



Child Foster Care Licensing Guidelines

December 2023



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I. Introduction to Child Foster Care Licensing Guidelines

Purpose

The purpose of Minnesota's Child Foster Care Licensing Guidelines (Guidelines) is to ensure that children and youth who are in foster care consistently experience safety and well-being regardless of what county or private licensing agency is performing the licensing functions and activities under [Minnesota Statutes, section 245A.16](#) and regardless of what agency or Tribe is responsible for placement.

For children to consistently experience safety and well-being while in foster care, service delivery at every agency and in every foster home throughout Minnesota must be anti-racist, culturally-responsive, family-centered, trauma-informed, and consistent with statute and rule.

Agencies, workers, supervisors, and foster parents need to know what is expected of them and have access to training and support necessary to meet those expectations. These Guidelines provide clear expectations each of these groups needs to provide services that will achieve Minnesota's safety and well-being standards for children and youth who are in foster care. This document provides Guidelines for county and private licensing agencies to license family foster homes, and for child welfare staff who place children in family foster homes.

These Guidelines articulate uniform expectations for the initial assessment and licensing process as well as ongoing support to and accountability for licensed family child foster homes, and are to be considered directives of the commissioner, under [Minnesota Statutes, section 245A.16](#). Links are provided throughout the Guidelines to make the connection between the practice guidelines and the underlying rule or statute.

While these Guidelines provide practice support for implementing Minnesota statutes and rules, not every applicable rule or statute is addressed in the Guidelines. Child welfare professionals utilizing these Guidelines continue to be responsible for all requirements of all applicable rules and statutes. A comprehensive list of applicable statutes and rules is included in Appendix A.

History

After several years of community-driven advocacy, in 2021 the Minnesota Legislature passed background study reform to address disparities for people applying to provide child foster care. Prior to the reform, relative applicants for foster care were disproportionately denied a child foster care license due to criminal offenses that had no bearing on their capacity to provide for the safety and well-being of foster children. The reform brought Minnesota's foster care licensing background study standards into closer alignment with federal adoption and kinship assistance standards, by amending [Minnesota Statutes, section 245C.15, and adding Subdivision 4a](#). In doing so, the legislature aimed to address at least two significant issues. First, to reduce delays to permanency and secondly to address standards that were disproportionately excluding relatives from providing foster care that would keep children connected to relatives, kin, community, and culture despite them being able and willing to do so.

The debates regarding the background study reform resulted in identification of other areas of Minnesota's child foster care licensing practices that need to be strengthened. Community advocates and child welfare professionals emphasized the need to bring consistency to practice across the state, especially related to

working with family members who attempt to come forward to provide care for a related child and questions of child safety in child foster care. As a result, simultaneous to passing the background study reform, the 2021 legislature also directed Minnesota Department of Human Services (DHS) to write Child Foster Care Licensing Guidelines to provide agencies responsible for child foster care licensing functions support to strengthen their practice in these areas. [Laws of Minnesota 2021, 1st Spec. Sess., chapter 7, article 2, section 76](#)

Authority

These Guidelines are established under duties of the commissioner in [Minnesota Statutes, section 260C.215, subdivision 4 section \(7\)](#) “to establish family foster setting licensing guidelines for county agencies and private agencies delegated or licensed by the commissioner to perform licensing functions and activities under [Minnesota Statutes, section 245A.04](#). Guidelines that the commissioner establishes under this clause shall be considered directives of the commissioner under [section 245A.16”](#).

Additionally, all foster children must be provided with the protections established in [Titles IV-B and IV-E of the Social Security Act](#); [Section 471 of the Social Security Act](#) requires states to establish and maintain standards for foster family homes and to ensure children’s safety and well-being while in foster care. Minnesota statutes and rules are consistent with Titles IV-B and IV-E of the Act.

Application of these Guidelines

These Guidelines apply to county and private licensing agency staff that perform child foster care licensing functions and activities. The Guidelines do not apply to Tribally-licensed child foster homes.

The Guidelines apply to [foster family settings](#), and to unlicensed emergency relative placements. A license is required to receive a child for placement in foster care. However, unlicensed emergency relative placement is permitted while a relative completes the licensing process under [Minnesota Statutes, section 245A.035](#).

These Guidelines must be followed by county and private licensing agency staff involved in receiving and processing license applications; assessing prospective foster parents; making licensure recommendations; supporting licensed child foster parents; monitoring compliance with licensing requirements; investigating licensing complaints; determining appropriate licensing actions when violations are determined; and consulting with DHS licensing or foster care units when needed. Agencies are encouraged to review their internal policies and procedures to identify any updates that may be needed to align with the Guidelines.

To the extent that licensing functions overlap with activities related to child placement these Guidelines also inform the work of agencies and workers with placing responsibilities.

Licensing by Tribes and foster care for American Indian children

Tribal governments have sovereign authority to develop child foster care licensing standards, and to approve family foster homes on or near their reservations. American Indian Initiative Tribes and Tribes with Title IV-E agreements with the state have agreed to follow federal foster care requirements. These Tribes have processes in place to license or approve family child foster homes that include Adam Walsh background studies, meeting

requirements of section [471\(a\) \(20\) of the Social Security Act](#) ([Minnesota Statutes, section 256.01, subdivision 14\(b\)](#)).

Minnesota foster care licensing rules, statutes, and these Guidelines do not apply to a foster home licensed or approved by a Tribe (unless the Tribe has chosen to be licensed by the department's commissioner to perform licensing functions under the DHS licensing structure). Public acts, records and judicial proceedings of any Indian Tribe applicable to Indian child custody proceedings are to be given full faith and credit [25 United States Code, section 1911](#).

American Indian children are markedly and disproportionately overrepresented in Minnesota's foster care system, being 16 times more likely than their white counterparts to be in foster care ([Minnesota's Out-of-Home Care and Permanency Report, 2021](#)). They are presumed to be eligible for the protections afforded by the Indian Child Welfare Act and Minnesota Indian Family Preservation Act (ICWA/MIFPA) unless a Tribe indicates otherwise. Whether or not a child is eligible for the protections afforded by ICWA/MIFPA, they have a right to culturally-connected, family-affirming care, and those rights are reflected in these Guidelines.

Guiding principles of Minnesota's Child Foster Care Licensing Guidelines

- **Safety and well-being.** The purpose of child foster care licensing is to ensure a child's safety and well-being while they are in foster care.
- **Consistent and equitable.** Child foster care licensing and supportive services must be delivered in a consistent, equitable way across the state.
- **Preservation of relative, kin, community, and cultural relationships.** Prioritizing respect for and preservation of a child's relationships with relatives, kin, community, and culture demonstrates a systemic commitment to their racial and cultural identity development and overall well-being.
- **Preparation and support for foster parents.** Relative and non-relative foster parents must be provided comprehensive information, relevant training, and proactive support to meet their responsibilities and to maintain a safe environment for the children in their care.
- **Preparation and support for child welfare professionals.** Child welfare professionals involved with assessing, licensing, supporting, and supervising child foster care homes must receive training, guidance, and organizational support to meet their responsibilities.

Equity in child foster care licensing

Improving consistency and clearly articulating expectations for licensure and ongoing support of child family foster care parents advances DHS' commitment to equity and its [mission](#) as it relates to children in foster care by helping them *"...live in dignity and achieve their highest potential"*. The Guidelines also support the components and outcome goals of [Minnesota's framework for competent child welfare practice](#).

These Guidelines are part of Minnesota's efforts to advance equity in the activities related to child foster care licensing. Feedback from stakeholders often includes inconsistent practices between, and sometimes within, counties and private licensing agencies. When there is inconsistency in practice, it is difficult to ensure that child

foster care licensing is being done in a way that reduces racial and other disparities. Special attention must be given to increase the competency of agencies and licensed child foster care parents to serve populations that are over-represented in the foster care system, particularly American Indian and African American youth and families, and gay, lesbian, bisexual, transgender, queer, two-spirit *plus* gender and sexual orientation expansive youth (GLBTQ2S+).

Minnesotans seeking foster care licensure, licensed foster parents and children served by foster care are guaranteed freedom from discrimination in accessing public services ([Minnesota Statutes, section 363A.02, subdivision 1, paragraph \(a\), clause \(4\)](#)). [Minnesota's 2020-2024 Child and Family Services Plan](#) was designed to advance the Children and Family Services Administration's vision statement aiming to achieve "an equitable Minnesota where all communities thrive and children, families and adults live with dignity." To continue moving towards equitably serving children, youth and families, Minnesota's child welfare agencies and professionals must implement explicitly family-centered, anti-racist, culturally responsive, identity-affirming practices across the continuum of services. Those services must be delivered consistently across the state. Children, youth, and families must be able to trust that they will be treated with professionalism, dignity and respect no matter what agency is serving them and no matter their race, ethnicity, sex, sexual orientation, gender identity and expression (SOGIE), income, religion, physical or emotional disability, English proficiency, immigration status or capacity to understand complex government policies and documents.

The Guidelines do not address child protection or removals of children from their parent/s. Therefore, they do not address equity issues in social structures of upstream practices that result in disproportionality of American Indian and African American children entering foster care.

Throughout development of these Guidelines, DHS staff considered the questions posed in DHS' Equity Analysis process. This included understanding what groups are impacted by the Guidelines, the role of the Guidelines in reducing disparities for impacted groups, positive and negative impacts for identified groups and what will be needed to ensure sustainability and effective implementation. Effective use of the Equity Analysis process with these Guidelines will be an ongoing endeavor.

Equity pauses

The [Cultural and Ethnic Communities Leadership Council \(CECLC\)](#) advises DHS on reducing disparities and inequities that affect racial and ethnic groups within DHS programs. Equity-related questions developed in partnership with CECLC members are included in "equity pauses" in each section of these Guidelines.

Equity pauses are intended to help licensing agencies, workers and supervisors connect micro-level activities that are required for assessment and licensing to the systemic and community-level equity impacts of child foster care and licensing requirements. These Guidelines affirm the commonly cited principle in anti-racism work that states "*when racial equity is not consciously addressed, racial inequity is often unconsciously replicated*" and strives to advance DHS' strategic commitment to a [culture of equity](#) that advances equitable outcomes for communities across Minnesota. To that end, these Guidelines include conscious efforts to address the impacts of licensing practices on children, youth, families, and communities.

Whether you are a front-line licensor, case manager, supervisor, or someone with other significant decision-making authority regarding policies and practices at your agency, the equity pauses throughout these Guidelines

are designed to provide an opportunity for you to reflect on how you meet the responsibilities of your role, and/or how you would like to meet these responsibilities. When you come across an item that raises a question or feelings in you, you are asked to pause, breathe, and reflect on the questions.

In addition to section-specific equity pause questions, the following reflections will be useful as you read through this document.

Think about a specific case:

- Who was or was not involved when the decision to take a particular course of action was made?

Think about a specific policy:

- Who was or was not involved when the decision to implement the policy or practice was made?

General questions:

- If other people had been involved, how might the decision, policy or practice have been different?
- How does my race, culture and other intersecting identities impact how I think about this issue?
- What strengths and resources do I and/or my agency have that would help us be in better alignment with a Guideline we do not currently meet?
- Even when our practice is in alignment with a particular Guideline, what equity concerns have I had about the issue or practice? To whose attention should I bring my concern?

Stakeholder participation

The 2021 legislature directed the commissioner of human services to develop these Guidelines, in consultation with stakeholders with expertise in child protection and children's behavioral health. Stakeholders were to include, but were not limited to, child advocates, representatives from community organizations, representatives of the state ethnic councils, the ombudsperson for families, family foster setting providers, youth who have experienced family foster setting placements, county child protection staff, and representatives of county and private licensing agencies.

As a result, these Guidelines are informed by a wide range of perspectives, experience and knowledge including:

- 114 surveys returned from workers who perform licensing functions (25% response rate)
- 1,132 surveys returned from relative and non-relative foster parents (9% response rate)
- Three engagement groups with youth and young adults who have been in foster care (21 participants)
- Three engagement groups with relative and non-relative foster parents (50 participants)
- Six workgroup meetings with participation from a wide range of professionals including licensors, supervisors, community advocates, Guardians ad Litem, Ombudsperson for Families, and community-based agencies (37 participants, most attending 4-6 of the sessions)

- Internal DHS staff including Equity leads from two divisions and staff from the following units: African American Well-being, American Indian Child Wellbeing, Family Support and Placement Services, Permanency, Child Safety and Family Preservation, and Foster Care Licensing
- The Cultural and Ethnic Communities Leadership Council (CECLC)
- The Indian Child Welfare Advisory Council
- County child foster care licensors and supervisors
- Community advocacy organizations, including [Safe Passage for Children of Minnesota](#), [Mitchell Hamline Institute to Transform Child Protection](#), [Foster Advocates](#), [Quality Parenting Initiative Minnesota](#), [Children’s Law Center of Minnesota](#), [Families Rising](#), [Aspire](#), and [Village Arms](#)
- Twenty+ surveys submitted via the DHS Community Engagement page

Throughout the process, updates and summaries of workgroup meetings, surveys and engagement groups have been posted on the [Community Engagement webpage](#), which was broadly promoted to groups that have an interest in child foster care licensing.

These Guidelines do not cover every issue related to child foster care licensing. Professionals, advocates, youth, relative and non-relative foster parents were consistent and comprehensive in identifying areas where they believed clearer expectations would improve licensing-related aspects of child foster care across the state. Many of these items are addressed throughout the Guidelines.

Anyone impacted by child foster care licensing is indebted to the nearly 1,500 people who contributed their stories, insights, experience, and expertise to develop the Guidelines. Special gratitude is offered to:

- Young adults and relative foster parents who often provided deeply personal experiences and insights that underscored the need to keep these Guidelines laser focused on child safety and well-being, which must always include engagement and respect for extended family, racial and cultural connections, and proactively support children’s emerging identity development.
- Non-relative foster parents who took the time to share their personal experiences and insights regarding what they need to provide the best possible care to children. Many talked about how privileged they feel to be trusted to care for other people’s children until they can return home.
- Workgroup participants, listed by name in the group summaries on the [engagement page](#), who provided thoughtful consideration of topics addressed in these Guidelines.
- White Earth Nation for sharing their child foster care licensing guidelines, which provide a model for standards that center child safety and respect for family and culture.

Terms used in the Guidelines

Throughout the document the inclusive pronouns “they/them/theirs” are used to refer to individuals in both the singular and plural forms.

Applicant: Individual who has submitted an Application for Adoption and Foster Care. The singular form of applicant refers to one or more applicants in a household and is used in place of “applicant/s”.

Case manager: County or Tribal agency staff responsible for placement, out-of-home placement plan and/or case management for a child in foster care, regardless of their job title.

Child in foster care: Person-first language, with the same definition as “foster child”, which means a person under 18 years of age, a person in special education, or a juvenile under the jurisdiction of a juvenile court who is under 22 years of age and is placed in a foster home or an unlicensed emergency relative placement [Minnesota Rules, part 2960.3010, subpart 21](#), or a youth in foster care pursuant to [Minnesota Statutes, section 260C.451](#).

Family-centered: Family-centered practices are based upon the belief that the best place for children to grow up is in a family and the most effective way to ensure children's safety, permanency, and well-being is to provide services that engage, involve, strengthen, and support families.

Foster Care Licensing: when this term is used with each word capitalized, it refers to Minnesota Department of Human Services, Office of Inspector General, Foster Care Licensing team.

Foster Home: Child [foster family setting](#). Does not include child foster residence settings, children’s residential facilities, or programs licensed to care for adults.

Foster parent/License holder: Child foster parent. Used interchangeably and, in both cases, the singular form refers to one or more foster parents or license holders in a household, as applicable.

GLBTQ2S+: Gay, lesbian, bisexual, transgender, queer, two-spirit *plus* gender and sexual orientation expansive youth. “Gender and sexual orientation expansive” refers to society’s continually evolving understanding of gender and sexual orientation, and the terms being created to explain that expanding understanding.

Home Study Assessment: When used as a proper noun, each word capitalized, the term refers to the commissioner’s designated document. When all words are not capitalized, it is a verb and refers to the activity of assessing an applicant’s capacity to provide foster care.

Licensing Agency and Placing Agency: When these terms are used, they refer to one or more agencies responsible for licensing or placing in a particular case. Sometimes both functions are done by the same agency (a county), sometimes there are two agencies involved (two counties or a combination of a county, Tribe or private licensing agency). The term “agency” is used rather than licensor or case manager when the responsibility may fall on more than one role or on the agency as a whole.

Licensor: County or private licensing agency staff responsible for assessing, preparing, licensing, supporting and/or monitoring child foster homes, regardless of their job title.

Private Licensing Agency: An organization, other than a county agency, that is licensed by the commissioner and is delegated to perform the commissioner’s licensing functions for child foster care.

SOGIE: Sexual orientation, gender identity and expression.

Supervision: An interactive professional relationship and reflective process that focuses on a worker’s practice, case management skills, professional development, and well-being. Generally, involves a supervisor with more experience and sometimes includes a group of colleagues of varying experience that provide feedback, support, and consultation.

Trauma-informed care: Trauma-informed practice involves an ongoing awareness of how traumatic experiences may affect children, families, and the human services professionals who serve them ([The Importance of a Trauma-Informed Child Welfare System, 2020](#)).

Youth: Used in this document when specifically referring to children or young adults aged 14-20.

Structure of the Guidelines

The Guidelines are organized chronologically based on how a prospective foster parent moves through the application, home study assessment and licensing processes as well as child well-being in care. Sections include general information that applies to all prospective foster parents, information specific to the needs of relatives pursuing licensure and/or providing unlicensed emergency placements and training for foster parents and workers who perform licensing functions.

Most sections begin with an Introduction of guiding principles followed by Equity Pauses that provide readers with questions to consider as they read. Applicable rules and statutes, documents, and resources as well as specific training resources for orientation, initial and on-going training are included in the Appendix.

II. Equitable access to the home study assessment and licensing process

Introduction

Equitable access to the home study assessment and licensing process is fundamental to recruit and maintain prepared and well-assessed foster parents who reflect the racial and cultural demographics of the children who need foster care in Minnesota. Relatives and non-relatives interested in becoming foster parents have the right to apply and participate in a fair assessment without facing unnecessary systemic, agency or worker-related barriers. A relative or non-relative prospective applicant may not be informally denied or 'screened out' of the application and home study assessment process. However, application and assessment does not guarantee approval, licensure, or placement of a child.

Guiding principles applied to equitable access

- **Child safety and well-being.** Having a large, well-assessed pool of foster homes increases the chances that a home able to meet a particular child's needs will be available when they require placement.
- **Equity.** Any individual who wants to be considered as a possible foster parent should be able to trust that their application will be welcomed and that they will experience a process that is free from bias. They expect to be seen, valued, supported, and engaged.
- **Preservation of relative, kin, community and cultural connections.** By reducing barriers to prospective applicants who may come with complicated life histories or situations, licensing agencies welcome individuals who understand that families are complicated and who may bring unique skills in valuing and preserving family and cultural connections.
- **Consistency.** Prospective applicants expect that they will be able to receive the information they need, submit an Application, and begin an equitable assessment and licensing process regardless of the agency to which they apply.

Equity pause

Case managers and licensors should take a moment to ask themselves the following questions as they interact with prospective applicants:

- Have I considered all the ways that my race, culture, intersecting identities, and biases might be impacting the way I listen to and talk with this prospective applicant?
- What factors impact how I interact with a prospective applicant and whether I proactively encourage them to move forward with the process? When do I intentionally or unintentionally discourage them?
- How do my answers to the above questions impact the community trust and perception of my agency and child foster care in general?

Guidelines: Equitable access to the home study assessment and licensing process

II.1. Agencies must allow interested persons to submit an Application and must act on all Applications submitted.

Any person who is at least 21 years of age and lives in Minnesota may submit an Application to become a licensed foster parent. (When it does not impact the safety of a child, agencies may issue a variance for a relative as young as 18 years of age to be recommended for a child foster care license.) Foster care licensing agencies follow the process in [Minnesota Rules, part 9543.0040, subpart 2](#) to determine if they meet requirements for licensure, including License Holder Qualifications as defined in [Minnesota Rules, part 2960.3060](#) and make a licensing recommendation to DHS.

Licensing agencies are required to keep a log of all Applications received and the status of each Application 120 days after receipt ([Minnesota Rules, part 9543.0040, subpart 8](#)). The Application tracking log must include an explanation of the reason the application is still in process, as the goal is to have licensing completed within 120 days whenever possible. Tracking this information helps agencies track their efficiency and identify barriers or areas for improvement. The log also provides DHS a way to confirm that a Preliminary Information Form (PIF) was submitted for all applicants in a timely manner.

When a prospective applicant makes initial contact with a licensing agency, they are provided, in writing, with a summary of license requirements, a description of the agency's process and the agency's timeline for processing Applications ([Minnesota Rules, part 9543.0040, subpart 1](#)). If they are a relative communicating with either a placing or licensing agency, they are provided with a [Licensing Overview for Relative Applicants](#) and [Basics for relatives of foster children](#). A prospective applicant may not be told they are unable to apply or that they should not apply due to the worker's prior knowledge of the prospective applicant, their family, family structure, religion, beliefs, or that placement or permanency with another relative has already been decided.

The [Foster and Kinship Parent Recruitment and Support Best Practice Inventory](#) emphasizes strong communication and a customer service mentality at this point in the process. "Providing great customer service to foster parents requires responsiveness, timeliness, and attentiveness to their needs at every step in the process and requires friendly, supportive interactions". One important step is to acknowledge receipt of the application.

The licensing agency shall perform a licensing study of the applicant ([Minnesota Rules, part 9543.0040, subpart 2](#)). Applying, being assessed, and having a licensing recommendation made is the only way a prospective foster parent exercises their right to equitable consideration of their strengths and needs related to providing care for children. When prospective applicants are turned away without having applied and gone through the home study assessment process, they also lose the opportunity to appeal a denial. Sending people away without a fair process undermines community trust in the child welfare system, especially for communities that are over-represented in child protection and foster care.

II.2. Applicants are to be provided a summary of child foster care license requirements and standards that includes information about their right to request a variance to requirements that do not jeopardize the health or safety of a child in foster care.

The Application states “all foster care licensing agencies are required to provide applicants with a summary of child foster care license requirements and standards”. Many agencies consider provision of this information as part of their orientation for applicants. See Guideline IV.36 for detailed information about orientation requirements.

Licensing agencies proactively inform applicants that a variance to some requirements and standards may be requested in circumstances that do not jeopardize the health or safety of a child. See Guideline VI.2 for detailed information on variances. Prospective applicants, especially relatives should not be turned away from the application and licensing process due to not meeting requirements that do not impact child health or safety. Consultation with Foster Care Licensing triage is available when questions arise (dhs.fostercarelicensing@state.mn.us).

II.3. Licensing agencies must disclose agency-specific licensing requirements that exceed the minimum standards set in statute and rule.

If a licensing agency routinely requires items such as additional training or a physical examination or other health assessments that exceed minimum licensing requirements, these must be disclosed at the time a prospective applicant inquires about foster care. For private agencies this information is included in the description of agency program and services [Minnesota Rules, part 9545.0815](#).

II.4. Access to the home study assessment and licensing process may not be restricted, nor may a license be denied based on the immigration status of an applicant.

In Minnesota, U.S. citizenship is not required to be granted a child foster care license. A person may not be denied the opportunity to apply, nor may they have their Application denied based on a worker’s belief that the applicant may at some future time face deportation or other immigration-related challenges.

This issue is of particular importance in situations when relatives have stepped forward as potential placement resources for children entering, or already in, foster care.

In 2022, Minnesota passed the [Driver’s License for All Act](#), which makes several forms of legal identification available to Minnesotans without regard to legal status. Any of these forms of identification may be used for the purpose of obtaining a background study.

[The Multi-Ethnic Placement Act/Interethnic Placement Act](#) (MEPA/IEPA) states that a “placement of a child cannot be delayed or denied based on race, color, or national origin of the foster parent or the child”. Delaying or denying a relative’s access to the home study assessment and licensing process may delay placement ([Minnesota Statutes, section 260C.212, subdivision 2, paragraph \(c\)](#) and [Multi-Ethnic Placement Act of 1994](#)).

II.5. English proficiency is not a requirement for foster care licensing.

No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance ([Title VI of the Civil Rights Act 1964, 42 U.S.C. §2000 et seq.; 45 CFR §80](#)).

As part of Minnesota’s compliance with Title VI of the Civil Rights Act of 1964, the state and every county are required to have a Limited English Proficiency (LEP) Plan and an LEP liaison. County workers are required to receive LEP training at the new employee orientation, annually or more often as needed. County employees are to consult with the county’s LEP liaison in situations when they are unsure how to provide meaningful access to information and services or are not sure about services being culturally appropriate to a child, a prospective foster parent, or a license holder who has LEP.

Agencies are required to provide meaningful access, which may be through a variety of formats including, but not limited to, translated documents, interpreters, pre-recorded videos, audios, county YouTube channels, Video Remote Interpreting (VRI), or by any other technology or resources.

II.6. Licensing agencies must inform prospective applicants that there is a reconsideration process for disqualifying background study findings.

Prospective applicants are often concerned that something may come up in their background study that will automatically disqualify them from providing foster care. The statute regarding what is disqualifying is complex and was reformed in 2022 ([Minnesota Statutes, section 245C.15, subdivision 4a](#)). To support prospective applicants, they must be told about the reconsideration process, and that the licensing agency will provide them guidance should the need for a reconsideration arise.

Some offenses, referred to as “permanent bars”, permanently prohibit a person from providing direct contact services to children in foster care. A request for reconsideration on a permanent bar can only be made on the basis of correctness – if the person believes the information used to disqualify them is incorrect.

Other offenses disqualify people from providing foster care for a period of time (not permanent). Applicants may request reconsideration in this situation either based on correctness of the information used to determine the disqualification, or because they do not pose a risk of harm, or both.

Requests for reconsideration must be made within the timeframe cited in their disqualification notification. A person may not be granted a foster care license within **two years** of having been denied ([Minnesota Statutes, section 245A.04, subdivision 7, paragraph \(d\)](#)).

II.7. Prior to beginning a home study assessment, a licensing agency determines if an applicant has one of the unusual situations that require a consultation to determine whether they may be licensed.

There are a few circumstances that require further consultation to determine whether a person may be licensed for child foster care. If one of the following applies, the licensing agency discusses the situation with the applicant at the earliest possible time and consults with Foster Care Licensing triage (dhs.fostercarelicensing@state.mn.us) before proceeding with a home study assessment:

II.7.1. Applicant already holds a family child care or adult foster care license.

A child foster care applicant who already holds a family child care or adult foster care license must discuss with the licensing agency whether the agency would support a dual license variance request.

Dual license variance requests may only be approved by DHS. In situations where more than one licensing agency would be involved, both agencies must agree to proceed and participate in any decision to request a variance from the commissioner. Should a dual license variance be granted, both agencies will have to be in regular communication to secure the safety and well-being of persons served under both licenses. Both agencies need to be aware of the general characteristics, strengths, needs and risks of persons served in both programs.

The [Foster Care Dual Licensure Variance Request](#) form provides information necessary to make determinations regarding dual license requests.

A home that is already licensed for family child care or adult foster care is not an “unlicensed home” and therefore the regular process for an unlicensed emergency relative placement may not be used. In the situation where an already licensed home is being considered for emergency placement of a relative child, the case manager must contact the licensing agency prior to making an emergency placement. When appropriate, a variance may be granted to allow for placement until the child foster care licensing process can be completed.

II.7.2. Applicant or household member participates in Safe at Home

Safe at Home is administered by the Office of the Minnesota Secretary of State and assists people with extreme safety concerns by issuing a substitute address that all public and private entities must accept and use as their

true address. Those entities are prohibited from requiring the participant to disclose their true address. Use of the substitute address allows the participant to keep their location unknown to their aggressor.

Safe at Home is a barrier to foster care licensing because the physical address of a child's foster home will be disclosed to professionals and others involved in the child's life. Such disclosure undermines the purpose of Safe at Home. If a Safe at Home participant chooses to move forward with applying for a foster care license, they must understand their address will no longer remain confidential and they can contact the Office of the Minnesota Secretary of State at 651-201-1399 to request to withdraw from Safe at Home.

Unless enrolled by a biological parent or guardian, a child in placement is not a Safe at Home participant. A foster parent does not have the legal authority to enroll a foster child. Safe at Home participants face extreme safety concerns, thus only under very unusual circumstances would it be appropriate to place a child in such an environment. If a Safe at Home participant applies for a child foster care license, licensing agencies should consult with Foster Care Licensing triage at dhs.fostercarelicensing@state.mn.us to determine if the situation meets one of these unusual circumstances.

II.7.3. Persons appearing on the List of Excluded Individuals/Entities (LEIE).

The federal Department of Health and Human Services (DHHS) Office of Inspector General (OIG) has the authority to exclude individuals and entities from federally-funded health care programs for a variety of reasons, including Medicare or Medicaid fraud. Those who are excluded can receive no payment from federal health care programs for any items or services. The federal OIG maintains a current [List of Excluded Individuals/Entities \(LEIE\)](#). Minnesota Health Care Programs (MHCP) also maintains and publishes a list of [Minnesota Excluded Providers](#). People on these lists are not eligible for payment and are generally excluded from licensure.

When licensing agencies enter a background study subject's information, there is a step within NETStudy 2.0 which routes to the Research Registries page. This step creates an automatic search of the Minnesota Nurse Aide Registry, the Minnesota OIG Excluded Individuals, and the Federal DHHS OIG List of Excluded Individuals/Entities. *The Minnesota Nurse Aide Registry does not apply to child foster care and does not need to be reviewed by licensing agencies.* The NETStudy 2.0 Quick Start Guide is available upon [login to NETStudy 2.0](#).

If the NETStudy 2.0 registry check reveals a current exclusion, an application must be denied per [Minnesota Statutes, section 245A.05, paragraph \(a\), clause \(10\)](#) because they are prohibited from holding a license according to [Minnesota Statutes, section 245.095, subdivision 1](#). If a current license holder has a new or newly discovered exclusion, the license must either be revoked or suspended for the period of the exclusion [Minnesota Statutes 245A.07, subdivision 3, paragraph \(a\), clause \(4\)](#).

Agencies must act upon information that an applicant or provider has a current exclusion and are encouraged to consult Foster Care Licensing triage at dhs.fostercarelicensing@state.mn.us.

II.7.4. Applicant is providing personal assistance services for their own biological or adopted child through Consumer Directed Community Supports.

When a prospective foster parent's own biological or adopted children are receiving Consumer Directed Community Supports (CDCS), several questions need to be explored to determine whether proceeding with a home study assessment and foster care licensing will have an impact on the CDCS services the family is receiving. First consult the [CDCS Manual](#). When the licensing agency becomes aware that the prospective foster parent's child is receiving CDCS, explore with them the following to help them determine the proper course of action in this situation.

- If the applicant is applying for placement of a relative child, the parent **can** be a paid provider of personal assistance services for their biological/adoptive minor child(ren) for up to 25 hours per week.
- If the applicant is intending to provide foster care (not pre-adoptive care) to non-relative children, they **cannot** be a paid provider of personal assistance services to their biological/adoptive minor child(ren).
- If the applicant is a non-relative and intending on going through the foster care licensing process for the purpose of adoption, they **can** be a paid provider of personal assistance for their biological/adoptive minor child(ren) for up to 25 hours per week during a foster placement that is a pre-adoptive placement (not regular foster care).

Encourage the family to talk with their county social services waived services case manager, children's mental health case manager, or disability services case manager. Early consultation will reduce the likelihood of any future concerns related to CDCS services they are receiving to support the care of their child.

II.7.5. License revocation within previous five years or license denial in previous two years.

If an applicant has had an application to provide child foster care denied in the previous two years or revoked in the last five years, the commissioner may not issue a license to them unless there is a substantial change of circumstance, including an expired disqualification or a disqualification that no longer exists following the 2022 background study reform. If an applicant has had another type of DHS license denied in the past two years or revoked in the past five years, the licensing agency should contact Foster Care Licensing triage (dhs.fostercarelicensing@state.mn.us) to discuss the circumstances and whether licensure is possible ([Minnesota Statutes, 245A.04, subdivision 7, paragraph\(d\)](#)).

A license denial or revocation does not prevent someone from applying, but they must be told that the prior licensing history may result in denial of the new application if sufficient time has not passed since the previous denial or revocation.

Being denied a foster care license does not impact an applicant's ability to apply for an adoption home study. This situation is complicated. If an agency is working with an applicant in this situation who wishes to adopt a child under guardianship of the commissioner, it is recommended that the agency consult with the Permanency Support unit at DHS at northstar.benefits@state.mn.us.

II.7.6. The physical home proposed to be licensed is the same home that the child has been ordered to be removed from.

If your agency is considering placing a child in the same home or dwelling as the child was removed from, consultation with dhs.csp.fostercare@state.mn.us is recommended to consider options such as protective supervision or how the circumstance could be considered a foster care placement. A foster home is a "residential program," defined in [Minnesota Statutes, section 245A.02, subdivision 14](#), where 24 hour care is provided outside of the child's own home. The applicant must own, rent, or lease the home, and be able to demonstrate that they are legally living in the home at the address on the Application.

II.7.7. Prospective applicant has potential conflict of interest.

Licensing agencies must have conflict of interest policies consistent with [Minnesota Rules, part 9543.0130, subpart 4](#) and [Minnesota Rules, part 9545.0785, subpart 4](#) as applicable. A child welfare professional employed, under contract with, or on the board of a licensing agency is not to be licensed by their agency of affiliation. The applicant may apply at another licensing agency to address any potential conflicts of interest.

II.7.8. Prospective applicant wishes to work with one agency for a foster care license and another to be approved for adoption.

These situations are complicated, and this practice is strongly discouraged by DHS.

In rare circumstances, a family could be licensed with a county for child foster care and work with a private agency for adoption, as long as both agencies agree and work together closely on both the Home Study Assessment/Update and all placement decisions.

The family can only have one valid Home Study Assessment (or Update) at a time. The Home Study Assessment/Update needs to be completed in cooperation with both agencies and must be signed by both agencies. The family cannot have one study for the county and a separate study for the adoption agency. A copy of the Assessment/Update signed by both agencies needs to be in and available in their respective files. The county and private licensing agency work together on any subsequent updates to the Home Study.

If the family already has an Adoption Home Study with a private agency and then wants to be licensed for foster care by the county social service agency, the family may be charged a fee by the private agency for its role in participating with the county in subsequent updates necessary for adoption. If the private agency completed the original Home Study under the Public Private Adoption Initiative (PPAI), the agency is to contact the DHS Child Safety and Permanency Division PPAI contract manager prior to agreeing to provide home study assessment/update services jointly with a county.

DHS encourages county and private agencies to develop a written agreement that is shared with the family and includes:

- Roles and responsibilities;
- Information sharing about the children in the home and impact of placements;
- Release of information processes; and
- Communication practices.

Consider addressing the following questions in the agreement:

- If the family accepts placement of a foster child in their home, will they remain available for adoptive placement?
- How will the needs, situation and plans for the foster child be factored into the adoption matching process?
- What information may the family foster home share about the foster children with the private agency?
- What impact might the adoption of a different child have on the foster children placed in the home?
- What impact might reunification of a foster child have on a newly adopted child?

The county and private agency need plans in place to address these types of issues for any family that is attempting to simultaneously provide foster care and be on a path to adopt from foster care, privately or internationally.

If an agency does not want to work with families that have applied to two agencies (private agency for adoption and county agency for foster care), the agency must have a written policy and provide it to applicants/license holders that inquire.

III. Assessing and licensing relatives with an unlicensed emergency placement

Introduction

The Unlicensed Emergency Relative Placement Practice Guide provides guidance for placing agencies' activities related to emergency foster care placement with a child's relative who is not a licensed foster parent. There is significant overlap between placing and licensing agency responsibilities, requiring collaboration between agencies to ensure the relative is supported throughout the licensing process.

Following the steps outlined in the Unlicensed Emergency Relative Placement Practice Guide and [Minnesota Statutes, section 245A.035](#) prevents children from remaining in homes that do not meet the requirements for licensure. Communication between licensing and placing agencies regarding the relative's appropriateness for placement, and eligibility to be licensed to provide foster care ensures the child's safety and supports permanency planning. A lack of communication between agencies can impact the child's family relationships and may contribute to community concern that the child welfare system is inequitable to relatives. Strong communication is essential to keep family relationships intact to ensure that children do not lose the support that relative placement is intended to provide.

Relatives caring for a child in an unlicensed emergency placement have usually come forward without much notice to care for children who are experiencing trauma, grief, and loss. They must manage the stress of parenting while also managing the range of emotions experienced when a family member's children have been removed. When the emergency unlicensed placement is made, the case manager provides initial information about licensing and support to complete the Application and submits it to the licensing agency. Relatives are more likely to engage in the process if they receive hands-on support and can ask questions about the information that is being requested. Refer to The Unlicensed Emergency Relative Placement Practice Guide for information about processes for the unlicensed emergency relative placement that set the stage for successful licensing.

Guiding principles applied to assessing and licensing relatives with an unlicensed emergency placement

- **Child safety and well-being.** Reducing barriers to relatives' access to the home study assessment and licensing process increases the likelihood that a child will remain in their family, with continued access to community and cultural connections.
- **Equity.** Relatives providing unlicensed emergency placement are in a unique and complicated position as they move through the licensing process. Cultural responsiveness and explicitly anti-racist practices are required for the process to be equitable.
- **Preservation of relative, kin, community and cultural connections.** Relatives must be welcomed, engaged, and fairly considered when they attempt to access the home study assessment and licensing process if children are to retain connections to relatives, kin, community, and culture while in care.
- **Consistency.** Prospective relative applicants expect that they will be able to submit an Application, receive necessary information and begin an equitable assessment and licensing process regardless of the agency to which they apply.

Equity pause

Case managers and licensors should take a moment to ask themselves the following questions as they interact with prospective relative applicants:

- Have I considered all the ways that my race, culture, intersecting identities and biases might be impacting the way I listen to and talk with this relative?
- What about who I am, and who I appear to be, might make it easier or more difficult for this relative to trust me at this intense and confusing time?
- As I assess this relative's ability to care for the child in need of placement, have I listened carefully and created space for them to communicate their needs, strengths, and concerns with me? How am I carrying myself as I listen and work with the relative to determine what supports might be available? What's my tone? Might I seem judgmental? Am I offering supports they say they need, or support I think they need?
- Am I doing my part to ensure that the placing agency and licensing agency are working together to set this relative, the child and the whole family up for success?
- Am I providing this relative with the information, preparation and support they need to make a thoughtful decision regarding becoming a foster parent?

Guidelines: Assessing and licensing relatives with an unlicensed emergency placement

III.1. Collaboration between placing and licensing agencies during an unlicensed emergency relative placement is required to support safe care of the child and placement stability.

For relatives who accept an emergency placement to receive equitable treatment related to licensing, the placing and licensing agencies must work closely together from the earliest point possible. This is true even when placement and licensing are part of the same county agency. The two units must work together to support safe care and ensure the relative caregiver receives information and support to meet the child's well-being needs.

Once the placing agency has assisted the relative in submitting the foster care application to a county, Tribe, or private licensing agency, that agency becomes responsible for helping the relative through the background study, home study assessment and licensing process with continued collaboration with the placing agency. Consistent with [Minnesota Rules, part 9543.0040](#), licensing agencies must provide applicants with the timeline for the licensing process. The placing or licensing agency must also provide the relative with information regarding options for legal representation in their geographic area [Minnesota Statutes, section 245A.035, subdivision 5](#). Best practice in collaboration includes informing the placing agency of the licensing agency's timeline for beginning the home study assessment and licensing process.

During this time both case managers and licensors are in contact with the relative family, and it is important that they communicate with each other about their observations, progress on the licensing process and identified needs. When needs are identified, placing and licensing agencies communicate to determine next steps to ensure services or training are in place to provide for child safety and to support placement stability.

If non-safety related barriers emerge during the home study assessment process, the two agencies talk with each other and the relative about potential solutions, including applicable variances that might be granted to move the relative towards licensure.

III.2. Placing agencies work collaboratively with relatives providing unlicensed emergency placement to determine the agency with whom the relative will work to complete their home study assessment and licensing process.

Best practice is for responsible social service agency staff to talk with prospective relative foster parent about which agency they will work with and verify the application process for the licensing agency where they are applying. Information about foster care licensing agencies that serve the relative's location is available at [Foster Adopt Minnesota \(FAM\) Fostering Network](#).

These documents outline state-funded services available to support foster, guardian, and adoptive families:

[Adoption support: Working together to help families](#)

[Permanency support services for adoptive, foster and kinship families](#)

[Adoption: Finding families for Minnesota's waiting children](#)

A thoughtful decision regarding the licensing agency for a particular relative includes looking at the time to complete the process as well as any proactive, specialized or culturally specific supports available that might augment efforts the placing agency makes to ensure success of placements made in the home.

III.3. Within 10 days of emergency placement, the placing agency must work with the relative to complete and submit an Application and other documents to the licensing agency.

The following application documents must be submitted to the relative's county of residence or a private licensing agency within 10 days of placement. Case managers are expected to provide trauma-informed, equity-focused support to relatives as they complete these documents:

- [Home Safety Checklist \(DHS-8313\)](#), completed by the placing agency (or the county agency where the relative lives) prior to, or within three days, of unlicensed emergency placement.

- [Minnesota Adoption and Child Foster Care Application \(DHS-4258A\)](#) that identifies the applicant and accurately lists all household members.
- [Minnesota Adoption and Foster Care Individual Fact Sheet \(DHS-4258B\)](#) for the applicant and each household member aged 18 and older. This document asks for deeply personal information, and if appropriate, the case manager and licensing agency may coordinate to collect this at a later time.
- [Emergency Relative Placement Foster Care Referral Form \(DHS-5178\)](#) to make a referral to another county for licensing.
- Any other information the placing agency has that would be helpful in assessing the relative's capacity to meet the individualized needs of the child/ren.

Some placing agencies have additional, agency-specific, documents designed to provide further information to the licensing agency. Such documents are to be submitted to the licensing agency within ten days, along with the items listed above ([Minnesota Statutes, section 245A.035, subdivision 5, paragraph \(a\)](#)).

III.4. Submitting Adam Walsh Background studies for all applicants and household members in an unlicensed emergency relative home is a high priority and completed as soon as possible.

The background study process is a critical component of licensing, as it involves a thorough evaluation of the applicant's criminal history and child and vulnerable adult maltreatment records. To support the child's safety and permanency planning, licensing agencies are expected to submit the background study to [NETStudy 2.0](#) as soon as possible after receiving the Application from a relative with a child currently in placement.

To initiate a background study in NETStudy 2.0, the online [Preliminary Information Form \(PIF\)](#) is submitted, within seven days of receipt of Application, to create a record of the applicant. Once the licensing agency has received notification the record has been created, they resume entering information on the study subject. Best practice is to complete this step within seven days of notification.

Once the licensing agency completes entry of information on the study subject, the system will generate two different emails to the study subject. The first email comes from dhs.netstudy2@state.mn.us and includes consent and disclosure to be completed by the subject. The second email, from IDEMIA, includes instructions for the study subject to use the pre-enrollment system to locate a fingerprint location and to schedule an appointment. The applicant has 14 days to complete the consent, disclosure, and fingerprints once they receive these emails.

When a relative applicant has not submitted the background study in a timely fashion, the licensing agency must notify the placing agency and the two agencies work together to resolve whatever barriers exist. After coordination between the two agencies, if it appears unlikely to have background studies submitted timely, the licensing agency is responsible to coordinate a consultation call including the licensing agency, the placing agency and may include DHS foster care unit (dhs.csp.fostercare@state.mn.us).

Ultimately, if the applicant does not cooperate with the background study process, even with support, the licensing agency must recommend the application be denied or consult with Foster Care Licensing triage (dhs.fostercarelicensing@state.mn.us) to determine if a withdrawal is appropriate if children are no longer in care.

III.5. The placing agency maintains regular contact with the licensing agency and collaborates to provide support and to address safety concerns while a relative with an unlicensed emergency placement proceeds through the assessment and licensing process.

