

# ADOPTION HANDBOOK

REVISED  
September 2010

HAMILTON COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES  
222 E. CENTRAL PARKWAY  
CINCINNATI, OHIO 45202

## TABLE OF CONTENTS

Children's Services Mission Statement .....	3
Adoption Program Statement of Assurance .....	3
Adoption Philosophy .....	4
What Is A Special Needs Child? .....	5
Open and Closed Adoptions .....	5
Adoption Inquiry .....	6
Basic Eligibility Requirements .....	7
Basic Site and Safety Requirements .....	8
Restrictions Regarding Applicants .....	13
Pre-service Training Program .....	15
Adoption Application Process.....	16
Fees for Services .....	17
Fertility Issues .....	18
Adoptive Homestudy Process and Time Frame .....	18
Adoptive Applicant Approval .....	23
Welcome Books .....	23
Foster Parent Adoption and/or Approval of a Foster Home for Adoptive Placement .....	24
Relative Adoption .....	27
Legal Risk Foster / Adoption Program .....	27
HCKIDS.org .....	28
Adoptive Families Approved by Other Agencies .....	28
Preparing the Child for Adoptive Placement.....	28
Matching Adoptive Children with Families.....	29
Provision of Information to the Adoptive Family .....	32
Adoptive Placement Procedures .....	33
Prefinalization Services.....	34
Adoption Finalization.....	35
Post-Finalization Services .....	35
Post-Adoption Services.....	35
Release of the Adoptive Homestudy to Another Agency.....	36
Release of the Adoptive Homestudy to the Adoptive Parent.....	36
Transfer of an Approved Homestudy .....	37
Release of Identifying and Non-Identifying Information .....	37
Homestudy Updates and Amendments.....	38
Adoptive Family Case Record.....	40
Adoptive Child Case Record .....	40
Adoption Subsidies .....	41
Problem Resolution and Grievance Procedures .....	43
Appendix 1: MEPA Complaint Procedure.....	47
Appendix 2: MEPA Standards of Conduct.....	50
Appendix 3: Prohibitive Crimes .....	54
Appendix 4: Provision of Information Regarding Serious Felonies or Other Violent Acts.....	56
Appendix 5: Glossary of Terms .....	57
Appendix 6: Non-Discrimination Requirements for Foster Care and Adoptive Placements .....	58

# Children's Services Mission Statement

The Children's Services Division of Hamilton County Department of Job and Family Services is dedicated to protecting children from abuse, neglect, and dependency when their families are unwilling or unable to do so. Our staff is committed to preservation and empowerment of families and respect for the dignity of human beings. We strive to provide permanency for children through advocating for the rights of children and families and by providing services in the least intrusive manner as required by law.

## Adoption Program Statement of Assurance

All adoption and foster care recruitment activities, materials and services maintain compliance with the Indian Child Welfare Act of 1978, MEPA and Title VI, and the Adoption and Safe Families Act of 1997.

The Hamilton County Department of Job and Family Services complies with the 1994 Multiethnic Placement Act as amended by Section 1808 of the Small Business Job Protection Act of 1996 (MEPA). This law is designed to decrease the time children wait for adoption, prevent discrimination in the placement of children, and aid in the identification and recruitment of foster and adoptive families who can meet children's needs. To achieve these goals, the Hamilton County Department of Job and Family Services **does not**:

- Deny to any person the opportunity to become an adoptive or foster parent on the basis of race, color, or national origin of the person, or of the child involved, **or**
- Delay or deny the placement of a child for adoption or into foster care on the basis of the race, color, or national origin of the adoptive or foster parent, or of the child involved.

In addition, the law requires and the Hamilton County Department of Job and Family Services provides a comprehensive program to identify, recruit and support foster and adoptive parents who reflect the ethnic and racial diversity of children in need of care. The provisions of MEPA in no way supersede the provisions of the Indian Child Welfare Act. The JFS 01611 "Ohio Department of Job and Family Services Non-Discrimination Requirements for Foster Care and Adoptive Placements" in **Appendix 6** contains detailed information about MEPA and Title VI of the Civil Rights Act of 1964.

The agency has a MEPA Monitor to ensure compliance with the requirements of this law. In

addition, an external HCJFS Plan Monitor oversees compliance. Applicants and adoptive parents who have questions about MEPA or wish to file a complaint may contact the agency's MEPA monitor, the external HCJFS Plan Monitor, the Bureau of Civil Rights of the Ohio Department of Job and Family Services, or the Office for Civil Rights of the U.S. Department of Health and Human Services. Addresses and phone numbers of each of these individuals/offices can be found in **Appendix 1** at the end of this Handbook.

