

KARUK TRIBE
CHILD AND FAMILY SERVICES PLAN

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KARUK CHILD AND FAMILY SERVICES PLAN

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KARUK CHILD AND FAMILY SERVICES PLAN

I. OVERVIEW

The Karuk Department of Health and Human Services (KDHHS) is committed to ensuring that children in their care are: protected from abuse and neglect; maintained safely in their homes whenever possible and appropriate; and protected from repeated maltreatment whether they are under the care of their families or placed in foster care.

The KDHHS sets among its highest priorities that children have permanency and stability in their living situations, continuity of family relationships, and that on-going connections to siblings, family, friends, and the Tribal community are preserved.

The following plan describes the Karuk Child and Family Services (KCFS) Program, implemented pursuant to provisions of the Karuk Children and Family Code, and which include practices that are in compliance with the Title IV-E Intergovernmental Agreement (Title IV-E Agreement) between the California Department of Social Services (CDSS) and the Karuk Tribe (the Tribe).

II. KARUK CHILD AND FAMILY SERVICES PROGRAM

The KCFS Program provides child welfare services that are directed towards accomplishing the following purposes:

- A. protecting and promoting the welfare of children;
- B. preventing, remedying, or assisting in resolving problems that contribute to the abuse, neglect and exploitation of children; preventing the unnecessary separation of children from their families by identifying family needs, assisting families in resolving those issues that lead to child abuse and neglect, reunifying families whose children been removed whenever possible, and by providing necessary services to the children and their families;
- C. maintaining family connections when removal cannot be prevented by identifying children for whom Tribal placement and relative placement are preferred and most appropriate; and
- D. assuring permanence for dependent children who cannot be returned home, by promoting timely adoption, guardianship or alternative permanent placement for children subject to the Tribe's jurisdiction.

III. KARUK CHILD AND FAMILY SERVICES - POWERS, DUTIES, AND RESPONSIBILITIES

The Karuk Tribe's Child and Family Services has been granted by the Karuk Tribal Government the following powers, duties, and responsibilities:

- A. Process all Indian Child Welfare Act ("ICWA") notices sent to the Tribe, assist the Tribe in intervening in child custody proceedings, and assist the Court in petitioning for transfer of child custody proceedings to the Court where appropriate.
- B. Be present in Court when cases are heard concerning children subject to the Tribal Court's jurisdiction and provide the Court with information and assistance as it may require.
- C. Receive, respond to and investigate reports of suspected child abuse and neglect involving children subject to the Tribal Court's jurisdiction.
- D. Subject to the Tribe's confidentiality policies, receive referral information, conduct intake inquiries, and determine whether to initiate child welfare proceedings.
- E. Determine whether a child subject to the Tribal Court's jurisdiction should be removed for reasonable cause to believe that child is in immediate danger of physical or sexual abuse or the physical environment poses an immediate threat to the child's health or safety after considering whether there are any reasonable services which, if provided to the child's parent, Indian custodian, or to the minor, would eliminate the need to remove the minor from the custody of his or her parent, legal guardian or Indian custodian.
- F. Make child abuse and neglect reports or referrals of cases to other agencies and share information with other agencies if their assistance appears to be needed or desirable.
- G. Make a placement and services report and recommendation to the Court in child welfare proceedings, including a plan of rehabilitation, treatment, and care.
- H. Locate and approve prospective foster parents and their homes as meeting approval requirements under the Tribe's Children and Family Code for foster care placement of children under the Court's jurisdiction.
- I. In the approval of prospective foster care or adoptive placements, commence and secure criminal record and child abuse clearances of prospective adoptive or foster care providers and of adult household members.

- J. Supervise and assist children subject to the Tribal Court's jurisdiction pursuant to child welfare dispositions, offer family counseling, and make an affirmative effort to obtain necessary or desired services for the child subject to the Tribal Court's jurisdiction and the child's family.
- K. Accept legal custody and the care and placement responsibility of children subject to the Tribal Court's jurisdiction when ordered by the Tribal Court.
- L. Initiate petitions for the modification of parental rights or investigate and report to the Tribal Court on petitions to modify parental rights brought by others.
- M. If specifically authorized by the Tribal Council, retain counsel to assist in carrying out these duties and to represent the Tribe in special matters relating to the Tribe's Children and Family Code.
- N. Develop case plans and conduct case plan reviews pursuant to placement and service orders.
- O. Negotiate agreements for services, information sharing, referral, and funding for child welfare services pursuant to placement and service orders.
- P. Provide measures and procedures for preserving the confidential nature of child welfare services records within the Child and Family Services office.
- Q. File and mail such reports as may be required by the Tribe's Children and Family Code, the Title I-E Agreement or as required by federal law applicable to the provision of IV-E benefits.
- R. Perform all other duties and responsibilities regarding all child custody matters, in accordance with Tribal laws, customs and traditions, and pursuant to the instructions or order of the Court in matters related to the Tribe's Children and Family Code.

IV. KARUK TRIBE PRINCIPLES OF CHILD AND FAMILY SERVICES

The Karuk Tribe applies the following principles most often identified by practitioners and others as helping to assure effective services for children, youth, and families, as stated in Title 45 of the Code of Federal Regulations (CFR) section 1355.25 in its continuing development, operations, and improvements for a continuum of child and family services, as outlined in the Karuk Child Welfare Services Title IV-B Plan and in its plan for implementing Title IV-E Services pursuant to Title IV-E of the Social Security Act, (42 USC section 670 et seq).

In addition to the following principles, paramount is the principle that services shall be assessed and delivered in the most culturally appropriate manner reasonably

possible in order to preserve cultural ties between Indian tribes, families and their children.

- A. The safety and well being of children and of all family members is most important. When safety can be assured, strengthening and preserving Tribal families and communities are seen as the best way to promote the healthy development of our children. One important way to keep children safe is to stop violence in the family, including violence against their mothers.
- B. Services are focused on the family as a whole; Karuk and community service providers work with families as partners in identifying and meeting individual and family needs; family strengths are identified, enhanced, respected, and mobilized to help families solve the problems which compromise their functioning and well-being.
- C. Services promote the healthy development of children and youth, promote permanency for all children and help prepare youth emancipating from the foster care system for self-sufficiency and independent living.
- D. Services may focus on prevention, protection, or other short or long-term interventions to meet the needs of the family and the best interests and need of the individual(s) who may be placed in out-of-home care.
- E. Services are timely, flexible, coordinated, and accessible to families and individuals, principally delivered in the home or the community, and are delivered in a manner that is respectful of and builds on the strengths of the community and cultural groups.
- F. Services are organized as a continuum, designed to achieve measurable outcomes, and are linked to a wide variety of supports and services which can be crucial to meeting families' and children's needs, for example, housing, substance abuse treatment, mental health, health, education, job training, child care, and informal support networks.
- G. Most child and family services are community-based, involve community organizations, parents and residents in their design and delivery, and are accountable to the community and the client's needs.
- H. Services are intensive enough and of sufficient duration to keep children safe and meet family needs. The actual level of intensity and length of time needed to ensure safety and assist the family may vary greatly between preventive (family support) and crisis intervention services (family preservation), based on the changing needs of children and families at various times in their lives. A family or an individual does not need to be in crisis in order to receive services.

