



NEW JERSEY DEPARTMENT
OF CHILDREN AND FAMILIES

New Jersey Department of Children and Families Policy Manual

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Purpose

This issuance establishes policies and procedures for DCF staff to follow when a DCF employee seeks to become a resource family parent (i.e., kinship care or an adoptive parent) for a child(ren) under the supervision or guardianship of CP&P.

Policy

A) DCF Employee as a Kinship Care or Adoptive Parent

A DCF employee may apply to become a licensed resource parent (i.e., kinship care or adoptive parent) for a child(ren) under the supervision or guardianship of the Division of Child Protection and Permanency (CP&P), following the guidelines in this policy. See “Definition of Terms” for the definition of a “DCF employee.”

B) Role of the Ethics Liaison Officer

The Ethics Liaison Officer (ELO) is responsible for guiding the application process for any DCF employee requesting to be a kinship caregiver or adoptive parent in an effort to avoid conflicts of interests or potential conflicts of interest.

The ELO also serves as a neutral party overseeing all procedural matters regarding the process and acts as the liaison between the applicant and CP&P executive management.

C) Recusal of DCF Employee as Soon As Interest Is Expressed

As soon as a DCF employee expresses interest in becoming a kinship resource parent or adoptive parent for a child under the supervision or guardianship of CP&P, he or she must recuse him or herself from any activity that may influence or be perceived to influence the outcome of the agency's decision regarding the application. This includes, but is not limited to, trying to gather information on the child or application on his or her own such as accessing NJS records, talking to the child's caseworker or other staff involved in reviewing the application, reviewing related contact notes/sheets, or presenting him or herself to the court, to the law guardian, in the case plan for the child, or anywhere else.

No contact with the child is permitted by an employee who is being considered as a kinship or adoptive parent unless the contact is approved and/or supervised by the Local Office responsible for the supervision of the case and/ or the Office of Adoption Operations for an adoption. Contact may be limited or restricted on a case by case basis due to the specific circumstances of the child and the home being considered.

The Ethics Liaison Officer will instruct the employee of proper conduct in relation to his or her application if the application is approved to proceed for a home study.

D) Prohibiting Preferential Treatment

The DCF employee, upon being approved to be studied in accordance with this policy (i.e., upon meeting presumptive eligibility and satisfying ethics requirements), is subject to the same home study, licensing, and training process as any other applicant interested in becoming a CP&P kinship resource or adoptive parent.

There will be no "special treatment," preferential treatment, or "shortcuts" to approval, or licensure or placement considered or granted.

Any staff that violates this principle can be subject to disciplinary measures.

E) Conditions That Must Be Met

A DCF employee may apply to become a kinship resource family or adoptive parent under the following conditions:

- **Kinship Care**

The employee is related to the child and/or there is an established kinship connection that does not include a professional relationship developed with the child through the normal course of the Worker's official duties;

- **Adoption**

The employee is interested in becoming an adoptive parent for a non-specified, legally free, special needs child. The child will be available through the Adoption Exchange and the applicant is willing to have his or her home study go to the Office of Adoption Operations where a selection is made through the matching process; **OR**

The employee has identified a legally-free child for whom no other home is available (i.e., the child has undergone the selection/matching process with other approved adoptive homes through the Adoption Exchange and there was no successful match). The employee is interested in adopting and is willing to go through the licensing and approval process, with the understanding that no preferential treatment is afforded his or her family over that of other licensed adoptive families. The child will be available through the Adoption Exchange and the applicant is willing to have his or her home study go to the Office of Adoption Operations where a selection is made through the matching process.

F) Required Approvals

Before an employee makes an application to the Resource Family Support Unit to be considered for a kinship resource or adoptive home, he or she must obtain approval from:

- Direct Supervisor
- The Local Office Manager
- The Area Director
- For a non-CP&P employee, approval of Executive staff to whom he or she reports
- DCF Ethics Liaison Officer
- CP&P Director, who gives the final approval to move the selection process.

Where the Direct Supervisor, Local Office Manager or Area Director decides to deny an employee's request to submit an application, he or she must consult with the Ethics Liaison Officer (ELO) to discuss the basis for the denial.

