

Documentation Needed for Alternative Compliance Requests

When a request for Alternative Compliance is presented to the board, the request must include all documentation that show how the intent of the specific licensing standard will be met. A request that does not include sufficient documentation for the board to consider will not be presented.

All requests for Alternative Compliance, including temporary AC's, must be approved by the DCFS Director before the Licensing Unit can process them.

A representative of DCFS who has knowledge of the AC request must attend the board meeting and be prepared to answer questions. Often, the board will have questions that are not answered in the documentation they have. Foster parents involved in an AC request must also appear before the board.

COURT ORDERS: If the AC request is the result of a court ordered placement into a home that does not meet licensing standards, you must include a copy of the court order with your documentation.

EXAMPLES ONLY:

Following are some examples of common AC requests, and the documentation that would be required to support the request:

100.4.8 No person guilty of an excluded criminal offense pursuant to ACA §9-28-409(e)(1) shall be permitted to have direct and unsupervised contact with children, except as provided in the statute.

In this case, you will need to provide documentation to show the board that the individual meets the intent of the standard, which is to ensure the person does not have character or behavior that poses a risk to children. The request must include but is not limited to the following items:

1. An arrest report. This is not the same thing as the criminal record check. We need the details of the offense from the law enforcement that made the arrest. Normally, the applicant will need to obtain this information from the arresting agency. Without this information, you will not be able to determine if the applicant has given you an accurate description of the events of the crime. These arrest reports are also needed to identify the characteristics of any victims. Note: Some law enforcement agencies will not release such information, others may destroy misdemeanor records after a certain time, others may have lost such information. We cannot take the applicants word for this. *The Resource Worker*

should verify with the law enforcement that the report is not available, and state this in writing in the packet that goes to the board.

2. A written statement from the Applicant. The board wants to know the applicant's account of the crime, what he/she learned from it, and especially why the applicant believes such an event will not happen again.
3. Documentation of Corrective Action: Did the person complete a rehabilitation program? Did the applicant become involved in church/community activities, or family responsibility that changed his/her life? Has the applicant matured substantially during the time since the crime was committed? Document if possible. Discuss in your written request.
4. Letters of reference. At least 3 personal references that provide positive recommendations that the applicant would be a good foster parent. Encourage the applicant to get letters from a probation officer, pastor, or someone who has knowledge of his/her conduct in the community or within his/her family.
5. A written request from DCFS (Resource Worker, case worker, etc.), based upon the above documentation. Explain why you believe this person does not pose a threat to children. If applicable, mention the age/vulnerability of any victim, the harm suffered by the victim, the similarity between the victim and the children who would be in the foster home. (For example, if the "battery" crime was a fight between 2 adult males, this would not necessarily indicate that the person is a danger to small children.)

Note: A person requesting permission to work with children despite a prohibiting criminal offense MUST appear before the board.

200.1.5 Foster homes shall not have more than 2 children under age of 2 years, including the foster parent's own children.

You will need to provide documentation to the board that the intent of this standard, which is to ensure younger children will receive the intensive care and supervision they require. The request must include but is not limited to the following items:

1. A discussion of the specific foster parents' experience and ability to attend to the needs of more than 2 very young children. Will the foster mother be at home fulltime? Have these foster parents raised several children of their own? Is there a plan for backup care in case the foster mother must leave the home or transport one child for emergency reasons?
2. The floor plan of the home showing where the children will sleep and the proximity of their sleeping area to the bedroom of the foster parents.

3. Your written statement that your agency has considered the factors and you believe the intent of the standard will be met through the plan you are presenting to the board.

200.5.1 Each bedroom must have at least 50 square feet of floor space per occupant.

The intent of this standard is to prevent crowding foster children into bedrooms without sufficient space to play or move around comfortably. The request must include but is not limited to the following items:

1. A floor plan of the home with room measurements.
2. A description of how children will be able to move around normally in the room. Are there bunk beds that increase available floor space? Is there a large closet that contains a dresser, thus freeing up additional floor space?
3. Is there a compelling reason to place more children in this room? Will this permit a young child to share a room with her older siblings? Is there a treatment issue (fear of the dark, sleep disorder) that make it in the best interests of the children to be placed in a room that does not contain the required space?
4. Your written statement that your agency has considered the specific circumstances and believe the number of children placed in this room is safe and appropriate.

200.5.8 Foster children, except infants under age 2 years, shall not share a sleeping room adults.

The intent of this standard is to provide privacy to children who are old enough to have a separate bedroom from adults. The request must include but is not limited to the following items:

1. A written statement or assessment from a physician, mental health worker, or caseworker that describes the reason the child should have 24 hour supervision or have an adult nearby during sleeping hours. Does the child have frequent severe nightmares? Does the child have a medical condition that requires or suggests being with an adult during the night?
2. Your written statement that describes the circumstances and states that your agency believes this arrangement is safe and in the best interests of the child.

200.4.9 The home shall have at least 2 exterior doors situated to provide safe exit.

The intent of this standard is to ensure the foster child has an unobstructed path to exit the home in case of fire. The request must include but is not limited to the following items:

1. A written statement from the Fire Department that the plan for the alternative escape route is approved.
2. A copy of the floor plan that shows the location of the child(s) sleeping area, the location of the exit door, the location of windows, and the location of smoke detectors.
3. Written description of windows if they will be used as an alternate escape route. Is the window accessible to the child? Can the window be opened from inside by a child? Will foster children placed in this home be physically and mentally capable of opening a window in an emergency?
4. A written plan to ensure the child will have an alternate escape route. Will the child have practice opening the window during drills? Will use of the alternate escape route be included in the drills? Are smoke detectors located to ensure early alarm from any part of the home?
5. Your written statement that your agency has considered the circumstances and believes the alternate plan does ensure the child has a safe escape route in case of fire, and that children placed into this home will be age-appropriate for this plan.

THE EXAMPLES ABOVE DO NOT COVER EVERY SITUATION POSSIBLE IN ALTERNATIVE COMPLIANCE REQUESTS. IT IS THE RESPONSIBILITY OF THE WORKER TO PROVIDE DOCUMENTATION THAT EXPLAINS HOW THE INTENT OF THE STANDARD WILL BE MET BY YOUR PLAN.