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GAVIN NEWSOM
GOVERNOR

February 9, 2022

Maria Aguirre, Interim Director
Fresno County Department of Social Services
P.O. BOX 1912
Fresno, CA 93718

Dear Maria Aguirre,

The Resource Family Approval (RFA) Technical Assistance team from the California Department of Social Services, conducted a Binti review of the Fresno County RFA Program on November 1, 2021 to November 5, 2021.

The enclosed report is a summary of observations and suggestions that were identified by the Technical Assistance team as areas of focus, which will help with the development and continued improvement of the RFA Program in your County.

We look forward to our continued work together with your county and welcome any questions or concerns you may have regarding the enclosed report. I can be reached at (916) 651-0631 or you can contact Dora Hesia, Program Manager, at (916) 653-5109.

Sincerely,

Marisa B. Sanchez

MARISA SANCHEZ
Bureau Chief
Statewide Children's Residential Program

Enclosure: 2021 RFA Biennial Review Report

c: PATRICIA GONZALEZ, Deputy Director
ANTHONY NORWOOD, Program Manager



KIM JOHNSON
DIRECTOR



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FRESNO COUNTY BIENNIAL REVIEW REPORT

November 1, 2021

The California Department of Social Services (CDSS), as authorized in Welfare and Institutions Code (WIC) Section 16519.5(f)(6), is responsible for the ongoing oversight and monitoring of county systems and operations of the Resource Family Approval (RFA) Program. The County is responsible for implementing, enforcing, and complying with all California State laws, rules, standards, policies and procedures pertaining to the approval of resource families (RF). To support the County in their continued implementation of the RFA Program, the CDSS conducts an RFA County Biennial Review and provides guidance and Technical Assistance as needed for the operation of the RFA Program.

During the current state of emergency in California due to COVID-19, the CDSS and County partners continue to remain critically responsible to ensure that children are safe from abuse and neglect and that their overall health, safety, and well-being are protected. To maintain the safety of all parties and support, the biennial reviews will be conducted in accordance with State and County protocols in effect at the time of the scheduled review.

The RFA Technical Assistance County Liaisons, Martha Jue, Angela Psalms, and Karen Viani wish to express their appreciation to Fresno County leadership and staff for their cooperation, flexibility and assistance with the RFA Biennial County Review.

COUNTY DATA (1/1/19-Present)

Number of current applications: 465

Number of approved resource families: 820

Timeline to approval for placement prior to approval: 173 days

PROCESS

Prior to the scheduled review, the County was provided with the RFA Review Tool as well as a list of RF files to be reviewed.

The RFA County Biennial Review was conducted virtually via Virtual Desktop Interface.

After the review, the County was provided with copies of the RFA Review Tools and a draft copy of the RFA County Biennial Review report which explained the findings to support the county in their continuous implementation of the RFA Program.

An exit conference was conducted on November 19, 2021 to answer any questions about the report and to provide technical assistance as needed.

SUMMARY OF THE REVIEW

Fifteen RF files were reviewed and included: 12 approved families which included two approved on behalf of probation; one withdrawn application, and two denied applications.

The following RFA program areas were found to be notable/highlights:

- To retain approved families (community and relatives/Non-Relative Extended Family Member (NREFM)) and to assist those families applying for RFA that are taking placement on an emergency basis, the County continues to provide families with a gift card to buy clothes, formula, car seats, etc. for the placement when needed. The County continues to buy cribs, beds, dressers, etc. for families. Intensive Services Foster Care Trust Fund monies are used for gift cards, and Adoption and Legal Guardianship incentive monies for furniture, etc.
- Previously, the County had seven contracted agencies for the completion of the family evaluation which became difficult to control the quality and consistency of the work. Effective July 1, 2021 the County has contracted the completion of the family evaluation with two Foster Family Agencies; Transitions Children's Services and North Star Family Center, which the County believes will best serve their needs.
- To remain focused on processing the backlog of applications and those families that have been matched with a placement or families interested in applying because of a relative is in care, the County encourages community interested families to apply with a Foster Family Agency but will accept the application if they insist on applying with the County.
- The County has made significant progress in reducing the number of backlogged cases that are pending over 180 days and have approximately 22 backlogged cases as of the end of September 2021. In combination with the two contracted vendors and their focus on the backlog, the County has set a goal to be caught up by the end of 2021 and thereafter remain in compliance with the 90-day processing timeframe.
- The average time to approval for placement prior to approval has improved from 237-days in 2019 to 173-days in 2020.

The following RFA program areas were found to be challenges:

RFA FILE REVIEW

File #1, #3, #6 #8, #9, #12

- Criteria for child specific approval not met in that the County is utilizing relative placements and when the applicant is only requesting placement of their relative as a reason for child specific approval. The written report does not describe based on the family evaluation what the concerns are and how those concerns are outweighed by the significance of the familial or tribal relationship.

- Written Directives (WD), Version 7, SECTION 6-07: Written Report, subsection (e)

File #1, #2, #3, #4, #6, #7, #9, #10, #13*

- The pre-approval training certificate does not document all required information as it is missing the number of training hours completed.
 - WD, SECTION 6-06: Pre-Approval Training, (f)(1)(D)

*Withdrawn Detail: Application was withdrawn, applicant gave 14-day notice due to child's behaviors. Applicants did not wish to continue with the RFA process due to their age.

