

67:42:05:06. General qualifications for family foster care provider. In addition to the criteria of § 67:42:01:06, a family foster parent applicant or a licensed family foster parent shall meet the following criteria before the applicant or foster parent may be licensed or relicensed as a family foster parent:

(1) The applicant or foster parent shall be at least 21 years of age and reside in a single family home in South Dakota;

(2) No household member ~~ten~~ 18 years of age or older, other than a child placed in the home for foster care, may have on record a substantiated report of child abuse or neglect;

(3) No member of the applicant's or foster parent's household may have a conviction for any of the crimes specified in § 67:42:01:05.01;

(4) The applicant or foster parent shall have income that meets the needs of the existing family, independent of the foster care maintenance payments;

(5) The applicant's or foster parent's children, if any, shall be willing to accept a child in foster care as a member of the family;

(6) The applicant's or foster parent's family composition, needs, and relationships may not adversely affect a child in foster care;

(7) If the applicant or foster parent is employed outside the home, the child placement agency ~~must~~ shall have approved the applicant's or foster parent's child care plan;

(8) If the applicant or foster parent is married and both individuals are employed outside the home, the child placement agency ~~must~~ shall have approved the applicant's or foster parent's child care plan;

(9) The applicant or foster parent shall have the ability to parent a child, which includes a basic understanding of the child's physical and mental or emotional development

and the ability to fulfill the child's needs. The applicant or foster parent shall have the ability to offer continuing care and guidance to a child throughout the stages of development in a manner consistent with the social and cultural heritage norms of the child. The applicant or foster parent ~~must~~ shall be able to continue meeting the needs of the applicant's or foster parent's own children, if any. The applicant or foster parent ~~must~~ shall display the capacity to provide good care for children;

(10) At least one applicant in the home shall have the ability to read and write; and

(11) The applicant or foster parent shall have reliable, legal, and safe transportation. Vehicles utilized for transportation must be registered, insured, and equipped with safety restraints. Each driver shall have a driver license.

The department may require a psychological evaluation and the submission of medical records if during the application process or during the period of licensure questions arise regarding the applicant's or foster parent's emotional stability or the emotional stability of another household member.

Source: 4 SDR 2, effective July 25, 1977; 7 SDR 66, 7 SDR 89, effective July 1, 1981; transferred from §§ 67:42:05:07 and 67:42:05:14, 11 SDR 101, effective February 3, 1985; 17 SDR 157, effective April 23, 1991; 20 SDR 223, effective July 7, 1994; 21 SDR 206, effective June 4, 1995; 35 SDR 187, effective February 11, 2009; 39 SDR 220, effective June 27, 2013, effective September 10, 2020.

General Authority: SDCL 26-6-16(1)(2)(6).

Law Implemented: SDCL 26-6-16(1)(2)(6), 26-6-23.2.

Cross-References:

Initial evaluation and approval – Renewal of license, § 67:42:01:05;

Ability to provide care, § 67:42:01:06;

Training and development, § 67:42:05:03;

Application for license -- Investigation--Issuance--Conditions--Records--Public
inspection, SDCL 26-6-11;

Screening for substantiated reports of abuse and neglect, § 67:42:01:05.02;

Required criminal records checks, 42 U.S.C. § 671(a)(20).