



May 29, 2024

VIA US MAIL AND EMAIL

Chris Winters, Commissioner
Vermont Department for Children and Families
280 State Drive, HC 1 North
Waterbury, VT 05671-1080

Re: Unlawful Threat to Revoke / Shadow Revocation of Foster Care License

Dear Commissioner Winters:

The Center for American Liberty represents Vermont residents Melinda Antonucci and Casey Mathieu. I am writing to inform you of unlawful and retaliatory actions by the Vermont Department for Children and Families (“DCF” or the “Department”) against my clients and to demand that the Department take immediate action to remedy the situation.¹ Please direct all future correspondence regarding this matter to me (Harmeet@libertycenter.org), Josh Dixon (jdixon@libertycenter.org), Eric Sell (esell@libertycenter.org), and Robert Kaplan (rkaplan@kaplanlawvt.com).

I. Factual Background

A. Melinda and Casey

Melinda and her husband Casey are loving parents who have been blessed with a happy and stable home. They have three children—a nineteen-year-old son, a sixteen-year-old daughter, and a five-year-old son. Melinda and Casey are members of the Christian faith, and their religious beliefs guide them in all that they do. To exercise their beliefs, they seek to give back to their community by helping those less fortunate. Last year, they applied for, and obtained, a foster care license from the Department. Fostering children in need is how they intend to put their faith into practice, which the license allows them to do.

During the licensing process, the Department sought Melinda’s and Casey’s views on transgender-identifying children. On the license application, applicants must indicate whether they are willing to foster an “LGBTQ+” child. Ex. A at 9. Melinda and Casey indicated they would. The Department employee who conducted the first required home inspection also asked Melinda and Casey if they were willing to foster an LGBTQ+ child. Melinda informed the Department

¹ This letter serves as formal notice of religious discrimination under the Vermont Department for Children and Families Nondiscrimination Policy/Grievance Policy, effective March 31, 2023.



employee that they have some hesitation with fostering a transgender-identifying child, but Melinda did not go into specifics. This hesitation is due to an unwillingness to facilitate certain controversial psychological and medical treatment that a transgender-identifying child might request, such as social transitioning, administration of puberty blockers and cross sex hormones, or removal of healthy body parts. If they were not required to engage in or facilitate these practices, Melinda and Casey were willing to foster a transgender-identifying child. The Department employee advised Melinda and Casey to avoid expressing any hesitation about fostering a transgender-identifying child during the next home inspection or the Department may not issue them a license.

On October 19, 2023, a different DCF licensing employee, Paula Catherine, contacted Melinda and Casey by email to schedule the second required home inspection. Ex. B. In that email, Ms. Catherine asked Melinda and Casey to complete a supplemental training module not included in the normal training. *Id.* This supplemental training module taught foster parents to affirm a child’s transgender identity and facilitate the provision of medical and psychological treatment intended to aid in the child’s transition if the child requested it. Ex. C. Ms. Catherine indicated this supplemental training was necessary given the Department’s perceived hesitancy by Melinda and Casey to foster a transgender-identifying child.

When Ms. Catherine arrived at Melinda’s and Casey’s home later that day, she again stressed that all homes must be “affirming” of a child’s chosen gender identity. Melinda expressed reservations about facilitating psychological and medical treatment for a transgender-identifying child if requested. Because they were looking to foster a younger child closer to their five-year-old son’s age, Melinda and Casey informed Ms. Catherine that they did not think the issue of a child’s gender transition would arise. To this, Ms. Catherine stated that children are starting to question their gender at very young ages, and that Melinda and Casey must be mindful that this could come up with one of their foster children.

In January 2024, the Department approved Melinda’s and Casey’s foster care license. The following month, they began fostering an eight-year-old boy. The placement was on an emergency basis and lasted for approximately two weeks.

B. The Department’s Threat of Revocation

On February 19, 2024, Melinda posted on her personal Facebook page a link to a Petition for parental rights in the Essex Westford School District (“Petition”). Exs. D, E. The Petition called on the school district to recognize parents’ constitutional right to raise their children and to inform parents prior to assisting their child’s social transition to a new gender identity at school. *Id.* Melinda encouraged residents in the community to sign the Petition. *Id.*



On April 1, 2024, Ms. Catherine emailed Melinda requesting to speak to her about her public support for the Petition. Ex. F at 3. In a phone call later that day, Ms. Catherine informed Melinda that a third party had brought the Petition to the Department’s attention, and that Melinda’s support for it was concerning to her because all foster homes must “affirm” transgender-identifying children. Ms. Catherine did not explain how the Petition—which does not advocate for non-affirmance—was inconsistent with that requirement. She then interrogated Melinda about her beliefs on transgender-identifying children, asking questions about her willingness to use preferred names and pronouns and whether she would require her five-year-old son to use a transgender-identifying foster child’s preferred name and pronouns in the event they fostered a transgender-identifying child.

Ms. Catherine ultimately demanded that Melinda commit to fostering a transgender-identifying child under the terms required by the Department—that is, by affirming the child’s transgender identity through social and medical transition. Melinda said she was willing to foster a transgender-identifying child, but she would not facilitate a child’s medical transition or require her son to use the child’s preferred names and pronouns. Because the Department allows parents to select the child before agreeing to foster, Ex. G at 6, Melinda did not think this would ever be a problem—if the Department insisted that foster parents must agree to transition transgender-identifying children, she and Casey could simply choose not to foster a transgender-identifying child. And if a child in their care began identifying as transgender, the Department could find an alternative placement if it believed that certain psychological or medical treatment was necessary. But this did not satisfy Ms. Catherine, who indicated that Melinda’s and Casey’s views were disqualifying and that their license could be revoked because of them.

On April 4, 2024, Ms. Catherine emailed Melinda and informed her that “since [she] will not foster a transgender child and discuss they/them pronouns with [her] child, then [the Department does not] know how [it] can move forward with fostering given the inability to predict any foster child’s journey with their own identity.” Ex. F at 1. Ms. Catherine then informed Melinda that she “can chose (sic) to close [her] foster care license or [Ms. Catherine] will need to formally deny [their] license.” *Id.* Ms. Catherine gave Melinda until April 30 to decide. Ex. H.

On April 30, 2024, Melinda emailed Ms. Catherine and informed her that she and Casey were not willing to voluntarily close their license, and that if the Department wished to revoke it, it needed to provide them with a formal notification. Ex. I. To date, the Department has not yet informed Melinda or Casey if it has—or intends to—make good on Ms. Catherine’s threat to revoke their license. Melinda and Casey have not received an email notifying them of foster placements since May 10, prompting their belief that they are no longer allowed to participate in the program. Thus, it appears the Department has made the decision to exclude Melinda and Casey from being a foster family without formally revoking their license.



II. The Department's Actions are Unlawful

The Department's conduct violates the First and Fourteenth Amendments to the United States Constitution and the Vermont Constitution.

A. The Department Violated the First Amendment

The First Amendment to the United States Constitution prohibits the government from both retaliating against individuals for exercising their First Amendment rights and from compelling individuals to convey the government's preferred message. The First Amendment also prohibits the government from interfering with the free exercise of religion. The Department's threat to revoke Melinda's and Casey's license violates these constitutional prohibitions.²

Retaliation. The "First Amendment prohibits government officials from subjecting an individual to retaliatory actions for engaging in protected speech." *Nieves v. Bartlett*, 587 U.S. 391, 398 (2019). The government impermissibly retaliates against individuals based on their speech when the speech was "constitutionally protected" and "was a substantial factor or a motivating factor for the defendant's retaliatory decision." *Powell v. Alexander*, 391 F.3d 1, 17 (1st Cir. 2004) (cleaned up). To defeat a retaliation claim, the government must show that "the adverse action *would have occurred* anyway, not merely that such action *would have been warranted* anyway." *McCue v. Bradstreet*, 807 F.3d 334, 346 (1st Cir. 2015) (emphasis in original).

The Department retaliated against Melinda and Casey here. It was not until the Department learned of Melinda's support for the Petition that it began to question Melinda's and Casey's fitness to be foster parents. They had already obtained their license and they had already fostered a child for a brief period. It was Melinda's public support for the Petition alone that prompted the Department's additional scrutiny. But because Melinda's support for the Petition is protected political speech, *BE & K Constr. Co. v. NLRB*, 536 U.S. 516, 524 (2002) ("[The] right to petition is one of the most precious of the liberties safeguarded by the Bill of Rights."), Melinda has the right to engage in this activity without being subject to governmental retaliation. Ms. Catherine admitted that the Petition prompted the Department's probe, *see* Ex. F, so there is no question that the Department would not have taken the actions it did but for Melinda's protected speech, *McCue*,

² Because Melinda and Casey were exercising their fundamental rights under the First Amendment, the Department's discriminatory actions against them also violate the equal protection clause of the Fourteenth Amendment. *See Plyler v. Doe*, 457 U.S. 202, 216–17 (1982) (observing classifications that "impinge upon the exercise of a fundamental right" violate the equal protection clause).



807 F.3d at 346. This is unconstitutional. *Powell*, 391 F.3d at 17 (concluding retaliation is unlawful because it tends “to chill individuals’ exercise of constitutional rights.” (citation omitted)).

Compelled Speech. The Department also unlawfully sought to compel Melinda and Casey to engage in speech they do not wish to engage in. The First Amendment prohibits “the government from compelling individuals to express certain views.” *United States v. United Foods, Inc.*, 533 U.S. 405, 410 (2001); *see also W. Virginia State Bd. of Educ. v. Barnette*, 319 U.S. 624, 642 (1943) (“If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein.”). The government compels speech when it “compel[s] a person to speak its own preferred messages.” *303 Creative LLC v. Elenis*, 600 U.S. 570, 586 (2023). This is especially true when the compelled speech is a prerequisite for obtaining or maintaining a government license. *See, e.g., Minn. Voters All. v. City of Saint Paul*, 442 F. Supp. 3d 1109, 1114, 1116 (D. Minn. 2020) (holding government may not make license dependent on speaking the government’s preferred message).

By requiring Melinda and Casey to “speak to [their] child about they/them pronouns” and to call a transgender-identifying child by a cross-sex name and pronouns in order to maintain their license, *see* Ex. F, the Department is attempting to “compel [them] to convey the government’s speech,” *Walker v. Texas Div., Sons of Confederate Veterans, Inc.*, 576 U.S. 200, 208 (2015). It is impermissible for the Department to make such speech a necessary condition to obtaining and maintaining a foster care license. *See Meriwether v. Hartop*, 992 F.3d 492, 510 (6th Cir. 2021) (holding policy requiring use of preferred pronouns violated First Amendment); *see also Minn. Voters All.*, 442 F. Supp. 3d at 1114, 1116.

Free Exercise. Finally, the government may not interfere with the free exercise of religion. *Church of Lukumi Babalu Aye, Inc. v. City of Hialeah*, 508 U.S. 520, 532 (1993). The government violates this command when it “regulates or prohibits conduct because it is undertaken for religious reasons.” *Id.* While “neutral laws of general applicability” generally do not interfere with the free exercise of religion, *Emp. Div., Dep’t of Hum. Res. of Oregon v. Smith*, 494 U.S. 872, 879 (1990), laws that contain exemptions for certain conduct but not for exercising religious beliefs are not “neutral” or “generally applicable,” *Fulton v. City of Phila.*, 593 U.S. 522, 537 (2021) (“The creation of a formal mechanism for granting exceptions renders a policy not generally applicable, regardless of whether any exceptions have been given.” (cleaned up)).

Here, the Department’s non-discrimination policy provides an exemption for parents who cannot or are unwilling to foster a child of a certain age or with certain medical conditions. Ex. J



at 8.³ By allowing exemptions for age and medical conditions but not religious beliefs, the policy is not neutral or generally applicable because “it invites the government to decide which reasons for not complying with the policy are worthy of solicitude.” *Fulton*, 593 U.S. at 537. Moreover, the requirement that foster families use preferred names and pronouns “is not neutral” when there are other viable alternatives that would accomplish the state’s objective while accommodating the exercise of religion. *Meriwether*, 992 F.3d at 512. And because the Department’s policy does not satisfy strict scrutiny, it is unconstitutional.⁴

B. The Department Violated its Own Policies and Basic Principles of Due Process

Melinda and Casey have engaged in no conduct that warrants revocation of their license. If the Department has already informally revoked the license—or if the Department moves forward with formal revocation—it will do so in violation of its own regulations and the procedural guarantees set forth in the Fourteenth Amendment to the United States Constitution and the Vermont Constitution.

As an initial matter, pursuant to the Department’s own policies, any revocation of Melinda and Casey’s license can only occur after they have been provided a formal hearing before the Commissioner. Ex. J at 5. Though the Department has provided no formal notice that Melinda’s and Casey’s license has been revoked, Ms. Catherine’s email indicated that the Department has made such a determination. Melinda and Casey also have not received notices of children in need of a foster home since May 10, leading them to believe their status as a licensed foster family has changed. If their license has indeed been revoked, the revocation violated the Department’s internal policies. In turn, the revocation also violates basic requirements of due process under both federal and state law. *See Clukey v. Town of Camden*, 717 F.3d 52, 59 (1st Cir. 2013) (holding procedural due process requires “some kind of notice and some kind of opportunity to be heard” prior to deprivation of the protected interest); *Perry v. Dep’t of Emp. Training*, 147 Vt. 621, 624, 523 A.2d 1242, 1244 (1987) (same).

³ The primary reason Melinda and Casey are unwilling to foster a transgender-identifying child in the manner required by the Department is the mandate that they facilitate the child’s social and medical transition. Thus, even under the Department’s own policy, Melinda and Casey should not be required to foster a transgender-identifying child because of these “special needs.” Ex. J. at 8. If the Department does not read this exception to the non-discrimination policy as applicable here, then law cannot be considered “neutral” or “generally applicable.”

⁴ For similar reasons to those set forth in the text, the Department’s actions violate the Vermont Constitution. *See* Vt. Const. ch. I, art. III, XIII, and XX. The Vermont Constitution protects the right to exercise religion against unlawful discrimination, *Hunt v. Hunt*, 162 Vt. 423, 436, 648 A.2d 843, 853 (1994), and the right to freedom of speech, *State v. Masic*, 2021 VT 56, ¶ 7, 215 Vt. 235, 240, 261 A.3d 646, 651 (2021).



Moreover, Melinda and Casey have not violated any law or Department policy that would warrant revocation. While the Department has adopted a general non-discrimination policy that covers gender identity, Ex. J at 8, there is no express requirement that foster parents profess a commitment to following any specific form of “affirmance” of a transgender-identifying child. The regulations are silent as to whether foster families must facilitate a *specific form* of controversial psychological or medical treatment if requested, which is Melinda and Casey’s primary objection. Even more, the Department’s own handbook for foster families makes clear that foster families “have the right to say no” to any given placement. Ex. G at 6. Simply put, the Department’s own policies do not require what Ms. Catherine claims they do.

Even if the non-discrimination policy required foster parents to use specific names and pronouns and to facilitate medical transition, it also contains an express exemption for families with the “inability to care for children of a certain age or children with special needs.” Ex. J at 8. Melinda’s and Casey’s refusal to facilitate social or medical transition would plainly fall within this category. Because Melinda and Casey have not violated any law or Department regulations, there is simply no basis for revoking their license.

Remedies for violating the United States Constitution include damages, injunctive relief, and attorney’s fees. 42 U.S.C. § 1988; *Diffenderfer v. Gomez-Colon*, 587 F.3d 445, 454 (1st Cir. 2009) (holding prevailing party can recover attorney’s fees even if action mooted by later legislative action). Government actors can also be individually liable for violating the United States Constitution. *Mihos v. Swift*, 358 F.3d 91, 110 (1st Cir. 2004) (holding governor of Massachusetts was not entitled to qualified immunity for violating the First Amendment). Given the obvious constitutional violation here, in addition to injunctive relief, official and individual liability will be warranted.

III. The Department Must Cease its Unlawful Conduct

The Department’s unlawful actions against Melinda and Casey reflect an unfortunate commitment to foisting the government’s preferred political and ideological orthodoxy onto its citizens. Melinda and Casey are loving, caring parents who wish to serve their community and improve the lives of children less fortunate than their own. They have opened their home to help children in need, and will provide the safety, support, and nurturing that all children deserve. Yet this apparently is not enough for the Department. Melinda and Casey must go further and bend to the prevailing political beliefs held by those in power in Vermont. This is unlawful.

