

April 17, 2020

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

**EXECUTIVE SUMMARY**

**ALL COUNTY LETTER NO. 20-43**

This All County Letter (ACL) provides guidance to county Child Welfare Agencies and Probation Departments regarding the statewide emergency related to the Novel Coronavirus (COVID-19) and county agency emergency responses as it relates to the Resource Family Approval Program.



**KIM JOHNSON**  
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**  
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**GAVIN NEWSOM**  
GOVERNOR

April 17, 2020

ALL COUNTY LETTER NO. 20-43

TO: ALL COUNTY WELFARE DIRECTORS  
ALL CHIEF PROBATION OFFICERS  
ALL FOSTER CARE MANAGERS  
ALL TITLE IV-E AGREEMENT TRIBES  
ALL COUNTY RFA AND ADOPTION PROGRAM MANAGERS  
ALL CDSS ADOPTION REGIONAL OFFICES  
THE COUNTY WELFARE DIRECTORS ASSOCIATION OF CALIFORNIA

SUBJECT: GUIDANCE FOR THE RESOURCE FAMILY APPROVAL (RFA) PROGRAM DUE TO COVID-19 IMPACTS

REFERENCE: [RESOURCE FAMILY APPROVAL WRITTEN DIRECTIVES VERSION 6.1](#); [GOVERNOR'S PROCLAMATION OF A STATE OF EMERGENCY, MARCH 4, 2020](#); [EXECUTIVE ORDER N-53-20](#)

The purpose of this letter is to provide county child welfare agencies and juvenile probation departments with guidance for the operation of the RFA program during the current state of emergency related to COVID-19. As counties implement the following guidance, they must also work with tribal partners to ensure the needs of Indian children are met. It is important to remember that we are actively engaged in efforts to prevent the spread of COVID-19. At the same time, we have a critical responsibility to ensure that children are safe from abuse and neglect and that their overall health, safety and well-being are protected.

Pursuant to the authority in the Governor's April 17, 2020 Executive Order N-53-20 (EO N-53-20), the Department is announcing the following statewide waivers and flexibilities for certain pre and post approval requirements related to the county RFA program. We strongly encourage counties to continue working with RFA applicants to ensure timely approval. Use of these waivers is subject to the Waiver Terms and Conditions set forth in this ACL.

### **Visits and Interviews**

During the effective period of EO N-53-20, interviews for the family evaluation, including the applicants and children in the home, may be completed by videoconferencing (e.g., Skype, Zoom, etc.), rather than face-to-face, as required by [Written Directives](#) section 6-05(a). As indicated in [Written Directives](#) section 6-07(b)(5)(A), this should be documented in the Written Report. If RFA program staff believe it is necessary to meet with the applicant and/or individual in person and there is not a way to do so that is consistent with [state](#) and local public health guidelines, in-person contact should be delayed and this delay should be documented in the RFA applicant's file as the reason for the delay of RFA approval.

When conducting necessary in-person inspections, home health and safety assessments, or complaint investigations consistent with this letter, RFA program staff should be mindful of [state](#) and local public health guidance and should ask the following questions during the initial phase of the investigation:

- Has anyone in your home tested positive for COVID-19 in the past 14 days?
- In the past 14 days have you, your children, and/or anyone in your household had any of the following symptoms?
  - Fever
  - Cough
  - Shortness of breath
- Have you, your children, and/or anyone in your household had close contact with a person who tested positive for COVID-19 with a laboratory confirmed testing in the last 14 days?

If someone answers "yes" to any of the questions, they should be encouraged to contact their doctor and let them know about their symptoms and/or exposure. The RFA program staff should follow [public health guidelines](#) during all in-person interactions with the parent(s), child(ren), other members of the household, and collateral contacts.

Counties that have contracted with the Community Care Licensing Division to complete their complaint investigations should contact their RFA liaison for more information.

### **Capacity Waiver**

Capacity requirements for resource families or applicants, as outlined in [Written Directives](#) section 10-04, may be waived by a county if there is an immediate need for placement of additional children due to isolation or quarantine requirements of a child as a result of COVID-19 and if the county determines that the care and supervision

remains sufficient to meet the health and safety needs of children in care. The number of foster children that may be cared for in the home may not exceed six, unless it meets one of the following federally allowable reasons:

- To allow a parenting youth in foster care to remain with the child of the parenting youth.
- To allow siblings to remain together.
- To allow a child with an established meaningful relationship with the family to remain with the family.
- To allow a family with special training or skills to provide care to a child who has a severe disability.

Counties shall continue to have the ability to waive capacity for reasons set forth in [Written Directives](#) section 10-04.

### **Home and Grounds/Bedroom Sharing**

A county may waive home and grounds requirements related to bedroom sharing and use of common areas for sleeping as necessary for prevention, containment, and mitigation measures, as long as the health and safety of a child is not compromised and the arrangement has been assessed as appropriate using the bedroom sharing considerations set forth in [Written Directives](#) section 11-01(c).