The Hamilton County Department of Job and Family Services' recruitment activities, materials and adoption services comply with the Adoption and Safe Families Act of 1997 whose key principles are:

- Safety of children is the paramount concern that must guide all child welfare practice;
- Foster care is a temporary setting and not a place for children to grow up;
- Concurrent permanency planning efforts for children should begin as soon as a child enters foster care and should be expedited by the provision of services to families;
- The child welfare system must focus on results and accountability; and
- Innovative approaches are needed to achieve the goals of safety, permanency, and well being.

The Hamilton County Department of Job and Family Services maintains compliance with the Indian Child Welfare Act of 1978 which gives priority to a child's tribe over a non-tribal placement for American Indian children. The provisions of the Multiethnic Placement Act as Amended (MEPA) and Title VI of the Civil Rights Act of 1964 do not supercede the provisions of the Indian Child Welfare Act.

The Hamilton County Department of Job and Family Services accepts applications for adoption without regard to the applicant's race, color, national origin, handicap, or age.

The Hamilton County Department of Job and Family Services reviews approved adoptive families who express interest in adoption, regardless of geographic location, for matching with available children. The agency does not use geographic location as the basis for delaying or denying placement of children available for adoption.

## **Adoption Philosophy**

### ***Children Grow Best in Families***

The Hamilton County Department of Job and Family Services (HCJFS) is committed to ensuring that children live in safe and nurturing families. Children and families enter the Children's Services system when children are at risk of neglect, physical or sexual abuse, or have no one to care for them. Children's Services provides or arranges services to prevent children's removal from home and, should placement occur, to reunify them with their families.

When children cannot be reunified, a concurrent permanency plan such as adoption is provided. The Court's decision to free a child for adoption comes only after extensive efforts have been made to resolve the family's problems and maintain the child's safety and well-being.

Safeguards are taken to protect the rights of the biological parents while providing for the best interests of the children.

The Hamilton County Department of Job and Family Services believes that every child in need of a foster or adoptive family has the right to a family that can meet the child's unique and particular needs. Children entering adoptive placement are emotionally fragile and require compassion and insight from everyone involved. Providing a safe and nurturing environment for traumatized and grieving children is a challenging experience for adoptive families. The agency offers extensive pre- and post-placement and post-finalization services for adoptive families and children. Such services are often necessary to support and stabilize adoptive placements.

### **WHAT IS A SPECIAL NEEDS CHILD?**

HCJFS provides adoption assessment and placement services to families interested in the adoption of special needs children. A special needs child is a child who, before coming into agency care, has one or more of the following needs or circumstances which may pose a barrier to placement without financial assistance:

- Is in a sibling group of 3 or more which should be placed together or is being adopted as a part of a previously adopted biological sibling group of 3 or more;
- Is a member of a minority or ethnic group;
- Is six years of age or older;
- Has remained in the permanent custody of an agency for more than a year without being placed with an adoptive family;
- Has been diagnosed by a qualified professional with a developmental disability, developmental delay, mental illness or mental retardation ;
- Has been diagnosed by a qualified professional as having a social or medical history or the child's biological family has a social or medical history that establishes substantial risk that the child may acquire a developmental disability, developmental delay, mental illness or mental retardation ;
- Has been in the home of his or her prospective adoptive parents as a foster child for at least 12 consecutive months preceding the date of adoptive placement and would experience severe separation and loss if placed in another setting due to his or her significant emotional ties with these foster parents as determined and documented by a qualified mental health professional; or
- Has experienced previous adoption disruption or 3 or more disrupted relative, foster or other placements.

### **OPEN AND CLOSED ADOPTIONS**

A closed adoption is one in which no information about any member of the adoption triad (birth parent, adoptive parent, adoptive child) is shared with any other member. Closed adoptions were common many years ago and were believed to protect the interests of all parties. Adoptions today offer some degree of openness ranging from the sharing of non-identifying information to exchanging photos and other items to complete openness including visitation. The children available for adoption through HCJFS experienced a history of abuse, neglect, or dependency and in most cases parental rights have been involuntarily terminated. Except in the cases of some foster parent adoptions, continued contact after adoption finalization is rare.

