

NORTHEAST OHIO ADOPTION SERVICES

STATEMENT OF PHILOSOPHY AND ADOPTION POLICY

Rule Number:

ODJFS: 5101:2-5-13(A)(12, 36 & 37)
5101:2-33
5101:2-44
5101:2-47
5101:2-48

Northeast Ohio Adoption Services (NOAS) is predicated on the belief that every child has the right to grow up in a permanent nurturing family, regardless of age, race, medical condition or other special needs. The agency is an outgrowth of the concern in the child welfare field for the increasing number of children growing up in foster homes and institutions, a disproportionate number of whom are children with special needs. Children with special needs are defined as children with at least one of the following characteristics: children six years of age or older, a member of a sibling group who should be placed together, a member of a minority or ethnic group, has remained in the permanent custody of a placement agency for more than one year, has a medical condition, physical impairment, mental retardation or developmental disability, has an emotional disturbance or behavioral problem, has a social or medical history or the background of the child's biological family has a social or medical history which may place the child at risk of acquiring a medical condition, a physical, mental or developmental disability or an emotional disorder, has been in the home of his/her prospective adoptive parents as a foster child for at least one year and would experience severe separation and loss if placed in another setting due to his/her significant emotional ties with the foster caregiver(s) as determined by a qualified mental health professional, or has experienced previous adoption disruption or multiple placements.

NOAS seeks to educate the community about the needs of children waiting for adoptive placement, to act as an advocate for these children, and to provide them with a permanent, secure family through adoption. In implementing this philosophy, the agency practice is developed in accordance with the Standards for Adoption Service set forth by the Child Welfare League of America*, the "Adoption Promotion and Stability Act of 1996," the "Small Business and Job Protection Act of 1996" and the "Adoption and Safe Families Act of 1997."

Specific policy regarding NOAS' services to children and families is as follows:

1. The agency's primary goal will be to develop permanent families for waiting children as opposed to an aggressive search for children for waiting families.
2. Service will be provided primarily to children referred by member agencies. However, a referral of a limited number of children will be accepted from other agencies in Ohio through a contractual purchase of service agreement.

*Child Welfare League of America Standards for Adoption Service: Revised (New York: CWLA, 1988.)

3. The agency services families residing in Northeast Ohio within 1½ hours driving distance from the NOAS offices in Warren, Garfield Heights and Newark.

4. The goal of recruitment services to families is to provide prompt services, to screen in rather than screen out families, and to help families make an educated decision about the appropriateness of adoption for them.
5. NOAS will respond to adoption inquiries within seven working days and will provide the following information to those prospective applicants: a summary of NOAS' adoption policy, a description of the characteristics and approximate number of available children in Ohio, the "Ohio Adoption Photo Listing" (OAPL) web page address (www.jfs.ohio.gov/oapl), the JFS 01675 "Ohio Adoption Guide", how to obtain an application (JFS 01691 "Application for Child Placement"), fingerprint and criminal background check requirements for all adult residents of the household, and the foster care/adoption homestudy assessment process. If the inquirer resides out-of-state or is an Ohio resident who does not meet the requirements for adoption services as outlined in the NOAS adoption policy, NOAS will adhere to Rule 2-48-08 (B) (C) & (D) to assure that the inquirer receives appropriate service.

NOAS will also provide a description of all state and federal adoption assistance including the eligibility requirements and application process for the prospective applicants as follows:

a. Reimbursement for Nonrecurring Expenses:

Families who are finalizing the adoption of a child meeting the Title IV-E special needs criteria may be eligible for a one time reimbursement of nonrecurring adoption expenses. This program provides funding, up to the state maximum amount as stated in rule 5101: 2-47-44 of the Ohio Administrative Code, for each child placed for adoption meeting the definition of special needs. The reimbursement is made to families (regardless of their income) who can document expenditures related to the adoption. Such expenses include, but are not limited to, application, pre-service training, home study assessment, criminal records checks, post-placement supervision services, finalization, attorney fees, court costs, reasonable costs of lodging and food as well as any medical or psychological exams or other evaluations required by the agency, etc. Each family is required to complete the "Application for Reimbursement of Nonrecurring Adoption Expenses" (JFS 01421) and submit this application to the county public children services agency with which the adoption assistance agreement was entered into. This application and the "Agreement for Payment/Reimbursement for Nonrecurring Expenses" (JFS 01438) must be completed prior to the adoption finalization.

b. Title IV-E Adoption Subsidy:

The Title IV-E Federal Adoption Subsidy program provides federal financial support for children placed for adoption who meet the eligibility criteria. In order for a child to be eligible for Title IV-E Adoption Assistance, the public children services agency (PCSA) must determine and document that:

- The child meets special needs status.
- At the time the child came into custody of the PCSA or private child placing agency and at the time the adoption proceedings are initiated, the child would have been eligible for Aid to Dependent Children (ADC) or the child is determined eligible for Supplemental Security Income (SSI) benefits by the Social Security Administration prior to the finalization of the adoption.