File #1, #4, #5, #6, #7

- Interview requirements not met in that it is unclear if the children were individually interviewed. On written report on the date of the contact, all names were listed on one line and the report only describes information the applicant stated about the children.
 - WD, SECTION 6-05: Family Evaluation

File #1, #5

- The County did not verify employment for the applicant and/or the income from said employment.
 - WD, SECTION 5-03A: Application Requirements – Applicant, (a)(9)(C) and (D)

File# 1, #2, #9

- County approved a Documented Alternative Plan (DAP) when an alternative plan was not required such as for an adult to sleep in a common area. In File#9, it was not clear for whom the DAP was written.
 - WD, SECTION 10-03: Documented Alternative Plan, a DAP is required only when Section 11-01(c)(1), and (c)(2) applies. Note: the RFA 12 Resource Family Approval Documented Alternative Plan and the RFA 03 Resource Family Home Health and Safety Assessment Checklist have been revised to comply with the WDs.

File #1, #2, #4 #5, #7, #8

- The written report in the file is not signed by the applicant(s) and there is no indication in the file that it was certified mailed and/or emailed to the applicant in lieu of signed report.
 - WD, SECTION 6-07: Written Report, (g)(3)

File #2

- LIC 198B Out-of-State Child Abuse/Neglect Report Request (or an equivalent form from a responding State if that State requires its own) missing from the file. Applicant disclosed on the RFA 01B Resource Family Criminal Record Statement they had lived in a state outside of California within the last five years.

- WD, Section 6-03A: Background Check and Background Assessment Guide dated April 23, 2021, Section 108 ADAM WALSH OUT-OF-STATE CHILD ABUSE REGISTRY CHECKS
- Prior to placement under compelling reason, the County did not verify that background check had been completed as required. The background check had not yet been completed for one of the adults residing in the home.
 - WD, Section: 4-09: Placement Prior to Approval – Compelling Reason.
- The County had an adult regularly present in the home fill out the RFA 07: Resource Family Approval Health Questionnaire when it is only required for the applicant (s).
 - WD, Section 5-03: Application Requirements-Applicant

File #1, #4, #5, #8

- The mandated timeframe of 10 calendar days following the criminal records check conducted through the California Law Enforcement Telecommunications System (CLETS), or five business days after a child or nonminor dependent is placed with a relative or NREFM for an Emergency Placement was not met in that the application was not obtained, and the health and safety assessment of the home and grounds, outdoor activity space, and storage areas of the home including the background check were not initiated within the timeframe.
 - WD, Section 4-08: Placement Prior to Approval – Emergency Placement

File #8, #9

- There were no police reports or court documents in the file for the standard exemption.
 - WD, Section 6-03B: Criminal Record Exemption and BAG Section 119 CRIMINAL RECORD EXEMPTIONS, Subsection a. Standard Exemption Process

File #8

- Letter in the file sent to an adult residing in the home requesting a standard exemption did not contain the 45 calendar days of the date on the exemption needed notice. In addition, there was no signed letter from the individual describing any and all convictions, what happened, how and where it happened, or actions taken since the conviction to demonstrated rehabilitation and present good character. There were handwritten notations on the individual's Criminal Offender Record Information (CORI) which did not contain complete information.
 - WD, Section 6-03B: Criminal Record Exemption and BAG Section 119 CRIMINAL RECORD EXEMPTIONS, Subsection a. Standard Exemption Process

File #9

- The standard exemption needed letter was not in the file nor proof that the CORI was sent.

- WD, Section 6-03B: Criminal Record Exemption and BAG Section 119 CRIMINAL RECORD EXEMPTIONS, Subsection a. Standard Exemption Process
- Background check not completed on an adult who is regularly present in the home as an alternative care provider for the children while the resource parent is at work.
 - WD, SECTION 6-03A: Background Check

File #2, #3, #4, #5, #7, #8, #9, #10, #13

- The County utilized the LIC 9108 and not the mandatory RFA 11 Resource Family Approval Statement Acknowledging Requirement to Report Child Abuse dated December 2019.
 - WD, SECTION 3-02: Forms, (a)(12)

File #1, #2, #3, #4, #5, #6, #7 #8, #10, #12

- The Resource Family Approval certificate being utilized by the county is not the equivalent form in that it does not contain the same information found on the State issued RFA 05A Resource Family Approval Certificate. In addition, the County under the conditions section is annotating other information such as weapons, bodies of water, no animals residing on the property, client group served: children, etc.
 - It is highly recommended to utilize the State issued RFA 05A or if it opts to create their own form to include the county's letter head/logo, the same information that is found on the RFA 05A must be used per WD SECTION 3-02: Forms, subsection (b). Note: The RFA 05A template is to be utilized for approval, updates to the approval, and when there is capacity change only. Any conditions shall be specified in writing on the Resource Family Approval certificate pursuant to WD, Section 6-08(a)(2)(G).
 - An example of a condition on approval would be, applicant has a suspended license and is not allowed to transport children in placement.