An open adoption involves a voluntary agreement between a birth parent and an adoptive parent. Such agreements are *not legally binding*. Therefore, birth parents wishing to permanently surrender a child with the expectation of an open adoption *may* be referred to another agency for services. Likewise, prospective adoptive applicants wishing to engage in an open adoption with continuing post-finalization contact may also be referred to another agency for services.

## ADOPTION INQUIRY

HCJFS does not deny to any person the opportunity to become an adoptive or foster parent on the basis of the race, color, or national origin of the person or child involved. HCJFS accepts applications for adoptive homestudy assessments from residents of Hamilton County and adjacent Ohio counties (Clermont, Butler, Warren) who are interested in the adoption of special needs children in the custody of HCJFS. Persons interested in the adoption of special needs children may contact the agency's **Adoption and Foster Care Intake Line at (513) 632-6366** or may contact the agency in writing. A Public Inquiries Specialist will respond to adoption inquiries within seven business days via US Mail or e-mail (preferred) by sending the following information:

- A copy of or link to the Ohio Adoption Guide (JFS 01675)
- A copy of or link to the Adoption Subsidies Guide (JFS 01985)
- The web address of the Hamilton County Adoption web site ([www.hckids.org](http://www.hckids.org))
- The dates of upcoming Orientation sessions (pre-service class 901) for prospective adoptive and foster parents
- Information on the basic requirements and documentation for becoming an adoptive applicant, including but not limited to: acquiring medicals, references, providing fingerprints to conduct a criminal background check for all adults in the household, securing a fire inspection, and completion of the foster care/adoption homestudy assessment and home safety check
- HCJFS Fact Sheets:
  - Foster and Adoptive Parents and Applicants: How to Solve A Problem with Children's Services
  - MEPA/Multiethnic Placement Act
  - HCJFS MEPA Formal Complaint Procedure: Alleged Discrimination Involving Race, Color or National Origin in the Foster Care or Adoption Process

If not requested earlier, the joint foster home /adoption Application for Child Placement (JFS 01691) is made available during pre-service training (generally at class 5), as is this Adoption Handbook.

HCJFS accepts applications from ODJFS licensed foster parents regardless of county of residence who wish to adopt an HCJFS foster child living in their home.

Ohio residents from outside Hamilton County or adjacent counties (Clermont, Butler, Warren) inquiring about adoption services will be given the name, address, and telephone number of their local Public Children's Services Agency to have a homestudy completed. Individuals who inquire about the adoption of non-special needs children will be referred to another adoption agency.



Approved adoption homestudies for the adoption of a special needs child received directly from other agencies in Ohio and from out-of-state will be reviewed upon receipt. Homestudies received directly from adoptive applicants will not be reviewed. Any Ohio resident who does not meet the requirements for adoption services as identified in this agency's Adoption Handbook or who is not interested in adopting a special needs child may be referred to another adoption agency.

**Important Note:** HCJFS provides adoption homestudy and placement services for children with special needs only, as noted on page 6. Therefore, HCJFS will not accept Applications from prospective parents or approved homestudies from other agencies for placement of non-special needs children. For example, an Application to adopt a child under 6 who meets none of the other special needs criteria will not be accepted. The prospective parent will be referred to another adoption agency.

## BASIC ELIGIBILITY REQUIREMENTS

The Hamilton County Department of Job and Family Services has established the following basic eligibility requirements for adoptive applicants:

- You must be at least 18 years of age (those applying for simultaneous approval as adoptive parents and licensure as foster parents must be at least 21 years of age)
- You (and others in the home) must not have a criminal history (see list of prohibitive crimes, pp. 57-58)
- You may be married, single, legally separated, or divorced\*
- You may work full-time or part-time, at home or outside your home
- You must have a stable income sufficient to meet your current family's needs
- You must be in good physical, mental and emotional health and capable of caring for a child
- You may be of any religious affiliation, or no religious affiliation, as long as your affiliation does not pose a threat or danger to the health or safety of an adoptive child
- You must complete 33 hours of preservice training
- You must be interested in the adoption of a special needs child.

\* Unmarried Co-Parents: Ohio law does not permit two unmarried co-parents to jointly adopt a child. Unmarried co-parents who both wish to be approved to adopt must submit separate applications listing the non-applicant co-parent as a household member. Even then, just one co-parent can be a child's legal adoptive parent.

Prospective adoptive applicants who do not meet the agency's basic eligibility requirements may be given the names of adoption agencies that may be able to serve their needs.