V. COMPONENTS OF THE KARUK CHILD AND FAMILY SERVICES PROGRAM

The following major components comprise the Karuk Child and Family Services Program:

- A. **Prevention:** service delivery and family engagement processes designed to mitigate the circumstances leading to child maltreatment before it occurs.
- B. **Emergency Response:** a response system designed to provide in-person response, to reports of abuse, neglect, or exploitation for the purpose of investigation, referral or determination the necessity for providing initial intake services and crisis intervention to maintain the child safely in his/her own home, or to protect the safety of the child through emergency removal and foster care placement.
- C. **Family Maintenance:** time-limited services that are designed to provide in-home protective services to prevent or remedy neglect, abuse or exploitation for the purpose of preventing the separation of children from their families.
- D. **Family Preservation:** intensive services for families whose children, without such services, would be subject to risk of out-of-home placement, would remain in existing out-of-home placements for longer periods of time, or would be placed in a more restrictive out-of-home placement.

Services include pre-placement preventive services programs, such as in-home services for at-risk children and their families; service programs designed to provide follow-up care to families to whom a child has been returned after a foster care placement, such as integrated case management and intensive home visiting; and, strength-based parenting services designed to improve parenting skills by reinforcing parents' confidence in their strengths.

- E. **Family Support Services:** include, but are not limited to, health screenings, physical examinations, Karuk Head Start health check-ups, nutrition education classes, family assessment and referral services, strength-based parenting such as positive Indian Parenting and parent leadership services, individual and group counseling, mentoring, and other services designed to enhance student success, such as the Tribe's Cultural Therapy Program, Naa Vura Yee Shiip which offers culture camps and will support other youth enrichment programs.
- F. **Family Reunification:** time-limited services to children in out-of-home care to prevent or remedy neglect, abuse or exploitation when the child cannot remain safely at home and needs temporary foster care while services are provided to reunite the family.

Services include, but are not limited to: family group conferencing/family unity, individual, group and family counseling; inpatient, assistance in residential and outpatient substance abuse treatment; mental health; domestic violence; anger management; temporary child care; culturally appropriate therapeutic services for families, including transportation to and/or from services; family assessment and referral services; case plan development utilizing Family Unity; supervised and guided visitation services; father involvement services; in-home support; crisis intervention for children at risk of removal (emphasizing reunification and long term planning in the best interest of the child(ren)); and, aftercare services to reunifying families.

Unless specifically tailored for reunifying families (such as specially targeted aftercare, case plan development and supervised visitation), these services are also available under the other categories.

1. **Foster Care:** 24-hour substitute care for children placed away from their parents or guardians and for whom the Karuk Tribe has placement and care responsibility.
2. **Permanent Placement:** alternative family structures for children who, because of abandonment, abuse, neglect or exploitation cannot remain safely at home, and/or who are unlikely ever to return home.

These services are provided when there has been a judicial determination of a permanent plan for adoption, legal guardianship or other alternative permanent placement.

When adoption is the permanent plan for a child, potential adoptive families are home studied, approved and children are placed with them. Services include recruitment of potential adoptive parents.

Services include, but are not limited to adoptive parent recruitment, including public service announcements; orientations for pre-adoptive families to prepare them for adoptive home studies; parenting skills; and training programs for adoptive parents.

VI. PROCEDURES FOR PROVIDING CHILD WELFARE SERVICES AND IMPLEMENTING TITLE IV-E REQUIREMENTS

000 GENERAL REQUIREMENTS

001 GENERAL

The requirements specified by the CDSS Title IV-E State Plan will be administered through the Title IV-E Agreement between the Karuk Tribe and the CDSS when placing children in out-of-home care.

Accordingly, the requirements of Title IV-E of the Federal Social Security Act, the applicable standards in the State of California Title IV-E State Plan, the federal regulations applicable to Title IV-E including those set forth at 45 Code of Federal Regulations sections 1355 et seq. and 1356 et seq.; relevant provisions of the ICWA, Welfare and Institutions Code sections 10553.1 and 10553.2, the Karuk Children and Family Code, relevant California laws that provide authority and standards for activities necessary to carry out the programs specified in this Agreement and its addenda are incorporated into the KCFS Plan for the administration of child welfare services for children subject to the Tribe's jurisdiction.

This operational plan is modeled after regulations located in the California Manual of Policies and Procedures (MPP), Division 31. If operational ambiguities develop, Division 31 will serve as a guide to determine appropriate actions.

Relevant regulations, located in MPP, Division 45 applicable to program eligibility are incorporated herein by reference and will be followed in order to assure appropriate eligibility and claims processing. If the applicability of any regulations in Division 45 is unclear, CDSS will review them to determine if, and under what circumstances, they are applicable.

002 DEFINITIONS

Note: the following include definitions from both the Karuk Children and Family Code, and the Title IV-E Agreement. While every effort has been made to be thorough, these definitions are not exhaustive and do not provide ultimate guidance as to the operation of the Tribe's IV-E program. Additional definitions are found in Division 45 of the California Manual of Policies and Procedures, the Social Security Act, the Code of Federal Regulations at 45 CFR Parts 1355 through 1357, and this Plan.

- 1) **"Abandoned"** an infant or child may be determined to be abandoned if: (1) the child has been left without any provision for support; (2) physical custody of the child has been voluntarily surrendered pursuant to relevant state safely surrendered baby laws and the child has not been reclaimed within 14 days of surrender; (3) the child's parent has been incarcerated or institutionalized

and cannot arrange for the care of the child; (4) a relative or other adult custodian with whom the child resides or has been left is unwilling or unable to provide care or support for the child, the whereabouts of the parent are unknown, and reasonable efforts to locate the parent have been unsuccessful; or (5) the parent or guardian of the child willfully abandoned the child, and the court finds that the abandonment itself constituted a serious danger to the child. For the purposes of this definition, "serious danger" means that without the intervention of another person or agency, the child would have sustained severe or permanent disability, injury, illness, or death, and "willful abandonment" shall not be construed as actions taken in good faith by the parent without the intent of placing the child in serious danger. An Indian child will not be deemed to be abandoned simply because a parent leaves the child in the care and custody of an Indian custodian unless the parent demonstrates an intent to abandon the child.

