

GOVERNMENT OF GUAM
Office of the Governor
Agana, Guam

EXECUTIVE ORDER NO. 63-25

PUBLIC WELFARE RULES AND REGULATIONS NO. 2


FOSTER HOMES

WHEREAS, Section 6200.2(a) of Chapter 3, Title VII, Government Code of Guam, authorizes the Director of Welfare to administer child welfare services in Guam, and in accord therewith to adopt such rules and regulations subject to the approval of the Governor, as may be necessary or desirable;

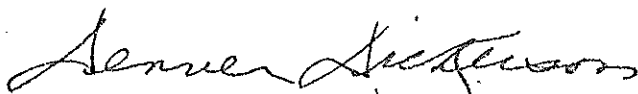
NOW, THEREFORE, by virtue of the foregoing, the attached rules and regulations entitled "Public Welfare Rules and Regulations No. 2, Foster Homes," are hereby approved and promulgated by executive order, and shall be in force and effect from 12:01 a.m., December 1, 1963.

Dated at Agana, Guam, this 15th day of November

1963.


MANUEL F. L. GUERRERO
Governor of Guam

COUNTERSIGNED:



DENVER DICKERSON
Secretary of Guam

GOVERNMENT OF GUAM
Department of Medical Services
Division of Public Welfare

PUBLIC WELFARE RULES AND REGULATIONS NO. 2

FOSTER HOMES

Section 1. PURPOSE: The purpose of these rules and regulations is to set up standards for foster homes utilized in connection with the administration of the Division of Public Welfare, Child Welfare Services Section, Government Code of Guam.

Section 2. DEFINITIONS

- .01 Foster Home means - A home in which minor children are received for care and maintenance apart from their parents or guardians on a 24-hour basis for fee or charge as provided herein.
- .02 Applicant means - Any person who makes a written request for a certificate of approval.
- .03 Certificate of approval means - A certificate issued to the foster parents by the Division authorizing them to operate a foster home.
- .04 Foster Parent means - Any person who gives care and maintenance to a foster child as provided herein.
- .05 Division means - Division of Public Welfare.
- .06 Director means - The Director of Welfare.

Section 3. APPLICATION FOR A CERTIFICATE OF APPROVAL

- .01 A family desiring to care for foster children shall apply to the Division.
- .02 An application from a married person living with a spouse shall be made jointly by the husband and wife.
- .03 The application form should be signed by both husband and wife, and both shall be interviewed.

Section 4. STUDY FOR APPROVAL

- .01 The Division shall conduct a study of the applicants and their home to determine whether these regulations are met.
- .02 A case record on each approved home shall be kept current and on file at the Division.

Section 5. CERTIFICATE OF APPROVAL

- .01 On the basis of the study indicating the homes' satisfactory compliance with these regulations, the Division shall issue a certificate of approval.
- .02 The certificate of approval shall specify the name and address of the persons to whom it is issued, number of the certificate, the maximum number of foster children permitted, and the period for which the certificate is effective. If the home has been approved for a specific child, the child's name shall also appear on the certificate.
- .03 When a home already has a foster child and is not interested in caring for any other child, or is interested in the care of a particular child not yet in the home, the certificate of approval shall identify the child for whom the home is approved.
- .04 The certificate of approval shall be effective for a period of one year from the date of issue. It is not transferable and becomes invalid when:
(1) The person to whom it is issued ceases to operate a foster home; (2) there is a change in residence; (3) the home accepts more than the maximum number of children for which it is approved; (4) a specific child for whom the home has been approved no longer is in the home; (5) any violation of these regulations occurs.
- .05 A foster home must have a certificate of approval to care for children.
- .06 Foster Parents will be paid monthly rates according to a schedule established by the Division approved by the Director.

Section 6. ISSUANCE OF A NEW CERTIFICATE OF APPROVAL

- .01 A new certificate shall be issued when the existing certificate of approval expires or becomes invalid, provided that upon re-examination, the home gives evidence of meeting the regulations governing foster homes.
- .02 The Division shall notify the foster home 30 days prior to the expiration of the certificate of approval in order to arrange a time for a re-examination of the home in compliance with the regulations.

Section 7. DENIAL OF A CERTIFICATE OF APPROVAL

- .01 In case the application for a certificate of approval is denied, the Division shall notify the applicant in writing as to why the certificate of approval is denied.