There is simply no reason for the Department to condition a foster care license on families’ willingness to take a particular side in a divisive ideological debate. The psychological treatment and medical procedures the Department seeks to require foster families to perform and to facilitate



are controversial and subject to intense debate within the medical community.⁵ And while those in charge of the Department may view the “affirmational” approach as the best way to care for a transgender-identifying child, there is no reason why *all* foster families must share in this belief in order to participate in the program. The Department can allow certain families to provide treatment to transgender-identifying children in their own way or opt out of fostering a transgender-identifying child if the family felt they could not comply with the Department’s preferred methods. But instead, the Department has chosen to exclude these families altogether simply because they are unwilling to conform with the prevailing ideology.

To remedy the unlawful conduct against my clients, I demand the following: (1) if the Department has informally revoked Melinda’s and Casey’s foster-care license, to restore it to active status immediately; (2) the Department cease any intention it has to revoke the license based on the above-stated facts; (3) the Department cease any other discriminatory actions against Melinda and Casey based on the above-stated facts; (4) the Department inform Melinda and Casey, in writing, that their foster-care license will not be revoked and that it will not take actions against them based on the above-stated facts; and (5) the Department adopt policies to clarify that foster parents are not required to follow the Department’s preferred treatment plan for transgender-identifying children to obtain or keep their foster-care license. **I require a response to this letter by 5:00 p.m. Eastern Time on Wednesday, June 5, 2024.** If the Department fails to comply with this demand by that deadline, all options will be on the table, including the institution of legal proceedings in court.

I look forward to hearing from you.

Sincerely,

Harmeet K. Dhillon

Enclosures as stated

⁵ See *The Cass Review: Independent review of gender identity services for children and young people*, Dr. Hilary Cass, United Kingdom National Health Service (April 10, 2024) (“the Cass Review”) (observing there is “weak” evidence that gender affirming care is beneficial to children and adolescents with a gender identity disorder); see also Josh Parry, *Hilary Cass: Weak evidence letting down children over gender care*, BBC (April 10, 2024), <https://www.bbc.com/news/health-68770641>; Suzanne Moore, *Trans children have been lied to by adults – the Cass report may now see the legal dam break*, Telegraph (April 10, 2024), <https://www.telegraph.co.uk/columnists/2024/04/09/cass-report-trans-children-have-been-lied-to-by-adults/>; Denis Cambell, *et al.*, *Thousands of children unsure of gender identity ‘let down by NHS’, report finds*, The Guardian (April 10, 2024), <https://www.theguardian.com/society/2024/apr/10/thousands-of-children-unsure-of-gender-identity-let-down-by-nhs-report-finds>.



cc:

Josh Dixon (by email only at jdixon@libertycenter.org)
Center for American Liberty

Eric Sell (by email only at esell@libertycenter.org)
Center for American Liberty

Robert Kaplan (by email only at rkaplan@kaplanlawvt.com)
(Vermont Bar ID No. 3638)

Aryka Radke (by email only at aryka.radke@vermont.gov)
Deputy Commissioner, Family Services Division

Rachel Edens (by email only Rachel.Edens@vermont.gov)

EXHIBIT A

APPLICATION FOR CARE OF CHILDREN IN DCF CUSTODY

(FS-221A)

Dear Foster Parents:

The Vermont Department for Children and Families, Family Services Division (DCF-FSD) acknowledges and appreciates your interest in caring for a child needing a temporary or permanent home due to involvement in the child welfare system. We need caring families and individuals committed to providing safe and nurturing homes. The physical and emotional safety of children in DCF custody is paramount. Therefore, the foster parent application process is thorough and in-depth. The intention of the questions is to be thought-provoking and begin an honest dialogue. The foster parent application process will gather current and historic information about topics such as: family dynamics, home environment, employment, finances, legal system involvement, child welfare involvement, public assistance, physical health, mental health, and other dynamics of the applicant's life.

Again, thank you for your interest and commitment to Vermont's children!

Instructions for DCF-FSD Staff Use of the Application Sections

This application is a multi-use document. Please ensure applicants complete the appropriate sections based on their situation and interest. This application should be completed thoroughly, accurately, and honestly. The completion of this document serves as a first step to ensuring the safety, permanency, and well-being of children and youth in foster care. This application and the dialogue that occurs based on the prompts throughout the document are a safeguard for both foster parents and DCF-FSD employees.

For Individuals Generally Interested in Foster Care:

- Please complete section 1. This provides general information about the applicant and home.
- Please complete section 2. This provides a tool that will help the applicant self-assess their readiness to provide foster care. It will provide district staff appropriate prompts for discussions that will support future safety and stability of the placement.

For Individuals Ready to Move Forward with Foster Care Licensure:

- Please complete sections 1, 2, and 3. Section 3 provides additional information that will begin the licensure process. It also provides releases so that necessary applicant background checks can be processed.
- Send the completed application to the Resource Coordinator at your local district office.

For Individuals Taking Immediate Placement of a Child/Youth:

- Applicants should complete sections 1 and 3 and DCF-FSD staff will complete section 4 in consultation with the applicants. The Family Services Worker or Resource Coordinator should conduct this process with the family and then present the whole application to the District Director for approval prior to the placement occurring. These placements are considered "district-approved unlicensed homes". There is considerable risk related to the safety of the child when making these placements, so please fully address section 4 for district-approved unlicensed placements.
- In emergency circumstances, section 2 does not need to be completed prior to placement. Leave section 2 with the caregivers and inform them when it should be returned/completed. A follow-up conversation should occur within one week.

For Respite Care Only:

- Please complete sections 1 and 3.
- The Resource Coordinator should send the applications to RLSI for background checks. RLSI will return the background checks to the resource coordinator.
- The district office may decide to approve or disapprove the individual for respite care.

Additional Instruction Related to New American Families & Non-English Speaking Applicants:

Section 2 is **not required** for New American, non-English speaking, or English as a second language applicants.
Please indicate if this is why Section 2 is incomplete when submitting the application to RLSI.

Additionally, DCF-FSD staff are permitted to assist these individuals with completing the application packet (i.e., partnering with a translator to read the questions and documenting the individual's responses for them -- excluding the required signatures).

(Effective 12/18/2020)

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SECTION 1

SECTION 1: APPLICANT INFORMATION

DISTRICT OFFICE USE ONLY:

District Office (DO):	Date DO Received Application:	Sender's Name:
Application Type:	<input type="checkbox"/> Foster Care <input type="checkbox"/> ICPC Home Study	<input type="checkbox"/> Kinship Foster Care <input type="checkbox"/> Respite Care ONLY
Is a child placed?	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Is this application for a specific child? If yes, name(s): _____

Applicant Name(s): _____

Physical Address: _____

Mailing Address (if different): _____

Town of Residence: _____

Directions to Your Home: _____

INFORMATION	APPLICANT #1	APPLICANT #2
Full Name		
Date of Birth		
Gender		
Email Address		
Home/Cell Phone #		
Driver's License #		
Reside outside of Vermont within the last 5 years?	<input type="checkbox"/> Yes <input type="checkbox"/> No Location: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No Location: _____
Place of Employment		
Work Hours		
Work Phone	Okay to call at work? <input type="checkbox"/> Yes <input type="checkbox"/> No	Okay to call at work? <input type="checkbox"/> Yes <input type="checkbox"/> No

Please provide the name and contact information for both an out-of-state and in-state relative or friend who would know your whereabouts in the event of an emergency.

Name: _____

Name: _____

Address: _____

Address: _____

Phone #: _____

Phone #: _____

SECTION 1

BACKGROUND INFORMATION

HAVE YOU OR ANYONE IN YOUR HOUSEHOLD:	Applicant #1	Applicant #2	Household Member
1. Been charged or convicted of a juvenile or adult criminal offense?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Been supervised or are currently being supervised by the Department of Corrections (DOC) or similar federal, state, or county agency?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Had children in custody, had an open case, or have been assessed or investigated by child or adult protective services such as DCF or DAIL in Vermont or any other state or country?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
4. Been unable to keep up with child support payments?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
5. Filed for, been the subject of, or been served with a relief from abuse order (RFA)?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
6. Have chronic or serious health problems?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
7. Not received recommended immunizations or vaccinations?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
8. Received mental health services or counseling?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
9. Been on prescription medications in the past year (other than birth control)?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
10. Received drug or alcohol treatment?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
11. Received or currently receive SSI or disability benefits?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
12. Adopted a child, been foster parents or respite care providers, worked with vulnerable adults, or applied to be approved for any of these? If so, what agency? _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
13. Currently provide in-home care for dependent adults?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
14. Currently provide child care in the home?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

If you answered yes to any of the above questions, please explain in the space provided here. Include all relevant information (criminal charges, medical conditions, medications, service provider names, relevant dates, etc.). Attach extra pages if needed.

SECTION 1

PHYSICAL INFORMATION ABOUT YOUR HOME

In your household, do you have...?	
Functioning smoke detectors in the basement and on all floors used as living space?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Functioning carbon monoxide detectors in the basement and on all floors used as living space?	<input type="checkbox"/> Yes <input type="checkbox"/> No
A functioning ABC-type fire extinguisher in the kitchen?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Emergency phone numbers posted near the telephone and/or on your cell phone?	<input type="checkbox"/> Yes <input type="checkbox"/> No
First aid supplies to treat minor injuries?	<input type="checkbox"/> Yes <input type="checkbox"/> No
An inground or above ground pool, hot tub, lake, pond, stream, or other water access?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, are these secured with appropriate barriers (safety fence, pool cover, etc.)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Any firearms?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, are firearms and ammunition locked separately?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Any pets?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, have any your pets been aggressive or caused injury to a person?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<i>If applicable, list the type of pet(s) and history of aggression or injuries:</i>	

Total number of bedrooms in your home:	_____	Does each bedroom have two exits (such as a window/door or two doors)?
# of bedrooms on the 1st floor:		<input type="checkbox"/> Yes <input type="checkbox"/> No
# of bedrooms on the 2nd floor:		<input type="checkbox"/> Yes <input type="checkbox"/> No
# of bedrooms on the 3rd floor:		<input type="checkbox"/> Yes <input type="checkbox"/> No
# of bedrooms in the basement:		<input type="checkbox"/> Yes <input type="checkbox"/> No

With whom, if anyone, will the foster child(ren) share a bedroom? Please provide names, gender, and ages. Please note: foster children are required to have their own beds.

SECTION 2

*** Section 2 is not required for New American, non-English speaking, or English as a second language applicants. Please indicate if this is why Section 2 is incomplete when submitting the application to RLSI. ***

SECTION 2: APPLICANT QUESTIONNAIRE & SELF-ASSESSMENT

YOUR HOME

(1) What is your household's daily routine?

(2) Describe what it would be like to be a child in your home.

Please rate the following between 1 (not at all) and 5 (completely) to indicate how much you agree with each statement.

	APPLICANT #1	APPLICANT #2
I have enough flexibility in my life to accommodate a foster child's needs.		
I'm able to help a child who is trying to be loyal to both me and their parent(s).		
I'll work hard to help a foster child do the best they can in school.		
I'll encourage a foster child to engage in after-school activities.		
I've been told I'm not my best self when I'm stressed out.		

CARING FOR THE CHILDREN IN YOUR HOME

(1) Describe your support network. Who, if anyone, will help you care for the children in your home? If you are co-parenting, describe the relationship you have with your partner.

SECTION 2

(2) What are your beliefs and values regarding parenting?

If the questions are applicable to your situation, please rate the following between 1 (not at all) and 5 (completely) to indicate how much you agree with each statement.

	APPLICANT #1	APPLICANT #2
My partner strongly supports my fostering efforts.		
My partner and I are used to talking things over every day.		
My partner and I share household responsibilities.		
Our relationship has been affected by the different ways we parent our children.		
My partner and I back each other up in parenting even when we disagree.		

FOSTER CHILDREN IN MY FAMILY

(1) How do you think caring for a foster child will change your home?

(2) What does your family think about fostering?

SECTION 2

Please rate the following between 1 (not at all) and 5 (completely) to indicate how much you agree with each statement.		
	APPLICANT #1	APPLICANT #2
My family members can adapt to a foster child with serious challenges.		
My family would be accepting and supportive of an LGBTQ foster child.		
My family would be comfortable fostering a child who comes from a different race, ethnicity, or background than our own.		
My children and other household members can handle foster children coming and going.		
I'll treat my own children and foster children as equals.		
I'm able to help a foster child prepare for where they are going to live next.		
My family would consider becoming a permanent family for a child.		

WORKING WITH DCF-FSD

- (1) What would you see as being a successful relationship where DCF-FSD supports you? What worries do you have about becoming a foster parent?

- (2) Describe your level of comfort in working and maintaining contact between foster children and their parents and siblings, attending court hearings, and providing transportation to appointments and activities.

SECTION 2

Please rate the following between 1 (not at all) and 5 (completely) to indicate how much you agree with each statement.		
	APPLICANT #1	APPLICANT #2
I am willing to attend foster parent training as determined by the local district office.		
I need assurance that I can reach DCF-FSD staff immediately if I have questions.		
I need to be included in decisions about the foster child placed in my home.		
I am comfortable with a Family Services Worker coming into my home regularly.		
I need a lot of support to be a good foster parent.		

CARING FOR FOSTER CHILDREN

(1) How do you respond to the challenging behaviors of children?

(2) What behaviors are you uncomfortable with in your home (i.e., sexually harmful behaviors, physical aggression, property destruction, running away, inappropriate electronic usage)?

Please rate the following between 1 (not at all) and 5 (completely) to indicate how much you agree with each statement.		
	APPLICANT #1	APPLICANT #2
I can foster a child who lies.		
I feel confident in my ability to manage a variety of behaviors.		
I can provide discipline without the use of corporal punishment.		
I am comfortable with children and youth exploring their sexuality.		

SECTION 2

KINSHIP (ONLY FOR APPLICANTS CONSIDERING RELATIVE PLACEMENTS)

(1) Please describe your current relationship with this child.

(2) What are two positive and two challenging qualities of this child's parents?

Please rate the following between 1 (not at all) and 5 (completely) to indicate how much you agree with each statement.

	APPLICANT #1	APPLICANT #2
It is important for a child to maintain relationships with both sides of their family.		
I realize my role will change when I become the primary caregiver of this child.		
I understand why this child needs to be out of their home.		
I would keep information from DCF-FSD to protect the child's parents.		
I can prioritize the child's needs over the needs of the parents.		
I am willing to be a permanent caregiver for this child if necessary.		

SECTION 2

Additional space for comments or questions:

SECTION 3: LEGAL DOCUMENTS

AGREEMENT OF CARE PROVIDERS

Applicants #1 and #2 must review, initial, and sign in the spaces indicated.

Please Initial:

			#1	#2	
					I certify that my application and all attachments contain no false information and are complete to the best of my knowledge.
					I acknowledge that any misrepresentations made in connection with my application for foster care may result in the denial, suspension, or revocation of my foster care license.
					I give permission for DCF-FSD to periodically complete the following background checks on myself and relevant members of my household:
					<ul style="list-style-type: none"> Vermont Crime Information Center (VCIC) for record of previous criminal history and receive updates via VCIC's subscription service Family Services Division (FSD) databases for previous child abuse or neglect substantiations and child welfare/protection involvement Vermont Office of Child Support (OCS) for child support payments in arrearage Vermont Department of Motor Vehicles (DMV) for motor vehicle violations Vermont Adult Abuse Registry for previous adult abuse or neglect substantiations Vermont Department of Corrections (DOC) database for history of contact/supervision Vermont Case Access System for all Vermont court-related information, including history of temporary restraining orders or relief from abuse orders Bright Futures Childcare Information System for current or prior involvement with the Child Development Division (CDD) The Vermont Immunization Registry for immunization records of persons living in VT Other databases as allowed by law
					I have provided all names and dates of birth for all household members to facilitate these checks. This includes all household members' aliases, maiden names, and other previous names.
					I agree to abide by the confidentiality and privacy expectations of DCF-FSD as outlined in the Licensing Regulations for Foster Care.
					I agree to comply with the Licensing Regulations for Foster Care and I understand that a violation of these regulations may result in revocation, suspension, or denial of the foster care license.

The following information, required for federal reporting, has no impact on your approval or licensure. We appreciate your voluntary cooperation!