In addition to a monthly monetary payment, these children are eligible for medical coverage under Medicaid and may be eligible to receive assistance and services under the federal Title XX program. The amount of adoption assistance is determined by negotiation and mutual agreement between the adoptive parent(s) and the PCSA. The family is required to complete the "Title IV-E

Adoption Assistance Application/Redetermination of Continuing Eligibility” (JFS 01451) to initiate the process. This application may be completed before or after the child is placed in the family’s home. This application and the “Adoption Assistance Agreement” (JFS 01453) must be completed before the adoption is finalized. Continuing eligibility for the Title IV-E Adoption Subsidy needs to be redetermined annually.

c. State Adoption Maintenance Subsidy (SAMS) Program:

Many children who are ineligible for the Title IV-E Adoption Subsidy may be eligible for the SAMS program. SAMS is a State of Ohio financial assistance program for children with special needs placed in adoptive homes. In order to be eligible for SAMS, the child must meet the special needs criteria as defined in rule 5101:2-1-01 of the Ohio Administrative Code. The SAMS program consists of maintenance subsidies (monthly financial assistance paid to the adoptive parent on behalf of the special needs child to help meet costs of food, shelter, clothing and care). In order to be eligible for SAMS, the adoptive family must meet the eligibility criteria in accordance with rule 5101: 2-44-06 of the Ohio Administrative Code. The family’s gross income must not exceed 120% of the median income of the family of the same size as most recently determined according to state law. It must also be determined that the needs of the child are beyond the resources of the adoptive family and that the acceptance of the child as a member of the adoptive family would not be in the child’s best interest without the subsidy. If a child and adoptive family are eligible for SAMS, monthly adoptive subsidy payments will be provided. A child who is eligible for SAMS may also qualify for Medicaid based on medical necessity if medical, mental health or rehabilitative care is necessary and if the child is found to have been eligible for Medicaid prior to the adoption. The family is required to have completed the “Title IV-E Adoption Assistance Application/Redetermination of Continuing Eligibility” (JFS 01451) and found to be ineligible for the Title IV-E adoption subsidy in order for the process to be initiated. Continuing eligibility for SAMS needs to be redetermined annually.

d. Post Adoption Special Services Subsidy (PASSS):

PASSS is a subsidy program designed to assist eligible adoptive families, after the adoption finalization, to receive services to address the child’s physical or developmental handicap(s), mental or emotional condition(s) that either existed before the adoption petition was filed or developed after the adoption petition was filed and can be attributed to factors in the child’s background or medical history or the biological family’s background or medical history. The intent of this subsidy is to ensure provision of services to prevent the disruption of an adoption. To be eligible for PASSS, conditions referenced in rule 5101:2-44-071 of the Ohio Administrative Code must be met. To initiate the process, the family must complete the “Application for Post Adoption Special Services Subsidy” (JFS 01050) and provide a clear written statement describing the child’s special need(s), an assessment or evaluation from a qualified professional, an estimate of the costs of services, updated financial information and public or private insurance if applicable. If applying for additional PASSS funds, an “Application for Additional Post Adoptive Special Services Subsidy (PASSS) Funding” (JFS 01051) must be completed. The application(s) and documents are submitted to the PCSA in the county in which the family and child reside.

6. NOAS does not deny or delay any person the opportunity to become a foster or adoptive parent based on race, color, creed, religion, ethnicity, geographic location, national origin, handicap or age of the child or the parent(s).

NOAS does not delay or deny the placement of a child for adoption or in foster care on the basis of race, color, creed, religion, ethnicity, national origin, handicap or age of the child or the parent(s).

These factors are not routinely considered relevant in assessing a child's best interest.

NOAS does not deny or delay the placement of a child based on geographic boundaries within NOAS' service area. The placement of children cannot be delayed or denied based on geographic location of the neighborhood of the prospective caregiver whenever geography is being used as a proxy for the racial composition of the neighborhood, the demographics of the neighborhood, the presence or lack of presence of a significant number of persons of a particular race, color, or national origin in the neighborhood or any similar purpose. NOAS does not discriminate in reviewing out-of-county and out-of-state approved adoptive families for matching with available children.

NOAS adheres to the requirements set forth in the Multiethnic Placement Act (MEPA) as outlined in rule 5101: 2-48-13 which includes completing a "MEPA Bi-Annual Comprehensive Self-Assessment Report". Also, NOAS staff and contractors agree to abide by the MEPA standards of conduct pursuant to rule 5101:2-33-11(D)(E) of the Administrative Code.

As a non-custodial agency, NOAS does not make the final placement decision. Decision-making authority is held by the public children services agency or other entity holding legal custody of the child.

NOAS abides by the JFS 01611 "Non-discrimination Requirements for Foster Care and Adoptive Placements". A copy of the JFS 01611 is attached to this policy.

NOAS will provide a written notice of the procedure for any complaints of discrimination in the adoption process that involve race, color or national origin (RCNO) to all individuals inquiring about or applying to be an adoptive parent. Such notice will be provided within seven days of the individual's first contact with the agency. Any individual may file a complaint alleging a discriminatory act, policy or practice involving RCNO in the adoption process of NOAS or the Ohio Department of Job and Family Services (ODJFS). Any person, including but not limited to, an employee or former employee of NOAS or a member of a family which has sought to become an adoptive parent, may also file a complaint alleging that he or she was intimidated, threatened, coerced, discriminated against or otherwise retaliated against in some way by NOAS or by ODJFS because he or she has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing in connection with an allegation that NOAS or ODJFS engaged in discriminatory acts, policies, or practices as it applies in the adoption process.