When a child is placed with a relative through an unlicensed emergency relative placement, the placing agency will engage with the relative to determine the agency's on-going placement decision consistent with [Minnesota Statutes, section 260C.212, subdivision 2](#), and services to meet the child's needs and support for the relative foster parent. The case manager may share with the licensor information from the out-of-home placement plan that may be helpful to complete the home study assessment or licensing process. The case manager is responsible to have monthly visits with the child, with most of those being at the foster home. Consistent communication between the case manager and licensor is critical, and joint home visits are encouraged to support collaboration and ensure the child's needs and well-being are addressed.

III.6. Relatives who have children in unlicensed emergency placement must complete orientation and applicable pre-service training requirements within 30 days of placement.

Relatives providing unlicensed emergency placement are entitled to the same preparation and information afforded other child foster care applicants. Orientation provides all applicants with the foundation of understanding their responsibilities as licensed foster parents, the particulars of their licensing agency and an overview of parenting children who have experienced trauma. Orientation and initial training are customized and/or delivered one-on-one to meet the needs of the relative, child and extended family. Relative applicants providing unlicensed emergency relative placement may request a variance for child passenger restraint training (C.A.R.S.) (see below).

See SECTION IV for information on orientation and Appendix C for a list of training that meet the requirements for components of orientation.

III.7. Licensing and placing agencies together assess progress and barriers when a relative applicant with an unlicensed emergency placement has not completed the home study assessment and licensing process by 180 days.

Unlicensed emergency relative placements allow children to be placed with unlicensed relatives who are working towards a foster care license. If relatives do not meet requirements for foster care licensure, responsible social service agency staff must make a timely transition plan to move the child to a home that is licensed or meets criteria for an unlicensed emergency relative placement. This includes when:

- A child is placed with an unlicensed relative, and it is discovered that the relative home does not qualify for an unlicensed emergency relative placement or is otherwise unable to be licensed; or
- Relatives are not meeting requirements or making significant progress towards licensure after responsible social service agency staff make reasonable, or in the case of an Indian child, active efforts to assist the relative. Considering permanency timeframes, the agency and relative family assess progress and barriers at 180 days of placement ([Minnesota Statutes, section 260.762, subdivision 3, paragraph 5](#)).

IV. Foundational assessment documents and activities

Introduction

The documents and activities that begin the home study assessment and licensing process are crucial in ensuring licensing agencies have the information they need to make a meaningful assessment of applicants' ability to provide for child safety and well-being. Each of the documents and activities discussed in this section are valuable tools and present an opportunity to partner with an applicant to learn more about them, begin to prepare them and identify areas of concern or where additional support is needed.

Guiding principles applied to foundational assessment documents and activities

- **Child safety and well-being.** Each step of the application, assessment and licensing process is designed for the licensing agency and applicant to identify the applicant's strengths, development, and support needs, and to ensure that they are equipped to provide for child safety and well-being.
- **Equity.** Licensors advance equitable practices in foster care licensing when they understand the purpose of each component of the process and demonstrate culturally responsive practices to engage applicants at each step.
- **Preservation of relative, kin, community and cultural connections.** The foundational documents and activities are often applicants' first interactions with the child welfare system. The way the licensing agency engages with them through these steps and helps applicants learn to appreciate the importance of preserving relative, kin, community, and cultural connections.
- **Consistency.** Applicants should be able to expect that any licensing agency within the state will respectfully, sensitively, and competently guide them through the foundational documents and activities.

Equity pause

Licensing agencies set the stage for an equitable process when they demonstrate sensitivity to the fact that the home study assessment and licensing process are intrusive and often uncomfortable for prospective foster parents. Licensing agency staff who interact with new applicants are encouraged to pause and consider the following questions:

1. How do I demonstrate that I appreciate the vulnerability required of applicants as they compete and discuss with me the initial documents of the home study assessment process? What concrete things do I do or say that help applicants understand why the process is so intrusive and why I need to know about painful things they have experienced?
2. Am I prepared to approach information disclosed on the Individual Fact Sheet and my assessment of non-disqualifying background study findings from a place of curiosity rather than judgement?
3. How might the biases and assumptions I hold about the 'right way' to live impact my ability to provide a fair, equitable home safety walk through of an applicant's home? Will I consult about something related

to home safety with a supervisor or colleague who poses equity-related questions, challenges my conclusions or is able to help me consider whether my concern has an impact on child safety and well-being?

4. What things do I need to consider about how I present myself to different applicants when it comes time for challenging conversations? Do I appear respectful and thoughtful, or judgmental and dismissive?

Guidelines: Foundational assessment documents and activities

IV.1. Components of the assessment and licensing process complement each other. The applicant and licensing agency must engage in several activities simultaneously, rather than using a linear step-by-step approach.

The following foundational documents and activities are carefully considered together to help shape the assessment and determine whether to recommend a license for child foster care:

- Application
- Individual Fact Sheet
- Background studies and assessment of non-disqualifying findings
- References and other collateral contacts
- Orientation and initial training
- Home safety inspection
- Interviews with applicant, household members over age seven, and adult children
- Observations of the applicant and family

Agencies are expected to keep applicants moving through the various components of the home study assessment and completing steps of the licensing process even as background studies are pending, or there are other delays.

Engaging with applicants

IV.2. Licensing agencies provide proactive, trauma-informed engagement to support applicants through the home study assessment and licensing process.

The assessment and licensing process is a partnership between the agency and applicant that starts the moment of first contact. When applicants are welcomed and engaged it builds trust that is critical for partnership throughout the home study assessment and licensing process. It is best practice to provide applicants with an identified person at the licensing agency to contact with questions about any part of the application, assessment, and licensing process. Part of trauma-informed engagement is determining the best pace and process for helping the applicant understand and complete all the steps.

Workers do concrete things to keep applicants engaged, including considering individual circumstances of each applicant, ensuring they have and understand all necessary forms, being flexible in how the agency gathers information and communicates with the applicant, and considers, with the applicant, the times they are available for meetings. Survey feedback from foster parents and applicants indicated that many found application, assessment, and licensing processes to be overwhelming, confusing, and unnecessarily repetitive, with some listing this as the reason they closed their license or withdrew from the process.

Trauma-informed foster care licensing with relatives recognizes the unique situation they are in when a family member is placed in foster care. It is essential that applicants who are applying to care for a relative's child receive understanding, acknowledgment, trust, cultural humility, and support from the child welfare system. Usually, the relative knows the child and may be aware of their needs, strengths, and functioning, but may not possess the specialized skills or know of resources available to meet the needs of children that may join their household.

IV.3. When applicants are not efficiently moving through the process, enhanced efforts to engage the applicant are used prior to recommending withdrawal or denial.

There are many factors besides non-compliance that may cause an applicant to feel uncertain about continuing the process. Prior to recommending a denial of an Application, licensors pause and consider whether they have proactively engaged with the applicant to address questions or barriers.

The foster care licensing agency may use a [Notice of Incomplete Application](#) letter when there is a lack of engagement or follow through by an applicant. The letter lists the specific actions or items remaining to complete the process. Before sending this notice to a relative who has children in emergency placement, the licensing agency must communicate and partner with the placing agency to be certain that all supports reasonably available have been offered to help the relative move through the process. Licensors can also provide this information to the county or Tribal case manager, so all parties are updated on progress or barriers. Children must be moved if the relative ultimately does not complete the licensing process.

If there is no response from the applicant, the Application may be withdrawn, as long as a background study disqualification hasn't been issued or there are concerns that would otherwise result in a recommendation for denial. The applicant's silence serves as confirmation of their wish to withdraw from the process. An applicant may also inform the licensing agency verbally or in writing at any time that they wish to withdraw their Application.

Licensing agencies submit a [Withdrawal of License Application](#) (select the option to ‘complete the form electronically’) and indicate the reason for withdrawal. If not selecting one of the reasons listed, consultation and approval from Foster Care Licensing triage (dhs.fostercarelicensing@state.mn.us) is required prior to submitting the form.

An Application may not be withdrawn when there are children in placement in the home, a background study disqualification has been issued or other known issues or concerns arise that would otherwise result in a license denial.

The Application

Upon receipt of the [Minnesota Adoption and Child Foster Care Application](#), the licensing agency carefully reviews the information provided by the applicant. All areas on the Application must be completed with none left blank. If an item does not apply, have the applicant fill that item in with “n/a”. Agency staff may assist the applicant in completing any of the documents required for assessment and foster care licensing. They are encouraged to ask clarifying questions and to expect that applicants may need to add information or change some of their responses after further probing. Incomplete applications are not automatically ‘rejected’, as agencies are expected to do due diligence to assist applicants. Continued non-cooperation may result in a denial, but needing assistance to complete documents is not grounds for denial.

IV.4. A Preliminary Information Form (PIF) must be submitted as soon as possible after the licensing agency receives a signed Application.

The licensing agency submits a [Preliminary Information Form](#) (PIF) as soon as possible, but within seven days, of receipt of a signed Application. The PIF generates an in-application license number within the Electronic Licensing Management System (ELMS) and creates a provider record in [NETStudy 2.0](#), which allows for the licensing agency to initiate the required background studies. The PIF is the way that DHS licensing becomes informed of an in-process Application and gives DHS licensing the opportunity to flag prior licensing history, pending licensing actions or applications currently open with other agencies.

IV.5. Adults living in the home who will have the responsibility of parenting children in foster care must be on the Application as applicants.

An adult in the home who has or may have the responsibility of a parent in the family must be an applicant for the purpose of child foster care licensure and/or adoption of a foster child. It is the responsibility of the licensor to assess whether an adult household member is likely to have parenting responsibilities. When considering who must be listed as an applicant:

- Married or partnered individuals who live in the home both must be applicants on the license.

- Adult household members with NO parenting responsibilities (e.g. roomers, boarders, adult children, etc.) are not on the license and are only on the Application as a household member (not applicant).

An existing license holder who gets married or has a partner move into the home must notify the licensing agency so that background studies can be completed timely, and the new person completes the necessary steps to be added to the license. When the license holder is the permanency option for children currently in care, the second individual should be added as soon as practicable. Parenting responsibilities include activities such as:

- Supervising children
- Setting household rules and providing discipline
- Administering medications
- Coordinating appointments and talking with teachers, workers, medical providers, or therapists
- Caring for the child at wake up or bedtime

In rare circumstances it may be appropriate for there to be more than two applicants when there are more than two adults living in the home sharing parenting responsibilities. In this situation, consult with Foster Care Licensing triage (dhs.fostercarelicensing@state.mn.us). If the family's plan includes adoption, also consult with DHS Permanency and Adoption unit (northstar.benefits@state.mn.us) prior to accepting an application with more than two applicants.

Permanency may be affected or delayed if the foster care license and/or Adoption Home Study does not accurately identify the parents in the home.

IV.6. Placing and licensing agencies must have confidence that they have accurately determined who are household members in an unlicensed emergency relative, applicant, or licensed family foster home.

When an Application is submitted, the licensor or in the case of unlicensed emergency relative placements, the placing agency, must review household membership with the applicant to ensure that everyone is properly listed on the Application, submits an Individual Fact Sheet if they are 18 years and older, and completes a background study. It is crucial to understand the relationship to the applicant of all children living in the home to understand the family composition. The agencies must be aware of who frequents a foster home such that they are to be considered a 'household member' and are subject to a background study.

Indicators that a person may be a household member for the purposes of child foster care licensing include any person who:

- Has a designated sleeping area in the home;
- Has a key and/or free access to enter the home;

- May be in the home when a foster child is present and outside the supervision of the applicant/license holder;
- Has clothing/shoes or toiletries visible and in use in the home (not items that are being stored at the home); or
- Receives important mail at the home and cannot provide documentation of residence elsewhere (current bill, letter from landlord, or other proof).

Other people who are considered household members for this purpose include:

- Those listing the home as a permanent address, such as a child who is a college student who lives at home during breaks or over the summer.
- Minor children who live part-time in the home, or who are in out-of-home placement.
- A household member on military deployment as it is assumed that they will return home on leave and at the end of deployment.
- A prior household member who is incarcerated and upon release will be using the address.

If there are indications that a person may be a household member the placing agency and the licensing agency are both responsible for communicating with the applicant or foster family to gather information related to the person's access to the residence, unsupervised access to children and other indicators that they might be considered a household member or subject to a background study due to reasonable cause under [Minnesota Statutes, section 245C.03, subdivision 1, paragraph \(a\), clause \(6\)](#).

IV.7. When an applicant indicates on the Application that they are 'American Indian/Alaska Native' the licensing agency requests documentation of Tribal enrollment or descendency.

To adhere to Indian Child Welfare Act (ICWA) and Minnesota Indian Family Preservation Act (MIFPA) counties and Tribes need accurate information about a foster parent's enrollment or descendency and involvement with their Tribe, culture, and community to inform placement decisions and for counties to comply with ICWA/MIFPA placement preferences. [Indian Child Welfare Act/Minnesota Indian Family Preservation Act Manual](#) provides detail on compliance.

When placement is necessary and neither a relative nor a home that is licensed, approved, or specified by the child's Tribe(s) is available, counties and Tribes consider an "Indian home licensed or approved by a non-Indian licensing authority for placement."

An "Indian Foster Home" as defined in [25 CFR 23.2](#) means a foster home where one or more of the licensed or approved foster parents is an "Indian" as defined in [25 U.S.C. 1903\(3\)](#). "Indian" means any person who is a member of a federally recognized Tribe, or who is an Alaska Native and a member of a Regional Corporation as defined in section 1606 of title 43.

All Tribes do not document citizenship in the same way, so licensing agencies are strongly encouraged to request any of the following documentation from an applicant:

- Copy of Tribal ID
- Citizenship/enrollment/membership number (applicant should provide a copy of the document or licensing agency should verify the number with the Tribe)
- Copy of Certification of Indian Blood (CIB) from their Tribe
- Copy of Letter of Descendancy or Descendancy Card from their Tribe

Tribal enrollment status is often a sensitive topic for a variety of reasons, and some applicants may be unwilling or unable to provide documentation. A worker's sensitivity, cultural responsiveness and understanding of the multiple issues at play are critical when navigating these conversations. Full transparency and honest communication with applicants about why this information is important for placing decisions is likely to help ease some of the discomfort.

When the applicant provides enrollment information, this is included in the Home Study Assessment, along with a description of the applicant's relationship to a Tribe (citizen, descendent or other).

Current and previous licensing history

IV.8. The licensing agency searches for and reviews applicants' licensing history and/or current licensing information.

Applicants are required to disclose any prior licensing history and assist the agency in getting previous foster care studies from any other agency where they have applied ([Minnesota Rules, part 2960.3060, subpart 3, item E](#)). The licensing agency must request a reference from any previous child foster care agencies and consider this information as part of the assessment ([Minnesota Rules, part 9543.0040, Subpart 2, item D](#)). This document provides additional guidance for [Licensing Previously Licensed Programs](#).

The request for information from prior child foster care licensing agencies includes the following documents when applicable:

- All Applications
- All Individual Fact Sheets
- The initial Home Study Assessment
- All Home Study Assessment Updates
- Current and past training records (especially those specifically required in rule and statute, including C.A.R.S., SUID/AHT, FASD, Mental Health and prudent parenting)

- Records of complaints, correction orders, or licensing actions.

This information may be shared between child welfare agencies under [Minnesota Statutes, section 13.46, subdivision 1](#) unless otherwise advised by a county attorney or agency attorney. Licensing agencies may not release information about an applicant, current or former license holder that the agency did not create. Examples of information that may not be released, and are not to be requested from previous agencies, include references, previous background study reports and medical or mental health provider reports ([Minnesota Statutes, section 13.46, subdivision 4, paragraph \(a\), clause \(3\) and paragraph \(c\)](#)).

It is best practice to search recent licensing history on the [Licensing Lookup Website](#) even if an applicant has not indicated previous licensing history. This practice might help prevent the rare but challenging situation when applicants don't disclose a history of a child foster care, child care or adult foster care license or previous revocations or denials. Licensing lookup only contains recent history. If you have reason to believe past or present licensing information has not been disclosed, contact Foster Care Licensing triage (dhs.fostercarelicensing@state.mn.us) for a further search.

Substitute caregivers

Applicants who do not currently have an unlicensed emergency placement are not expected to have a definitive answer on this item at the time of application. It is important that applicants be able to identify individuals who are *possible* substitute caregivers, babysitters, or respite providers. If they do not list anyone in this section, licensing agencies are expected to discuss the need for a support network and people to occasionally watch the child/ren with the applicant. This question is also a good time to discuss the fact that some of these individuals will require a background study and the types of training their support network would need to provide appropriate care to a child who has experienced trauma.

References

IV.9. Each applicant must have at least three references that can speak to their support system, interactions with children and their ability to accept different points of view.

Each individual applicant must have three references who know them well enough to provide meaningful insights on the reference letter topics. If a reference only knows one of the applicants, their reference may only be used for that applicant. References should come from a variety of people who have personal, professional or community relationships with the applicant. A [sample Child Foster Care Reference Letter](#) is available for agencies' use.

References may be received by the agency in any format including a letter or questionnaire via email or U.S. mail, an electronic form, or a phone conversation with a licensing agency staff. The Home Study Assessment must acknowledge that references were received. References must be dated and must be received by the licensing agency prior to recommending a license.

If references are not being returned in a timely fashion and proactive efforts of the licensing agency to help the reference complete the letter, form or phone call are unsuccessful, the applicant is asked for a new reference to replace the one not completed.

Applicants may request a variance to the requirement for three references, and licensing agencies make the determination whether to grant this variance. This variance is generally only used when licensing relatives who do not have three references to provide, because the benefit of having a relative resource sometimes outweighs the value of an additional reference. When considering whether to grant a variance for references, the licensing agency considers the implications for child safety and well-being that may exist when a prospective foster parent is unable to identify three people who can speak to their relationships, support system, interactions with children and ability to accept different points of view. In no circumstance may a variance be approved to waive all three references.

The Individual Fact Sheet

The [Individual Fact Sheet](#) is required to be completed by all applicants, household members aged 18 and older, and any new adult household member who moves into a licensed home.

The purpose of this form is to identify significant life experiences or circumstances that require further discussion as part of the assessment. Licensing agency staff should be prepared to respond to applicant questions about the form and be able to explain that they are being asked to disclose life experiences that are relevant to their experience, skills, strengths, and possible needs in caring for children in foster care who have experienced trauma. It may be challenging for individuals to discuss their past, especially before they have established a trusting relationship with the licensing agency.

Children in foster care of any age living in a home do not complete an Individual Fact Sheet. Applicants must report several pieces of information on behalf of their minor children living in the home on one of their Individual Fact Sheets. Information about minor children only needs to be provided on one adult's Individual Fact Sheet. A second applicant may write on their form that the questions regarding minor children were answered on the other applicant's Fact Sheet.

The following guidelines address respectful use of the Minnesota Adoption and Foster Care Individual Fact Sheet as a component of the assessment process.

IV.10. Effective use of the Individual Fact Sheet in assessment requires unbiased, compassionate review and discussion with the applicant and household members about information disclosed.

The form includes questions of a personal nature that potentially may be upsetting to individuals when completing it. Trauma-informed engagement strategies are an important part of effectively navigating potentially difficult conversations. Missing or inaccurate initial information is not automatically considered to be withholding or "providing false or misleading information." Equitable assessment requires empathy in this situation, as sometimes this information may be painful to disclose, or may have happened a long time ago, and

an individual may not initially remember or consider the information to be relevant to the questions asked. It may be necessary for the individual to go back and edit the form with the accurate information. This is an opportunity for meaningful conversation that may build rapport and trust during the assessment process.

IV.11. The licensing agency may consult with a specialist to evaluate the abilities of the applicant to provide a safe environment for children in foster care.

When an applicant discloses current health, mental health, or chemical dependency conditions, the licensing agency must assess whether the applicant's own treatment or support needs limit their capacity to meet the needs of children in foster care and may consult with a specialist, as indicated. The licensing agency and the specialist must evaluate each applicant individually. The licensing agency must request a release of information from the applicant prior to assigning the specialist and must tell the applicant why they are using a specialist to evaluate ([Minnesota Rules, part 2960.3060, subpart 3, item G](#)).

If an applicant has a health condition for which they require day-to-day support, the licenser must assess their capacity to provide care to children. If the applicant is receiving services to address their own activities of daily living or health-related procedures and tasks it is important to thoughtfully consider how these limitations impact their ability to provide for the needs of children who would be placed in their care.

IV.12. If a child for whom an applicant is legally responsible has been in a placement, either voluntarily or through removal, within a year of application the licensing agency must make a determination regarding suitability as a foster parent.

The licensing agency must consider the extent to which fostering might impact the applicant's capacity to provide the ongoing support and engagement required of a parent during the time their own child is receiving or has recently received out-of-home placement including residential services of any type ([Minnesota Rules, part 2960.3060, subpart 3, item F](#)). The expectation is that the applicant's commitments as a biological, adoptive or guardianship parent will take priority over their desire to provide foster care to other children.

If a child for whom the applicant is legally responsible has been removed due to child protection concerns, significant discussion is required to assess the extent to which the concerns have been resolved and the applicant's parenting skills and performance since reunification. An applicant whose own child is currently in an involuntary placement under a CHIPS petition is unlikely to meet the qualifications for licensure.

If a child for whom an applicant is legally responsible has behavioral concerns, mental health, developmental or medical conditions for which they need significant treatment or monitoring, the licensing agency must have a clear understanding of the ongoing care and supervision responsibilities of the applicant. To fully consider this situation, licensing agencies may request a release from an applicant to obtain relevant assessment information about the needs of the applicant's children.

IV.13. Use of alcohol and other chemicals, including prescription medications must be discussed with the applicant.

The licensing agency must have a clear understanding of the applicant's use of chemicals, even when that use is not problematic. If the applicant reports use of prescription medications such as oxycontin, psychotropic medication, seizure medication or medical cannabis, interviews must include a discussion of the impact of the medication on their ability to complete daily tasks including parenting. It may also be appropriate to request a release from the applicant to obtain information from the prescribing physician regarding side effects of medications used as prescribed in addition to the underlying condition that makes the medication necessary.

If an applicant indicates that they have used an illegal drug or non-prescribed controlled substance within the last two years, refer to the Child Foster Care Chemical Use Problem Guidelines, linked below.

If an applicant indicates that they have not been free from chemical use problems for two years further discussion is required, and a chemical health evaluation may be requested if the agency intends to support a variance ([Minnesota Rules, part 2960.3060, subpart 3, item G](#)). Based on evaluation results, a chemical use problem variance may be considered if the applicant has demonstrated a period of compliance with all recommendations or the risk of harm is determined to be low. Approving an applicant under this circumstance requires a variance that may only be approved by the commissioner.

[Child Foster Care Chemical Use Problem Guidelines and Process](#) helps agencies determine whether it may be appropriate to request a chemical use variance.

[Child Foster Care Chemical Use Problems Variance Request Form](#) is completed by the applicant or household member and submitted to the licensing agency.

IV.14. Lawful, unproblematic use of legal cannabis products may not be used as a basis to recommend denial of a foster care license.

Minnesota's laws regarding cannabis use have changed several times since 2014 when medical cannabis was first approved. In 2022, laws regarding recreational use of hemp-derived THC-infused products and medical use of smokable marijuana both went into effect. As of August 2023, recreational use of marijuana by adults is legal. It is legal for adults to possess up to two ounces of cannabis flower or edible cannabis or hemp-derived products with combined 800 milligrams or less of THC in a public place. [Minnesota Office of Cannabis Management](#) provides details of current laws regarding cannabis use by adults.

Like alcohol, it is both illegal and unsafe to drive under the influence of cannabis products, even when they are legally purchased and consumed. Driving under the influence of cannabis may result in DWI sanctions. Agency and license holder drug and alcohol use policies are to include clear statements that foster children are never to be driven by someone who is impaired by alcohol or cannabis products.

Cannabis is a controlled substance that may be tempting to children and therefore must be stored in a locked area.

Recreational use of cannabis

Recreational use of legal cannabis products is approached in the home study assessment process in the same way legal use of alcohol has long been treated. Agencies and individual child foster care homes' drug and alcohol use policies must include reference to legal use of cannabis products by adults and affirm that persons must be free from impairment while caring for children. Since laws and social norms are rapidly evolving, discussion on this topic is an essential part of the assessment process with every applicant.

Like alcohol, recreational use of legal cannabis products may impact foster children whether or not the foster parent is 'impaired'. Applicants must demonstrate an understanding that observing even moderate use may negatively impact or 'trigger' children who have experienced abuse or neglect associated with caregiver's alcohol or marijuana use. Marijuana is a very attractive drug to children and teens. [Research reported by National Institutes of Health](#) strongly indicates that its use during childhood and adolescence has a detrimental impact on brain development, so foster parents must be careful to not give the message through their behavior that marijuana use is acceptable or safe for children and teens. Applicants must also be able to show that they understand that some children come to foster care with challenges related to their own alcohol, marijuana, or other chemical use.

For all these reasons, foster parents may have to limit their own use of legal substances to create a safe home environment for a particular child's care.

Background studies

IV.15. Background studies for applicants and household members aged 13 and older are submitted as close to the time of application as possible. Agencies are expected to provide reasonable support to assist with completion of the background study.

The background study process is a critical component of licensing, as it involves a thorough evaluation of the applicant's criminal history, and child and vulnerable adult maltreatment records. To support the child's safety and permanency planning, licensing agencies are expected to submit the background study to [NETStudy 2.0](#) as soon as possible after receiving the Application.

To initiate a background study in NETStudy 2.0, the [Preliminary Information Form \(PIF\)](#) is submitted online to create a record of the applicant within seven days of receipt of Application. Once the licensing agency has received notification the record has been created, they resume entering information on the study subject. Best practice is to complete this step within seven days of notification.

Once the licensing agency completes entry of information on the study subject, the system will generate two different emails to the study subject. The first email comes from dhs.netstudy2@state.mn.us and includes consent and disclosure to be completed by the subject. The second email, from IDEMIA, includes instructions for

the study subject to use the pre-enrollment system to locate a fingerprint location and to schedule an appointment. The applicant has 14 days to complete the consent, disclosure, and fingerprints once they receive the emails.

Ultimately, if the applicant does not cooperate with the background study process, even with support, the licensing agency must recommend the application be denied or consult with Foster Care Licensing triage (dhs.fostercarelicensing@state.mn.us) to determine if withdrawal is appropriate.

IV.16. When the agency has reasonable cause, household members aged 10-12 or other persons who may have unsupervised access to foster children are also subject to a background study.

Some people who are not household members also require background studies if there is reasonable cause. Reasonable cause means information or circumstances exist that provide the commissioner with articulable suspicion that further pertinent information may exist concerning a subject. The commissioner has reasonable cause to require a background study when the commissioner has received a report from the subject, the license holder, or a third party indicating that the subject has a history that would disqualify the individual or that may pose a risk to the health or safety of persons receiving services ([Minnesota Statutes, section 245C.02, subdivision 15](#)).

It is the responsibility of the applicant/license holder to inform the licensing agency whenever a person who has unsupervised access to children in foster care becomes involved with their family. Further, it is the applicant's responsibility to inform the licensing agency if anyone with such access has a criminal history (even as a juvenile) or child or adult maltreatment history that may pose a risk to the health or safety of children in foster care. The license holder must assist the agency in obtaining information needed to submit a background study. The licensing agency must build a trusting, collaborative relationship with the applicant/license holder to create the conditions under which the applicant/license holder will proactively inform the licensing agency about frequent visitors and others who may be subject to a background study.

Failure to disclose the presence of persons with unsupervised access to children in foster care and knowledge of their potential to pose a risk to children may result in a denial of a foster care license if the failure to disclose occurs during the home study assessment period, or a licensing action if the agency is not notified about persons who gain access to the home and children in foster care once a license is issued.

Examples of people who are subject to a background study when there is reasonable cause include:

- A significant other of the license holder or other household member who spends occasional nights at the home.
- An adult child who 'hangs out' during the day or in the evening several times a month.
- The applicant/license holder's extended family members who visit a couple times a week with or without notice.

Refer to [Minnesota Statutes, section 245C.03, subdivision 1, paragraph \(a\)](#) for a list of people who need a background study.

IV.17. Applicants are informed that a background study will include a check of adult and juvenile criminal history as well as records of child and adult maltreatment, and that all findings will be assessed even if they are not disqualifying offenses.

Applicants do not necessarily know all the things that are included in a background study and will be better prepared for discussions about findings if they are not taken by surprise. If their Individual Fact Sheet indicates that they have had past involvement with child protection, or criminal history (even as a juvenile), they must be told to expect that the licensing agency will discuss all findings with them as part of the assessment process. Agencies provide relatives with [Basics for relatives of foster children](#) and [Licensing overview for relative applicants](#), which includes a brief description of possible background study results and the fact that non-disqualifying findings will be assessed by the licensing agency.

IV.18. Licensing agencies are required to review, discuss, and assess all non-disqualifying background study findings.

Agencies have long been expected to review background study findings of offenses that are not disqualifying as part of the home study process. As of July 2022, licensing agencies are now required to use the [Non-disqualifying Background Study Information Assessment](#) to document the factors considered in the assessment. The Non-disqualifying Background Study Information Assessment is only sent to DHS Licensing if the agency is recommending denial of an application (or revocation of a license). If the agency is recommending licensure, the completed Non-Disqualifying Background Study Information Assessment must be kept on file at the agency and may be requested by other child welfare agencies. [The Child Foster Care Background Studies Reform Flow Charts](#) show the paths for processing disqualifying and non-disqualifying information.

Conversations with the individual will be necessary to gather the information and context needed to make an equitable assessment of non-disqualifying findings. The assessment tool provides an opportunity for licensors to use their critical thinking and professional social work skills to engage individuals in conversation about difficult times in their lives or past decisions they have made. Done well, these conversations provide an opportunity for individuals to describe their history of growth and development and the impact those experiences have on their current ability to parent children who have experienced trauma.

There are times when individuals may misrepresent their history. If a background study comes back with findings, but the individual has not listed or disclosed any criminal convictions or offenses, a conversation is required to determine the reason the information wasn't included. A recommendation for denial based on false or misleading information is not submitted without having conversations with the individual to learn whether withholding the information was deceitful, to avoid embarrassment, forgotten, or some other reason.

It is critical when assessing non-disqualifying findings for both non-relatives and relatives, that licensors have a good understanding of the structural racism and historical trauma that disproportionately impacts arrest rates and criminal prosecutions in Minnesota. [Minnesota Statutes, section 245A.16, subdivision 9, paragraph \(d\)](#) advises “when licensing a relative for a family foster setting, the commissioner shall also consider the importance of maintaining the child’s relationship with relatives as an additional significant factor in determining whether an application will be denied” based on non-disqualifying findings.

IV.19. When a background study is pending, an applicant may withdraw their application if a disqualification notice has not been issued.

If a background study disqualification notice has been issued by DHS, withdrawal of the application is not an option. When a licensor receives a request from an applicant to withdraw their application and a background study is pending, they contact Foster Care Licensing triage (dhs.fostercarelicensing@state.mn.us) to determine if a disqualification notice will be issued. If so, the applicant will be sent a disqualification notice with information about the disqualification and their right to request reconsideration. The licensing agency needs to be prepared to answer questions from the individual and help them understand the implications of deciding not to request reconsideration. Failure to do so may result in the disqualification becoming conclusive which may have a negative impact on future background studies or license applications.

Home safety

Prior to licensure, the applicant’s home must be inspected by the licensing agency using the [Child Foster Care Home Safety Checklist](#) ([Minnesota Rules, part 2960.3050, subpart 1](#)). It is helpful to provide the applicant with the checklist prior to the inspection to help them understand the requirements and prepare for the home safety walkthrough. Additionally, [Child Foster Care Home Safety Checklist – Guidance](#) provides further clarification and helpful information about each of the domains on the checklist including emergency procedures, physical environment, home safety and health, sleeping space and safe sleep.

IV.20. Foster homes must be physically located within a dwelling that complies with applicable fire, health, building and zoning codes.

Per [Minnesota Rules, part 2960.3040, subpart 1](#), a foster home must comply with applicable fire, health, building, and zoning codes. [Minnesota State Fire Code 2020, Section 202](#), defines a DWELLING UNIT as “A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation”.

If an applicant lives in something that is not typically considered to be a ‘dwelling’, such as an RV, camper, or houseboat; this is not typically something that has permanent provisions and therefore is not a dwelling that would meet fire, health, building and zoning codes. To confirm this, licensors can contact the local building and

zoning department of the applicant's city to see if they would consider the home to be a dwelling with permanent provisions and to confirm that it would meet applicable fire, health, building and zoning codes for permitted single-family residential use under [Minnesota Statutes, section 245A.11, subdivision 2](#).

IV.21. During the home safety walkthrough, workers must view all areas of the home, including garages and other outbuildings, with special attention to any room accessible or used by a child in foster care.

[Minnesota Statutes, section 245A.04, subdivision 5](#) grants the commissioner full access to the home, documents and persons served by the program, with or without notice, and as often as necessary while conducting a licensing inspection, which includes during the home study process and throughout the duration of the foster parent's licensure. As part of the home study assessment conversations, licensors must explain and discuss any thoughts or concerns applicants may have about the agency's review of their home. Licensors are to explain the home safety walkthrough is part of the home study assessment process and is necessary to ensure children's safety and well-being. The licensing agency must view every room in the home, including any that are reported to be inaccessible to foster children. It is not acceptable to recommend licensure without viewing all areas of the physical location.

IV.22. Licensing agencies are to consider using their authority to grant variances for non-child safety related issues for applicants, especially for relative applicants.

There are areas on the home safety checklist for which licensing agencies have the authority to grant a variance if they do not affect the health or safety of foster children. Variances are made on a case-by-case basis, consistent with [\[42 U.S.C. 671\], \(10\) \(D\)](#), and agencies must explain the variance request process to applicants. Relative family foster homes have the option to request a variance for non-safety related issues, to care for specific children. Agencies must consider granting a variance rather than recommending denial based only on non-safety related areas. Further guidance on variances can be found in the [Variances to the Minnesota Rule for Child Foster Care Providers](#) document. This guidance is provided as a helpful resource but is not an exhaustive list of the types of variances that may be requested and approved.

IV.23. If one of the triggers for a fire marshal is identified on the Application or during a home visit, the agency must work with the applicant to request a fire marshal inspection.

Per [Minnesota Rules 2960.3050, subpart 2](#), a fire marshal inspection is required if one of the following conditions exist:

- The foster home contains a free-standing solid fuel heating appliance.

- The foster home is a manufactured home built prior to June 15th, 1976.
- The licensing agency identifies a potential hazard in a single-family detached home, or a mixed or multiple occupancy building.
- The home is to be licensed for four or more foster children.
- The home has a foster child sleeping in a room that is 50 percent or more below ground level.

If the address is a rental property, the applicant must obtain [Permission for Inspection](#) from the property owner. Licensing agencies submit the [Request for Fire Inspection or Reinspection](#) form to their local fire department or the State Fire Marshal office depending on the [location of inspectors by county](#). Past guidance allowed a Certificate of Occupancy to be accepted in lieu of an inspection for newer homes, however this is no longer accepted, and a full inspection must be completed once it is determined an inspection is needed.

IV.24. In order to complete re-inspections to confirm that issues identified by the Fire Marshal have been addressed, licensors must complete [Fire Marshal Licensor Training](#) once every four years.

Licensors can work collaboratively with case managers to assist applicants to correct fire code violations.

If licensors do not have current Fire Marshal Licensor Training, they must contact the Fire Marshal to complete the reinspection. If licensors have current Fire Marshal Licensor Training, they are permitted to reinspect licensed programs to verify correction of specific identified violations.

If a licensor requires technical assistance from the Fire Marshal to determine whether a violation has been corrected the licensor shall contact the fire marshal inspector who conducted the original inspection to complete the reinspection.

If the violations are corrected, the licensor must notify the fire marshal that the reinspection has been satisfactorily completed. If an applicant has not corrected the violation, the licensing agency cannot recommend a license be issued. If fire code violations ultimately cannot be resolved, the agency must recommend denial of the license application.

More information is available in the [Minnesota Interagency Agreement Between the Minnesota Departments of Public Safety and Human Services](#).

IV.25. Concerns regarding cleanliness of a home must be connected to health, safety, and well-being to be a barrier to licensing.

The Home Safety Checklist states that the home is clean and free from accumulations of dirt, grease, garbage, peeling paint, vermin, and insects. The home must also be free from animal feces and urine on carpets, floors, or

furniture. These issues directly impact health and safety and do not rely on subjective opinion regarding the cleanliness of the home.

If a home is in a condition that will impact the child's safety or health, this must be addressed. Consultation with Foster Care Licensing triage (dhs.fostercarelicensing@state.mn.us) may be helpful to consider next steps. If the licensing agency wants assistance determining whether condition in the home poses a risk to safety or health, such as in the case of mass clutter or other hazards outside the home, it may be appropriate to request assistance from a local public health department, Fire Marshal, or city or county inspector.

Licensors need to have realistic expectations for a family home that reflects the family's culture and lifestyle. While the home may not be spotless or completely uncluttered, it must be a safe and healthy environment.

A detailed description of the home is included in the "Family Life" section of the Home Study Assessment (if not captured elsewhere). A non-judgmental description of the condition of the home will help inform careful matching, while subjective judgements and bias on the part of the worker may create a barrier to case managers considering the home.

IV.26. The licensing agency must view the inaccessible location where medication will be stored and the locked location of any Schedule I or II drugs, substances, or chemicals.

[Schedule I and Schedule II drugs, substances, or chemicals](#) must be stored in a locked area. Medical cannabis and other legal cannabis products must also be stored in a locked area. Examples of a "locked area" include a tamper proof safe, cash box with a lock, or a locked closet or cabinet.

All other medication needs to be stored in an area inaccessible to foster children, apart from a foster child who administers their own medication consistent with their case plan. "Inaccessible" may vary depending on the age and capacity of the child. An older child generally has more ability to access areas of the home with or without permission, therefore even over the counter medications may need to be locked up.

It is best practice to lock up all prescription and over the counter medications to reduce the risk of accidental or intentional access, overdose, or misuse.

IV.27. Children in foster care must not be exposed to any type of secondhand smoke in the licensed home, any enclosed space connected to the home, or in a motor vehicle while the child is being transported.

Licensing agencies must discuss with applicants their plan for providing a smoke-free environment for foster children ([Minnesota Statutes, section 260C.215, subdivision 9](#)). If the foster parent fails to provide a smoke-free environment, the licensing and placing agency must ask the foster parent to comply with a plan that includes training on exposure to secondhand smoke, and if the home is considered a health risk to the foster child, the placing agency must reassess whether placement is in the child's best interest.

Failure to provide a smoke-free environment must not delay the placement of a child with a relative, unless the relative is unable to provide for the immediate health needs of the individual child. If the child's best interests would best be served by a placement in a home which will not meet the smoke-free requirement, this shall not be a cause to deny placement in that home; shall not interfere, conflict with, or be a basis for denying placement pursuant to the Indian Child Welfare Act or the Minnesota Indian Family Preservation Act; and shall not interfere with traditional or spiritual Native American/American Indian or religious ceremonies involving the use of tobacco.

IV.28. No one may have a loaded firearm on their person in the licensed home or in an unlicensed relative home with an emergency foster care placement.

The [Child Foster Care Home Safety Checklist](#) states weapons and ammunition must be stored separately in locked areas that are not accessible or visible to foster children. Weapons include firearms and other instruments or devices designed for and capable of producing bodily harm. A permit to carry does not change this foster home safety expectation.

The importance of gun safety in child foster homes cannot be overstated. The Minnesota Department of Public Safety provides [family and child gun safety information on its website](#). It is a gross misdemeanor to negligently store or leave a loaded firearm in a location where a person knows, or reasonably should know, that a child is likely to gain access unless reasonable action is taken to secure the firearm against access by the child ([Minnesota Statutes, section 609.666, subdivision 2](#)).

Exceptional situations that might warrant consideration for a variance include an applicant who is a police officer who brings their firearm home at night and wishes to carry it, loaded, in the home even while off duty. If an applicant wishes to request a variance from the licensing agency to this requirement from the home safety checklist ([Minnesota Rules, part 2960.3050, subpart 1](#)), they may do so in accordance with [Minnesota Statutes, section 245A.04, subdivision 9](#). If an agency considers granting a variance to this home safety requirement, the agency must be able to articulate how granting a variance does not affect the health or safety of persons receiving services, and that the applicant has a clear and achievable plan for preventing children's access to the weapon. A variance to this item on the home safety checklist is not recommended.

IV.29. If the applicant uses firearms or other weapons, the home study assessment process must include a discussion about the implications on child safety and well-being.

If the applicant uses firearms recreationally and/or has a permit to carry the licensing agency must discuss the potential risks of carrying a loaded firearm outside the home in the presence of a child in foster care. Outside of the licensed home, licensing agencies do not have the authority to regulate a license holder who has a permit to carry or who uses a firearm recreationally.

A summary of the applicant's use of firearms and/or other weapons is included in the Family Life section of the written Home Study Assessment. Exploring this issue is not to delve into political issues regarding the right to own firearms, and licensors must be aware of any bias they may hold. These discussions focus on child safety and help the applicant think about how they will handle situations that might present a risk to children in foster care.

If the applicant owns firearms, whether or not they intend to carry or use them in the presence of children in foster care, the following are questions that may be used as part of the assessment:

- Where and how do you securely store firearms in the home to ensure that they are not visible or accessible to a child? Where is ammunition stored?
- What do you plan to do if/when a child in foster care expresses an interest in using a gun, hunting, trap shooting or other activities that involve handling a loaded firearm?
- If you intend to carry a loaded firearm in the community, or during recreational activities, in the presence of a child in foster care, what is your plan to prevent accidental or intentional access?
- Under what scenarios might you display or use a firearm in public in the presence of a child in foster care? What potential impact might this have on the child?
- How might you handle a situation where a child placed, or their family, expresses fear upon discovering that there are firearms in the home?

Applicants must be told that they are required to inform the licensing agency if they obtain a permit to carry or if firearms will be stored in the home after initial licensing. At such time, conversations about the above scenarios need to be revisited, and this updated information must be included in the next Home Study Assessment Update.

Case managers must be made aware of the presence of firearms or other weapons and/or permit to carry in a foster home they are considering for placement of a child. Safety risks unique to individual children must be identified and considered prior to placement. If there are any identified risks, the case manager is expected to address the concerns in the child's case plan. License holders must get permission from a child's case manager prior to allowing a child in foster care to use a weapon and they may be required to complete [Hunter Education/Firearms Safety Certification](#).

IV.30. Pets in the home are immunized and maintained as required by the local ordinances and state law.

For the purposes of licensing, a pet is an animal that lives inside the home. Local jurisdictions have their own rules regarding the number and type or breed of pets that may be in a home as well as the immunizations required in that jurisdiction. [Minnesota Rules, chapter 1721](#) regulates animal health in the state and foster parents must follow these rules in addition to their local ordinances.

Foster homes serving children less than six years of age must not keep reptiles, chickens, or ducks as pets. Foster home serving children six years of age and older that keep reptiles, chickens, or ducks as pets, must ensure thorough handwashing after contact with the animal or its food ([Minnesota Rule, part 2960.3050, subpart 4](#)).

Children interacting with animals that are kept outside the home must be supervised, consistent with their out-of-home placement plan, developmental capacities, and prudent parenting. Outdoor play areas must be free from animal feces and children must be protected from dangerous, unpredictable, or feral animals on the property.

IV.31. If an applicant indicates on their application, or it is otherwise observed, that a pet in the home may pose a safety concern for children in foster care, it must be addressed in the Home Study Assessment.

The assessment must include discussion of any safety concerns posed by pets in the home and the actions the applicant will take to address them. Aggressive animals that require the applicant or other household member's presence to control may not be safe or appropriate for a child foster care home. If an animal must be restrained or locked in a room prior to a visitor entering out of fear it will bite or otherwise harm the visitor, the animal is likely inappropriate for a home licensed for child foster care.