	Applicant #1	Applicant #2
Gender	<input type="checkbox"/> Female <input type="checkbox"/> Male	<input type="checkbox"/> Female <input type="checkbox"/> Male
Race	<input type="checkbox"/> White <input type="checkbox"/> Black or African American <input type="checkbox"/> Asian <input type="checkbox"/> Unknown <input type="checkbox"/> Native Hawaiian or Other Pacific Islander <input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> White <input type="checkbox"/> Black or African American <input type="checkbox"/> Asian <input type="checkbox"/> Unknown <input type="checkbox"/> Native Hawaiian or Other Pacific Islander <input type="checkbox"/> American Indian or Alaska Native
Hispanic or Latino Ethnicity?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Relationship Status	<input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Domestic Partner <input type="checkbox"/> Separated <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed	<input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Domestic Partner <input type="checkbox"/> Separated <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed

I understand that I must complete the fingerprint background check process within 90 days.

Applicant #1's Signature _____

Date: _____

Applicant #2's Signature _____

Date: _____

INFORMATION ON HOUSEHOLD MEMBERS

The information below will be used to complete background checks for household members:

- DCF-FSD Databases
- Motor Vehicle Violations
- VT Crime Information Center (VCIC)
- Relief from Abuse Orders
- Office of Child Support
- Department of Corrections (DOC) database
- Vermont Adult Abuse Registry
- Bright Futures Information Database
- Vermont Case Access System
- Out-of-State Child Abuse Registries
- Other databases as allowed by law
- Vermont Immunization Registry

These checks may be periodically repeated during your tenure as a foster parent including receiving updates to your criminal record via VCIC’s subscription service. The accuracy or completeness of Vermont Crime Information Center records may be appealed to the Center.

Please provide information for each applicant and *all members of your household who are age sixteen or older*, except youths in DCF custody. **If necessary, use back of sheet for more household members.**

1. Print last name, first name, middle initial:	Date of birth:	Print place of birth:
Print all maiden and previous names:	Soc. Sec. #.:	Signature:
2. Print last name, first name, middle initial:	Date of birth:	Print place of birth:
Print all maiden and previous names:	Soc. Sec. #.:	Signature:
3. Print last name, first name, middle initial:	Date of birth:	Print place of birth:
Print all maiden and previous names:	Soc. Sec. #.:	Signature:
4. Print last name, first name, middle initial:	Date of birth:	Print place of birth:
Print all maiden and previous names:	Soc. Sec. #.:	Signature:

For Residential Licensing/Adoption Unit Use Only:

Type of Check	Date Checked	Result	Initials
VCIC			
FSD Databases			
Motor Vehicles			
Office of Child Support			
Vermont Adult Abuse Registry			
Department of Corrections			
Vermont Case Access System			
Relief from Abuse			
Bright Futures Information System			
Vermont Immunization Registry			
All known last names and aliases have been checked? <input type="checkbox"/> Yes <input type="checkbox"/> No			



State of Vermont
Department for Children and Families
Family Services Division
103 South Main Street, Osgood 2
Waterbury, Vermont 05671-2401
www.dcf.state.vt.us/fsd/

Agency of Human Services

RELEASE FOR SUBSCRIPTION SERVICE

Title 33, Chapter 3, Section 309 entitles the Department for Children & Families to receive criminal conviction record information for applicants applying for a foster care or child care license. Title 20, Chapter 117, Section 2064 now allows the Department for Children & Families to receive updated criminal conviction information on any criminal record with applicant permission during the course of foster parenting and employment.

PLEASE PRINT CLEARLY & LEGIBLY

NAME: _____

DATE OF BIRTH: _____

PLACE OF BIRTH: _____

_____ I give permission for the Department for Children & Families to receive updates to my criminal record via VCIC's subscription service.

_____ I **do not** give permission for the Department for Children & Families to receive updates on my criminal conviction record.

I understand that this criminal record information will be used for reviewing my suitability for foster parenting/ continued employment. I further understand that within 30 days of receiving the results of the record check or update, I have the right to appeal the findings in writing to the Vermont Criminal Information Center, Department of Public Safety, 103 South Main Street, Waterbury, Vermont 05671-2101.

SIGNATURE: _____

DATE: _____

This form is to be kept on file in your office for audit purposes. **DO NOT RETURN THIS FORM TO VCIC**





State of Vermont
Department for Children and Families
Family Services Division
103 South Main Street, Osgood 2
Waterbury, Vermont 05671-2401
www.dcf.state.vt.us/fsd/

Agency of Human Services

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SIGNATURE: _____

DATE: _____

This form is to be kept on file in your office for audit purposes. **DO NOT RETURN THIS FORM TO VCIC**



06/17/2010



*Section 4 is completed by DCF Family Services Division staff.
Discussions with you will occur and you will be asked to sign paperwork.*

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Area of Assessment	Suitability Category			Findings & Notes
	SAFE	FURTHER ASSESSMENT NEEDED	UNSAFE/ DANGEROUS	
Relief from Abuse (RFA) Orders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> VCAS checked by _____ on _____
Substantiations of Child Abuse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CAN Registry checked by _____ on _____
DCF-FSD Involvement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Master Index checked by _____ on _____
Residency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Home Environment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Home Visit by _____ on _____
Substance Use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Physical & Mental Health	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Financial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Relationship to Child(ren) or Youth	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Collaboration <i>(willingness & ability to work with parents, DCF-FSD, and/or the court)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

- *If additional space is needed beyond what was written above, include that information here.*

ASSESSMENT

- *If behaviors or circumstances indicate further assessment is needed for any of the areas listed above, consider and document the following:*
 - *What is the historical context relevant to the concerns? What was going on in the person's life at the time that caused them to experience consequences? What was the outcome?*
 - *Is the behavior or circumstance that requires further assessment still active and present in the person's life? Does the situation present risk? Is the situation relevant as it pertains to caring for this child (and their specific needs and vulnerabilities)?*
 - *What has the person done since that incident or difficult time in their lives to mitigate those circumstances or behaviors? Are there protective factors or strengths that mitigate the concerns?*

RECOMMENDATION

- *If an unsafe/dangerous behavior or circumstance is present, the division will recommend against a conditional custody order (CCO) and/or placement to the individual/household.*
- *Based on the information gathered, the assessment that occurred, consideration of the child(ren)'s specific needs and vulnerabilities, and the division employee's professional judgement, indicate the division's recommendation below.*

This form was completed for consideration of:

- Conditional Custody Order (CCO) with Relative/Kin
- Relative/Kin Foster Care District-Approved Unlicensed Placement (must complete an application)
- Community Foster Care District-Approved Unlicensed Placement (must complete an application)
- Other: _____

LICENSING COMPLIANCE DOCUMENT

Applicant(s) Name(s): _____

LICENSING EXPECTATIONS		
YES	NO	The Applicant(s)' Physical Facility:
		The home has functioning smoke and carbon monoxide detectors on each floor, including the basement, and they are in the immediate vicinity of all bedrooms.
		The home is free of obvious fire hazards (i.e., defective heating equipment, faulty electrical cords, overloaded electrical sockets, exposed wiring, and improperly stored flammable materials).
		There is an evacuation plan from each bedroom where a foster child will sleep with an identified meeting place outside.
		The home has an adequate supply of safe drinking water, lighting, ventilation, heating, indoor plumbing, and access to telephone service within the home for emergency purposes.
		If there are firearms in the home, they are: <ul style="list-style-type: none"> <input type="checkbox"/> Locked in a safe, case, cabinet, closet, or other container; or <input type="checkbox"/> Each firearm is incapacitated by means of locking essential parts; AND <input type="checkbox"/> Ammunition is locked separately from the firearm.
		If the home has an inground or above ground pool or hot tub, it must comply with the following: <ul style="list-style-type: none"> <input type="checkbox"/> Must have a barrier on all sides; and <input type="checkbox"/> Must have their methods of access through the barrier equipped with a safety device, such as a bolt lock.
YES	NO	The Foster Child(ren)'s Bedroom:
		Has at least two accessible exits from the bedroom.
		Has safe sleeping space and adequate bedding.
		Has a separate bed for each foster child. If the child is under the age of 2, sleeping arrangements are in compliance with safe sleep protocols.
YES	NO	The Applicant(s)' Assures:
		That no one in the home has a problematic criminal history or demonstrates unsafe behaviors that could compromise a child or youth's safety.
		That if the home has pets, they have no history of aggression towards people.
		That medications are inaccessible to children/youth and are stored appropriately.
		They will not use illegal substances or abuse legal substances to intoxication.
		They are not being paid to provide child care, babysitting services, or adult caregiving in the home.
		They are financially able to support the basic needs of a foster child or children entering their home.
		They will not co-sleep or bed share with infants.
		They will use discipline that is constructive and educational in nature and refrain from physical, degrading, humiliating, or inappropriate disciplinary techniques as outlined in the regulations.
		They will report any physical interventions or restraints with a foster child to DCF-FSD.
		They will maintain confidentiality and privacy of the child(ren) placed in the home.
		They will <u>not</u> care for more than six children (including their own) and dependent adults at one time.
		They will provide age and developmentally appropriate supervision.

		They will provide age and developmentally appropriate supervision regarding water safety.
		They will report any circumstances indicating that a foster child has been abused, neglected, or involved in any illegal activities.
		They will <u>not</u> smoke (including both traditional cigarettes and electronic cigarettes) any substance in the home, vehicles, or in the presence of children.
		They will work cooperatively with DCF-FSD, biological parents, and other members of the foster child(ren)'s team.
		They will notify DCF-FSD if they move to a new residence, there are any new household members added to the home, they separate or divorce, or if a household member becomes seriously ill or injured.
		They will comply with all foster care licensing regulations.

Explanations are required if there are any concerns for RLSI to review:

I confirm this completed form was reviewed with me and I certify that the information contained in this document is true and accurate.

Applicant Signature

Date

Applicant Signature

Date

Form administered by:

Signature of DCF-FSD Employee

Date

APPROVAL/DENIAL OF DISTRICT APPROVED UNLICENSED PLACEMENT FORM

FAMILY SERVICES WORKER OR RESOURCE COORDINATOR TASKS

- Placement Checklist Date: _____ By: _____
 FP Authorization Letter Date: _____ By: _____
 Licensing Reg. Book Date: _____ By: _____

Family Services Worker OR Resource Coordinator Date: _____

Printed Name: _____ Signature _____

DISTRICT DIRECTOR OR DESIGNEE APPROVAL OF UNLICENSED PLACEMENT

Printed Name: _____ Signature _____

I recommend approval for placement. Date: _____

I do NOT recommend approval for placement. Explain:

Has a child been placed at this time? Yes No Are there children placed as a sibling group? Yes No

Is a variance request needed? Yes No

Child(ren)'s Name(s)	Date of Birth	MIS Number

Child(ren)'s Relationship to Applicants: _____

RESIDENTIAL LICENSING & SPECIAL INVESTIGATIONS UNIT REVIEW

Home visit occurred on: _____ By: _____

All background checks completed Date of Compliance: _____

I recommend licensure for: One Child Two Children Three Children Respite

These children only: _____ Other: _____

Conditions or Variances: _____

License Effective Date: _____

Expiration Date: _____

Reviewed and approved for licensure on: _____

By: _____

This page is intentionally left blank.

DCF-FSD Release of Information for Caregiver Support Groups

I/We, _____, authorize the Department for Children and Families (DCF), Family Services Division (FSD) to release my personal contact information to any of the support organizations selected below. Providing your contact information will place you on the indicated organization’s communication list so that they may provide you with newsletters, invitations, information, and notifications of opportunities within that organization. These organizations agree not to share your personal contact information.

- Vermont Foster and Adoptive Family Association (VFAFA)** – This statewide organization is comprised of foster, kinship, and adoptive families and provides information and support to all caregivers.
- Vermont Kin as Parents (VKAP)** – A supportive and informational organization for families raising the children of relatives. VKAP is comprised of kinship caregivers who understand the unique nature of kinship care.
- The Vermont Consortium for Adoption and Guardianship** – The consortium is comprised of agencies that serve Vermont’s adoption and guardianship community and provides information and support to all adoptive and guardianship families.
- Other Foster Parent Support Programs** – Such as local foster parent associations, district advisory boards, or caregiver support groups in your area.

PLEASE COMPLETE ALL INFORMATION BELOW AS THIS SHEET IS SEPARATED FROM THE REST OF THE APPLICATION!

My District Office: _____

Name(s): _____

Address: _____

Telephone Number(s): _____

Email(s): _____

I understand that signing this release is optional and not a licensing requirement. I also understand that connecting with these organizations can be an informative and supportive resource for foster, kinship, adoptive and guardianship families.

Applicant Signature:

Applicant Signature:

EXHIBIT B



Catherine, Paula <Paula.Catherine@vermont.gov>
to me, Casey ▾

Oct 19, 2023, 9:01AM ☆ ↶

Hello Casey and Melinda! I plan to come at 10 am today. I look forward to meeting with you both!

To ensure all our licensed homes are affirming, I would like to ask if you both if would be willing to take a online training: LGBTQ+ 101 Caring for LGBTQ Children and Youth - <https://vcwtp1.trainingserver8.org/course/view.php?id=115>
Let me know if you would be willing to take this training. Thanks! Paula

...

EXHIBIT C

Supporting Youth

One supportive adult

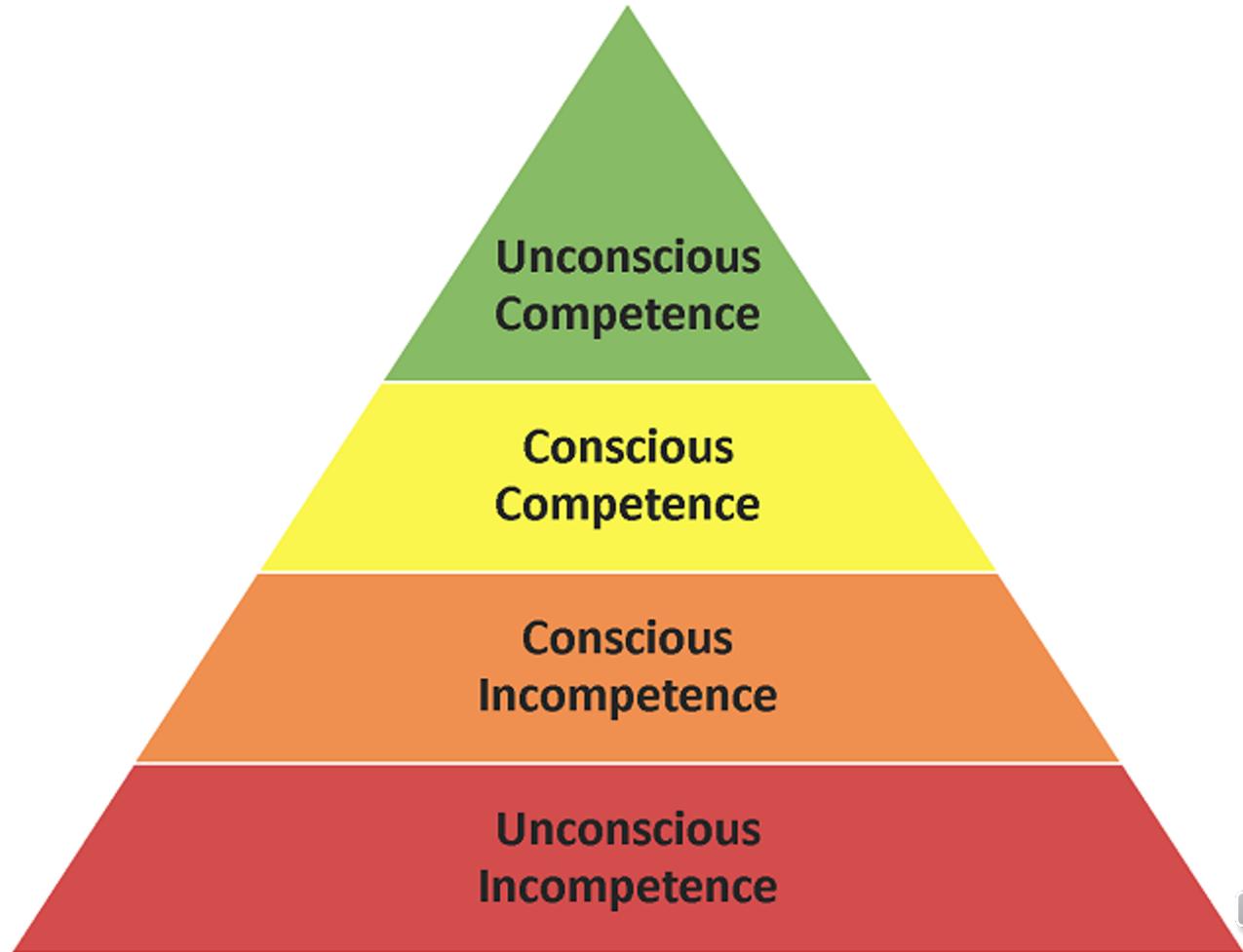
"I felt welcomed and accepted for the first time in my life."