G) Rescinding Approval

Where there is just cause to rescind prior approval of an employee's application to be a kinship or an adoptive parent, the Local Office Manager and Area Director of the employee may take action to rescind their approval at any stage during the process up until final approval from the CP&P Director. Just causes that warrant rescinding an approval include but not limited to:

- Evidence that the employee attempted to circumvent the process or procedures outlined in this policy.
- Significant concern about the employee's behavior, emotional or mental state;
- Pending involvement with the DCF Office of Employee Relations that would warrant significant concern for the employee's stability or capacity to care for a child.
- Circumstances which would warrant significant concern about a child potentially being in the employee's care.

The CP&P Director or designee may intervene at any time in the process to rescind approval of an employee's application where there is just cause, including but not limited to any of the abovementioned causes.

The Ethics Liaison Officer may also rescind his or her approval of the application at any point in the process where the employee has violated an ethics provision and/or there is a need to avoid a conflict of interest or potential conflict of interest.

Definition of Terms

- DCF Employee - A person who is employed in, or has a work station at, any of the DCF offices (Local, Area, Central, other) within a DCF agency (Child Protection and Permanency, Children's System of Care, Family and Community Partnerships, etc.), and anyone else who has access to computerized and/or paper files which contain client information. Examples include, but are not limited to: Pediatric Nurse Consultants, Domestic Violence Liaisons, or Certified Alcohol and Drug Counselors (CADC), who are stationed at the Local Office; Deputy Attorneys General (DAG).
- Kinship Connection - A relationship between a child and a DCF employee, which is biological, legal, positive, psychological, or emotional. It does not

include a relationship between a child and an employee created in the normal course of the employee's official duties.

- Specified Child - A child needing an out-of-home placement, who has a kinship connection with the DCF employee, or a legally free child for whom the Division has no waiting adoptive families.
- Special Needs Child - Any child who the State of New Jersey has the legal right to place for adoption but who is reasonably expected not to be placed for adoption due to the lack of a prospective adoptive home for various reasons such as, but not limited to, the child's race, and/or age (over ten years old), or the child's extensive medical, physical, or emotional needs. See N.J.A.C. 10:121-1.1. See [CP&P-IV-C-8-100](#), Adoption Subsidy Generally, section Definitions ("Special Needs Child").

Procedures:

A) Kinship Care

Once the DCF employee has expressed interest in providing resource kinship care, he or she recuses him or herself and does not access any information from NJS or from contact notes/sheets regarding the child or application status, and does not present him or herself to the court, law guardian, in the case plan or anywhere else regarding the application unless instructed by the Ethics Liaison Officer.

No contact with the child is permitted by an employee who is being considered as a kinship parent unless the contact is approved and/or supervised by the Local Office supervising the child's case. While there would be contact and a relationship between the employee seeking to become a kinship provider and the child, the contact and nature of the contact would be determined on a case by case basis by the Local Office. Contact may be limited or restricted due to the specific circumstances of the child and the employee home being considered.

The DCF employee completes a State of New Jersey Outside Activity Questionnaire, and obtains all required signatures and approvals. Clicks here to access the [Outside Activity Questionnaire](#) or accesses it by going to the DCF Website> Ethics Homepage>Outside Activity Questionnaire.

The employee attaches a memo to the questionnaire, indicating the following information, as applicable:

- A description of the employee's relation/kinship connection to the child needing placement;

- Why an emergency placement is, or was, needed (as applicable)
- The employee's title, work location and the location of the office managing the child's case

The employee then obtains the following approvals (signatures) on the memo:

- The approval of the Local Office Manager of the office where the employee works
- The approval of the Area Director or designee who supervises the office where the employee works
- The approval of the Local Office Manager of the office responsible for the case/placement
- The approval of the Area Director or designee who supervises the office responsible for the case/placement
- For a non-CP&P employee, the approval of Executive Staff to whom he or she reports is required

After the employee has completed the Outside Activity Questionnaire and the memo is attached with the appropriate signatures, he or she sends the questionnaire and the duly signed memo to:

Ethics Liaison Officer, 50 East State Street, 3rd Floor, CC#923,
Trenton, New Jersey, 08625-0717

B) Adoption

Once the DCF employee has expressed an interest in becoming an adoptive parent, he or she recuses him or herself and does not access any information from NJS or from contact notes/sheets regarding the child or application status, and does not present him or herself to the court, law guardian, in the case plan or anywhere else regarding the application unless instructed by the Ethics Liaison Officer.