- 2) **"Abuse or Neglect"** means, at a minimum, any recent act or failure to act on the part of a parent or caretaker, which results in death, serious physical or emotional harm, sexual abuse or exploitation, or an act or failure to act which presents an imminent risk of serious harm to a child.
- 3) **"(The) Act"** means the Social Security Act.
- 4) **"Adoption"** means a permanent legal status, including a customary adoption, with a change in legal parents that is designed to ensure permanency for children while maintaining meaningful contact with biological parents, extended tribal relatives, and their tribal community.
- 5) **"Adoption Assistance"** means assistance approved pursuant to an agreement with prospective adoptive parents of a child with special needs and which meets the requirements of sections 471(a), 473, and 475(3) of the Social Security Act and 45 Code of Federal Regulations sections 1356.40 and 41.
- 6) **"Adoption Assistance Agreement"** means a written agreement, binding on the parties to the agreement, between the State or Tribal agency, other relevant agencies, and the prospective adoptive parents of a minor child which at a minimum:
 - a. Specifies the nature and amount of any payments, services, and assistance to be provided under such agreement;
 - b. Specifies the duration of the agreement;
 - c. Specifies the child's eligibility for Medicaid under title XIX and for title XX services; and
 - d. Stipulates that the agreement shall remain in effect regardless of the State of which the adoptive parents are residents at any given time. The agreement shall contain provisions for the protection (under an interstate compact approved by the Secretary or otherwise) of the

interests of the child in cases where the adoptive parents and child move to another State while the agreement is effective. If a needed service specified in the agreement is not available in the new State of residence, the Karuk Tribe making the original adoption assistance payment remains financially responsible for providing the specified service. The agreement must be signed by the adoptive parents and a representative of the Karuk Tribal agency and is in effect before adoption assistance payments are made under title IV-E and at the time of or prior to the finalization of the adoption.

- 7) **“Adoption Assistance Benefits”** means benefits provided to an adoptive child pursuant to section 473 of the Social Security Act.
- 8) **“Adult”** means a person 18 years of age or older.
- 9) **“Advocate”** means the person or persons authorized to provide advocacy services.
- 10) **“Agreement”** means a written document signed by two or more persons specifying what each person plans and agrees to do and/or not do with regard to accomplishing specifically stated objectives.
- 11) **“Aid to Families with Dependent Children – Foster Care (AFDC-FC)”** means State aid provided on behalf of needy children in foster care who meet the eligibility requirements as specified in CDSS regulations and in applicable state and federal laws.
- 12) **“Appropriate Public Authority”** means the state's Interstate Compact Administrator.
- 13) **“Approval Agency-Tribal”** means the KCFS Program which has the responsibility to approve the homes of prospective foster or adoptive parents meeting the standards required herein and in the Karuk Children and Family Code.
- 14) **“Approval Document”** means a non-transferable form by which the KCFS Program certifies a specific foster parent (s) at a specific location as meeting the standards specified in this Plan and includes any documented alternative plan.
- 15) **“Approval Standards”** means the caregiver standards as set forth in this Plan that must be met before a foster family home approval can be issued.
- 16) **“Approved Foster Family Home”** means a home on or near Karuk Tribal Lands (or outside of Karuk Tribal Lands if approved by the State or another federally recognized Indian Tribe) that has been approved by the KCFS

program as meeting all the requirements of the Karuk Tribal Home Approval Standards for Foster Homes.

- 17) **"Assessment"** means a written document which contains information relevant to the case situation and an appraisal of case services needs.
- 18) **"California Department of Justice Clearance"** means an individual has submitted his or her fingerprints to the California Department of Justice (DOJ), DOJ has conducted a fingerprint search of its criminal records, including FBI records, and this search did not generate a report that the individual has any felony or misdemeanor convictions, other than a minor traffic violation.
- 19) **"California Law Enforcement Telecommunications System (CLETS)"** means law enforcement or other governmental agency maintained state summary of a person's criminal history information pursuant to California Welfare and Institutions Code Section 16504.5.
- 20) **"Candidate for Foster Care"** means a child has been determined to be at imminent risk of removal from the home and reasonable efforts are being made to prevent removal, or if necessary, to pursue removal from the home and for whom the KCFS has made, not less often than every 6 months, a determination (or re-determination) as to whether the child remains at imminent risk of removal from the home.
- 21) **"Case Management"** means a service-funded activity performed by the social worker that includes assessing the child's/family's needs, developing the case plan, monitoring progress in achieving case plan objectives, and ensuring that all services described in the case plan are provided.
- 22) **"Case Plan"** means a written document that is developed based upon an assessment of the circumstances that required child welfare services intervention; and in which the social worker and the parent(s)/guardian(s) jointly identify a case plan goal, the objectives to be achieved, the specific services to be provided, and case management activities to be performed; required for participation in the foster care maintenance payment program. See Karuk Tribe Children and Family Code; Title I, Children and Youth in Need of Care; Section 9, for case plan requirements.
- 23) **"Case Plan Update"** means a written document that contains any changes regarding the information in the case plan and includes specific information about the current condition of the child and family.
- 24) **"Case Record"** means a record for each child receiving child welfare services beyond the emergency response protocol that contains all of the documentation requirements described by the KCFS Plan.