"I finally know I have people who support me."

-Vermont Youth



Stages Of Learning





Allyship Framework

- **Personal** - Assessing one's self for implicit or explicit bias and assumptions; increasing awareness and learning.
- **Interpersonal** - Voicing your commitment to inclusion: Staying away from binary language, and assumptions. Challenging traditional notions of gender.
- **Structural** - Institutional structures that support gender and sexuality inclusion: Building facilities, forms, policies, databases, and professional development
- **Outreach/Products** - Specific ways we message about gender. Arts, books, media, outreach materials, queer and trans speakers. Are there mirrors and windows? (Emily Style, 1996).





“Wanting kids to be safe first and foremost is a good thing, but then don't ONLY focus on physical safety.”

-Vermont Youth



Building Safety

- o Help all family members and close friends respect LGBTQ youth by encouraging them to use the correct name, pronouns, and affirming remarks. Set boundaries with family members and friends who can or will not.
- o Work to make community and faith groups supportive of LGBTQ people.
- o Advocate for LGBTQ youth when they are bullied, harassed, or discriminated against.



“I was never able to talk or file a grievance because the staff at the programs would take it personally, and it would make them treat you worse.”

- Vermont Youth



Strategies from Youth:

- Recognize the difference between gender identity, expression, and sex assigned at birth
- Ask for preferred name and pronouns each time (instead of relying on what an intake form says). Use and respect names and pronouns, especially singular 'they'
- Post visible outreach materials and artwork with diverse representation



Supporting Youth in Health Care Access

Access to knowledgeable health care practitioners is vital for LGBTQ youth.

Informed practitioners can help youth distinguish between exploration and transition in a safe, affirming environment.



Affirming Youth

- o Express acceptance and gratitude for their trust in you when a child comes out
- o Encourage LGBTQ children and youth to speak openly and honestly about who they are. If they do not want to talk, be supportive and respectful of their space
- o Believe LGBTQ youth can have a happy future as an adult. Help youth believe it, too, by connecting them to LGBTQ communities through events and affirming organizations.



EXHIBIT D

Parental Rights Petition for the Essex Westford School District

WHEREAS the Fourteenth Amendment of the United States Constitution provides that parents have a fundamental right to direct the upbringing and education of their children*;

WE THEREFORE PETITION the Essex Westford School District to adopt the following **Guiding Principles on the Respect of Parental Rights**, to be applied to all policies and procedures of the district and its schools beginning in the 2024-2025 school year:

1. **Parents are their children’s primary caregivers.**

Teachers, administrators, and other school personnel are required to affirm that parents are primarily responsible for their children’s education and health, as well as their moral and religious upbringing.

School officials must inform parents within 24 hours of any incident involving their child at school.

2. **Children should be protected from discrimination, harassment and bullying.**

No student should be compelled to affirm or profess any ideology—e.g., such as suggested by flying any flag other than the United States and Vermont flags—especially any ideological belief that violates the Civil Rights Act of 1964.

Teachers, students, or anyone else within the school must not treat students differently because of race, ethnicity, sex, sexual preference, personal values, or religious beliefs.

Teachers and students must never be compelled to profess that they are guilty of racism based on their own race or ethnicity, nor be compelled to use another’s pronouns.

3. **Barring a medical emergency in which a parent cannot be reached, school employees are prohibited from administering medical care or providing counseling to students under age 18 without parental permission.**

Teachers and administrators cannot withhold information from parents about a student’s decision to assume a different gender.

4. **Parents—and taxpayers—have a right to know what educators are teaching their children.**

Parents have a right to view all teaching materials that are utilized. Parents should not have to travel to district headquarters or schools to view them. The district should post all materials online, subject to copyright laws, to provide access to parents.

School officials should inform parents, in advance, of all outside organizations and persons that make presentations or provide materials to students, and post the presentations and materials online.

Terms

- The term “parent” or “parents” shall mean “any parent, guardian, legal custodian, or other person having control or charge of a child.”
 - The term “medical emergency” shall mean “a situation in which the condition of the student or sudden change in medical status requires immediate action – e.g. head injury, shock, respiratory distress.”
-

EXHIBIT E



Melinda Antonucci is with Casey Mathieu.



February 19 · 🌐

Attention Essex & Westford Residents. Please consider signing the Parental Rights Petition for the Essex/Westford District. It is essentially affirming that parents are primarily responsible for their children's education and health, as well as their moral and religious upbringing. We have a lot of signatures already, but still need some more by Tuesday evening!! If you would like to sign please message me and I'll get you the petition to sign. Thank you!

Parental Rights Petition for the Essex Westford School District

WHEREAS the Fourteenth Amendment of the United States Constitution provides that parents have a fundamental right to direct the upbringing and education of their children*;

WE THEREFORE PETITION the Essex Westford School District to adopt the following **Guiding Principles on the Respect of Parental Rights**, to be applied to all policies and procedures of the district and its schools beginning in the 2024-2025 school year:

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- The term "medical emergency" shall mean "a situation in which the condition of the student or sudden change in medical status requires immediate action – e.g. head injury, shock, respiratory distress."



Allison Duquette, Frank Antonucci and 7 others

19 comments · 8 shares

EXHIBIT F

From: Melinda Antonucci mantonucci@ccrsalesvt.com
Subject: Fwd: follow up/ foster care
Date: April 23, 2024 at 11:21 AM
To: ESell@libertycenter.org



Email from VT DCF.

Melinda Antonucci
[CCR Sales & Service, LLC](#)
(802) 872-2666
mantonucci@ccrsalesvt.com
70 Upper Main St., Essex Junction, VT 05452

[Hear our SANY Story!](#)

----- Forwarded message -----

From: **Catherine, Paula** <Paula.Catherine@vermont.gov>
Date: Thu, Apr 4, 2024 at 1:12 PM
Subject: RE: follow up/ foster care
To: Melinda Antonucci <mantonucci@ccrsalesvt.com>

Hi Melinda, I just tried to call you. I just spoke with my supervisor. Since you will not foster a transgender child and discuss they/them pronouns with your child, then I don't know how we can move forward with fostering given the inability to predict any foster child's journey with their own identity. At this point you can chose to close your foster care license or I will need to formally deny your license. Please let me know what you would like to do. Thank you. Paula

From: Melinda Antonucci <mantonucci@ccrsalesvt.com>
Sent: Tuesday, April 2, 2024 1:51 PM
To: Catherine, Paula <Paula.Catherine@vermont.gov>
Subject: Re: follow up/ foster care

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Paula-

I wanted to follow up and see if you had a chance to talk with your supervisor and to see if a decision has been made.

Thank you,

Melinda

Melinda Antonucci

[CCR Sales & Service, LLC](#)

(802) 872-2666

mantonucci@ccrsalesvt.com

70 Upper Main St., Essex Junction, VT 05452

[Hear our SANY Story!](#)

On Mon, Apr 1, 2024 at 9:51 AM Melinda Antonucci <mantonucci@ccrsalesvt.com> wrote:

Sure - that works.

802-999-9970

Melinda Antonucci

[CCR Sales & Service, LLC](#)

(802) 872-2666

mantonucci@ccrsalesvt.com

70 Upper Main St., Essex Junction, VT 05452

[Hear our SANY Story!](#)

On Mon, Apr 1, 2024 at 9:44 AM Catherine, Paula <Paula.Catherine@vermont.gov> wrote:

Great! Can we try noon? What number should I call? Paula

Residential Licensing and Special Investigations

Department for Children & Families

280 State Drive HC1 N Bldg. B

Waterbury, VT 05671

From: Melinda Antonucci <mantonucci@ccrsalesvt.com>

Sent: Monday, April 1, 2024 9:42 AM

To: Catherine, Paula <Paula.Catherine@vermont.gov>

Subject: Re: follow up/ foster care

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Paula-

I'm available today from 12pm - 3 pm.

Melinda Antonucci

[CCR Sales & Service, LLC](#)

(802) 872-2666

mantonucci@ccrsalesvt.com

70 Upper Main St., Essex Junction, VT 05452

[Hear our SANY Story!](#)

On Mon, Apr 1, 2024 at 9:00 AM Catherine, Paula <Paula.Catherine@vermont.gov> wrote:

Hi Melinda, I hope you are well. I wanted a chance to discuss something that was brought to my attention. To be transparent, I have included it. Is there a best day/time to call? Thank you. Paula

Residential Licensing and Special Investigations

Department for Children & Families

280 State Drive HC1 N Bldg. B

Waterbury, VT 05671

EXHIBIT G



VERMONT

**DEPARTMENT FOR CHILDREN AND FAMILIES
FAMILY SERVICES DIVISION**

Foster & Kinship Care Overview

Foster Care
*Because a
child can
never have
too many
people to
love them...*

Becoming a foster parent

- The basics.....2
- The Licensing Process.....3
- Mandatory Training.....4

Accepting a child into your home

- When you get a call.....5
- Questions you may want to ask...5 and 6
- When to say no.....6
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- Items to have on hand.....8
- Understand your role.....8 and 9
- Nurture and Support family connections.....10 and 11
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- Direct deposit14
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- Communicating with DCF.....16
- Contact Information.....17–19
- Respite Care.....20

The Court process

- Juvenile hearing.....21–23
- Easter Seals.....24

Next Steps.....25

Attachments

- Placement checklist
- Medical authorization



child placement heart family happiness
court case worker plan
heart Foster care
support healing trauma
home hope loved safe
heart





The Basics for Prospective Foster

Our Values & Guiding Principles

- *All children have the right to be safe
- *All families have both risk and safety factors
- *Everyone is capable of growth and change-with support and adequate resources
- *Engaged relationships hold the promise for sustained change
- *Valuing a family's expertise enhances our work together
- *Separating children from families is traumatic and should be seen as a last resort
- *Early engagement if the larger family network is a key to success
- *Responsibility should be shared and use of authority limited
- *Each family's cultural, ethnic and spiritual diversity deserves respect

To live these values, we must be intentional, unwavering, committed to addressing capacity and focused on the long term

The goal of state care

The ultimate goal of state care is to provide children and youth with safe, permanent homes-ideally with their parents. That's why, from a child's first day in state care, the social worker works towards two goals at the same time (called concurrent planning):

1. To return the child home to the parents; and
2. To help the child achieve permanence-preferably with extended family members or known connections -if s/he cannot safely return home.

This means that while we work towards the child's return home, we also make alternative plans in case that doesn't happen. This allows us to achieve a timely outcome that respects a child's need for stability. Living in uncertainty and moving between different living situations is disruptive to a child's development.



The Licensing process

1. Contact the resource coordinator in your local Family Services district office.

We will talk to you about your experience with children, why you are interested in foster care, the type of children you'd like to care for, and other issues (e.g., your family's financial situation, interests, and health).

2. Complete the application the Resource Coordinator provides

It includes several forms, including one that gives us permission to conduct background checks on all members of your household age 16 & older.

3. We conduct background checks

This includes, but is not limited to, checking child protection & adult abuse registries, motor vehicle violations, restraining/relief from abuse orders, and past-due child support. It also includes a fingerprint-supported national criminal records check. Any criminal history is considered in light of how it might affect your family's ability to provide safe and appropriate care for a child. Federal law does not, however, allow us to license applicants who have been convicted of certain felonies.

4. A visit at your home from the district office staff

We will review the forms you completed, talk to all members of your household, and tour your home to make sure it meets licensing regulations. Visits typically last for a few hours.

5. We assess the information gathered

We assess your suitability as foster parents using information from the application, home visit, and background checks.

6. Complete Training

All foster parents are required to attend a three-part training offered by the Child Welfare Training Partnership: Most people attend training before they accept children into their homes.

7. Complete your fingerprints

You will be mailed a packet of information regarding where and how you can complete getting your fingerprints taken. There is no cost to you to do this.

8. A visit at your home from our Residential Licensing and Special Investigations Unit

This visit usually lasts a couple hours and will include getting to know you and your family, a tour of your home, background information and more.

9. Receive your license

If you meet the licensing requirements, you'll get a license that's valid for up to three years. How soon you are asked to take a child into your home will depend on the local need and your flexibility regarding the age, gender, and special needs of the children you are willing to foster. If you do not meet the licensing requirements, you'll get a letter explaining why you won't be licensed and your right to appeal the decision



Mandatory Trainings

What is Foundations?

Foundations is a required training series designed for Vermont kinship and foster caregivers. This series was developed by The Vermont Child Welfare Training Partnership~ A collaboration between the University of Vermont and the Vermont Department for Children and Families/Family Services Division.

Orientation: (Microsoft Teams or online) 45 –60 minutes

Either online or a go-to meeting, Learn about the values and goals of Family Services, learn about next steps after expressing interest, what to expect before and after a child is placed with you, learn about additional supports for DCF caregivers, get access to training to support you in providing exceptional care!

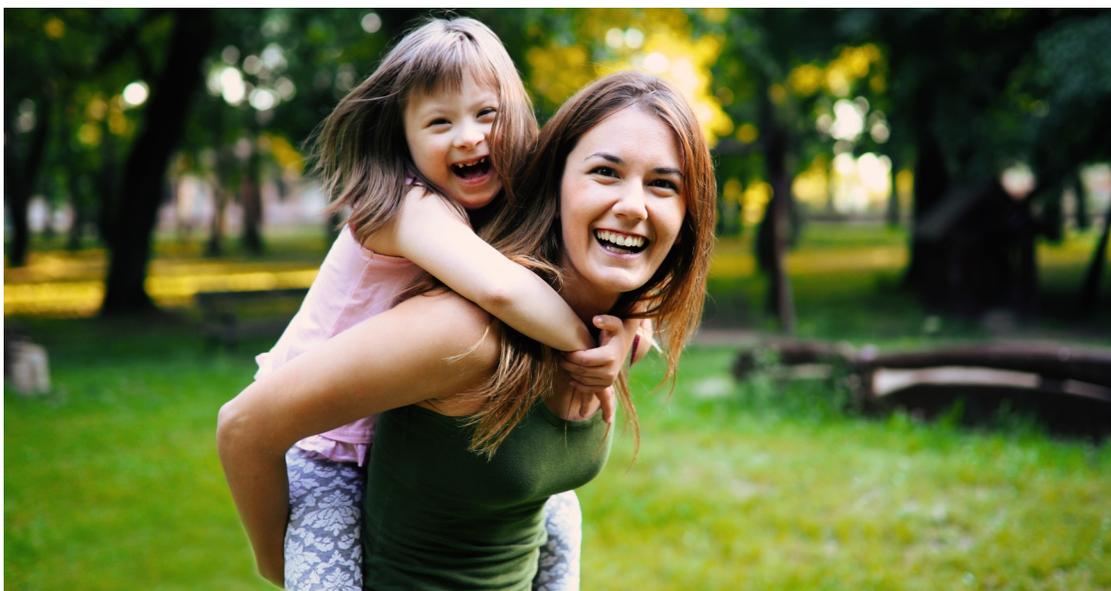
Foundations Online: (online) 20 hours

From the comfort of your own home or community you will learn at your own pace. Learning modules will help you to better prepare for your new role as a kinship or non-relative foster parents.

Learning Networks (online and Zoom meeting): 9-10 hours

Join with other foster parents from your own community to deepen your learning and build skills that will help you to be better prepared to take care of a child or youth with a trauma history.

You will need to complete Orientation and Foundations online before you can be licensed



Accepting a child into your home

How soon you may be asked to take a child into your home depends on how flexible you are in terms of the age, gender and special needs of the children you will accept. If you have not received a call in a while, don't assume your help is not wanted. It's just a matter of waiting for a child who is a good match for your family.



When you get a call

When you get a call about a child, the resource coordinator or Family Services worker will share as much background information as is known at the time. If the child is new to DCF custody, they may not yet have much information.

It's important to ask questions to help you decide whether it's a good match. Take some time to think about the request and talk to your family. Tell the Family Services worker or resource coordinator that you'll call back shortly, after you've had the chance to think about it.

Questions you may want to ask

About the child:

Why does the child need placement? How long are they expected to stay?

What are their strengths and challenges? Are they a risk to themselves or others?