The complaint procedure is as follows:

- The individual filing a complaint shall use the JFS 02333 "Discrimination Complaint Form". A copy of the JFS 02333 is attached to this policy.
- The complaint shall be filed within two years of the date of occurrence of the alleged discriminatory act or two years from the date upon which the complainant learned or should have known of a discriminatory act, policy or practice.
- The complaint may be filed with any private noncustodial agency (PNA) including NOAS, public children services agency (PCSA), private child placing agency (PCPA) or ODJFS.
- When a complaint alleging discrimination involving RCNO in the adoption process is received by a PNA, PCSA or PCPA, that agency shall forward the complaint to ODJFS within three working days of the receipt of the complaint.
- ODJFS shall notify the PNA, PCSA or PCPA that is the subject of the complaint within three days of their receipt of the complaint.

If NOAS is the subject of the complaint, it will not initiate, conduct, or run concurrent investigations surrounding the complaint or take any further action regarding the complainant or the subject of the complaint until the issuance of the final investigation report by ODJFS, unless approved by ODJFS. If NOAS is the subject of the complaint, it will cooperate fully with ODJFS during the course of the investigation and will submit any information requested by ODJFS not later than fourteen days from the date of the request, unless otherwise agreed upon. No person who has filed a complaint alleging a discriminatory act, policy or practice involving RCNO in the adoption process of NOAS or who has testified, assisted or participated in any manner in the investigation of a complaint will be intimidated, threatened, coerced, or retaliated against by any employee or contractor of NOAS or ODJFS.

NOAS will provide a written notice of the procedures for any of the complaints of discrimination in the adoption process that involve RCNO within thirty days of the effective date to all individuals who have approved adoptive homestudies or who are participating in the adoptive homestudy process on the effective date of this rule.

NOAS assures that it will maintain compliance with 42 U.S.C. 671(a), the Adoption and Safe Families Act of 1997, Pub. L. No. 105-89 (“ASFA”) and the Indian Child Welfare Act of 1978, 25 U.S.C.A. 1901, et seq. (“ICWA”). The Multiethnic Placement Act of 1994 as amended by Section 1808 of the Small Business Job Protection Act of 1996, 42 U.S.C. 622(b)(9), 671(a)(18), 674(d) and 1996(b) (“MEPA”) and Title VI of the Civil Rights Action of 1964, 42 U.S.C. 2000d, et seq. (“Title VI”), as they apply to the adoption process, do not supersede the provisions of ICWA. All recruitment activities and materials will be in compliance with MEPA, Title VI, ICWA and AFSA.

7. Criteria for the homestudy used by this agency focuses on the parenting capacity for a specific child, rather than on pre-determined physical and socio-economic characteristics of the family:
 - a. Infertility is not required as a prerequisite.
 - b. Age limits are flexible - with the minimum age of the adoptive applicant as 21 and the age of the child being a determining factor.
 - c. Married couples, single persons, or divorced men and women can adopt. Placements with single parents will be made if it is considered in the best interest of a particular child. For couples wishing to foster and/or adopt, the following factors will be considered within the family assessment process: the quality, length, and stability of the relationship.
 - d. Working parents and those having other children are not excluded from the agency program. The agency will recommend that good child care arrangements be made prior to placement.
 - e. The agency makes no requirements regarding the educational level, occupation, or religious affiliation of its applicants. The agency will, however, make every effort to place a child in a family which meets the religious preference of the child's biological parent or of like religious persuasion if the child is old enough to have established a meaningful relationship with a religious organization.
 - f. Information regarding a family's income, assets, and financial liabilities will be requested in the form of a JFS 01681 “Applicant Financial Statement”. Financial assistance in the form of adoption subsidies may be available for children with special needs. Adoptive families will be provided general information (including eligibility requirements) regarding federal and state

adoption assistance programs, nonrecurring and PASSS subsidy programs, and will be referred to the custodial agency of the adopted child in order to apply for assistance. Families will be helped to apply and NOAS will act as a liaison between the counties and adoptive parents.

- g. A criminal records check will be required for adoptive applicants and all adults who reside in the home according to section 2151.86 of the ORC. Applicants will be responsible for arrangements to be fingerprinted and for the fee associated with each BCII records check. Assistance with fees may be available based on family circumstances. The ability to pay this fee does not influence the choice of the most appropriate family for a child.

An FBI criminal records check is required when prospective adoptive parents and all adult household members do not provide proof of five year Ohio residency or do not provide evidence that within that five year period BCII has requested information about them from the FBI in a criminal records check, or indicate they have committed an offense or violation of laws listed in rule 5101:2-48-10(C). (See the Felony Offense Checklist.) Applicants will be responsible for the fee associated with each FBI records check. NOAS will be responsible for sending the completed cards and fees to the FBI. Assistance with fees may be available based on family circumstances. The ability to pay this fee does not influence the choice of the most appropriate family for a child.

A prospective adoptive parent convicted of one of the offenses listed in rule 5101:2-48-10(C) may be considered for adoptive placement when all conditions listed in rule 5101:2-48-10(D) are met. (Please refer to the Ohio Administrative Code for the conditions.)

The report of any criminal records check conducted by BCII or FBI is not considered a public record.