- 25) **"CDSS"** means the California Department of Social Services.
- 26) **"Certified Family Home"** means a family residence certified by a State (CDSS) licensed foster family agency and issued a certificate of approval by that agency as meeting licensing standards, and used only by the KCFS Program or by that foster family agency for placements.
- 27) **"Child"** means a person under 18 years of age or a person up to 19 years of age who meets the requirements of Welfare and Institutions Code section 11403. For community treatment facilities, child means a person under 18 years of age who is seriously emotionally disturbed as defined in Section 5600.3 of the Welfare and Institutions Code, including those individuals 18 through 21 years of age as specified in Section 1924(b) of the California Code of Regulations, Title 9, Chapter 11.
- 28) **"Child Abuse"** means the non-accidental commission of injuries against a person. In the case of a child, the term refers specifically to the non-accidental commission of injuries against the child by or allowed by a parent(s)/guardian(s) or other person(s). The term also includes emotional, physical, severe physical, and sexual abuse; as further defined below.
- a. **"Emotional Abuse"** means nonphysical mistreatment, the results of which may be characterized by disturbed behavior on the part of the child such as severe withdrawal, regression, bizarre behavior, hyperactivity, or dangerous acting-out behavior. Such disturbed behavior is not deemed, in and of itself, to be evidence of emotional abuse.
 - b. **"Physical Abuse"** means non-accidental bodily injury that has been or is being inflicted on a child. It includes, but is not limited to, those forms of abuse defined by Penal Code Sections 11165.3 and .4 as "willful cruelty or unjustifiable punishment of a child" and "corporal punishment or injury."
 - c. **"Severe Physical Abuse"** means any single act of abuse which causes physical trauma of sufficient severity that, if left untreated, it would cause permanent physical disfigurement, permanent physical disability, or death; any single act of sexual abuse which causes significant bleeding, deep bruising, or significant external or internal swelling; or repeated acts of physical abuse, each of which causes bleeding, deep bruising, significant external or internal swelling, bone fracture, or unconsciousness.
 - d. **"Sexual Abuse"** means the victimization of a child by sexual activities, including, but not limited to, those activities defined in Penal Code Section 11165.1.
- 29) **"Child Abuse Central Index (CACI)"** means the California Department of Justice maintained statewide, multi-jurisdictional, centralized index of child

abuse investigation reports. These reports pertain to investigated incidents of known or suspected child abuse or severe neglect (including physical abuse, sexual abuse, mental/emotional abuse and/or severe neglect), which are determined substantiated or inconclusive.

- 30) **“Child Abuse Central Index (CACI) Clearance”** means that the California Department of Justice has conducted a name search of the index and the search did not result in a match, or if there is a match the allegation(s) was not substantiated by CDSS Caregiver Background Bureau, a local county child welfare agency, or by the KCFS Program after independent review and investigation consistent with Section 1522.1 of the California Health and Safety Code.
- 31) **“Child Abuse Registry Check”** means a completed check of in-state and out-of-state child abuse/neglect registries for any prospective foster or adoptive parent and other adult in the home in all States where he/she has lived in the immediate prior five years. The check is to be completed prior to licensure or approval for foster or adoptive placement of a child.
- 32) **“Child Custody Proceeding”** means all proceedings, whether voluntary or involuntary, involving a child or youth subject to the Tribal Court’s jurisdiction pursuant to provisions in the Children and Family Code.
- 33) **“Child Health and Disability Prevention (CHDP)”** means a public health well child program to provide medical and dental care and assessment services to eligible children. The program is administered at the state level by the Department of Health Services and locally by local health departments.
- 34) **“Child in Immediate Danger”** means a child whose health and safety are in jeopardy as described in Welfare and Institutions Code Section 306(b).
- 35) **“Child-Placing Agency”** means a county welfare or social services department, a county probation department and for purposes of this tribal program, the KCFS Program.
- 36) **“Child Welfare Services”** means KCFS social services directed toward protecting and promoting the welfare of children subject to the Tribe’s jurisdiction as described by the KCFS Plan.
- 37) **“Child with Special Health Care Needs”** means a child or a person who is 22 years of age or younger who is completing a publicly funded education program, who has a condition that can rapidly deteriorate resulting in permanent injury or death or who has a medical condition that requires specialized in-home health care, and who either has been adjudged a dependent of any court, has not been adjudged a dependent of any court but

is in the custody of the county or tribal welfare department, or has a developmental disability and is receiving services and case management from a regional center.

- 38) **“Child's Case Plan”** means the portion of the case plan that identifies a child's specific needs and services. This plan contains the information on the background and needs of the child that the placing social worker deems necessary for the effective care of the child.
- 39) **“Community Treatment Facility”** means any residential facility that provides mental health treatment services to children in a group setting that has the capacity to provide secure containment. The facility's program components are subject to program standards developed and enforced by the California Department of Mental Health.
- 40) **“Compact Administrator”** means an individual designated by the Governor as the Administrator of the Interstate Compact on the Placement of Children.
- 41) **“Concurrent Services Track”** means the portion of the case plan for a child receiving family reunification services that identifies the child's permanency alternative and the services being actively pursued concurrently because they are necessary to achieve permanency should family reunification fail.
- 42) **“Conservator”** means a person appointed pursuant to Section 5350 of the California Welfare and Institutions Code. In the event a child has a conservator and a parent(s), the conservator's authority to consent to placement and treatment will take precedence.
- 43) **“Consultation”** means activity on the child's behalf in which KCFS staff, or a third person or organization, seek the expertise of the other.
- 44) **“Contact”** means contact in person, in writing, or by telephone by a social worker or other person authorized to make case contacts with the child, parent(s)/guardian(s), out-of-home care providers, and/or other persons involved in the case plan (e.g., siblings, other relatives).
- 45) **“Conviction”** means: a criminal conviction in California; or any criminal conviction of another state, federal, military or other jurisdiction, that if committed or attempted in California, would have been punishable as a crime in California.
- 46) **“Coordination”** means activity on the child's behalf in order to integrate the activities of KCFS staff and third persons or organizations in solving a specific problem.

- 47) **“Counseling”** means assisting the child and his/her family to analyze and better understand the situation; select methods of problem solving; identify goals; and explore alternative behavior.
- 48) **“County”** means a county welfare or social services department.
- 49) **“County Deputy Director”** means the position in the county that is responsible for countywide supervision of the county’s Child welfare Services Program.
- 50) **“County of Residence”** means the county in which the child resides.
- 51) **“Criminal Records Check”** means an inquiry into the CLETS and the submission of two sets of fingerprints to the Department of Justice for the purpose of reviewing a person’s criminal history in accordance with Health and Safety Code Section 1522.1.
- 52) **“Criminal Records Clearance”** means an individual has a California Department of Justice clearance and an FBI fingerprint-based clearance or evidence of compliance with FBI requirements as specified in Health and Safety Code Section 1522(d)(1)(D).
- 53) **“Crisis Intervention”** means a worker attempts to determine the cause of the crisis, assess the potential for harm to all family members, attempts to defuse the situation, and offers support to all family members.
- 54) **“Day Care”** means day care as described by California Health and Safety Code Section 1596.750 in defining a child day care facility.
- 55) **“Department”** means the California Department of Social Services (CDSS).
- 56) **“DHHS”** means the U.S. Department of Health and Human Services.
- 57) **“Documented Alternative Plan”** means a written authorization for approval or licensure of a foster family home to use an alternative plan for a non-safety related licensing or approval standard such as physical plant requirements, based on a unique need or circumstance specific to a child being considered for placement.
- 58) **“Eligible”** means entitled to receive necessary child welfare services.
- 59) **“Eligible IV-E Child”** means a child who meets the eligibility requirements either for foster care maintenance payments set forth in 42 U.S.C. section 672 or for adoption assistance payments set forth in 42 U.S.C. section 673, depending on the type of payments sought.