It is a home safety concern if there is an animal that poses a real or perceived threat to children and the many professionals who visit foster care homes. Children don't always know or demonstrate appropriate boundaries with animals, so situations may be escalated if the animal is already aggressive. Applicants are best encouraged to apply when there are no aggressive animals in the home. This may be a potential equity issue, as some applicants may have dogs for home safety purposes; therefore, these cases will have to be considered on a case-by-case basis.

Orientation and initial training

IV.32. Orientation and initial training comprise a valuable part of the home study assessment and licensing process.

The applicant's engagement with orientation and initial training and understanding and response to the information helps inform the licensing agency of the applicant's ability to provide for the safety and well-being of children in foster care. Orientation may be individualized to meet the specific fostering goals of the applicant, and as such necessitate one-on-one conversation with the licenser. These conversations are considered part of the home study assessment process and help inform the strengths as well as development and support needs of the prospective foster parent.

IV.33. An applicant who has met all requirements, including orientation and initial training is recommended for licensure.

Orientation required prior to licensure

[Minnesota Rules, part 2960.3070, subpart 1](#) outlines Orientation requirements that must be completed before the agency recommends a license:

- Review of the home's emergency procedures, including evacuation routes, emergency telephone numbers, severe storm and tornado procedures, and location of alarms and equipment. This may be completed by going over the evacuation plan, floor plan and home safety walk-through with the applicant.
- Review of relevant rules and statutes including, but not limited to, Minnesota Rules, chapter 9560 and chapter 2960.3000-2960.3100, Minnesota Statutes, chapters 245A, 260, 260C, and 260E, and legal issues and reporting requirements. This may be completed by providing the applicant with electronic or hard copies of each of the rules and statutes listed above or by providing them with a summary document that highlights the most critical items for foster parents to know. This may also be an appropriate time to talk with applicants about the licensing agency's requirement to investigate all complaints and allegations and how the applicant's or license holder's non-compliance may lead to a correction order or licensing action.
- Cultural diversity, gender sensitivity, culturally specific services, cultural competence, and information about discrimination and racial bias issues to ensure that caregivers will be culturally competent to care for foster children according to [Minnesota Statutes, section 260C.212, subdivision 11](#), which requires "training on understanding and validating the cultural heritage of all children in their care, and on the importance of the Indian Child Welfare Act and the Minnesota Indian Family Preservation Act." A list of specific courses that meet this requirement is included in Appendix C.

Relatives providing unlicensed emergency care are not expected to participate in general training about diversity but may benefit from knowing more about racial disparities in the child welfare system and how critical their role is in helping reduce the number of children separated from relatives, kin, community, and culture. Child-specific needs related to culture, or culturally specific services may be helpful to relatives who know the child and/or who share aspects of the child's culture.

- Information about the role and responsibilities of the foster parent in the development and implementation of the case plan and in court and administrative reviews of the child's placement. Reviewing the [Agreement between Foster Parent and Child Foster Care Licensing Agency](#) and [Summary of Child Foster Care Responsible Agency Requirements](#) meets this requirement.
- Requirements of the licensing agency. This includes information about agency policies, procedures, practices, and training required by the agency before licensure or placement. All agency requirements that exceed what is required by statute and rule must be disclosed in writing to prospective applicants

as soon as possible so that they have an opportunity to consider their choice of agencies. Examples of agency requirements that must be disclosed include any specialized training curriculum, skills testing, additional documents, relationship surveys or activities required due to the agency's accreditation or contract requirements but not in rule or statute.

Initial training required prior to licensure

- Two hours of children's mental health training is required prior to nonemergency placement of a child in the home [Minnesota Statutes, section 245A.175](#), and is to be completed prior to licensing to avoid inadvertent placement into a home that has not met this requirement. This requirement can be met by training focused on trauma-informed care, the impact of trauma on children's mental health, a general overview of common mental health challenges children in foster care often have, key indicators of emerging childhood mental health issues, an overview of treatment modalities or medications used in children's mental health and/or cultural considerations related to any aspect of children's mental health. Prospective foster parents will benefit most from content that provides them with specific skills to use when parenting a child who is struggling with mental health challenges. Examples of training that are approved to meet this requirement are found in Appendix C
- Prudent Parenting training is required of all licensed child foster homes prior to accepting placement [Minnesota Statutes, section 260C.212, subdivision 14](#), and is to be completed prior to licensing to avoid inadvertent placement into a home that has not met this requirement. At this time applicants are provided with [Minnesota's Reasonable Prudent Standard Guidance](#) and [watch this video to meet the requirements](#).

Initial training required prior to licensure, when applicable

- [Sudden Unexpected Infant Death \(SUID\)/Abusive Head Trauma \(AHT\) Training](#) if applicant will be licensed for children aged five and under. Although this training is titled for licensed child care providers, the courses also meet the requirements for licensed child foster care providers. All six videos need to be viewed to receive credit ([Minnesota Statutes, sections 245A.1435](#), [245A.144](#) and [245A.1445](#)).
- Child and Restraint Systems Training (C.A.R.S) is required if an applicant will be transporting a child or children under eight years of age. Any household member, caregiver, or person listed in the child's care plan who is going to transport the child is required to complete C.A.R.S. Applicants and others may register for C.A.R.S. training on the [Develop registration page](#) ([Minnesota Statutes, section 245A.175](#)).

Relatives who have a child in an unlicensed emergency placement may be granted a variance to the full C.A.R.S training if they have completed the approved child seat safety check up. Step-by-step instructions on how to find a C.A.R.S. instructor to schedule a 'child seat safety checkup,' and how an applicant may request the C.A.R.S course variance is available on the [Variance Request and Approval for Relative child foster care applicants C.A.R.S training form](#) ([Minnesota Statutes, section 245A.18](#)).

- Prior to caring for a child who relies on medical equipment to sustain life or monitor a medical condition that could become life-threatening without proper use of the medical equipment, a foster parent must

receive training from a qualified source to operate such equipment per [Minnesota Statutes, section 245A.155](#). The [Foster Care Medical Monitoring Equipment Training and Skills form](#) is to be completed.

V. The home study: Interviewing, assessing and writing

Introduction

A meaningful home study assessment process for child foster care licensing is fundamental in determining whether a person who is interested in providing child foster care has the personal characteristics, skills, stability, home safety and general capacity to provide the specialized parenting needed to safely care for children and youth in foster care. Making this determination requires child welfare staff to analyze all aspects of the assessment process and use professional judgement, vigilance against bias, strong consultation, and supervision.

A recommendation regarding licensure is the culmination of an equitable home study assessment process that provided an opportunity for an applicant to learn more about what being a foster parent means and to reflect on their own capacity to meet those responsibilities. Throughout the assessment process, workers identify strengths and skills as well as training, support, and development needs of the prospective foster parent.

Minnesota uses a single study template for both foster care and adoption home study assessments to facilitate concurrent planning and reduce barriers to timeliness and permanency in child welfare. Counties, private licensing agencies, and others delegated or licensed by the commissioner to perform licensing functions and activities are required to complete adoption and foster care home studies and updates using the commissioner's designated format, called "[Minnesota Adoption and Child Foster Care Home Study Assessment](#)." The written Home Study Assessment documents the agency's determination that the applicant can provide safe care for a child, meet the child's well-being needs and introduces the foster family to case managers. It is intended to be a fair, honest, accurate portrait of the applicant and their household.

Guiding principles applied to initial assessment

- **Child safety and well-being.** Deliberate interviews, thoughtful assessment and accurate writing provide the steps to a meaningful assessment that identifies strengths and support needs and summarizes the applicant's ability to provide for the safety and well-being of children in foster care.
- **Equity.** An equitable assessment process recognizes the systemic racism and other socially constructed bias within the child welfare system and helps minimize the impact of subjectivity and individual worker bias in determining who is recommended for a foster care license.
- **Preservation of relative, kin, community and cultural connections.** The Home Study Assessment summarizes the licensing agency's conclusions about the applicant's ability to provide foster care with a commitment to a child's critical connections to kin, community, and culture.
- **Consistency.** Applicants must be able to experience a similar process and outcome regardless of the agency assessing their strengths, needs and capacity to provide for the safety and well-being of children in foster care.

Equity pause

Initial assessment is the time when licensing agency staff gather documents and converse with applicants to determine their capacity to care for children in foster care and make a recommendation to grant or deny a license. Personal bias and limited worldview can impact who is approved, and thus pose real risks to equity. Self-

awareness, culturally responsive practices, and accountability to fair assessment are key professional requirements for child welfare staff responsible for assessing applicants.

Licensors are encouraged to pause and consider the following questions as they assess applicants for foster care and communicate their conclusions in the Home Study Assessment document.

1. How might the biases and assumptions I hold about the ‘right way’ to live impact my ability to provide a fair, equitable assessment of each unique applicant? What do I need to do to hold myself accountable to equity in assessment? Will I consult about something in the Home Study Assessment with a supervisor or colleague who poses equity-related questions, challenges my conclusions, or tends to view applicants from a different perspective than I do?
2. What are the cultural assets the applicant brings and how would they actively support family and cultural connections and address cultural needs of children placed in their home?
3. What things do I need to consider about how I present myself to different applicants when it comes time for challenging conversations? Do I appear respectful and thoughtful, or judgmental and dismissive?
4. What conversations do I need to have with an applicant to support understanding of the systemic equity issues at the heart of the child welfare system? How do I approach this conversation to help assess their capacity to consider those issues as they act in their role as a foster or adoptive parent?
5. If I have written concerns about this applicant’s potential as a foster parent, have I explained clearly how the concern is a risk to child safety or well-being?
6. Do I feel pressured to ignore or minimize safety or well-being concerns because this is a relative applicant and the licensing and/or placing agency really wants them to be approved? What further conversations, consultation and supports are needed for me to feel comfortable approving this applicant? Can any safety concerns that exist be addressed? If so, have I covered that in the Home Study Assessment? Are we setting this applicant up for success and strengthening community trust in our judgement regarding approval of foster parents?

Guidelines: The home study: Interviewing, assessing and writing

V.1. Interviews explore applicant’s understanding of the population of children and youth who are in foster care

Throughout the interview process, workers are encouraged to find as many opportunities as possible to impress upon the applicant information about the children and youth who are served by Minnesota’s foster care system. Each conversation is focused on learning more about the applicant’s understanding and abilities to provide care to children and youth.

- **Children and youth in foster care are disproportionately more likely to be American Indian, Black, or multi-racial.** In 2021 American Indian children were approximately 16 times more likely than their white counterparts to experience out-of-home care; children of two or more races were seven times more likely; and Black children were approximately twice as likely ([Minnesota Out-of-home care and Permanency Report, 2021](#)).

Applicants are to demonstrate that they will provide culturally responsive care, that they support the child's racial or ethnic background, culture, and religion. Foster parents of any race and cultural background do not need to be experts in everything related to every other racial and cultural group. They do need to have the ability, or build skills through training, to be culturally humble, curious, affirming, and proactive in helping children develop their cultural and racial identity and building community and cultural connections.

- **Children and youth in foster care are likely to have lived in poverty in a community with limited resources.** Poverty is a significant risk factor for child maltreatment and is commonly present in neglect cases. About forty-two percent of Minnesota children in foster care are Title IV-E eligible, meaning they were removed from families with a very low income. (To be Title IV-E eligible the family's net monthly income must be \$697 or less after allowable deductions for a family of 4 children and one adult).

To address this disparity, interviews with applicants explore their understanding of the impact the complex economic issues may have on a child in foster care. When there is a significant economic disparity between the child's own family and the foster home, children in foster care must navigate that gap. This may impact the child's adjustment, behavior, or self-esteem, and be demonstrated by:

- asking the foster parent to financially help their family;
- giving away their allowance or money earned from a job to family members;
- becoming hyperaware of material items such as clothes, toys or recreational equipment and comparing what others have to what they are provided; or
- becoming judgmental of their families or others they know with less resources.

Skilled foster parents help children navigate these dynamics and remain steadfast in messaging that family relationships and economic stability are both important to a fulfilling life. Communication between foster parents and a child's parents can help make the situation more manageable for the child.

- **Children and youth in foster care are likely to have a parent who is struggling with chemical dependency and/or mental health issues.** Thirty-eight percent of children entering foster care in Minnesota in 2022 had a removal reason of 'caretaker drug or alcohol abuse'. Living with a parent who abuses drugs or alcohol can have a significant impact on every aspect of children's development including attachment and regulation, and mental health. Applicants will benefit from conversations with their licensor about common behaviors, fears and risks that children coming from homes with a caregiver who abuses substances bring to foster care and adoption. In interviews it is important to assess whether they understand the impact that a child with these experiences may have on their current family routines and daily life.

- **A disproportionate number of children and youth in foster care identify as GLBTQ2S+.** Applicants for foster care and adoption must be able to provide a safe, affirming home for all children. In [Supporting LGBTQ+ Youth: A Guide for Foster Parents](#) the Children's Bureau reports that about 30% of children and youth in foster care identify as GLBTQ2S+. Prospective foster and adoptive parents describe how they will meet the developmental needs of children including supporting them as they come to understand their emerging identities. See DHS guidance for [working with gay, lesbian, bisexual, transgender, questioning/queer youth](#) (also available in [Spanish](#), [Hmong](#) and [Somali](#)).
- **Children in foster care have experienced trauma and often resulting in behavioral and mental health challenges.** Throughout the interviews, licensors look for ways to provide resources and discussion that helps the applicant understand the need to provide trauma-informed parenting. They help the applicant identify trauma-informed and attachment-focused skills and strategies to meet the needs of children they may foster and/or adopt.

V.2. To successfully navigate challenging conversations, workers, and supervisors responsible for home study assessments must receive training and ongoing development in using trauma-informed and equity-centered approaches.

Applicants must provide deeply personal information about themselves, their family, and their current functioning. They may not realize that personal information provided through documents (such as the Individual Fact Sheet) or through a licensor's conversation with other family members will be discussed in-depth. A thorough assessment requires licensors to spend the time necessary to help applicants understand how this information will be used, the reasoning behind why it's discussed, and how it relates to meeting the safety and well-being of children who may be placed in their home.

All these conversations require strong social work skills in engaging with and assessing people in a culturally responsive, transparent, trauma-informed approach that centers equity for both the applicant and the children and families they may serve as a foster parent. Licensors who are struggling to initiate and engage in tough conversations as part of the home study assessment process would benefit from an opportunity to role play or otherwise 'practice' with colleagues and/or to have a more skilled colleague accompany them to home study interviews to coach or step in when needed.

[Minnesota Statutes, section 260C.215, subdivision 6, paragraph 4](#) requires county and private licensing agencies to have a written plan for employing staff in adoption and foster care who have the capacity to assess the foster and adoptive parents' ability to understand and validate a child's cultural and meet the child's individual needs and to advance the best interests of the child as required in [Minnesota Statutes, section 260C.212, subdivision 2](#).

Training and professional development to build and strengthen these skills may be provided by the agency, DHS or other professional development entities and can be built into annual staff development plans. The Child Welfare Training Academy is developing training consistent with [Minnesota Statutes, section 260C.215, subdivision 4, paragraph \(3\)](#). See Section X for information on licensor training.

V.3. Interviews with the applicant and all household members over the age of seven must be documented as part of the home study assessment process. At least one interview must be in the home.

It is best practice for the licensor to meet with the family in the home as observations of the household dynamics and activities inform the final assessment of the applicant's capacity to care for children. One visit to the home is unlikely to provide the full picture required for an equitable assessment. For most families, several conversations are necessary to explore all the topics that make up a comprehensive home study assessment and all household members over the age of seven must be interviewed ([Minnesota Rules, part 2960.3060, subpart 4](#)).

An agency may ask applicants to complete an 'autobiography' or 'self-reflection' questionnaire to begin gathering information on the many topics to be explored as part of the home study assessment, but their failure to do so cannot be used as a basis to deny their Application. If an applicant is unable or unwilling to complete such a document on their own, then additional home study interviews may be required to cover all the topic areas verbally.

V.4. Interviews with the applicant must include an exploration of their capacity to actively support the racial or ethnic background, culture, and religion and respect the sexual orientation of children in foster care.

Foster parents are expected to actively support and respect these core aspects of children's identities ([Minnesota Rules, chapter 2960.3060, subpart 4, item E](#)). They may not subject children to verbal abuse, including, but not limited to: name calling; derogatory statements about the child or child's family, race, gender, disability, sexual orientation, religion, or culture; or statements intended to shame, threaten, humiliate, or frighten the child ([Minnesota Rules, chapter 2960.3080, subpart 8, item 2](#)). The [Agreement between Foster Parents and Child Foster Care Licensing Agency](#) also include the requirement of foster parents to "make every effort to increase understanding of, and respect for, the religious, racial and cultural heritage , as well as sexual orientation and gender identity, of a child and their family.

Sexual and gender identity is a core component of human development. All children and youth in foster care, like all of their non-foster care peers, are growing, changing, and coming to understand their emerging sexual identity. Gay, lesbian, bi-sexual, transgender, queer, 2-spirit+ (GLBTQ2S+) youth make up 30% of the foster care population and require explicit protection. Foster parents are expected to understand that sexual identity is a normal part of human development, and that they have a role in supporting children and youth as they navigate it.

Some applicants may come to the home study assessment process with a strong bias against providing foster care for GLBTQ2S+ youth. This situation presents opportunities for learning and growth with the support and mentoring of a skilled licensor. Unlike many other identities, a child's sexual orientation and gender identity

expression (SOGIE) are not always known or obvious to the case manager or even to the child themselves. These aspects of identity are developing during childhood and children of all SOGIE need safe places to understand their emerging selves. Conversation about serving children of all SOGIEs is necessary regardless of the SOGIE of the applicant.

Comments made during the home study assessment process that indicate the applicant may harbor negative feelings must be addressed directly with the applicant. These conversations can be very challenging, and licensors are encouraged to seek consultation with colleagues or supervisors on how to navigate any specific situation. Sometimes it can be helpful to have a second worker involved in the conversation in case the applicant becomes defensive or threatening when the subject of bias is broached.

“The agency must work to eliminate racial, ethnic, and national origin discrimination and bias in adoption and foster care recruitment, selection, and placement procedures, and assess the foster care applicant's or foster care provider's capacity for accepting children of diverse backgrounds. If the agency concludes that the applicant or provider has negative attitudes toward people of a particular race, religion, color, or national origin, the agency must refuse licensure or re-licensure and not place additional children with that provider” ([Minnesota Rules, chapter 9560.0670, subpart 5](#)). Agencies may consult with Foster Care Licensing prior to recommending denial or deciding to stop placing in a home based on this rule.

V.5. Whenever possible, the licensing agency interviews adult children of the applicant as part of the home study assessment process.

One of the most reliable predictors of how a person will parent under stress in the future is to look at how they handled difficult parenting situations in the past. Their own adult children may be an excellent source of this historical information and interviewing them is best practice. While adult children and parents often have different perspectives on past events, it is essential to follow up on any information provided by adult children that indicates concern for abusive, neglectful, or rigid parenting behaviors.

Interviews with adult children also provide an opportunity for the licensing agency to hear another perspective on the applicant's current functioning, expectations, and capacity to provide foster care. Adult children also can talk about the impact fostering might have on their extended family system and on-going relationships.

If the adult children do not live in the home, licensors may request to talk with them, explaining to the applicant the reason this is helpful for the process. If the applicant refuses to provide contact information, or the adult child refuses to talk with the licensor, the licensor must provide the applicant the opportunity to explain and include a summary of that discussion in the Home Study Assessment.

V.6. When an applicant's own child has high medical, emotional, developmental, behavioral, or mental health needs, licensing agencies assess how the applicant utilizes formal and informal supports to meet that child's needs.

It is critical that the needs of applicant's existing children not be deprioritized to provide foster or adoptive care. Licensing agencies must consider and discuss with the applicant any behavioral, emotional, physical, developmental, or medical challenges the applicant's children have that could pose a risk to the safety or well-being of children in foster care. Licensing agencies must be confident that the applicant has a realistic plan and capacity to meet the needs of their own children and children placed in the home.

A ratio of one adult to each five children in the home must be maintained at all times ([Minnesota Rules, part 2960.3030, subpart 1](#)). The ability of the applicant, structure of their home and characteristics of their own children and children to be placed determine the maximum number of children permitted in the home ([Minnesota Rules, part 2060.3030, subpart 2](#)).

If a child for whom the applicant is legally responsible has been placed in foster care, a correctional facility, or residential treatment center within one year prior to application, or the applicant has a child currently in voluntary foster care placement, the applicant must be assessed for their capacity to provide appropriate structure according to [Minnesota Rules, part 2960.3060, subpart 3, item F](#).

V.7. Conversations with the applicant must address the differences between foster care and adoption and the role of a foster parent in supporting permanency through reunification, transfer of permanent legal and physical custody (TPLPC) or adoption.

The purpose of foster care is to be a safe, nurturing, temporary place for children until they can return home. When reunification does not happen, efforts to achieve permanency with a relative through TPLPC or adoption are prioritized. Only when these preferred options are not possible does the opportunity arise for adoption with a non-relative. Sometimes people have the misunderstanding that the reason to provide foster care is to adopt a child. Reviewing the [Agreement between Foster Parents and Child Foster Care Licensing Agency](#) can help remind applicants of these expectations.

[Paths to Permanency: Adoption of children in foster care](#) and [Paths to Permanency: Transfer of permanent legal and physical custody of children in foster care](#) are resources for relatives, foster families, and youth and provide an overview of legal issues and financial supports for children in foster care who cannot be reunified with their parent, and whose permanency plan includes adoption or TPLPC.

Applicants with the primary intention of adopting a child must work with their licensing agency to develop clear expectations regarding whether and how their home may be used to provide foster care to children whose permanency plan is reunification. It can become complicated to use homes that want to adopt for concurrent planning placements unless they have received thorough training to understand their obligation to support reunification efforts. It is harmful to children to be placed in a home with a foster parent who is hoping that reunification is not successful, as their words and actions can undermine reunification.

V.8. Interviews must explore the applicant’s ability to share responsibility for the foster child's well-being with the foster child's social worker, school, and parents, their understanding of the licensing agency's programs and goals, and how to follow agency and state policies.

It is key to help applicants develop their own understanding of the role of a foster parent. Despite the nurturing and day-to-day parenting responsibilities it is not the same as being a child’s permanent legal parent. Home study assessment interviews provide an opportunity to ensure that applicants understand these important aspects of their role ([Minnesota Rules, part 2960.3060, subpart 4](#)). This conversation is a good time to review the [Agreement between Foster Parents and Child Foster Care Licensing Agency](#) and [Summary of Child Foster Care Responsible Agency Requirements](#), and to talk about the initial phone call with the parent when a child is placed and explain what the applicant will be able to expect from the licensing agency in terms of ongoing support and guidance once they become a foster parent.

V.9. Agencies that permit licensors to search the internet and social media as part of assessment and/or ongoing monitoring of licensed homes must have policies ensuring equitable use of such tools.

Licensing agencies that search social media as part of their assessment must develop policies that inform applicants of this practice and how the licensing agency will use this information in their assessment. If searches are permitted, the policy must address potentially biased decisions regarding when and on whom searches are conducted. Use of searches may not be subjective based only on an individual worker’s curiosity or expectation that there might be something interesting to find. Social media searches should only be conducted using a social media account tied to an agency email address, and not a worker’s personal account.

V.10. Information written in a Home Study Assessment, and collateral information collected, are subject to the Minnesota Government Data Practices Act and may be subject to the Health Insurance Portability and Accountability Act (HIPAA).

[Minnesota Statutes, section 13.46, subdivision 4](#) provides information on public and private licensing data. Personal information such as social security numbers, insurance information, background study information, health reports, and home studies, are private data for child foster care applicants, license holders, household members, and others providing services under the license. Public data includes, but is not limited to the name, address, dates of licensure, license capacity, variances granted, record of training, dwelling information, previous license history, and licensing actions. Addresses and licensing actions on child foster care license holders are no longer displayed on the [Licensing Information Lookup](#) website but are available to the public upon request from DHS.

Social service agencies, including but not limited to, the Department of Human Services, county child welfare agencies, private licensing agencies and others as defined as in [Minnesota Statutes, section 13.46, subdivision 1, paragraph \(c\)](#), may share private information to provide services or to coordinate services for an individual or family. A release of information is not required.

It is best practice to allow applicants to review a draft of their Home Study Assessment to verify information and to provide them with a final copy. The commissioner's designated format for the Home Study Assessment includes the statement: "This original copy of the home study may be provided to the applicant and social service agencies, and for international adoption it is provided to the United States Department of State and the foreign adoption authorities."

Prior to providing a draft or final copy of the Home Study Assessment to the applicant, the agency must ensure:

- Third party information is redacted, and no sources of information outside of the agency are identified.
- There is no identifying information about any child in foster care or child to be adopted.
- The home study is used only for purposes agreed upon by the agency and the family.
- The purpose/s and the date of the Home Study Assessment shall be clearly noted on the document.
- Draft and final versions of the Home Study received by the applicant are protected from further distribution with a watermark that says, 'applicant copy' and are not signed by the worker or supervisor.

Children are not to view or receive the Home Study Assessment for a prospective foster and/or adoptive placement. Information shared with youth about a prospective foster or adoptive home is to be summary information created for the purpose of introducing the child to the prospective family, such as a flyer, photo album or introduction letter created for that purpose by the prospective family and/or the licensing agency.

Interviews as part of the home study process

The requirement for interviews and the domains that must be covered in the Home Study Assessment are listed in [Minnesota Rules, part 2960.3060, subpart 4](#); [part 9543.0040, subpart 2](#) and [part 9543.0060, subpart 4](#).

Licensing agencies can expect to have several conversations, or 'interviews' with applicants, household members and others over the course of the home study assessment process. The conversations help clarify and expand on the information gathered from documents, observations, orientation/training, references, home safety inspections and background studies. For more information, see Section IV on foundational assessment documents and activities. Interviews provide crucial information licensing agencies need to write the Minnesota Adoption and Foster Care Home Study Assessment, which both describes the applicant and their family and summarizes the licensing agency's assessment of the applicant's capacity to provide for the safety and well-being of children in foster care in each of several domains. Information regarding interviews with applicants and household members is included under each domain below.

Assessing applicant's capacity to care for children in foster care

Licensors process all they learn from the documents and activities, interviews with the applicant and household members, and collateral information to assess the applicant's capacity to care for children in foster care. To help licensors determine whether an applicant has a strength, requires further development, or whether licensors should proceed with caution in each domain of the assessment, indicators modified from the Ohio Child Welfare Training Program Family Interview Guide (Institute for Human Services, 2020) are provided as guidance.

Assessing in each domain

Assessment	Indicators
Strength in a domain	Applicant is well prepared and knowledgeable. They have had direct and successful parenting experiences/life experiences in the assessment area.
Minimally prepared, training and support needed	Applicant has a beginning awareness or has had limited, or only recent, positive experiences, but is motivated and capable of developing in the assessment area.
Caution	Applicant has had no positive experiences and is functioning at a deficit. While the applicant needs considerable development, they are unwilling or deny the necessity of further development.

Writing the Home Study Assessment

The Home Study Assessment summarizes the information learned about applicants during the assessment process, and the conclusions the licensing agency has drawn about a prospective foster or adoptive parent's capacity to care for a child with the characteristics of those typically served by the child welfare system. Once written, most of the narrative sections will do two things:

1. **Describe the applicant** and family related to the domain the section covers.
2. **Summarize the licensing agency's assessment** of the applicant's capacity to provide for child safety and well-being related to the domain the section covers.

Writing this document takes considerable skill. It is challenging to synthesize information from background studies, documents, interviews, collateral contacts, orientation, training, and observations that are part of the assessment process into narratives that clearly demonstrate why the applicant was or was not approved. The narratives in the Home Study Assessment will speak to the strengths and support needs of the family and describe the training and development they have done and will do in the upcoming period to further strengthen their capacity to meet the safety and well-being needs of children and youth.

The term “home study assessment” is both a noun and a verb. The action (the verb) of assessing an applicant includes thoughtful review of all documents submitted by an applicant, well-planned interviews focused on the applicant’s abilities to meet the needs of children and youth served by the foster care system, the applicant’s attitude and approach to orientation and initial training, and their references or other collateral information. Licensors gather all this information and write a summary of their conclusions regarding the applicant’s capacity to provide for child safety and well-being in foster care. The noun is the completed Home Study Assessment document.

Completing the Recommendation fields on the Home Study Assessment document

This section provides guidance on completing the Date, Purpose and Recommendation portions of the Home Study Assessment document, including determining which boxes to check in each area.

DATE ASSESSMENT WAS COMPLETED AND SIGNED BY SUPERVISOR AND PERIOD OF VALIDITY

The date the Assessment was completed and signed by supervisor must match the “Approval Date” from Agency credentials and signatures page. If the home is going to be licensed for foster care, the effective date of the license must be on or after the approval date of the Home Study Assessment.

- Initial foster care/adoption home study is valid for one year. Exceptions to this are for an applicant who has previously been licensed for child foster care, for a relative as defined in [Minnesota Statutes, section 260C.007, subdivision 27](#) caring for related children or an applicant being licensed only as part of a plan to adopt from foster care. In these situations, an agency may choose to allow a Home Study to be valid, and the initial foster care license to be approved, for a maximum of two years ([Initial Two-Year License for PPAI Applicants and for Relative Applicants](#)).
- An “Adoption-only” Home Study Assessment is valid for one year.

This study was completed for the purpose of:

A Minnesota Adoption and Foster Care Home Study Assessment may be completed for the purpose of:

- Child foster care and adoption of a child or siblings in foster care (see note #1 below)
- Adoption of a child or siblings in foster care (see note #2 below)
- Domestic infant adoption
- International adoption
- Other type of adoption, specify.

There is no option for ‘foster care only’. See information under ‘Recommendation’ below for explanation.

Note #1: When a relative has applied to care for a specific child their Home Study will address their capacity to meet that child’s best interests based on the placement factors in [Minnesota Statutes, section 260C.212, subdivision 2](#). Child-specific Home Study Assessments may not include identifying information about the specific child/ren. When referring to the child in the Home Study Assessment, refer to the child’s relationship to the applicant rather than using a first name or initials.

Note #2: If this is the only option selected, the applicant is not seeking a foster care license and the Home Study is referred to as an “adoption only” study. An adoption only Home Study is not used as a work-around when a relative meets the requirements for foster care but is having difficulty completing the licensing process.

Recommendation

Though this field is at the beginning of the document, it is completed after interviews, collateral contacts, background study, orientation, training, observation, and other information is gathered and assessed.

The Recommendation domain contains four options, described below. See “**Guidelines: Making the decision whether to recommend licensure**” at the end of this section for more guidance on drawing conclusions from the assessment process, including when the decision is to recommend denial.

Approval for child foster care licensure and adoption of a foster child

This recommendation is selected when the applicant has met the requirements for foster care licensing and is approved for foster care. When they meet foster care licensing requirements, they have also met or exceeded the standards for an approved adoption Home Study for a child under guardianship of the commissioner. Approval for both foster care and adoption does not mean that a family will be expected to adopt, it means they have met the requirements and are eligible to do so.

When a family’s interest and preference is **foster care only**, indicate that preference in the text box under the ‘approval for foster care and adoption’ recommendation. **Do not** select “not approved for adoption.”

The approval reasons field details a summary of the reasons the applicant was approved and includes the number, age range, level, and types of special needs the applicant is approved to care for and any variances requested and approved. Additional detail on the applicant’s ability to care for children and youth who have the characteristics most often seen in foster care is described in the Adoption and/or Foster Parenting section of the Home Study Assessment.

Approved for adoption only (domestic infant, international or adoption from foster care)

This recommendation is selected to approve a Home Study Assessment for an applicant whose Application indicated that they were **only applying for adoption**. This recommendation is used for domestic infant adoption, international adoption, and for “adoption-only” Home Studies to adopt children from foster care.

This recommendation is also selected in the unusual circumstance where an applicant applied for **both foster care and adoption** and their background study findings came back with an offense that disqualified them from foster care licensure (which was not set aside and for which a variance was not approved) and the agency has determined to approve them for adoption only. If the applicant applied for **both foster care and adoption**, a recommendation regarding each service must be checked. In this rare situation, “Denial for foster care” would also be selected.

Denial for foster care

This recommendation is selected when the licensing agency determines the applicant does not meet the licensing requirements for foster care. Do not select this option when an applicant applied only to adopt. If they did not apply to provide foster care, they cannot be denied for foster care.

Checking “Denial for foster care” on the Home Study Assessment means that the licensing agency intends to recommend that DHS deny the Application for foster care.

“Denial for foster care” is also checked in the unusual circumstance outlined above where an applicant has applied for both foster care and adoption and does not meet the requirements for foster care but is being approved for adoption.

Not approved for adoption

"Not approved for adoption" is selected when the licensing agency recommends that the applicant be denied for both foster care and adoption.

It is also used when the applicant indicated on their Application that they were only applying to adopt (domestic infant adoption, international adoption, and adoption of children in foster care) and the agency assessed and determined they are not approved to adopt. Applicants cannot appeal denial of a Home Study Assessment for adoption.

Domains assessed and summarized in the Home Study Assessment document

The fields or domains addressed in Minnesota’s Home Study Assessment are designed to provide a summary of the applicant’s ability to meet the requirements listed in [Minnesota Rules, part 2960.3060, subpart 4](#). Licensors must develop the necessary skills to make meaning of the information gathered during interviews and to accurately summarize the information.

Each domain on the Home Study Assessment document is discussed below. When applicable, in each section guidance is provided on:

- **Interview** topics to explore to learn more about the applicant regarding the domain
- **Assessing** the information learned
- **Writing** a description of the applicant and a summary of the conclusions

Family strengths and needs

Interview

Evidence of family strengths and needs will be gathered throughout the interview process while discussing the domains covered in the Home Study Assessment. During interviews the licensor and the applicant both identify areas of strength and areas where the applicant needs more support and development.

Assess

Throughout the process, the worker looks for evidence of family strengths or needs in these key attributes of successful foster and adoptive families:

- Appropriate motivation and realistic expectations for the fostering/adopting experience.
- Personal and emotional maturity, ability to regulate in the face of intense emotions.
- Stability and quality of interpersonal relationships.
- Resilience, coping skills, and stress management.
- Openness of family system, has and uses support people and resources.
- Positive parenting skills and hands-on parenting experience using trauma-informed, attachment-building practices.
- Able to see multiple perspectives and to express empathy for the experiences of children, youth and families experiencing child welfare intervention.
- Track record of making and keeping commitments and responsibilities.
- Commitment to supporting children's connections to relatives, kin, community, and culture.
- Capacity to support children's emerging racial, cultural, sexual orientation, gender identity expression and other core identities.

Write

Often the Strengths and Needs section of the Home Study Assessment is written after the rest of the document because the licensor gains clarity about this domain as they write the others. When possible, the training plan in the next section on the document includes strategies to address identified areas of need, including skills, knowledge gaps, and expanding the applicant's network of support and knowledge of resources listed in this section.

Training plan

Interview

Over the course of interviews, the licensor and applicant work together to identify areas where the applicant needs further development and partner to plan for the first year of training. Interviews about any domain are likely to identify areas about which the applicant would like to learn more and areas where the applicant has development needs or gaps.

Assess

An important part of assessment around training is to determine whether any particular development need is something that the applicant is able and willing to learn and grow in, or whether the deficit is too significant to be addressed through training and other basic supports.

Write

Describe the first-year training plan developed with the applicant. The plan builds on the identified strengths and addresses needs to enhance skills and improve capacity to be a foster or adoptive parent. Training plans include general knowledge of Minnesota's child welfare system and an overview of characteristics of children in foster care. Skill building for trauma-informed parenting interventions is often included. The final page of the Home Study Assessment documents that required orientation and initial foster care training has been completed.

Adoptive or foster parent history

Interview

During the interview process the licensor explores the applicant's prior experience as a foster or adoptive parent. Even if an applicant has indicated on the Application that they have not previously been licensed to provide foster care, the licensor confirms this with them during the interview process. They may have misunderstood the question or forgotten if it was a brief period or a long time ago.

Assess

When prior licensing history is identified, a reference must be requested from any previous child foster care licensing agency and may be released under [Minnesota Statutes, section 13.46, subdivision 2](#). A review of information received from all previous agencies will give the licensor an opportunity to assess the applicant's performance in the past. See Guideline IV.9 for information requested on prior licensing history.

If there is licensing history that was not disclosed, discussion will be necessary to learn more and to determine if the history and/or failure to disclose impacts the agency's assessment of the applicant's capacity to provide foster care at this time.

Write

If applicable, summarize applicant's previous adoptive or foster parent history. If they have been previously licensed or had a home study completed, this section includes a summary of information received from the previous agency, including:

- Results of previous Applications or home studies.
- Number of years applicant provided foster care.
- Experience and performance as a foster or adoptive parent, including strengths, concerns, or licensing actions.

Personal history

Interview

The most useful tools for developing interview questions regarding an applicant's personal history is the information they provided on the Individual Fact Sheet and the licensing agency's interview/self-reflection/biography document, for agencies that use such a tool. Workers responsible for interviewing applicants read through all the responses and use them to engage in further conversation.

The purpose of interviewing in the personal history domain is to learn about the experiences the applicant has had over the course of their life. What things brought them joy? When did they work hard to achieve an important goal and when did they experience grief or disappointment? These conversations will provide opportunities to gain insight into what the applicant has learned about how families operate, the role of parents and the significance of different types of relationships and supports. These conversations will also provide an opportunity for the applicant to talk about difficult experiences and the path they traveled to heal or learn. Workers should listen carefully for examples that reflect the traits of successful foster and adoptive parents, or the lack of them.

Assess

Assessment in the domain of Personal History explores the potential impact of the applicant's life experiences on their capacity to care for children who have experienced trauma. Some of these impacts are likely to be positive, such as the things they have learned about how to be a flexible parent or positive personal development they have had after a difficult experience. Other impacts may be detrimental or pose a challenge to providing foster care. This domain considers how the lessons they learned growing up in their family appear to prepare them to care for the children and youth typically served in foster care. When assessing this domain workers may explore:

- If the applicant has an abuse history, where are they in their own healing? What supports might they need if they were to care for children with similar experiences?
- How the applicant has managed traumatic experiences, grief and loss, their experience using therapeutic supports, and how that has prepared them to support a child and family during foster care placement.
- Does the applicant's show insight of how their own intersecting identities including race, culture, sexual orientation, gender identity expression, class and religion shape their perspectives on the world and prepare them to care for children in foster care?
- How are they similar and different from their extended family in the diversity of relationships and experiences they have and the attitudes they hold about 'difference'?
- Additional information disclosed on the Individual Fact Sheet, such as child protection or criminal history that may not have been previously addressed.

Indicators to watch for in personal history domain

Assessment	Indicators
Strengths in personal history domain	<ul style="list-style-type: none"> • Applicant's personal history includes examples of strong, healthy relationships and they are generally satisfied with how their life has gone. • Applicant can describe difficult or traumatic situations; how it affected them; and how they coped. Applicant's self-perceptions are accurate and appropriate; reveal insight into their coping style. • Applicant has experienced changes in family composition. They can articulate the impact of those changes and their efforts to adjust in a healthy and functional way. • Applicant can identify several of their intersecting identities and has insight into how their experience in the world is impacted by them.
Minimally prepared, training and support needed in personal history domain	<ul style="list-style-type: none"> • Applicant shares very limited number of stories or insights about their relationships or experiences. • Applicant can identify only a few stressful situations and reports they have not been faced with a crisis or traumatic event. • Applicant shows some understanding of their own intersecting identities but does not show much insight as to how their experiences and identities shape their world view or how they play a role in fostering.
Caution in personal history domain	<ul style="list-style-type: none"> • Applicant shares only negative stories, destructive relationships and expresses dissatisfaction with virtually all aspects of their life thus far. • Applicant minimizes or denies any impact from a traumatic experience. • Applicant descriptions of stressful situations indicate poor coping or adaptive capacity. They lack adequate ability to manage and resolve changes, losses, or trauma. • Applicant denies that their life experiences will have any impact on how they parent children in foster care and is unwilling to engage about the issue. • Applicant has a history of health issues, trauma, grief, or loss or other condition that are unmanaged and pose a risk to the safety of children.

Write

A separate personal history must be completed for each applicant. This domain will include both a description of the applicant's personal history, and a summary of the licensor's assessment of how their history impacts their capacity to foster or adopt. Areas to summarize in this section include, but aren't limited to:

- Year and place of birth, race, ethnicity
- Education, employment
- Hobbies, talents, and future goals
- Description of the family they were raised in (biological, kin, adoption, foster), how they were parented, nurtured, and disciplined and by whom.
- Childhood family life experiences - what their family did for activities, who they spent time with, what were the values expressed in their family?
- Significant relationships with parents, other parental figures, siblings, chosen family and friends – how have these relationships shifted over time? Are there any severed relationships? If so, who and why?
- What is their SOGIE (sexual orientation, gender identity expression) and what experiences have they had as their own sexual identity developed?
- Traumas or losses and how they are currently impacted by them
- Goals, successes, and perseverance
- Health, including physical, mental, and emotional health and the impact on their capacity to parent
- Challenging life experiences, including issues related to abuse, fertility, grief and loss, or family discord
- Chemical health history and current practices

Relationships

Interview

Interviews in this domain explore the applicant's current and prior history with partners and/or spouses. The way they have navigated these relationships is an important glimpse into their general relationship skills, and how they behave in relation to other significant adults in their life.

Providing foster care can have a significant impact on a marriage or partnership. For couples applying it is often helpful to advise them to identify and meet with a couple's therapist prior to beginning fostering or adoptive placement. Having an established relationship with a therapist often helps once challenges arise.

Assess

Use information learned about the applicant's relationships with partners or spouses to determine whether this area is a strength, if growth is needed, or if it is an area of concern in terms of their capacity to foster and adopt.

Indicators to watch for in relationships domain

Assessment	Indicators
Strengths in relationships domain	<ul style="list-style-type: none">• Applicant has a relationship history that reflects stability, capacity to problem-solve and to work through disagreements. It is a strength if they can identify ways they have grown after a difficult past relationship.• Applicants with a history of divorce can identify how they have grown, or what they learned from the relationship/s that ended and can identify how things are different in their current relationship, if they are currently in one.
Minimally prepared, training and support needed in relationships domain	<ul style="list-style-type: none">• Applicant's relationship with spouse or partner is moderately stable or they have been together for a short time, and they are still adjusting to the relationship.• Applicants have differences they cannot resolve; they are able to tolerate this conflict but lack the ability to compromise on issues.
Caution in relationships domain	<ul style="list-style-type: none">• Applicant lacks a history of marital or relationship stability. Their current relationship is unstable or new.• Applicant is constantly in a state of disagreement with others and are incapable of negotiating their differences. They become angry, hostile, or aggressive when conflicts occur.• Applicant has a pattern of interpersonal conflict or distancing, rather than problem-solving behaviors when conflicts occur.• Applicants do not work as a team regarding parenting issues, and roles are rigidly assigned with no flexibility.

Write

The domain will include both a description of the applicant's relationship history, and a summary of the licenser's assessment of how their history impacts their capacity to foster and/or adopt. Summarize the following in this section:

- Current and previous significant relationships with partners or spouses.

- Current relationship legal status (if applicable).
- Description of strengths and needs in current relationship with partner or spouse (if applicable).
- Communication style and problem-solving strategies in current relationship with partner or spouse (if applicable).
- Assessment of the impact (positive or negative) foster care, adoption, or TPLPC, may have on the relationship with their current partner or spouse (if applicable).

Children currently in the home

Interview

Interviews with the applicant include conversation about how they have engaged their own children in their decision to provide foster care. All children over seven years of age are to be interviewed to explore their thoughts on foster care being provided within their home and what role, if any, they expect to play ([Minnesota Rules, part 2960.3060, subpart 4](#)).

Some questions to consider when interviewing children in the home:

- What are the hopes, expectations and fears the applicant's children have about foster care?
- What are the specific needs of the applicant's children, and to what extent might they impact children placed in the home?
- How might the addition of children with significant needs impact the applicant's own children?

Assess

The licensing agency must know who every child living in the home is and what their legal relationship is to the applicant. Assessment in this domain centers on the involvement and interactions of the applicant's children living in the home and children in foster care. Licensors must understand the dynamics of the children currently placed in the home to assess what characteristics of a child applicant has the capacity to foster and/or adopt.