Section 8. REVOCATION OF A CERTIFICATE OF APPROVAL

- .01 The Division may revoke a certificate of approval when a home fails to meet the regulations during the period covered by the certificate. Foster parents shall have a right to appeal the decision of the Division to the Director.
- .02 Upon discovering a violation, the Division shall give a verbal notice to the foster parents stating the specific violations of the regulations. The Division shall set a date within which to effect necessary improvements. If the home continues to violate the regulations, the Division shall notify the foster parents in writing of the revocation of the certificate of approval. If the decision is contested, the foster parents may appeal to the Director.
- .03 The Director shall notify the foster parents of the violation in writing giving them an opportunity for a hearing of the situation. The Director shall preside over the hearing and a decision shall be sent to the foster parents in writing.

Section 9. EFFECT OF REVOCATION

- .01 Any parent whose certificate of approval has been revoked shall be ineligible as an applicant for a renewal of such certificate for one year following the date of revocation.

Section 10. NUMBER OF CHILDREN TO BE CARED FOR

- .01 There shall not be more than five (5) foster children in any foster home.
- .02 No more than three (3) children under the age of 2 years shall be cared for in any home by one foster mother unless there is additional help approved by the Division. At no time shall there be more than five (5) children under the age of 6.
- .03 A home which accepts foster children hereunder shall not accept children from any other source without permission from the Division.
- .04 If the foster home wishes to care for a child from any other source either for board or for day care, the foster parents must obtain permission from the Division.

Section 11. FOSTER PARENTS AND MEMBERS OF THE HOUSEHOLD

- .01 Foster parents and all other members of the household shall show evidence of being well-adjusted persons, capable of accepting and caring for children.

- .02 Foster families should love children as well as understand their needs as individuals and as members of a group.
- .03 Applicants shall provide two references who have adequate knowledge of the family background in terms of character and ability to care for children. Additional references shall be furnished the Division upon request.
- .04 All members of the household shall be free from disease which may be transmissible to others and from physical and emotional conditions which would adversely affect children. The following written medical reports will be required by the Division prior to the issuance of a certificate of approval:
 - a. A chest x-ray or a tuberculin test on every member of the household fifteen years and over, taken within six months before the application for the certificate of approval.
 - b. Upon request, additional reports with reference to the health of other members of the household.
- .05 Annually, chest x-rays are required of all members of the household who are fifteen years of age and over, and a physical examination report of any member of the household shall be furnished upon request.
- .06 Income of the foster family shall be reasonably steady and sufficient to maintain an adequate standard of living for the family.
- .07 The employment of the foster mother must not interfere with the care of children. A foster mother who plans regular employment must clear such employment plans in advance with the Division.
- .08 The foster parents shall report to the Division
any change which adversely affects the child under foster care.
- .09 Examples of change which might adversely affect the child under foster care: Permanent addition of relatives and others in the home, serious injury or death in the foster family, marital status of foster parents, prolonged unemployment of principal wage earner.
- .10 The foster family, subject to the approval of the Division, shall arrange for the supervision of the child by a responsible person during the absence of the foster parent in times of emergency. Any absence for a period of one day or longer shall be reported to the Division. Such notification shall be given immediately.

- .11 Foster parents shall not conduct a business on the premises which would adversely affect the welfare of the children under their care.

Section 12. CARE OF THE FOSTER CHILD

- .01 A foster child shall be treated like any other child in the home and shall share in their pleasures and responsibilities.
- .02 The foster parents shall be provided the following written medical reports on each child accepted for admittance to their home:
 - a. A physical examination by a licensed physician.
 - b. Pertinent information on the health of the child and any particular medical and health problems.
 - c. A chest x-ray report or a tuberculin test on any child fifteen years and older.
- .03 The foster parents shall request that the Division plan for regular medical supervision for the foster child.
- .04 The foster parents shall require that a foster child have a physical examination at least annually.
- .05 Foster parents will be provided instructions by the Division or parents or guardians regarding procedures to follow in case of emergency.
- .06 Severe illness, serious accident or death of the child shall be reported immediately to the Division and/or the child's parents or person responsible for the child.
- .07 Diet shall be adequate for growth and good nutrition.
- .08 The religious faith of each child shall be protected and it shall be possible for him to attend the church and/or Sunday school of his parents' (legal guardian's), or in their absence, the child's choice.
- .09 A foster child's clothing shall be kept clean and in proper condition of repair, and shall be of appropriate size.
- .10 Each foster child shall be provided with individual towels, combs, toothbrushes, and other necessary toilet articles.
- .11 A well-balanced daily program including time for rest appropriate to his age, regular meal hours, and recreation shall be provided for the foster child.
- .12 The foster parents shall cooperate with the Division to make it possible for the child to participate in appropriate social and recreational activities of the community.

