

MANUAL TRANSMITTAL

Arkansas Department of Health and Human Services

Division of Children and Family Services

Policy Form **Policy Directive**
Family Service Policy and Procedure Manual

Issuance Number: FSPP 2007-02

Issuance Date: March 15, 2007

From: Pat Page, Interim DCFS Director

Expiration Date – Until Superseded

Subj.: Executive Directive: Repeal of the Ban on Homosexuals as Foster Parents

On December 29, 2004, the Pulaski County Circuit Court ruled unconstitutional the regulation 200.3.2, developed by the Child Welfare Agency Review Board that prohibits a person from serving as a foster parent if any adult member of that person's household is a homosexual. As a result of this ruling, the Division of Children and Family Services (DCFS) will no longer use homosexuality as a reason for denial of a family's application to be foster parents.

To ensure the health and safety of all children in foster care and to provide services that will be in the best interest of children, DCFS amends its process for approving prospective foster families.

There can be no cohabitating adults in the home; this means no two adults living together as a couple who are not married. DCFS staff is required to determine relationships in the home to ensure that there are no cohabitating adults and to obtain information that can be used for the appropriate placement of children.

There can be no roomers or boarders in the home. Family members are not considered roomers or boarders. All family members residing in the household, that are required to have background checks, must have Central Registry and Criminal background checks. An assessment must be conducted on each family member's impact on the child and the child's impact on the family member.

THIS EXECUTIVE DIRECTIVE IS EFFECTIVE IMMEDIATELY.

Send Inquiries to the DCFS Policy Unit

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