Indicators to watch for in children in the home domain

Assessment	Indicators
Strengths in children in the home domain	<ul style="list-style-type: none"> • Applicant has discussed with their children their plans about providing foster care and how it will impact the structure, routines, and daily life of the family. • Applicant has listened and thoughtfully considered the concerns and questions their children have regarding providing foster care.

Assessment	Indicators
	<ul style="list-style-type: none"> In their interviews, children in the home demonstrate a realistic understanding of what being a foster home might be like and feel comfortable talking with their parent about concerns. Applicant's own child has significant needs, and the applicant is already utilizing supports and routines that are easily adapted to the addition of other high needs children.
Minimally prepared, training and support needed in children in the home domain	<ul style="list-style-type: none"> Applicant has told their child/ren that they are planning to provide foster care, but discussion has been limited. In their interviews, children in the home have vague understanding or unrealistic expectations of what fostering will be like. Applicant's own child has significant needs; the applicant has a plan and supports they expect to use to meet all the children's needs.
Caution in children in the home domain	<ul style="list-style-type: none"> Applicant has not discussed their plans with their children or have misrepresented what providing foster care will be like. Applicant states that their own children's thoughts on fostering are not important, that they need to learn to be grateful for what they have and happy to share with others less fortunate. Applicant's own child has significant needs, and the applicant cannot articulate a realistic plan provide care to additional children while meeting their own child's needs.

Write

Complete the table by listing children currently living in the home **who are not children placed in the home for foster care**. If there are topics to address that exceed the small space allotted in the form, include information about the applicant's own children in the "Parenting skills and hands-on parenting" domain. Describe the child(ren), including their:

- Legal relationship to the applicant, including any child living there in an informal family agreement.
- Physical and personal characteristics, including any health concerns.
- Attitude and feelings regarding the foster/adoption plan, and how a new placement may impact them.
- Any behavioral, emotional, or other challenges that might impact the safety or well-being of children in foster care.

- Any activities or interests that may be impacted by the addition of children for foster care.

If the applicant has minor children who do not live in the home, they will be listed on the chart “Children, including adult children living out of the home.”

Other individuals living in the home

Interview

Applicants are required to share information about other individuals living in the home and how they will participate in providing care and/or interact with children in foster care. All household members over seven years of age must be interviewed, therefore the licensor will have the opportunity to ask about how the individual expects to be involved with children placed in foster care, their daily routines, and use of the home.

Assess

Assessment in this domain centers on the involvement of household members in the lives of children in foster care. Licensors need to know enough about the people living in the home to ascertain whether their presence is beneficial, detrimental, or will not impact the experience children will have when placed in the home.

Indicators to watch for in others living in the home domain

Assessment	Indicators
Strengths in others living in the home domain	<ul style="list-style-type: none"> • Individuals living in the home have clearly defined, realistic expectations and boundaries regarding their role with children in foster care. • Individuals living in the home have an adequate understanding of the impact of trauma on children’s brains and behavior and have a sense of how life in the home may change. • The prospective foster parent and individuals living in the home have a plan for communication and response should problems arise.
Minimally prepared, training and support needed in others living in the home domain	<ul style="list-style-type: none"> • Individuals living in the home do not understand what will be expected of them or the boundaries around their role with children in foster care. • Individuals living in the home do not have an adequate understanding of the impact of trauma on children’s brains and behavior and have a sense of how life in the home may change. • There is a vague or unrealistic plan for what will happen if problems or concerns arise.

Assessment	Indicators
Caution in others living in the home domain	<ul style="list-style-type: none"> • Individuals living in the home do not understand the applicant’s plan to provide foster care, or the applicant has misrepresented the potential impact on the home. • Individuals living in the home indicate that they will pose a threat to children in foster care and/or are unhappy about the applicant’s plans to provide foster care. • The plan for managing any concerns is that the individual will leave the home, although there is no plan for where they will go or what the departure would look like.

Write

List other people who live or stay in an applicant’s home. Write N/A on the first line if there are no other individuals in the home. Include a brief description of the role each person may have with children placed into the home in the appropriate field. More detailed, or extensive assessment information, when applicable, is written in the “Family Life” domain.

Children, including adult children living outside the home

Interview

It is best practice to interview adult children of applicants. Interviews with adult children are a good source of information regarding how the applicant has parented in the past and their current functioning and capacity to provide care. Some questions to consider when interviewing adult children:

- How did their parent express love, pride, disappointment, anger, or other emotions towards them when they were a child?
- How were they disciplined and how were expectations set?
- How well do they think their parent did in raising them?
- Are there things wish their parent had done differently?
- What are their thoughts or concerns about their parent doing foster care, including the impact it might have on the relationship with the adult child and their family?

Assess

If there are severed relationships with one or more of their adult children, the assessment must include a determination of how this may impact their capacity to provide foster care. Severed relationships do not

necessarily mean that a person should not be licensed to provide foster care, but how they understand and talk about these painful situations demonstrates whether they are able to reflect on their actions as a parent or may demonstrate a reluctance to assess what could have been done differently.

Indicators to watch for in children living outside the home domain

Assessment	Indicators
Strengths in children living outside the home domain	<p>Adult child/ren reports:</p> <ul style="list-style-type: none"> • The applicant was a loving, flexible, attuned parent. • The applicant was creative and fair in their discipline and clear about their expectations. • The adult child is positive about their parent providing foster care.
Minimally prepared, training and support needed in children living outside the home domain	<p>Adult child/ren reports:</p> <ul style="list-style-type: none"> • They have limited contact and limited on-going relationship with the applicant due to personality conflicts or minor disagreements between them, but not due to violence or abuse. • Applicant tried different strategies for discipline and other parenting challenges, even if they were not necessarily highly skilled. • The adult child expresses concern about their parent's capacity or believes they are unrealistic about what being a foster parent entails.
Caution in children living outside the home domain	<p>Adult child/ren reports:</p> <ul style="list-style-type: none"> • The applicant was violent, abusive, or neglectful as a parent. • Not having and not wanting contact with the applicant due to on-going conflict between them or on-going abusive behavior on the part of the applicant. • The applicant had a very rigid parenting style and/or discipline strategies that caused fear or harm. • The adult child indicates that they or extended family members will exclude, isolate, or undermine the applicant should they become a foster parent.

Write

Write N/A on the first line if there are no children living outside the home. If an applicant has children who do not live in the home, including adult children, complete each item in the chart. Information learned from interviews and the assessment of that information may be summarized in the “Parenting Skills” domain, or other domains as applicable.

Personal characteristics and resilience

Interview

Interviews in this area provide an opportunity to listen for indicators of emotional maturity, the capacity to manage stress, and how the applicant managed the emotionally difficult experiences they have had in their life. Personal characteristics and resilience of applicants of all races can be seen in how they talk about their own racial and cultural identity development, and how they see that impacting the way they will provide for safety and well-being of children of all races in foster care.

Assess

Successful foster parents are emotionally mature, have the capacity to not take children’s behaviors personally while understanding that sometimes it will be difficult to avoid doing so, and understand that they will have to build new skills to parent each child. They can provide attuned, empathetic care without becoming overwhelmed with the pain children are experiencing and create structure and organization for their life without becoming rigid or inflexible. They recognize that strategies they used in their own healing journey, or to discipline their own children, may not work for a child in foster care who brings a whole host of different life experiences to the relationship.

Indicators to watch for in personal characteristics and resilience domain

Assessment	Indicators
Strengths in personal characteristics and resilience domain	<ul style="list-style-type: none">• Applicant can delay gratification and find satisfaction in small gains.• Applicant has insight into their own sensitivities and vulnerabilities and has a plan for how they will manage their own emotions and work to build a relationship with a child who struggles with attachment.• Applicant can critically and realistically assess their own strengths and limitations and is enthusiastic about building new skills.• Applicant acts responsibly, fulfills obligations, and only commits to things they are able to do.• Applicant demonstrates strong self-regulation skills.• Applicant demonstrates a capacity to be flexible and accommodate changes.

Assessment	Indicators
Minimally prepared, training and support needed in personal characteristics and resilience domain	<ul style="list-style-type: none"> • Applicant can delay gratification but experiences extreme disappointment doing so. • Applicant has trouble emotionally regulating when they feel vulnerable or unappreciated. • Applicant has limited insight into their own strengths and limitations, and/or is indifferent about building new skills. • Applicant can make a commitment but is likely to give up when the situation becomes difficult.
Caution in personal characteristics and resilience domain	<ul style="list-style-type: none"> • Applicant cannot delay gratification or work toward a goal. • Applicant is easily frustrated and has poor emotional regulation as demonstrated by inappropriate statements, outbursts of temper, etc. • Applicant's descriptions of stressful situations indicate poor coping or adaptive capacity. They lack adequate ability to manage and resolve changes, losses, or trauma. • Applicant acts irresponsibly, blames others for personal problems or tries to manage by ignoring the situation. They are comfortable allowing others to handle their problems and lack insight into their own role in the situation.

Write

A separate personal characteristics and resilience summary must be completed for each applicant. Describe the applicant's personal characteristics including their capacity to manage stress and their ability to express and process emotions in a way that builds and strengthens positive interpersonal relationships.

Summarize the following in this section:

- Applicant's ability to deal with stressful situations and to delay gratification.
- Applicant's ability to move through difficult times and emotionally regulate to continue to meet responsibilities.
- Applicant's capacity to cope with stress and to attend to their own emotional, physical, and mental well-being.
- Applicant's flexibility, including an ability to adjust to the unexpected or unknown.
- Applicant's history of making and keeping commitments.

- Applicant’s resilience and wisdom that have come from their own identity development.

Support system

Interview

Interviews with the applicant identify who the applicants support system is and how those in the support system will be welcoming to a child in foster care, especially a child who has experienced trauma and may have behavioral challenges, a child with social and/or developmental delays, a child of a different race or ethnicity than the applicant, or a child navigating their emerging sexual orientation and gender identity (SOGIE) or who identify as GLBTQS2+. These discussions include how the applicant is prepared to navigate changes in relationships with their family and friends that may occur once the family is providing foster care.

Some agencies include a ‘support network meeting’ as part of their assessment process. This is an informal gathering of family and friends, identified by the applicant, who want to learn more about the applicant’s plans to foster or adopt, children in foster care, and about the child welfare system in general. This meeting is a good opportunity for the licensing agency to answer questions and to help friends and family begin to think about the ways they can support the applicant once they are caring for children.

Assess

The licensor assesses how the applicant’s support system contributes to making them well-suited or not well-suited to provide foster care to children who have experienced trauma.

Indicators to watch for in support system domain

Assessment	Indicators
Strengths in support system domain	<ul style="list-style-type: none"> • Applicant has a strong, well-developed, diverse support system of extended family, friends, neighbors, spiritual community, and/or other community groups. • Applicant’s support system values and affirms the applicant’s decision to foster or adopt and indicates that they will welcome a child into their circle. • Applicant demonstrates an ability to be flexible in their boundaries and welcome assistance offered from outside. Applicant readily seeks outside help. • Applicant values the role extended family of children in foster care may play in providing additional support to the foster parent and child/ren.
Minimally prepared, training and support needed	<ul style="list-style-type: none"> • Applicant has a limited or only recently established support system. They tend to deal with problems internally and will ask for help as a last resort. • Applicant’s network has expressed mixed support for the applicant’s decision to foster or adopt, and it is not clear that a child will be welcomed into the circle.

Assessment	Indicators
in support system domain	<ul style="list-style-type: none"> • Applicant has some reservations about encounters with children’s extended family and do not fully understand how these contacts contribute to a child’s cognitive and emotional well-being or how this contact can be a support for the foster parents, too.
Caution in support system domain	<ul style="list-style-type: none"> • Applicant has no identifiable support system. • Applicant believes in managing their own affairs and resists intervention or resources from outsiders, even when it would benefit the family. • Applicant’s friends and family have stated that they do not support the applicant’s wish to provide foster care or adoption and/or that they will not interact with or welcome a child. • Applicant resists visitation or openness arrangements with the child’s birth family members and does not believe that family members participation could provide valuable support.

Write

This domain describes an applicant’s support system and summarizes the licensing agency’s assessment of the applicant’s network of support and their willingness to utilize help that will be necessary to successfully provide foster care. Summarize the following in this section:

- Applicant’s current support system, including important people, places, and services they utilize (formal and informal).
- Applicant’s history of utilizing formal and informal supports and ability to ask for help.
- Applicant’s plan to prepare extended family/friends/support network for the arrival of a child. If a ‘support network’ meeting with the applicant’s family and extended family occurred, provide an overview of the level of support demonstrated at that meeting.
- Diversity within the applicant’s support system and their plan for ensuring that children in their home see that they value and love people who share traits with them.
- Applicant’s plan for child care and substitute care.
- Applicant’s emergency support system.

Parenting skills and hands-on parenting

Interview

Interviews explore the applicant's ability to provide consistent supervision, positive and constructive discipline, and care to contribute to the child in foster care's well-being. If they have parented already, applicant is asked to provide examples of positive discipline strategies they have used in the past. Foster parents need a full array of parenting tools and strategies at their disposal. If an applicant says that their primary strategies are limited to taking away privileges, grounding, and time-out they will need additional training and support to recognize how parenting a child in foster care may look different to their parenting style in the past. See Appendix C for foster parent training resources.

Agencies are responsible for ensuring that applicants are aware of the discipline methods or caregiver's behaviors that are prohibited in [Minnesota Rules, part 2960.3080, subpart 8](#). A detailed discussion with the applicant must make clear that no forms of physical discipline are acceptable with children in foster care, and this may be an efficient time to have the applicant complete their [Child Foster Care Discipline Policy](#). If applicants use physical discipline with their own children, the assessment must include their understanding of the impact witnessing such discipline may have on children placed in their home.

Assess

Assessment of this domain explores how well the skills and experience the applicant currently has can translate to the skills they need for day-to-day parenting of a child in foster care and whether they have the capacity and interest to learn and use trauma-informed, attachment-building strategies in their home. Assessment includes how they might help children who come from a racial or cultural background different than their own feel a sense of belonging and safety.

Indicators to watch for in parenting skills and hands-on parenting domain

Assessment	Indicators
Strengths in parenting skills and hands-on parenting domain	<ul style="list-style-type: none">• Applicant accurately assesses their strengths and limitations as a parent. Applicant individualizes children and responds to each child according to their developmental level and needs.• Applicant understands they must consider a child's trauma history, which means they are likely to need to parent a foster or adopted child differently than they parented their birth children.• Applicant has had prior experience caring for and interacting with other people's children, including children who have physical, emotional, health or behavioral challenges.• Applicant is familiar with developmental tasks of all age groups of children. They can identify factors that enhance child development and promote well-being. They understand the importance of normalcy to adolescent development and can

Assessment	Indicators
	<p>describe how they will incorporate federal and state requirements on the Reasonable and Prudent Parent Standard into their parenting decisions.</p> <ul style="list-style-type: none"> • Applicants use appropriate interventions that promote positive development (attachment, self-regulation, and initiative).
<p>Minimally prepared, training and support needed in parenting skills and hands-on parenting domain</p>	<ul style="list-style-type: none"> • Applicant can describe differences between their own children but haven't made necessary adjustments to parenting strategies, direction, and supervision to accommodate these differences. • Applicant has limited experience parenting children and does not have knowledge about child development, but they recognize the need to learn more about caring for children with special needs, attachment challenges, and trauma history. • Applicant recognizes that they may need to be very involved when parenting children with special needs but feel uncomfortable doing so. • Applicant will refrain from using physical punishment on children in foster care, but they do not fully understand why it is not allowed as a strategy for controlling a child's misbehavior. • Applicant realizes they need to give more thought to how they will create an environment of normalcy for their foster or adopted child. They believe they will have ample time to do so after the child has arrived.
<p>Caution in parenting skills and hands-on parenting domain</p>	<ul style="list-style-type: none"> • Applicant lacks insight into their strengths and limitations as a parent and is rigid and indiscriminate in their expectations and use of parenting techniques. They are unable to describe how they need to parent children with differing needs and strengths. • Applicant has no experience with children other than their own and/or no contact with children who have special needs. • Applicant advocates for the use of corporal punishment or cruel discipline and denies the negative impact these strategies would have on a child who has been abused, neglected, or sexually victimized. • Applicant views any discussion about a child's development as irrelevant to their parenting skills and is resistant to having to do anything additional to create an atmosphere of normalcy for children or youth. • Applicant provides very little direction and supervision to their children and believe children should be able to manage their own behavior or respond to verbal direction.

Write

This section describes an applicant's parenting skills and experience and summarizes the licensing agency's assessment of how that experience demonstrates their capacity to foster and/or adopt.

Summarize the following in this section:

- Applicant's parenting and caregiving experience with child/ren, particularly those who have special needs, high supervision needs, or who have experienced trauma and their willingness to learn new techniques and skills.
- Applicant's parenting methods, including supervision, behavior management, nurturing, and discipline techniques.
- Applicant's knowledge of typical child development and how it is impacted by trauma.
- Applicant's understanding of how the parenting role might include different responsibilities depending on the racial, cultural, medical, behavioral or SOGIE development needs of the child.
- Applicant's flexibility to adapt parenting skills and overall family life to meet a child's needs. If applicable, a description of who will have primary responsibility for supervision, discipline, and the daily "hands on" role of a parent.
- Applicant's willingness to implement normalcy and prudent parenting standards.

Adoptive and/or foster parenting

Interview

Interviews in the adoptive and/or foster parenting domain help the licensor understand the applicant's motivation and expectations for the foster or adoption experience. When needed, it is critical that these discussions serve as an opportunity for an applicant to develop more realistic expectations and understanding of the role of foster or adoptive parents. Some critical questions to ask of applicant may include:

- Are they prepared to support a child's developing identities, including supporting connection and identity development in the child's ethnicity and race, cultural traditions or practices, faith/spirituality, and SOGIE (sexual orientation and gender identity expression)?
- Are they considering how a child's physical and mental health needs evolve and change as they grow and develop?
- Do they understand that a child's needs may turn out to be much different than they expected?

Assess

Assessment in this domain explores the applicant's understanding of the commitment and emotional investment of foster care and adoption. The assessment explores the applicant's ability to be empathetic and

recognize that a child, their parents, and extended family experience grief and loss when a child is separated from their family, regardless of the complicated circumstances that led to the separation.

Indicators to watch for in adoptive and/or foster parenting domain

Assessment	Indicators
Strengths in adoptive and/or foster parenting domain	<ul style="list-style-type: none"> • Applicant understands the goals of child welfare, including understanding that reunification is the first goal of foster care, and has realistic expectations of children, themselves, and the foster care or adoption experience. • Applicant sees themselves as important members of the child's team and advocates for the child. • Applicant can explain how respect for the intersecting identities of the child and family impacts placement success and child welfare goals. They have concrete plans for helping a child feel welcomed in their home. • If applicable, applicant has managed their grief around infertility or death of a child and recognizes that foster care and adoption is not a replacement for a biological child.
Minimally prepared, training and support needed in adoptive and/or foster parenting domain	<ul style="list-style-type: none"> • Applicant has a baseline understanding of their role and responsibilities in the child welfare team and is somewhat familiar with how a child welfare case develops from beginning to end but needs further education. • Applicant has concerns about their ability to respond to all the responsibilities that the role requires and has hesitancy around openness and communication with parents and extended family. • Applicant expresses a willingness to make their home and parenting more culturally responsive but needs additional guidance on how to begin. • One applicant is very interested and involved in the process, and the other is going along with the plan without being actively engaged. • Applicant expresses excitement about becoming foster or adoptive parents yet continues to struggle to manage their feelings of loss related to infertility or death of a child.
Caution in adoptive and/or foster parenting domain	<ul style="list-style-type: none"> • Applicant does not view themselves as a member of the child welfare team, nor do they see the benefits of teaming. They are not invested in working towards the goal of reunification and are difficult to engage during the home study assessment process.

Assessment	Indicators
	<ul style="list-style-type: none"> • Applicant has given only minimum consideration to the diverse issues and needs of children and has demonstrated little or no effort to think about ways to welcome a child into their home and community. • Applicant may minimize the impact of trauma that children have experienced, believing they are rescuing a child and any issues can be overcome by love, TLC, or faith. • Applicant wants to find a playmate for a birth child or believes a fostering a child will save their struggling marriage. • Applicant feels pressured by extended family, spouse, or partner to provide foster care. • Applicant shows a pattern of quitting activities or commitments that did not meet their own personal needs and expectations. • Applicant has not addressed their emotions about their infertility struggles or death of a child and believes that foster care or adoption will help them move past their grief and loss.

Write

This section describes the applicant's understanding, desires, expectations, and concerns related to adoptive or foster parenting.

Summarize the following in this section:

- Type/s of care the applicant would like to provide (foster care, adoption, respite, guardianship for a relative child) and the space available in the home.
- Characteristics of child/ren the applicant envisions and has the capacity of caring for (age, sex, gender identity, race/ethnicity, sexual orientation, level and type of child's needs, or a specific child).
- Applicant's motivation to foster and/or adopt or to accept a transfer of permanent legal and physical custody (TPLPC) and their understanding of the difference between foster care, adoption, respite, and TPLPC.
- Hopes and concerns of each household member related to foster/adoptive parenting.
- Applicant's plan to parent a child who has experienced trauma, demonstrates behavioral problems, or experiences developmental delays.

- Applicant’s plan to support a child’s developing identity, sense of belonging or membership in a cultural group, which includes the child’s ethnicity and race, faith/spirituality, gender identity, socio-economic factors, sexual orientation, and traditions or practices.
- Applicant’s expectations of how family routines will need to change when a child in foster care is placed in the home.
- Applicant’s coping strategies or supports for the family when a child in foster care leaves their home for permanency or another reason.
- Applicant’s understanding of the importance of communication and partnership with the licensing and placing agency. This includes remaining in compliance with licensing rules, statutes, and laws, advocating for services to meet the child’s changing needs, and supporting permanency efforts.
- Applicant’s understanding of the importance of the child’s relationship to family and their prior experience interacting with birth parents. Are they prepared to nurture these relationships and support permanency even if they do not fully agree with or support the placing agency’s decision? Do they have strong feelings related to parenting another person’s child?

Permanency planning

Interview

The interview process must include direct conversation with the applicant about their understanding of the role of foster parents in supporting permanency, including reunification. Proactive efforts to maintain and strengthen the child’s relationships with parents, siblings, relatives, kin, culture and community through visits, communications and activities are required of foster parents and the interview process explores their ability to meet this critical responsibility.

Assess

Assessment in this domain also explores the applicant’s understanding of concurrent permanency planning.

Indicators to watch for in permanency planning domain

Assessment	Indicators
Strengths in permanency planning domain	<ul style="list-style-type: none"> • Applicant understands that reunification is the first goal of foster care, and foster parents are expected to be active participants in helping implement the permanency plan, whether it is reunification, TPLPC or adoption. • Applicant expresses child-focused reasons for their motivation to foster or adopt and cites children’s best interests rather than factors related to filling a need of their own.

Assessment	Indicators
	<ul style="list-style-type: none"> Applicant values and encourages involvement with the child's parents, relatives, and other important people in the child's life. They support reunification or connection to those people and recognize how this can reduce trauma and the child's sense of loss and separation.
Minimally prepared, training and support needed in permanency planning domain	<ul style="list-style-type: none"> Applicant has a limited understanding of permanency and believes adoption, rather than reunification or TPLPC with a relative, is almost always the best plan for a child. Applicant is hesitant about the idea of interacting with children's parents or other relatives but is open to learning more and building their skills in this area.
Caution in permanency planning domain	<ul style="list-style-type: none"> Applicant believes children should live in the present and forget about their past relationships, experiences, or circumstances. They believe children in foster care should rarely go home. Applicant does not understand the concept of permanency and cannot articulate why it is a relevant goal of child welfare. Applicant regards the child welfare system primarily as a means to become parents. They harbor inaccurate notions about the purpose of foster care.

Write

This section describes the applicant's understanding and thoughts about the goal of achieving permanency for children in foster care.

Summarize the following in this section:

- Applicant's understanding of the legal aspects of child welfare, including parental rights and roles, and process of concurrent permanency planning in the child welfare system.
- Applicant's understanding of the importance of preserving a child's connections to relatives, kin, community and culture through visitation and contact, and how this relates to a child's identity and positive development.
- Applicant's ability to support reunification and likelihood of a child's return to the birth parent/s or other relatives.
- Applicant's understanding of the impact multiple moves have on a child's sense of trust, stability, and behavior.

- Applicant’s understanding of adopted children’s long-term needs and their ability to support these needs.

Family life, routines, and activities

Interview

Interviews with the applicant and household members help the worker to learn more about the current day-to-day life of the family. It’s critical that applicants demonstrate an understanding that there is likely to be a significant change to their regular routine if they become foster parents. Conversations in this area help the worker to get a sense of what it would feel like to live in this family and the family’s capacity to integrate new activities, interests, and cultural perspectives to create a new version of their family system.

Assess

Assessment in this domain explores the family’s daily routine, system of organization and lifestyle and include how the family will pay attention to and balance providing the things that bring comfort to children and opportunities that arise to introduce new products and experiences to children’s lives. Good communication with children’s parents can help foster parents learn more about comfort items, clothing, and hygiene products that are familiar and/or preferred by the children being fostered.

Indicators to watch for in family life, routines, and activities domain

Assessment	Indicators
Strengths in family life, routines, and activities domain	<ul style="list-style-type: none"> • The family has flexible mealtime routines, and they are enthusiastic about integrating foods or mealtime rituals children may bring into the home. • Family members have social and recreational activities they enjoy and have thought about how to include children in foster care and considered way the family’s routines may have to change to accommodate additional interests children may have. • Rules, chores, and expectations in the home are clearly communicated and applicant has a plan for how they will consider a child’s unique needs and ability to contribute to the household’s routines. • The applicant’s home is within reasonable distance to a variety of support resources and schools that provide special education services. If not, the applicant recognizes that caring for children in foster care is likely to require significant travel to meet their medical, mental health, education, and other needs. • Applicant has had significant exposure to religiously diverse groups of people and is prepared to welcome children into their home whose religious or spiritual backgrounds are different from their own. They are willing to meet the ongoing needs of children who may require something different than what the family

Assessment	Indicators
	already does, such as daily obligatory prayers, meditation, day of worship observance, dietary restrictions, etc.
Minimally prepared, training and support needed in family life, routines, and activities domain	<ul style="list-style-type: none"> • Applicant expresses limited flexibility and understanding of the ways their family routines will change with the addition of a child in foster care. • Rules, chores, and expectations are largely unspoken, and the applicant has trouble articulating what their expectations are or how they will communicate them to children placed in the home. • Applicant's home is a relatively far distance from support resources and schools with special education services, or the applicant minimizes the effort it may take to access necessary supports. • Applicant has had limited contact with individuals or groups from diverse religious and spiritual backgrounds but expresses willingness to learn more about how to meet the spiritual or religious needs of children placed in their home.
Caution in family life, routines, and activities domain	<ul style="list-style-type: none"> • Applicant has very rigid, inflexible routines and daily schedule and believes that they will not have to adapt anything to provide foster care. • Rules, chores, and expectations do not seem to exist in the home and the applicant sees no need to add structure or routines as children enter the home. • Applicant does not understand that children in foster care routinely need support services in the community and in school and will not engage in discussion about where they may access those services. • Applicant expects that children placed in their home will conform to the values, beliefs, and practices of their religious faith, and/or expresses disdain for other practices or beliefs.

Write

This section describes the applicant's family life, routines, and activities. Summarize the following:

- Daily routine of the family, including adult's work hours, children's school hours, family transportation, and typical evening and weekend activities.
- Mealtime expectations and any special diet the family follows, including their flexibility and capacity to accommodate a child with dietary restrictions or requirements that are different than their own. Where the family typically eats meals, and whether they eat together. A description of how they will include children in foster care in their mealtime routines. Licensing agencies are expected to grant a variance to [Minnesota Rules, chapter 2960.3040, subpart 4](#) (dining area requirement) when it does not affect the health or safety of children in foster care.

- Social and recreational activities the family enjoys together.
- A detailed description of the home, including space available for a foster or adoptive child.
- Family rules, chores, and boundaries and how these expectations are communicated.
- Expectations/routines regarding personal hygiene and health care, including religious or personal beliefs about immunizations or other health care practices.
- Family holiday and religious celebrations and activities and the applicant's ability to support religious and cultural practices of a child that may be different from their own.
- Family decision making practices and how social activities are planned.
- Preparation the applicant has done to share their life and welcome a child placed in their home.

Family finances

Interview

Interviews in this domain discuss the applicant's financial stability and explore the ways that fostering may impact their financial resources. Applicants must be able to financially support their family without relying on Northstar payments. The foster care basic rate is for the purpose of meeting the needs of children in foster care. Guideline VII.8 provides more detail on what types of expenses, such as the child's food, clothing, shelter, school supplies and personal incidentals the basic rate covers.

Interviews in this domain must also include discussion of the many ways economic disparities are prevalent in the foster care system. Applicants should be able to describe strategies they will use to help children navigate differences in opportunities and resources that might exist between their family home and the foster home.

Assess

The licensor assesses that the applicant has sufficient financial resources to meet their basic living requirements and that the addition of children in foster care will not have a detrimental impact on their financial situation. The licensor also assesses that the applicant does not intend to rely on the Northstar assistance as income to meet the family's basic living requirements.

Write

This domain summarizes a discussion with applicants about family finances, including:

- Confirmation that information about Northstar Care for Children benefits have been provided to applicant, and that the applicant understands what Northstar is to be used for.
- Summary of applicant's financial circumstances and confirmation that applicant is financially stable without Northstar foster care maintenance payments.
- Especially for relatives, a discussion around what additional resources are needed and/or available.

Summary of references, collateral contacts, and other relevant information

Licensing agencies request or access information they determine to be relevant to help them assess an applicant's capacity to provide for safety and well-being of children. This domain summarizes information from other agencies or individuals contacted as part of the assessment, including personal references, previously involved foster or adoption agencies, chemical dependency, mental health or other assessments, history of social service intervention or law enforcement involvement.

If non-disqualifying offenses were identified in the background study, this domain should include a statement that they were reviewed and that the agency has determined whether and how they may impact the applicant's capacity to safely care for children, but not list the specific non-disqualifying offenses. This domain does not include details of non-disqualifying offenses but can reference whether there are safety concerns based on the Non-disqualifying Background Study Information Assessment. Information about the circumstances surrounding non-disqualifying offenses may be included in the domain where it is relevant. For instance, in the personal history section of the Home Study Assessment document, it is appropriate to discuss challenging periods of the applicant's life, which may include painful things they have experienced or done. The purpose of doing so is to help describe the applicant's life journey and the events that have shaped them.

Personal reference letters/questionnaires or other documents received from third parties are confidential and applicants may not view any of these materials. A high-level overview of the information provided by references is included, stating three references were received and any areas of strength or concern are addressed in the appropriate domain/s of the Home Study Assessment. Identifying information, such as the reference's name or relationship to the applicant may not be included in the Home Study Assessment.

Agency credentials and signatures

Casework by a private licensing agency must be supervised by a licensed independent social worker (LISW) or licensed independent clinical social worker (LICSW). Supervision of case work includes reviewing and approving each written Home Study Assessment, including home studies for international adoptions. Home Study Assessments completed by a county may be approved by a supervisor without those credentials.

The supervisor signature on a Home Study Assessment means that they have reviewed and approved the document and the work completed to inform the assessment. It means that they have read it carefully and had the licenser follow up for additional information in any areas that need further exploration or clarification. A signature means that the supervisor affirms that the quality of the document accurately reflects both a description of the applicant and an equitable assessment of their ability to meet the safety and well-being needs of children in foster care.

Prior to signing a Home Study Assessment, the supervisor has at a minimum reviewed the following:

- A high-level summary of reference information is included in the collateral section and does not disclose the name, relationship to the applicant, other identifying information, or specific details from any of the references. Topics of concern from references are addressed in the appropriate section of the Home Study Assessment.

- If collateral information was received from medical or mental health providers or others, the conclusions drawn in the Home Study Assessment are solid and supported by the supervisor.
- All appropriate background study clearances (or set asides or variances) have been received and that a proper assessment of non-disqualifying offenses was completed.
- Any variances granted have been properly documented, and the Application is not being denied based on a statute or rule for which a variance could have been granted without impacting child safety.
- The interviews and preparation with the applicant adequately address their understanding of the role of a foster parent and their commitment to supporting permanency, including reunification.
- That the licensor discussed and consulted with colleagues or a supervisor on their assessment of the applicant and has addressed areas where bias may have impacted their conclusions.
- That the licensor did not make the decision whether to recommend licensure by themselves; at least one other colleague or supervisor participated in the decision.

A supervisor signature is required on all Home Study Assessments, whether the applicant has been approved or denied. The 'approval date' is the date the supervisor reviewed and approved the Home Study document; it does not mean that the applicant has been approved for foster care and/or adoption.

Foster care only: Training record

This section details trainings completed by foster care applicants to meet state and federal requirements. If the training does not apply to an applicant, or a variance has been approved, select the appropriate option.

Minnesota statutes do not require applicants to complete specific training for approval of an adoption study, but many adoption agencies require training as part of their process.

Guidelines: Making the decision whether to recommend licensure

Assessment is the process that leads to the decision whether to recommend licensure and includes review of all documents and processes, interviews with applicants and household members and all collateral information. It also includes listening carefully to the applicant's perception of their own strengths and needs related to providing foster care.

If the assessment determines that an applicant is emotionally mature, responsive to accessing supports and development, and demonstrates a good understanding of the roles and responsibilities of a foster parent, the Home Study is approved, and the applicant is recommended for licensure.

If the assessment determines that an applicant is not emotionally mature, does not have the capacity to provide for the safety and well-being of children in foster care, that they are not responsive to accessing supports and development and/or does not demonstrate a good understanding of the roles and responsibilities of a foster parent the home study is not approved and a recommendation for denial of the foster care application is made to DHS.

V.11. The decision whether to approve a Home Study Assessment and whether to recommend licensure may not be made unilaterally by an individual worker.

Workers responsible for completing home study assessments must have access to and utilize consultation with colleagues and/or a supervisor to discuss concerning or unresolved aspects of the assessment and their proposed recommendation. Colleagues can offer observations, questions and challenges to areas that may have been impacted by worker bias, systemic or historical racism or that simply would benefit from additional perspectives. Licensors can then re-visit conversations with applicants to address any additional questions or concerns to ensure a thorough assessment.

V.12. Licensing agencies may only recommend a foster care license for an applicant that they assess to be safe and able to meet the needs of children in foster care.

The Home Study Assessment provides the place to document the conclusions the agency has drawn regarding the applicant's ability to meet the requirements of [Minnesota Rules, part 2960.3060, subpart 4](#), which requires the applicant to demonstrate the ability to:

- Provide consistent supervision, positive and constructive discipline, and care and training to contribute to the foster child's well-being.
- Understand the licensing agency's programs and goals.
- Work within agency and state policies.
- Share responsibility for the foster child's well-being with the foster child's social worker, school, and legal parents.
- Actively support the foster child's racial or ethnic background, culture, and religion, and respect the child's sexual orientation.
- Accept the foster child's relationship with the child's family and relatives and to support visitation and family reunification efforts.
- Have a current network of support that may include extended family, and neighborhood, cultural, and community ties that the applicant can use to strengthen the applicant's abilities, and for support and help.
- Meet the foster child's special needs, if any, including medical needs, disabilities, or emotional disturbance.

- Deal with anger, sorrow, frustration, conflict, and other emotions in a manner that will build positive interpersonal relationships rather than in a way that could be emotionally or physically destructive to other persons.
- Nurture children, be mature and demonstrate an ability to comply with the foster child's care plan and meet the needs of foster children in the applicant's care.

If the agency has not approved the Home Study Assessment, inability to do the above listed things may be a basis under which to deny a license. In some circumstances it may be appropriate to recommend a conditional license that would address specific concerns and supervision needs. Consultation with Foster Care Licensing is appropriate when the agency is not sure whether to recommend denial or a conditional license. Under no circumstance should an applicant be recommended for licensure if the agency determines they would not place children in the home due to safety concerns or the inability of the applicant to meet children's needs. It is essential that licensing agencies be honest with applicants when the agency determines that the applicant is not capable of providing foster care.

V.13. Denial shall be recommended when an applicant does not meet minimum licensing standards.

Denials are recommended after an assessment has determined an applicant does not meet minimum licensing standards. Reasons the agency may recommend denial include, but are not limited to:

- A background study disqualification that has not been set aside or granted a variance or is a permanent or five-year bar.
- Inability to meet requirements of [Minnesota Rules, part 2960.3060, subpart 4](#).
- Knowingly providing false or misleading information during the assessment process, especially if the applicant hid or misrepresented a health or safety risk in the home.
- Chemical, mental, or other health assessments that indicate the applicant or household member poses a safety risk or is unable to meet the responsibilities of providing foster care.
- Indications that the applicant or a household member poses a risk to child safety.
- Home safety issues that the applicant is unable or unwilling to address, including inappropriate gun storage or unfinished renovation projects with exposed wires or other hazards.
- Lack of engagement or progress from the applicant, even with significant support and outreach from the licensing and placement agencies.

V.14. A recommendation for denial to DHS must follow the format in the [Foster Care Licensing Action Manual](#).

The template and procedures outlined in the [Foster Care Licensing Action Manual](#) must be used when recommending a denial for a child foster care application. The manual contains detailed information about making a denial recommendation. The Appendix section contains the required template and supplemental information licensing agencies complete. The template from the manual must be used, however, agencies may copy and paste it onto their agency letterhead. DHS licensing no longer accepts denial recommendations in any other format. All recommendations must be sent securely via email to dhs.fostercarelicensing@state.mn.us.

V.15. Licensing agencies are required to send notification to applicants when a license denial recommendation is made to DHS.

[Minnesota Statutes, section 245A.16, subdivision 8](#) requires that applicants be provided a notice when a license denial is recommended to DHS.

A sample notification letter for when licensing agencies make a recommendation for denial can be found in Appendix K of the [Foster Care Licensing Action Manual](#). Denial recommendations are confidential, therefore licensing agencies cannot provide a copy of the recommendation or specific information included in the recommendation to anyone, including the applicant.

V.16. Writing the Home Study Assessment document may still be required if the agency makes a denial recommendation.

Some licensing agencies have policies, contract or accreditation requirements that direct them to write the Home Study Assessment document regardless of the recommendation for licensure or denial. Agencies without these requirements should use the following to determine whether writing the Home Study Assessment document is necessary in situations when a denial recommendation is being made.

The Home Study Assessment document is written in full in the following circumstances:

- Applicant applied for foster care and adoption. They are denied for foster care but approved for adoption.
- The decision to recommend denial is based on interviews, collateral information and/or concerns identified by the licensing agency in the process of assessing the applicant. If considerable work has

already been completed to assess the applicant, the Home Study Assessment is used to document reasons for the denial recommendation.

The Home Study Assessment document is not required to be written in the following circumstances:

- The denial recommendation is based solely on a background study disqualification, for which reconsideration was not requested or not granted.
- If the licensing agency has not substantially begun the home study assessment interviews and activities.

A denial should not come as a surprise to an applicant. Licensing agencies are expected to be in close communication with applicants regarding concerns that may lead to a denial recommendation. While these conversations are often challenging, they demonstrate respect for applicant and support community trust in the licensing process.

VI. Completing the initial licensing process

Introduction

While the foundational documents and activities described in Section IV are assessed and the Home Study Assessment is written and approved as outlined in Section V, the licensing agency is also working with the applicant to complete and gather all the documents required to recommend licensure. The licensing process includes discussion about possible variances, development of license-holder policies and emergency procedures, completion of home safety and licensing checklists, and other required documents. This section provides expectations for the activities and documents that are part of the licensing process.

Guiding principles applied to the initial licensing process

- **Child safety and well-being.** The licensing process includes review and discussion of the requirements and expectations for foster parents and helps them understand how compliance helps secure safety and well-being for children.
- **Equity.** Equity in foster care licensing is advanced when agencies are flexible to meet applicants' individual needs for support navigating the licensing process.
- **Preservation of relative, kin, community and cultural connections.** Proactive, flexible licensing procedures help make it possible for children to be placed with a relative when they must be in foster care. This is the first line of defense for preserving critical relationships.
- **Consistency.** The Guidelines provide clear expectations for licensing activities and will ensure that applicants experience a similar licensing process regardless of the agency performing licensing functions.

Equity pause

Foster care licensing documents, policies, procedures, statutes, rules, and processes are very focused on the written word and legal constructs. Some cultural perspectives find parts of the process offensive, overwhelming, and overly intrusive.

1. What can I do to bring more aspects of a relational worldview to the licensing process? For instance, have I spent time getting to know the applicant, sharing appropriate information about myself, and building a reciprocal connection before jumping into the 'business' of licensing?
2. Am I recognizing that applicants may or may not share the same urgency and focus on timelines that I, as a licensor, attend to? Am I making the licensing process flexible to accommodate applicants' schedules, preferences, and capacity?
3. Have I let applicants know that I will accommodate their needs to complete the process, including assistance in completing documents, providing information in alternative formats, or answering questions they have about the forms or process?

4. Have I helped the applicant understand the reason why all this information is being requested and how it will be used and protected?

Guidelines: Completing the initial licensing process

VI.1. Licensure does not guarantee placement. Licensing agencies explain to applicants and newly licensed foster parents that placements are made based using an individualized determination of each child's best interests.

It is important that foster parents understand that placement decisions will be thoughtfully made so that children are placed in homes that have the capacity to provide for their safety and well-being. Considerations include all the child factors listed in [Minnesota Statutes, section 260C.212, subdivision 2](#) as well as other things such as the dynamics of other children who may be in the home, the proximity to the child's home community and parents, relatives or siblings and specialized skills of the foster parent.

Licensure is not an entitlement, a right, or a guarantee that children will be placed in the foster home. The agency responsible for the child retains the right to choose which licensed foster home is best suited for an individual child in need of foster care placement ([Minnesota Rules, part 2960.3020, subpart 3](#)).

VI.2. Applicants are informed that they may request a variance to requirements or standards that do not affect the health or safety of children in foster care.

[Variances for Child Foster Care](#) provides information on the most commonly requested variances and which require commissioner approval. Any variances needed at the time of initial license must be approved prior to the agency's recommendation for licensure.

Variances approved by the licensing agency

Licensing agencies are encouraged to develop their own user-friendly forms for applicants to use to request a variance that may be approved by the agency. The request is completed by the applicant with assistance from the licensing agency, and final approval is documented on the request form or in a letter attached to the request. This is a useful *example* of content that could go on an agency-developed form ([Variance Request Form](#)), but do not provide this example document to applicants or license holders because it is designed for use by directly licensed facilities requesting variances from the commissioner.

[Maximum Capacity or Ratio Variance Request](#) – this variance is requested by the foster parent and allows them to exceed their license capacity or parent to child ratio. This variance is considered to allow siblings to remain together, to place a child with an established meaningful relationship to the foster parent, to allow a parenting

youth to remain in care with their child or for a family with special training or skills to provide care to a child who has a severe disability.

[C.A.R.S. Variance Guidelines and Process](#) and [C.A.R.S. Variance Request and Approval](#) – this variance request may be approved by the licensing agency and may only be used for relative applicants at initial licensing. The variance permits the applicant to have “car seat safety checkup” completed in lieu of the full C.A.R.S. training. The approved variance will only apply to the specific relative child placed and a new car seat checkup must be completed if the child outgrows the car seat used for the car seat safety checkup. The full C.A.R.S. training must be completed prior to re-licensure or when a new child requiring a car seat is placed, whichever comes first.

Variances that must be approved by the commissioner

[Foster Care Dual Licensure Variance Request](#) – this variance is used when a child foster care applicant or license holder requests to also hold a family child care license or an adult foster care license. Both licensing agencies (or departments within the same agency) assist the applicant in completing this request and are involved in the decision to recommend approval of the variance. Agencies are strongly encouraged to have a policy on dual licenses.

