

	<b>INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE MANUAL</b>	
	<b>Chapter 12: Foster Family Home Licensing</b>	<b>Effective Date: July 1, 2011</b>
	<b>Section 17: Probationary Status</b>	<b>Version: 2</b>

<b>POLICY</b>
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**[REVISED]** The Indiana Department of Child Services (DCS) Central Office Licensing Unit Manager or designee may revise a license to a probationary status upon recommendation from the DCS Local Office Director (LOD), the director's designee, or from a Licensed Child Placing Agency (LCPA).

A licensee with a current valid license may be revised to a probationary status. The probationary status:

1. Will be issued for a specific time period, not to exceed 12 months;
2. May not extend past the expiration date of the license; and
3. May be issued to any licensee if:
  - a. The noncompliance is safety related but does not present an immediate threat to the safety, health or well-being of the child(ren);
  - b. The licensing agency files a Corrective Action Plan with the Central Office Licensing Unit to correct the areas of noncompliance within the probationary period, and
  - c. The Central Office Licensing Unit approves the plan.

**[NEW] Note:** If a licensed foster family home is placed on probation, no new placements can be made in the home until the home is removed from probation.

**[NEW]** If there is not a direct impact on the safety and well-being of a child under DCS care and supervision, a Corrective Action Plan without probation can be implemented for violations of the following:

1. DCS policy;
2. Indiana statute; or
3. Administrative rule.

**[NEW]** A Corrective Action Plan must include:

1. The statute, administrative rule, or DCS policy with which the home is in non-compliance;
2. The tasks that must be completed to bring the home into compliance; and
3. A timeline as to when the tasks will be accomplished.

The licensing worker can recommend the revocation of a license for failure to respond or if a licensee fails to meet the terms of the corrective action plan within 12 months. See separate policy, [12.21 Revocations](#).

Code Reference

[IC 31-27-4-17: Probationary status; duration; expiration; extension](#)

## PROCEDURE

**[REVISED]** The licensing worker may request a probationary status for a foster family home by completing the following steps:

1. Work with the family to create a plan of correction;
2. Enter or upload the plan for corrective action in the 'Narrative Screen' in Indiana Child Welfare Information System (ICWIS);
3. Submit to the local DCS office or LCPA director the licensee's required plan of correction stating the noncompliance, the method of correction, and the date that compliance will be achieved;
4. DCS local offices will submit the request for the probationary status to the DCS Local Office Director or designee for endorsement prior to submission to the Central Office Licensing Unit; and
5. LCPAs will submit the request for the probationary status to the Central Office Licensing Unit for approval.

The Central Office Licensing Unit Manager will within 30 business days approve or deny the request for the probationary status.

Upon denial of the probationary status, the licensing worker will process the recommendation for revocation in ICWIS. See separate policy, [12.21 Revocations](#).

At the end of the probationary status period, the licensing worker will take one of the following actions:

1. Upon successful completion of the corrective action plan:
  - a. Enter the family's compliance in the 'Narrative Screen' in ICWIS,
  - b. DCS local offices will submit the request for reinstatement of the original license to the DCS Local Office Director or designee for endorsement prior to submission to the Central Office Licensing Unit,
  - c. LCPAs will submit the request for reinstatement of the original license to the Central Office Licensing Unit for approval, and
  - d. The Central Office Licensing Unit Manager will:
    - 1) Within 30 business days approve or deny the request for licensure reinstatement; and
    - 2) Print and mail a license to the family if the request has been approved.
2. Upon the family's noncompliance process the recommendation for revocation in ICWIS. See separate policy, [12.21 Revocations](#).

**[NEW]** The licensing worker may request a Corrective Action Plan without probation by:

1. Signing the document;
2. Obtaining the foster parent's signature; and
3. Submitting it to the LOD or designee for approval.

**[NEW]** The LOD will:

1. Approve or deny the request for a Corrective Action Plan without probation; and
2. Notify the licensing worker within seven (7) business days.

**[NEW]** If approved the licensing worker must:

1. Place a copy of the Corrective Action Plan without probation in the licensing file;
2. Monitor the Corrective Action Plan and ensure progressive intervention occurs:
  - a. The Corrective Action Plan can be in place for up to six (6) months,
  - b. If the licensed foster family home meets all the requirements prior to six (6) months, the family should be notified in writing that they have been removed from the Corrective Action Plan, and
  - c. If the licensed foster family has made substantial progress over a period of six (6) months but has not yet met the licensure requirements, then the licensing worker can consider requesting an extension of up to six (6) months.
3. Document information in ICWIS for licensed foster family homes placed on a Corrective Action Plan without probation:
  - a. On 'Provider Detail' screen enter the signature date of the most recent application in the narrative with the title of 'Corrective Action,' and
  - b. Upload a copy of the Corrective Action Plan or copy and paste the text of the plan.

**Note:** If the licensed foster parent refuses to sign the Corrective Action Plan and fails to voluntarily relinquish his or her license, the licensing worker must submit a recommendation to revoke to the LOD. See separate policy, [12.21 Revocations](#).

#### **PRACTICE GUIDANCE**

N/A

#### **FORMS AND TOOLS**

N/A

#### **RELATED INFORMATION**

##### **Examples of the use of a plan of correction without probation:**

1. Lack of training hours;
2. Not fulfilling other non-safety licensing requirements; and/or
3. Licensing complaints.

##### **[New] Example of the use of probationary status**

1. Background checks not completed.

##### **[New] The Corrective Action Plan**

The purpose of the Corrective Action Plan is to support the foster parent in the development and utilization of more appropriate methods of meeting the needs of children under DCS care and supervision. In addition, the Corrective Action Plan clarifies the role of DCS and the foster parent to prevent further violations of DCS policy. The Corrective Action Plan serves as a supportive intervention rather than a punitive intervention.