- 60) **“Emancipated Youth”** means young adults who are former foster/probation children who have left foster care because they have reached at least 18 years of age and up to the day prior to their 21st birthday.
- 61) **“Emergency Assessment”** means an immediate determination of the suitability of a prospective foster home by the KCFS Program for the temporary placement of a child, based on an in-home inspection to assess the safety of the home, the ability of the individual to care for the child during the temporary period, and a consideration of the results of a criminal records check and a check of reports of suspected child abuse or neglect.
- 62) **“Emergency Response Assessment”** means an assessment of an emergency referral conducted by a social worker skilled in emergency response for the purpose of determining whether an in-person response is required.
- 63) **“Emergency Response In-person Investigation”** means a face-to-face response, conducted in coordination with local child abuse investigation agencies, by a Karuk social worker skilled in emergency response for the purpose of determining the potential for or the existence of any condition(s) which places the child or any other child in the household at risk and in need of services and which would cause the child to be a person described in section 3 (A) (2) of the Karuk Children and Family Code.
- 64) **“Emergency Response Protocol”** means the documented activities of the KCFS social worker necessary to determine whether there is a need to immediately remove a child due to immediate risk of injury.
- 65) **“Emergency Response Referral”** means a referral to law enforcement, or a county welfare department, that alleges child abuse, neglect, or exploitation as defined by Penal Code Section 11165 et seq. An emergency response referral does not include inappropriate inquiries such as those regarding aid payments, Medi-Cal cards, etc.
- 66) **“Emergency Response Services”** means those services described in the California State Welfare and Institutions Code Section 16501(f).
- 67) **“Emergency Shelter Care”** means the provision of a protective environment for a child who must be immediately removed, pursuant to Karuk Children and Family Code Section 13 (B), from his/her own home or current foster care placement, and who cannot be immediately returned to his/her own home or foster care placement.
- 68) **“Enters Foster Care”** means the earlier of the date any Court’s first judicial finding that the child has been subjected to abuse or neglect; or sixty (60) days after the child’s actual removal.

- 69) **“Exemption”** means the approval agency has determined that an individual who does not have a criminal records clearance pursuant to Health and Safety Code Section 1522(g) is qualified for the waiver of disqualification allowed under Welfare and Institutions Code Section 361.4(d)(2).
- 70) **“Exploitation”** means forcing or coercing a child into performing functions which are beyond his/her capabilities or capacities, or into illegal or degrading acts. The term also includes sexual exploitation as defined by Penal Code Section 11165.1(c).
- 71) **“Family”** means, for purposes of providing child welfare services, parents, adults fulfilling the parental role, guardians, children, and others related by ancestry or marriage.
- 72) **“Family Maintenance Services”** means those services described in Welfare and Institutions Code Section 16501(g).
- 73) **“Family Preservation Worker”** means a social worker who provides family preservation services as specified in Welfare and Institutions Code Section 16500.5.
- 74) **“Family Reunification Services”** means those services described in Welfare and Institutions Code Section 16501(h).
- 75) **“Family Reunification Services Track”** means the portion of the case plan that consists of services described in Welfare and Institutions Code Section 16501(h).
- 76) **“Federal Bureau of Investigation (FBI) Clearance”** means an individual has no felony or misdemeanor convictions reported by the FBI that would preclude licensure or approval of a foster/adoptive parent.
- 77) **“Federal Financial Participation (FFP)”** means the federal government’s participation in the sharing of costs for programs funded under Title IV-E of the Social Security Act.
- 78) **“Foster Care”** means 24-hour substitute care for children placed away from their parents or guardians and for whom the Karuk Tribe has placement and care responsibility. This includes, but is not limited to, placements in foster homes approved or licensed by the Tribe for a home on or near Tribal Lands, or a home approved by another tribe on or near its respective reservation, a State/county licensed foster family home or small family home, a family home certified by a State licensed foster family agency, a State/county approved relative or non-related extended family foster home, or a state licensed group home for children.

- 79) **“Foster Care Maintenance Payments”** means, subject to changes in definition under Title IV-E, payments made on behalf of a child eligible for foster care to cover the cost of (and the cost of providing) food, clothing, shelter, daily supervision, school supplies, a child's personal incidentals, liability insurance with respect to a child, reasonable travel to the child's home for visitation and reasonable travel for the child to remain in the school in which the child is enrolled at the time of placement. In the case of institutional care, such term shall include the reasonable costs of administration and operation of such institution as are necessarily required to provide the items described in the preceding sentence.
- 80) **“Foster Family Agency”** means any organization engaged in the recruiting, certifying, and training of, and providing professional support to, foster parents, or in finding homes or other places for placement of children for temporary or permanent care who require that level of care as an alternative to a group home.
- 81) **“Foster Family Home”** means any residential facility providing 24-hour care for six or fewer foster children, which is owned, leased, or rented and is the residence of the foster parent or parents, including their family, in whose care the foster children have been placed. The placement may be by a public or private child placement agency or by a court order, or by voluntary placement by a parent, parents, or guardian. A foster family home may also be authorized to provide care for more than six children for the purpose of keeping siblings together provided that the conditions of Health and Safety Code Section 1505.2 are met.
- 82) **“Foster Parent”** means a person whose home is licensed or approved as a foster family home or licensed as a small family home or certified by a licensed foster family agency for 24-hour care of children, and a person who has the responsibility for the provision of foster care pursuant to a court order or voluntary placement agreement.
- 83) **“Grievance”** means an expression of dissatisfaction with the KCFS Program's procedures or actions, as such procedures or actions relate to the placement or care of a child in, or removal of a child from, a particular foster home.
- 84) **“Grievance Review Agent”** means the person or panel designated by the director or program administrator of the KCFS program to conduct the grievance review and render a recommended decision to the director of the agency.
- 85) **“Party to Grievance Review”** means a foster parent, legal parent, legal guardian, or child requesting the review; and the child-placing agency responsible for the action upon which the complaint is based.