[Maximum Age Variance Request](#) – this variance request is used when a youth aged 18 or older is in child foster care and does not meet the criteria to remain in child foster care placement based on [Minnesota Statutes, section 245A.04, subdivision 11](#). This variance must be approved prior to placement or when the youth turns 18.

[Chemical Use Variance Request](#) – this variance request must be used when an applicant, license holder or household member has not been free from chemical use problems for the past two years. Licensors are expected to assist the individual in completing the form but are not to answer the questions on their behalf. For additional guidance see [Child Foster Care Chemical Use Problems Guidelines and Process](#).

VI.3. Licensing agencies are expected to partner with applicants to complete documents required for initial licensing, and to use the process as part of their preparation for their role as foster parents.

Licensing agencies work with applicants to complete licensing-related documents and to develop policies specific to their home as part of the licensing process. Applicants should not simply receive a list of documents to complete on their own. Discussion about license-related documents and policies is further opportunity for applicants to learn about the role of a foster parent.

Documents required for child foster care licensure

The following documents are completed as part of the initial licensing process. Many of these documents have been detailed in other sections but are included here in order to provide a comprehensive list.

1. [Minnesota Adoption and Child Foster Care Application](#) – Further guidance on reviewing the Application can be found in Section IV.

2. [Preliminary Information Form \(PIF\)](#) – This online form is completed once an agency receives an initial Application. It is submitted online to Foster Care Licensing Support and generates an in-application license number within NETStudy 2.0. Licensors will receive email confirmation from dhs.licensingsupp@state.mn.us.
3. Child Foster Care (CFC) background study (BGS) Data Collection Form (accessed within [NETStudy 2.0](#)) – Licensing agencies use the information from this form to submit information into NETStudy 2.0 after they have generated an in-application license number by submitting a Preliminary Information Form (PIF) in NETStudy 2.0. The Data Collection Form must be completed by all applicants, household members aged 13+, and others when there is reasonable cause. The form includes an acknowledgement by the study subject that they understand this information is needed to complete a background study. Licensing agencies are also required to view and verify the study subject's identification, and this same form of identification must also be provided when getting fingerprinted. If the study subject indicates having lived in another state within the past five years, a check of the Child Abuse Neglect Registry (CANR) is required. Instructions to access CANR for each state are available in the Help section on the [NETStudy 2.0 website](#).
4. All background study clearances on all household members aged 13+, household members aged 10-12 with reasonable cause, and others with reasonable cause must be completed prior to the initial license effective date. Do not recommend a license until all those who require a background study have cleared. Further guidance on background studies can be found in Section IV.
5. [Individual Fact Sheet](#) - Further guidance on reviewing the Individual Fact Sheet can be found in Section IV.
6. [Non-disqualifying Background Study Information Assessment](#) - Further guidance on completing this assessment can be found in Section IV.
7. [Minnesota Adoption and Child Foster Care Home Study Assessment](#) – Further guidance on the Home Study Assessment can be found in Section V.
8. Personal [References](#) – Further guidance on references can be found in Section IV.
9. [CFC Licensing Checklist](#) - This checklist includes every item needed for child foster care licensure and is used by the licensor to ensure all licensing statutes and rules are met. It is strongly recommended that workers begin this document immediately upon working with an applicant as it provides clear guidance for everything that needs to be done. The checklist also provides information on what is required for child foster care license holders when caring for a child aged 18 or older who is eligible to remain in child foster care.
10. [Agreement between Foster Parents and Child Foster Care Licensing Agency](#) and [Summary of Child Foster Care Responsible Agency Requirements](#) – Every item on these documents must be reviewed with the applicant to ensure they understand the respective roles and responsibilities of the foster parent, licensing and placing agencies. The confidentiality agreement must also be reviewed to ensure the applicant understands how to protect non-public information they will receive about children and families.

11. [Statement of Intended Use](#) – This form states how the foster home is to be used, including the maximum capacity and age range of the children the home will serve. It also includes limitations or variances that will affect placement, and circumstances under which an adult to child ratio of 1:5 may not be maintained. Placements inconsistent with this form must not be made, however the form may be updated at any time to reflect changing circumstances. The statement of intended use must match the license.
12. [Home Safety Checklist](#) – Further guidance on completion of home safety checklist can be found in the [Child Foster Care Home Safety Checklist Guidance](#).
13. [Emergency Escape Plan](#) – Further guidance on completion of the emergency escape plan can be found in the [Child Foster Care Home Safety Checklist Guidance](#).
14. [Complaint and Grievance Procedure](#) – The purpose of this procedure and its associated complaint form is to outline how children in foster care and their parent/guardians may raise complaints or grievances with the foster parent and how the foster parent will respond to address the concern. When assisting the applicant to create their complaint and grievance policy, the licenser must ensure the foster parent understands what happens when there is a complaint made from a child or their parent/guardian. Every complaint and grievance procedure must allow children or parents/guardians to communicate directly with the foster parent (who is the highest authority in a foster home) and another person if they are dissatisfied or uncomfortable communicating with the foster parent about the concern. Generally, the additional person is someone from the licensing and/or placing agency. A resolution of the complaint or grievance is recorded on the complaint form and the foster parent is to notify the placing agency of any complaints and their resolution.
15. [Child Foster Care Discipline Policy](#) - Child foster care license holders must have and follow a discipline policy. In developing this policy, license holders must consider the child/youth's abuse history and needs relating to their developmental, cultural, disability, gender, and other needs. Foster parents are to discuss the discipline policy with all caregivers. In helping the applicant create the policy, it is important to ensure the applicant understands trauma-informed discipline and parenting. These are critical skills and the opportunity to strengthen them is often included on the applicant's first annual training plan. While creating the discipline policy, applicants review [Minnesota Rules, part 2960.3080, subpart 8](#) with the licenser to ensure they understand all prohibited disciplinary measures.
16. [Foster Care Drug and Alcohol Policy](#) - Applicants must create and follow a drug and alcohol use policy. The policy must be in place at initial licensure and reviewed annually with any changes noted. License holders must discuss the drug and alcohol policy with all household members and caregivers and all must agree to follow the policy.
17. Pet Vaccinations - Pets must be vaccinated according to local ordinances (most local jurisdictions require current rabies vaccinations for dogs, cats, and ferrets) and state laws. DHS does not require agencies to keep copies of vaccination records in the foster parent's file, but agency staff must review current vaccination records or see a current rabies tag to verify the animal is up to date. This information must match the pet information on the Application and be documented on the CFC Licensing Checklist.

18. Documentation of orientation and initial training hours – Further guidance on on-going foster parent training is in Section IX. Orientation and initial training is documented in the Home Study Assessment and on the training page.
19. Any variances needed at the time of initial license must be approved prior to the agency's recommendation for licensure.
20. [License Recommendation](#) (DHS-3324) – this online form is used when all licensing requirements have been met and the agency is ready to recommend the home be licensed. This form is also used when there is a change of premise, renewal, update to the license, or when a license is closed. When a new license is issued, the initial period of licensure is for one year (except for situations stated below). After the initial period, the agency may renew the license for two years.

An agency may choose to recommend an [initial two-year license](#) when:

- An applicant is applying for foster care only for the purpose of adoption through a Public Private Adoption Initiative (PPAI) agency.
- An applicant is applying to provide foster care only to relative children.

The license will be effective on the date indicated on the recommendation. The expiration date will be the last day of the previous month one year later. For example, a one-year license with an effective date of May 11, 2023, will expire April 30, 2024. A two-year license will expire on April 30, 2025. Subsequent renewed licenses will be effective May 1st with an April 30th expiration date.

VII. Child safety and well-being in foster care

Introduction

This section describes the expectations for foster parents, licensing and placing agencies in providing for the safety and well-being of children who are in foster care. It is expected that a child will experience a safe and healthy family life that promotes the child's development as a physically and mentally healthy person while they are in care ([Minnesota Rules, part 2960.3000, subpart 2](#)).

Foster parents are key to meeting this outcome but can only do so when placements in their home are thoughtfully made and they have the information and support they need to care for child/ren.

Ensuring child safety and well-being in foster care requires close collaboration between placing and licensing agencies, and between those agencies and the foster parent. Placing and licensing agencies are responsible for ensuring foster parents are engaged in the development of the out-of-home placement plan and foster parents are accountable for meeting their responsibilities from the plan and licensing standards. Licensing and placing agencies support the foster parents in meeting the requirements of their roles.

Guiding principles applied to child safety and well-being in foster care

- **Child safety and well-being.** The purpose of foster care is to provide temporary care where children are safe and well. Anytime there is a question regarding the safety and well-being of children in foster care, licensing agencies must investigate and take appropriate action.
- **Equity.** Listening to and acting upon concerns from children, youth and families demonstrates that all parts of the child welfare system protect their right to safe, high-quality foster care no matter their race, culture, sex, age, SOGIE, disability status, abuse history, or other identities. Timely and comprehensive investigation of allegations and complaints and thoughtful use of corrective measures hold foster parents accountable while protecting their rights and providing them an opportunity for support and growth. Equity is advanced when licensing agencies proactively help foster parents navigate the complicated reconsideration and/or appeal process.
- **Preservation of relative, kin, community and cultural connections.** Visitation plans, application of the prudent parenting standard and good communication between foster parents and case managers is key to ensuring children in foster care maintain connections that are critical to their well-being. The way licensing agencies work to support relative foster parents and address allegations in those placements can deeply impact ongoing family relationships.
- **Consistency.** When questions arise regarding the safety and well-being of children in foster care, licensing agencies are expected to respond with a comprehensive, unbiased investigation. Regardless of the licensing agency, foster parents must trust that they will be treated fairly and will be provided opportunities to improve their performance utilizing the most appropriate licensing response.

Equity pause

The most significant equity issues that impact children come well before they enter foster care, as systemic racism, economic and opportunity barriers can stress families and bring them to the attention of child welfare. Equity issues impacting children once they are living in foster care are largely about sustaining and strengthening connections to relatives, kin, community, and culture and making sure that being in care does not further undermine children's health and well-being.

1. Am I doing my part to ensure that foster parents have the information they need at placement and ongoing to meet the cultural, racial, sexual and gender identity development needs of each child placed in their home?
2. Have I listened and considered carefully to what children are saying about the care they are receiving? Do I listen for opportunities to help foster parents encourage children to develop in all aspects of their identity? Do I hold foster parents accountable when they do not do these things?
3. What is my role when it appears that a child in foster care is growing alienated from their relatives, kin, community and/or culture?
4. Have I considered how my own personal biases or assumptions may be impacting my decision to recommend or not recommend a licensing action for a foster parent who is out of compliance with a licensing requirement?

Guidelines: Child safety and well-being in foster care

Licensing-related placement considerations

VII.1. The licensing agency is responsible to know who is in placement in each foster home and must be involved in decisions about prospective placements.

Licensing agencies manage capacity and make determinations about placements in the home based on characteristics of children currently in the home, the skills and experience of the foster parent, and the needs of prospective children to be placed. Therefore, placements into foster homes are to be made through the licensing agency and not directly with the foster parent. It is recommended the "limitation" section on the Statement of Intended Use include the expectation that the licensing agency needs to approve all placements made in the home.

The [Agreement between Foster Parents and Child Foster Care Licensing Agency](#) states that the foster parent is responsible to "notify licensing worker within 24 hours of placement". This requirement implies that the foster parent may accept direct placement, however doing so undermines the licensing agency's ability to meet their responsibilities outlined above. Foster parents are to direct case managers attempting to make a direct placement with them to the licensing agency to participate in the decision regarding placement. There are some

situations where law enforcement makes a direct placement (72-hour hold) into a designated emergency foster home. In those situations, the foster parent may accept immediate placement and is to notify their licensing agency within 24 hours.

VII.2. Placement decisions are based on an individualized determination of best interests of the child and how the selected placement will serve the current and future needs of the child.

Foster parents are able to provide for child safety and well-being only when they receive for placement children whose needs are within their capacity and ability. Licensing and placing agencies must collaborate to ensure placements made are based on the placement factors in [Minnesota Statutes, section 260C.212, subdivision 2](#), are consistent with the family's [Statement of Intended Use](#), and follow capacity limits in [Minnesota Rules, part 2960.3030](#):

- A foster home must have no more than six foster children.
- The maximum number of children allowed in a home is eight, including a foster parents own children.
- A ratio of one adult for every five children must be maintained.
- A foster home must have no more than three children who are under two years of age or who are non-ambulatory, unless the license holder maintains a ratio of at least one adult present for every three children under two years of age or children who are non-ambulatory.
- A foster home must have no more than four foster children at one time if any of the children have severe or profound developmental disabilities, have severe emotional disturbance, or are assisted by medical technology. Severe emotional disturbance is defined in [Minnesota Statutes, section 245.4871, subdivision 6](#).

Licensing agencies may provide the placing agency with the foster parent's current Home Study and Updates or a current summary of the home that includes their experience, strengths and development or support needs to inform the placement decision-making process. When possible, at least one preplacement visit is to be provided for children aged six months or older entering non-emergency placements ([Minnesota Rules, part 9560.0580](#)).

Before placement or within 5 days of placement the placing agency must provide the foster parent with written information about the child ([Minnesota Rules, part 2960.3080, subpart 4](#)). In best practice, foster parents are provided information known by the placing agency about children's strengths, needs, behaviors, mental and physical health, and care plan prior to placement, and must be given the opportunity to have their questions answered. Foster parents may decline to accept a placement without a stated reason. In circumstances where placements must be made without the placing agency having access to basic information about the child, the placing agency must provide that information as soon as they become aware of it. The placing agency completes the Out-of-Home Placement Plan within 30 days of placing and engagement of the licensing agency and foster parent in completing this plan is highly encouraged ([Minnesota Statutes, section 260C.212](#)).

VII.3. Case managers for children currently in the home are to be consulted when placement of an additional unrelated child is being considered.

Dynamics in foster homes change as the combination of children in the home shifts. Changing the children in the home also changes the demands on the foster parent and their capacity to meet the safety and well-being needs of children in their care.

Case managers of children already placed in the home are consulted with basic information about the new potential child/ren and their needs providing them an opportunity to express concerns, positive reactions and questions regarding the changes that might come to the home with the change. Feedback from case managers of other children in the home is to be considered as placement decisions regarding new child/ren are being made. This information-sharing is permitted because it is between personnel of the child welfare system working in the same program and communicated for the purpose of delivering care to children in foster care ([Minnesota Statutes, section 13.46, subdivision 2](#)).

VII.4. Children may not be placed in a home with an applicant or household member who has or may have a permanent bar disqualification.

All child welfare professionals involved in a case are responsible for ensuring child safety. Child welfare professionals with knowledge that a child is placed in a home with an applicant, license holder or household member who has a permanent bar are to contact DHS Licensing and/or Child Safety and Permanency for guidance. Federal safety requirements for foster care require Title IV-E agencies to place children in family foster homes that meet the requirements of [45 CFR 1356.30](#). These requirements are consistent with [Minnesota Statutes, chapters 245A](#) and [245C](#).

VII.5. Foster parents must notify the licensing agency of any changes to the home that impact their ability to ensure a safe environment for children.

A foster parent must immediately notify the licensing agency of foster home, foster family or household member changes that affect the terms of the license or the ability of the license holder to provide care to children ([Minnesota Rules, part 2960.3020, subpart 7](#)). This requirement includes changes to the license holder or a household member's physical or behavioral health that may impact the safety and well-being of a child in foster care.

When an individual who is a license holder moves out of the home, they need to be removed from the license, and consultation may be necessary to determine whether their background study remains affiliated because they may continue to have access to the home.

VII.6. Additional requirements must be met when a youth remains in their foster home after their 18th birthday.

Youth placed in foster care that meet eligibility requirements can remain in child foster care past the age of 18 ([Minnesota Statutes, section 260C.451, subdivision 3](#)). It is the responsibility of the placing agency to notify the youth six months prior to the youth's 18th birthday of their eligibility to continue child foster care services.

When a youth over 18 remains in a licensed child foster care setting there are additional licensing requirements:

- A [Program Abuse Prevention Plan](#) (PAPP) is developed by the license holder to describe specific measures to be taken to minimize the risk of abuse to persons receiving services. It addresses the population, physical plant and environment within the control of the license holder and the location of the home. The PAPP is posted in the home, reviewed at least annually, and does not include information about specific individuals served ([Minnesota Statutes, section 626.557, subdivision 14](#) and [Minnesota Statutes, section 245A.65, subdivision 2](#)).
- An [Individual Abuse Prevention Plan](#) (IAPP) is developed by the license holder with the youth and their interdisciplinary team and must be reviewed annually. The IAPP includes an assessment of the youth's susceptibility to abuse or financial exploitation by other individuals and the youth's risk of abusing others and specific measures the license holder will take to minimize any identified risks ([Minnesota Statutes, section 626.557, subdivision 14](#), [Minnesota Statutes 245A.65, subdivision 2](#)).
- Foster parents providing care to a youth age 18 or older must take [Vulnerable Adults Mandated Reporting \(VAMR\) training](#) annually ([Minnesota Statutes, section 245A.65, subdivision 3](#)).

The [Family Child Foster Care Licensing Checklist](#) includes more detail on these requirements. [The Extended Foster Care Practice Guide for Youth Ages 18 up to 21](#) provides policy and best practice guidance for extended foster care.

Protecting the rights of children in foster care

There is no greater responsibility than the care of our community's children. The magnitude of that responsibility is amplified when we consider the reality that most children in foster care are involuntary clients separated from their family without their consent, receiving services they did not request, the need for which they may not fully understand. Most are anxiously awaiting return to their families.

Children are at their most vulnerable when they come into foster care. They have often experienced trauma and may be afraid, confused, and angry. They must feel safe and welcome and be treated with dignity and respect while they are in foster care. Protecting their rights is fundamental to ensuring these things.

As part of their Independent Living Plan, children aged 14 and older are to be provided information regarding their rights to education, health care, visitation, safety and protection from exploitation, court participation, and upon age 18 receipt of the documents identified in [Minnesota Statutes, section 260C.452](#) and receipt of an annual credit report ([Minnesota Statutes, section 260C.212, subdivision 1, paragraph \(14\)](#)). Youth who are parenting are to be informed of their right to consent to services for their child according to [Minnesota Statutes, section 144.342](#).

VII.7. Children in foster care have the right to be physically and emotionally safe.

Licensing and placing agencies and every adult working or volunteering in the child welfare system is responsible for the safety and well-being of children in foster care. All of these persons need to pay attention, listen and take action whenever they hear anything concerning related to the treatment of children in the care of Minnesota's foster care system.

Foster parents are responsible for protecting children from harassment, violence, and indignities in the foster home and, to the extent possible, in the school and community. Children in foster care must never be subjected to corporal punishment, abuse, withholding of basic needs, or other conditions listed in [Minnesota Rules, part 2960.3080, subpart 8](#).

VII.8. Children in foster care have the right to their basic needs being met.

Basic needs for children in foster care include food, clothing, shelter, school supplies, and personal incidentals. [The Minnesota Assessment of Parenting for Children and Youth Practice Guide](#) provides the following as examples of "personal incidentals":

- Items related to personal hygiene
- Cosmetics
- Over-the-counter medications and special dietary foods
- Infant and toddler supplies, including highchairs and diapers
- Fees related to activities, such as Boy/Girl Scouts
- Special lessons, including horseback riding
- Graduation fees
- Funeral expenses

- Miscellaneous items such as stamps, envelopes, and writing paper, and tickets or other admission fees for sporting, entertainment or cultural events, or dues for clubs.

Older youth may provide some of their own personal items but are not to be expected to provide for their basic needs with their own money.

VII.9. Children in foster care are to have their medical and mental health needs met.

The placing agency is responsible for meeting the health and dental needs of every child and giving the foster parent the information and written authorizations to obtain health care for children ([Minnesota Rules part, 9560.0600](#)).

Foster parents must cooperate with the child’s placing agency to “provide a child with timely access to basic, emergency, and specialized medical, mental health, and dental care and treatment by qualified persons” ([Minnesota Rules 2960.3080, Subpart 5](#)).

It is a licensing violation if children’s medical and mental health needs are not being met due to failure of the foster parent to meet their responsibilities. If children miss appointments, do not receive follow-up care as directed, or do not receive medications as prescribed the licensing agency must investigate. The agency must talk with the foster parent to determine the problem, and work with the foster parent to remedy the situation. If it is determined the foster parent has not followed through with required services as directed by the out-of-home placement plan, court order or other agreement for medical, developmental, or mental health conditions when they were able to do so, a correction order is issued and/or other licensing action is recommended.

VII.10. Children in foster care have the right to safe connections to relatives and kin.

Children retain their right to safe relationships with relatives and kin when they enter foster care and efforts to build, restore and strengthen these connections is the role of the placing agency. The out-of-home placement plan details the placing agency’s efforts to achieve permanency including their required efforts to achieve reunification and relative search and engagement [Minnesota Statutes, section 260C.221](#). The visitation or contact section of the out-of-home placement plan is reviewed with the foster parents and they are expected to proactively support family connections and to actively work to reduce barriers to children’s access to relatives and kin. Licensing agencies provide support to foster parents as they meet this responsibility.

Children’s right to maintain relationships with their siblings is statutorily protected in the [Foster Care Sibling Bill of Rights](#). While case managers determine visitation plans for siblings, foster parents play an important role in advocating to ensure that sibling rights are protected for the children in their care.

Children generally benefit from the involvement of many adults who care about them in their life. Placing agencies inform foster parents when children cannot have contact with specific individuals. Foster parents may

use prudent parenting principles and consultation with the placing agency to consider how they might help strengthen children’s connections to people who are important to them. [Children in Foster Care: Using relative visits and alternative child care arrangements](#) details ways relatives can support children in foster care and their foster parents.

It is in the best interest of children when foster parents build positive, collaborative relationships with the parent/s and other family members of a child in foster care. The [Agreement between Foster Parents and Child Foster Care Licensing Agency](#) includes the foster parent’s responsibility to regularly engage with a child’s parents or guardians to facilitate a co-parenting relationship when the goal is reunification, unless such a relationship poses a danger to the mental or physical health of the child or foster parent. Foster parents set the stage for collaboration by working closely with the placing agency to ensure that the initial foster care phone call between the foster parent and child’s parent is completed within 72 hours of a new placement ([Minnesota Statutes, section 260C.219, subdivision 6](#)). More information about foster parent-parent collaboration and initial foster care calls (also known as “comfort calls”) can be found at [Quality Parenting Initiative \(QPI\)- Minnesota](#).

VII.11. Children in foster care have the right to connections to community and culture.

When children are separated from their community and cultural connections as they enter foster care, it is crucial they have the opportunity to maintain and strengthen these connections. Children in foster care are routinely expected to develop cross-cultural skills in order to successfully navigate the world the foster family inhabits. Even if the community, cultural practices, or values of the foster family are the same or similar to the child’s family, the child will now be navigating that shared culture in a new way.

When children are in a foster home that does not share their cultural worldview, historical experiences, traditions, values, foods, art, music, and way of thinking, they are at risk of losing their connection to these things. Foster parents have the unique, and wonderful opportunity to take charge in ensuring these connections are built, maintained, and strengthened while the child is in foster care.

Children certainly may learn about a foster parent’s culture and values, but not to the exclusion of their own. Foster parents are expected to ensure that children are spending time in familiar places with familiar people and need to be flexible and adaptive when engaging in cross-cultural experiences. Licensing agencies shall support foster parents in accessing training and development to build cross-cultural engagement skills and their comfort using those skills.

VII.12. Children in foster care must have their racial and cultural identities affirmed and supported.

Licensing agencies assess each applicant’s ability to “actively support the foster child's racial or ethnic background, culture, and religion” ([Minnesota Rules, part 2960.3060, subpart 4, paragraph \(E\)](#)). When recruiting foster care providers, [Minnesota Rules, part 9560.0670 Subpart 5](#) requires agencies to assess the applicant or

provider’s “capacity for accepting children of diverse backgrounds” and to refuse licensure and not place additional children if there are “negative attitudes toward people of a particular race, religion, color or national origin.” Agencies are expected to recommend denial for applicants who are assessed to be unable to accept and care for children of diverse backgrounds. Once licensed, decisions to place with a foster care provider considers their ability to validate the child’s cultural and religious background ([Minnesota Rules, part 9560.0542, item E](#)).

This is often one of the most challenging areas of assessment. Licensors need the support of supervisors and colleagues as they navigate these difficult conversations with applicants. [The Multi-ethnic Placement Act](#) (MEPA)([Pub. L. 103-382, Part E, 1994](#))/[Interethnic Placement Act](#) (IEPA)([Pub. L 104-188, Section 1808, 1996](#)) prohibit agencies from requiring applicants to receive individualized training related to their knowledge or skills in parenting children of a particular race unless the training is required of every applicant. Agencies may suggest development opportunities but may not require individual applicants to receive content not required of all applicants.

VII.13. Children in foster care must have their sexual orientation and gender identity affirmed and supported.

Applicants are assessed regarding their ability to “respect the child’s sexual orientation” ([Minnesota Rules, part 2960.3060, subpart 4, paragraph \(E\)](#)). In signing the [Agreement between Foster Parents and Child Foster Care Licensing Agency](#), foster parents agree to “make every effort to increase understanding of, and respect for, the religious, racial, and cultural heritage, as well as sexual orientation and gender identity, of the child and their family.” Children in foster care must not be subjected to verbal abuse, including but not limited to: name calling, derogatory statements about the child or child’s family, race, gender, disability, sexual orientation, religion, or culture; or statements intended to shame, threaten, humiliate, or frighten the child ([Minnesota Rules, part 2960.3080, subpart 8, item 2](#)).

Like all children, children in foster care come to understand the various components of their emerging sexual and gender identity expression (SOGIE) as they grow. Everyone has SOGIE (the term is not a synonym for GLBTQ2S+) and all people have their own personal experience and understanding of their own sexuality and gender.

Typical, healthy development includes experimenting with, asking questions about, and wanting to understand gender and sexuality; all children will do that regardless of their sexual orientation or gender identity. Components of sexual identity development may be complicated by history of early sexualization, abuse and/or anti-GLBTQ2S+ public policy and community bias. Foster parents need knowledge, skills and maturity to help children of all identities to simultaneously navigate sexual identity development and healing. It is expected that many foster parents may need support to build necessary skills, and licensing agencies help them develop annual training plans that strengthen their competency in this area.

Licensing and placing agencies are expected to listen carefully to children regarding the treatment they are receiving in foster care related to their emerging sexual identity. Similarly, agencies are to listen carefully to foster parents regarding how they describe children and the sexual identity-related behaviors, questions and

experiences they are having. Action is required if children in foster care are having their rights in this area denied.

Components of human sexual and gender identity are independent of each other, and generally include:

Sex – biological characteristics, including internal and external anatomy, chromosomes and/or hormones that include a wide range of variations. There are many possible differences in genitalia, hormones, internal anatomy, or chromosomes, compared to the usual two ways that human bodies develop. One in 2,000 babies born have differences in sex traits or reproductive anatomy. More information is available at [Interact: Advocates for Intersex Youth](#).

Gender – a person’s internal sense of themselves as being male, female or something else that often lies somewhere ‘in between’ the binary of those two options (commonly referred to as ‘non-binary’). Transgender people understand themselves to be the gender other than what their body parts might indicate them to be. Young people are continuing to develop language to describe their complex understanding of gender.

Sexual orientation – describes who a person’s primary romantic and sexual attraction is towards. Common descriptions include gay, lesbian, bisexual, and straight. As with gender, language continues to grow and develop to describe the growing ways that people have come to understand and define their own sexual orientation.

Gender expression – describes how a person presents themselves to the outside world in terms of stereotypical, culturally-defined gendered behaviors, dress, and roles that men/masculine and women/feminine are often expected to exhibit.

Sexual behavior – what people actually do when they ‘have sex’ or behave in sexualized ways.

[Human Rights Campaign](#) is one of many resources to find a comprehensive list of definitions and terms related to sexual identity.

VII.14. Children in foster care have the right to appropriate supervision.

Foster parents are expected to know where children placed with them are at all times, to provide supervision for each child as outlined in the out-of-home placement plan, and immediately notify the placing agency if the child runs away or is missing ([Minnesota Rules, section 2960.3080, subpart 6, paragraph \(E\)](#)). This notice is part of protecting children in foster care from trafficking, for which they are at uniquely high risk. Licensing agencies and foster parents should be familiar with [Best Practice Response to Trafficking and Exploitation](#) and the role of foster parents in reducing this risk.

[Minnesota’s Reasonable Prudent Parent Standard Guidance](#) should be used to remove barriers to normalcy for children in foster care. Foster parents can use this standard to allow youth to participate in activities that are generally accepted as suitable for their chronological or developmental age. This guidance can be applied to parenting decisions around supervision and take into consideration the child or youth’s age, maturity and developmental level, risk of the activity, and best interest of the child or youth among other things.

VII.15. Children in foster care have the right to an appropriate education.

Placing agencies are to provide the foster parent with timely information about school, and their efforts to keep the child in the same school whenever possible. If a change in schools is necessary, the placing agency provides the foster parent with the information they need to meet their responsibilities from the out-of-home placement plan.

Foster Parents are required to “facilitate the child’s school attendance and enroll the child in a local school district or, if appropriate, the child’s district of residence” ([Minnesota Rules 2960.3080, Subpart 5](#)). Foster parents must be actively engaged in a child’s educational needs including attending school events, conferences, and meetings, helping children with homework, and reporting to the case manager when there are educational difficulties, possible learning disabilities or academic gifts.

Foster care is a temporary living situation, therefore traditional home-schooling does not generally provide for educational stability. It is difficult for children to move back and forth between home school and regular school environments, and some children in foster care require special educational services. For these reasons, home schooling is rarely an option that is in a child’s best interest. If a foster parent wishes to home school, they must consult with the placing agency and any plan to home school must be included in the out-of-home placement plan.

Foster parents must meet their responsibilities for supporting the child’s education. It is a licensing issue that requires action on the part of the licensing agency if the foster parent is not meeting these obligations.

VII.16. Children in foster care have the right to privacy.

Foster parents must protect children’s information and dignity. They are not to share information about, or photos of, children in foster care on social media or fundraising sites. They are not to discuss specifics of a child’s history, family, needs or situation with family, friends, neighbors, or colleagues. Foster parents participating in support groups are expected to be thoughtful about what they share and must not share any identifying information about a child in foster care or their family. The [Agreement between Foster Parent and Child Foster Care Licensing Agency](#) includes a confidentiality agreement.

Foster parents should discuss with children and youth who are developmentally able to engage in the conversation how they want to be introduced to others in the community. Some children and youth prefer to be referred to as the foster parent’s child, others find that offensive and are comfortable letting others know the basic information that they are a child in foster care.

If a child’s out-of-home care plan includes an expectation that a foster parent monitor the child’s cell phone use, computer history or written diaries/journals, foster parents and case managers are expected to be honest and explain to the youth under what circumstances their social media or private writing/art will be monitored.

VII.17. Children in foster care have the right to participate, or not participate, in religious or spiritual practices.

If a child in foster care has a preferred religious practice or wishes to attend a particular place of worship, foster parents are expected to make meaningful efforts to ensure that the child is able to do so. Foster parents, placing or licensing agencies may not pressure or mandate children's participation in worship or religious practices.

A child in foster care who must attend a foster parent's place of worship due to supervision logistics, but who does not wish to participate, is to be provided with an alternative activity and a place that is outside of the worship space, such as a youth room or community area. This is a situation where foster parents might wish to explore visits with relatives or kin as a possible alternative for the child during the foster parent's regular religious services.

VII.18. Children in foster care have the right to bring, own, accumulate, and leave with personal possessions.

Children may bring personal possessions with them to foster care, as agreed upon by their parent, the placing agency and the foster parent, and must be allowed to accumulate possessions while in the home ([Minnesota Rules, part 2960.3080, subpart 3](#)). The foster parent is responsible to ensure a child's personal property and funds in the foster home are available for their use, unless restricted in their out-of-home placement plan. If a child is removed from the home, their property, and funds, including any that were accumulated during placement are returned within three days of removal. See the [Agreement Between Foster Parent and Child Foster Care Licensing Agency](#), it is a good practice to inventory the child's items at move-in and discharge.

If a foster parent attempts to prevent children from taking possessions, including items they received as gifts while in the home, the licensing agency is responsible to take appropriate action. Youth commonly report losing important personal items when they leave a foster home. Foster parents are expected to make clear whether items used by a child in the home are property of the foster parent or of the child.

Children are permitted to accumulate money while in foster care through allowance, gifts, or paid work. If foster parents play a role in safekeeping a child's money, they must document receipt and disbursement of the funds and must return any funds within three days of request. Foster parents who help children establish checking or savings accounts often end up with their name on the account as the responsible adult. That is a permitted practice. However, under no circumstance is the foster parent to access or borrow from those accounts, or other funds belonging to the child, for their personal use ([Minnesota Statutes, section, 245A.04, subdivision 13](#)).

VII.19. Children in foster care have the right to food that promotes their health and engagement with the family at mealtime.

Children in foster care must be provided food and beverages that are palatable, of adequate quantity and variety, served at appropriate temperatures, and have sufficient nutritional value to promote the child's health. If the child has a medically prescribed diet, then the license holder must provide the diet as ordered by a physician or other licensed health care provider ([Minnesota Rules, part 2960.3080, subpart 7](#)).

Children in foster care are to be provided food of the same quality the rest of the family eats and may not be expected to eat apart from the rest of the family or at a different time unless there are specific reasons in their out-of-home placement plan ([Minnesota Rules, part 2960.3000, subpart 2](#)).

Grief, loss, and trauma often complicate children's relationship to food. Access to food may not be unreasonably restricted, and any locked refrigerators or kitchen cabinets must be addressed in the Home Study Assessment and a child's restriction to food addressed in their out-of-home placement plan. When needed, foster parents are urged to consult with a clinician and/or healthcare provider with expertise in food challenges to help strengthen children's healthy eating habits.

VII.20. Children in foster care have the right to participate in age and developmentally appropriate activities.

In 2014 the U.S. Congress passed [Preventing Sex Trafficking and Strengthening Families Act \(P.L. 113-183\)](#), directing states to provide foster parents more discretion regarding children's participation in age or developmentally appropriate extracurricular, enrichment, cultural, and social activities. [Minnesota's Reasonable and Prudent Parent Standard Guidance](#) describes how foster parents, placing and licensing agencies are to apply the standards from [Minnesota Statutes, section 260C.212, Subdivision 14](#).

The prudent parenting standard both trusts foster parent's judgement about allowing children to participate in activities like sleepovers, school dances, concerts or other age and developmentally appropriate activities, and secures the right of children and youth to have access to these activities. Not only are foster parents *allowed* to give children access to 'normal' activities, but they are also *expected* to do so.

Placing and licensing agencies are expected to hold foster parents accountable for providing as much normalcy for children as is reasonable. "Normalcy" is defined by what is typical for children of the same age/developmental capacity, not by what the foster parent's own children experienced, or what the foster parent prefers.

VII.21. Children in foster care have the right to appropriate discipline.

Foster parents must consider the child's abuse history and developmental, cultural, disability, and gender needs when deciding disciplinary action to be taken with the child. Disciplinary action must align with the foster parent's discipline policy and should be focused on supporting the child in learning how to emotionally regulate and manage their own behavior. [Minnesota Rules, part 2960.3080, subpart 8](#) details requirements for discipline in foster homes. Prohibited behaviors may include actions that some foster parents view as legitimate discipline strategies, and they must be informed that those behaviors are prohibited in all circumstances.

Prohibited behaviors include, but are not limited to:

- Corporal punishment of any type
- Verbal abuse, name calling, derogatory statements about the child or child's family, race, gender, disability, sexual orientation, religion or culture; or statements intended to shame threaten, humiliate or frighten the child
- Punishment for bedwetting or soiling
- Withholding of basic needs, including but not limited to food and water, clothing, normal sleeping conditions, ventilation and proper temperature, nurturing, or medical care
- Dangerous work
- Being punished for behavior of another child
- Restrictions on communication that is not specifically described in the out-of-home care plan
- Requiring children to discipline other children
- Not following the child's case plan regarding discipline
- Use of mechanical restraints or seclusion

There are Minnesota rules and statutes to be considered, prior to a hold or restraint being used by a child foster care provider. If a child in foster care is on a waiver, requirements in [Minnesota Statutes, chapter 245D](#) along with the child foster care rule requirements would apply and would need to be followed. If a child is not on a waiver, discipline requirements in [Minnesota Rules, part 2960.3080, subpart 8](#) apply. The rule does not specifically prohibit restraining a child. However, a plan should be articulated in the child's out-of-home placement plan if holds are deemed appropriate for a child in care. All plans need to have input from all required participants for the child's placement.

When considering developing an out-of-home placement plan that includes physical holds and/or restraints the team must review the [Maltreatment of Minors Act](#) which speaks to restraints being prohibited, unless they are

authorized under [Minnesota Statutes, section 609.379](#). If a child in care has a developmental or similar condition the positive support rule, [Minnesota Rule, chapter 9544](#) applies, and those provisions should be followed.

When it has been determined a child has been subject to any of the prohibited disciplinary actions the licensing agency must investigate and issue a correction order and/or recommend a licensing action. Training or development to assist the foster parent in building trauma-informed, attachment-competent discipline strategies is also expected.

When foster parents plan to use prohibited disciplinary techniques on their own children but agree to not do so with children in foster care, these situations must be explored in detail as there is significant impact on children in foster care who may witness another child being physically disciplined. Licensing agencies must take great caution if they are going to recommend licensure for an applicant that uses prohibited disciplinary techniques on their own children.

VII.22. Children in foster care have the right to make a complaint, file a grievance and provide feedback about the quality of care they are receiving.

The licensing agency or foster parent must tell the child and their parent or legal representative about their complaint and grievance procedures and upon request give them a copy of the procedures and any forms needed to file a complaint or grievance. Foster parents must notify the placing and licensing agency about complaints or grievances, including the resolution, and the response to any allegations of abuse or neglect must meet the provisions of the Maltreatment of Minors Act, [Minnesota Statutes, chapter 260E](#). [Minnesota Rules, section 2960.3080, subpart 10](#). Children who file a complaint or grievance are to be informed of the action taken as a result of their complaint.

Foster parents are encouraged to provide children with a variety of methods by which to provide feedback regarding the care they are receiving. This is an opportunity to help children develop skills in resolving conflict that will serve them both within and outside of the foster home. Examples of things foster parents might do besides filling out a form include providing a household suggestion box, having regular family meetings, or encouraging children to draw a picture or write a poem about their concerns.

VII.23. Immediate notification is required when there are safety concerns that affect children in foster care.

The [Agreement between Foster Parents and Child Foster Care Licensing Agency](#) requires notification when there are safety concerns that affect a child in foster care. Licensing agencies must notify Foster Care Licensing triage at 651-431-6500 (choose option “3” then “4” then “2”) immediately upon learning about safety concerns that may affect children. Foster parents must call 911 if a child needs immediate medical care and must then notify

their licensing agency immediately. If foster parents do not notify their agency of safety concerns, corrective action is warranted.

Examples of situations that require immediate notification to the licensing agency and DHS Foster Care Licensing include, but are not limited to:

- Death, suicide, near death, serious injury of child in foster care, vulnerable adult, or license holder
- Law enforcement involvement at the foster home (domestic violence, missing child, execution of search warrant, etc.)
- Sexual contact between any child in the home and affiliated individual (e.g. license holder, household member, caregiver, staff, etc.), or between children in the home
- Assault/physical abuse of any child or vulnerable adult in the home
- Incident involving a firearm or weapon
- Significant substance abuse impacting safety, especially if law enforcement is involved
- Emergency relocation of foster family away from the foster home
- Any type of report that you believe may garner media attention
- Physical health situations that require immediate attention, including serious communicable diseases.

Supporting foster parents

VII.24. Licensing and placing agencies are proactive, honest, and transparent when communicating with foster parents.

The relationship between foster parents and the placing and licensing agencies is most successful when foster parents receive transparent communication and feel respected as partners. Case managers and licensors can demonstrate transparent, honest communication by:

- Providing foster parents with an identified person to contact or dependable process to follow if they need help or have a question about meeting the needs of a child in their care, and a timely response to emails and phone calls.
- Providing accurate and up-to-date information on the needs, goals and permanency plans of children being placed, including identifying and accessing mental and physical healthcare, child care or respite providers, and educational or day treatment programs, assessments, or other services.
- Providing the foster parent with documentation showing that they have the authority to do the things they are expected to do.

- Explaining what foster parents should expect regarding the process and timeline for receiving Northstar payments, clothing vouchers or other supports to which they or the children in their care are entitled.
- Ensuring that the foster parent understands that they have the right to attend court hearings ([Minnesota Statutes, section 260C.152, subdivision 5](#)). This [Guide for foster parents about court proceedings](#) helps them understand what happens in court.

VII.25. Licensing agencies advocate on behalf of foster parents if the placing agency is unresponsive or fails to meet its obligations.

When placing agencies do not provide the information, services, and supports required in [Minnesota Statutes, section 260C.212](#), foster parents become overwhelmed, children in foster care are at risk of having critical needs unmet, and the placement is at risk of instability and disruption.

In stakeholder engagement during the development of these Guidelines, both young adults who have been in foster care and foster parents described the frustration and substandard care children receive when foster parents are expected to perform functions that are the responsibility of the placing agency. Because licensing agencies are responsible to see the higher-level picture of how things are going in a foster home, and the needs of all of the children placed there, they have a unique and critical role in advocating with placing agencies to be strong partners with foster parents.

VII.26. Licensing agencies assess, support, monitor and hold foster parents accountable.

While licensing agencies differ in structure and the specific roles workers with different job titles play, all licensing agencies have in common the fundamental responsibilities to assess, support, monitor and hold accountable foster homes under their supervision.

Licensing agencies must implement a structure that ensures each of the following functions are adequately performed:

1. Provide applicants a welcoming, engaging, equitable, timely and competent home study assessment and licensing process. This function includes meaningful updates and re-licensure process.
2. Proactive support to foster homes, including a thoughtful placement process, identification and implementation of support, training and development resources for the foster parent, regular, proactive communication with the foster parent such that the agency understands how things are going in the home at all times, collaborative communications with case managers, completion of annual evaluations and training plans with the foster parent.

3. Monitoring through scheduled and, when necessary, unscheduled visits to the foster home, following up on feedback from children, case managers, parents, and others, confirming that foster parent is meeting responsibilities of licensing and children's out-of-home placement plans.
4. Hold foster parents accountable through direct communication, licensing investigations, correction orders and recommendation of licensing actions.

VII.27. Placing agencies help monitor foster homes through monthly in-person visits and communication with licensing agency.

Case managers and licensors have unique, complementary roles and purposes in visiting foster homes. When both agencies meet their obligations, collaboration between agencies is possible and conditions that advance child safety and well-being are more easily maintained.

Case manager monthly face-to-face visits address issues pertinent to case planning and service delivery to ensure the safety, permanency, and well-being of a specific child, including whether they are enrolled and attending school as required by law, and all expectations outlined in [Minnesota Statutes, section 260C.212, subdivision 4a](#).

Case manager conversations with foster parents focus on the needs of the child for whom the case manager is responsible. As a worker observes and interacts with a foster parent, support needs beyond those specifically related to the particular child may become apparent. When that happens, case managers are expected to communicate directly to the licensing agency so that agency has an opportunity to help the foster parent address concerns with resources, training or other development before correction orders or licensing action becomes necessary.

VII.28. Licensing agencies monitor foster homes through regular communication and in-person visits.

Licensing agencies are expected to be in regular communication with foster homes and are the primary place foster parents should be able to turn if they face challenges. They are able to proactively help them access development or training opportunities specific to the needs of individual children in their care and to the role of a foster parent generally.

There are three times in Minnesota rules where licensing agencies must do visits with foster parents after the initial assessment and licensing process is complete:

- Licensing agencies are to coordinate with case managers to ensure that new foster parents receive monthly in-person visits from the placing and/or licensing agency for the first six months of their first placement ([Minnesota Rules, part 9543, subpart 5](#)). It is strongly recommended that licensing agencies

visit a foster home during the first six months and not rely entirely on the placing agency to provide the support new foster parents need.