Contact with the child is prohibited by an employee who is being considered as an adoptive parent unless the contact is approved and/or supervised by the Local office. Contact may be limited or restricted on a case by case basis due to the specific circumstances of the child and the home being considered.

If the child being considered for adoption is an "identified child," the employee under consideration to adopt that child must end all contact with the child until the study process is completed and a decision to move forward with that employee is made. At

that time, the Local Office responsible for the child's case makes the decision regarding the extent and nature of the contact between the child and the employee.

The DCF employee completes a State of New Jersey Outside Activity Questionnaire, and obtains all required signatures and approvals. Clicks here to access the [Outside Activity Questionnaire](#) or by going to the DCF Website> Ethics Homepage>Outside Activity Questionnaire.

The employee attaches a memo to the questionnaire, indicating the following information, as applicable:

- Whether or not the child is legally free
- The circumstances under which the employee came to know of the child needing placement
- The employee's title, work location and, the location of the office managing the child's case (only if the child is known).

The employee then obtains the following approvals (signatures) on the memo:

- The approval of the Local Office Manager of the office where the employee works
- The approval of the Area Director or designee who supervises the office where the employee works
- The approval of the Local Office Manager of the office responsible for the case/placement (only if the child is known)
- The approval of the Area Director or designee who supervises the office responsible for the case/placement (only if the child is known)
- For a non-CP&P employee, the approval of Executive Staff to whom he or she reports is required

After the employee has completed the Outside Activity Questionnaire and the memo is attached with the appropriate signatures, he or she sends the questionnaire and the duly signed memo to:

Ethics Liaison Officer, 50 East State Street, 3rd Floor, CC#923, Trenton, New Jersey, 08625-0717

- The Ethics Liaison Officer consults the Assistant Director of the Office of Adoption Operations to confirm that the child meets the conditions required for the applicant to be considered as an adoptive parent.

Adoption Operations confirms that the child meets the criteria for a non-specified (general) or specified adoption in order for home study to proceed.

- The Ethics Liaison Officer approves or disapproves the employee's request and sends notification to the employee, with a copy to the LO Manager(s), the Area Director(s), the Office of Licensing, the Office of Adoption Operations and the Office of Human Resources. For other Divisions, the employee is notified, as well as the Office of Licensing, the Office of Adoption Operations, the Office of Human Resources, and the LO Manager and Area Director, if required. For other Divisions, the Executive Staff to whom they report is also notified.
- If approved, the Ethics Liaison Officer instructs the employee of proper conduct in relation to his or her application including that the employee must recuse him or herself from any behavior that may influence or be perceived to influence the outcome of the agency's decision regarding the application. This includes, but is not limited to, trying to gather information on the child or application on his or her own such as accessing NJS records, talking to the child's caseworker or other staff involved in reviewing the application, reviewing related contact notes/sheets, or presenting him or herself to the court, to the law guardian, in the case plan for the child, or anywhere else.

C) Contact with the Child

Contact with the child is prohibited unless approved and /or supervised by the Local Office in consultation with the Office of Adoption Operations. Contact may be limited or restricted on a case by case basis due to the circumstances of the child or the home being considered.

- If the request is not approved, the process comes to a halt. The employee may appeal the decision to the State Ethics Commission. The employee may appeal in writing to: Executive Director, State Ethics Commission, 28 West State Street, P.O. Box 082, Trenton, NJ 08625.
- The Ethics Liaison Officer may rescind his or her approval any time during the process, if a violation or a breach of ethics occurs.

D) Application with the Resource Family Unit

Upon obtaining approval by the Ethics Liaison Officer, the employee makes an application to the Resource Family Support Unit in the county where he or she resides, attaching the approved form. If this assignment, poses a conflict, the case is referred to the Administrator of the Office of Resource Families to decide the appropriate assignment. The approved form becomes part of the Home Study

Assessment Packet. The Resource Family Support Unit forwards the packet to the Office of Licensing.