- 95) **“Individualized Education Program (IEP)”** means an individualized education program for children with identified special educational needs. The IEP is developed by an individualized education program team that consists of a representative other than the child's teacher designated by the school administration, the child's present teacher, or the teacher with the most recent and complete knowledge of the child who has also observed the child's educational performance, and one or both of the child's parents. The IEP includes the identification of educational needs, assessment, instructional planning, and placement.
- 96) **“Infant”** means a child less than two years of age.
- 97) **“Information”** means enabling a person to have current, accurate knowledge regarding available public and private resources established to help relieve socio-health problems.
- 98) **“Interstate Compact on the Placement of Children (ICPC)”** means a legislatively ratified administrative process between member states to safeguard the interests of children who are placed in one state by an agency of another state.
- a. **“Receiving agency”** means a person or entity designated to receive any child from another party state.
- b. **“Sending agency”** means a party state, officer or employee thereof; a subdivision of a party state, or officer or employee thereof; a court of a party state; a person, corporation, association, charitable agency or other entity that sends, brings, or causes to be sent or brought any child to another party state.
- 99) **“Judicial Determination”** means a determination made by a court of competent jurisdiction.
- 100) **“Karuk Children and Family Services Program”** means the Karuk Tribe's program responsible, directly or indirectly, for the delivery or authorization for the delivery of social services, and whose salaries or wages are funded in whole or in part through the Social Security Act (Titles IV-B or IV-E) Social Services Department, Indian Child Welfare Program, and is the lead tribal program designated for implementing the Title IV-E Agreement.
- 101) **“Karuk Child and Family Services Program Staff”** means those KCFS employees responsible, directly or indirectly, for the delivery or authorization for the delivery of social services, and whose salaries or wages are funded in whole or in part through the Social Security Act (Titles IV-B or IV-E).
- 102) **“Kinship Adoption”** means the adoption of a dependent child by a relative or a relative of the child's half-sibling that may be accompanied by a kinship adoption agreement (Fam. Code 8714.7).

- 103) **“Legally Emancipated Minor”** means, for purposes of the Independent Living Program, children under the age of 18 years who have left foster care because they have reached emancipation by meeting any of the following:
- a. The person has entered into a valid marriage whether or not the marriage has been dissolved;
 - b. The person is on active duty with the armed forces of the United States, or
 - c. The person has received a declaration of emancipation pursuant to a Tribal court order or under California Family Code Section 7122.
- 104) **“Licensed Mental Health Professional”** as defined in Section 1901(p) of the California Code of Regulations, Title 9, Chapter 11 California Code of Regulations, Title 9, Section 1901(p) is an individual from the following list that has been licensed by the appropriate State licensing agency:
- a. A psychiatrist;
 - b. A clinical psychologist;
 - c. A licensed marriage, family and child counselor;
 - d. A licensed clinical social worker;
 - e. A licensed registered nurse with a masters or doctorate degree in psychiatric nursing.
- 105) **“Licensing Agency”** means, for purposes of the Child Abuse and Neglect Reporting Act (CANRA), the CDSS office responsible for the licensing and enforcement of the California Community Care Facilities Act, the California Child Day Care Act, or the county licensing agency that has contracted with the state for performance of those duties. Licensing Agency may also refer to the KCFS Program that has the responsibility to approve and/or license the homes of prospective foster or adoptive parents meeting the standards required herein and in the Karuk Children and Family Code.
- 106) **“Mandated Reporter”** means a person who, pursuant to the Child Abuse and Neglect Reporting Act, is required to report knowledge or reasonable suspicion of child abuse which is obtained while acting in a professional capacity or within the scope of his/her employment. Such persons include child care custodians, health practitioners, employees of child protective agencies, child visitation monitors, and commercial film and photographic print processors, pursuant to Penal Code Sections 11165 through 11166.
- 107) **“Match Payment”** means the portion of the payment that is not paid by the federal government.
- 108) **“Minor”** means a person under 18 years of age; or a person 18 years of age who is in a high school or vocational/technical program full-time, provided that he/she will complete such program before he/she reaches 19 years of age.

- 109) **“Minor Parent”** means anyone under the age of 18 years who is either pregnant or the custodial parent of a child and who has never been married.
- 110) **“Minor Parent Services (MPS)”** means home-based services provided to the minor parent and her/his child(ren), designed to support families and provide education to minor parents about issues such as infant health and development, nutrition, parenting skills, and life skills. Minor parent services will include, but are not limited to, appropriate periodic in-home visits; on-going assessment of the infant and minor parent's circumstances and conditions; and referrals to appropriate community services to meet the specific safety needs of the minor parent and her/his child(ren).
- 111) **“Multidisciplinary Disciplinary Teams”** means any team of three or more persons who are trained in the prevention, identification and treatment of child abuse and neglect cases and who are qualified to provide a broad range of services related to child abuse. The MDT team may include, but will not be limited to:
- a. Psychiatrists, psychologists, mental health, or other trained counseling personnel.
 - b. Police officers or other law enforcement agents including, but not limited to, county probation.
 - c. Medical personnel with sufficient training to provide health services.
 - d. Social workers with experience or training in child abuse prevention.
 - e. Any public or private school teacher, administrative officer, supervisor of child welfare and attendance, or certificated pupil personnel employee.
- 112) **“Neglect”** means the failure to provide a person with necessary care and protection. In the case of a child, the term refers to the failure of a parent(s)/guardian(s) or caretaker(s) to provide the care and protection necessary for the child's healthy growth and development. Neglect occurs when children are physically or psychologically endangered. The term includes both severe and general neglect as defined by Penal Code Section 11165.2 and medically neglected infants as described in 45 Code of Federal Regulations (CFR) Part 1340.15(b).
- 113) **“Non-custodial Parent”** means the parent of a child removed pursuant to Section 13 of the Karuk Children and Family Code, with who the minor was not residing at the time that the events or conditions arose that necessitated the child's removal and who now desires to assume custody of the child.
- 114) **“Nonrecurring Adoption Expenses”** means reasonable and necessary adoption fees, court costs, attorney fees, and other expenses which are directly related to the legal adoption of a child with special needs and which are not incurred in violation of State or Federal law and which have not been

reimbursed from other sources or other funds. Other expenses means the costs of the adoption incurred by or on behalf of the parents and for which parents carry the ultimate liability for payment. Such costs may include the adoption study, including health and psychological examination, supervision of the placement prior to adoption, transportation and the reasonable costs of lodging and food for the child and/or the adoptive parents when necessary to complete the placement or adoption process.