- to- h. A NOAS social worker (hereinafter referred to as an “assessor”) will conduct at least one face-face home visit with each member of the household who is currently residing in the home.
- i. Prior to the end of the assessment (homestudy) process, applicants shall complete and sign the JFS 01673-A “Child Characteristic Checklist for Foster Care and/or Adoption” which indicates the acceptable characteristics of the child the applicant is requesting to adopt. Upon completion of the assessment (homestudy) process, the JFS 01673-A will be attached to the JFS 01673 “Assessment for Child Placement (Homestudy)”.
- j. When an applicant seeking to adopt a minor or foster child will have at least five children residing in the prospective adoptive home after their first adoptive placement, the NOAS assessor will complete a JFS 01530 “Multiple Children/Large Family Assessment” in addition to the JFS 01673 “Assessment for Child Placement (Homestudy)” and it will be attached to the JFS 01673.
- k. NOAS will not begin the homestudy process prior to receiving a completed JFS 01691 “Application for Child Placement” which is signed by the prospective adoptive parent(s). NOAS will not accept an application for approval for adoptive placement which does not contain complete and accurate information.
- l. Other items needed for the completion of a homestudy include a medical statement (JFS 01653) for each member of the household, four personal references (three from non-relatives), a fire

inspection by a certified fire inspector, a safety audit (JFS 01348), a summary report from the ODJFS Central Registry on Child Abuse and Neglect and a water test (if the family uses well water). When the uniform statewide automated child welfare information system (SACWIS) is fully implemented, SACWIS will replace the Central Registry on Child Abuse and Neglect.

8. All prospective adoptive families will be required to complete training prior to approval of an adoption homestudy. This preservice training will include, but not be limited to, the following components:
- The adoption process (NOAS' policies and procedures, role of the agency, pre-service training, homestudy, matching, placement, post-placement services, adoption subsidies, legalization, and openness of adoptions);
 - Child development (normal child development, predictable stages of development in the adopted child, the impact of earlier separations, the impact of abuse and neglect, and identity and control issues in adolescence);
 - Separation and loss (techniques for supporting a grieving child, developing empathy for the child's past, promoting attachment, and dealing with the unattached child);
 - Dealing with behavioral challenges (why behaviors occur, typical behaviors to be expected, and creative parenting/discipline);
 - At least three hours of cultural issues (defining culture, understanding how one's own culture impacts parenting in general as well as the adopted child, impact of cultural issues on adoption issues arising in post-placement, how adoptive parents can use their knowledge of the child's culture to stimulate attachment, stimulate developmental growth and assist the child in identity formation, impact of cross cultural placements on triad members and the extended family, diversity issues, issues of racism, and overview of the Multiethnic Placement Act as amended);
 - Caring for children who have been sexually abused (dynamics of sexual abuse, impact of sexual abuse on children, and therapeutic parenting methods);
 - Adoption related issues (talking about adoption with the adopted child, the child's birth family and ongoing contact with significant others, adoption and extended family, adoption issues at school and in the community, using community resources, and advocating for the adoptive family and child).

At the discretion of the agency, training may be provided on an individual basis in response to exceptional circumstances or to meet the placement needs of a particular child or children.

9. All applicants to the agency shall be given the opportunity to simultaneously apply for foster care and adoption. Those wishing to do so must be at least 21 years of age at the time of approval of the homestudy. All application forms required by state regulations must be completed by those who wish to pursue both programs at once. One set of homestudy interviews will be completed to satisfy both foster care and adoption requirements, and the approval process will occur simultaneously.
10. If NOAS determines that an adoptive homestudy cannot be initiated, the applicants will be notified within fifteen days of receipt of the completed application form as to the reason that the homestudy cannot be initiated and a description of procedures for requesting a review of NOAS' decision. The agency places only children with special needs and will not continue the adoption process for families requesting children with no special needs. NOAS will refer those applicants seeking children without special needs to an agency which places that type of children.

NOAS does not deny the acceptance of the application (JFS 01691) based on race, color, national origin, handicap, or age of the individual or of the child involved. NOAS does not consider race, color or national origin of a family for whom NOAS is conducting a homestudy or homestudy update in determining whether a homestudy or homestudy update is approved or disapproved. Also, NOAS does not consider the race, color or national origin of a child in whom a family has indicated an interest in adopting in determining whether to approve or disapprove the family's homestudy or homestudy update. NOAS does not discriminate in approving or disapproving a homestudy or homestudy update on the basis of disability in violation of section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794 and of Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. 1201.

For families desiring to adopt children, the adoption homestudy will be completed by NOAS utilizing the JFS 01673 "Assessment for Child Placement (Homestudy)". NOAS will notify the public children services agency in which the prospective adoptive parent resides within ten days after the initiation of the homestudy according to section 3107.103 of the Ohio Revised Code. This notification letter will request relevant information about the adoptive applicant(s) which will include, but not be limited to:

- Past or present functioning of the prospective adoptive parent,
- Rule violations involving foster and pre-adoptive children,
- Third party investigations,
- Information relating to previous adoption applications, or
- Previous disruption from the prospective adoptive family home.

The family will be notified regarding approval or denial of the homestudy within ten days after the homestudy has been approved or disapproved. The homestudy is to be completed within six months (180 days) of the date that the application is received by the agency. Completion of the homestudy may be extended for a period of up to one year from the original notice upon request of the prospective adoptive family or by mutual agreement between the family and the agency. If all required documentation is not submitted within one year of the receipt of the application, the homestudy process will be terminated unless NOAS makes a determination that the homestudy should not be terminated. NOAS will offer assistance to those applicants who need help in completing the application and securing all required documents and information.

