

February 1, 2022

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 22-08

This All County Letter provides information and instructions regarding changes to the Child Welfare Services/Case Management System for entering Tribally Approved Homes and indicating Tribally Specified Home placements.



KIM JOHNSON
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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GAVIN NEWSOM
GOVERNOR

February 1, 2022

ALL COUNTY LETTER NO. 22-08

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY CHIEF PROBATION OFFICERS
ALL COUNTY FISCAL OFFICERS
ALL COUNTY AUDITOR CONTROLLERS
COUNTY WELFARE DIRECTORS ASSOCIATION
ALL CDSS ADOPTION REGIONAL AND FIELD OFFICES

SUBJECT: INSTRUCTIONS FOR ENTERING TRIBALLY APPROVED HOMES AND DOCUMENTING TRIBALLY SPECIFIED HOME PLACEMENTS INTO THE CHILD WELFARE SERVICES/CASE MANAGEMENT SYSTEM

REFERENCE: [THE INDIAN CHILD WELFARE ACT \(ICWA\) 25 UNITED STATES CODE \(USC\) SECTION 1901 ET SEQ](#); [HEALTH AND SAFETY CODE \(H&SC\) SECTION 1522](#); [H&SC SECTION 1522.1](#); [WELFARE AND INSTITUTIONS CODE \(W&IC\) SECTION 224.1](#); [MANUAL OF POLICIES AND PROCEDURES \(MPP\) SECTION 31-002](#); [ALL COUNTY LETTER \(ACL\) 19-71](#)

This All County Letter (ACL) provides information and instructions to county child welfare departments, probation departments, and other interested stakeholders regarding the changes in entering Tribally Approved Homes (TAHs) and indicating Tribally Specified Home (TSH) placements in the Child Welfare Services/Case Management System (CWS/CMS). These changes will ensure accurate and consistent data entry in all 58 counties regarding TAHs and placement of Indian children.

BACKGROUND

Previously, CWS/CMS did not have a way to accurately document if an Indian child was placed in a TAH or in another approved or licensed home or facility specified by the tribe. The CWS/CMS did not include a TAH as a Facility Type or Placement Home Type option. Counties were categorizing both TAHs and TSH placements under the “Tribe-Specified Home” drop-down option, which resulted in inaccurate documentation.

Additionally, whenever a tribe designated a home or licensed facility as the preferred placement option for an Indian child, counties were categorizing these approved homes and other facility types under the "Tribe-Specified Home" drop-down option instead of under the appropriate Facility Type option. This resulted in an inflated number of "Tribe-Specified Homes" and inaccurate data on the number of existing Resource Family Homes, TAHs, approved relative/nonrelative extended family member (NREFM) homes, licensed foster family homes, certified foster family homes, and other licensed facilities. Counties and the Department were unable to capture the number of homes that were tribally approved. Similarly, this caused confusion in capturing placement data, such as the number of Indian children that were placed in a TAH and the number of Indian children that were in a TSH placement which were not TAHs.

Definitions

[MPP section 31-002](#) provides the following definitions:

"Tribally Approved Home" means a home that has been licensed or approved by an Indian tribe for foster care or adoptive placements of an Indian child using standards established by the tribe pursuant to the [Indian Child Welfare Act at Title 25, United States Code section 1915](#), is not required to be licensed by the state, or county, and is equivalent to a state or county licensed home.

Note: All TAHs must meet the same background check requirements for foster or adoptive placement that are required by [H&SC section 1522](#) and [H&SC section 1522.1](#), pursuant to [W&IC section 224.1](#). Tribes and tribal agencies may request that either the county of jurisdiction or the California Department of Social Services (CDSS) Care Provider Management Bureau (CPMB) conduct a background check on behalf of the tribe or tribal agency.

"Tribally Specified Home" means a home that a tribe designates as its preferred placement option for an Indian child who is in the custody of the county.

