-Pub5183ii.docx) - Clearance Chart for Certified or Approved Foster Homes
* [OCFS-5183A](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183A.docx) - Self-Assessment
* [OCFS-5183B](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183B.docx) - Foster-Adoptive Parent Application
* [OCFS-5183C](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183C.docx) - Application to Adopt
* [OCFS-5183D](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183D.docx) - Foster-Adoptive Applicant Medical Report
* [OCFS-5183E](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183E.docx) - Safety Review

* [OCFS-5183F](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183F.docx) - Household Compositions and Relationships
* [OCFS-5183G](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183G.docx) - Sample Genogram Template
* [OCFS-5183H](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183H.docx) - Personal References
* [OCFS-5183I](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183I.docx) - Resource Characteristics
* [OCFS-5183J](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183K.docx) - Foster Parent Agreement with Authorized Agency
* [OCFS-5183K](https://ocfs.ny.gov/main/Forms/Foster_Care/OCFS-5183K.docx) - Final Assessment-Determination
* [18-OCFS-ADM-08](https://ocfs.ny.gov/main/policies/external/ocfs_2018/ADM/18-OCFS-ADM-08.pdf) - Requesting Records from the New York Statewide Central Register of Child Abuse and Maltreatment (SCR) for the Certification or Approval of Foster Boarding Homes
* [19-OCFS-ADM-06](https://ocfs.ny.gov/main/policies/external/ocfs_2019/INF/19-OCFS-INF-06.pdf) – Therapeutic Foster Care Guidance
* [OCFS-5023](https://ocfs.ny.gov/main/policies/external/ocfs_2018/ADM/18-OCFS-ADM-08-OCFS-5023.doc) - Authorization for Release of Information (For Foster Boarding Home Certification or Approval Only) Form
* [OCFS 2659](https://ocfs.ny.gov/main/policies/external/OCFS_2016/ADMs/OCFS-2659.dotx) - Notice of Results of Fingerprinting Criminal Record Found, Denial-Revocation Letter
* [20-OCFS-ADM-08](https://ocfs.ny.gov/main/policies/external/ocfs_2020/ADM/20-OCFS-ADM-08.pdf) – Approval of Emergency Foster Boarding Homes and Expanded Waiver Authority
	+ Emergency Foster Home Application ([OCFS-5300A](https://ocfs.ny.gov/forms/ocfs/OCFS-5300A.docx))
	+ Foster Parent Application Statement ([OCFS-5300B](https://ocfs.ny.gov/forms/ocfs/OCFS-5300B.docx))
	+ Expedited Home Study Evaluation ([OCFS-5300C](https://ocfs.ny.gov/forms/ocfs/OCFS-5300C.dotx))
	+ Expedited Home Study Checklist for Caseworkers ([OCFS-5300D](https://ocfs.ny.gov/forms/ocfs/OCFS-5300D.docx))