The homestudy shall be a joint decision making assessment and process involving both the applicant and NOAS assessor which is designed to determine whether adoption and/or foster care is a viable option for the applicant and the characteristics of children the applicant can best parent. An applicant has the opportunity to revise the application (JFS 01691) at any time regarding the characteristics or number of children desired.

NOAS will not complete the homestudy when it has been determined by the NOAS assessor that the application (JFS 01691 "Application for Child Placement") or homestudy contains a false statement knowingly made by the applicant(s) that is included in the application or written report of the homestudy. When NOAS determines that an application or homestudy has been falsified, NOAS will follow the procedures outlined in rule 5101:2-33-13 of the Ohio Administrative Code. An applicant who knowingly makes a false statement in the application and/or homestudy process is guilty of the offense of falsification under section 2921.13 of the Ohio Revised Code.

NOAS will update the initial adoptive homestudy every two years from the date of the approval of the initial homestudy. NOAS will notify the family of this required update in writing not less than ninety or more than one hundred twenty calendar days prior to the date by which the update needs to be completed. This notification will be on the JFS 01331 "Notice of Expiration and Reapplication for a Foster Home

Certification or Adoption Homestudy Update/Amendment”. The adoptive family then needs to signify on the JFS 01331 whether or not they wish to have their homestudy updated and return the completed JFS 01331 to NOAS. If the adoptive parent(s) fails to apply for renewal on the JFS 01331 within thirty days of the date on the notification letter, the homestudy will lapse upon the expiration date, the adoptive family’s record will be closed and the family must reapply through the initial homestudy application process. When updating the initial homestudy, a NOAS assessor will complete the JFS 01385 “Assessment for Child Placement Update”. This reassessment of the adoptive parent(s) will include at least one face-to-face home visit with each member of the household who is currently residing in the home. The interview with the other members of the household may or may not be a joint visit(s).

If one of the following changes occurs in the family’s composition or life circumstances that alter the validity of information contained in the original homestudy or subsequent updates that have been completed, NOAS will complete an amendment to the adoptive homestudy within sixty days of NOAS becoming aware of the change(s):

- A change in the marital status of an approved adoptive parent(s);
- A change in the health status of an approved prospective adoptive applicant(s) or household members;
- The finalization of an adoptive child;
- The death of an adoptive applicant(s), adoptive child or any other household member(s);
- A change in the number of child household members through birth, kinship or foster care who have not reached the age of majority;
- A criminal conviction of an approved prospective adoptive parent(s) or other adult household members;
- A change in the number of adult household members (not including an existing household member(s) who reaches the age of majority). New adult household members must have a JFS 01653 “Medical Statement”, BCII background check and, if applicable, FBI check;
- The physical relocation of the approved adoptive parent(s) which results in a change of address that is different from the address listed on the most recent homestudy or homestudy update. A safety audit must be completed at the time of the amendment;
- A change in financial status/income.

The expiration date of an initial homestudy is six years from the date of the initial approval of the applicant(s) as adoptive parent(s). No homestudy shall be valid after a six-year period. After the expiration of the homestudy, the family shall submit a new JFS 01691 (“Application for Child Placement”) and a new JFS 01673 (“Assessment for Child Placement”) shall be completed by NOAS. NOAS will notify the family in writing, not less than ninety or more than one hundred twenty calendar days prior to the expiration of the homestudy that their homestudy is due to expire. This notification will be on the JFS 01331 “Notice of Expiration and Reapplication for a Foster Home Certification or Adoption Homestudy Update/Amendment”. The adoptive family then needs to signify on the JFS 01331 whether or not they wish to have a new homestudy completed and return the completed JFS 01331 to NOAS. If the adoptive parent(s) fails to apply for renewal on the JFS 01331 within thirty days of the date on the notification letter, the homestudy will lapse upon the expiration date, the adoptive family’s record will be closed and the family must reapply through the initial homestudy application process.

11. Education group sessions and individual family interviews will be used by the agency in completing the family homestudy and making placement decisions.

12. To maximize the opportunities for placement, the families served by this agency will be registered with the Ohio Adoption Photo Listing within 90 days of approval unless the family wishes otherwise and signs a JFS 01614 "Ohio Adoption Photo Listing Family Registration Waiver".
13. Children will be matched to adoptive parents based on the child's best interests and the prospective parents' ability to respond to the child's special needs based on, but not limited to, the length of time between placements, the placement of siblings together, the information contained in the JFS 01685 "Child Study Inventory", the child's case plan, the adoptive family homestudy, the JFS 01689 "Documentation of the Placement Decision-Making Process" and the JFS 01688 "Individualized Child Assessment" if applicable. The custodial agency may also consider placement preferences of the birth parents. No chronological waiting list of adoptive families will be maintained. Regardless of geographic location, the following preferential order will be given when considering families in the matching process:
 - a. All adult relatives of the child.
 - b. A relative or non-relative that the birth mother has indicated by name as a potential resource to adopt her child. The identified relative or non-relative must meet all relevant state child protection standards unless the agency determines that the placement is not in the child's best interest.
 - c. The child's foster caregiver who is approved to adopt or who has completed the JFS 0191 "Application for Child Placement" five days prior to the matching conference unless the agency determines that the placement is not in the best interest of the child.
 - d. Other suitable approved prospective adoptive families.