Note: If a tribe designates a home as its preferred placement option for an Indian child, the approved home is designated as a TSH in CWS/CMS only once a placement is made for that specific child.

CWS/CMS CHANGES – EFFECTIVE 1/23/21

The CWS/CMS was updated on January 23, 2021, to incorporate the following changes in entering TAH and TSH information:

Placement Home Notebook – ID Page

- The Placement Home Type "Tribally Approved Home" has been added.
- The prior Placement Home Type "Tribe Specified Home" has been disabled.

- Homes with the value “Tribe Specified Home” will retain that value and will not be converted to another value.
- If the Placement Home Type value is changed from “Tribe Specified Home” to another value, the user will not be able to change it back.

Placement Notebook – ID Page

- The drop-down box for the new value “Tribally Specified Home” has been added with the three (3) available values of “Yes,” “No,” and “Unknown.”
- This field will default to “Unknown” if not updated and will remain editable. This field captures critical data and should always be completed with a “Yes” or “No.”

County Child Welfare and Probation Departments are not required to change any previous entries prior to issuance of this ACL but should ensure that the correct entries are made moving forward.

The following instructions are for documenting these scenarios in CWS/CMS:

CREATING A TRIBALLY APPROVED HOME (TAH) IN RESOURCE MANAGEMENT

When the county is notified by a tribe or tribal agency that they have approved or will be approving a TAH, all necessary information should be entered to create a Placement Home in Resource Management whether or not a child has been placed in the home.

1. Open Resource Management
2. Create a new Placement Home by clicking the “+” under the “Existing Placement Home” notebook.
3. In the ID tab, select Facility Type “Tribally Approved Home.”
4. Enter all information you have available in the Substitute Care Provider tab.
5. Enter the necessary information in the remaining tabs, as applicable.

Resource Management - [Placement Home]

File Edit Action Associated Window Help

Substitute Care Provider Other Children Other Adults Chag/Pref License Info. Comments Special Projects Payee LA Payee Hold Status Background Check

Identification

Name

Primary Substitute Care Provider

Type **Tribally Approved Home**

Medical Facility

Relative/NREFM Home

Resource Family Home

Short Term Residential Therapeutic Prgm

Small Family Home

Supervised Independent Living Placement

Temporary Shelter Care Facility

Tribally Approved Home

Tribe Specified Home

TRANSITIONAL Shelter Care Facility

Operated By

License Number

Cap.

Ext.

☐ This home is on hold.
Please see the Hold Status page.

☐ Home Inactivated by Process
Placement Home Move

☐ At Capacity

☐ Adoption Only

☐ Complaint Investigation

Placement Home End Date

End Date

Reason Type

Comments

Address

Street No. Street Name City

State ZIP ZIP Ext Geographic Region County of Location

Foreign Country Foreign ZIP Foreign Address Description (Province Name, etc.)

Comment

CREATING A TAH PENDING APPROVAL

Example 1:

When creating the Placement Home pending TAH approval:

1. Document the name of the Placement Home in the ID tab.
2. Add a note of “(Pending)” in the name field.
3. Once the county receives the approval documentation from the tribe or tribal agency, remove the “(Pending)” notation.

Resource Management - [Placement Home [NAME - Tribally Approved Home (PENDING)]]

File Edit Action Associated Window Help

Substitute Care Provider Children Other Adults Chag/Pref License Info Comments Special Projects Payee LA Payee Hold Status Background Check

Identification

Name: [NAME - Tribally Approved Home (PENDING)] Primary Substitute Care Provider: []

Type: [] Operated By: []

Foster/Resource Family Home Type: [] License Number: []

Age Range: From [0] To [18] #Placements: [0] Beds Avail. [0] Adj. Cap. [0]

Primary Phone: [] Ext. [] Fax: []

☐ This home is on hold. Please see the Hold Status page.
☐ Home Inactivated by Process Placement Home Move
☐ At Capacity
☐ Adoption Only
☐ Complaint Investigation

Backup Contact

Name: [] Phone: [] Ext. []