The employee is subject to the same home study, licensing, and training process as any other applicant interested in becoming a kinship resource or an adoptive parent. These requirements cannot be waived.

The Home Study is conducted by an office that has no connections to the DCF employee or child, whether personal or professional. For an adoption applicant, the approved home study is sent to the Office of Adoption Operations' Exchange Unit which will maintain the home study. This home study is not managed in the Local Offices as it is not approved for general use.

Once the employee's home is approved, there is no guarantee that a child will be placed in the home for the purpose of adoption.

Once the child has been identified for placement, the record must be made confidential. The Supervisor assigned to the case checks the "Restricted Case" check box in the Participant Tab of the Maintain Case Window in the NJS application. The Casework Supervisor or designee is responsible to confirm that the case is "restricted" in NJS.

Note: The employee's record is confidential and is to be accessed by appropriate staff members only, for official, job-related purposes only.

E) Role of the Office of Licensing (OOL)

Upon receipt of a Home Study Assessment Packet from the Resource Family Support Unit, the DCF Office of Licensing (OOL) completes the required licensing and approval process. If the applicant is a CP&P employee, OOL forwards the results of the inspection (i.e., the Inspection Report) to the child's Area Director, who advises the Local Office Manager who supervises the home and, thereby, supervises the case.

OOL maintains information related to its role in inspecting the home at the time of initial assessment and reevaluation, and notifies the Area Director of any changes in the status of the employee as a resource family parent.

F) Case Supervision

The Area Director responsible for the open case determines the office of supervision. The child's case is supervised by a Local Office other than the one where the employee is officially stationed. The assigned Worker has no professional, personal, or familial relationship to the employee.

G) Employee's Use of Time

The DCF employee, in serving in the role of resource family parent for a child in placement, rather than “agency employee,” is responsible for using his or her own time (i.e., use vacation time, administrative leave, etc.) when addressing matters relating to the placement of the child, such as, but not limited to, appearing at court or attending a Child Placement Review Board review on behalf of the child, attending Family Team Meetings, meeting with Office of Licensing Inspectors or Resource Family Support Unit staff conducting the home study, attending resource parent training, etc. Work time cannot be used to address these non-work-related matters.

The employee must use his or her own personal email or telephone (cell phone) to communicate with the child’s Worker on the case. The employee cannot use the Department’s email system or NJS to communicate with the child’s Worker on the case.

H) Rescinding Approval

Where there is just cause to rescind prior approval of an employee’s application to be a kinship or an adoptive parent, the Local Office Manager (LOM) and Area Director (AD) of the employee may take action to rescind their approval at any stage during the process, up until final approval from the CP&P Director. Just cause may include but is not limited to:

- Evidence that the employee attempted to circumvent the process or procedures outlined in this policy.
- Significant concern about the employee’s behavior, emotional or mental state;
- Pending involvement with the DCF Office of Employee Relations that would warrant significant concern for the employee’s stability or capacity to care for a child.
- Circumstances which would warrant significant concern about a child potentially being in the employee’s care.

The LOM completes the following actions to rescind a prior approval:

- Consults with the Ethics Liaison Officer regarding rescinding their approval.
- Drafts an interoffice memorandum to the employee stating that their approval is being rescinded and the reasons for doing so.
- Obtains the approval and signature of the Area Director

- Forwards the memorandum to the employee and provides copies to the Ethics Liaison Officer, the Office of Licensing, the Area Director and the Employee's Direct Supervisor.

The Ethics Liaison Officer may rescind his or her approval of an application where the employee has violated an ethics provision or there is a need to avoid a conflict of interest or potential conflict of interest. The ELO's decision to rescind is appealable to the State Ethics Commission.

Where the CP&P Director has just cause to intervene and rescind approval of an employee's application to be a kinship caregiver or an adoptive parent, the Director or designee consults the ELO regarding the decision to intervene. The ELO will assist the Director in formalizing the decision along with providing notice to the applicant. The Director's decision is not appealable.