### **HCJFS Employees as Adoptive Applicants:**

HCJFS employees are permitted to apply to become adoptive parents as long as they are not employees of Children's Services. Due to the sensitive nature of Children's Services cases, a high potential for conflict of interest exists. Children's Services employees who wish to become adoptive parents must apply to another public or private children's services agency for approval. Children's Services employees approved or licensed by other agencies are not permitted to adopt or foster children in the custody of HCJFS. Any exception to this policy is subject to agency discretion and is based on extraordinary circumstances and deemed to be in the best interest of the child.

## BASIC SITE AND SAFETY REQUIREMENTS

Adoptive homes approved by HCJFS must meet the same site and safety requirements as foster homes approved by HCJFS. An adoptive home must be safe and comfortable with sufficient furniture and sleeping, storage, and living space to accommodate an adoptive child or children. The home must be clean and sanitary and in a reasonable state of repair with no evidence of vermin infestation. To ensure the health and safety of adoptive children, all prospective adoptive homes must meet the following requirements. Once approved, these requirements must be maintained as long as the family maintains an active adoption homestudy with HCJFS or has a prefinalized adoptive placement.

1. **Clean and Sanitary Residence:** The adoptive home's floors, walls, kitchen utensils and surfaces, bathroom fixtures, upholstery and bedding must be clean and sanitary. Trash must be removed and clothing laundered regularly.
2. **Reasonable State of Repair:** The adoptive home and all structures associated with the home must be maintained in a clean, safe, and sanitary condition and in a reasonable state of repair. Walls and ceilings must be free of holes and all surfaces, including woodwork, must be free of peeling or chipping paint. All electrical outlets and switches must be covered and there must be no exposed wiring. The home must have a working stove and refrigerator.
3. **Recreation Equipment:** Indoor and outdoor recreation equipment on the grounds of the adoptive home must be maintained in a safe state of repair.
4. **Hazardous Outdoor Areas:** Outdoor areas on the grounds of or immediately adjacent to the adoptive home which are potentially hazardous to an adoptive child must be reasonably safeguarded, considering the age and functioning level of the child. Such areas include, but are not limited to:
  - Natural water areas, including lakes, ponds, rivers, creeks, streams, and quarries
  - Swimming pools, hot tubs, wading pools and ornamental ponds:
    - Swimming pools must be safeguarded and inaccessible to adoptive children when not in use:
      - Swimming pools must be fenced and secured with a locking gate when not in use. The adoptive parent must be present when an adoptive child is using the pool or is in the pool area.
      - At the agency's discretion, a home with a swimming pool that does not meet the requirements noted above may be approved by specific written authorization. Such authorization includes:
        - Photo of pool and surrounding area
        - Description of the adoptive parent's method of ensuring that adoptive children cannot access the pool without the adoptive parent's knowledge
        - Assurance that the adoptive parent will provide direct supervision whenever an adoptive child is using the pool or is in the pool area
        - Signatures of the adoptive parent, homestudy assessor or adoption worker and supervisor.
    - Hot tubs must be securely covered when not in use

- Wading pools must be emptied when not in use
- Ornamental ponds must be safeguarded or inaccessible to pre-school children
- Open pits, wells, and cisterns
- Cliffs and caves
- High-speed or heavily traveled roads.

Pools, hot tubs and other types of hazardous areas require the adoptive parent to sign a safety agreement.

5. **Heat, Light, and Ventilation:** The adoptive home must be adequately heated, lighted and ventilated.
6. **Hazardous Items:** Potentially hazardous items in the adoptive home or on the grounds of the home must be stored in a safe manner. Families caring for children under the age of 6 must store the following items in cabinets equipped with child-proof latches or on shelves well out of the reach of the adoptive child.
  - Bleach,
  - Cleaning materials,
  - Poisonous or corrosive household chemicals,
  - Flammable and combustible materials,
  - Potentially dangerous tools or utensils,
  - Electrical equipment or machinery
7. **Firearms and Other Weapons:** Any firearm, air rifle, hunting slingshot or other projectile weapon kept on the grounds of or in the adoptive home must be stored:
  - In an inoperative condition, and
  - In a locked area inaccessible to children.

All ammunition, arrows or projectiles for such weapons must be stored in a separate locked space. Adoptive parents who are also law enforcement officials and can document that their jurisdiction requires them to have ready and immediate access to their weapons are exempt from this requirement. Adoptive parents who have firearms or other weapons are required to sign a safety agreement.