- Licensing agencies are required to do an in-person visit and Home Safety Checklist at the time of relicensing ([Minnesota Rules, part 2960.3050, subpart 1](#)).
- An in-person meeting is conducted annually with the foster parent to mutually complete the Annual Evaluation ([Minnesota Rules, part 2960.3100, subpart G](#)) and to confirm annual licensing requirements have been met (see Section VIII for more information).

The fact that these three minimum requirements are in rule does not mean that licensing agencies are not expected to visit in-person at any other times, such as to investigate a licensing complaint or when needed to verify that violations in a correction order have been addressed.

Monthly in-person visits by the placing agency do not replace the licensing agency's responsibility to maintain awareness of the dynamics in the home, strengths and needs of the foster parents and emerging issues to be addressed. Licensing agencies gain some of this awareness through phone calls, email and video calls with foster parents. In-person visits are also an essential piece of the licensing agency's activities to stay abreast of happenings in the home.

VII.29. Licensing agencies determine the frequency of in-person visits required to adequately monitor and support each individual foster home.

In-person visits provide the licensing agency with information regarding conditions in the foster home, the safety of children and support needs of the foster parent. Because rule does not require routine licensing agency visits beyond those described above, agencies determine the frequency of additional visits based on the strengths, needs and dynamics present in individual foster homes.

Engagement groups during the development of these Guidelines included strongly positive feedback from both youth and foster parents regarding the value of visiting, including unannounced visits, when they are used judiciously and with purpose. While some children might be frightened by the unexpected arrival of a worker, some youth also reported that they would have 'felt safer' knowing there was a possibility that a worker was going to occasionally come to the home without the foster parent knowing in advance.

Unannounced visits by the licensing agency are strongly recommended, but not limited to, the following situations:

- The foster parent appears unstable or emotionally dysregulated in contacts with children, service providers, licensing or case managers, children's parents, or others.
- The foster parent will not schedule visits or there are chronic irregularities in scheduling or being present for visits or appointments.

- There are known or suspected household members who need background studies and the foster parent is not proactively assisting in getting them completed.
- Children have missed school, medical or mental health appointments, family visits or other activities they were expected to attend.
- Children have significant changes in weight, health, hygiene, or demeanor that may be indicators of maltreatment or neglect.
- Children, their parents, or others continue to escalate in the urgency of their expression of concern or grievances, including children repeatedly running away.
- Any suspicion that a child was gone overnight from the home without proper notification to placing and licensing agencies.
- During a licensing or maltreatment investigation or while a licensing action recommendation is being processed by Foster Care Licensing.

Unannounced/unexpected visits may cause fear or anxiety for some children in foster care and may upset some foster parents, therefore they should be used strategically to support child safety and well-being. They are a tool for ensuring that children are safe while in foster care, and to document conditions in a home without the foster parent having an opportunity to alter anything prior to the worker's arrival. As likely as these visits are to identify a problem, they may also provide a measure of protection for a foster parent later accused of inappropriate behavior.

VII.30. A licensing agency visit includes support and monitoring components.

When the licensing agency visits a foster home, they are checking in on the overall functioning of the foster home, rather than focusing only on the needs of a particular child. The licensor helps foster parents access the supports they need to implement their responsibilities in children's out-of-home placement plans.

Licensing agency visits to a foster home include the following:

- If the licensing agency is a county, the licensor may check the Social Service Information System (SSIS) prior to a visit to see notes recorded by the case manager about the home and the progress of children placed there.
- To the extent possible, talking with all household members individually about how things are going in the home, and verifying who lives in or frequently visits the home.
- Talking with children who are in foster care outside the presence of the foster parent, to the extent that is appropriate given the child's age, developmental level, and comfort.
- Viewing children's bedroom or sleeping space, including cribs.

- Assessing the foster parent’s use of home security or monitoring equipment, including locks, alarms on doors or cameras. These items may not be used in lieu of supervision and cameras require parental/placing agency approval.
- Inquiring about important updates in the family or home including, but not limited to:
 - Complaints or grievances submitted to the foster parent;
 - Updates, questions, or concerns regarding any home safety items, including storage of medication, weapons/ammunition, fire extinguishers, or construction projects in the home that might pose a hazard;
 - Upcoming vacations, changes to the home or household members, use of respite;
 - Updates on any family illnesses or emergencies.

Child care, substitute care and respite

VII.31. Foster parents are to receive assistance from placing and licensing agencies to plan for and access child care, substitute care and respite.

During the home study assessment and licensing process, licensing agencies talk with prospective foster parents to identify future child care needs. This includes ensuring that foster parents understand resources that are available to children in foster care, rules regarding child care, substitute care and respite, and the value of engaging relatives and kin. Some agencies provide a budget to pay for formal respite care. Foster parents are to be informed of the respite funding available to them.

[Minnesota Early Learning Scholarships](#) for child care are available for children from birth to four years old who are in foster care placement. The scholarship helps cover the cost of Parent Aware early childhood programs.

In non-emergency situations the foster parent, parent and placing agency must agree on respite and substitute care arrangements within ten working days prior or must agree on respite care according to an ongoing written agreement ([Minnesota Rules, part 2960.3090, subpart 2](#)). In emergency situations the license holder must notify the placing agency as soon as possible. Agencies and foster parents should use principles of family-centered practice to engage and involve a child’s family and support network, whenever possible. Before using formal respite care, foster parents and placing agencies are expected to consider how regular visits with family and others in the child’s natural network might be utilized as informal respite that helps maintain these critical relationships while providing a break for the child and foster parent. [Guidance on Children in Foster Care: Using Relative Visits and Alternative Child Care Arrangements](#) helps foster parents and responsible agencies think about ways to engage relatives and kin to help provide a more natural network of care supports.

Respite, substitute care, and babysitting

Respite is care provided in a licensed foster home different than the home where the child lives. It is often a useful part of a care plan but must be utilized in a way that respects children's needs for attachment and consistency. Scheduled respite is less disruptive for children than respite used as a consequence or when a crisis has developed, and it is best practice to introduce the child to the respite provider in advance.

Requirements for long-term and short-term substitute care are provided in [Respite and Substitute Care for Family Settings](#) and [Minnesota Rules, section 2960.3090](#). Long-term substitute care is more than 72 hours of care in the child's foster home. Short-term substitute care is less than 72 hours of care in the child's foster home.

Babysitting is considered short-term care and supervision of children for less than 24 hours that occurs on an occasional basis and may be in the licensed foster home or in the home of the caregiver. [Children in Foster Care: Babysitting Guidelines](#) provides further information.

Respite, substitute caregivers and babysitters must receive information about a child and their needs, outlined in [Minnesota Rules, part 2960.3090, subpart 4 and subpart 5](#), prior to caring for the child. This includes but is not limited to:

- Information about the child's emotional, behavioral, medical, and physical condition
- Any medication the child takes
- Names and telephone numbers of individuals to contact in case of emergency and information about medical providers and how to obtain medical care for the child
- The location of fire extinguisher and first aid supplies
- Emergency and fire evacuation plans
- Information about child abuse and mandatory reporting laws
- Notification requirements if an emergency occurs which involves the child.

When foster parents experience personal challenges

Foster parents are people, and sometimes people have challenging periods in their lives, whether it be a mental or physical health crisis, marital strife or domestic violence, accident, or a financial emergency. Sometimes foster parents can and should continue to provide care during these periods; other times children's safety and well-being cannot be protected if the foster parent continues to provide care during a challenging time.

Placing and licensing agencies are responsible for cross-sharing information that pertains to the safety and well-being of children in foster care. Personal and family crisis in foster families is such information.

Licensing agencies are expected to take the lead in working with foster parents to determine a course of action when personal crisis arises. Children and their families are the primary client in foster care services and securing their safety and well-being must prevail in this planning. It is inappropriate to expect, or permit, foster parents to care for children when they are unable to do so due to personal crises. It is not a punishment to foster

parents when the licensing agency steps in, but rather a critical support for foster parent’s long-term sustainability. Licensing agencies should consider using short-term solutions such as respite care or the child going on a visit to a family member when such supports provide the necessary break for the foster parent to regroup.

VII.32. Safety plans to address foster parent functioning are not permitted.

Safety plans are a child protection tool used for the purpose of addressing specific conditions that pose a risk to children and result in them being at risk of out-of-home placement. Children may not remain in a foster home that poses this sort of risk to them.

When child protection becomes involved in a licensed foster home, the basic principles of family preservation do not necessarily apply to children placed in the home. Children in foster care should not be expected to participate in safety plans, family therapy or other interventions developed to help the foster family’s functioning. Children in foster care may have already faced those same interventions in their own families and should not be expected to repeat those things in a licensed foster home.

The only time a safety plan that addresses a foster parent’s behavior is appropriate is when it is implemented for a very short time during a maltreatment investigation when having the child remain in the home has been determined to be the best course of action. In this situation, the safety plan ceases to be in effect once the investigation is completed and other more appropriate supervision plans and/or licensing actions are implemented, if needed.

Guidelines: Allegations, complaints, and investigations

Minnesota Law requires professionals who work with children and families to report suspected neglect or abuse to child protection. Foster parents are mandated reporters. More information on reporting maltreatment can be found in the [Resource Guide for Mandated Reporters of Child Maltreatment Concerns](#).

Child foster homes are required to adhere to all relevant rules and statutes. Relative applicants with children in placement and homes licensed for child foster care are “facilities” per [Minnesota Statutes, section 260E.03, subdivision 6](#), and are held to a higher standard as they are entrusted with the care of other people’s children.

The licensing agency’s role in investigating allegations and complaints is vital to maintaining child safety and well-being in licensed child foster homes. Taking seriously and investigating complaints made by children, their families and other concerned persons is fundamental to maintaining community trust in the child welfare system.

Licensing agencies, county child protection, and law enforcement each have a unique role related to investigations. Licensing agencies are required to respond to and investigate all allegations of licensing violations and quality of care concerns. County child protection agencies are required to screen and investigate allegations of maltreatment in facilities located within the county. Law enforcement investigates allegations that may include criminal offenses. This section explores the differences between these types of investigations and how

licensing agencies, child protection and/or law enforcement must collaborate. This section also provides guidance on how licensing agencies support foster families and children in foster care during an investigation.

VII.33. Applicants and license holders must be informed of what will happen when a complaint or allegation is made.

It is best practice to inform applicants during orientation and initial home study assessment interviews and remind license holders of the possibility they will receive a complaint and be involved in an investigation at some point in their experience providing foster care. Complaints are defined as any allegation or violation of licensing regulations, and may come from many sources including mandated reporters, concerned community members or neighbors, a child in placement or their family member. The possibility of complaints and allegations is one reason why foster parents are asked to document and notify workers of things like accidents, incidents, visits, complaints, health care, education, and other significant happenings in the home. This documentation protects foster parents and provides valuable information to assist in an investigation of situations where children may not have been served well.

When a complaint has been made, the licensing agency explains the following to the applicant or license holder:

- If the allegation involves maltreatment, the report will be screened by child protection and may be investigated by law enforcement.
- The licensing agency may be made aware of some details of the investigation but is prohibited from sharing information with the license holder that could interfere with child protection and/or law enforcement investigations. The license holder/applicant will not receive any information regarding who made the complaint or allegation as this information is confidential.
- The licensing agency will provide as much support as possible and if applicable, will attempt to coordinate interview times with child protection and/or law enforcement.
- The licensor and/or case manager may make more frequent and/or unannounced visits when there are concerns regarding safety or well-being of children in foster care.
- Regardless of the outcome of child protection and/or law enforcement investigations, the licensing agency must always investigate for potential licensing violations. An allegation or complaint may be screened out by children protection, but the licensing investigation may determine a licensing violation occurred related to the same allegation or complaint.
- Based on the licensing investigation findings, the agency may recommend supports for the foster parent and/or child in foster care, training for the foster parent, and/or may issue a correction order or recommend a licensing action.
- Retaliation against the child, their family or any other person assumed to have made the allegation or report is unacceptable and may result in licensing action or removal of a child.

(When an applicant who has a child in unlicensed emergency relative placement is the subject of a complaint or allegation, a licensing investigation occurs as if they were license holders.)

VII.34. Every allegation, complaint, or concern about a licensed foster home must be investigated by the licensing agency.

[Minnesota Statutes, section 245A.04, Subdivision 5](#) gives child welfare and licensing agencies the authority to investigate reports of alleged maltreatment and violations of applicable laws, rules or statutes and to conduct licensing inspections. Licensing agencies must look into every allegation or complaint made and be given access to the home with or without prior notice and as often as necessary. Children are encouraged to report concerns, abuse, or neglect in their foster home and must never be admonished for doing so.

Children who have experienced trauma may have had experiences that impact how they respond to situations that occur in foster care and this may result in them making an allegation that is ultimately determined to be unsubstantiated. Unsubstantiated allegations can be very difficult and stressful for foster families. The investigation process can feel frightening and impact the relationship and trust families have with their agencies, workers, and the child. Even when there is no finding, the foster parent may feel upset a report was made. Preparing foster parents for the likelihood of an allegation or complaint, supporting families throughout the investigation, and taking time to debrief will help the family feel supported to continue to provide foster care.

It is also important to follow up and debrief with the child if age appropriate and if they initiated the complaint or allegation. It is important for children in foster care to feel heard, to know that their complaint or allegation has been investigated and to receive other supports as necessary.

VII.35. Applicants and license holders must cooperate during an investigation.

Per [Minnesota Statutes, section 245A.04, Subdivision 5](#) applicants and license holders must allow the agency to photocopy, photograph and make audio and video tape recordings if necessary. Children placed in the home have the right to refuse to consent to be interviewed, photographed or audio or video taped. Failure or refusal of an applicant or license holder to fully comply with an investigation is reasonable cause for an agency to recommend a denial, suspension, or revocation of the license.

VII.36. The local child welfare agency is required to notify the licensing agency of any screened in or screened out report on a licensed foster home or those in process of becoming licensed.

Per [Minnesota Rules, part 9560.0222](#) maltreatment reports that do not meet the criteria for a facility investigation must be reported to the responsible licensing agency within 48 hours after a report is received. Reports that are screened in for a facility investigation must be reported to the responsible licensing agency immediately, but no longer than 48 hours of receiving the report.

If a licensing agency becomes aware of a screened in or screened out report but has not received it from the local child welfare agency, the licensing agency contacts the child welfare agency to request it. If licensing agencies are not able to access the report from the local child welfare agency, they may contact Foster Care Licensing triage at dhs.fostercarelicensing@state.mn.us to assist with this information.

If the licensing agency has questions or concerns about a child protection screening determination which they have not been able to resolve at the local level, they may contact Foster Care Licensing triage at dhs.fostercarelicensing@state.mn.us for assistance coordinating a consultation with partners in the DHS Child Safety and Permanency division. If the licensing agency has questions or concerns about a child protection screening determination which they have not been able to resolve at the local level, they may contact Foster Care Licensing triage at dhs.fostercarelicensing@state.mn.us for assistance coordinating a consultation with partners in the DHS Child Safety and Permanency division.

VII.37. Investigations of maltreatment are led by child protection and/or law enforcement, and licensing investigations occur concurrently.

There is a hierarchal order of investigations conducted on a licensed foster home. When law enforcement is involved, they lead the investigation to determine if the actions of persons involved constitute a criminal act. Child protection investigations determine whether the actions of persons meet a definition of maltreatment. Child protection and law enforcement often team their investigations. If law enforcement is not involved, child protection leads the investigation.

It is best practice for licensors to collaborate with child protection and/or law enforcement during investigations, especially during interviews. If that is not possible, frequent communication during the investigation is advised. During an investigation, the licensing agency may consider increased monitoring using announced or unannounced visits to the foster home, but must not discuss the investigation, question the foster parent, or interview any other collaterals until the child protection and/or law enforcement investigations are complete, unless permission is given by the lead agency to proceed with a licensing investigation.

Licensing investigations determine whether the license holder or others responsible for caring for children or living in the home, violated licensing rules or statutes. While child protection and/or law enforcement are completing their investigation, the licensing agency should begin a review to determine if there are any potential licensing violations. A child protection and/or law enforcement investigation may result in no finding, but licensing violations may still be identified and need to be addressed.

VII.38. Licensing agencies must conduct timely investigations.

Except for reports of abuse, neglect or maltreatment, the licensing agency shall investigate all reports of licensing violations according to timelines required in [Minnesota Rules, part 9543.0070, subpart 2](#).

- Investigations of complaints alleging imminent danger or recurring physical injury must immediately be reported to DHS Foster Care Licensing and child protection in the county where the foster home is located.
- Investigations of complaints alleging no imminent danger but that may result in a licensing action must begin within 3 working days of the agency receiving the complaint.
- Investigations of complaints alleging no issue of harm or safety to persons served by the program must begin within 10 working days of the agency receiving the complaint.

VII.39. Whenever possible licensing investigations are completed by someone other than the worker responsible for day-to-day support of the foster parent.

Licensing agencies vary in the type and frequency of contact with foster families, based on agency policies and contract agreements. Some agencies are very involved in day-to-day support of the foster family and in some agencies the licensor may only see the family annually for licensing related requirements. When completing licensing investigations, it may be beneficial to have a worker or supervisor who is not involved in the day-to-day support of the family complete the investigation. This allows for the licensor to remain in a more neutral and supportive position with the family. If barriers around staffing don't allow for another worker or supervisor to complete the investigation, it is important to prepare families for the future situation when their licensor may also be responsible for investigating a complaint or allegation. When possible, it is best practice to have two workers involved in licensing investigation interviews. This makes it possible to hear information from two different perspectives and to have a colleague prepared to help with decisions regarding the outcome of the investigation. In all cases, it is recommended that an agency staff the investigation with a multidisciplinary team before a final determination is made. This helps to ensure objectivity and fairness in the final outcome.

VII.40. The licensing investigation varies based on the severity of the allegation or complaint.

A licensing investigation as part of or following a child protection and/or law enforcement investigation involves thorough information gathering, multiple interviews and critical analysis. It may be necessary to gather additional records or other collateral information, such as any police reports or prior screened out or screened

in child protection reports from the time they were licensed. It is beneficial to gather information from multiple sources, if possible, to help identify patterns or consistency in reports.

For licensing complaints not involving child protection or law enforcement or requiring an announced or unannounced visit to complete a thorough and objective investigation, the licensing investigation may be a follow-up conversation in person, via video, or over the phone. It is important for licensing agencies to recognize that this is still a formal investigation and requires documentation of the information gathered and the outcome.

VII.41. Licensing Investigations are documented on the Licensing Intake Complaint Form and must be logged on the agency's complaint log.

Workers completing licensing investigations are strongly encouraged to use the [Licensing Intake Complaint Form](#). A well-documented licensing investigation will help form the basis for a licensing action if one is necessary following a licensing investigation. Foster Care Licensing may also request this form during consultation or when reviewing agencies for compliance.

[Minnesota Rules, part 9543.0070](#), subpart 5 requires agencies to maintain a [complaint log](#) that tracks all complaints and the status and outcome of all investigations. This information must also be documented in the license holder's file.

VII.42. Workers conducting investigations are expected to be competent in interview and investigation practices.

Licensors are encouraged to complete training on licensing complaints and investigations before beginning this aspect of the work. Foster Care Licensing offers regular training for licensors on Licensing Complaint Investigations. More information on how to register for that training can be found at [Learning Center \(mn.gov\)](#).

VII.43. The safety and well-being of children in foster care must be forefront during an investigation.

There are several factors to consider regarding the safety of children in foster care during the investigation process. Placing and licensing agencies must work together to determine the best plan for the child when the allegation is first made and while the investigation is in process. Collaboration is important at this stage because these situations can become complicated when there are differing perceptions about a child's safety.

If there is not imminent risk of harm and there is agreement between the placing and licensing agency that it is in the child's best interest to remain in the home, a temporary safety plan may be put in place to maintain the

placement and ensure the child's safety and well-being while the investigation is occurring. The temporary, safety plan may not become permanent and may not be used in place of a licensing action.

In high-risk situations, it is important for all workers involved to ask the question, "Is this child safe in this home?" In imminent risk situations where a child's safety cannot be assured, the agency consults with Child Foster Care Licensing about the possibility of a temporary immediate suspension of the license.

VII.44. When there is reasonable cause to believe there is an imminent risk of harm to the health, safety or rights of children served, the licensing agency is expected to immediately recommend a Temporary Immediate Suspension (TIS) of the foster home's license.

Children must be removed immediately in this situation and the foster parent may not provide services while the TIS is in effect and while the final licensing action is determined. A TIS is a temporary sanction while the investigation/s is being completed. It is not a final action on a license. Licensing agencies must use the results from the maltreatment and/or criminal investigations to inform a licensing investigation and to determine a recommendation for final sanction. Final licensing actions must be issued within 90 days following the TIS. See the [Foster Care Licensing Action Manual](#) for detailed information about recommending a TIS.

VII.45. The disposition of a licensing investigation is "occurred", "did not occur", or "unable to determine."

When determining whether a licensing violation occurred there must be a preponderance of evidence, meaning it is more than 50% likely the violation occurred. If it becomes clear from information gathered that the violation did not occur, or the agency is unable to make a decisive determination, the investigation may be concluded.

Per [Minnesota Rules, part 9543.0070](#), if a licensing violation is determined to have occurred, a correction order or licensing action shall be recommended. Licensing investigations can often be straightforward and routine for experienced licensors, however it is recommended that licensors consult with supervisors and/or county attorneys or agency legal advisors upon conclusion of the investigation and prior to making a licensing action recommendation.

VII.46. If maltreatment is determined during a facility investigation in a foster home, the licensing agency must notify the case managers of all children placed in the home.

When maltreatment is determined in a foster home, placing agencies must assess whether continued placement is in a child's best interest. Case managers considering placing children in the home must be informed of the

maltreatment determination, any corrective action required, or anything else that may impact the foster care license or the safety and well-being of children.

VII.47. When there is a finding of maltreatment, a corresponding licensing action is required.

When maltreatment is determined, a decision must be made whether it is serious and/or recurring or simple and non-disqualifying. This determination is made by the DHS Office of Inspector General, Background Studies (BGS) Division. Local child welfare or private licensing agency staff will be notified of this decision via a disqualification notice or email.

Maltreatment determined to be serious and/or recurring is a background study disqualification, and a disqualification notice will be sent to the subject along with their reconsideration rights. If reconsideration is requested, the licensing agency reviews it first and makes a recommendation to DHS whether to grant a set aside or variance. If the disqualification is not set aside or a variance granted, the licensing agency must recommend revocation of the license or denial of the Application.

Maltreatment determined to be simple and non-disqualifying is subject to a \$1,000 fine, at minimum, and requires completion of the [Non-disqualifying Background Study Information Assessment](#). If the maltreatment concern or related licensing violations have not been resolved, additional licensing action such as a conditional license or revocation may be appropriate.

Guidelines: Correction orders and licensing actions

Minnesota statute and rule delegates to county and authorized private licensing agencies the authority to issue correction orders to license holders and recommend licensing actions to DHS ([Minnesota Statutes, section 245A.16](#); [Minnesota Rules, part 9543.0030](#)).

Correction orders and licensing actions are used when it has been determined that a foster parent has violated a licensing rule or statute. Licensing agencies are to recommend the least restrictive licensing action to bring the license holder into compliance, so the health and safety of persons served by the licensed program is protected. Correction orders are the least restrictive response, are used only when there is no imminent risk to the health, safety, or rights of persons served by the program, and are issued directly from the licensing agency to the foster parent. Licensing actions are sanctions issued by DHS based upon the recommendation of a licensing agency and include denials, fines, conditional licenses, suspensions, and/or revocations.

Correction orders and licensing actions are tools that help ensure child safety and well-being in licensed foster homes. Correction orders issued by the licensing agency and licensing actions issued by DHS tell the applicant or license holder what they did or did not do and explain specifically which rules or statutes were violated and what remedy is required, when applicable.

VII.48. Licensing action recommendations must follow the format in the [Foster Care Licensing Action Manual](#).

The templates and procedures in the [Foster Care Licensing Action Manual](#) must be used when recommending a licensing action for a child foster care license holder or applicant. The manual contains detailed information about correction orders, types of licensing actions, how to determine the basis for a licensing action, how to recommend a licensing action, and appeal information. The Appendix section contains the required templates and supplemental information licensing agencies complete based on the type of recommendation. These templates must be used however, agencies may copy and paste them onto their agency letterhead. Foster Care Licensing no longer accepts licensing recommendations for licensing actions in any other format. All recommendations must be sent securely via email to dhs.fostercarelicensing@state.mn.us.

VII.49. A recommendation for a licensing action must include a clear explanation of the basis for the recommended action and cite the rule or statute violation/s.

To ensure timely processing of licensing action recommendations, Foster Care Licensing must have an adequate understanding of the alleged violation including the applicable rule/s or statute/s. The recommendation must be clearly written, factual, and informed by evidence collected and received by the licensing agency during its investigation. All supporting evidence should be included as attachments to the licensing action recommendation.

VII.50. For complicated situations or when questions arise consult with Foster Care Licensing prior to submitting a licensing action recommendation.

Consulting early on a case and prior to submitting a licensing action recommendation will ensure Foster Care Licensing has all the required information needed to assess and issue the licensing action. Foster Care Licensing (dhs.fostercarelicensing@state.mn.us) provides technical assistance to licensing agencies as they consider licensing action recommendations, including:

- Determining the appropriate licensing action for the situation.
- Determining which statutes or rules to cite in the recommendation.
- Guidance on supporting evidence and documentation to support the recommendation.
- General questions and support.

When consulting with Foster Care Licensing agencies should provide the following information:

- Provider(s) full name/s
- License number
- Type of license – child foster care, in application or currently licensed
- Dual licensed – if so, both license numbers and type of each license
- Relative or non-relative, and whether there are children currently placed in the home
- Description of complaint, allegation, or concern and reason for consult.

VII.51. When determining the basis for a licensing action, agencies must consider the nature, severity, and chronicity of the violation as well as the health, safety and rights of children served by the program.

The [Foster Care Licensing Action Manual](#) provides guidance and examples for determining the basis for a licensing action.

VII.52. Licensing agencies recommending a licensing action must include supporting documentation.

To review and issue licensing actions, Foster Care Licensing relies on information provided by licensing agencies. Licensing action recommendations must include supporting documentation for each identified violation, including:

- Relevant license application materials – Application, Individual Fact Sheet, self-reflection/questionnaire/autobiography, Home Study Assessment
- [Licensing intake complaint form](#)
- Agency’s investigation notes
- Maltreatment or criminal investigation determinations
- SSIS chronology
- Prior correction orders or licensing actions
- Chemical, mental, or physical health assessments and recommendations.

For licensing actions related to background study disqualifications supporting documentation must include, when applicable:

- Disqualification letter
- Whether reconsideration of the disqualification was requested
- Whether a set aside was granted or denied by DHS
- [Non-disqualifying Background Study Information Assessment](#) form.

For licensing actions related to a maltreatment determination supporting documentation must include:

- Notice of maltreatment determination
- Summary of findings
- Whether reconsideration was requested for a maltreatment finding
- Agency's response to the reconsideration request; and
- Whether a fair hearing has been requested.

When including supporting documentation with a licensing action recommendation, reference the [Foster Care Licensing Action Manual](#) to determine how to label this information.

VII.53. Prior to submitting a licensing action recommendation, licensors must comply with their agency policies for review and approval of the recommendation.

Prior to submitting a licensing action recommendation to Foster Care Licensing, it is best practice for licensing agencies to have their recommendation reviewed and approved by a supervisor and county or agency attorney. Should the applicant or license holder appeal, the county attorney or attorney general's office is responsible for representing the commissioner at the contested case hearing. Licensors are advised that they will need to testify at the contested case hearing if the license holder appeals the licensing action. It is best practice to review all documentation carefully before submitting a recommendation, ensuring that each alleged violation is supported by relevant evidence and thorough documentation.

Correction orders

VII.54. Counties and private agencies are delegated the authority to issue correction orders when there is a violation of a licensing rule or statute and there is no imminent risk to the health, safety, or rights of persons served.

When a violation of rule or statute occurs that does not present a risk to the health, safety or rights of a child in foster care a correction order may be issued. A correction order is the least restrictive action, providing the license holder an opportunity to come into compliance ([Minnesota Rules, part 9543.0030](#)).

VII.55. A correction order must clearly identify the specific rule or statute violated, describe the conditions that violate the rule or statute, and give the foster parent a specific deadline to make the correction.

Correction orders may be issued on the [DHS Correction Order Form](#) or agencies may develop their own form as long as it contains the required information. Correction orders are public data, so must not include identifying information about the child in foster care, their family, or anyone other than the foster parent.

License holders must be provided a copy of the correction order and they are asked to provide a written response on the document describing how the violation has been corrected. License holders are asked to sign and return it to the licensing agency within the requested time frame. While completing and signing the form is not required by statute, asking the license holder to do so is best practice and provides a written record that they know about and have addressed the concerns outlined in the correction order. If the form is not on file, case notes must document how and when concerns were addressed by the license holder.

VII.56. Licensing agencies must work with the license holder and provide guidance and resources to help them correct a violation and to come into compliance.

While issuing correction orders in child foster care may seem punitive, it can be helpful if licensing agencies reframe them as tools to help license holders stay in compliance and encourage license holders to use them as learning opportunities. Licensing agencies are expected to discuss with the license holder what resources or support is needed to help them make the correction and to prevent recurrent violations.

VII.57. If the license holder does not respond to or fails to comply with a correction order, a second correction order is issued.

If there is no response to a second correction order, the agency may consider recommending a more serious licensing action, such as a fine ([Minnesota Statutes, section 245A.06, subdivision 3](#)). It is the responsibility of the licensing agency to follow up on correction orders to ensure the license holder is in compliance. Correction orders issued for ongoing or repeat violations document a pattern of concerns that may lead to a more serious licensing action.

VII.58. If the license holder disagrees with a correction order, they may request reconsideration of the entire correction order, or specific parts they believe to be in error.

The [Foster Care Licensing Action Manual](#) provides further information on the request for reconsideration process. Requests for consideration of a correction order are submitted to the DHS Office of Inspector General Legal Counsel's office.

The request for reconsideration must:

- be in written format;
- be sent to DHS and postmarked within 20 calendar days after license holder receipt;
- identify the parts of the correction order that are alleged to be in error;
- explain why they believe the correction order is in error; and
- include documentation to support the allegation of error.

VII.59. Correction orders must not be used when a more serious licensing action is warranted.

For more serious or chronic violations, consult with Foster Care Licensing to determine the appropriate licensing action. The [Foster Care Licensing Action Manual](#) provides further information on when correction orders may not be used.

Conditional licenses

VII.60. A conditional license may be recommended when there are compliance concerns but recommending or maintaining a license is in the best interest of, and would not pose a risk of harm to, children in foster care.

Conditional licenses are a tool to be used when additional monitoring and accountability are needed to ensure compliance concerns are addressed. Conditional licenses may be recommended at initial licensure (with prior consultation with Foster Care Licensing) or as an action on an already licensed home and are time-limited, generally one year or less. A conditional license includes terms that must be met during the conditional period, such as additional training intended to assist the license holder in maintaining future compliance.

A conditional license can be the appropriate action to take in situations where the applicant, license holder, or household member presents behaviors, conditions, or concerns that need to be addressed to maintain safety and comply with foster care licensing requirements. In situations where a licensing agency might be tempted to create a safety plan, a conditional license may be the most appropriate action, as it describes the specific

conditions that must be met to maintain the license and includes additional monitoring by the licensing agency. A safety plan may never be put in place in a licensed foster home, or an applicant home, to address behaviors or background study concerns related to an applicant, license holder or a household member.

Safety planning to address safety concerns is a child protection practice to prevent removal or support a child returning home, not a foster care licensing practice. (See [Minnesota's Best Practices for Facility Investigation](#)).

Conditional license at initial licensing

A conditional license may be recommended at initial licensure when there is an unlicensed emergency relative placement or a relative or kin has applied for a license and there are identified concerns that warrant a higher level of monitoring and accountability by the licensing agency. The additional monitoring is expected to help the foster parent maintain compliance, should they be granted a license. It would be unusual for a conditional license to be recommended for a non-relative applicant. Licensing agencies are strongly encouraged to consult with Foster Care Licensing triage (dhs.fostercarelicensing@state.mn.us) before recommending an initial conditional license.

A conditional license at initial licensure is only considered when all the following are true:

- There is agreement between the placing and licensing agencies that it is in the child's best interest for the home to be licensed.
- Any concerns can be adequately addressed with a higher level of monitoring by the licensing agency.
- Applicant understands and agrees to comply with the conditions defined in the recommendation. (They will still have the right to request reconsideration of the conditional license when it is issued.)

Recommending a conditional license for an already licensed home

A conditional license is recommended for a licensed home when there are identified concerns and a higher level of monitoring and accountability by the licensing agency would help the foster parent achieve and maintain compliance.

Some examples when a conditional license may be an appropriate licensing action to recommend:

- A foster parent has received multiple correction orders and licensing investigations regarding inappropriate supervision and the foster parent has shown little evidence of improving their compliance or building the skills they need to provide for child safety and well-being. Rather than continuing to issue correction orders, a conditional license spelling out exactly what the foster parent must do and by when they need to do it gives the licensing agency an additional tool to ensure child safety.
- Repeated failure to complete annual training and/or to do the development listed in their annual evaluation.
- Repeated concerns regarding the foster parent's cooperation with case managers, therapists, schools, children's family and sibling visits and lack of communication. Depending on the severity, this situation may warrant a revocation.

A conditional license should only be recommended in situations where a period of conditional operation is reasonably expected to produce compliance. License holders who are not able or willing to comply with licensing regulations after repeated correction are generally not good candidates for a conditional license.

Barriers to use of conditional licenses

There are Title IV-E implications for foster homes currently or recently on a conditional license. Prior to recommending a conditional license, agencies are encouraged to talk with Foster Care Licensing triage (dhs.fostercarelicensing@state.mn.us) and/or their DHS Title IV-E trainer to think through possible long term impacts, especially related to adoption or guardianship.

Licensed foster homes must be “fully licensed” to be eligible for federal Title IV-E foster care funds. The [Title IV-E Foster Care Eligibility Review Guide \(hhs.gov\)](#) defines a fully licensed program as meeting all applicable licensing requirements for full licensure, approval, or certification. Therefore, foster homes with conditional licenses are not eligible for Title IV-E reimbursement.

Permanency is also potentially impacted by use of a conditional license in a foster home. [Minnesota Statutes, section 260C.611](#) indicates that the home study of a prospective adoptive parent who is already licensed for child foster care meets the requirements for an approved Adoption Home Study as long as certain criteria are met. One of those criteria is that there has not been a sanction on the license or an order of conditional license within the last three years. An adoption only Home Study might be required in this situation. Guardianship placements may also be impacted by a home having a current or past conditional license.

Fines, suspensions, and revocations

VII.61. Licensing agencies have the authority to recommend a fine, license suspension or revocation.

The [Foster Care Licensing Action Manual](#) provides specific information for when these sanctions are appropriate. Authority to recommend these licensing actions is in [Minnesota Statutes, section 245A.07, subdivision 3](#).

Recommending a fine

It is common for licensing agencies to struggle with the idea of issuing a fine to a child foster care license holder. A fine is appropriate when a license holder knowingly withholds information about who is living in the home and fails to initiate a background study or when “simple and non-disqualifying” maltreatment is determined, and the agency is not recommending revocation. It is recommended to consult with Foster Care Licensing prior to making the recommendation for a fine, to determine if it is the most appropriate action. A fine is not appropriate when the license holder has self-corrected a situation in a timely manner. For instance, they forgot to tell their licenser when their child turned 13 years old but submitted the information to initiate the background study as soon as the error was discovered.

Fines must be paid before a license can be renewed. Failure to correct the violation(s) outlined in the fine order may result in revocation of the license.

A recommendation for a fine *and* conditional license should be made if it is determined that a license should be put on conditional status, and there are also licensing violations that warrant a fine.

Recommending temporary immediate suspension

A temporary immediate suspension (TIS) is issued to immediately suspend the license while the agency investigates a complaint and there is reasonable cause to believe the license holder's actions, failure to comply, actions of other individuals, or conditions pose an imminent risk of harm to the health, safety, or rights of persons served. An investigation does not need to be complete for an agency to recommend a TIS.

The [Foster Care Licensing Action Manual](#) provides further guidance on situations that may warrant a TIS and the steps required to make the recommendation to Foster Care Licensing and serve the order to the license holder. As these are situations that may pose an imminent risk of harm, Foster Care Licensing triage must be consulted at 651-431-6500, dial "3" then "4" then "2".

A TIS is temporary and not the final sanction on the license. A final sanction must be issued within 90 days of the date the TIS was issued, or from the date of the commissioner's final order if appealed. A TIS may only be lifted once the conditions that led to the TIS order have been fully investigated, the concerns for imminent risk have been resolved, and the agency did not determine violations that warrant a final licensing action.

If there is determination from a maltreatment or law enforcement investigation, a licensing investigation must be completed to determine whether there will be a recommendation for a further licensing action. Correction orders should not be issued during a TIS. If licensing violations are identified, they should be assessed as part of the overall investigation to determine if a final action will be recommended on the license.

Unlike other licensing actions, an appeal of a temporary immediate suspension does not allow the license holder to continue to operate pending the outcome of an appeal hearing. Once the order is personally served on the license holder it is in effect and remains so until it is lifted or reversed on appeal.

Recommending indefinite suspension

Indefinite suspensions are used for serious or chronic violations that pose a risk to persons served by the program, but do not warrant an immediate suspension and the license holder is agreeable to correcting the violations. The license holder must cease operation during the period of suspension and once the conditions are fully met, the licensing agency may recommend the suspension be lifted. Correction orders should not be issued during an indefinite suspension. The license can be placed on indefinite suspension and reinstated once the license holder has verified compliance or investigation has been complete.

Recommending revocation

A revocation is the most restrictive licensing action and is recommended when there are serious or chronic violations that pose a risk to persons served by the program.

Licensing action notifications

VII.62. Licensing agencies are required to send notification of licensing actions.

Applicants, license holders, guardians and others are provided notice when a licensing action is recommended and/or issued on a child foster home ([Minnesota Statutes, section 245A.16, subdivision 8](#)).

If a (negative) licensing action has been ordered against a child foster care program that is supervised by a private licensing agency, the private licensing agency shall notify in writing the county agency in which the foster home is located and any county that has placements in the home ([Minnesota Rules, part 9543.0100, subpart 8](#)).

Case managers are notified when a licensing action is recommended and ordered on a foster home. [Minnesota Rules, part 9543.0100, subpart 7](#) states that parents and/or guardians are notified of licensing action recommendations, however the notice to parents was intended specifically for parents of children in child care programs. In the case of foster care, case managers are expected to be in communication with children's parents and to keep them informed of concerns about the foster home, including licensing actions issued on foster homes where their children reside. See [SONAR-01649](#) for clarification.

Sample notification letters are in Appendix K of the [Foster Care Licensing Action Manual](#). Note, templates #3, #5, and #6 in the Foster Care Licensing Action Manual are notifications to send to parents when there is a licensing action. These templates are in the Manual in error and should not be used. Notification from licensing agencies regarding licensing actions in foster homes goes to placing agencies and the county where the home is located, as applicable.

VII.63. Licensing action recommendations are confidential. They cannot be provided to anyone outside the licensing agency or DHS, nor can specific information included in the recommendation be shared with anyone, including the applicant or license holder.

The applicant or license holder is notified when a recommendation is made but cannot be told what the recommendation is because Foster Care Licensing does not always issue a final licensing action that matches the recommendation. The commissioner may order something other than what the licensing agency recommended, or not issue a licensing action at all. The licensing agency is responsible for communicating with the applicant or license holder about concerns, violations, or other factors that might lead to a licensing recommendation. The license holder should not be in a position where they are surprised that a recommendation was made.

Appeals

VII.64. If the applicant or license holder disagrees with a licensing action, they have the right to appeal.

An applicant or license holder may appeal a licensing action. Appeal times vary based on the type of licensing action. The [Foster Care Licensing Action Manual](#) provides further information on appeal timelines.

Licensing agencies should provide guidance to applicants and license holders throughout appeal process. Licensing agencies should not submit an appeal on behalf of the applicant or license holder but may provide them with guidance on what to include with their appeal. Licensing agencies should also inform an applicant or license holder that if they apply with another licensing agency while a licensing action or appeal is pending, the other agency will be unable to act on their Application until the licensing action or appeal is resolved.

VII.65. Applicants and license holders must be informed that correction orders and licensing actions are public information.

Per [Minnesota Statutes, section 13.46, subdivision 4\(b\)\(ii\)](#), when a correction order, order to forfeit a fine, order of license suspension, order of temporary immediate suspension (TIS), order of license revocation, order of license denial or order of conditional license has been issued, there is specific data that is considered public:

- The general nature of the complaint or allegation leading to the TIS
- The substance and investigative findings of the licensing or maltreatment complaint, licensing violation, or substantiated maltreatment
- The existence of settlement negotiations
- The record of informal resolution of a licensing violation
- Orders of hearing
- Findings of fact
- Conclusions of law
- Specifications of the final correction order, fine, suspension, temporary immediate suspension, revocation, denial, or conditional license contained in the record of the licensing action
- Whether a fine has been paid
- The status of any appeal of these sanctions.

VIII. Annual evaluation, re-licensure and Home Study Assessment Update

Introduction

Each year foster parents have an opportunity to discuss their performance, including ways in which the care they provided to children over the past year have implemented the activities and goals of their out-of-home placement plans. The annual evaluation provides an opportunity to identify and plan for meeting the foster parent's support and training needs in the upcoming year and provides much of the information needed by the licensing agency to write the Home Study Assessment Update and complete re-licensure in the years those items are due. Foster parents sign and receive a copy of their annual evaluation and licensing agencies may refer to it throughout the year to ensure that foster parents are receiving the supports they and the agency mutually agreed upon at the time of the evaluation.

Guiding principles applied to annual evaluation, re-licensure and Home Study Assessment Update

- **Child safety and well-being.** Foster parents require a wide range of skills, knowledge, personal and emotional maturity to provide for safety and well-being of children in foster care. They grow and develop through experience coupled with proactive, honest performance feedback and support resources from their licensing agency and the case managers of children in their home.
- **Equity.** An annual evaluation provides a structured, equitable opportunity for honest feedback and a summary of strengths and concerns from the previous year. Included in the annual evaluation and Home Study Update is discussion of the foster parent's performance in delivering care that affirms the identity development of children and anti-racist practice in supporting permanency. Annual evaluations and Home Study Assessment Updates include training and development plans for the upcoming year.
- **Preservation of relative, kin, community and cultural connections.** By explicitly discussing and evaluating a foster parent's performance related to sibling, family and kin visits, preservation of community and cultural connections the licensing agency reaffirms that these things are fundamental to the role of a foster parent.
- **Consistency.** Children in foster care deserve skilled, accountable foster parents. Licensing agencies' consistent delivery of annual evaluations, Updates, and re-licensure activities is key to maintaining high quality foster care across the state.

Equity pause

Annual evaluation is an opportunity for licensing agencies and foster parents to pause and reflect on the care they worked together to provide children over the previous year. Part of that reflection includes an honest discussion on ways that the foster parent did or did not affirm and support children's identity development, connections to relatives, kin, community and culture and equity generally. The annual evaluation also includes discussion on licensing agency practices that advanced or were barriers to equity for the foster parent, children in foster care and their families.

Licensors are encouraged to reflect on the following questions as they prepare for annual evaluations, updates, and re-licensure.

1. Have I talked with foster parents during their annual evaluation to push them to identify examples of ways they advocated for services, supports and case decisions that advanced equity for children in foster care and their families over the past year? For instance, did they speak to or report a teacher who targeted the child or made racist or anti-gay comments in class? Have I also directly named and addressed times the foster parent behaved in troublesome ways or posed a barrier to equitable treatment for children in foster care and their families?
2. What conversations could I have with foster parents during their annual evaluation that might help them connect the experiences they have had as foster parents in the past year to larger systemic equity issues? How might having these conversations help foster parents become advocates for equity in the child welfare system? Do I understand why doing these things might be important?
3. What things do I need to consider about how I present myself to different foster parents when it comes time for challenging annual evaluation conversations? Do I appear respectful and thoughtful, or judgmental and dismissive?
4. Has my agency created opportunities and protected space for foster parents to provide regular feedback regarding the agency's interactions with them? Do we ask foster parents questions related to equity and whether our staff interact in culturally-responsive ways?