I) Emergency Placement After Hours

When a child needs to be removed and placed from home after hours, the SPRU Worker attempts to identify a relative who is willing to care for the child on an emergency basis. As a general rule, it is best to place a child with his or her family (kin) rather than with a stranger (i.e., place the child with a relative rather than placing him or her with licensed resource family parents, previously not know to the child). The SPRU Worker considers the safety of the child, the best interests of the child, and the child's educational stability (whether the relative's home is within a reasonable distance from the child's school, to enable the child to continue to attend his or her school), seeking to avoid an undue burden on the relative caregiver, the child, and CP&P. See [CP&P-VII-A-1-700](#), Education of Children in Out-of-Home Placement. When no other relative can be identified by the child or the parent, the SPRU Worker considers placing the child with a relative who is also a DCF employee.

- Before a child is placed after hours with a DCF employee (who is kin/related to the child), the SPRU Worker notifies the SPRU Supervisor. As with any after-hours placement with a relative or a non-licensed resource, the SPRU Supervisor is required to obtain verbal approval from the Local Office Manager who supervises the local SPRU operation. The Local Office Manager considers the following in making his or her decision whether to approve the emergency placement:
 - Confirm the need to remove the child from home and place him or her out of home;
 - The kin connection between the child and the DCF employee;
 - The results of CARI and CHRI checks on all adult members of the employee's household; and

- Educational Stability considerations; the proximity of the DCF employee's home to the child's school, seeking to avoid undue burden.
- A Worker (day staff), upon being assigned the case in accordance with this policy, obtains that Local Office Manager's **written approval** the next business day, using CP&P Form [4-19](#), LO Manager Approval to Place in a Kinship Home (Prior to Joint Initial Assessment). See [CP&P-IV-B-2-125](#), Placing Children with Kinship Caregivers. Also see CP&P Form [4-19](#).
- Once the child is placed with a DCF employee after hours on an emergency basis, the employee completes the State of New Jersey Outside Activity Questionnaire, obtains the required signatures and approval, and completes a memo stating:
 - The circumstances under which the employee came to know of the child needing placement;
 - The kinship connection;
 - Why the child is a special needs child and requires out-of-home placement;
 - Why an emergency placement is, or was, needed; and
 - The employee's work location and, if applicable, the location of the office managing the child's case.
- Fax the form and memo to the Ethics Liaison Officer, by close of business the first work-day following the placement.

Click here to access the [Outside Activity Questionnaire](#) or access it by going to the DCF Website> Ethics Homepage>Outside Activity Questionnaire.

The assigned Worker follows the same procedures for presumptive eligibility, licensing, and the home study process for resource families. See [CP&P-IV-B-2-125](#), Placing Children with Kinship Caregivers, section Pre-Placement Protocol.

J) Adult Relative of the DCF Employee as a Resource Family Parent

An adult relative of a DCF employee, or any adult who resides in the same household as a DCF employee, wishing to become a resource family parent, is processed in strict accordance with the guidelines set forth in this policy.

An adult relative of a DCF employee, who does not reside in the same household as the DCF employee, is evaluated in the same manner as any other adoptive or resource parent applicant, with the following stipulations:

- The employee consults the Ethics Liaison Officer, to determine whether it is necessary to complete a State of New Jersey Outside Activity Questionnaire. If deemed necessary, the employee completes and submits the State of New Jersey Outside Activity Questionnaire to the Ethics Liaison Officer.
- The home study is conducted by the county office where the relative lives, except when the employee works in that office. In that case, the Area Director assigns the home study, approval, and subsequent placement and supervision responsibilities to an office in an adjacent county.
- Safeguards are taken to ensure that the DCF employee has no access to his or her relative's paper file and/or the NJS electronic case record. The Supervisor assigned to the case checks the "Restricted Case" check box in the Participant Tab of the Maintain Case Window in the NJS application. The Casework Supervisor or designee confirms that the case is "restricted" in NJS. The case record is confidential and is to be accessed by appropriate staff members only, for official, job-related purposes only.

K) Existing Resource Parents Becoming Employees of DCF

In circumstances where a resource family parent becomes a DCF employee, once any foster child currently living in the employee's home returns home or is placed elsewhere, CP&P does not place another child in that home.

Related Policy

- [CP&P-IX-K-1-100](#), Standards of Professional Conduct for DCF Employees.