Placement decisions will be shared by NOAS and the child's referring custodial agency, although it is recognized that the custodial agency holds the final legal responsibility to determine placements. The custodial agency will conduct a structured decision making process to select the most appropriate family to be matched with the child. Staff involved in placement decisions will include the child's NOAS permanency planning specialist, the family's NOAS permanency planning specialist, the NOAS supervisor and/or permanency planning director, the child's custodial agency worker, and the custodial agency supervisor. These persons will have input in the completion of the JFS 01689 "Documentation

of the Placement Decision-Making Process". An exchange of detailed information between the agencies concerning the child and prospective adoptive family will take place. Initial contact with the prospective adoptive parent(s) will be made by the adoptive parent(s)' social worker unless the agency gives permission for another agency to contact the adoptive parent(s). When an adoptive family has been selected, a JFS 01654 "Adoptive Placement Agreement" will be signed by the adoptive parent(s), a representative of the custodial agency and a representative of the agency that will be providing the adoption services for the adoptive family, on or before the date of the adoptive placement. A copy of the signed agreement will be given to the adoptive parent(s) and any other signer of the agreement. The agreement will explain the responsibilities and authority of all signers of the agreement.

All approved families who have notified NOAS of their interest in a child on referral and all NOAS families accepting of the child's characteristics (per the family's completed JFS 01673-A "Child Characteristics Checklist for Foster Care and Adoption") will be considered to be presented to the custodial agency for the matching conference and considered equally regardless of race, color, national origin, or geographic boundaries. Nondiscriminatory procedures shall be utilized to review all

approved adoptive families for matching with available children, to select approved families to be presented at the matching conference for available children and to match a child with an approved family outside of the agency's jurisdiction. An agency cannot use race, color or national origin as a basis for denying or delaying presentation of a family at a matching conference and cannot use the family's geographical location as the basis for denying or delaying a child's adoptive placement. Regardless of a family or child's geographic location, all families expressing interest in a particular child must be considered at the time of matching. The child's needs and best interest are paramount.

NOAS works in conjunction with custodial agencies to assure that children referred to NOAS will not be placed into an adoptive family unless permanent custody of the child is attained nor will a child be placed in an Ohio home for adoption unless a homestudy has been completed and approved. If a family from a state other than Ohio has been identified as a match for a child, the custodial agency will assure that the adoptive home has been approved by the receiving state, pursuant to ICPC rules. NOAS also works with custodial agencies to assure compliance with the "Indian Child Welfare Act of 1978".

Prior to adoptive placement, NOAS, in conjunction with the custodial agency, will provide the adoptive parent with the following: the child study inventory, information regarding any child-specific financial and medical resources, known or anticipated, including subsidy information, the child's lifebook, if applicable, materials the birth parents request be given to the adopted person or adoptive parents when authorization is given on the JFS 01693 "Ohio Law and Adoption Materials," photographs of the birth parents that the birth parent requested be given to the adopted person or adoptive parent when authorization is given on the JFS 01693 "Ohio Law and Adoption Materials," the birth parent's first name when authorization is given on the JFS 01693 "Ohio Law and Adoption Materials," and the child's social security number, if applicable.

14. The child and his/her adoptive family will be provided with as complete a personal history as possible prior to placement. This information will include a developmental history on the child; a summary of the health, personality, genetic history, and physical descriptions of the birth parents; the child's previous foster family experiences; and any other information submitted to NOAS from the custodial agency as outlined in rule 5101: 2-48-15 (which includes a child's prior adjudications and known acts of violence and the JFS 01667 "Adoption Information Disclosure" form completed by the custodial agency). All reasonable assistance will be given the adult adoptee seeking to supplement the information given at the time of placement.
15. Open Adoption Policy: Openness refers to the degree to which identifying information is shared between the birth parents and adoptive parents. NOAS supports the concept of openness in adoption to the degree in which it is in the best interests of a particular child. Since most of the children placed are school-age or older, they come to us in full possession of identifying information. As a non-custodial agency, NOAS does not have a role in the legal decisions regarding openness between the custodial agency and the birth parent.
16. NOAS will notify the public children services agency in the county in which the prospective parent(s) resides, in writing, of an impending adoptive placement no later than ten days prior to the placement of the child in the adoptive home. This notification letter will include:
 - A description of the special needs of the prospective adoptive child,
 - The age of the prospective adoptive child,
 - The name of the prospective adoptive parent(s), and
 - The number of children that will reside in the prospective adoptive home when the prospective adoptive child is placed in the prospective adoptive home.

This does not apply to a stepparent adoption. In the case of an infant placement, the notification may be made prior to the birth of the child. When a child from outside Ohio is placed with an Ohio adoptive family, the Ohio agency recommending the adoptive family, or approving the adoptive family homestudy, shall notify, in writing, the public children services agency in the county where the adoptive family resides of the impending placement no later than ten days prior to the placement.