8. **Telephone:** The adoptive home must have a working telephone or be able to demonstrate to HCJFS reasonable access to a working telephone for emergency situations.
9. **Emergency Phone Numbers:** Emergency phone numbers listed below must be posted in a prominent place in the adoptive home:
  - Fire department
  - Police
  - Life squad
  - Poison control
  - HCJFS After-Hours emergency number (241-KIDS)
  - If applicable, the emergency number for any non-HCJFS agency with an adoptive child placed in the home
10. **Door Locks:** All locking doors to any room or storage area inside the adoptive home in which a person could become confined, and from which the only other means of exit

requires the use of a key, must be able to be unlocked from either side. Slide bolts, hooks, chain locks, padlocks and dead bolts may not be used on interior doors. Locking of the children's bedroom doors while children are sleeping is prohibited. Locking of outside doors is permitted. Doors to balconies and upstairs porches must be locked when not in use. Locked fencing around a yard or outside play area is permitted.

11. **Drinking Water:** The adoptive home must have a continuous supply of safe drinking water. Well water or municipal water stored in cisterns used for drinking and cooking must be tested and approved by the health department prior to initial approval and each year thereafter.
12. **Bathrooms:** The adoptive home must have working bathroom and toilet facilities within the home and connected to an indoor plumbing system.
13. **Garbage:** Garbage must be disposed of on a regular basis. Garbage stored outside must be in covered containers or closed bags.
14. **Smoke Detectors:** The adoptive home must have a working smoke alarm approved by "Underwriter's Laboratory" on each floor of the home, including the basement.
15. **Evacuation Plan and Instruction:** The adoptive parent must have a written plan for evacuating the home or seeking shelter in the event of fire, tornado or other disaster. The evacuation plan must contain a primary and alternate escape route for each floor. The adoptive parent must provide initial orientation and ongoing instruction on the contents of this plan to each adoptive child in accordance with the child's age and functioning level. Adoptive parents must include their name and address on the evacuation plan and provide a copy to the homestudy assessor.
16. **Escape Routes:** All escape routes must be kept free of clutter and other obstructions.
17. **Heating Equipment:** Furnaces, fireplaces, woodstoves, space heaters, and other household heating equipment in the adoptive home must be equipped with appropriate safeguards in accordance with the age and functioning level of any adoptive child in the home. If the home uses a woodstove, the adoptive parents are required to sign a safety agreement.
18. **Kerosene Heaters:** Unvented kerosene heaters may be used under the following conditions:
  - The heater has been approved by "Underwriter's Laboratory", and
  - The heater is not prohibited by any local zoning ordinances.
19. **Fire Extinguisher:** The home must have an "Underwriter's Laboratory" approved portable fire extinguisher in working order in or near the cooking area of the home.
20. **Pets:** Pets or domestic animals in or on the premises of the home must be kept in a safe and sanitary manner in accordance with state and local laws. The adoptive parent must provide proof of current vaccinations.
21. **Potentially Dangerous Animals:** An adoptive child must be protected from animals potentially dangerous to his health and safety in or on the premises of the adoptive home.

22. **Safety Gates:** Interior and exterior stairways accessible to an adoptive child must be protected by child safety gates or doors according to the child's age and functioning level. In general, safety gates or doors are needed for any child under the age of 3 years. Some children over the age of 3 will require a safety gate or door while some children under 3 may no longer need it. A safety gate should be at least as high as the foster child's shoulders to be effective. Once the child learns to climb over the gate or otherwise defeat it, the gate should no longer be used.
23. **Bedrooms for Adoptive Children:** An adoptive child may share a bedroom with other children or have his own bedroom. However, the presence of a prospective adoptive child must not cause any other resident of the home to be deprived of a bed or bedroom. For example, a prospective adoptive parent cannot move into the living room in order to accommodate an adoptive child. Bedrooms for adoptive children must meet the following standards:
- Have at least one outside wall window that should be screened and capable of opening and closing. A screen is not required if the room is provided with a ventilation system or air conditioning that provides fresh air. A portable "half-screen" is acceptable, if the screen fits securely in the window.
  - Accommodate no more than four children
  - Include storage space for personal belongings and closet or dresser space for clothing
  - Have floor-to-ceiling walls and a standard door
  - Be provided with reasonable access to an emergency exit
  - Provide a safe and comfortable sleeping area that ensures reasonable privacy and access to adult supervision, as appropriate to the age and functioning level of each adoptive child. An adoptive parent whose bedroom is located on a different floor than an infant or young adoptive child's bedroom may be required to equip the bedroom with a monitor.
  - Not be on a floor higher than the second floor or in a basement unless approved in writing by a fire safety inspector
- Bedrooms for adoptive children must be comparable in appearance in terms of wall coverings, floor coverings, and general decor to other bedrooms used by other children residing in the home
    - The entry to an adoptive child's bedroom must not be located such that it limits the adoptive child's or other family member's privacy. The following bedroom arrangements for adoptive children are not acceptable for homes approved after July 1, 2000:
      - An adoptive child is required to pass through another bedroom or a bathroom in order to enter his bedroom

