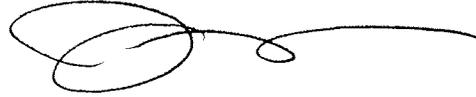


Subject: Certification of Adoptive or Foster Parent Applicants With an Association with the Certifying Agency

APPROVED BY: John B. Mattingly



DATE: November 8, 2010

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**IMPLEMENTATION RESPONSIBILITY:
All Children's Services and Provider
Agency Staff**

PURPOSE: Children's Services strongly encourages all employees (and their relatives) as well as provider agency employees (and their relatives) to consider becoming foster or adoptive parents. This document reminds staff¹ of the guidelines for foster and adoptive parents who have an association with a certifying agency². Certifying agencies should follow these guidelines in considering and processing applications from prospective foster or adoptive parents who fall within certain categories, as outlined below.

SCOPE: These guidelines apply to all Children's Services and provider agency staff and should be utilized whenever certifying agencies are processing foster or adoptive applications from persons with an association with that certifying agency. An association with a certifying agency is defined by the following categories:

1. Employees of the agency (or affiliated agency) that would approve or certify them, including a circumstance where the applicant is an ACS employee (or a relative as defined below) who oversees or has substantial interaction with the agency to which the application is made;
2. Relatives of any of the above persons (relatives include a spouse, mother, mother-in-law, father, father-in-law, sister, sister-in-law, brother, brother-in-law, daughter, daughter-in-law, son, son-in-law, step-parent/child/sister/brother, first cousin, aunt, uncle and grandparents);

¹ Children's Services staff with oversight responsibilities and/or substantial interaction with the potential certifying agency should consult with their supervisory staff for additional guidance. Provider agency staff with substantial interaction with the potential certifying agency should consult with their supervisory staff for additional guidance.

² For the purposes of this memorandum, a *certifying agency* is any provider agency authorized to approve or certify foster/adoptive applicants.

3. Contractors of the agency (or affiliated agency) that would approve or certify them;
4. Members of the Board of Directors of the agency (or affiliated agency) that would approve or certify them.

These guidelines are effective immediately, and reinforce such rules already in place.

POLICY:

I. Current Policy

As is the current practice, certifying agencies receiving foster/adoptive applications from applicants with an association (as described on page one) are required to refer those applicants to a “non-associated” certifying agencies.

ACS or provider agency employees who are approved or certified to be foster and/or adoptive parents are reminded of their general obligation to avoid any conflict of interest or appearance of a conflict of interest between their official position and their role as a foster/adoptive parent. Specifically, once approved or certified, such an employee may not, therefore:

- a) use his/her official position or title to obtain any private or personal advantage for him/herself or foster/adoptive child;
- b) have any dealings with his/her foster/adoptive child’s case in his/her official position;
- c) directly or through another individual, access physical case records or related files to obtain any private or personal information for him/herself or foster/adoptive child;
- d) directly or through another individual, access computer systems and any related computing equipment to obtain any private or personal information for him/herself or foster/adoptive child.

Exceptions to this policy may be granted upon request on a case-by-case basis. Requests for an exception to policy should be addressed to:

Administration for Children’s Services
Shared Response Team
150 William Street, 7th Floor
New York, New York 10038
Phone (212) 676-6630

If you have any questions or comments regarding this policy, please contact Melody M. Grissom, Deputy Director of the Policy and Procedures Unit, at melody.grissom@dfa.state.ny.us.