**OCFS Policies and Forms: KinGAP**

* [18-OCFS-ADM-06](https://ocfs.ny.gov/main/policies/external/ocfs_2018/ADM/18-OCFS-ADM-06.pdf) - Eligibility Forms for the Kinship Guardianship Assistance Program (KinGAP)
* [OCFS-4435a](https://ocfs.ny.gov/main/policies/external/ocfs_2018/ADM/18-OCFS-ADM-06-OCFS-4435a.docx) - Kinship Guardianship Assistance Eligibility Checklist
* [OCFS-4435b](https://ocfs.ny.gov/main/policies/external/ocfs_2018/ADM/18-OCFS-ADM-06-OCFS-4435b.docx) - Kinship Guardianship Assistance Eligibility Checklist Instructions
* [OCFS-4435c](https://ocfs.ny.gov/main/policies/external/ocfs_2018/ADM/18-OCFS-ADM-06-OCFS-4435c.docx) - Affidavit of Relationship
* [18-OCFS-ADM-03](https://ocfs.ny.gov/main/policies/external/ocfs_2018/ADM/18-OCFS-ADM-03-rev.pdf) - Expansion of the Kinship Guardianship Assistance Program (KinGAP)
* [KinGAP Annual Notification Letter](https://ocfs.ny.gov/main/forms/kinship/KinGAP-Annual-Notification-Letter.doc)
* [KinGAP Parent of Sibling Notification Letter](https://ocfs.ny.gov/main/forms/kinship/KinGAP-Parent-of-Sibling-Notification-Letter.docx)
* [KinGAP Relative Notification Letter](https://ocfs.ny.gov/main/Forms/kinship/KinGAP-Relative-Notification-Letter.doc)
* [KinGAP Non-Relative Notification Letter](https://ocfs.ny.gov/main/Forms/kinship/KinGAP-Non-Relative-Notification-Letter.doc)
* [16-OCFS-ADM-10](https://ocfs.ny.gov/main/policies/external/OCFS_2016/ADMs/16-OCFS-ADM-10%20Continuation%20of%20the%20Kinship%20Guardianship%20Assistance%20Program%20%28KinGAP%29%20to%20A%20Successor%20Guardian.pdf) - Continuation of the Kinship Guardianship Assistance Program (KinGAP) to a Successor Guardian
* [12-OCFS-LCM-03](https://ocfs.ny.gov/main/policies/external/OCFS_2012/LCMs/12-OCFS-LCM-03%20Kinship%20Guardianship%20Assistance%20Program%20Payments%20-%20Excludable%20Income%20for%20Child%20Care%20Subsidy%20Program%20Eligibility.pdf) - Kinship Guardianship Assistance Program Payments - Excludable Income for Child Care Subsidy Program Eligibility
* [11-OCFS-ADM-03](https://ocfs.ny.gov/main/policies/external/OCFS_2011/ADMs/11-OCFS-ADM-03%20Kinship%20Guardianship%20Assistance%20Program%20%28KinGAP%29.pdf) - Kinship Guardianship Assistance Program (KinGAP)
* [Attachment A - KinGAP Relative Notification Letter](https://ocfs.ny.gov/main/documents/docs.asp?doc=kingap-relative-notification)
* [Attachment B - OCFS 4430](https://ocfs.ny.gov/main/documents/docs.asp?doc=4430) - Application for the Kinship Guardianship Assistance and Non-Recurring Guardianship Expenses Programs
* [Attachment C - OCFS 4431](https://ocfs.ny.gov/main/documents/docs.asp?doc=4431)- Kinship Guardianship Assistance and Nonrecurring Expenses Agreement
* [Attachment D - OCFS 4432](https://ocfs.ny.gov/main/Forms/kinship/OCFS-4432-NonRecurring-Guardinanship-Expenses-Amendment.docx) -Kinship Guardianship Assistance and Non-Recurring Guardianship Expenses Amendment
* [Attachment E](https://ocfs.ny.gov/main/forms/kinship/KinGAP-Annual-Notification-Letter.doc) - Kinship Guardianship Assistance Program Annual Notification
* [Attachment F](https://ocfs.ny.gov/main/policies/external/OCFS_2011/ADMs/KinGAP/Kinship%20Guardianship%20Assistance%20Program%20Certification%20Form%20%28OCFS%204433%29.doc) - Kinship Guardianship Assistance Program Certification Form
* [Attachment G](https://ocfs.ny.gov/main/documents/docs.asp?doc=KinGAP-Fair-Hearing-Notice-Denial) - KinGAP Fair Hearing Notice Denial
* [Attachment H](https://ocfs.ny.gov/main/documents/docs.asp?doc=Fair-Hearing-Notice-Denial-of-Upgrade) - KinGAP Fair Hearing Notice Denial of Upgrade
* [Attachment I](https://ocfs.ny.gov/main/documents/docs.asp?doc=KinGAP-Fair-Hearing-Notice-Discontinuance) - KinGAP Fair Hearing Notice Discontinuance
* [Attachment J - OCFS-4434](https://ocfs.ny.gov/main/documents/docs.asp?doc=4434)- Non-Recurring Kinship Guardianship Expenses Reimbursement Form

**OCFS Kinship Materials**

State kinship information – <https://ocfs.ny.gov/kinship/>

* [Make an Informed Choice: Kin Caring for Children (OCFS Pub 5120)](https://ocfs.ny.gov/main/publications/Pub5120.pdf)
* [Know Your Options: Kin Caring for Children Brochure (OCFS Pub 5175)](https://ocfs.ny.gov/main/publications/Pub5175.pdf)
* [Know Your Resources: Non-Parent Caregiver Benefits (OCFS Pub 5194)](https://ocfs.ny.gov/publications/OCFS-Pub5194.pdf)
* [Having a Voice & a Choice, New York State Handbook for Relatives Raising Children](https://ocfs.ny.gov/main/publications/Pub5080.pdf) (OCFS Pub 5080)
* [Know Your Permanency Options: The Kinship Guardianship Assistance Program](https://ocfs.ny.gov/main/publications/Pub5108.pdf) (OCFS Pub 5108)
* [Kinship Guardianship Assistance Practice Guide](http://ocfs.ny.gov/kinship/KinGAP_Practice_Guide.pdf)
* [KinGAP FAQs](http://ocfs.ny.gov/kinship/KinGAP%20FAQ%202_2_12.pdf)
* [KinGAP Expansion FAQ](https://ocfs.ny.gov/kinship/kingap-expansion.asp)
* [KinGAP Systems Tip Sheet](http://ocfs.ny.gov/kinship/KinGap-Tip-Sheet-Recording-Data.pdf)
* [Pursuing Permanence for Children in Foster Care Issues and Options for Establishing a Federal Guardianship Assistance Program in New York State](http://ocfs.ny.gov/main/reports/Pursuing%20Permanence%20for%20Children%20in%20Foster%20Care%20June%202010.pdf)

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