

CHAPTER 122C
APPROVAL OF FOSTER HOMES

Authority

N.J.S.A. 30:4C-4(h) and 30:4C-26a.

Source and Effective Date

R.1998 d.72, effective December 31, 1997.
See: 29 N.J.R. 4269(a), 30 N.J.R. 547(a).

Executive Order No. 66(1978) Expiration Date

Chapter 122C, Approval of Foster Homes, expires on December 31, 2002.

Chapter Historical Note

Chapter 122C, Approval of Foster Homes, was adopted as R.1993 d.16, effective January 4, 1993 (operative July 1, 1993). See: 23 N.J.R. 3696(a), 25 N.J.R. 117(a).

Pursuant to Executive Order No. 66(1978), Chapter 122C, Approval of Foster Homes, was readopted as R.1998 d.72, effective December 31, 1997. See: Source and Effective Date. See, also, section annotations.

Cross References

See N.J.A.C. 10:122E-3.1, Reasons for foster home closures.

See N.J.A.C. 10:122E-3.6, Foster home closure due to non-compliance with standards.

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SUBCHAPTER 1. FOSTER HOME STANDARDS

10:122C-1.1 Purpose

The purpose of this chapter is to ensure that each child requiring foster care shall reside in a safe home with a nurturing substitute family who can meet the child's individual needs. Any person who resides either full-time or part-time in the home shall be considered a household member.

10:122C-1.2 Scope

(a) The provisions of this chapter shall apply to all persons approved by the Division to provide foster care services and to each household member; to all persons making application to the Division to be foster parents for the general placement of children and to each household member; and to each Division representative responsible for studying, reevaluating or approving foster parents and their families.

(b) The provisions of this chapter provide a process for a foster parent applicant and the Division to determine whether an applicant and the applicant's family meet the Division's standards to provide suitable foster care for children, provide a process for the annual reevaluation of each foster home previously approved, assist the Division in carrying out its responsibilities for children in placement, and use the agency's services for the best interests of children and families.

(c) The provisions of this subchapter shall apply to each person approved by an agency under contract with the Division to provide foster care services to children, and to each household member; to each person making application to become a foster parent to an agency under contract with the Division to provide foster care services, and to each household member; and to each contract agency responsible for studying, approving or reevaluating foster homes for the placement of a child under the Division's supervision.

(d) Either the Division or the contract agency shall study a foster parent applicant to determine if he or she meets the

Foster Home Standards contained in this subchapter and shall approve or disapprove the foster home for use by the Division's children in need of foster care.

Amended by R.1998 d.72, effective February 2, 1998.

See: 29 N.J.R. 4269(a), 30 N.J.R. 547(a).

Added (c) and (d).

10:122C-1.3 Definitions

The definitions in N.J.A.C. 10:122B, Requirements for Foster Care, are hereby incorporated into this chapter by reference.

10:122C-1.4 Compliance

(a) Unless provisional approval is granted under the provisions of N.J.A.C. 10:122C-2.11, a prospective foster family shall comply with all standards in this chapter which can be assessed prior to approval and the placement of a child. The foster family also shall agree to comply with those standards in this chapter which cannot be assessed until after approval and the placement of a child.

(b) Once approved, the foster family shall continue to comply with all standards in this chapter or meet the provisions of N.J.A.C. 10:122C-2.17 and 2.18.

10:122C-1.5 Age

(a) The foster parent shall be 21 years of age or older and shall provide verification of age. The office manager may waive the age requirement for a foster parent who is between 18 and 21 years of age, if the spouse or partner of the foster parent is 21 years of age or older and living in the home.

(b) There shall be no upper age limit for foster parents.

10:122C-1.6 Personal and family requirements

(a) The foster parent shall be able to care effectively for a foster child. The Division or contract agency shall make this determination by a review of personal and professional references; observation of the foster parent's interactions in the pre-service training; observation during the home visit of the foster parent's interaction with household members; and discussion with the foster parent. The Division or contract agency shall assess the following areas:

1. Motivation for taking a foster child into the home;
2. Relationships among immediate and extended family members;
3. Expectations of children;
4. Impact a foster child might have on the family's functioning and the resources available to moderate that impact;
5. Attitude of the foster parent applicant's own children toward accepting a foster child;

6. Foster parent's willingness to accept and care for a foster child despite the child's possible limitations, changing needs and problems;

7. Foster parent's understanding of the positive and negative aspects of foster parenthood;

8. Foster parent's willingness to work through problems and difficult behavior with a foster child;

9. Foster parent's willingness to advocate for a foster child's needs;

10. Foster parent's willingness to accept a foster child's relationship with his or her family and the need to promote the positive aspects of such a relationship;

11. Foster parent's utilization of community resources; and

12. Foster parent's willingness to help a foster child return to his or her own home or be adopted.

(b) Each foster parent applicant and household member shall provide the Division or contract agency with a medical reference completed by a physician.

(c) A foster parent must be free of any physical, mental or emotional illness which, in the judgment of the Division or contract agency, would impair his or her ability to assume and carry out the responsibilities of a foster parent.

(d) A handicap in and of itself shall not disqualify an individual from eligibility as a foster parent.

(e) Each foster parent applicant and household member shall be free of serious contagious diseases which may put a foster child at risk.

(f) A foster parent or other household member shall not abuse alcohol or drugs.

(g) Each child living in the foster home shall have all age appropriate inoculations.

(h) The Division or contract agency shall evaluate the effect of any disability or disease on the family's ability to care for a foster child.

(i) The foster parent shall provide the necessities of life for the foster parent's family.

(j) The foster parent shall have income or other means of financial support that makes the family economically independent of the expected foster care maintenance payment.

(k) The foster parent shall use all the money received in the name of the foster child for that foster child's care.

Amended by R.1998 d.72, effective February 2, 1998.

See: 29 N.J.R. 4269(a), 30 N.J.R. 547(a).

In (a) through (c) and (h), inserted references to contract agencies.