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Written Testimony of Jennifer Justice
Deputy Director
Ohio Department of Job and Family Services
Homeland Security and Governmental Affairs Committee
Permanent Subcommittee on Investigations

Chairman Portman, Ranking Member McCaskill, and members of the subcommittee:

Thank you for the opportunity to provide testimony to explain the foster care licensing process in the state of Ohio. I oversee Ohio's child welfare system at the Ohio Department of Job and Family Services (ODJFS) and have held this position since August of 2011. I have worked professionally in child welfare for 19 years, both at the local and state levels, and have had direct oversight of approving and denying foster parent applications. In my current position, I am charged with supervising Ohio's child protection programs, including protective services, kinship, foster care, adoption, Interstate Compact for the Placement of Children, and independent living services. My office is the licensing agent for all public and private child-serving agencies in Ohio that have the authority to recommend foster parent certification, recertification, denials and revocations. My office sets the foster parent licensing policies and procedures for public and private agencies, and ODJFS issues the foster parent licenses based on local agency recommendations. ODJFS conducts regular reviews of the local agencies' compliance with these licensing standards and provides ongoing technical assistance.

Like other states, Ohio's foster care licensing process has advanced over many years. This advancement is a direct result of our continuous efforts to provide for the safety of children in our custody. Our policies are in place to license qualified individuals who will provide the best care to abused and neglected children until they can return home or achieve another permanent living situation. Ohio's foster care licensing policies are comprehensive. I would like to take this opportunity to highlight some of the important licensing requirements for prospective foster parents.

General Requirements:

- A foster parent applicant must be at least 21 years old.
- At least one person in the home must be able to read, write and speak English, or be able to communicate effectively with both the child and the agency that placed the child in the home.
- The foster parent applicant must have enough income to meet the basic needs of the household and to make timely payment of housing costs.
- The foster parent applicant must be free of any physical, emotional or mental conditions that could endanger the child or seriously impair the foster parent's ability to care for the child.

- A licensed physician, physician's assistant, clinical nurse specialist, certified nurse practitioner or certified nurse-midwife must complete and sign a medical statement for the foster parent and each member of the household.
- Everyone over age 18 living in the house must submit to state and federal criminal background checks, as well as an Ohio alleged perpetrator search through the Statewide Automated Child Welfare Information System, or SACWIS.
- A foster parent applicant must disclose if a person between the ages of 12 and 18 residing in the household has been convicted or plead guilty to certain offenses or adjudicated delinquent.
- A certified state fire safety inspector or the state fire marshal's office must inspect the applicant's home and certify that it is free of hazardous conditions.
- The foster parent applicant must complete all required pre-placement and continuing training.

Along with these requirements, a foster care homestudy must be completed by an agency that is certified to recommend foster homes for certification. A foster care homestudy includes an onsite evaluation of the residence, the prospective foster caregiver and household members. This evaluation of the residence is completed by a licensed agency assessor and takes place physically inside the residence with the foster parent applicant present. Reference checks are conducted with people who are unrelated to the applicant and with all adult children no longer living in the applicant's home, and an evaluation is made of the types of child characteristics that would be most suitable for placement in the applicant's home based on the applicant's strengths and needs and the physical structure of the residence. Some examples of what assessors look for to assess safety are cleanliness of the home; proper storing of poisonous materials; proper heating, lighting and ventilation; safe storing of weapons; adequacy of each child's bedding; and working smoke alarms.

As I mentioned earlier, everyone over age 18 living in the house must submit to state and federal criminal background checks, as well as an alleged perpetrator search through Ohio's SACWIS system. If there are persons living in the residence between the ages of 12 and 18, the foster parent applicant must also report if those individuals have been convicted or pled guilty to certain offenses or adjudicated delinquent. Here are some additional details regarding those requirements.

Background Checks:

- All foster caregiver applicants and all adults age 18 and older living in the home must submit to a state and federal background check prior to becoming licensed and no later than every four years if continuing their license. Criminal background checks are required to be conducted by all Title IV-E agencies per the Code of Federal Regulations (45 CFR 1356.30). Title IV-E of the Social Security Act authorizes the federal foster program which helps to provide safe and stable out-of-home care placements for children through funding some of the costs related to those placements.