What are their medical needs? Are there any unmet medical needs?

Who is the child's doctor? Dentist? Are they up-to-date on appointments?

Will they need child care if they live in our home? Do they need after school care? If so, is it available?

What is their religion? Do they attend religious ceremonies? If so, where?

Are they in school? If so, what school and grade? Do they have an Individualized Education Plan (IEP)? Educational surrogate?

Do they participate in any extracurricular activities?

Do they participate in any ethnic/cultural practices?

About the child's family:

What is the family's current situation? Their past history?

What do they understand about the reason for placement?

Does the family pose any risk to our family? Are there any safety concerns?

What is the plan for the child to visit with family members (called *family time*)? What role, if any, will we play in family time?

Are there any court orders regarding parent-child contact?

Are there any restrictions on the child's contact with anyone else (e.g., friends, siblings, relatives or others)?

About the caseplan:

May I get a copy of the most recent case plan? What is the case plan goal?

What transportation is required to meet the child's needs (e.g., transportation to childcare or school, doctors appointments, court and family time)?

About any pets in your home:

If we have pets, how will they respond to a new household member?

How will I supervise the pets and children during the transition? Can they be safe together?



To make a difference
in someone's life,
you don't have to be
brilliant, rich,
beautiful, or perfect.
You just have to care.

When to say no

Carefully weigh all the factors when deciding whether to accept a child into your home. Only say yes if you think it will work.

YOU HAVE THE RIGHT TO SAY NO. Saying no upfront will protect you and the child from a lot of pain and guilt later on. Don't feel pressured into situations that make you uncomfortable or you feel will not work. Some foster parents fear that if they say no, they will not be called again. That is not the case. The ability to say no is one of the most important skills you can have as a foster parent.

WELCOMING A CHILD INTO YOUR HOME

You have agreed to care for a child in need. So now what? Where do you begin?

Tips for a smooth transition

- Ask the Family Services worker for a completed placement checklist and medical authorization form as well as the child's Medicaid card or number. (see attachments)
- Talk to the resource coordinator about the best way to welcome the child into your home. Who should be home? How should you greet the child?
- Welcome the child quietly. While you may be excited, the child may be scared and confused. Remember that everything will be new to them.
- Give the child a tour of your home and orient them to this new space.
- Identify their personal spaces. For example:
 - Where they'll sleep and store their personal belongings
 - Where the bathrooms are
 - Where they can find things such as drinking glasses, plates and silverware
- Don't have a house full of friends or relatives over the first few days. It may be overwhelming for the child.
- Explain your house rules. It may be helpful to make a list of the three or four most important ones and share others as you go along. Keep them positive and simple.
- Ask the child about how their family does things. To the extent possible, incorporate those routines and traditions into your family's. Settle down to a regular routine as quickly as possible.
- Let the child know how they should address you. Many foster parents are comfortable using their first names. It is not appropriate to suggest the child call you "Mom" or "Dad". The Family Services worker can help you decide what's best.
- Don't discard the child's belongings brought from home. It is preferable to not wash comfort items such as blankets or stuffed animals unless there are health or safety reasons. Familiar possessions & smells will be a comfort.
- Respect the child's loyalty to his or her family. Never speak negatively about a child's parents in front of them. Expect the child to have mixed feelings about what has happened.
- Give the child time to adjust. This is a time of great emotional stress, more than the child may show. Expect occasional problems, but try to keep them in perspective. Don't emphasize small problems or minimize serious ones.
- Remember that you are not alone. If you need support or have any concerns, contact the resource coordinator or Family Services worker. They can provide support and connect you with other foster parents in your area.

ITEMS TO HAVE ON HAND

A good place to start is with these standard items:

BEDROOM: A bed or a crib, gender neutral bedding, mattress protector, dresser or other place for the child to put their belongings, etc.

HYGIENE: Toothbrush and toothpaste, hairbrush/comb, shampoo, conditioner, soap, washcloth and bath towel, tampons/pads

Understand your role

Education

Numerous studies have confirmed that youth in foster care are negatively impacted by frequent school changes. Disruptions in school placement can decrease academic performance and increase the likelihood of truancy and dropping out of high school. This contributes to higher than average rates of homelessness, criminality, drug abuse and unemployment among young people who were in foster care. That's why educational stability is a priority for every child in DCF custody.

In December 2015, Congress passed the Every Student Succeeds Act (ESSA) requiring state and local educational agencies to work with child welfare agencies to ensure the educational stability of children in foster care. All students coming into DCF custody must remain in their schools unless it's determined to not be in their best interest. If it's not in their best interest, they'll be immediately enrolled in their new schools, even if the records normally required for enrollment are not immediately available. The new schools will then be responsible for obtaining all necessary academic records.

Transportation planning will be part of the discussion regarding school placement. The transportation responsibility falls on the child's custodian (DCF). Foster parents are often asked to transport children to school and are reimbursed for mileage.

Foster parents attend special events and participate in school meetings. Some children who need special educational services are assigned an educational surrogate — a trained person who represents the child at meetings, requests evaluations and develops and monitors special education plans. Please tell the Family Services worker or resource coordinator if you are interested in becoming an educational surrogate.



Dental & medical care You may arrange for the child's routine health and dental care and immediate medical treatment in case of illness, accident or emergency. If possible, the child should remain under the care of the same physician and dentist he or she has been seeing. If appropriate, the child's parents should remain involved in their medical care.

You are responsible for keeping the Family Services worker and family (as appropriate) informed about any health concerns. The Family Services worker must give permission for anesthesia, surgery and psychiatric services.

It's not the word before parent that defines ...bio, adoptive, foster, step but rather the love and dedication in the parent's heart.

All parents who care make a difference!



Religious, cultural & tribal participation

You are expected to respect and support the religious, cultural and tribal values of the children in your home. They should be given opportunities to:

Attend religious services

Participate in church, mosque, synagogue, temple or other place of worship activities

Participate in cultural activities and events

Participate in tribal activities and events

Speak in one's native language with siblings or others who speak the language

They also have the right to not participate in religious ceremonies or other cultural traditions they don't want to or the parents don't want them to. The Family Services worker and family can help you find resources when there are differences in spiritual or cultural customs.

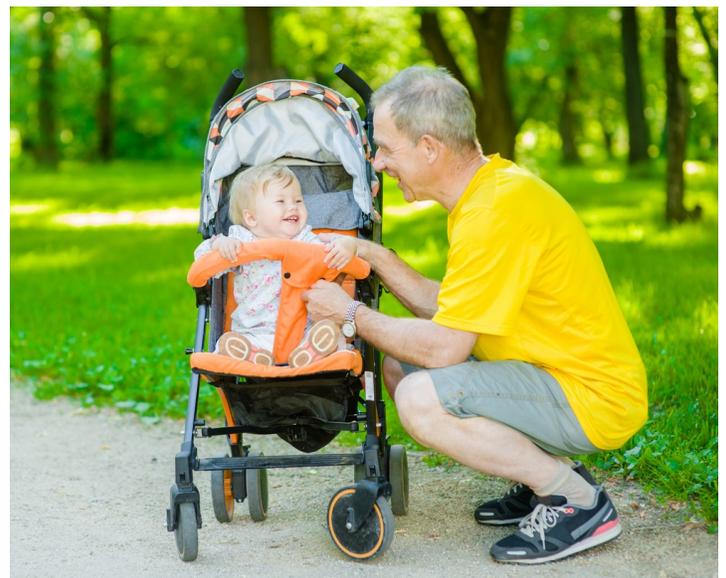
Nurture and support family connections

You are essential to maintaining connections between children in foster care and the people who are important to them. Below are some ideas of how you can support these connections. Be sure to discuss them with the Family Services worker to make sure they are appropriate and in line with the case plan.

- Support various means of contact and communication (e.g., family time, phone calls, letters or emails).
- Be a formal or informal mentor to the parents.
- Encourage family participation in decision making; seek their input or help with parenting issues.
- Keep routines, traditions and rules as similar as possible or at least ask about their rules and routines.
- Get pictures of the family for the child; display photos in the child's room and the home.
- Have the child draw pictures or create artwork for the family.
- Do what you can to keep the child connected to their community, church, school, etc.
- Make sure possessions given to the child by the family are respected and kept.
- Reassure the child that their family cares for them despite the difficulties the family may have meeting their needs.
- Be courteous and respectful to the child's family; don't talk negatively to or about them.
- Don't be judgmental.
- Include family members in celebrations and school and community events unless there are safety concerns or the Family Services worker doesn't recommend it.
- Remember that safe reunification is best for the children. Let the family know that your goal is to help them get their children back
- Participate in shared parenting meeting (A shared parenting meeting is convened jointly by the Family Services worker and family time coach to bring together the parents, foster parents, other family members as appropriate and sometimes the child/youth. If there is no coach, the meeting will likely be facilitated by the Family Services worker. The initial caregiver meeting is the first opportunity for all parties to talk about a family time schedule that will benefit the child.)

“A hundred years from now,
it will not matter
what my bank account was,
the sort of house I lived in,
or the kind of car I drove,
but the world may be different
because I was important
in the life of a child.”

-Forest E. Witcraft



Support family time (parent/child contact)

One of the best predictors of successful reunification is the frequency and quality of family time between a child and their parents.

Maintaining family contact and regular time together is critical in supporting children and youth's attachments to their parents, siblings, and other family members. Frequent, supported family contact can lessen both the child's and the parents' anxiety about the child being in foster care, reduce a child's sense of abandonment and loss, and contribute to safe and successful reunification. Family time supports parental engagement, provides motivation for change, provides an opportunity for assessing and teaching parenting skills, and helps to maintain a realistic perspective on case plan progress.

Both federal and state laws place strong emphasis on maintaining continuity of family relationships and connections. Children and their parents have a right to maintain a relationship and contact after a child enters foster care.

It is critical for DCF staff and contracted partners to ensure family time is safe, well-planned, and occurs as soon as possible following a young person entering DCF custody. Children should have the opportunity to be with their parents in person **no later than three working days** of the child/youth entering DCF custody. The assigned family services worker may coordinate with others (CFS partners, community partners, family members, etc.) to ensure that family time can occur as soon as possible. If family time cannot occur in person within the recommended timeframe, communication should be arranged by phone, video, or other means.

It is important for parents to continue to be invited to and involved in their child's medical appointments, dental appointments, school meetings, events, and extracurricular activities when this can be reasonably coordinated and done safely.

The court may also order contact between the child and the child's siblings, an adult relative with whom the child has a significant relationship, or an adult friend with whom the child has a significant relationship.

When siblings are not placed together, federal law requires reasonable efforts to provide for frequent visitation or other ongoing interaction between siblings. Siblings may maintain contact through a variety of means such as visits, phone calls, video calls, emails, and social media. These ties can provide some stability and permanency for children.



Financial Supports

*You'll get a monthly stipend to help with the cost of raising a child. Reimbursement rates vary depending on the training and experience of the foster parents and age of the children in their care. See Foster care rates sheet for specific information.

*Children in care are eligible for free school lunches.

*Children under the age of five are also eligible to receive services and food from the Women, Infant, and Children (WIC) program administered by the Vermont Department of Health.

*Subsidized childcare. Children must attend a specialized service child care program.

*Children in custody are covered for medical expenses through Medicaid.

*You may be eligible for Medicaid Mileage reimbursement through SSTA . Contact (802-878-1527, option 2) for more information. (doctors, dentist, therapy, prescriptions)

*if you have a child in your home who requires care above and beyond (medical needs, behavioral needs) we can discuss a different stipend rate

*If a child needs special items or has unusual expenses, there may be funds available to help

*You can be reimbursed for expenses related to carrying out the case plan (e.g., attending training, and transporting the child to family visits, meetings, and court).

*An initial clothing voucher of up to \$100 may be issued if a child comes into care without adequate clothing and efforts to recover the child's clothing are unsuccessful

*If the child damages your home, you may be eligible to be reimbursed for the costs of repairing the damage.

* Foster parents can get reimbursed for mileage to/from court and family visits as well as mileage to training opportunities.



FY 23 Foster Care Rate Schedule

	preschool (0-5)			child (6-12)			teen (13-18)					
	level 0	level 1	level 2	level 0	level 1	level 2	level 0	level 1	level 2	level 3		
board	\$15.25	\$16.02	\$18.44	\$22.14	\$17.23	\$18.09	\$20.70	\$24.83	\$18.70	\$19.63	\$22.42	\$26.74
clothing	\$3.62	\$3.62	\$3.62	\$3.62	\$2.44	\$2.44	\$2.44	\$2.44	\$2.63	\$2.63	\$2.63	\$2.63
incidental	\$ -	\$ -	\$ -	\$ -	\$0.83	\$0.83	\$0.83	\$0.83	\$1.02	\$1.02	\$1.02	\$1.02
allowance	\$ -	\$ -	\$ -	\$ -	\$0.48	\$0.48	\$0.48	\$0.48	\$0.81	\$0.81	\$0.81	\$0.81
Daily rate without child care	\$18.87	\$19.64	\$22.06	\$25.76	\$20.98	\$21.84	\$24.45	\$28.58	\$23.16	\$24.09	\$26.88	\$31.20
Monthly child care subsidy up to*	\$600.00			\$600.00			\$0.00					

Emergency Rate	\$31.50 Flat Rate (Board and care)	\$31.50 Flat Rate (Board and care)	\$31.50 Flat Rate (Board and care)
Paid maximum of up to 30 days - system will automatically drop rate from Emergency to Standard after 30 days			

*Notes about child care portion of foster care rate: 1) child care subsidy is available only for foster parents who are working; 2) rates are not to exceed the monthly rate shown; 3) actual rates paid for individual child may be less than rates shown; 4) payments are made directly to the child care provider; 5) Monthly child care rates are also included in Emergency and Enhanced Rates.

Enhanced CRF rates:	
	\$36.33
	\$44.22
	\$52.08
	\$56.03
	\$59.98
	\$63.92
	\$67.87
	\$75.77
	\$78.75

- Other enhanced rates:**
- Children Requiring 24 hour a day Specialized Care and Supervision can with the Deputy Commissioner of Family Services approval receive payment up \$200.00 per day
 - Points: If Points are >= 71 Add \$7.00 Per Day; Else if Points are >= 50 Add \$3.50 Per day
Only for Points added prior to 3/1/20. Points are no longer valid for use - CRF's only

Foster parent begin at Level 1.
To move to level 2, you need to complete all of the mandatory trainings as well as 40 hours of training that must include RPC+ and other trainings and 2 years experience
To move to a level 3, you need 40 more hours of training which must include 20 hours from CWTP and others as well as 2 more years of experience

**STATE OF VERMONT
SUPPLIER ACH AUTHORIZATION FORM**



Action Requested: (check one) NEW CHANGE CANCEL

Section 1: Supplier Identification

SUPPLIER NAME		
ADDRESS		
CITY	STATE	ZIP CODE
CONTACT PERSON	TELEPHONE	
TAXPAYER IDENTIFICATION NUMBER [EIN <u>or</u> SSN]	VERMONT SUPPLIER ID NUMBER (if available)	

Section 2: Banking Information

BANK NAME			
ADDRESS	CITY	STATE	ZIP CODE
ACCOUNT NUMBER	ROUTING NUMBER (9 digits)	ACCOUNT TYPE (check one) <input type="checkbox"/> Checking <input type="checkbox"/> Savings	

CHANGE Request - Previous Bank Account Number:

Section 3: Supplier Authorization

I authorize the State of Vermont to initiate/change/cancel ACH credit entries to the above bank account. I further authorize the State of Vermont to reverse any payment made to this account in error.

SIGNATURE		
PRINTED NAME	TITLE	DATE

Please Mail or Fax Completed Form to:

VT Dept of Finance & Management
109 State St, 4th Floor
Montpelier, VT 05609-5901

Fax: 802-828-2434

Email:

VISION.SupplierRequests@vermont.gov

If you have questions when completing this form, contact the VT Dept of Finance & Management at 802-828-1259.

STATE OF VERMONT Use Only

VISION Supplier ID:	VISION Process Date:	Processed By:
---------------------	----------------------	---------------

Supports for Foster/Kinship Families

DCF works with several agencies that provide a limited amount of additional support to foster parents, including case management and consultation. DCF supports the use of respite as a positive break for caregivers. It gives foster parents time to relax and refresh their energy. It's also an opportunity for children to have a break and connect with a supportive network of other caring adults.