- 115) **“Non-Relative Extended Family Member”** means any adult caregiver who has an established familial or mentoring relationship with the child as substantiated by interviews with the parent and child or with one or more third parties.
- 116) **“On or near Tribal Lands”** include all lands on or near the Karuk Aboriginal Territory as set forth in the Tribe’s Constitution, service areas, and all lands subsequently and hereafter acquired by and for the Tribe, whether within or outside of the Tribe’s Aboriginal Territory.
- 117) **“Out-of-Home Care Provider”** means a person or entity that provides foster care.
- 118) **“Parent”** means the natural or adoptive father or mother, whether married or unmarried; or other adult fulfilling the parental role.
- 119) **“Parenting Training”** means child development, home management and consumer education provided through social services and/or specialized formal instruction and practice in parenting skill achievement.
- 120) **“Parties”** mean the parties to the Tribe-State IV-E Agreement, which are the CDSS and the Karuk Tribe.
- 121) **“Permanency Alternative”** means the type of permanency, i.e., adoption, guardianship, placement with a fit and willing relative, another planned permanent living arrangement or a plan for transitional independent living selected for the child if family reunification fails.
- 122) **“Permanency Hearing”** means the permanency hearing required pursuant to sections 471(a)(15)(e)(i) and 475(5)(C) of the Social Security Act and 45 CFR 1356.21(h). The permanency hearing must take place within 12 months of the date the child is considered to have entered foster care and not less frequently than every 12 months thereafter during the continuance of foster care, including voluntary foster care placements. The purpose and required findings for permanency hearings are set forth in Section 19 of the Karuk Children and Family Code.

- 123) **“Permanency Planning Family”** means the home of a relative, a licensed foster family home, or a tribally-designated licensed/approved family home willing to assist in implementation of the child's case plan by facilitating family reunification while being prepared to provide the child with legal permanence should family reunification fail.
- 124) **“Permanent Placement Services”** means those services described in Welfare and Institutions Code Section 16501(i).
- 125) **“Planning”** means activity in which the KCFS staff and the child and/or his/her family mutually identify a specific goal, the specific services to be used in resolving identified problems, and service delivery methods.
- 126) **“Preferential Consideration”** means that relatives seeking placement for a child or relatives identified by the social worker as willing to care for a child will be the first to be considered and investigated in determining the placement. Only the following relatives are given preferential consideration for placement of the child: a non-custodial parent, or an adult who is a grandparent, aunt, uncle, or sibling of the child.
- 127) **“Pre-Placement Preventive Services”** means those services designed to help children remain with their families by preventing or eliminating the need for removing the child from the home. Pre-placement preventive services are emergency response services and family maintenance services.
- 128) **“Primary Caregiver”** means the nurturing adult who is assigned to specific children under the age of six for the duration of their stay in a county operated emergency shelter care facility. The Primary Caregiver provides the major portion of daily care during normal working hours for their assigned children and who is not assigned more than three children at any time.
- 129) **“Primary Caregiver Duties”** will be to meet the needs of the child in the following areas: physical health and well-being, self-care, motor skills, social skills, emotional development, cognition, language and communication, and other child care worker duties.
- 130) **“Recruitment”** means activity to find and develop resources which are necessary but do not exist, or which exist but must be expanded.
- 131) **“Referral to Community Agency”** means informing another service agency that a child and/or that child's family desires or requires that agency's services; and assisting the child and/or family to avail themselves of such services.
- 132) **“Relative”** means an adult who is related to the child by blood, adoption, or affinity, including step-parents, step-siblings, and all relatives whose status is preceded by the words “step”, “great”, “great-great”, or “grand”, or the spouse

of any of these persons, even if the marriage was terminated by death or dissolution. For the purposes of preferential consideration for placement of a child, "relative" shall be consistent with the tribal placement preferences in Section 1 (b) of the Karuk Children and Family Code. "Relative" includes extended family members, as shall be as defined by the law or custom of the Tribe or, in the absence of such law or custom, shall be a person who has reached the age of eighteen and who is the child's grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or stepparent.

- 133) **"Relinquishment of a Child"** means the action of a relinquishing parent who signs a relinquishment document in which he or she surrenders custody, control and any responsibility for the care and support of the child to the KCFS Program.
- 134) **"Representative"** means a person authorized by a party to a grievance review, or by specified administrative review hearing participants, to act for and represent that party or participant in any and all aspects of a grievance procedure or administrative review hearing.
- 135) **"Respite Care"** means the provision of prearranged child care when a parent(s)/guardian(s) or foster parent(s) is absent or incapacitated, and a determination has been made that temporary in home or out-of-home care is in the child's best interest. Respite care services are offered as part of a case plan to allow a temporary respite of parental duties, so that a parent(s)/guardian(s) or foster parent(s) is able to fulfill other responsibilities necessary to improve or maintain the parenting function. Respite care services do not exceed 72 hours per session. These services are not provided for the purpose of routine, on-going child day care.
- 136) **"Risk assessment"** means documented information collected from the child(ren), caregiver, and/or collateral support persons that evaluates the protective capacity of the caregiver, any likelihood for future maltreatment, the age and vulnerability of a child or children, while including objective values of different cultures that will not result in a disparity of treatment services provided to all families receiving child welfare services.
- 137) **"Safety assessment"** means documented information collected from the child(ren), caregiver, and/or collateral support persons that evaluates and determines whether there are present dangers and/or imminent threats of serious harm/maltreatment to a child or children, while including objective values of different cultures that will not result in a disparity of treatment services provided to all families receiving child welfare services.

138) **“Safety Plan”** means a plan for providing services to promote the health and safety of the children in a family. The safety plan will specify the number and frequency of in-home visits required.

139) **“Senior Parent”** means the adult parent of a minor parent.

140) **“Seriously Emotionally Disturbed”** means those children described in California Welfare and Institutions Code Section 5600.3(a)(2):

For the purposes of this part, “seriously emotionally disturbed children or adolescents” means minors under the age of 18 years who have a mental disorder as identified in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders, other than a primary substance use disorder or developmental disorder, that results in behavior inappropriate to the child's age according to expected developmental norms. Members of this target population must meet one or more of the following criteria:

- a. As a result of the mental disorder the child has substantial impairment in at least two of the following areas: self-care, school functioning, family relationships, or ability to function in the community; and either of the following occur:
 1. The child is at risk of removal from home or has already been removed from the home.
 2. The mental disorder and impairments have been present for more than six months or are likely to continue for more than one year without treatment.
- b. The child displays one of the following: psychotic features, risk of suicide or risk of violence due to a mental disorder.
- c. The child meets special education eligibility requirements under Chapter 26.5 (commencing with Section 7570) of Division 7 of Title 1 of the Government Code.”

