

The Pennsylvania Child Protective Services Law (CPSL) and Pennsylvania regulations require that background investigations must be completed for individuals who want to foster or adopt children through the agency.

ADOPTION

Prior to the initial approval of an adoptive home, applicants and any household members over the age of 18, who reside in the home for thirty or more days per year, which need not be consecutive, must provide the following:

1. A criminal history report from the Pennsylvania State Police (PSP) indicating that the PSP central repository contains no information relating to that person;
2. Certification from the Pennsylvania Department of Public Welfare central registry as to whether the individual is named as a perpetrator of a founded or indicated report of child abuse in Pennsylvania;
3. A federal criminal history report from the FBI for which the individual must submit finger prints;
4. Those individuals who have resided out of state at any time within the previous five years must submit a certification from each state in which they have lived indicating whether or not they are a perpetrator of abuse as defined in Pennsylvania;

Household members age 14 – 17 residing in a prospective home, must only provide items (1) and (2) to the agency.

When the Pennsylvania Adoption Act requires that a home study must be completed prior to placing a child in a prospective adoptive home, items (1) through (3) are required. After approval of the adoptive home, background checks are required to be updated if they are more than a year old when the child is placed in the home.

Items (1), (2) and (4) above are updated by Allegheny County CYF, if they are more than a year old at the time of the adoption hearing. Item (3) is updated if the FBI record is more than two years old at the time of the adoption hearing.

All of the above clearances, including those from the FBI, must be submitted to the agency within thirty days of a household member's 18th birthday.

FOSTER CARE

Prior to the initial approval of a foster home, applicants must complete steps (1) through (4) above and provide documentation obtained within the previous one year period, for the prospective foster parents and any household members, including foster children, over the age of 18 who reside in the home for thirty or more days per year, which need not be consecutive.

Foster parents must also do the following:

1. Update the background checks every 24 months except for those household members younger than 18. Item (4) below need be provided only once;
2. Report any changes in their background information and that of household members over 18, within 48 hours;
3. Report any changes in their foster family composition within 30 days of the change.
4. If any individual over the age of 18, who has lived outside the Commonwealth at any time in the previous five year period, begins residing in an approved foster home, they must provide within 30 days of beginning residence, certification from the central registry of any state where they have lived within the previous five year period as to whether they are a perpetrator of child abuse as defined in Pennsylvania. If the individual is a perpetrator and does not cease residing in the home immediately, the child shall be immediately removed from the home without a hearing.

If foster parents knowingly fail to provide the above information to the agency, the child(ren) shall immediately be removed from the home without a hearing.

Foster care agencies must review the required background checks and determine continued approval based on the nature of the records check and the best interest of the child(ren) in the home.

Among other things the foster care agency must assess the ability of the foster parent to provide care, nurturance and supervision to the child. If there is a question regarding the mental or emotional stability of a family member that might have a negative effect on the foster child, the agency shall require a psychological evaluation of that person before approving the foster home

FOSTER CARE AND ADOPTION

The agency is also required to obtain the following information from prospective foster or adoptive parents:

1. Previous addresses for the last ten years;
2. Criminal history clearances as described above;
3. Child abuse clearances as described above;
4. Composition of the family unit;
5. Protection from abuse orders filed by or against either parent, provided that they are available to the agency;
6. Details of family court proceedings accessible to the agency;
7. Drug related or alcohol related arrests, if criminal charges or judicial proceedings are pending and any convictions or hospitalizations within the last five years. If the applicant provides information regarding convictions or hospitalizations within that five year period, then information on the prior five years shall be requested related to any additional convictions or hospitalizations;
8. Evidence of financial stability, income verification, employment history, current liens, bankruptcy filings within the last five years;
9. Number of and ages of foster children in the home and other dependents in the home;
10. Detailed information regarding children currently in the home with special needs;
11. Previous history as foster parents, including number and types of children served;
12. Related education, training or personal experience working with foster children or the child welfare system.

The CPSL provides that foster or adoptive homes may not be approved if the applicant or a household member fourteen and older has any of the following:

1. A criminal background indicating that they have been convicted within the past five years of one or more of the specific crimes enumerated in the CPSL, or an equivalent crime under federal law or the law of another state;
2. A founded report of child abuse committed in Pennsylvania or another state, within the five year period immediately preceding verification.