Guidelines: Annual evaluation, re-licensure and Home Study Assessment Update

Annual evaluation

VIII.1. The foster parent and licensing agency jointly complete a written annual evaluation of the foster parent's performance.

Regardless of the length of the term of a license, the licensing agency must complete an annual evaluation with each foster home ([Minnesota Rules, part 2960.3100, subpart G](#)). The annual evaluation is a meaningful written review of the foster parent's performance, training, and development needs. It is to be collaboratively completed with the license holder to ensure they understand and agree with the assessment and have the opportunity to respond to and engage in a conversation about their strengths, needs, and training plan for the upcoming year. The [Agreement between Foster Parents and Child Foster Care Licensing Agency](#) includes the responsibility of licensing agencies to include foster families in annual evaluations regarding their roles and responsibilities, and their need for support during and after children's placements.

The [Annual Evaluation of Licensed Foster Home](#) template is available for licensing agencies to use. If not using this form the annual evaluation must include, at a minimum, a review and discussion of:

- All foster placements in the past year and assess the impact and outcomes of the placement on the child, the child's family, the license holder, and development and implementation of the case plan.
- Any comments, suggestions, or concerns raised by the placing agencies and assess the implications for training and foster home policies and procedures.
- Any grievances, their outcomes, and the implications for training and foster home policies and procedures.
- The ability of the license holder to care for children.
- A plan for the next year's training and development.

The license holder must cooperate with the licensing agency's efforts to determine the outcomes of a child's foster care placement. The outcome information must be shared with the license holder and incorporated into the evaluation ([Minnesota Rules, part 2960.3000, subpart 5](#)).

Licensing agencies are responsible to help foster parents understand the link between the care they provided and the outcomes for the child. For instance, when reunification is the goal and the foster parent proactively engaged with the family, the annual review should reflect how they supported the goal and how the outcome was successful. Conversely, if a disruption occurred due to the foster parent's inability or unwillingness to bring a child to required appointments, the annual evaluation must connect the foster parent's performance to the placement outcome.

Foster Parents must sign and be provided a copy of their annual evaluation ([Minnesota Rules, part 9543.0060, subpart 5, item C](#)).

VIII.2. At least one annual in-home, in-person visit is the minimum expectation for licensing agencies.

The licensing agency is responsible for ensuring child safety and well-being and that foster parents are receiving necessary support, training, and oversight throughout the year. One annual in-person visit by the licensing agency is the minimum expectation to meet this responsibility.

A minimum of one in-home, in-person visit annually by the licensing agency provides an opportunity to confirm that all annual licensing requirements have been met. These things are required annually, whether or not it is a re-licensing year:

- An annual evaluation of the foster parent's performance
- Home Safety Checklist, including fire extinguisher serviced or tagged
- Well water testing, if applicable
- Fire Marshal Inspection, if a new trigger is identified

- Annual training hours – including 1 hour in children’s mental health, and 1 hour in FASD and beginning January 2024 mandated reporting of child maltreatment
- If serving 18-21-year-olds:
 - Mandated reporter training
 - Review of the [Program Abuse Prevention Plan \(PAPP\)](#)

VIII.3. The licensing agency must provide foster parents with written and verbal opportunities to evaluate licensing agency practices.

Licensing agencies are responsible for maintaining an engaged proactive relationship with foster parents. Virtually all [national research and best practices](#) related to foster parent recruitment and retention emphasize a positive relationship with the licensing agency as being fundamental to the well-being of foster parents. Foster parents must trust that their licensing agency will respond to their calls and advocate for them to get the information and resources they need to provide the best possible care. Surveys and engagement groups with Minnesota foster parents underscored the importance of licensing agency engagement with many people saying they remained foster parents because they felt respected and heard by their licensing agency. The same surveys included former foster parents who closed their licenses and reported doing so due to feeling disrespected and unheard. Foster parents who reported having a positive relationship with their licensing agency felt confident that their agencies knew their strengths and capacities and matched them with children whose needs they could meet.

Licensing agencies learn and can improve practice by listening to their foster parents. The requirement to provide an opportunity for feedback is number nine under “Licensing Agency Responsibilities” in the [Agreement between Foster Parents and Child Foster Care Licensing Agency](#).

VIII.4. Best practice is to provide an opportunity for children to give feedback on their foster home, the licensing agency, and other aspects of their foster care experience.

Minnesota Youth Leadership Council has stated that to feel safe in their foster homes, youth need:

- To feel heard by foster parents and workers.
- To be seen by foster parents and workers, especially so their race, culture, and sexual identity is acknowledged, respected, and affirmed.
- Their connections to relatives, kin, community, and culture are preserved.
- Their basic needs are met by the adults entrusted with their care.

- Their foster parents receive the information, training, support, and resources they need in order to care for them.
- Honest communication from foster parents and workers.

It is recommended licensing agencies gather information from youth regarding their experience related to each of the above. Agencies may choose when and how to gather this information, including annual surveys, in conversations during routine visits, or other methods coordinated to the timeline of a child's placement. Feedback from children in foster care is to be considered in the foster parent's annual evaluation.

VIII.5. Case managers must be given an opportunity to provide feedback on their experience with a foster home.

Minnesota rule requires case manager feedback at the time of license renewal, however collecting feedback more frequently provides licensing agencies and foster parents real-time information to support foster parents' professional development ([Minnesota Rule part 9543.0040, subpart 2, item B, subitem \(3\)\(c\)](#)). Feedback collected from case managers is most effective when it corresponds with a predetermined interval of a child's placement (for instance, 6 months after placement, quarterly, annually, and/or at end of placement). Feedback from case managers is to be considered in the foster parent's annual evaluation.

License renewal

VIII.6. Licensing agencies must provide notice of the license expiration and license renewal requirements to the foster parent at least 30 days before the expiration of the license.

Per [Minnesota Rules, part 9543.0040, Subpart 6](#), licensing agencies must complete a license renewal Home Study prior to the expiration of the license. Although rule requires at least 30 days notice, foster parents and agencies usually require more time to complete all license renewal requirements.

VIII.7. License renewal provides an opportunity to review the foster parent's strengths and needs and to update the Home Study Assessment and licensing documents.

Activities and documents required for license renewal include:

- New [Minnesota Adoption and Child Foster Care Application](#) for all license holders
- New [Individual Fact Sheets](#) for all household members aged 18 or older

- New [CFC Licensing Checklist](#)
- In-home visit to perform an [Annual Evaluation](#) with the foster parent
- Complete a home safety inspection using a new [Child Foster Care Home Safety Checklist](#) and review the triggers on the [Child Foster Care Home Safety Checklist - Guidance](#) to determine if a fire marshal inspection is required
- Case manager evaluations - required if there have been placements
- Write and approve the [Home Study Assessment Update](#)
- Annual training hours documented at the agency and on the training page of the Home Study Assessment Update Electronic submission of the license renewal recommendation to DHS.

Activities and documents recommended to be reviewed at license renewal:

- Confirm background studies have been completed on all household member aged 13 and older. Background studies are required as soon as possible when a household member turns 13 or a new person moves in.
- [Agreement between Foster Parents and Child Foster Care Licensing Agency](#) – record on the Home Study Assessment Update the date this form was reviewed with the license holder
- [Statement of Intended Use](#) – must be reviewed for accuracy. A new form must be completed and signed any time there is a change in capacity, age range, ratio, or type of foster care provided
- Check to confirm that any variances granted are current and still necessary, as applicable
- Emergency Procedures
- Complaint and Grievance Policy
- Discipline Policy
- Alcohol and Drug Policy
- Pet Vaccinations – there is no requirement to keep records on file. Verification of current vaccinations is documented by the licensor on the CFC Licensing Checklist.

Some agencies require additional documentation such as proof of homeowners and auto insurance. There is no rule or statutory requirement for applicants or license holders to provide these things, and licensing agencies must be transparent about items they require that exceed minimum requirements.

Home Study Assessment Update

VIII.8. A Home Study Assessment Update must be completed at each license renewal and when there are significant changes to the household.

The [Home Study Assessment Update](#) must be completed at the time of license renewal and when there are significant changes to one or more domains on the Home Study Assessment. Every field on the Home Study Update document must be completed, but it is acceptable to write “no changes” or similar when that is the appropriate response. Only the areas that reflect significant changes are required to be completed.

A Home Study Assessment Update is required under these circumstances:

- A license is due for renewal.
- A change in employment status, if it significantly impacts availability of type of care they can provide.
- A change in residence (change of premise).
- A change in family composition, including relationship status such as marriage or divorce, children born or adopted, and/or new household members. A temporary change may not require a home study update.
- A new concern of substance use, domestic violence, or criminal activity, if it has not led to a disqualification or revocation.
- For families intending to adopt, a change in the number of children, or characteristics (such as age and/or gender) of the child(ren) the applicant wants to consider for adoptive placement.

Domains in the Home Study Assessment Update

The domains in the Home Study Assessment Update include a description of any changes that have occurred since the initial Home Study Assessment (or previous Update) was completed and how those changes impact the license holder’s ability to care for children in foster care. The Update provides an opportunity to identify and consider needed services and supports to ensure child safety and well-being, including placement stability and progress towards permanency.

Each Update domain is outlined below, with topic areas to address during the annual review discussions.

Approval date

The date the Home Study Assessment Update was completed and signed by the supervisor must match the “Approval Date” from the Agency Credentials and signatures page. The completed and approval date must be on or before the license renewal date to indicate the Home Study Assessment Update and all necessary license requirements were completed before the license being renewed.

Period of validity of Home Study Assessment Update

- The Home Study Assessment Update and foster care license may be approved for one year, or a maximum of two years.
- If the foster parent is licensed for a period of two years, an annual evaluation of foster parent's performance must still be completed each year.

This study was completed for the purpose of:

- Child foster care and adoption of a child or siblings in foster care
- Adoption of a child or siblings in foster care (referred to as an "adoption only" study)
- Domestic infant adoption
- International adoption
- Other type of adoption

Recommendation

For information on completing this section, refer to Section V The Home Study: Interviewing, Assessing and Writing. While there is a selection for "denial" on the Home Study Assessment Update, a denial is only used at initial application, therefore is not applicable in an update.

Family's strengths and needs

This section highlights the family's current strengths and identifies new strengths and development areas for successful foster or adoptive parenting identified by the family and based on the agency's ongoing assessment. When possible, the training plan outlined in the next section includes strategies to address areas of need, including skills and knowledge gaps as well as expanding the applicant's network of support and knowledge of support resources.

Training plan

Describe the plan to meet annual training requirements in the upcoming year. In addition to meeting the mandatory requirements, the plan must include how training will build on the family's identified skills and will help support skill building in areas where the foster parent has struggled. The licensing agency actively participates in making the training plan in order to ensure that the foster parent continues to receive high quality, meaningful development. See Section IX on foster parent training for more detail on training resources and requirements.

Training and experiences to enhance foster/adoptive parenting

This section summarizes training and development that a foster parent completed since the last update and provides more detail to supplement the final page of the Update that records the hours the foster parent completed. This section includes:

- Specific information about training and development completed, including topics and how they relate to the needs of children served by the foster parent.
- Foster parent's level of satisfaction with training.
- Explanation of how training enhanced foster parent's skills, knowledge and performance.

The final page of the document summarizes completion of required training.

Adoptive and foster parent history

This section describes the family's experience with foster care or adoption since the initial Home Study or most recent Update, including:

- Brief description of the characteristics and needs of all foster or adoptive children they have cared for since the initial home study or previous Update, the quality of care they provided, permanency and other outcomes for the children who have been in their care (identifying information about foster or adopted children must not be included).
- Did the foster parent attend court hearing(s) for a child placed in their home? Did they request to be heard during the hearing? Either way, what have been their take-aways about supporting children at court?
- Did the foster parent successfully access the services and supports outlined in the out-of-home placement plan?
- How did the foster parent manage themselves when they were struggling? Did they request help or resources? Did they communicate effectively?
- Outcomes of grievances and complaints regarding the foster parent's performance.
- Summary of feedback received from children in foster care, case managers, parents, other collateral contacts in addition to the licensing agency's observations. Refer to annual evaluation completed with the foster parent the previous year.
- Foster parent's satisfaction with services received from the placing agency, including grievances and outcomes.
- Foster parent's satisfaction with services received from the licensing agency, including grievances and outcomes.

Family's experience with foster care or adoption since the initial Home Study or most recent Update

This section describes the impact that fostering or adopting has had on the family, including:

- Changes the foster parent has observed in their family as a result of providing foster care, include both positive and negative impacts
- Discuss with each of the foster parent's own children regarding the impact the experience has had on them, and their feelings about their parent continuing to provide foster care
- How foster parent's own children have adapted to the addition of foster or adoptive children, and specific issues the foster parent has addressed to make things go as smoothly as possible
- Changes to the foster parents support network in the past year, including if some relationships have ended or new ones begun

Changes in family composition

This section describes changes in household members, including:

- Marriage or divorce of foster parent
- Adult children living or staying in the home
- Minor children living or staying in the home, including births or adoptions (do not include children placed in the home for foster care)
- Adult household members moving into or out of the home.

Changes in family resources or residence

This section summarizes changes in a family's employment, income, and physical home, such as:

- Change in job and how it impacts the foster parent's availability, schedule or happiness.
- Moving to a new home and/or community –describe the new home, including space available for children in foster care, and the community, including nearby resources such as schools, recreation, medical facilities and demographics.
- Significant change in applicant's income, financial resources, debts, and/or expenses.

Changes in health status of family member(s)

This section summarizes changes in family member's health condition, diagnosis, health care needs, or any limitations due to health concerns. It is critical that foster parents disclose situations in the household that impact the safety or well-being of children in foster care. It is expected that foster parents disclose significant health concerns in a timely manner so that licensing and placing agencies are able to assist them in making

necessary arrangements for the care of children in foster care. Withholding of such critical information should be noted in the Update, as it violates [Minnesota Rules, part 2960.3020, subpart 7](#).

Experienced losses or traumas in the family and how they were addressed by the family

This section describes how a family addressed losses and traumas, including how they helped biological, foster and adopted children navigate trauma knowing that each was likely impacted differently, including situations such as:

- Death of a family member, extended family member, or close friend
- Life-threatening or chronic medical issue of a family member, extended family member, or close friend
- Ending of a significant relationship
- Loss of a pet
- Racialized community trauma
- Targeted political violence
- Accidents or severe injuries
- Weather or fire-related crisis, damage or loss

Describe the additional supports that were requested by the family, or are needed

This section builds upon the ‘strengths and needs’ section and describes specific services or supports requested or currently needed by the family. Services and supports often discussed here include:

- Training specific to the needs of a child currently in foster care or expected to be placed in the home.
- Substitute care, babysitting and respite, including strategies for engaging relatives, kin and other natural supports for visits that strengthen relationships while simultaneously providing a break for children and foster parent.
- In-home or in-office therapeutic services for a child in foster care, foster parent or other household member.
- Support groups.
- Better follow-through by case managers or licensors.

Agency credentials and signatures

Casework by a licensed private agency must be supervised by a licensed independent social worker (LISW) or licensed independent clinical social worker (LICSW). Supervision of case work includes reviewing and approving each written home study, including home studies for international adoptions. Home Study Assessment Updates completed by a county may be approved by a supervisor without those credentials.

The supervisor signature on a Home Study Assessment Update means that they have reviewed and approved the document as well as the work completed to inform the Assessment. Supervisors are not to sign off on a Home Study Assessment Update until they are satisfied that it provides a meaningful assessment of the foster parent's activities since the most recent Home Study Assessment or Update, and that it will meet the functional purposes of the Home Study, which is to inform placement decisions and to describe the ongoing training and support needs of the foster parent/s.

See section V 'The Home Study: Interviewing, Assessing and Writing' for detailed information on what the supervisor's signature means.

Foster care only:

Review Agreement Between Foster Parents and Child Foster Care Licensing Agency

This section affirms that the licensing agency has reviewed the [Agreement Between Foster Parents and Licensing Agency](#) and discusses both strengths and challenges regarding how the foster parent has carried out their responsibilities. This section also describes any feedback the foster parent has regarding the licensing agency's fulfillment of its responsibilities. If a plan of action is required based on the review of this document, such plan is included here. Include the date the Agreement was reviewed and discussed.

Training record

This section summarizes trainings completed by foster parents in the previous year. Some of these sections may not apply to every foster parent. If it does not apply, or a variance has been approved, check 'not required'.

Change of address/change of premise

The [Agreement between Foster Parents and Child Foster Care Licensing Agency](#) requires foster parents to report to the licensing agency any plans to move. Licensing and placing agencies both play a role in helping things go smoothly.

VIII.9. Foster parents are required to report plans to move, and agencies must collaborate if there are children placed in the home.

Upon being notified that the foster parent intends to move, the licensing agency talks with the foster parent to determine whether a change of licensing agency will be necessary. Close communication is required between the current and future licensing agency, especially if there are children placed in the home. This document provides guidance for the process when a home [licensed by a county moves to another county](#). Many activities happen simultaneously in this situation and the agencies need to synchronize some of the steps to keep the license active while the new license is being issued.

When a foster parent plans to move, has children placed in the home, and will remain with the same licensing agency:

Foster parents who are planning a move are expected to be in close communication with their licensing agency and children's case managers as there are many implications for children's care plans if the foster parent is planning to move away from the child's school, health and mental health care providers, relatives, kin, and/or community.

The licensing agency is expected to communicate with case managers of all children placed in the home to determine if continued placement is appropriate, and if so, what new or different supports will be required.

When there are children in an unlicensed emergency relative placement or licensed foster home at the time of a move, the placing or licensing agency, as appropriate, must do a home safety walkthrough within three days of the move. If necessary, an initial walkthrough may be conducted via video until such time that the agency is able to complete an in-person visit. If the video walkthrough raises any concerns or questions regarding safety the agency must address the concerns and visit the home in person within three days. When families move it often takes some time for them to unpack and settle in the new location. The home safety walkthrough right away after a move focuses on safety issues including conditions in the new home that pose a risk such as exposed wires or fire hazards, appropriate sleeping arrangements for children of all ages, and making sure unpacked boxes don't block exits.

When a foster parent plans to move, has children placed in the home, and will need to switch licensing agencies:

All of the information about communicating with the placing agency in the above paragraph applies.

The current and potential new licensing agency must be in close communication to ensure that there is no gap in the license during the transition between agencies. If both licensing agencies are counties, refer to "[Guidelines: Licensed child foster care moves from one county to another county](#)". If one or both of the licensing agencies are private agencies, or a Tribe that has chosen to be licensed by the commissioner, refer to the county to county Guidelines and modify as applicable.

When a foster parent plans to move without children placed in the home:

There is less urgency when a licensed home moves without children placed in the home. No placements may be made in the home until all of the change of premise items have been completed. If they are changing agencies as a result of the move, the current agency closes the license, and the foster parent submits a new Application at the new agency.

Timing of the move

When a foster parent moves, and is remaining at their current agency:

A re-premise process is required, including the following:

- [Minnesota Adoption and Child Foster Care Application](#)
- Home Study Assessment Update is required when a foster parent moves so that their Home Study accurately describes the current home, community, and local resources. See Guideline VIII.6 for further information.

- [Emergency Escape Plan](#)
- [Child Foster Care Home Safety Checklist](#)
- Fire marshal inspection, if applicable
- Review of Statement of Intended Use
- Update the [Program Abuse Prevention Plan \(PAPP\)](#), if providing care for 18-21

If the move occurs less than one year before the license expires it is acceptable to complete the re-licensing process early at the same time as re-premise to avoid having to repeat it again within the year. In this situation, complete all re-licensing documents from Guideline VIII.8.

License extension and closure

VIII.10. If a license holder does not apply for license renewal, the license must be closed, or an extension requested.

There are specific circumstances when a license extension request may be granted:

- When a license is due for renewal, but licensing renewal visit has not occurred, and requirements cannot yet be completed
- A closure of the license has been requested, but a licensing action is pending. The [License Extension Request/Closure Pending Investigation](#) form must be completed and indicates one of the following reasons for the request:
 - The license is under temporary immediate suspension - a six-month extension may be granted to allow time for the investigation to conclude. The program cannot operate during this time.
 - The license is under appeal of an indefinite suspension – a 12-month extension may be granted to allow time for the appeal process to conclude. The program cannot operate during this time.
 - There is a current open investigation – a three-month extension may be granted when there is an ongoing child protection or licensing investigation to allow time for the investigation to conclude. The program can operate if the licensing agency determines that persons served are not at imminent risk of harm.
 - There is a pending licensing action – a 12-month extension may be granted if the license is set to expire while the licensing agency is working on or has already submitted a licensing action recommendation to Foster Care Licensing to allow time for the licensing action order to be issued. If the license holder appeals the order, a temporary provisional license will be issued by DHS, provided

a temporary immediate suspension was not already issued. The program can operate during this time if the licensing agency determines that persons served are not at imminent risk.

- Completion of relicensing is pending:
 - A one-month extension may be granted if the license holder plans to move within one month of the license expiration. If it will be longer than one month, relicensing must occur at the current home.
 - A one-month extension may be granted if the license will expire within one month of adoption finalization or transfer of custody and the hearing date is scheduled and indicated on the extension request. The foster parent must agree to close their license following the adoption finalization or transfer of custody and all parties understand relicensing must be completed if the hearing is delayed beyond the extension expiration.
 - A two-month extension may be granted if a license will expire prior to the licensing agency receiving a response from DHS Background Studies regarding a submitted background study disqualification variance. The date the variance request was submitted must be included on the extension request.
- The license holder requests to close the license during an investigation or unresolved issue – requesting closure does not preclude license holders from sanctions. The date the license holder requests closure in writing is indicated on the extension request, however, a Licensing Recommendation (DHS-3324-ENG) is not submitted at this time.
- Other situations – if the reason for the extension request is not listed, agencies must contact DHS licensing triage to consult and provide a detailed explanation of why the extension may be warranted.

VIII.11. The licensing agency may close a license if there have been no placements in the home for a consecutive period of 12 months or longer.

[Minnesota Statutes, section 245A.055](#) gives licensing agencies the authority to close a license that has been inactive for 12 months or longer. The license holder must be notified of the closure, why it was closed and be given information on how to request reconsideration of the closure, if they believe the license was closed in error. A request for reconsideration must be sent to DHS within 20 calendar days and the commissioner issues the decision. The commissioner's disposition is final and not subject to further appeal. A license holder is not prohibited from reapplying for a license. Refer to [Guidance for closing an inactive family child foster care, family adult foster care, or family adult services license](#) for things to consider and the process for closing an inactive license.

VIII.12. A license holder in good standing may request to close a license at any time.

A license holder does not need to wait until the expiration of a license to request it be closed, however they cannot close their license if there are current foster care placements in the home. It is best practice for licensing agencies to receive this request from the foster parent in writing.

Licensing agencies use the [3324 License recommendation process](#) when closing a license. While not required by rule or statute, it is good practice for licensing agencies to include a closing summary reference for the foster parents file indicating a summary of their experience as a foster parent and identifying strengths and development areas. This reference can be helpful to future licensing agencies should the family apply with different agency.

IX. Annual training for applicants and license holders

Introduction

As part of stakeholder engagement in the development of these Guidelines, foster parents and youth who have been in foster care made several things clear about foster parent training. Both groups emphasized that training and development of foster parents has to be taken seriously, and that meaningful, relevant, high-quality training must be available and accessed by foster parents. Youth Leadership Council members shared that they did not have confidence that all foster parents were receiving basic training they believe they need to meet the safety and well-being needs of children in foster care. Given this feedback, the Guidelines below provide more structure for foster parent training expectations while remaining consistent with current rule and statute.

Guiding principles applied to annual training for applicants and license holders

- **Child safety and well-being.** No matter how long a foster parent cares for children, they will never have all the knowledge and skills necessary to provide for every specific need each unique child brings into their home. Only with training and development are foster parents able to confidently deliver trauma-informed, developmentally appropriate, and equitable care that keeps children safe and advances their well-being.
- **Equity.** In order to provide culturally-responsive and equitable care foster parents must understand the systemic and social barriers that result in disproportionate over-representation of American Indian, Black and GLBTQ2S+ children in foster care. Training plans that require foster parents to stretch their knowledge and skills in this area will improve the experience children have while in care.
- **Preservation of relative, kin, community and cultural connections.** Training and development help foster parents build the skills, confidence, and attitude they need to communicate effectively with children's families so that children remain connected, safe, and well. Training also provides foster parents with tools for cultural humility and strategies for maintaining cultural connections.
- **Consistency.** Consistent expectations for meaningful, relevant, and high-quality foster parent training demonstrates a statewide commitment to basic knowledge and skills that every foster parent must have in order to meet the safety and well-being needs of children.

Equity pause

Training and development for foster parents is key to helping them continuously improve their knowledge and skills. Growth requires self-reflection and being pushed to consider new information and new ways of looking at things. To advance equity related to foster parent training, licensing agencies help foster parents put the learning they complete in context in terms of equity. For instance, training on preventing childhood diabetes or caring for a child who has it that does not discuss racialized disparate health outcomes is missing critical information. A foster parent caring for an American Indian or African American child needs to know how that particular condition has likely impacted that child's family and community in order to develop effective strategies for helping the child manage their health.

1. Am I intentional in collaborating with foster parents to construct an annual training plan that will result in them being better equipped to provide anti-racist, equitable foster care?
2. How do I demonstrate respect for relative families by ensuring they get the training and development they need to be able to care for their related child, without expecting them to attend training that is unnecessary or irrelevant to their situation. What message does it send to relatives when they are excluded from training requirements and development opportunities? Conversely, how am I thoughtfully approving variances to some training to help accommodate relatives?
3. What do I do as a licensor to know when foster parents need support to stay on track with their training and development? How do I discuss this issue without sounding judgmental, but also holding people accountable? What message does it give about the importance of training if I do not talk with foster parents about what they are learning, or additional training they need, throughout the year?

Guidelines: Annual training for applicants and license holders

IX.1. The purpose of annual training is to continually expand license holders' knowledge and skills to provide for the safety and well-being of children who have experienced trauma.

Annual training is expected to be meaningful, relevant, and high quality.

Meaningful training builds new skills or exposes a foster parent to new ideas or information and/or pushes them to expand on what they already know. Licensing agencies assist foster parents to identify areas, based on their performance, where skill building would improve their care of children. Similarly, foster parents are expected to complete training each year on topics that might pose a struggle for them and results in potential for bias or ignorance of populations served by the foster care system. The topics that are most uncomfortable for them are often the ones they most need to take (e.g. Human sexuality (SOGIE), racial and cultural identity development, sexualized behaviors, self-harm and suicide). Training completed each year is consistent with the development needs identified in the initial home study training needs section, the annual evaluation and/or the Home Study Update.

Relevant training applies to children and youth they serve, either currently or are likely to serve in the near future. Whenever possible, foster parents access training for skills and knowledge that will help them care for the child/ren currently in their home. Whenever an issue or challenge emerges, the licensing agency helps the license holder to find development opportunities that strengthen their ability to provide for safety and well-being. Training relevant to a particular child, such as learning more about art-based therapeutic interventions for a child who communicates mostly through drawing or the causes and complications of medical concerns such as extreme constipation or physical manifestations of trauma, provides immediate relevant skills and knowledge.

High quality training is provided by Minnesota and nationally recognized organizations, listed below. License holders may not use novels, television programs or other media that has not been vetted by their licensing agency towards their training hours. It is not possible to ensure that all sources of information available across

all media types is consistent with generally accepted best practice standards. Any individual who happens to have been a foster parent can start a website or host a podcast. Their personal experience, while interesting, does not 'count' towards professional development for foster parents unless and until the material is reviewed in its entirety by the licensing agency. No more than two (2) hours per year from sources individually approved by the licensing agency may be counted towards the annual training requirement.

IX.2. Training provided through local and nationally recognized associations, agencies and curricula are available for foster parents to access directly and are recommended for annual foster parent training.

Here is a list of high-quality training provided by Minnesota and nationally recognized organizations:

- [Foster Adopt Minnesota \(FAM\)](#) (formerly MNAdopt) offers live training and recorded [Webinars](#)
- Right-time training included in the [National Training and Development Curriculum \(NTDC\)](#) available through [CapLEARN](#)
- [Association for Training on Trauma and Attachment in Children \(ATTACH\)](#)
- [Proof Alliance](#), (formerly MOFAS) education groups or conferences
- [Foster Parent College](#), available directly on their website or at no cost via [Minnesota Child Welfare Training Academy \(MCWTA\)](#) for foster parents at counties, Tribes and agencies that have access agreements with MCWTA
- [Minnesota Association for Children's Mental Health \(MACMH\)](#)
- [All Children All Families](#)
- [Families Rising \(formerly NACAC\)](#)
- [National Association on Mental Illness \(NAMI\)-Minnesota](#)
- [PACER Center](#)
- [PFLAG](#)

IX.3. The timeline for annual training begins on the license effective date.

Annual training hours for license holders with initial one-year licenses must be completed between the date of licensure and the day the license expires. New foster parents will usually have a few weeks less than a full year to complete their first year of hours because of how initial expiration dates are set.

For two-year licenses, the first year's training must be completed by the day before the effective date one year later. For example, a license holder whose license became effective March 15, 2023 has until March 14, 2024 to complete their twelve hours. The second year of a two-year license training requirements must be completed by the expiration date of the license, which may be a few days less than a full calendar year.

It is in the best interest of license holders, children in placement and licensing agencies to check in on progress during the year so that license holders are not frantically trying to complete hours at the end of the year. When that happens the content of training is generally not focused on the skill development of the license holder or on the needs of the children in the home, but rather what is available and free.

It is the license holder's responsibility to complete and track their training, but often the licensing agency must regularly check in and possibly provide them a paper log or other electronic means of tracking.

Hours in excess of 12 do not transfer to subsequent years.

IX.4. When annual training is not completed, the licensing agency issues a correction order and works with the license holder to create a plan for compliance.

The hours completed to bring the previous year's training requirements into compliance do not count towards the current year's requirement. For instance, if the license holder only completed eight hours of training in a year, they will receive a correction order that includes a plan for completing the four hours outstanding for the year just ended. They still must complete 12 hours for the year just begun.

IX.5. When a license holder has not completed required annual training, no new placements are made in the home.

If the foster parent has not completed the required annual training at the time of re-licensure and does not show good cause why the training was not completed, the foster parent may not accept new foster children until the training is completed ([Minnesota Rules, part 2960.3070, subpart 2](#)). "Good Cause" does not mean that the foster parent is excused from annual training hours. Agencies have written policies regarding circumstances under which they might consider a variance from the minimum training hours, and policies should consider special circumstances that might apply to relative foster parents. A variance may not be granted for any of the specific content required in statute for annual training (mental health, FASD, C.A.R.S, SUID/AHT, prudent parenting).

If the license is effective for two years and the first year has passed without the foster parent completing 12 hours of required training, they may not accept new foster children until the training is completed.

[Minnesota Rules, part 2960.3070, subpart 2](#) refers to the foster parent 'accepting new foster children, however it is the responsibility of the licensing agency to agree to placements in foster homes it supervises. Placing

agencies are expected to communicate to make placement decisions in collaboration with licensing agencies and foster parents to ensure safe matches and that placements are not made in homes that are not currently able to accept them for any variety of reasons such as pending licensing actions, pending placements, noncompliance with training, or special needs of other children in the home.

IX.6. At least 12 hours of training are required annually.

Licensing agencies are to work with foster parents to ensure that their training hours are used to cover content that is relevant, meaningful and high quality that addresses the following topics, which are identified in rule, statute and in stakeholder feedback as critical knowledge and skills for foster parents. Agencies are strongly urged to develop an annual training and development plan with foster parents that covers all the content below:

1. Required annually [Minnesota Statutes, section 245A.175](#), [Minnesota Statutes, section, 245A.144](#) and [Minnesota Statutes, section 245A.18](#), and [Minnesota Statutes, section 245A.66, subdivision 4](#) (effective January 1, 2024; see Laws of Minnesota 2023, below):
 - a. At least 1-hour children’s mental health
 - b. At least 1-hour Fetal Alcohol Spectrum Disorder (FASD) –must include parenting strategies and skills, not just a general overview
 - c. [Mandated reporter](#) (effective January 1, 2024), [Minnesota Statutes, section 245A.66, subdivision 4](#) [[Laws of Minnesota 2023, Regular. Sess., chapter 70 article 8, section 36](#)].
2. Required when applicable:
 - a. Child and Restraint Systems (C.A.R.S) must be re-taken every 5 years by license holders and caregivers that transport a child under the age of eight. Check expiration date annually to confirm that it is not due.
 - b. Sudden Unexpected Infant Death (SUID)/Abusive Head Trauma (AHT) must be re-taken every 5 years by license holders and caregivers caring for children aged 5 and under.
 - c. If serving youth aged 18 and older, foster parents must complete annual [vulnerable adult training](#).
3. Recommended annually per [Minnesota Rules, part 2960.3070](#):
 - a. 2 hours social equity, racial/cultural identity development;
 - b. 2 hours SOGIE, human sexual development, sexualized behavior;
 - c. 2 hours de-escalation, crisis intervention and parental self-regulation skills;

- d. 2 hours specifically related to the unique needs or strengths of a child in their care or expected to be placed in their care; may include sessions with a child's therapist, educational specialists or medical providers to learn more about meeting an individual child's needs;
 - e. 2 hours secondary trauma, self-care, addressing own trauma or mental health; foster parent's own therapy or attendance at self-care retreat counts.
4. Suggested within the first two years of licensure
- a. First Aid and CPR – available at sites listed below:
 - i. <https://www.firstaidweb.com/>
 - ii. [First Aid Classes & Training in Minnesota | Red Cross](#)
 - iii. [Class Connector Search Home- American Heart Association](#)
 - b. [Supporting sex trafficked, exploited and at-risk youth in specialized residential settings](#), modules 1-5 (about 3.5 hours total). May take one or more modules at a time. Strongly recommended for foster, kinship, and pre-adoptive parents especially those serving children aged 10 and older.

Except for C.A.R.S, SUID/AHT, First Aid or mandated reporting, foster parents may not count the hours for the exact same course more than once in their tenure as foster parents. For example, license holders may not watch the same video training more than once and receive credit for each viewing, but they may attend an annual conference each year and receive credit because the session content will not be the same even if the topic is the same.

An individual course may meet the content requirement for more than one topic above, and license holders may determine how to divide the hours across topic areas. Hours may not be double counted. For instance, a six-hour intensive training on the impact of racism on children's mental health and identity development may be counted as 3 hours of children's mental health and 3 hours of racial/cultural identity development if the content is determined to be relevant for each topic area.

X. Training and competencies for workers and supervisors performing licensing functions

Introduction

Workers and supervisors performing licensing functions are part of the child welfare system, and as such they participate in training and ongoing development to advance the goals of [Minnesota's Framework for Child Welfare Practice](#):

- Children are cared for in safe, permanent, and nurturing families who have the necessary skills and resources to provide for their physical and mental health, behavioral and educational needs.
- Children, youth, and families who encounter Minnesota's child welfare system are supported to achieve equitable outcomes regardless of race, ethnicity, sexual orientation, dis/ability, gender identity, socioeconomic status, or Tribal status.
- Children are safely maintained in their families, communities, and Tribes with connections, culture, and relationships preserved and established.
- Minnesota's public and Tribal child welfare staff are supported and given the resources they need to be a diverse, professionally competent workforce.

Competencies required for child foster care licensing are described below are organized by the categories in the Framework for Child Welfare Practice. Specific knowledge or skills drawn verbatim from the Framework include a citation of the section and number where the skill is drawn from, otherwise competencies listed below are specific to Child Foster Care Licensing Guidelines.

Guiding principles applied to training and competencies for workers and supervisors

- **Child safety and well-being.** Training and professional development is needed to acquire specialized skills to assess, prepare, support and hold foster parents accountable for following licensing standards. Foster parents are only able to provide for child safety and well-being when they receive skilled services and guidance from licensing professionals.
- **Preservation of relative, kin, community and cultural connections.** For foster care to be delivered in a way that supports preservation of relationships and cultural connections, specific competencies and values are required of workers responsible for foster care licensing functions. Professional development helps ensure that workers develop and strengthen their skills at communicating these expectations to foster parents and helping them deliver care in a way that keeps children connected.
- **Consistency.** These Guidelines provide baseline expectations for training and development needed by every worker performing licensing functions across the state to competently meet the responsibilities of their role.

Equity pause

Professional development is an opportunity for workers and supervisors with licensing responsibilities to push themselves to grow, especially in their capacity to advance equity in foster care. When professionals in child welfare do not have, or take advantage of, opportunities to develop equity-related critical thinking and practice skills children and families are negatively impacted in ways that compound and endure.

1. Do I participate in professional development that encourages me to explore my own bias and worldview? How do I apply what I learn to my work?
2. Do I know what equitable foster care looks like, and how to assess applicants' or foster parents' ability to deliver it? What training do I need to strengthen my knowledge or skills?
3. Do I feel confident that my cross-cultural engagement skills are strong enough to build effective relationships with foster parents and children in foster care of any race, culture, religion, sexual orientation, or gender? What development do I need, and what will I do in the next year to create a noticeable difference in how I work?
4. Am I satisfied with how my agency supports professional development in addressing equity issues in child foster care and licensing? Is there development available that centers Black, Indigenous, and People of Color or GLBTQ2S+ experience and perspectives? If not, what can I do to take leadership in this area to advance the well-being of children and families?

Guidelines: Training and competencies for workers and supervisors

X.1. Workers and supervisors with licensing responsibilities need training, supervision, and consultation to build knowledge and skills required for their roles.

Licensing agencies and DHS share responsibility for ensuring a competent workforce. County agencies are required to ensure that licensors receive a minimum of six hours of training each calendar year that is relevant to licensing functions or to licensed programs ([Minnesota Rules, part 9543.0130, subpart 3](#)). Private licensing agencies are required to ensure that licensors receive a minimum of 12 hours of training each year that is relevant to licensing functions or to licensed programs ([Minnesota Rules, part 9545.0805, subpart 3](#)). The commissioner must provide a standardized training curriculum for adoption and foster care workers and administrators who work with children ([Minnesota Statutes, section 260C.215, subdivision 4, paragraph 3](#)).

[Minnesota Statutes, section 260C.215, subdivision 6, paragraph 4](#) requires county and private licensing agencies to have a written plan for employing staff in adoption and foster care who have the capacity to assess the foster and adoptive parents' ability to understand and validate a child's cultural and meet the child's individual needs, and to advance the best interests of the child as required in [Minnesota Statutes, section 260C.212, subdivision 2](#).

DHS Foster Care Licensing provides trainings both in-person and virtually. The following trainings are for workers and supervisors who perform licensing functions:

1. Licensing 101 Training - register on [TrainLink](#) (class schedules/all licensing classes)

Licensing 101 reviews the structure of our organizations, the roles of DHS, counties and private agencies and the primary rules and statutes that govern licensing. The course will introduce participants to the tools DHS licensing has created to assist agencies, review the licensing process, and discuss other procedures such as variances and extensions.

This is a 6-hour course for new licensors. If you have been a licensor for more than two years contact Foster Care Licensing prior to registering.

2. Home Safety Checklist Training - register on [TrainLink](#) (class schedules/all licensing classes)

This course includes an in-depth look at the Child Foster Care Home Safety Checklist and reviews common licensing scenarios.

This is a 3-hour course for licensors and supervisors.

3. Licensing Basics Plus Training - register on [TrainLink](#) (class schedules/all licensing classes)

Basics Plus will take a more in-depth look at basic licensing requirements and will provide the opportunity to discuss more intricate details of the licensing process related to variances, when to consult with a specialist, and things to consider when writing a Home Study Assessment.

This is a 6-hour course. Must complete Licensing 101 prior to taking this course.

4. Complaint and Investigation Training - register on [TrainLink](#) (class schedules/all licensing classes)

This course will introduce participants to the process of conducting a licensing investigation. Content will include how to document the complaint, how to organize the investigation, how to interview people, how to develop investigation interview questions, and how to judge credibility of persons interviewed. It will also discuss the role of licensing, child protection, and law enforcement in investigations.

This is a 6-hour course is for licensors who have been on the job for six months.

5. Child Foster Care Licensing Guidelines (this document) – licensors and supervisors are expected to familiarize themselves with the Guidelines, as they are directives of the commissioner.

6. Home Study Assessment Training, [Minnesota Child Welfare Training Academy](#) (available after Spring 2024). It is recommended that licensors complete this course prior to independently assessing applicants for foster care and writing the Home Study Assessment.

7. [Mandated Reporter Training](#) offered on-line/on-demand via Minnesota Child Welfare Training Academy.

8. [Fire Marshal Training](#) This course is required for licensors who conduct re-inspections after an initial fire marshal inspection. Training is offered annually by the Department of Public Safety, usually in the spring, and is required every four years.

Counties and agencies are encouraged to provide the following additional resources to workers and supervisors who perform licensing functions, including:

1. Read and discuss [Home Safety Checklist](#) and [Child Foster Care Home Safety Checklist - Guidance](#).
2. Read and discuss [Family Child Foster Care Licensing Checklist](#).
3. Read and discuss samples of completed Home Study Assessments and associated licensing documents.
4. Bookmark and familiarize themselves with [Licensing documents](#) page.
5. Bookmark and read list of applicable statutes and rules from Appendix A.
6. Review [Licensing Action Manual](#).
7. Read Summary of [foster parent licensing guidelines survey](#) and [engagement groups](#).
8. Read Summary of [child foster care licensor survey](#) (for developing these Guidelines).
9. Read Summary of [youth leadership council licensing guidelines engagement groups](#).

Minnesota Child Welfare Practice Competencies

Specific skills and knowledge required to perform assessment and licensing functions are listed below, each associated with the Minnesota Child Welfare Practice Competency with which it fits best.

Communication and Engagement

X.2. Workers with licensing responsibilities need engagement and communication skills to work effectively with applicants and license holders.

The ability to communicate in a welcoming and culturally-responsive manner with both relative and non-relative applicants and foster parents makes the application, home study assessment, licensing process and on-going support effective. Navigating difficult conversations is a fundamental skill for workers to:

- Communicate effectively with applicants regarding their life experiences, background study findings, values, beliefs, and readiness to be a foster parent.
- Discuss performance issues and identify support and development needs for license holders.
- Share the agency's decisions regarding licensure recommendations, correction orders or licensing actions.
- Maintain honesty and transparency in licensing-related communications.

Assessment

X.3. Workers and supervisors responsible for assessment need a range of professional skills and knowledge.

An equitable, accurate assessment sets the stage for child safety and well-being in foster care. Assessment skills necessary in child foster care licensing include:

- Ability to focus the home study assessment on the applicant's capacity to meet the safety and well-being needs of children and youth served by Minnesota's foster care system.
- Understanding how to help applicants assess their own readiness to foster, which strengthens community trust in the equity of the child welfare system.
- Recognizing the value of protections provided to applicants through reconsideration of background study disqualifications and the right to appeal a licensing action.
- Ability to assess information gathered through documents, interviews, and collateral contacts to determine the strengths, support needs and barriers to the applicant's ability to provide for child safety and well-being.
- Ability to synthesize a large amount of information into a well-composed Home Study Assessment document that describes the applicant, summarizes their strengths, support, and development needs, and clearly conveys the licensing agency's reasons for recommending licensure or denial.
- Capacity to effectively utilize supervision and collegial support as part of assessment decisions.
- Supervisor ability to review draft Home Study Assessments to identify and address potential bias, topics needing further exploration and to assist in the decision of whether to recommend licensure.
- Understanding requirements to protect information provided by the applicant and third parties, as well as permissible uses of the written Home Study Assessment document.

Equity and Cultural Responsiveness

X.4. Workers and supervisors with assessment and licensing responsibilities must have the capacity to recognize validity and strength in the diverse perspectives, experiences and family structures applicants bring to the licensing process.