Address

Street No. [] Street Name [] City []

State: [California] ZIP: [] ZIP Ext: [] Geographic Region [] County of Location: [Sacramento]

Foreign Country: [] Foreign ZIP: [] Foreign Address Description (Province Name, etc.): []

Comment: []

Disaster Emergency Contact Information

Name: [] Phone: [] Ext. [] Alternate Phone: [] Ext. []

E-mail Address: []

Street No. [] Street Name [] City []

State: [] ZIP: [] ZIP Ext: []

Placement Home End Date

End Date: []

Reason Type: []

Comments: []

Example 2:

When creating the Placement Home pending TAH approval:

1. Complete the ID page.
2. Make a note in the comment box, e.g. "Verification from tribe still pending" or "TAH letter from tribe still pending as of 1/1/11."
3. Once the county receives the approval documentation from the tribe or tribal agency, remove or update the "Comment" notes.

Resource Management - [Placement Home [NAME - Tribally Approved Home]]

File Edit Action Associated Window Help

Icons: Home, Add, Remove, etc.

Tabs: ID | Substitute Care Provider | Other Children | Other Adults | Char/Pref | License Info | Comments | Special Projects | Payee | LA Payee | Hold Status | Background Check

Identification

Name: NAME - Tribally Approved Home Primary Substitute Care Provider: []

Type: [] Operated By: []

Foster/Resource Family Home Type: [] License Number: []

Age Range

From	To	#Placements	Beds Avail.	Adj. Cap.
0	18	0	0	0

Primary Phone: [] Ext.: [] Fax: []

Backup Contact

Name: [] Phone: [] Ext.: []

Address

Street No.: [] Street Name: [] City: []

State: California ZIP: [] ZIP Ext.: [] Geographic Region: [] County of Location: Sacramento

Foreign Country: [] Foreign ZIP: [] Foreign Address Description (Province Name, etc.): []

Comments

TAH approval letter from tribe still pending as of 1/1/11

Placement Home End Date

End Date: [] Reason Type: []

☐ This home is on hold. Please see the Hold Status page.
☐ Home Inactivated by Process Placement Home Move
☐ At Capacity
☐ Adoption Only
☐ Complaint Investigation

Note: In both examples, the county can also indicate who is conducting the criminal background check component (e.g. tribe, county, or CDSS) in the "Comment" section.

DOCUMENTING A TRIBALLY SPECIFIED HOME (TSH) PLACEMENT

A tribe may designate a home as its preferred placement option for an Indian child who is in the custody of the county. (The preferred placement option can be any of the Facility Type options.) Once a placement is made with the tribe's designated home for that specific child, the home will be designated as a TSH in CWS/CMS.

1. In Client Services, open the identified child's case in CWS/CMS.
2. Open the Placement notebook.
3. In the ID tab, under the "Trially Specified Home" drop down menu, select the appropriate response.
4. Under "Rationale" at the bottom, indicate that a tribal designee has been consulted and enter the date the placement has been agreed upon. The designee's name and contact information should be documented in the "Rationale Description" box immediately below.

The screenshot displays the CWS/CMS software interface for documenting a placement. The 'Identification and Approval' tab is selected. The 'Placement Information' section includes fields for Start Date (07/07/2020), End Date, Agreement Effective Date, Agency Responsible (County Welfare Department), Care Provider Relationship To Child, Placement Home (RFA Test), Program Number, Placement Count (1), Primary Substitute Care Provider (C. Test), and Facility Type (Resource Family Home). The 'Tribally Specified Home' dropdown is set to 'Unknown'. The 'Placement Approval' section shows 'Request Not Submitted' for both Approval Status and Date. The 'Shelter Care Extension Approval' section also shows 'Request Not Submitted' for both Approval Status and Date. The 'Legal Auth. For Placement History' table shows one entry: 'Legal Authority Not Yet Determined'. The 'Placement Program History' table is empty. The 'CHDP Program' section includes checkboxes for 'Date Substitute Care Provider informed of CHDP Program and brochure given' and 'Substitute Care Provider Requested CHDP Services'. The 'Health & Education Passport' section includes a checkbox for 'Date SCP Given HEP and Informed of Purpose'. The 'Rationale' section includes checkboxes for 'Certified License Pending Homes', 'Approved Homes', 'Group Homes', and 'Tribal Designee Consulted'. The 'Tribal Designee Consulted' checkbox is checked, and the 'Date Agreed' field is highlighted with a red box. The 'Rationale Description' box is empty. The 'Interagency Placement Committee Approval' section includes a table for 'IPC Status Type' and 'Status Date'.