- Each applicant is given the criminal records check form prescribed by the Ohio Bureau of Criminal Investigation, or BCI, as well as a BCI standard impression sheet to obtain fingerprints. The sheet may be in a paper format or in an electronic format.
- During each criminal records check, BCI is asked to include any information it has from the Federal Bureau of Investigation.
- If an applicant fails to provide the information necessary to complete the background check, the person will be denied certification as a foster caregiver.
- If an applicant has a felony conviction for spousal abuse, rape, sexual assault or homicide, he or she would be prohibited from becoming a foster parent. This also applies to all adult household members.
- Ohio has a comprehensive list of misdemeanors and felonies that prohibit applicants from becoming licensed unless certain rehabilitation standards are evident.
- Each applicant must submit to an alleged perpetrator search in the SACWIS database to see if the person has a substantiated or indicated report of child abuse or neglect.
- Foster care applicants are required to notify the agency in writing if they have a person between the ages of 12 and 18 living in their home who has committed certain types of criminal offenses or been adjudicated as a delinquent child.
- All foster caregiver applicants, all adults age 18 and older living in the home and the requirement to notify the agency of crimes committed by individuals 12 to 18 years old must be completed or the foster caregiver's application will be denied.

Applicants also must show that their households have enough income to meet the basic needs of a child. Here are more details about that requirement:

Financial Stability:

- All foster applicants must provide proof of income for the household for the most recent tax year prior to the date of application.
- All foster applicants must provide proof of income for the household for a recent two-month period.
- All foster applicants must provide a utility bill for each utility necessary to maintain the household.

Not all foster applicants end up being licensed. Some voluntarily withdraw, and some are denied a license. There are many reasons applicants may withdraw or be denied. For example, there may be disqualifying offenses in their background check, their finances may be unstable, or their living conditions may be unsafe. Some applicants withdraw after going through pre-service training and learning more about the types of abuse foster children may have suffered. They may decide they can't meet these children's special needs.

Although foster care placements are often necessary, Ohio works hard to identify relatives and non-relatives who are familiar to the family as placement options to reduce the trauma that comes with removing children from their parents. Although the kinship homestudy process is not as stringent as the foster parent care homestudy process, child safety is still

the number one priority, and all of the critical pieces still apply. Relatives and non-relatives over 18 years old and living in the home must undergo all the same criminal background checks as foster parent applicants. Their homes also are evaluated, and an assessment is conducted of their ability and willingness to provide care and supervision for the child and to provide a safe and appropriate placement.

Once children are placed with licensed foster families or approved relative/nonrelative families, monthly home visits occur until the child is reunified or permanency is recommended and approved by the court of jurisdiction. Monthly home visits are conducted by a caseworker employed by the agency that holds custody of the child. State policy reinforces this federal requirement to provide for the well-being of all children with open child welfare cases. Visitation data for children in foster care is required to be reported to the federal government for each federal fiscal year, and all states are required to meet or exceed 95 percent of all required visits. If the 95 percent target is not met, there is Title IV-B funding penalty. Title IV-B of the Social Security Act provides funding to states to support a broad range of services designed to support, preserve, and/or reunite children and their families.

The approval process for children who are placed across state lines is defined in the Interstate Compact for the Placement of Children, or ICPC. This is a statutory law in all 50 states and is designed to protect children placed across state lines so that they will be placed in safe, suitable environments and with people or in institutions qualified to care for them. In accordance with Ohio laws and policies, all homestudy and background check requirements outlined earlier must be followed when other states request that children be placed with relatives living in Ohio.

Overseeing the safety of thousands of abused and neglected children is certainly challenging. Ohio appreciates the ongoing technical assistance provided by the Administration of Children and Families' Region 5 office regarding safety, permanency and well-being. We are constantly striving to improve our policies and practices in order to protect Ohio's children. Thank you for the opportunity to provide testimony on this important work. I am happy to answer any questions the subcommittee may have.

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Ohio Department of Job and Family Services