Vermont Child Welfare Training Partnership (CWTP) <http://training.vermontcwtp.org/>

Vermont Consortium for Adoption and Guardianship <https://www.vtadoption.org/>

Vermont Foster and Adoptive Family Association (VFAFA) <http://www.vfafa.org>

Voices at the Table Blog & Website <http://voicesatthetable.wordpress.com>

Vermont Kin as Parents (VKAP) [Www.vermontkinasparents.org](http://www.vermontkinasparents.org)

Foster Parent College [Www.fosterparentcollege.com](http://www.fosterparentcollege.com)

Youth Development Program (YDP) <https://vtyouthdevelopmentprogram.org/>

Social Media

Facebook— Vermont Foster Parent Exchange

The Vermont Trauma Lens

Foster , Kin and Adoptive Families of Chittenden County

Foster Care E-News

<https://us17.campaign-archive.com/home/?u=859e7d9d58aa8a76ad48205a1&id=b304ca69f1>



Foster Parent Corner

fpcorner.vermont.gov

Working and communicating with DCF

Assessment/Investigative Family Services Workers (front end workers) Conduct investigations or assessments in response to reports accepted for intervention. Workers in the Residential Licensing and Special Investigation Unit investigate reports of suspected child abuse/neglect in facilities regulated by the department (e.g., foster homes).

Children's Attorneys Represent children in court. Every child in DCF custody has one.

District Directors Oversee the 12 Family Services district offices, are members of local teams and are available to support foster families when Family Services workers, resource coordinators and supervisors are not available.

Family Safety Planning Facilitators (staff or contracted professionals) Facilitate family safety planning meetings — structured meetings that support honest communication with families about safety issues. Foster parents are often invited.

Family Services Workers (social workers) Are assigned to families who get services from the department and children in foster care. They help families and children get needed services, make sure children are safe and work with a team towards the case plan goal when children are in out-of-home care. They also partner with resource coordinators to support the foster parents.

Family Time Coaches (Easter Seals) Facilitate shared parenting meetings and coach parents visiting their children in foster care.

Guardians ad Litem (GALs) Meet with children, attend all court hearings and advocate in court for what they believe is in the children's best interests. GALs are volunteers appointed by the court.

Recruitment and Retention Specialists Support statewide and local foster parent recruitment and retention efforts.

Resource Coordinators Recruit new foster parents, screen applicants, match children with licensed foster parents and support all licensed foster families in their districts. They also maintain foster family records and make sure reimbursements are made.

RLSI Family Services Workers

License foster homes, residential facilities, child-placing agencies, adoption agencies and shelter programs across the state. They also investigate possible licensing violations, renew licenses and evaluate changes in foster homes.

Supervisors Directly supervise Family Services workers, are members of the local teams and are available to support foster families when Family Services workers, resource coordinators and district directors are not available.



Communication with DCF

Anita Thomason—District Director

TBD—Assistant Director

Skyler Bryan
Intake Supervisor
393-3281
Skyler.bryan@vermont.gov

Beth Beaulieu
Ongoing Supervisor
735-6095
elizabeth.beaulieu@vermont.gov

Elizabeth Lavigne
Ongoing Supervisor
735-5413
Elizabeth.lavigne@vermont.gov

Melissa Belrose
Intake Worker
735-6094
melissa.belrose@vermont.gov

Deb Kellogg
JS Worker
881-6345
Debra.kellogg@vermont.gov

Dylan Fetterman
Ongoing worker
299-7079
Dylan.fetterman@vermont.gov

Tracey Brown
Intake worker
585-9161
Tracey.brown@vermont.gov

Josh Anderson
JS worker
798-2570
joshua.anderson@vermont.gov

Chad Phalon
Ongoing worker
760-0626
Charles.phalon@vermont.gov

Jen Everett
Intake worker
798-2298
Jennifer.everett@vermont.gov

Dominique (Nikki) Duran
JS worker
760-8690
dominique.duran@vermont.gov

Amanda Menard
Ongoing worker
(802) 585-0243
Amanda.j.menard@vermont.gov

Ashley Goodroe
Intake worker
585-504
Ashley.goodroe@vermont.gov

Aaron Metzger
JS Worker
735-3742
Aaron.metzger@vermont.gov

Ashley Lavigne
Ongoing worker
585-8027
Ashley.lavigne@vermont.gov

Andy Lenz
Ongoing worker
802-585-4079
andy.lenz@vermont.gov



Communication with DCF

Rebecca Jager
Intake & Bridge Supervisor
798-2364
rebecca.jager@vermont.gov

Liz Nault
Ongoing supervisor
373-0042
liz.nault@vermont.gov

Dan Evans
Ongoing supervisor
735-6060
dan.evans@vermont.gov

Erin Fox
Intake worker
(802) 595-8111
Erin.fox@vermont.gov

Jennifer Schumer
ongoing worker
(802) 904-3064
jennifer.schumer@vermont.gov

James Wood
Ongoing worker
(802)585-6561
james.wood@vermont.gov

Andrea Garvey
Intake worker
(802)-760-780
Andrea.garvey@vermont.gov

Colin Dooner
ongoing worker
760-8955
colin.dooner@vermont.gov

Sarah Nettleton
ongoing worker
802-760-9083
sarah.nettleton@vermont.gov

Chelsea Rose Marschall
Intake worker
(802)798-957
Chelsearose.marschall@vermont.gov

Sam Hoeltge
ongoing worker
585-8002
Samantha.hoeltge@vermont.gov

Laura Petig
Ongoing worker
760-9439
laura.petig@vermont.gov

Meghan Swan
Intake worker
802-760-0996
Meghan.swan@vermont.gov

Danielle Joyce
Ongoing worker
760-0095
Danielle.joyce@vermont.gov

Ashley Ladue
Ongoing worker
802-760-7492
Ashley.ladue@vermont.gov

Alicia Short
Intake worker
802-798-9311
Alicia.short@vermont.gov

Briannah Bellot
ongoing worker
802-585-6918
briannah.bellot@vermont.gov

Bridgette West
ongoing worker
585-8811
Bridgette.west@vermont.gov



Communication with DCF

Monique Sordiff
Ongoing supervisor
735-5436
Monique.sordiff@vermont.gov

Stephanie Tedesco
Ongoing worker
(802) 735-6016
Stephanie.tedesco@vermont.gov

Rae Martin
Ongoing worker
(802) 735-6013
Rae.martin@vermont.gov

Zoe Lombardo
Ongoing worker
(802)798-2563
Zoe.lombardo@vermont.gov

Resource Coordinator Team

Meghan Flanders
Resource Coordinator
760-9553
Meghan.flanders@vermont.gov

Julie Duggan
Resource Coordinator
598-2252
Julie.duggan@vermont.gov

Cathy Frost-Brooks (out on education leave until May 2023)
Resource Coordinator
585-6075
Cathy.frost-brooks@vermont.gov

Kyle Silliman-Smith
Foster Parent Recruitment and Retention Specialist
(802)798-9008
Kyle.silliman-smith@vermont.gov



Main office: 863-7370
(Monday through Friday 7.45 to 4.30)

After hours/ESP: 1-800-649-5285
(anytime the main office is not open)

First call (802) 488-7777

Respite care

Formal respite care Is a planned arrangement for care by an individual or family who is not the child or youth's regular caregiver. Formal respite care is: a single event that is more than 72 hours in duration and/or, a recurring event that occurs more than 11 times in any 12 month period.

Approval of Formal Respite Care Providers

Approval of formal respite care requires that the social worker or resource coordinator visit the home of the proposed provider. During the visit, the social worker or resource coordinator will complete the section of the Application for Foster Care pertaining to the physical facility. The criteria for approval as a respite provider are:

- *the caretakers are at least eighteen years of age;
- *the caretakers have not had a foster care license denied or revoked;
- *no member of the household is a perpetrator of child or adult abuse or has a criminal history that suggests children would be at risk in the home;
- *no member of the household has been a defendant on a Final Order (for a Relief from Abuse, Stalking Order or Juvenile Protection Order) that has been issued in the past three years; the family is not providing child care in the home, except they may provide respite care for a child for whom they already provide child care.



Informal respite care should promote normalcy for the child/youth and utilize natural supports whenever possible. Informal respite care is normal developmental activities that may also provide a break for a caregiver, such as leaving a child occasionally with a babysitter, visits or overnights with friends or family members. Normal developmental experiences of childhood should not be turned into regulated events that require respite approval. It is not necessary or appropriate to conduct background checks for events considered normal childhood events. Some examples include :

- *Foster parents hiring a babysitter
- *Child/youth visiting friends or attending sleepovers
- *Contact with, and overnight visits at the homes of, relatives approved in child/youth's case plan



Juvenile Court

Families find themselves involved in juvenile court for a number of reasons.

A child may be in need of care or supervision if the child has been abused or neglected, is beyond the control of their parent(s), or is truant (has not been going to school). The court calls this type of case CHINS (which stands for "Child in need of care or supervision"). Another reason for involving the juvenile court is if a child has been accused of committing a delinquent act (an act that would be a crime if committed by an adult). This type of case is called delinquency.

All juvenile court proceedings are confidential. The public does not have access to juvenile court files or juvenile court hearings.

Juvenile Hearings

If the case begins as an emergency:

Emergency Care Hearing

A child is placed into emergency custody if that child is in immediate danger, has run away, or has been arrested. An emergency hearing may happen in front of a judge or by phone, after court hours. The judge then approves a temporary plan until the judge can hear more of the facts.



Temporary Care Hearing

Within 72 hours of an emergency care order, a temporary care hearing is held. Children over the age of 10 are usually expected to attend this hearing, unless there is a reason that this may be harmful to them. The court may return custody to the custodial parent unless returning home is not in the child's interests. The court may transfer temporary custody of the child to a noncustodial parent, a relative (grandparent, sibling, aunt, uncle, etc.), someone with a close relationship to the child, or the Department for Children and Families (DCF). A return home or placement with a relative or person with a close relationship may be subject to conditions. This is called a conditional custody order.

If the case begins as a non-emergency:

Preliminary Hearing

If the child has not been removed from the home by an emergency order, the first hearing is a preliminary hearing. The petition and the affidavit explain why the child has come to the attention of the court. If everyone admits to the allegations in the petition, the next hearing will be a disposition hearing. If anyone denies the allegations in the petition, the next hearing will usually be a pretrial or a merits hearing. Parties may resolve the case anytime before the merits hearing.

Next steps in the court process:

Pretrial Hearing (most frequently used for delinquency cases)

The pretrial hearing informs the judge of all issues that need resolution. The judge may proceed to the merits stage if the parties are in agreement. There may be admissions to the allegations at this stage. If there are admissions or agreements to the merits, the next hearing will be a disposition hearing.

Merits Hearing

The merits hearing is the trial in the case. Testimony is under oath. After listening to the evidence, the judge will make a decision. If a child is delinquent or in need of care or supervision, the judge orders DCF to prepare a disposition case plan. If the evidence does not support the charges, the judge can dismiss the case. If the judge needs more time to think about the case, the judge will make a decision in writing at a later date.

Disposition Hearing

At the disposition hearing, the judge finalizes a plan for the child and the family. Before this hearing, the social worker prepares a report called a disposition case plan. The plan focuses on what the family and child need to do to remedy the problems that brought them to court. DCF looks for involvement by the child and family in the case planning process. All parties, including the court, should receive a copy of the plan before the hearing.

At the hearing all parties give their opinions about the case plan. The judge will either accept or reject the plan and make a decision about custody of the child.

In delinquency cases the judge may place the youth on probation. In special circumstances, if there is no community alternative, there may be an order for residential placement. This would be to ensure that the youth's services or treatment needs are met.

Post-Disposition Review Hearing

If the goal of the disposition plan is reunification of the juvenile with a parent, guardian or custodian or not, the court is required to hold a review hearing within 60 days of the disposition order being issued. The purpose of this hearing is to monitor progress under the disposition case plan and to review parent-child contact. At this hearing a judge may keep the disposition order in effect with no change; may change legal custody or issue a conditional custody order; may establish parentage, or order parent-child contact.

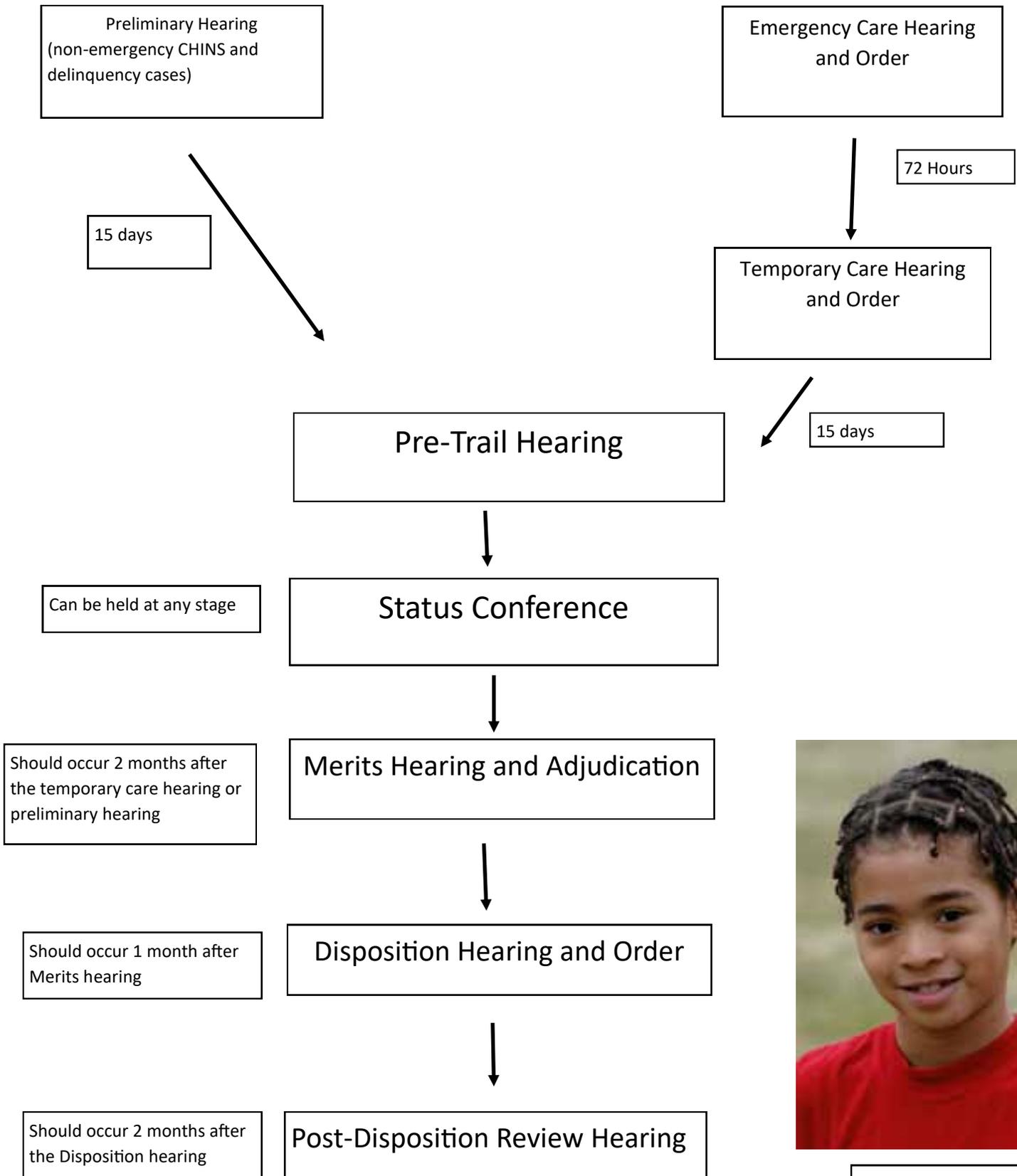
Permanency Hearing

The permanency hearing comes later in the process. This hearing is to decide on a permanent home for the child, which could be at home with the family or elsewhere if the child is not safe at home. About a month before the hearing, DCF files an updated case plan called a permanency plan. Parties have the right to disagree with the permanency plan. The judge will issue a permanency order.



Juvenile Proceedings Flowchart

(not all cases will follow this progression)



Services offered by Easterseals Vermont Child and Family Supports



1. Family Time Coordination- The Family Time Coordination service, a new component of the CFS contract, is about helping the family and FSW create a holistic, family time plan for the child and family that can include various supports.

Kinship/ foster families may be asked to meet with the ESVT worker providing this service to speak about the needs of the child they are caring for and will be invited to the final Family Time Coordination meeting.