- .13 The Division has primary responsibility for working out plans for each child to visit with parents and relatives.
- .14 There shall be no unduly harsh punishment or discipline which may in any way injure or harm a foster child's physical or emotional welfare.
- .15 A foster child shall not be required to do work in the foster home other than simple home duties which do not interfere with school, health, and necessary recreation and which are shared with any other children of the foster home. The child shall not be required to care for children who are not members of the immediate household or do domestic work for people other than members of the immediate household without the written consent of the Division.
- .16 When a child is to be absent from the foster family for overnight or longer, the foster parents shall secure permission from the Division.
- .17 Absence of a child without permission or knowledge of the foster parents shall be reported immediately by the foster parents to the Division.
- .18 A duplicate register on each child admitted shall be kept by the foster home. An original of the register shall be submitted to the Division.
- .19 The register shall include the full name of each child, full name of his parents, their address, child's birthdate, name of the person who placed the child, date placed, and date removed.
- .20 Health records for each child shall be kept by the Division. All records concerning children and information from such records shall be held confidential and shall be available only to duly authorized persons.
- .21 Information shall be readily available in the Division at all times as to how to get in touch with a child's parents, legal guardian, or other responsible person in the event of an emergency.

Section 13. HOUSING

- .01 Where there is adequate water supply, the home shall have sanitary water-flush toilets. In areas where adequate water supply is not available, sanitary privy shall be used. ("sanitary" as used in this paragraph means fly-proof).
- .02 Storage of food in the home shall be free from rat and insect infestation and perishable food shall be stored in an ice box or refrigerator.
- .03 The premises shall be kept in an orderly sanitary condition.

Section 14. EQUIPMENT AND FURNISHINGS

- .01 Each child shall be provided a space for his own clothing and belongings.
- .02 Regardless of whether a youngster has his own closet and/or drawer space or in sharing such facilities, there should be an area clearly defined for his use so that he can learn to care for his own belongings as well as to use his space as he wishes without getting things mixed up with the other children's belongings.
- .03 Beds shall be safe and sanitary.
 - a. No bunk beds with more than two tiers shall be used. Proper ladders and guards shall be provided for upper bunks.
 - b. The upper bunk shall not be occupied by a child under the age of 7 years or by a child who is a bed wetter, or who walks in his sleep.
 - c. A single bed shall not be used for two children.
 - d. The bedding and linen shall be kept clean and sanitary.
- .04 Blankets, sheets, including rubber sheeting, pillows, pillow covers, mattresses, shall be supplied by the foster parents.

Section 15. SLEEPING ARRANGEMENTS

- .01 Sleeping arrangements for a foster child shall include suitable light, ventilation, and provision for proper rest.
- .02 A foster child must be provided his own bed, or own room, where possible, and may not sleep in a living room or play room since this will not provide sufficient privacy and rest for the child.
- .03 An own child shall not be displaced because of the presence of a foster child.
- .04 No foster child over three years of age shall sleep regularly in the same room with a married couple or an adult of the opposite sex.
- .05 No foster child over six years of age shall sleep in the same room with children over six years old of the opposite sex.
- .06 No foster child shall sleep in a detached building without supervision or in an unfurnished attic, basement or stair hall.

- Section 15.07 If children sleep on individual beds, there shall be sufficient space between beds to provide passageway between beds and enough room to limit the transmission of germs from one bed to the next, especially when a youngster is ill.

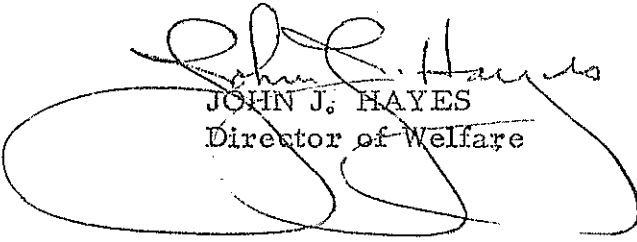
Section 16. CONTACTS WITH THE HOME

- .01 The foster home shall be subject to visits by the Division or its authorized agent at any time or in any manner as it deems necessary to protect the welfare of foster children.

Section 17. RESPONSIBILITY

- .01 The Division shall be responsible for any medical care or treatment necessary for the well being of any foster child if rendered at Guam Memorial Hospital. The foster parents shall be responsible for all other needs of any foster child while under their care. Foster parents are not employees of the Government of Guam by virtue of their furnishing foster home care.

Adopted pursuant to Section 6200.2(a), Chapter 3, Title VII, Government Code of Guam, subject to approval by the Governor, at Agana, Guam this 15th day of November 1963.


JOHN J. HAYES
Director of Welfare