17. When an applicant seeking to adopt a minor or foster child will have at least five children residing in the prospective adoptive home (including foster children, children in kinship care, adoptive children and birth children) after the minor or foster child to be adopted is placed in the home for adoption, a NOAS assessor will complete a JFS 01530 "Multiple Children/Large Family Assessment" prior to each adoptive placement. If this situation already exists when the initial homestudy is being completed, a JFS 01530 will be completed in addition to the JFS 01673 "Assessment for Child Placement (Homestudy)" and will be attached to the JFS 01673.
18. Foster caregivers who wish to adopt a foster child on referral to NOAS in their home will be assisted by a NOAS worker in completing the JFS 01691 "Application for Child Placement". NOAS will then compile and review the family foster home record which includes previous assessments and application material, conduct a home visit, and complete the portions of the JFS 01673 "Assessment for Child Placement (Homestudy)" that were not completed on the previous assessments. The family will be assessed according to standards contained in rules 5101: 2-5-09.1, 5101: 2-7-02 and 5101: 2-48-11 of the Ohio Administrative Code.

If the foster child, who the foster caregivers are wishing to adopt, has been residing with the foster family for at least twelve consecutive months, NOAS will assess the family using the procedures outlined in rule 5101: 2-48-11.1. These procedures provide for a shortened homestudy process.

As stated previously, foster caregivers who wish to adopt a child in the home are given priority consideration (after all adult relatives and relatives/non-relatives that the birth mother has indicated by name as a potential resource). The time that the child has spent in the foster caregiver's home prior to the adoptive placement date will count toward the supervisory time required prior to legalization.

Foster caregivers who did not wish to be approved as an adoptive family when they were initially certified to provide foster care but who later decide to become an adoptive family (but not for a foster child in their care), will be assessed using the process outlined in rule 5101: 2-48-11.

19. Families may be considered for additional placements after such time that any previous adoptive placements have been legalized.
20. When an applicant knowingly makes a false statement in the application or homestudy process or when an adoptive child is placed in an approved adoptive parent(s) home and the adoptive parent(s) or other household member(s) knowingly makes a false statement that results in the assessor reassessment of an approved or updated homestudy, the adoptive parent(s) or other household member(s) is guilty of the offense of falsification under section 2921.13 of the Ohio Revised Code. The NOAS assessor will report incidents of falsification according to the procedures outlined on rule 5101:2-33-13 of the Ohio Administrative Code and NOAS will then proceed with the administrative falsification procedures as outlined in rule 5101:2-33-13 of the Ohio Administrative Code. The procedure will include, but is not

limited to, the notification to the applicant and the applicant's rights to an agency review according to rule 5101:2-33-13 of the Administrative Code. The process is as follows:

- a. Upon an internal investigation, the agency shall refer all cases to the county prosecutor in which there is probable cause to believe that falsification of an adoptive application or homestudy has been committed under section 2921.13 of the Revised Code.
 - b. The assessor shall report in writing a person who knowingly makes a false statement on an application or homestudy document during the homestudy process to the agency administrator or designee within three days of the assessor's determination of possible falsification.
 - c. The agency shall within fourteen days of the determination of falsification, send a notification letter to the applicant indicating that the information submitted to the agency had been determined to be knowingly false.
 - d. If the applicant responds within fourteen days of the date of receipt of the written notice alleging falsification, the agency is responsible for reviewing information received from the adoptive applicant within twenty-one days of receipt of the applicant(s) response. The PCSA, PCPA, or PNA shall conduct an internal investigation that shall include but not limited to:
 - Face-to-face visit with the adoptive applicant and all relevant witnesses, if available.
 - Issuance of a final investigatory report to the adoptive applicant(s) that is the subject of the investigation.
 - If unanticipated circumstances require additional time to complete the investigation or to issue the final report, the agency shall notify the adoptive applicant that is the subject of the investigation of the need for additional time.
 - e. The agency shall provide written notification, within thirty days, to the adoptive applicant of any action to be taken.
 - f. Upon completion of the final investigation report and the agency determines there has been no falsification made by the applicant(s), the agency shall resume the homestudy process if the applicant(s) chooses to proceed. The homestudy shall be completed within one hundred eighty days from re-commencement.
 - g. The agency shall include in the adoptive family case record all documentation which supports the agency's action in determining the results and recommendation of the internal investigation.
 - h. When an adoptive child is placed in an approved adoptive parent(s) home and the adoptive parent(s) or other household member(s) knowingly made a false statement that results in the assessor's reassessment of an approved or updated homestudy, the prospective adoptive parent(s) or other household member(s) is guilty of the offense of falsification under section 2921.13 of the Revised Code. The assessor shall report incidents of falsification according to the procedures pursuant to paragraphs (B), (C)(1) to (C)(7), (E), (F) and (G) of OAC rule 5101:2-33-13 .
 - i. The agency administrator or designee must determine in twenty-four hours of completing the agency's internal investigation, if there is probable cause related to the adoptive child's safety and well-being to remove the child from the adoptive parent(s) home until the result of an investigation is rendered.
21. The agency will provide pre-finalization services to all adoptive families from the date of adoptive placement of the child until the issuance of a final decree of adoption. Services provided directly by NOAS will include case management, counseling, and crisis services. Referrals will be provided to community service providers for diagnostic and therapeutic services.