File #3, #4 #5, #7, #8, #9, #10, #13

- Approval exceeded the 90-day timeframe and there is no narrative documenting the reason for the delay and if the delay was for good cause, and a new timeframe generated for completion.
 - WD, SECTION 4-08: Placement Prior to Approval – Emergency Placement, (d)

File #2, #5, #7, #10

- The RFA 02 Resource Family Background Checklist and Out-of-State Child Abuse Registry Checklist were not completed and/or incomplete in that dates were not entered for when results of the live scan were received, exemption status, etc.

- The RFA 02 is mandatory form and must be completed and it must reflect all the components completed for the RFA background check. Refer to the BAG – various sections.

File #7

- The County did not process an exemption since a standard exemption had been previously processed for the application that was withdrawn.
 - Refer to [Question 7](#) of the Background Check Questions and Answers – Previous Exemptions.

File#10, #11

- The following challenges were found surrounding complaint investigations:
 - **Complaint Intake Report (RFA802):**
 - No pre- or/and post-contact with complainant documented
 - No detail of allegation on Page 2- just says “see attached”
 - **Complaint Investigation Report (RFA9099):**
 - No details were documented on what was done at visit (ex: initiated investigation, health and safety check conducted, interviews conducted, etc.)
 - No justification documenting how investigator determined the findings
 - **Complaint Investigation Report- Continued (RFA9099):**
 - Did not document section of written directives that was violated
 - WD, V7, Sections 9-06A: Response to a Complaint Allegation

File # 12

- No challenges noted.

File #14 Denied

- The case was brought to legal consult as required as the County had denied the exemption of one of the applicants and due to the denied exemption, the application was also denied. It is appreciated that the county provided an explanation to the reviewer regarding the notice of RFA 09B Notice of Action To Individual Regarding Resource Family Approval Criminal Record Clearance Or Exemption, but the actual copy of the served notice of action (NOA) was not produced. The reviewer is, therefore, unable to verify the accuracy of the served NOA such as the date and the content. In addition, per the narrative it specifies the denial for the standard exemption was certified mailed to both applicants and the approved RFA 09B should have only been sent to the individual whose exemption was denied. Further, per the explanation given, another the RFA 09B was sent the day after on the 1/28. Sending two notices has an impact on the

applicant's due process in that the timeframe to file an appeal and could also create issues if the notices do not contain the same information.

File#15

- No Longer Interested notification was not sent to Department of Justice for those live scanned.
 - WD, SECTION 6-03A: Background Check, Subsection (k)(1) and BAG, Section 126 RECORD RETENTION AND STORAGE, subsection, b. Subsequent Arrest Notifications and No Longer Interested (NLI)

General Observation

Emergency Placement

Prior to the emergency placement of a child or nonminor dependent with a relative or nonrelative extended family member (NREFM), a County shall follow the process described in Welfare and Institutions Code (WIC) section 361.4 or 727.05. The county is highly encouraged to collaborate with their emergency response staff in order to establish clear policies and procedures pertaining to the emergency placement of children or nonminor dependents and the transition of the family to initiate the RFA process to the RFA staff. If county RFA is also assisting probation with the process described in WIC 361.4 or 727.05 (Probation Department), then the policy and procedure should also clearly outline the process and the role of RFA. Further, all information/documentation gathered as part of the process under WIC sections 361.4 or 727.05 must not be filed in the Resource Family file but remain in the placing agency's file. For technical assistance on the mentioned WIC sections, the County may send questions to kinship.care@dss.ca.gov.

Working with Foster Family Agencies (FFA)

It has been noted that a referral is not made until after the applicant has completed other components of the RFA process. This may ultimately lead to delays in approval times. It is strongly encouraged the county send the referral over to the FFA soon after the RFA 01A has been received and for the FFA to initiate the family evaluation promptly after a referral. This will lead to a more collaborative assessment of the family with joint communication between the county and FFA and will likely lead to decreases in approval times.

IDENTIFIED TRAINING OR FOLLOW UP TA:

- The County was provided with Complaint Investigation training to further strengthen the knowledge around forms completion and to support the County as they have experienced a personnel change in the Complaint's Investigation Unit on January 21, 2022.
- Technical assistance on child specific approvals was provided at the exit by county liaison and CDSS management team.

- Within the next 60 days CDSS will be collaborating with Fresno on various processes including FFAs and any other areas the county would like additional assistance with.

The CDSS County Liaison will continue to work with Fresno County with the implementation of the RFA program by identifying resources and technical assistance that the Department can provide.

CONFIDENTIAL

- File #1- [REDACTED]
- File #2- [REDACTED]
- File #3- [REDACTED]
- File #4- [REDACTED]
- File #5- [REDACTED]
- File #6- [REDACTED]
- File #7- [REDACTED]
- File #8- [REDACTED]
- File #9- [REDACTED]
- File #10- [REDACTED]
- File #11- [REDACTED]
- File #12- [REDACTED]
- File #13- [REDACTED]
- File #14- [REDACTED]
- File #15- [REDACTED]