Being able to provide equitable and culturally-responsive child foster care licensing requires several skills, including:

- Ability to identify and address systemic and bias-related barriers so that access to an equitable licensing process is available to all applicants and license holders.
- Demonstrates an understanding why placement with well-assessed, prepared, and supported relatives is prioritized.
- Examines own beliefs, values, race, ethnicity, ability, history, Tribe, culture, religion, and language and demonstrates awareness of own implicit biases, aversive racism and microaggressions and how these impact their assessments and interventions with families.
- Capacity to assess their own knowledge and humility about individuals from specific groups they work with and seeks consultation and expertise to strengthen their own professional skills and hold themselves accountable for addressing bias.

X.5. Workers and supervisors with licensing responsibilities understand how to communicate with foster parents about their obligation to provide culturally-responsive, anti-racist care to children in foster care and their families.

Workers need strong skills to ensure that children and their families are treated respectfully, including:

- Ability to reinforce practices in foster homes to support all aspects of children’s identity development and uses foster parent coaching, training, and corrective actions to ensure child safety and well-being.
- Ability to identify and address harmful foster parent attitudes and practices related to children’s race, religion, sexual orientation, gender identity, abilities, mental and physical health, family, and other core elements of who they are.
- Ability to talk with children about the care they are receiving, to address concerns and proactively advocate for child safety and well-being with foster parents and the interdisciplinary team.

Collaboration and Partnering

X.6. For children to be safe and well in foster care, the multi-disciplinary team must work collaboratively throughout the duration of the case.

Knowledge and skills required of workers with roles across the child welfare continuum include:

- Workers responsible for placements, including in unlicensed emergency relative homes, must have a basic understanding of home study assessment, background studies, and other requirements for

licensed foster homes to be effective partners with licensing agencies ensuring child safety and well-being.

- Workers responsible for home study assessments and licensing must have a basic understanding of child protection practices and placement responsibilities of agencies or Tribes to be effective partners ensuring child safety and well-being.
- Understanding the shared responsibility of licensing agencies, placing agencies and Tribes to provide support and resources foster parents and children in foster care need to meet the outcomes of the out-of-home placement plan.
- Capacity to anticipate information collaborative partners require about the needs and strengths of children in foster care, their family relationships, and skills to provide information in a timely manner.
- Capacity to anticipate information that collaborative partners require about the foster family's strengths and needs, dynamics between people living in the home and follow-through skills to provide information in a timely manner.

Implementing Child Welfare Services

X.11. Workers that assess, license, and provide ongoing support and accountability to foster parents play a pivotal role in ensuring child safety and well-being while in foster care.

The skills and knowledge they need to perform their role in implementing child welfare services include:

- Understanding how a Home Study Assessment and information regarding strengths and needs of a foster parent is used to determine their capacity to meet the individualized placement needs of a child.
- Understanding the importance of maintaining connections with biological and extended family and supporting the foster family to facilitate this as deemed in the child's best interest.
- Skills to effectively communicate with children in foster care and their families, including opportunities for them to report on the quality of care they are receiving and responding appropriately to concerns.
- Capacity to listen to foster parents and collaborative partners to determine and meet foster parent's support needs and to assess compliance with licensing requirements.
- Ability to jointly complete an annual evaluation of the foster parent's performance that includes an annual training and development plan to address areas where foster parent performance is lacking or new skills are needed.
- Demonstrates the ability to recognize abuse occurring in out-of-home placements and to take corrective action and follow through with reports and licensing issues to protect children.

Appendix

Appendix A: State and federal laws, rules and statutes pertaining to child foster care

Minnesota statutes pertaining to child foster care

[Chapter 13](#). Government Data Practices

Section	Title	Applicable Subdivisions
13.02	Definitions	As appropriate
13.04	Rights of Subjects of Data	Subd. 1 Type of data Subd. 2 Tennessean warning Subd. 3 Access to data by individual Subd. 4 Procedure when data is not accurate or complete
13.045	Safe at Home Program Participant Data	All
13.46	Welfare Data	Subd. 1 Definitions Subd. 2 General Subd. 3 Investigative data Subd. 4 Licensing data Subd. 5 Medical data; contracts Subd. 6 Other data Subd. 7 Mental health data Subd. 10 Responsible authority

Chapter 393. Local Social Services Agency

Section	Title	Applicable Subdivisions
393.07	Powers and Duties	Subd. 1 Public child welfare program Subd. 2 Administration of public welfare Subd. 3 Federal Social Security

Chapter 245. Department of Human Services

Section	Title	Applicable Subdivisions
245.095	Limits on Receiving Public Funds	All

Chapter 245A. Human Services Licensing

Section	Title	Applicable Subdivisions
245A.02	Definitions	All
245A.03	Who Must Be Licensed	Subd. 1 License required Subd. 2a Foster care by an individual who is related to a child; license required Subd. 3 Unlicensed programs Subd. 7 Licensing moratorium
245A.035	Unlicensed Emergency Relative Placement	Subd. 1 Emergency placement Subd. 2 Cooperation with emergency placement process Subd. 3 Requirements for emergency placement Subd. 4 Applicant study Subd. 5 Child foster care license application

Section	Title	Applicable Subdivisions
245A.04	Application Procedures	Subd. 1 Application for licensure Subd. 2 Notification of affected municipality Subd. 3 Background Study Subd. 4 Inspections; waiver Subd. 5 Commissioner's right of access Subd. 6 Commissioner's evaluation Subd. 7 Grant of license; license extension Subd. 9 Variances Subd. 9a Child foster home variances for capacity Subd. 13 Funds and property; other requirements Subd. 15 Pandemic planning Subd. 16 Plan for transfer of clients and records upon closure
245A.041	Systems and Records	Subd. 3 Record retention; license holder requirements Subd. 4 Electronic records; license holder use
245A.05	Denial of Application	All
245A.06	Correction Order and Conditional License	Subd. 1 Contents of correction orders and conditional licenses Subd. 2 Reconsideration of correction orders
245A.07	Sanctions	Subd. 1 . Sanctions; appeals; license. Subd. 2 Temporary immediate suspension Subd. 2a Immediate suspension expedited hearing Subd. 3 License suspension, revocation or fine Subd. 6 Appeal of multiple sanctions Subd. 7 Time frame for conducting hearing

Section	Title	Applicable Subdivisions
245A.075	Disqualified Individual; Denial, Conditional License, Revocation	All
245A.08	Hearings	Subd. 1 Receipt of appeal; conduct of hearing Subd. 2 Conduct of hearings Subd. 2a Consolidated contested case hearings Subd. 3 Burden of proof Subd. 4 Recommendation of administrative law judge Subd. 5 Notice of commissioner's final order Subd. 5a Granting subsequent license
245A.081	Settlement Agreement	All
245A.085	Consolidation of Hearings; Reconsideration	All
245A.09	Rules	All
245A.1435	Reduction of Risk of Sudden Unexpected Infant Death in Licensed Programs	All
245A.144	Training on Risk of Sudden Unexpected Infant Death and Abusive Head Trauma for Child Foster Care Providers	All
245A.151	Fire Marshal Inspection	All
245A.155	Care of Individuals on Medical Monitoring Equipment	Subd. 1 Licensed foster care and respite care Subd. 2 Foster care agency requirements Subd. 3 Foster care provider requirements

Section	Title	Applicable Subdivisions
		Subd. 4 Qualified source definition Subd. 5 Foster care provider training and skills form
245A.16	Standards for County Agencies and Private Agencies	Subd. 1 Delegation of authority to agencies Subd. 2 Investigations Subd. 3 Recommendations to commissioner Subd. 4 Enforcement of commissioner's orders Subd. 5 Instruction and technical assistance Subd. 6 Certification by commissioner Subd. 8 Notice of county recommendation Subd. 9 Licensed family foster settings (factors to assess in non DQ assessment)
245A.156	Disclosure of Communicable Disease	Subd. 1 Licensed foster care Subd. 2 Placing agency's or individual's duties
245A.175	Child Foster Care Training Requirement; Mental Health Training; Fetal Alcohol Spectrum Disorders Training	All
245A.18	Child Passenger Restraint Systems	Subd. 1 Seat belt and child passenger restraint system use Subd. 2 Child passenger restraint systems; training requirement
245A.24	Mandatory Reporting	All

Chapter 245C. Human Services Background Studies

Section	Title	Applicable Subdivisions
<u>245C.02</u>	Definitions	All
<u>245C.03</u>	Background Study; Individuals to be Studied	<u>Subd. 1</u> Licensed programs
<u>245C.05</u>	Background Study; Information and Data Provided to Commissioner	<u>Subd. 1</u> Individual studied <u>Subd. 2</u> Applicant, license holder, or other entity <u>Subd. 2a</u> County or private agency <u>Subd. 2c</u> Privacy notice to background study subject <u>Subd. 2d</u> Fingerprint data notification <u>Subd. 3</u> Additional information from individual studied <u>Subd. 4</u> Electronic transmission <u>Subd. 5</u> Fingerprints and photograph <u>Subd. 5a</u> Background study requirements for minors <u>Subd. 6</u> Applicant, license holder, other entities, and agencies
<u>245C.051</u>	Destruction of Background Study Subject Information	All
<u>245C.08</u>	Background Study; Commissioner Reviews	<u>Subd. 1</u> Background studies conducted by Department of Human Services <u>Subd. 3</u> Arrest and investigative information <u>Subd. 4</u> Juvenile court records
<u>245C.09</u>	Failure or Refusal to Cooperate with Background Study	All
<u>245C.10</u>	Background Study; Fees	All

Section	Title	Applicable Subdivisions
245C.13	Background Study Processing	Subd. 1 Completion of background study Subd. 2 Activities pending completion of background study Subd. 3 Other state information
245C.14	Disqualification	Subd. 1 Disqualification from direct contact Subd. 2 Disqualification from access
245C.15	Disqualifying Crimes or Conduct	Subd. 4a Licensed family foster setting disqualifications
245C.16	Disqualified Individual's Risk of Harm	Subd. 1 Determining immediate risk of harm Subd. 2 Findings Subd. 3 County agency
245C.17	Notice of Background Study Results	Subd. 1 Time frame for notice of study results and auditing system access Subd. 2 Disqualification notice sent to subject Subd. 3 Disqualification notification Subd. 4 Notice to family child care or foster care provider Subd. 5 Notice to county or private agency
245C.18	Obligation to Remove Disqualified Individual From Direct Contact and From Working in a Program, Facility, Setting or Center	All
245C.19	Termination of Affiliation Based on Disqualification Notice	All
245C.20	License Holder Record Keeping	Subd. 1 Background studies initiated by program

Section	Title	Applicable Subdivisions
245C.21	Requesting Reconsideration of Disqualification	Subd. 1 Who may request reconsideration Subd. 1a Submission of reconsideration request Subd. 2 Time frame for requesting reconsideration Subd. 3 Disqualified individuals; information for reconsideration Subd. 4 Notice of request for reconsideration
245C.22	Review and Action on a Reconsideration Request	Subd. 1 Time frame; response to disqualification reconsideration requests Subd. 2 Incorrect information; rescission Subd. 3 Preeminent weight given to safety of persons being served Subd. 4 Risk of harm; set aside Subd. 5 Scope of set-aside Subd. 6 Rescission of set-aside Subd. 7 Classification of certain data
245C.23	Commissioner's Reconsideration Notice	Subd. 1 Disqualification that is rescinded or set aside Subd. 2 Commissioner's notice of disqualification that is not set aside
245C.24	Disqualification; Bar to Set Aside a Disqualification; Request for Variance	Subd. 1 Minimum disqualification periods Subd. 2 Permanent bar to set aside a disqualification Subd. 3 Ten-year bar to set aside disqualification Subd. 4 Seven-year bar to set aside disqualification Subd. 6 Five-year bar to set aside disqualification; family foster setting

Section	Title	Applicable Subdivisions
245C.25	Consolidated Reconsideration of Maltreatment Determination and Disqualification	All
245C.26	Reconsideration of a Disqualification for an Individual Living in a Licensed Home	All
245C.27	Fair Hearing Rights	Subd. 1 Fair hearing following a reconsideration decisions Subd. 2 Consolidated fair hearing following a reconsideration decision
245C.28	Contested Case Hearings	Subd. 1 License holder Subd. 2 Individual other than license holder Subd. 4 Final agency order
245C.29	Conclusive Determinations or Dispositions	Subd. 1 Conclusive maltreatment determination or disposition Subd. 2 Conclusive disqualification determination
245C.30	Variance for a Disqualified Individual	Subd. 1 License holder and license-exempt child care center certification holder variance Subd. 1a Public law background study variances Subd. 2 Disclosure of reason for disqualification Subd. 3 Consequences for failing to comply with conditions of variance Subd. 4 Termination of a variance Subd. 5 Final decision

Section	Title	Applicable Subdivisions
245C.32	Systems and Records	Subd. 1 Establishment Subd. 1a NETStudy 2.0 system Subd. 1b Civil remedies Subd. 2 Use Subd. 3 National records search
245C.34	Adoption and Child Foster Care Background Studies; Tribal Organizations	All

[Chapter 245D.](#) Home and Community-Based Services Standards (HCBS)

As applicable, based on situation.

[Chapter 259.](#) Change of Name, Adoption

Section	Title	Applicable Subdivisions
259.41	Adoption Study	Subd. 1 Study required before placement; certain relatives excepted Subd. 2 Form of study Subd. 3 Background study Subd. 4 Updates to adoption study; period of validity

[Chapter 260.](#) Juvenile Court; Child Placement; Compacts

Section	Title	Applicable Subdivisions
260.515	Interstate Compact for Juveniles	All

Section	Title	Applicable Subdivisions
260.851	Interstate Compact on the Placement of Children	All
260.875	Requirements for Visitation; Supervision	All
260.92	Placement Procedures	All
260.93	Interstate Compact for the Placement of Children	All

Minnesota Indian Family Preservation Act (MIFPA)

Section	Title	Applicable Subdivisions
260.751	Citation	All
260.753	Purposes	All
260.755	Definitions	All
260.761	Social Services Agency and Private Licensed Child-Placing Agency Notice to Tribes	All
260.7611	County and Tribal Agreements; Maltreatment Assessments and Investigations of Indian Children	All
260.762	Duty to Prevent Out-Of-Home-Placement and Promote Family Reunification, Active Efforts	All

Section	Title	Applicable Subdivisions
260.765	Voluntary Foster Care Placement	Subd. 1 Determination of Indian child's tribe Subd. 2 Notice Subd. 3 Notice of administrative review Subd. 4 Return of child in voluntary placement Subd. 5 Identification of extended family members
260.771	Child Placement Proceedings	Subd. 1 Indian tribe jurisdiction Subd. 2 Court determination of tribal affiliation of child Subd. 3 Transfer of proceedings Subd. 3a Good cause to deny transfer Subd. 4 Effect of tribal court placement orders Subd. 5 Indian tribe agreements Subd. 6 Qualified expert witness and evidentiary requirements Subd. 7 Order of placement preference; deviation
260.775	Placement Records	All
260.781	Records; Information Availability	All
260.785	Indian Child Welfare Grants	As applicable
260.791	Grant Applications	As applicable
260.795	Eligible Services	As applicable
260.805	Continued Legal Responsibility of Local Social Services Agencies	As applicable
260.810	Payments; Required Reports	As applicable

Section	Title	Applicable Subdivisions
260.815	Monitoring and Evaluation	As applicable
260.821	Grant Formula	As applicable
260.831	Undistributed Funds	As applicable
260.835	American Indian Child Welfare Advisory Council	All
260.851	Interstate Compact on the Placement of Children	As applicable
260.875	Requirements for Visitation; Supervision	All
260.92	Placement Procedures	All

Chapter 260C. Juvenile Safety and Placement

Section	Title	Applicable Subdivisions
260C.007	Definitions	All
260C.008	Foster Care Sibling Bill of Rights	All
260C.202	Court Review of Foster Care	All
260C.203	Administrative or Court Review Of Placement	All
260C.204	Permanency Progress Review for Children in Foster Care for Six Months	All

Section	Title	Applicable Subdivisions
260C.208	Information for Child Placement	Subd. 1 Agency with placement authority Subd. 2 Access to specific data
260C.209	Background Checks	Subd. 1 Subjects Subd. 2. General procedures Subd. 3 Multistate information Subd. 5 Assessment for emergency relative placement
260C.212	Children in Placement	Subd. 1 Out-of-home placement; plan Subd. 1a Out-of-home placement plan update Subd. 2 Placement decisions based on best interests of the child Subd. 3 Limits on multiple placements Subd. 4a Monthly caseworker visits Subd. 11 Rules; family and group foster care Subd. 12 Fair hearing review Subd. 13 Protecting missing and runaway children and youth at risk of sex trafficking or commercial sexual exploitation Subd. 14 Support age-appropriate and developmentally appropriate activities for foster children Subd. 15 Social and medical history
260C.215	Welfare of Children	Subd. 1 Recruitment of foster families Subd. 3 Recruitment specialist Subd. 4 Duties of commissioner Subd. 6 Duties of child-placing agencies Subd. 7 Reporting requirements Subd. 8 Rules Subd. 9 Preventing exposure to secondhand smoke for children in foster care

Section	Title	Applicable Subdivisions
260C.219	Agency Responsibilities for Parents and Children in Placement	Subd. 1 Responsibilities for parents; noncustodial parents Subd. 2 Notice to parent or guardian Subd. 3 Information for a parent considering voluntary placement Subd. 4 Medical examination Subd. 5 Children reaching age of majority; copies of records Subd. 6 Initial foster care phone call Subd. 7 Prenatal alcohol exposure screening
260C.221	Relative Search and Engagement; Placement Consideration	Subd. 1 Relative search requirements Subd. 2 Relative notice requirements Subd. 3 Relative engagement requirements Subd. 4 Placement considerations Subd. 5 Data disclosure; court review
260C.229	Voluntary Foster Care for Children over Age 18; Required Court Review	As applicable
260C.611	Adoption Study Required	As applicable

Chapter 260E. Reporting of Maltreatment of Minors

Section	Title	Applicable Subdivisions
260E.03	Definitions	All
260E.06	Maltreatment Reporting	Subd. 1 Mandatory reporters Subd. 2 Voluntary reporters

Section	Title	Applicable Subdivisions
		Subd. 3 Reporting in cases where selection of spiritual means or prayer for treatment or care may cause serious danger to child's health
260E.065	Training for Reporters	All
260E.07	Retaliation Prohibited	All
260E.08	Criminal Penalties for Failure to Report; Civil Penalty for Making False Report	All
260E.09	Reporting Requirements	All
260E.10	Notification to Reporters	All
260E.20	Agency Duties Regarding Investigation and Assessment	Subd. 1 General duties Subd. 2 Face-to-face contact Subd. 3 Collection of information Subd. 4 Consultation regarding alleged medical neglect Subd. 5 Law enforcement fact finding
260E.22	Interviews	Subd. 1 Authority to interview Subd. 2 Child interview procedure Subd. 3 Notification after child interview Subd. 4 Tennessean notice not required Subd. 5 Court order for child interview Subd. 6 Interview format Subd. 7 Child interviews on school property

Section	Title	Applicable Subdivisions
260E.28	Conducting Investigation in Facility or School	Subd. 1 Immediate investigation for alleged maltreatment in a facility Subd. 2 Preinterview notification for facility investigation Subd. 3 Facility records Subd. 4 Access to information
260E.29	Notification Requirements for Schools and Facilities	Subd. 2 Notification requirements for other types of facilities Subd. 3 Discretionary notification
260E.30	Conclusion of School or Facility Investigation	Subd. 2 Investigation involving a facility Subd. 4 Mitigating factors in investigating facilities Subd. 5 Notification when school or facility investigation is completed Subd. 6 Notification to parent, child, or offender following investigation
260E.34	Immunity	All
260E.35	Data Practices	Subd. 1 Maintaining data Subd. 3 Classification and release of data Subd. 4 Data disclosed to reporter Subd. 6 Data retention Subd. 7 Disclosure to public Subd. 8 Disclosure not required

Chapter 363A. Human Rights

Section	Title	Applicable Subdivisions
363A.02	Public Policy	Subd. 1 Freedom from discrimination

Chapter 609. Criminal Code

Section	Title	Applicable Subdivisions
609.666	Negligent Storage of Firearms	Subd. 2 Access to firearms

Chapter 626. Peace Officers; Searches; Pursuit; Mandatory Reporting

Section	Title	Applicable Subdivisions
626.557	Reporting of Maltreatment of Vulnerable Adults	Subd. 14 Abuse prevention plans

Chapter 1721. Animal Health

Section	Title	Applicable Subdivisions
1721.0500	Importation of Dogs, Cats, or Ferrets	As applicable
1721.0550	Animal Rabies Vaccines	As applicable
1721.0580	Management of Animals that Bite Humans	As applicable

Minnesota rules pertaining to child foster care

[Chapter 2960.](#) Licensure and Certification of Programs for Children

Part	Title	Applicable Subparts
2960.3000	Foster Family Settings	Subp. 1 Purpose and applicability Subp. 2 Outcomes Subp. 3 Community interests Subp. 4 Statement of intended use Subp. 5 Program Outcomes
2960.3010	Definitions	All
2960.3020	Licensing Process	Subp. 1 License required Subp. 2 Application Subp. 3 License does not guarantee placement Subp. 4 License not transferable Subp. 5 Commissioner's right of access Subp. 6 Limited licensure Subp. 7 Notice of changes in household conditions Subp. 8 Roomers and boarders Subp. 9 Variance standards Subp. 10 Other licenses Subp. 11 Denial of license
2960.3030	Capacity Limits	Subp. 1 Maximum foster children allowed Subp. 2 Capacity limits

Part	Title	Applicable Subparts
2960.3040	Foster Home Physical Environment	Subp. 1 Fire, health, building and zoning codes Subp. 2 Sleeping space Subp. 3 Space for belongings Subp. 4 Dining area Subp. 5 Construction or remodeling
2960.3050	Foster Home Safety	Subp. 1 Inspection by licensing agency Subp. 2 Fire code inspections required Subp. 3 Emergency procedures Subp. 4 Pets
2960.3060	License Holder Qualifications	Subp. 1 Experience Subp. 2 Background study Subp. 3 Personal characteristics of applicants Subp. 4 Home study of applicant
2960.3070	Foster Parent Training	Subp. 1 Orientation Subp. 2 In-service training Subp. 3 Medical equipment training
2960.3080	Placement, Continued Stay, and Discharge	Subp. 1 Placement criteria Subp. 2 Screening Subp. 3 Child's property Subp. 4 Information about foster children Subp. 5 Cooperation required Subp. 6 Foster child services Subp. 7 Foster child diet Subp. 8 Discipline

Part	Title	Applicable Subparts
		Subp. 9 Visitation and communication Subp. 10 Complaints and grievances Subp. 11 Discharge
2960.3090	Respite and Substitute Care for Family Settings	Subp. 1 Notice requirements Subp. 2 Qualifications of long-term substitute caregiver Subp. 3 Short-term substitute caregiver Subp. 4 Information to respite caregiver Subp. 5 Information to substitute caregivers Subp. 6 Overnight and short trips Subp. 7 Foster residence settings
2960.3100	Records	Subp. 1 Foster care license records Subp. 2 Foster child records

[Chapter 9543. Licensure of Programs](#)

Parts 9543.0040 to 9543.0130 apply in their entirety to county agencies.

Parts 9543.0040 to 9543.0070, 9543.0090 to 9543.0110, and 9543.0130 apply to private agencies authorized by the commissioner to perform licensing functions related to child foster care (previously known as “Rule 13”).

Part	Title	Applicable Subparts
9543.0020	Definitions	All
9543.0030	Licensing Functions	Subp. 1 Delegation to county agencies Subp. 2 Delegation to private agencies
9543.0040	License Application Procedures	Subp. 1 Licensure information Subp. 2 Licensing study

Part	Title	Applicable Subparts
		Subp. 4 Completed application Subp. 5 Licensing recommendation Subp. 6 License renewal Subp. 7 License extension Subp. 8 Tracking licensing progress
9543.0050	Variance Requests	Subp. 1 Variance information Subp. 2 Variance procedures Subp. 3 Foster care capacity variance request at request of agency
9543.0060	Licensing Foster Care Programs	Subp. 1 Additional foster care licensing requirements Subp. 2 Program information Subp. 3 Orientation and preplacement training Subp. 4 Foster care licensing study Subp. 5 Duties of agency Subp. 6 Notice of closure
9543.0070	Investigations of Licensed Programs	Subp. 1 Reports of abuse or neglect of persons served by licensed program Subp. 2 Timelines Subp. 3 Determination Subp. 4 Reports of death Subp. 5 Recording complaints and investigations
9543.0080	County Investigation of Unlicensed Programs	Subp. 2 Unlicensed child foster care

Part	Title	Applicable Subparts
9543.0090	Correction Orders and Conditional License	Subp. 1 Correction order, training Subp. 2 Criteria for issuing correction orders Subp. 3 Time limitation Subp. 4 Compliance with correction order Subp. 5 Conditional license
9543.0100	Negative Licensing Actions	Subp. 1 Basis for recommendation Subp. 2 Temporary immediate suspension of license Subp. 3 Revocation or denial of license Subp. 4 License suspension Subp. 6 Notification of licensee of negative licensing action Subp. 7 Notice to parents of negative licensing action Subp. 8 Notice of negative licensing action to county
9543.0110	Enforcing Orders of the Commissioner	Subp. 1 Agency enforcement of commissioner orders Subp. 2 Sanctioned programs Subp. 3 Programs on conditional status
9543.0120	Contested Case Proceedings	Subp. 1 Contested case proceedings Subp. 2 Appeals involving private agencies Subp. 3 Informal dispositions, stipulated agreements
9543.0130	Administrative Requirements	Subp. 1 Maintaining records Subp. 2 Commissioner access Subp. 3 Training requirements Subp. 4 Conflict of interest
9543.0140	County Certification	Subp. 1 County agency certification Subp. 2 Notification of noncompliance

Part	Title	Applicable Subparts
		Subp. 3 County compliance Subp. 4 Review of corrective action plan Subp. 5 Provisional certification Subp. 6 County agency decertification based on demonstrated risk of harm to program participants Subp. 7 Funding sanction Subp. 8 Expiration of certification Subp. 9 Contracting licensing functions
9543.0140	Private Agency Authorization	Subp. 1 Private agency authorization Subp. 2 Revocation of private agency's authorization

Chapter 9545. Private Child Caring or Placing Agencies

(Previously known as "Rule 4")

Part	Title	Applicable Subparts
9545.0755	Purpose and Applicability	Subp. 1 Purpose Subp. 2 Applicability
9545.0765	Definitions	All
9545.0775	Licensure	Subp. 1 License required Subp. 2 Application for licensure Subp. 3 License option Subp. 4 Notice to commissioner Subp. 5 Commissioner's right of access Subp. 6 Single license for multiple locations Subp. 7 Variances

Part	Title	Applicable Subparts
9545.0785	Agency Governance and Administration	Subp. 1 Office in Minnesota Subp. 2 Space requirements Subp. 3 Legal organization Subp. 4 Conflict of interest
9545.0795	Agency Finances	Subp. 1 Funding plan Subp. 2 Explanation of fees Subp. 3 Accounting of adoption expenses and fees
9545.0805	Personnel	Subp. 1 Supervision by a licensed independent social worker or independent clinical social worker Subp. 2 Orientation Subp. 3 Annual training
9545.0815	Description of Agency Program and Services	All
9545.0825	Foster Care Placement Services	Subp. 1 If an agency has authority to place child in foster care Subp. 2 Providing foster care services under contract with a county Subp. 3 Child's record
9545.0835	Adoption Placements	Subp. 1 Record of child's background and history Subp. 2 Study of applicants to adopt Subp. 3 Adoption-related foster care
9545.0845	Plan for Transfer of Records	All

Chapter 9560. Social Services for Children

Part	Title	Applicable Subparts
<u>9560.0222</u>	Investigation of Reports of Maltreatment in a Facility	<u>Subp. 1</u> Responsibility for investigation <u>Subp. 1a</u> Report to licensing agency <u>Subp. 2</u> Coordination with law enforcement <u>Subp. 3</u> Coordination with licensing agencies <u>Subp. 4</u> Notice to ombudsman for mental health or developmental disabilities <u>Subp. 5</u> Notice to parents, guardians, or legal custodians <u>Subp. 6</u> Interviewing children <u>Subp. 7</u> Interviewing facility staff <u>Subp. 8</u> Interviewing persons outside the facility <u>Subp. 8a</u> Other interviews <u>Subp. 10</u> Maltreatment determinations <u>Subp. 11</u> Protective action <u>Subp. 12</u> No determination of maltreatment or a need for child protective services <u>Subp. 12a</u> Early determination of maltreatment allegations <u>Subp. 13</u> Removal procedures
<u>9560.0223</u>	Placement Considerations	All
<u>9560.0225</u>	Appeals of Maltreatment Determinations	<u>Subp. 1</u> Notice of right to appeal <u>Subp. 2</u> Notice after reconsideration
<u>9560.0226</u>	Information Provided Reporters upon Completion of Assessment or Investigation	<u>Subp. 1</u> Voluntary reporters <u>Subp. 2</u> Mandated reporters <u>Subp. 3</u> Refusal to disclose information
<u>9560.0228</u>	Protective Services	<u>Subp. 1</u> General requirement

Part	Title	Applicable Subparts
		Subp. 2 Written protective services plan Subp. 3 Service delivery Subp. 4 Monitoring services Subp. 5 Quarterly reassessment Subp. 6 Termination of protective services
9560.0230	Official Records	Subp. 1 Report records Subp. 3 Disclosure of report records Subp. 4 Nondisclosure of reporter's identity Subp. 5 Notice of determinations Subp. 6 Retention of report records Subp. 7 Data collection by the department
9560.0350	Scope	All
9560.0360	Definitions	All
9560.0370	Placement Provisions	Subp. 1 Interstate compact Subp. 2 Placements to and from noncompact states Subp. 3 Agreements submitted to commissioner
9560.0410	Scope (Children under Guardianship of Commissioner)	All
9560.0420	Purpose	All
9560.0430	Definitions	All
9560.0440	General Responsibilities	Subp. 1 Financial responsibility Subp. 2 Notice Subp. 3 Social service plan

Part	Title	Applicable Subparts
		Subp. 3a Review of social service plan Subp. 4 Change in child's county of residence Subp. 5 Appointment of guardian ad litem
9560.0450	Consents	Subp. 1 Delegated consents Subp. 2 Nondelegated consents
9560.0460	Disposition of Social Welfare Fund	All
9560.0470	State Guardianship Assistance up to Age 21	All
9560.0475	Administrative Reviews and Dispositional Hearings	All
9560.0480	Guardianship Records	Subp. 1 Content Subp. 2 Retention Subp. 3 Use of information
9560.0485	Postguardianship Services	Subp. 1 Postguardianship assistance Subp. 2 Documentation of Postguardianship services Subp. 3 Reimbursement
9560.0500	Scope (Administration and Provision of Foster Care Services)	All
9560.0510	Purpose of Foster Care Services	All
9560.0521	Definitions	All
9560.0523	Authority for Child's Placement by Local Agency	All

Part	Title	Applicable Subparts
9560.0525	Local Agency Given Legal Custody by Court	All
9560.0527	Local Agency Placing Child Under Voluntary Agreement	All
9560.0529	Placement in a Licensed Facility	All
9560.0532	Removal of Children	All
9560.0535	Local Agency Search for Relatives	Subp. 1 Search for relatives required Subp. 2 Parental objection to relative search Subp. 3 Initiation of search for relatives Subp. 4 Special efforts for relative search Subp. 5 Other sources of information
9560.0542	Consideration of the Child's Heritage	All
9560.0545	Documentation of Placement Effort	Subp. 1 General requirements Subp. 2 Requirements for court-ordered placement
9560.0552	Decisions About Child in Foster Care	Subp. 1 Written agreement Subp. 2 Request to court for authorization
9560.0560	Relationship to Schools and Other Agencies	Subp. 2 Contact with the child's school Subp. 3 Contact with the local agency of another county
9560.0580	Service Requirements	All
9560.0590	Waiver	All

Part	Title	Applicable Subparts
9560.0600	Provisions for Meeting Health Needs	All
9560.0603	Placement Plan	Subp. 1 Placement plan required Subp. 2 Preparation of plan Subp. 3 Signing of plan Subp. 4 Components of placement plan; general Subp. 5 Information to foster care provider Subp. 6 Assistance from social services, legal counsel, or guardian ad litem Subp. 7 Notice to parents Subp. 8 Notice to child
9560.0606	Agency Review	Subp. 1 Change in placement Subp. 2 Administrative review
9560.0613	Court Review of Court-Ordered Placements	Subp. 1 Request for court review of court-ordered placement Subp. 2 Filing for permanent placement determination by court Subp. 3 Dispositional hearing required; child in long-term foster care Subp. 4 Dispositional hearing required; child under guardianship Subp. 5 Dispositional hearing not required Subp. 6 Administrative review required
9560.0615	Criteria for Return of Child Home	Subp. 1 Return or release of non-Indian child Subp. 2 Return of Indian child
9560.0620	Child's or Foster Care Provider's Absence from Residential Facility	All

Part	Title	Applicable Subparts
9560.0640	Financial Arrangements and Funding Considerations	All
9560.0650	Maintenance Standards	Subp. 4 Fee conditions Subp. 5 Local fund
9560.0665	Notice and Appeal Procedures	Subp. 1 Request for foster care payments Subp. 2 Response to request for foster care payments Subp. 3 Review of claims of erroneous benefits Subp. 6 Notice and review of reduction of days covered Subp. 7 Notice of termination Subp. 8 Requesting a hearing Subp. 9 Scope of review
9560.0670	Recruitment of Foster Care Providers	Subp. 1 Recruitment; general Subp. 1a Recruitment plan Subp. 1b Outreach for recruitment Subp. 1c Documentation of compliance with plan Subp. 2 Assistance to foster care providers Subp. 3 Foster care providers as advisors Subp. 4 relicensure Subp. 5 Racial bias

Federal laws pertaining to child foster care

[Indian Child Welfare Act](#) (ICWA) ([25 U.S.C. § 1901 et. seq](#))

[Multi-Ethnic Placement Act](#) (MEPA) ([Pub. L. 103-382, Part E, 1994](#))

[Interethnic Placement Act](#) (IEPA) ([Pub. L 104-188, Section 1808, 1996](#))

[Social Security Act, Title IV](#)—Grants to States for Aid and Services to Needy Families with Children and for Child–Welfare Services

[Social Security Act, Title IV-B](#)—Child and Family Services

[Social Security Act, Title IV-E](#)—Federal Payments for Foster Care, Prevention, and Permanency

Appendix B: Documents and resources

Documents and forms used throughout the licensing process

Listed in order of when they are generally used

[Minnesota Adoption and Child Foster Care Application](#)

[Minnesota Adoption and Foster Care Individual Fact Sheet](#)

[Withdrawal of License Application](#) (Select “complete the form electronically”)

Child Foster Care Background Study Data Collection Form (this form is accessed by logging in to [NETStudy 2.0](#))

[Preliminary Information Form \(PIF\)](#)

[Non-disqualifying Background Study Information Assessment](#)

[Agreement between the Foster Parents and Child Foster Care Agency](#)

[Minnesota Adoption and Foster Care Home Study Assessment](#)

[Minnesota Adoption and Foster Care Home Study Assessment Update](#)

[CFC Licensing Checklist](#)

[Statement of Intended Use](#)

[Child Foster Care Home Safety Checklist](#)

[Owner’s Permission for Fire Marshal Inspection](#)

[Request for Fire Inspection or Reinspection](#)

[Emergency Escape Plan for Foster Care](#)

[Sample Child Foster Care Reference Letter](#)

[Child Foster Care Chemical Use Problems Variance Request Form](#)

[Variance Request & Approval Relative Child Foster Care Applicants: C.A.R.S training](#)

[Foster Care Drug and Alcohol Policy](#)

[Child Foster Care Discipline Policy](#)

[Complaint and Grievance Procedures for Foster Children](#)

[Program Abuse Prevention Plan](#)

[Individual Abuse Prevention Plan](#)

[Licensing Intake Complaint Form](#)

[Complaint log Sample](#)

[Licensing Action Manual – Foster Care](#)

[Correction Order - Form](#)

[Annual Evaluation of Licensed Foster Home](#)

[Medical Monitoring Equipment Training and Skills Form](#)

Resources for workers who perform licensing functions and activities

Listed alphabetically

[A guide to court proceedings for foster parents](#)

[Adoption of children in foster care \(DHS 7042A\)](#)

[Adoption support: Working together to help families \(state.mn.us\)](#)

[Adoption: Finding families for Minnesota's waiting children \(state.mn.us\)](#)

[Appropriate Action to Take at the Expiration of a License](#)

[Basics for relatives of foster children](#)

[Best practice for responding to youth who run away from foster care](#)

[Child Foster Care Background Studies Reform Flow Charts](#)

[Child Foster Care Chemical Use Problem Guidelines and Process](#)

Child Foster Care: Who Needs a Background Study

[DEA Website for Drug Scheduling](#)

[Department of Natural Resources, Hunter Education/Firearms Safety Certification](#)

[Education and Training Voucher Program](#)

[Effects of Cannabis on the Adolescent Brain](#)

Unlicensed Emergency Relative Placement Guide

[Expectant and Parenting Youth in Foster Care Practice Guide](#)

[Extended Foster Care Practice Guide for Youth](#)

[Extended Foster Care to Age 21](#)

[Family Child Foster Care Disqualification Chart \(7-22\)](#)

[FAQs about licensing actions / Minnesota Department of Human Services \(mn.gov\)](#)

[Fostering Independence Higher Education Grants](#)

[Child Foster Care Home Safety Checklist-Guidance](#)

[Indian Child Welfare Act/Minnesota Indian Family Preservation Act Manual](#)

[Initial Two Year License for PPAI Applicants and for Relative Applicants](#)

[Licensing Lookup Website](#)

[Licensing Overview for Relative Applicants](#)

[Licensing Previously Licensed Programs](#)

[Licensors Packet Forms Website](#)

[Minnesota Child Welfare - A Framework for Competent Child Welfare](#)

[Minnesota Department of Public Safety family and child gun safety](#)

[Minnesota Interagency Agreement Between the Minnesota Departments of Public Safety and Human Services](#)

[Minnesota Office of Cannabis Management](#)

[Minnesota State Fire Code 2020, Section 202](#)

[Minnesota's Best Practices for Facility Investigation](#)

[Minnesota's Reasonable Prudent Parent Standard Guidance](#)

[Permanency support services for adoptive, foster and kinship families \(state.mn.us\)](#)

[Sibling Bill of Rights Commissioner's Form](#)

[State Fire Marshal Child Care/Foster Care
Inspections website](#)

[Summary of Child Foster Care Responsible Agency
Requirements](#)

[Variances to the Minnesota Rule for Child Foster
Care Providers](#)

[Vulnerable Adults Mandated Reporting Online
Course](#)

[Working with lesbian, gay, bisexual, transgender
and questioning/queer youth](#)

Appendix C: Foster care orientation and training resources

Orientation and initial training are required prior to licensure and are essential for the applicant to be prepared to care for children in foster care. The lists below are not exhaustive but intended to provide resources that meet the spirit and intent of Minnesota rule.

Training resources to meet specific requirements of orientation

Orientation requirements are listed in Guideline IV.33.

Foster Care orientation must include training on cultural diversity, gender sensitivity, culturally specific services, cultural competence, and information about discrimination and racial bias issues to ensure that caregivers will be culturally competent to care for children in foster care according to [Minnesota Statutes, section 260C.212, subdivision 11](#), which requires “training on understanding and validating the cultural heritage of all children in their care, and on the importance of the Indian Child Welfare Act and the Minnesota Indian Family Preservation Act” ([Minnesota Rules, part 2960.3070, subpart 1, item C](#)).

This orientation requirement may be met using selections from the following resources:

1. Reading with applicants through [“What you need to know about the Indian Child Welfare Act and the Minnesota Indian Family Preservation Act” \(DHS-8014a\)](#)
2. Ask applicant to read and discuss [How the US stole thousands of Native American children - YouTube](#)
3. Resources from the National Indian Child Welfare Association (NICWA) that provide an overview of ICWA to applicants, such as this simple [summary and short video](#)
4. Viewing any session that provides parenting strategies in the Race and Culture section from [Foster Adopt Minnesota’s webinar directory](#)
5. Review with applicant the racial disparity sections of the most recent [“Minnesota’s Out-of-Home Care and Permanency Report”](#) (2021) and/or [DHS’ Child Welfare Data Dashboard](#)
6. [Traditionally Religious AND LGBTQ-Affirming: How Social Workers Can Help Families Be Both](#)
7. Review with applicant [“Foster care: Temporary out-of-home care for children” \(DHS 4760\)](#)
8. Creating A Family has a webinar titled [“Adopting/Fostering a Child who Identifies as LGBTQ”](#)
9. All Children-All Families within the [Human Rights Campaign has several free webinars](#)
10. Families Rising’s webinar titled [“Improving Safety, Permanency, and Well-Being for LGBTQ Youth”](#)
11. FAM’s [“Transgender 101”](#)

12. FAM's podcast Let's Talk has an episode from February 2, 2022 titled [LGBTQ+: Understanding and Supporting](#)
13. [FAM also has several other webinars](#) under their LGBTQ Youth and Families section
14. [Being Anti-Racist: A Critical Way to Support Children of Color in Foster Care and Adoption](#), NACAC
15. [Seven Tasks for Parents: Developing Positive Racial Identity](#), NACAC
16. [Parenting in Racially and Culturally Diverse Adoptive Families](#), 2020 Child Welfare.gov
17. [Racism is an Adverse Childhood Experience \(ACE\)](#)
18. The following resources may be helpful for licensing agencies developing policies and practices to create a welcoming environment for GLBTQ2S+ foster parents
 - a. [SOGIE Data Collection](#), 2017 Human Rights Campaign, All Children All Families
 - b. [Frequently Asked Questions From LGBTQ+ Prospective Foster and Adoptive Parents](#), 2021 Child Welfare.gov Fact Sheet
 - c. [All Children All Families Training Program](#), Human Rights Campaign Professional Resources
 - d. [Promising Practices for Serving Transgender and Non-Binary Foster and Adoptive Parents](#), 2017 Human Rights Campaign
 - e. [Understanding and Supporting LGBTQ Foster and Adoptive Parents](#), 2021, Adoptalk

Mental health training resources

1. This 3-hour [children's mental health training](#) has 19 modules plus a final quiz and was created by Minnesota Child Welfare Training Academy to meet the requirements of [Minnesota Statutes, section 245A.175](#). It covers common mental health diagnoses that fostered and adopted children often present with. Agencies are encouraged to let applicants know that the introduction paragraph at the start of the course refers to becoming 'certified in children's mental health' and may make them think they've gone to the wrong place.
2. [#20200602 - WEBINAR: Caregiving Through a Trauma Lens: Core Skills for Parents and Providers - Foster Adopt Minnesota \(fosteradoptmn.org\)](#)
3. [#20220914 WEBINAR: When in Crisis! Help for Families Formed Through Adoption & Kinship - Foster Adopt Minnesota \(fosteradoptmn.org\)](#)
4. [#20220413-4 WEBINAR: Living in the Deep End: Interventions for Children and Families with Trauma - Foster Adopt Minnesota \(fosteradoptmn.org\)](#)

5. For relatives: [#20200929- WEBINAR: Relatively Speaking: Addressing Children's Emotional and Behavioral Challenges - Foster Adopt Minnesota \(fosteradoptmn.org\)](#)
6. Responding to Children in Crisis content in the National Training and Development Curriculum Right Time Training, which is best accessed via [CapLEARN](#). Accessing training on this federally funded site requires free registration.
7. On-demand courses through Foster Parent College/MNCWTA. Contact MNCWTA at info@mnchildwelfaretraining.com to see if your agency has an agreement to access FPC through MNCWTA, otherwise families may access courses directly at [FosterParentCollege.com: Online Training for Foster, Adoptive, and Kinship Parents and Carers](#).
8. [This document](#) lists several DHS-developed courses that also meet the initial and ongoing mental health training requirements.