Within four days after an adoptive placement, an assessor from the agency responsible for supervising the adoptive placement will contact the adoptive parent(s) by telephone to determine how the

placement is progressing. An assessor will make a face-to-face home visit with the adoptive parent(s) and child no later than seven days following the adoptive placement. The assessor will make face-to-face post-placement visits in the adoptive parent(s)' home with the adoptive parent(s) and the child throughout the finalization period as follows:

- a. The post-placement visit shall occur no later than thirty days after the assessor's last face-to-face home visit with the adoptive parent(s) and the child. Post placement visits shall continue to be held by the assessor in the home within thirty days from each of the last preceding visits.
- b. The assessor will make face-to-face contact at least every sixty days with all other household members.
- c. The assessor will gather and document at a minimum information to determine how the placement is progressing from the perspective of the adoptive parent(s), child, and all other household members. Documentation made by the assessor will include information relevant to the JFS 01699 "Prefinalization Adoption Assessment Report", if applicable to the person(s) the assessor is making contact. Prefinalization services listed above will be provided or arranged for by the assessor for the child and the adoptive parent through one or more of the following:
 - Information and referral services to community resources,
 - Direct services from NOAS or the custodial agency or
 - Services from community service providers.

An assessor will complete a JFS 01699 ("ODJFS Prefinalization Adoption Assessment Report") which will be provided to the prospective adoptive parent (including foster caregiver adoptive situations) no later than twenty days prior to the date scheduled for the final hearing on the adoption unless the court determines there is good cause for filing the report at a later date.

22. NOAS will provide or arrange for post-finalization services upon request or referral to all families who have previously adopted through the agency or adoptees who were placed by the agency. Post-finalization services offered directly by the agency will include information, case management and counseling. The agency will also make referrals to other agencies providing post-finalization services and community resources, upon written request of a parent, legal custodian or guardian, provide consultation on adoption-related issues to non-agency professionals who are working with the family, and provide information regarding procedures to release identifying information according to rules 5101:2-48-19 and 5101:2-48-20 of the Ohio Administrative Code.
23. NOAS will provide for an agency review in response to complaints from adoptive applicants, prospective adoptive families and adoptive families regarding the application or homestudy process, denial of an applicant for adoptive placement or other pre-placement or post-placement adoption services offered by the agency within 30 days of receipt of request. Applicants will be provided specific notice of their right to a review, which will include a face-to-face meeting with the adoptive applicant, prospective adoptive families and adoptive families requesting an agency review, the adoptive family caseworker, and the executive director of the agency or the executive director's designee, who will serve as the review agent. The review agent will render a written decision, including the reason for the decision, based upon evidence presented at the review, within 15 days of the review, with a copy to all parties involved. All documentation about the review will be maintained in the family's and child's (if applicable) case record. If an approved family requests an agency review because the family believes they were denied an adoptive placement solely on the basis of geographic location, the custodial agency shall provide the family with notices and copies of all materials related to requesting a state hearing. For complaints involving alleged discriminatory acts, policies or practices pertaining to the foster care and adoption process that involve race, color or national origin, the procedures outlined in rule 5101:2-33-03 of the Administrative Code supersede the requirements of

this rule. NOAS will follow the procedures as outlined in rule 5101:2-33-13 of the Administrative Code when an agency determines there may knowingly be falsification on an adoptive application or homestudy.

24. NOAS does not charge a fee to families adopting a child with special needs. If a family wants their family assessment transferred to another agency that does charge a fee, within one year of the completion of their study, NOAS will charge the family \$2,500. After one year, if the family requests their assessment to be transferred, NOAS will charge \$1,250. After two years, if a family wants their assessment transferred, no fee will be charged.
25. NOAS will make the homestudies of any of its approved adoptive families, who have signed the authorization for release of information form, available to any other PCSA, PCPA or PNA which requests a copy of the homestudy and will release all requested information contained in the adoption homestudy, except references, within 15 days after the request to the designated agency. NOAS does not charge a fee to the receiving agency for the release of the homestudy and related documents. However, NOAS will not release a homestudy when it has been determined that an application or homestudy contains a false statement knowingly made by the applicant(s) that is included in the written report of the homestudy. If the agency receiving the homestudy determines that the homestudy contains a knowingly false statement, that agency shall not consider the homestudy in the matching process and shall notify NOAS in writing of the false statement within three days of the determination of the false statement.
26. If a PCSA, PCPA or PNA expresses an interest in making a placement with a NOAS approved adoptive family, the PCSA, PCPA or PNA must be willing to enter into a fee-for-service contract with NOAS.
27. NOAS allows the adoptive applicant the ability to review their homestudy, but prohibits the actual release of the homestudy to the adoptive applicant.
28. NOAS will not consider a homestudy that has been sent to NOAS by a prospective adoptive parent. Only homestudies completed by NOAS or forwarded to NOAS by another agency will be considered. Approved homestudies received from another PCSA, PCPA or PNA will be maintained in the same manner as NOAS approved homestudies. Homestudies from other agencies shall be regularly considered for potential adoption matches until the family is no longer available for adoption, a child has been matched with the family or the homestudy has expired. NOAS will integrate all homestudy materials and related documents received from other agencies into the NOAS files of approved homestudies.
29. NOAS will inform the adoptive parent(s) of the process and timelines involved in requesting, from the Ohio Department of Health, certain information from the adoptive child's adoptive file which may include identifying information about the birth parents and requesting from the Ohio Department of Health assistance for the birth family or birth siblings to find the adopted person's name by adoption, if desired by the adopted person, according to Rule 5101: 2-48-20 (B). It should be noted that none of this information can be made available if the birth parent(s) have signed a denial for the release of this information.
30. The agency reserves the right to modify these policies in specific situations in order to meet the placement needs of children on referral to the agency.

31. NOAS uses the most current version of all ODJFS forms that are mentioned in this policy.

JH/cb/4/25/79

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