2. Family Finding- Genograms/Ecomap/Final Report with contact information. Meeting with Family to go over the results at the very end. Identify and grow natural supports around families. Identify resources for placement and connection for the child, and to be part of the family's safety network.

3. Family Safety Planning (FSP) meetings

FSP with family members

Initial Caregiver Meeting Facilitation- with no Family Time Coaching

Ongoing Shared Parenting Meeting Facilitation- with no Family Time Coaching

Other Facilitated Meetings (3 W's model- What is working?/What are people worried about?/What are next steps?)

One-Time Community Connection Meeting Facilitation

Facilitate family-centered process, with the family, DCF and safety network, along with other professionals, for purposes related to safety, permanence, well-being and law abidance.

Kinship/ foster families may be asked to attend FSP meetings to help create plans for children they are caring for in their home in conjunction with the child's family and natural support network as well as professionals working with the child/ family.

Kinship/ foster families will be asked to attend Initial caregiver meetings and ongoing shared parenting meetings when there is a Family Time Coaching referral.

4. Care Coordination (In Home support to Kinship homes, Foster homes, Safe Babies Team (WRJ only, Family Treatment Court-St. J) Assess child and family needs, provide referrals to other related services, and coordinate with other service providers. (Not really Parent Education, as these referrals should be referred to IFBS or CIS.)

*Referral meeting,

Kinship/ foster families may receive this referral service if they require additional support to care for the child placed in their home.

5. Family Time Coaching Support parents/child(ren) in having safe family contact, develop safe parenting skills and the ability to meet the needs of the child, and address the reason the child came into custody. Family Time Coaching will consistently address the specific danger and risk reasons a child entered custody and help parents address those issues, as well as new risks that may arise over time. This will include Shared Parenting Meetings every other month and invitations from ESVT to Family Service workers to participate in monthly "Family Service Workers Participation"

*Referral meeting, monthly Family Support Worker Participation, Initial Shared Parenting Meeting within 7 days of starting, Every other month Ongoing Shared Parenting Meeting.

6. Transportation Transportation services through Easterseals VT can only be utilized to facilitate parent child contact, not to transport children to other appointments such as medical or therapeutic services or to school/ daycare.

Transportation services supplement the ability for children to have consistent family time with their parents while they are in custody.



Next Steps

_____ Fingerprints within 90 days

_____ Visit from Residential Licensing
and Special Investigations

_____ Don't forget evacuation plan

Training

___ Orientation

___ Foundations Online

___ Learning Networks

Who are your natural supports?

-family members

-friends

-co-workers

-neighbors

Would you like to be added to our

emergency roster?

This is phone calls for placements that
would happen after-hours, weekends,
holiday.



Licensed to...



Love

Protect

Heal

Strengthen

Comfort

Teach

Uplift



Encourage

Nourish

Guide

Inspire

Cherish



Foster.

CHILD INFORMATION & PLACEMENT CHECKLIST

Child/Youth's Name: _____

Date of Birth: _____

Foster Parent's Name(s): _____

District Office: _____

Assigned/Ongoing Social Worker: _____

Phone #: _____

Supervisor: _____

Phone #: _____

Resource Coordinator: _____

Phone #: _____

Centralized Intake & Emergency Services (After Hours):

Phone #: 1-800-649-5285

Child's Parent's Name(s): _____

Do the parents present a safety concern for the child or caregiver? Yes No Unknown*If yes, explain:*Does the child present a safety concern OR is the child a risk to themselves or others? Yes No Unknown*If yes, explain:*

What is the emergency plan or crisis plan for the child? Include emergency phone numbers and contact information:

Health Insurance: Medicaid Private Insurance Insurance Number: _____

Doctor(s): _____

Therapist: _____

Other Providers: _____

Dentist: _____

Medical Concerns/Conditions/Upcoming Appointments: _____

Medications & Dosage: _____

Allergies & Dietary/Formula Restrictions: _____

Child/Youth's School or Child Care: _____

Phone #: _____

Current Grade: _____

IEP? Yes No **504 Plan?** Yes No

What is the child's school or child care schedule, pick up and drop off times, and extracurricular activities occurring before or after school?

Identified Past or Current Trauma-Related Behaviors or Responses:

Given the nature of out-of-home placement, there may be physical, emotional, medical, sexual, or other behavioral issues or challenges the division is unaware of at the time of placement. It is difficult to predict all behaviors and emotional issues of children and youth who have experienced trauma. Therefore, close supervision of the young person is expected and required.

If you have any questions about the care or supervision of this child, please contact the assigned social worker.

Past	Current		Past	Current	
<input type="checkbox"/>	<input type="checkbox"/>	Difficulty thinking, learning, or concentrating in school or child care setting	<input type="checkbox"/>	<input type="checkbox"/>	Fighting or aggression towards people or animals
<input type="checkbox"/>	<input type="checkbox"/>	Inability to regulate emotions	<input type="checkbox"/>	<input type="checkbox"/>	Destruction of property
<input type="checkbox"/>	<input type="checkbox"/>	Inability to control physical responses to stress	<input type="checkbox"/>	<input type="checkbox"/>	Theft or stealing
<input type="checkbox"/>	<input type="checkbox"/>	Difficulty forming attachments to caregivers or peers	<input type="checkbox"/>	<input type="checkbox"/>	History of running away
<input type="checkbox"/>	<input type="checkbox"/>	Lack of impulse control	<input type="checkbox"/>	<input type="checkbox"/>	History of setting fires
<input type="checkbox"/>	<input type="checkbox"/>	Depression or anxiety	<input type="checkbox"/>	<input type="checkbox"/>	Self-harm, self-injury, or suicidal ideation
<input type="checkbox"/>	<input type="checkbox"/>	Substance use	<input type="checkbox"/>	<input type="checkbox"/>	Sexually harmful behaviors
<input type="checkbox"/>	<input type="checkbox"/>	Bladder or bowel issues	<input type="checkbox"/>	<input type="checkbox"/>	Other:

Explain any trauma-related behaviors or responses selected above. If child has been physically or sexually abused (or is suspected or known to be a victim of trafficking) briefly state by whom and the nature of the abuse.

Child or youth's transitional objects (i.e., blanket, pillow, stuffed animals, toys, books, iPod, or other objects to which they are especially attached) and important routines:

Child or youth's food preferences (including further explanation of allergies and dietary/formula restrictions if needed):

Immediate plan for contact with parents, siblings, family members, friends, significant others, or other individuals important to the child/youth and/or supervision requirements:

Child or youth's immediate needs (i.e., supervision requirements for electronics/social media or anything that may require immediate attention that the caregiver should know to make the transition easier for the young person):

Date of Placement: _____

Date of Initial Caregiver Meeting: _____

Date of Next Hearing: _____

Date of Shared Parenting Meeting: _____

Social Worker Name: _____

Social Worker Signature: _____

Foster Parent Name: _____

Foster Parent Signature: _____

SOCIAL WORKERS: REMEMBER TO TAKE A PHOTO OF THE CHILD BEFORE YOU LEAVE THE HOME!

State of Vermont
Department for Children and Families
Family Services Division
426 Industrial Ave., Suite 130
Williston, VT 05495

Agency of Human Services

October 5, 2018

To Whom It May Concern:

_____ is in the legal custody of the Commissioner of the Vermont Department for Children and Families (DCF) and is currently placed in the care of foster parent(s), _____.

Permission is hereby given to _____ on the following topics:

The child's foster parent(s) are permitted to travel within the United States and Canada with the child. Travel to Canada will require the child's birth certificate or passport.

The child's foster parent(s) are permitted to obtain routine and emergency medical, psychiatric, psychological, dental, ophthalmologic, or other specialized medical services or treatment recommended by a licensed physician. The social worker or other district office staff should be included in medical decision-making, and must approve extraordinary medical care (such as specialized tests, anesthesia, surgery, or treatment related to serious injuries).

The child's foster parent(s) may provide permission and sign for the child to enroll in and participate in childcare, daycare, field trips, school events, sports, clubs, or other extracurricular activities.

The district office telephone number is 1-802-863-7370. The after-hours and emergency telephone number is 1-800-649-5285.

Child/Youth's Name	Medicaid Number	Date of Birth

Respectfully,

Resource Coordinators

On behalf of Ken Schatz, DCF Commissioner



EXHIBIT H



Catherine, Paula

to me ▾

Apr 19, 2024, 11:12AM



Hi Melinda, I am following up since I did not hear back. Did you want me to close your foster care license at this time? Otherwise I will need to formally deny your license. Please let me know what you would like to do by April 30th. Thank you. Paula

EXHIBIT I



Melinda Antonucci <mantonucci@ccrsalesvt.com>

to Paula ▾

Apr 30, 2024, 10:46 AM

Hi Paula-

I am NOT willing to voluntarily close my license. When you do revoke my license please send me an email or letter as a formal notification.

Thank you.

Melinda

Melinda Antonucci

[CCR Sales & Service, LLC](#)

(802) 872-2666

mantonucci@ccrsalesvt.com

70 Upper Main St., Essex Junction, VT 05452

[Hear our SANY Story!](#)

EXHIBIT J

**Licensing Rules
for
Foster Homes
in Vermont**



**DEPARTMENT FOR CHILDREN & FAMILIES
FAMILY SERVICES DIVISION**

Note to Readers

Vermont's foster care rules were originally adopted in September of 1992. The shaded boxes describe statutory requirements added after the original adoption of these rules as well as other clarifying information. The rules were most recently updated in May of 2023 and include updated statutory citations. The effective date of these rules is 5/16/2023.

For More Information

Residential Licensing and Special Investigations Unit
Family Services Division
Vermont Department for Children and Families
(802) 241-9010

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PURPOSE OF RULES

010 Under the Authority of 33 V.S.A. § 4905, the Department for Children and Families (“Department”) is responsible for licensing foster homes.

These rules have been established to assure the care and safety of children who have to live in homes other than their own. A license is issued if the foster home and prospective foster parent(s) meet these rules.

If the Department finds the applicant(s) or licensee(s) unwilling or unable to meet these rules, the license will be denied or revoked.

Rules necessary to assure a child’s well-being cover the following:

1. The safety and adequacy of the home for the care of children;
2. The personal characteristics and social relationships of the foster parent(s) and other members of the household;
3. The commitment to foster care, and the ability and willingness of the foster family to work cooperatively in support of the child’s case plan; and
4. The ability of the foster family to provide positive, constructive experiences for all children in their care.

STATUTORY AUTHORITY

020 Vermont law regulating the licensing of child care facilities is set forth in Title 33 of the Vermont Statutes Annotated as follows:

Foster Care and Placement Licensing (33 V.S.A. § 4905)

- a. A person, other than an employee of a department within the Agency of Human Services, shall not place any child in foster care for more than 15 consecutive days unless the person has a license from the Department for Children and Families (“Department”) to do so or is an employee of a child-placing agency licensed by the Department.

- b. A person shall not receive, board, or keep any child in foster care for more than 15 consecutive days unless they have a license from the Department to do so. This subsection shall not apply to foster homes approved by a department within the Agency of Human Services or by a licensed child-placing agency nor shall it apply to those facilities where educational or vocational training is the primary service and foster care is a supportive service only.
- c. This section shall not restrict the right of a court, parent, guardian, or relative to place a child, nor the right of a person not in the business of providing foster or child care to receive, board, and keep a child when a valuable consideration is not demanded or received for the child's care and maintenance.

Administrative Provisions (33 V.S.A. § 151)

This subchapter shall apply to all licenses, registrations, and applications for licenses and registrations, that the Commissioner or the Department may issue or grant, unless otherwise specifically provided.

1. The Commissioner shall adopt rules governing applications for and issuance, revocation, term and renewal of licenses and registration. In the rules, the Commissioner may prescribe standards and conditions to be met, records to be kept, and reports to be filed. Licenses and registration shall be for a term of one year from issuance unless otherwise prescribed by rule.
2. Premises covered by a license or registration may be visited and inspected by the Department at reasonable hours. A person who accepts a license or registration shall permit visits and inspections, and examinations of the records they are required to keep.
3. A license or registration may be revoked for cause after hearing and may be suspended in situations that immediately imperil the health, safety, or well-being of persons in the care of the licensee or registrant.
4. Before a license is granted, the Department shall visit and inspect the premises for which the license is requested, and make further inquiry and investigation as the Commissioner may direct.

PROCEDURES

Issuance, Reissuance, and Conditions

- 030** An original license shall be valid for one year unless otherwise prescribed by the Commissioner, except when the license is revoked or otherwise invalidated.
- 031** Renewal of a license shall be on a yearly basis unless otherwise prescribed by the Commissioner. When the home is evaluated for re-licensure, the state licensing authority will review compliance with these rules and will evaluate how well the needs of children in the care of the foster parent(s) have been met.
- 032** A license is valid only for the person(s) named on the license and for the premises for which the license was issued.
- 033** The Department may place conditions on a license, including a limitation to provide care only for a specific child.
- 034** The state licensing authority may require any person in the household or any person who provides care and supervision to foster children on a regular basis, whether or not that person is an applicant or licensee, to submit references and to provide such other information as the state licensing authority may deem necessary.

Variations

- 035** The state licensing authority may grant a variance from a specific rule upon its determination that the applicant or licensee will otherwise meet the goal of the rule. A variance may contain provisions for the license. Under no circumstances will the state licensing authority grant a variance from rules 200, 201, or 315.
- 036** A variance is valid for the duration of the license, unless revoked or limited by the state licensing authority, and can be renewed.

Denial, Revocation, and Suspension

- 037** A license may be denied or revoked if the applicant or licensee fails to meet any licensing rules.
- 038** A license may be denied or revoked if the applicant, licensee or other member of the household:
- 038.1** Has been charged with or convicted of a criminal offense; or
 - 038.2** Has current, unresolved problems with alcohol or other chemicals; or
 - 038.3** Has abused or neglected a child.
- 039** A license may be suspended if a situation exists in the foster home, which immediately imperils the health, safety, or well-being of persons in the care of the licensee.
- 040** A license may be denied, revoked, or limited if an unusually stressful situation exists in the foster home, which affects the appropriate care of the children. Such situations include, but are not limited to divorce, separation, death, unemployment, serious illness or injury, or the entry of a new member into the household.
- 041** When a license is denied, suspended, or revoked, a written notification specifying reasons for denial or revocation shall be forwarded to the applicant(s) or licensee(s).

Appeal Rights

- 042** When the Department proposes revocation of a foster home license, the licensee will be offered an opportunity for a hearing with the Commissioner or the Commissioner's designee prior to the effective date of the revocation.
- 043** A licensee or applicant for a license who is aggrieved by a decision of the licensing unit will be granted a fair hearing before the Human Services Board if requested within 30 days of the Department's issuance of the decision.

Foster Home Records

- 044** The Department shall keep records on each foster home applicant and licensee. Records shall include applications, reference letters, compliance checklists, licensing reports and notes regarding communication with or about the applicant(s) or licensee(s). These records are the property of the Department and shall only be disclosed as set forth below.
- 045** The Department shall, upon request, make available to the subject applicant(s) or licensee(s) all information contained in the licensing record except information received from third parties, such as reference letters and information which is made confidential by law. The Department shall, upon receiving a written release from the subject applicant(s) or licensee(s), make available to designated third persons all information contained in that applicant's or licensee's licensing record to which they would have access.

Terms of Licensure

- 046** The total allowable number of children living in or regularly cared for in a foster home will be determined by evaluation of the family's ability to provide appropriate care and supervision and by the amount of living space in the home.
- 047** The number of foster children for whom a foster parent is licensed shall not exceed four.
- 048** The number of foster children for whom a foster home is initially licensed shall not exceed two for the term of the first license.
- 049** A foster family shall not provide care for more than four children under six years of age at any one time, including children residing in the home and children cared for on a part-time basis.
- 050** There shall be no more than two children under the age of 24 months living in or regularly cared for in a foster home.
- 051** The total number of children residing in a foster home shall not exceed six.
- 052** A foster parent shall not provide childcare (see Definitions).