141) **“Service Funded Activity”** means activities which are provided as determined by the KCFS Program based upon the individual child and family needs as identified in the case plan.

142) **“Small Family Home”** means any residential facility, in the licensee's family residence, which provides 24-hour care for six or fewer foster children who have mental disorders or developmental or physical disabilities and who require special care and supervision as a result of their disabilities.

143) **“Social Services” or “Services”** means the service programs funded under the Social Security Act Titles IV-B and IV-E, and any other applicable funding sources.

144) **“Social Worker”** means a KCFS Program social worker.

- 145) **“Special Needs Child”** means a child whose adoption without financial assistance would be unlikely because of adverse parental background, ethnic background, race, color, language, membership in a sibling group that should remain intact, mental, physical, medical, or emotional handicaps, or age of three years or more.
- a. “Adverse parental background” means any factor, or combination of factors including but not limited to a history of incest or other sexual abuse, a history of mental or physical illness within the biological family, or severe neglect or mental or physical abuse by the birth parent(s) or other caretaker(s), which could result in mental, physical, or emotional handicaps.
 - b. For Adoption Assistance, the special needs test includes the following:
 - c. The child cannot or should not be returned home to his/her parents;
 - d. A specific factor or condition exists that makes it reasonable to conclude the child cannot be adopted without providing title IV-E adoption assistance or title XIX medical assistance; and
 - e. A reasonable, but unsuccessful, effort has been made to place the child for adoption without appropriate adoptive parents without providing adoption assistance.
- 146) **“Specified Relative”** means:
- a. Any, nephews, or nieces, and persons of preceding generations as denoted blood relative, including those of half-blood, and including first cousins by prefixes of grand, great, or great-great;
 - b. Stepfather, stepmother, stepbrother, and stepsister;
 - c. Person who legally adopt a child or his parent as well as the natural and other legally adopted children of such persons, and other relatives of the adoptive parents; or
 - d. Spouses of any persons named in the above groups even after the marriage is terminated by death or divorce.
- 147) **“State Agency”** means the California Department of Social Services (CDSS).
- 148) **“Status Review”** means a periodic Tribal Court review, held no less frequently than every six months, beginning six months from the date child enters foster care, open to the participation of the parents of a child in foster care, pursuant to Section 18 of the Tribe’s Children and Family Code.
- 149) **“Substance Abuse Testing”** means the process of chemical analysis to determine if certain drugs, including alcohol, or controlled substances are present, indicating that a person has used or has in his/her system, a specified drug or substance.

- 150) **“Substantial Distance from Home”** means an out-of-home placement which is farther than an adjacent, “contiguous county” from the residence of the parents or guardian.
- 151) **“Teaching And Demonstrating Homemaker”** means a person who provides homemaking instruction, through discussion and example, to parent(s)/guardian(s), or other adult(s) fulfilling the parental role, and/or families when parent/guardian functioning can be improved by teaching more effective child care skills and home maintenance. Although this instruction does not include the routine provision of regular homemaker services, teaching and demonstrating homemakers may provide direct child care and home maintenance services incidental to the primary goal of improving parent functioning through demonstrating and teaching the skills required to successfully manage and maintain the home and meet the needs of children in that setting. This instruction is available on a 24-hour basis as resources permit. It does not necessarily have to be provided during the presence of the parent(s)/guardian(s) in the home.
- 152) **“Temporary in-home caretaker”** means a person who provides temporary care to a child in the child's own home in lieu of out-of-home placement when a parent(s)/guardian(s) is unable to care for the child because of an absence or illness and there is no other caretaker available to provide necessary care. Temporary in-home caretakers do not provide routine, on-going child day care.
- 153) **“Therapeutic day services”** means nonmedical care, counseling, educational or vocational support, or social rehabilitation services on less than a 24-hour basis to children who would otherwise be placed in foster care or who are returning home from foster care.
- 154) **“Transitional Independent Living Plan”** (TILP) for the purposes of the Independent
- 155) **“Title IV-E”** means Part E of Title IV of the Social Security Act, 42 U.S.C. §670 *et seq.*
- 156) **“Title IV-E State Plan”** means the state plan developed by the State of California Department of Social Services to comply with the requirements of Part E of Title IV of the Social Security Act.
- 157) **“Transportation”** means conveying a child and/or the child's family from one place to another when mobility is necessary to support a specific case plan and no other means of conveyance is available.
- 158) **“Transitional Independent Living Plan”** means the portion of the child's case plan that describes the programs and services, including employment and savings, as appropriate, based on an assessment of the individual

child's skills and abilities, that will help the child prepare for transition from foster care to independent living.

- 159) **"Tribal Court"** means the Tribal Court of the Karuk Tribe.
- 160) **"Tribal Lands"** include all lands within the Karuk Aboriginal Territory as set forth in the Tribe's Constitution, service areas, and all lands subsequently and hereafter acquired by and for the Tribe, whether within or outside of the Tribe's Aboriginal Territory.
- 161) **"Tribe"** means The Karuk Tribe unless otherwise specified.
- 162) **"Unfounded Report"** means a report of child abuse, which is determined by a child protective agency investigator to be false, to be inherently improbable, to involve an accidental injury, or not to constitute child abuse, as defined in Penal Code Section 11165.6.
- 163) **"Visit"** means a face-to-face contact between:
- a. A social worker or other person authorized to make visits with the child, the child's family, and/or the out-of-home care provider; or
 - b. A child and his/her parent(s)/guardian(s), siblings, grandparents, or others deemed appropriate by the KCFS Program.
- 164) **"Voluntary Placement"** means a placement described by California Welfare and Institutions Code Section 11400(n).
- 165) **"Voluntary Placement Agreement"** means a written agreement entered into by a parent of a child that voluntarily places care and custody of that child with the Tribe for purpose of foster care placement, as set forth in Section 430 herein.
- 166) **"Youth"** means, for the purposes of the ILP, children who are at least 14 years of age up to the day prior to their 21st birthday. In the Children and Family Code, the words "child" and "youth" are used interchangeably, and both mean unmarried minors under 18 in need of care; however, "youth" generally refers to such minors between the ages of 10 and 18, and, for Independent Living Program services, minors who are 14 through 20 years old.