### **Training Requirements**

Counties are encouraged to engage RFA applicants with distance learning options, such as the use of Foster Parent College (FPC) or alternative methods like videoconferencing, as set forth in the [Written Directives](#) section 6-06(d), in order to facilitate completion of pre and post-approval training requirements.

If, however, an RFA applicant is unable to complete the pre-approval training requirements using the methods described in this paragraph during the COVID-19 emergency, but has completed all other RFA requirements as indicated in the [Written Directives](#) and/or this ACL, then the family may be approved and the pre-approval training requirements may be completed within 180 days after approval. Completion of the pre-approval training within 180 days of the approval should be noted as a condition for continued approval on their Resource Family Approval Certificate, as authorized by [Written Directives](#) section 6-08.

### **Complaint Investigations**

All complaints received regarding resource families should be assessed to identify allegations involving a serious health and safety risk or threat. For complaints alleging behavior that **seriously endangers** the health and/or safety of a child or children in care, the county shall conduct an in-person visit consistent with the requirements in the Written Directives and guidance regarding in-person visits in this ACL.

For complaints alleging a deficiency or conduct that is concerning but **does not pose an immediate health and safety risk** to the child(ren) in care, an assessment should be conducted by the county on a case-by-case basis to determine if an in-person visit should be required. Investigations regarding complaints that are not assessed as an immediate health and safety risk may be opened and conducted by phone or video conferencing, consistent with all existing timelines and procedures. If the investigation by telephone or videoconferencing results in facts or evidence indicating a serious health and safety risk, the county should then follow the relevant guidance above.

### **Annual Approval Update**

If a resource family has a 12-month approval update due, as required in the [Written Directives](#) section 9-02(a), during California's statewide "Stay at Home" order, and if there is a child in care, the Department is waiving the requirement to complete the update within 30 days after the due date, and will instead allow it to be completed up to 180 days after the due date. This extension also allows a resource family additional time to complete their post-approval training requirements.

If there is no child currently in placement with the resource family, and the resource family is due for their update, the county may temporarily suspend the update requirement until the statewide COVID-19 emergency has ended. More guidance will be issued at that time to assist counties with how to manage any backlogs that may have accumulated. If a child is subsequently placed with a resource family, the county will follow the direction in the previous paragraph and extend the update requirement deadline.

### **Ending Inactive Status**

If a resource family requests to end their inactive status in order to take immediate placement of a child, the county may complete the emergency placement process as outlined in [Written Directives](#) section 10-02(d). The county may then extend the timeframe to initiate the required update within 30 days to 90 days. The county shall conduct the in-person visit consistent with the above guidance regarding in-person

visits. Subsequent to the placement, the county should follow the RFA update provisions in [Written Directives](#) section 10-02(d).

### **Additional Guidance on other RFA Components**

To minimize delays to the RFA process, counties are encouraged to allow RFA applicants to submit scanned copies or photographs of necessary documents such as the RFA-07, income verifications, etc. If the RFA applicant does not have the ability to submit scanned copies or photographs, the county may allow the applicant to provide a self-attestation for all requirements contained in Written Directive sections 5-02, 5-03A(a)(9). If the county accepts this information through a self-attestation, they must document it in the RFA Written Report, and place a condition on their Resource Family Approval Certificate, as authorized by [Written Directives](#) section 6-08 to require the verification documentation by the date of their annual update.

In addition, counties are encouraged to review their internal RFA policies and procedures to determine if they request any documents or other tasks that are not required per the Written Directives. If so, counties may wish to consider ceasing these additional requirements to further minimize delays and/or backlogs from occurring.

If a resource family has initiated a transfer of their approval through the portability process outlined in Written Directives Article 5.1, the subsequent county may temporarily suspend the processing of this request unless the transfer is critical to the immediate needs of a child placed or the transfer is necessary in order to place the child with relatives.

### **Out-of-County Protocol**

The Out-of-County Protocol, as established in the [Written Directives](#) section 4-07, should continue to be followed. For child welfare departments, the [guidelines and protocols](#) established by the County Welfare Director's Association of California should also continue to be followed. It is vital to the health and safety of children for counties to cooperate in order to ensure that they can make emergency placements and initiate the RFA process.

County probation departments retain jurisdiction and responsibilities for resource parents located out of county unless other arrangements have been made with the county probation department or county child welfare department in the county where the resource parent resides.

**Expiration Dates**

The county RFA Program waivers contained in this ACL shall be in effect until EO N-53-20 expires, or sooner if determined by the Department. Once all waivers in this ACL have expired, all prior statutory, regulatory, and written guidance requirements modified herein shall be reinstated, unless this waiver is extended.

If you have any questions, need additional guidance regarding the information in this letter, or are unable to comply with any other RFA Program requirement not addressed in this letter, contact CDSS at (916) 651-1101 or at [RFA@dss.ca.gov](mailto:RFA@dss.ca.gov).

Sincerely,

***Original Document Signed By***

GREGORY E. ROSE  
Deputy Director  
Children and Family Services Division