Start Date	End Date	Placement Program

Start Date	End Date	Placement Program Type

IPC Status Type	Status Date

IPC Status Type	Status Date

Comments

RESCINDING A TRIBALLY APPROVED HOME (TAH)

If a tribe or tribal agency terminates the approval of a TAH, the tribe/tribal agency will provide the county placing agency with written notification of the termination of approval within 24 – 48 hours. (Please refer to [ACL 19-71](#).)

1. Select the effective date of the tribe's rescission of the TAH in the "Placement Home End Date" calendar.

Resource Management - [Placement Home [Test]]

File Edit Action Associated Window Help

ID Substitute Care Provider Other Children Other Adults Chag/Pref License Info Comments Special Projects Payee LA Payee Hold Status Background Check

Identification

Name: [Test] Primary Substitute Care Provider: [s. pretend]

Type: [Trially Approved Home] Operated By: []

Foster/Resource Family Home Type: [] License Number: []

Age Range: From [0] To [0] Beds Avail: [0] Ad. Cap.: [0]

Primary Phone: [] Ext.: [] Fax: []

Backup Contact: Name [] Phone [] Ext. []

Address: Street No. [] Street Name [phony st] City [nowhere]

State [California] ZIP [00001] ZIP Ext. [] Geographic Region [] County of Location [Yuba]

Foreign Country [] Foreign ZIP [] Foreign Address Description (Province Name, etc.) []

Comment []

Placement Home End Date

End Date: [] / [] / []

July, 2021

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

- When the Placement Home End Date is entered, this will make the entire notebook read-only, except for the Placement Home End Date frame. Click “Yes” to proceed.

The screenshot shows the 'Identification' tab of the Resource Management software. The 'Placement Home End Date' dropdown menu is highlighted with a red arrow. A dialog box is open, asking for confirmation to proceed with entering the end date, which will make the notebook read-only except for the end date frame.

- Select a “Reason Type” of “No Longer Certified/Approved.” In the “Comments” section immediately below, indicate the reason for the rescission.

The screenshot shows the 'Identification' tab of the Resource Management software. The 'Reason Type' dropdown menu is open, and 'No Longer Certified/Approved' is selected. The 'Comments' section is visible below the dropdown.

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Resource Management - [Placement Home [Test]]

File Edit Action Associated Window Help

ID Substitute Care Provider Other Children Other Adults Char/Pref License Info Comments Special Projects Payee LA Payee Hold Status Background Check

Identification

Name: Test Primary Substitute Care Provider: s. pretend

Type: Tribally Approved Home Operated By: License Number:

Foster/Resource Family Home Type:

Age Range: From 0 To 18 #Placements: 0 Beds Avail: 0 Adj. Cap: 0

Primary Phone: Ext: Fax:

☐ This home is on hold. Please see the Hold Status page.
☐ Home Inactivated by Process Placement Home Move

Placement Home End Date

End Date: 07/14/2021 Reason Type: No Longer Certified/Approved

Comments:

If you have any questions or need additional guidance regarding the information in this letter, contact the Resource Family Support and Permanency Branch at (916) 651-7465 or TAH@dss.ca.gov.

Sincerely,

Original Document Signed By

ANGIE SCHWARTZ
Deputy Director
Children and Family Services Division