APPLICATION AND EVALUATION FOR LICENSURE

- 101** The individual or couple applying for licensure shall submit a written application on the form prescribed by the state licensing authority.
- 102** Married couples living together must make a joint application.
- 103** All applicants and licensees shall:
- 103.1** Provide complete and truthful information on the licensing application and in the licensing process.
 - 103.2** Cooperate fully with the licensor(s) in determining if all licensing rules have been and continue to be met.
 - 103.3** Cooperate fully with any licensing investigation.
- 104** A new application may be required if:
- 104.1** Application for a license was withdrawn and applicants are resubmitting an application;
 - 104.2** The Department denied, revoked, or refused to renew the home's license and those denied, revoked, or refused seek to be reinstated as a foster home;
 - 104.3** The home was licensed and the licensee voluntarily requested closure;
 - 104.4** The license has become invalid because of a move to a different physical facility; or
 - 104.5** Changes affecting eligibility for licensure have occurred.

CHARACTERISTICS OF FOSTER PARENTS

- 200** All foster parents are prohibited from engaging in any form of discrimination against a foster child based on race, religion, color, national origin, sex, sexual orientation, gender identity, age, or disability.
- 200.1** While foster parents are prohibited from discriminating against a foster child based on the statuses listed in section 200, applicants shall not be denied a license solely based on inability to care for children of a certain age or children with special needs.
- 201** Applicants and foster parents shall exhibit:
- 201.1** Healthy patterns of social and interpersonal relationships;
- 201.2** Knowledge of child and adolescent development and the needs of children;
- 201.3** Ability to apply discipline in a constructive and educational manner;
- 201.4** Realistic expectations regarding the behavior of foster children;
- 201.5** Sound judgment;
- 201.6** No substance misuse, and effective resolution of any past abuse of alcohol or other substances;
- 201.7** Responsible care and/or planning for their children, including children who are not in the applicant's or licensee's care;
- 201.8** Stable emotional adjustment following any major changes in close interpersonal relationships or other life circumstances.
- 201.9** Ability to communicate, with or without support, with the child, Department staff, and other service providers to ensure necessary care; and

201.10 Respect for the worth of all individuals regardless of race, color, national origin, ancestry, culture, religion, sex, gender identity, sexual identity, and physical or mental ability.

- 202** Each child-caring adult in the home shall exhibit the ability to be an appropriate model for children.
- 203** All members of the household shall be free from physical conditions, mental limitations, or emotional problems, which would have an adverse effect on the physical or emotional well-being of foster children.
- 204** Primary caregivers shall be at least 21 years of age.
- 205** Foster parents shall demonstrate that they have sufficient income to support the family, exclusive of foster children, without reliance on the basic foster care reimbursement.

RESPONSIBILITIES OF FOSTER PARENTS

300 Foster parents shall participate in training determined by the child placing agency to be necessary for the care of foster children.

Care and Supervision of Foster Children

301 Foster parents shall meet the physical, emotional, developmental and educational needs of each foster child, in accordance with the child's case plan.

302 Foster parents shall provide or arrange for supervision appropriate to each child's age and developmental level.

303 Foster parents shall have a plan for providing appropriate substitute care in their absence for employment or other purposes.

304 Foster parents shall assure that any substitute caregiver is aware of and agrees to follow all rules regarding supervision and discipline.

305 Foster parents shall not permit any other person providing care or supervision to their foster child to violate any provision of these licensing rules.

306 Foster parents shall take reasonable steps to safeguard foster children from hazards.

Home Environment, Community, and Family Activities

307 Foster parents shall provide constructive, positive family living experiences for foster children.

308 Material and equipment appropriate for the ages of foster children shall be available for both active and quiet play.

309 Foster parents shall arrange social contact and encourage friendship between foster children and other children in the community.

310 Foster parents shall provide opportunities for recreation and community activities.

311 Foster parents shall assure that foster children attend school in accordance with state law and the child's case plan.

- 312** Foster parents shall assure that household duties or chores are appropriate to the age, developmental level, and abilities of the foster child, and do not interfere with school, sleep, study or reasonable recreational time.
- 313** Foster parents shall not require a child to use earned money to pay for room and board unless it is approved by the child's custodian as part of the child's case plan.
- 314** Foster parents shall provide children with appropriate clothing.
- 315** Foster parents shall support children in wearing hairstyles, clothing, and accessories affirming of the child's racial, cultural, tribal, religious, or gender identity.

Confidentiality and Privacy

- 316** Foster parents shall treat all personal information regarding foster children and their families as confidential.
- 317** Foster parents shall not authorize the publication of the name or photograph of a foster child in a manner that identifies the child as a foster child without written permission of the child's custodian.
- 318** Foster parents shall permit foster children to communicate by mail and telephone in accordance with the child's case plan.
- 319** Foster parents shall arrange for conditions of reasonable privacy for consultation with attorneys and caseworkers.
- 320** Foster parents shall respect a child's privacy.

Relationships with the Child's Family

- 321** Foster parents shall support efforts to establish and maintain ties between foster children and their families, as specified in the case plan.

322 Foster parents shall not deny a foster child planned visits with a parent or guardian as specified by court action or the case plan.

323 Foster parents shall cooperate with the child-placing agency in case planning and in carrying out the case plan.

Discipline

324 Discipline shall be constructive and educational in nature. Correction must be fair, reasonable, and consistent, and whenever possible must be logically connected to the behavior in need of change.

325 Foster parents shall not subject a foster child to any cruel, degrading or unnecessary discipline techniques, including but not limited to:

325.1 Spanking, slapping, hitting, shaking, or otherwise engaging in aggressive physical contact with a child;

325.2 Requiring or forcing the child to take an uncomfortable position, such as squatting or bending, or requiring or forcing the child to repeat physical movements when used solely as a means of punishment;

325.3 Isolation in a closet or a locked room;

325.4 Deprivation of necessary food, water, rest, or opportunity for toileting or bathing;

325.5 Denial of visiting or communications privileges with family, caseworker, or attorney as a means of punishment;

325.6 Extensive withholding of positive emotional responses or stimulation;

325.7 Chemical, mechanical, or physical restraint except as authorized in Rule 326.

325.8 Any act defined as abuse or neglect by Vermont Statutes Annotated, Title 33, Chapter 49.

326 Foster parents may not physically restrain a foster child except when the child's behavior threatens to result in harm to themselves or others or in significant damage to property, or when such restraint is in accordance with an established treatment plan.

326.1 The amount of force used in restraint and the duration of the restraint must be the least amount consistent with reducing the risk to a level manageable by less restrictive means.

326.2 Foster parents shall report to the child's custodian all incidents of physical restraint on a foster child.

326.3 Foster parents shall keep a written account of any physical restraint used on a foster child.

327 Foster parents shall not exclude a foster child from entrance to the residence unless it is part of an approved case plan.

328 Foster parents shall not punish a child for bedwetting or actions in regard to toilet training.

Health Care

329 Foster parents shall cooperate with the custodian in securing routine and emergency medical and mental health care for foster children, including regular medical and dental examinations, and immunizations.

330 Foster parents shall observe children for signs of illness, disease, or changes in behavior and shall respond to and care for a child suffering from illness, accident, or injury.

331 First aid supplies shall be available to treat minor injuries.

332 Foster parents shall not withhold prescribed medication or treatment from a foster child or change prescribed dosages without medical authorization.

- 333 Foster parents shall not provide to a foster child any prescription medication not prescribed for that child.
- 334 Foster parents shall not provide alcoholic beverages or any illegal drug to a foster child.

Food and Nutrition

- 335 Foster parents shall assure that a foster child is provided at least three meals or their equivalent a day, available at regular hours.
- 336 Foster parents shall provide a well-balanced diet adequate to meet the nutritional needs of each foster child.
- 337 A foster family shall include foster children at family meals and shall offer them the same choice of food as the rest of the family, with due consideration for individual nutritional needs and preferences.

Religion and Cultural Heritage

- 338 Foster parents shall respect the religious beliefs and cultural heritage of foster children, and shall not interfere with the reasonable practice of a foster child's religious beliefs.
- 339 Foster parents shall not coerce a foster child into participating in religious activities or ethnic events against the child's will.

Reporting and Notification

- 340 Foster parents shall report to the local Department District Office any circumstances indicating that a foster child is an abused or neglected child as defined by 33 V.S.A. § 4912.
- 341 Foster parents shall notify the child's custodian:
 - 341.1 As soon as it has been determined that a foster child has run away or is missing;

341.2 Before making plans for the care of the child by other persons for any period in excess of 48 hours, or for any planned absence of the child from the foster home in excess of 48 hours;

341.3 When any member of the household contracts a disease, which may present a significant threat to the health of the foster child;

341.4 When a foster child experiences any serious illness or injury.

342 The licensee shall notify the state licensing authority when any of the following occur or are anticipated:

342.1 The foster family moves to a different premises;

342.2 There is a change, other than foster children, in household membership;

342.3 There are changes in the physical facility, which affect compliance with these rules;

342.4 The family plans to use sleeping arrangements other than those previously approved;

342.5 There is a serious physical or mental illness or injury of any member of the household, which may affect the ability of the foster family to provide care for the children;

342.6 The family intends to provide care for children or dependent adults through more than one program or agency.

PHYSICAL ENVIRONMENT

General Safety and Maintenance

- 401** Foster parents shall maintain the house, grounds and outside equipment and shall assure that they are reasonably free from any undue hazard or risk.
- 402** The foster home shall be heated and ventilated adequately.
- 403** Foster parents shall ensure that children in the custody of the Department shall not be exposed to second hand smoke in the foster parent's home or vehicle.
- 404** The foster home shall have telephone service.
- 405** The kitchen in the foster home shall have a sink with running water and all other necessary equipment for safe food preparation and storage.
- 406** A foster home shall have a minimum of one indoor bathroom with a flush toilet, a washbasin with running water, and one bath or shower with hot and cold water.
- 407** Any firearm shall be kept in a locked storage space with ammunition stored separately in a locked space, or shall be incapacitated by means of the locking of essential parts of the firearm or the removal and separate locking of such parts.
- 408** Foster parents shall take precautions to keep medicines and hazardous materials out of the reach of children.
- 409** Emergency telephone numbers, including fire, police, physician, poison control, health agency and ambulance, shall be conspicuously posted adjacent to the telephone.
- 410** Foster parents shall restrict the access of potentially dangerous animals to foster children.
- 411** Foster parents shall maintain all power-driven equipment used by foster children in safe condition, with all safety features in place and operational.
 - 411.1** Foster parents shall provide appropriate orientation and supervision when a foster child uses such equipment.

Fire Safety

- 412** The home shall be free of dangers which constitute an obvious fire hazard, such as faulty electrical cords, overloaded electrical sockets or an accumulation of papers, paint or other flammable material stored in the home.
- 413** Foster parents shall have an evacuation plan to be used in the event of fire and shall assure that, consistent with their ability to comprehend, foster children understand the plan. The plan shall include:
- 413.1** A description of two or more means of exit from each floor level used for sleeping by foster children;
 - 413.2** The designation of a central meeting place outside the home; and,
 - 413.3** A means of evacuating children who need assistance.
- 414** Foster parents shall provide an adequate number of smoke detectors, which are properly installed, located and functioning. There shall be at least one such detector in the basement and one on each floor that is used as living space.
- 415** Foster parents shall place a functional portable, ABC-type fire extinguisher in the cooking area of the home.
- 416** There shall be at least two accessible exits from each floor level used for sleeping by foster children.

Policy Regarding Smoke Detectors & Carbon Monoxide Detectors

Policy #225 further specifies that there must be a smoke detector and carbon monoxide detector on each floor and in the immediate vicinity of all bedrooms.

For more information, contact the
Residential Licensing Unit.

Policy Regarding Second Exit For Sleeping Rooms

Policy #225 further specifies that every bedroom used by a foster child must have at least two exits.

The primary one shall be the bedroom door leading into the home. The secondary exit can be one of the following:

- A second door from the bedroom leading directly to the outside, at ground level;
- A second door from the bedroom leading to an exterior balcony; or
- An outside window (large enough to be used as a means of rescue or escape) that is either no more than 20 feet off the ground or opens onto an exterior landing, roof, balcony, or deck.

For more information, contact the Residential Licensing Unit.

Bedrooms

- 417** Each foster child shall be provided with their own bed or crib.
- 418** No foster child over two years of age shall sleep in the same room with an adult.
- 419** No child over five years of age shall sleep in the same room with a child of the opposite sex when either child is a foster child.
- 420** There shall be no more than four children designated to sleep in a bedroom when any of them is a foster child.
- 421** No living room, dining area or other area of the home, which is not ordinarily a sleeping room, may be used for such purpose by any member of the household on a regular basis.

- 422** A bedroom used by a foster child shall be of sufficient size to allow for a bed and to afford space for dressing, quiet activities and storage of the possessions of the occupants of the room.
- 423** All bedrooms and bathrooms used by foster children shall be equipped with doors which can be closed and which can be readily opened from the inside.
- 424** A bedroom used by a foster child shall have at least one window, which can be opened to the outside.
- 425** Bedroom areas shall be accessible through an entry other than a bathroom.
- 426** At least one bathroom shall be accessible by means of an entry other than through a bedroom.
- 427** A bedroom, which is accessible only through another bedroom, may be used only when the occupants of both bedrooms could share a bedroom under the provisions of these rules.
- 428** Each foster child shall have a clean mattress and shall be provided with clean bedding appropriate to the season.
- 429** All beds designated for use by foster children shall have headroom sufficient to allow the child to sit up comfortably in bed.
- 430** Foster parents shall provide each foster child with a dresser or other adequate storage space and a space for hanging clothing near the bedroom occupied by the child.

Transportation

- 431** Foster parents shall have access to regular transportation for foster children.
- 432** Foster parents shall maintain vehicles used to transport foster children in a safe condition and shall assure that such vehicles are properly registered, inspected and insured.
- 433** Foster children shall be transported only by a person possessing a valid driver's license.

- 434** Foster parents shall assure that when being transported in the foster parents' vehicle:
- 434.1** Any foster child weighing less than 20 pounds or any foster child under the age of one is restrained in a rear-facing position, properly secured in a federally approved child passenger restraining system, which shall not be installed in front of an active air bag;
 - 434.2** Any foster child weighing more than 20 pounds, and who is one year of age or older and under the age of eight years is restrained in a child passenger restraining system; and
 - 434.3** Any foster eight through 17 years of age is restrained in a safety belt system or a child passenger restraining system.

DEFINITIONS

Applicant

A person who has made formal, written application for a foster home license.

Caregiver

A person who provides care and supervision to a foster child.

Case Plan

The plan for provision of services to a foster child, developed by the agency responsible for providing such services.

Childcare

The provision of care and supervision on a regular or continuous basis in the provider's home for period of less than twenty-four hours a day, whether for compensation or not, to one or more children under sixteen years of age who are not related to the provider and who do not live in the provider's home.

Commissioner

The Commissioner of the Department for Children and Families.

Custodian

The person or agency (such as the Department for Children and Families) having legal custody of a child.

Denial

The formal decision of the state licensing authority not to grant a foster home license to an applicant.

Dependent Adult

An adult who is in need of, and receives, personal care and/or supervision.

Foster Care

The provision of 24-hour per day care in a family home to a child other than the biological or adopted child of the provider.

Foster Child

A child receiving foster care.

Foster Home

The physical premises in which foster care is provided and the household members reside.

Foster Parent

A person licensed to provide foster care; a person required by state law to be so licensed.

Household Member

Any person, whether a family member or not, who lives and sleeps regularly in a foster home.

License

Authorization from the state licensing authority for designated individuals to provide foster care at a designated location; the certificate granting such authorization.

Licensee

A person in whose name a license is issued.

Licensed Foster Care

See statutory definition on page 2.

Physical Restraint

Direct physical contact required on the part of a foster parent to prevent a child from hurting themselves, others, or property.

Primary Caregiver

An adult who provides care and supervision to a foster child in a foster home on a regular basis.

Revocation

The formal invalidation, for cause, of a license by the state licensing authority.

State Licensing Authority

The state agency with the statutory authority to license foster homes.

Suspension

The immediate temporary invalidation of a license by the state licensing authority in a situation which immediately imperils the health, safety or well-being of a foster child.

Variance

Written authorization by the state licensing authority for an applicant or licensee to meet the intent of a rule in a way other than that prescribed by the rule.

NOTES

Family Services Division District Offices

Barre: (802) 479-4260

Bennington: (802) 442-8138

Brattleboro: (802) 257-2888

Burlington: (802) 863-7370

Hartford: (802) 295-8840

Middlebury: (802) 388-4660

Morrisville: (802) 888-4576

Newport: (802) 334-6723

Rutland: (802) 786-5817

Springfield: (802) 289-0648

St. Albans: (802) 527-7741

St. Johnsbury: (802) 748-8374

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