- A family member is required to pass through the adoptive child's bedroom in order to enter another room.
- An adoptive child may not share a bedroom with a child of the opposite sex, except:
  - when all children sharing the room are under the age of 5 years, or
  - when an adoptive child who is also a parent is sharing a bedroom with his or her own child.
- An adoptive child over one year of age may not share a bedroom with an adult without prior approval of HCJFS.
- All bedrooms for adoptive children must be approved by HCJFS prior to adoptive placement.
- Each adoptive child must be provided with clean bed linen at least once a week or more frequently if needed. An adoptive child may not be required to sleep on a bed soiled by urine or excrement.
- **NOTE:** An adoptive parent must have a bedroom available for an adoptive child that meets the standards noted above, even if the adoptive parent wishes to adopt an infant who may initially share the adoptive parent's bedroom. Hamilton County Probate Court will not finalize an adoption if an adoptive infant does not have a bedroom available that is separate from the adoptive parent. In addition, Probate Court will not approve an adoption if young opposite-sex children are sharing a bedroom and a separate bedroom is not available.

24. **Beds for Adoptive Children:** The adoptive child must be provided with a clean, comfortable, permanent bed and mattress of his own. A permanent bed is one that cannot be converted to any other form (such as a sleeper sofa or chair). An adoptive child may not share a bed with anyone.

- A bunk bed used for an adoptive child must not be bunked higher than two tiers. An adoptive child sleeping on the upper bunk must be at least 6 years of age. The upper bunk must be equipped with safety rails for:
  - A child under the age of ten or
  - Any child whose physical, mental, or emotional condition indicates the need for such protection.
- Toddler beds may be used for children 4 years of age and younger.
- Trundle beds may be used
- Futon beds may be used.

25. **Cribs, Bassinets and Cradles for Adoptive Children:** An adoptive child under the age of 2 years or under 35 inches in height must be provided with a crib that meets the following safety requirements:

- Crib slats must be no more than 2 3/8 inches apart
- Decorative cutout areas on crib end panels which could entrap the head of a child are not permitted.
- Locks and latches on the drop side of a crib must be safe and secure from accidental release or release by the child inside the crib.
- Each crib must have a firm mattress that is at least 1½ inches thick and covered with a waterproof material not dangerous to a child. The mattress must fit close enough in the

frame so that there is no more than one inch between the mattress and the sides of the crib.

- A bassinet or cradle may be used only for infants under three months of age or less than fifteen pounds in weight.

## RESTRICTIONS REGARDING APPLICANTS

### Criminal Records

HCJFS requires applicants and other individuals living in the home who are eighteen years of age and older to provide a set of fingerprint impressions and satisfactorily complete a criminal records check through the Bureau of Criminal Identification and Investigation (BCII). Fingerprints are normally taken during pre-service training sessions. The agency also completes a criminal records check through the Hamilton County Sheriff's Department and record checks in the applicant's county of residence, if different. In addition, the agency conducts a Hamilton County juvenile record check on all household members ages 12 through 17 years as well as a juvenile record check in the applicant's county of residence, if different. HCJFS charges no fees to obtain criminal records checks. If approved, prospective adoptive parents must sign a release authorizing the use of their social security number for data exchange with local and BCII entities. Any contact resulting in a charge with law enforcement must be reported to HCJFS within 24 hours. Failure to report criminal contact and/or charges could result in revocation or denial.

HCJFS does not process applications, adoptive homestudies, or approve adoptive placements if an applicant or any other adult member of the household was convicted of or pleaded guilty to any of the crimes listed in **Appendix 3** of this Adoption Handbook, except as provided in paragraphs 1 and 2 below:

1. An applicant or other household member who has been convicted of or pleaded guilty to any crime listed in **Appendix 3** and provides evidence of rehabilitation *may* be considered for adoptive approval **only if all of the following conditions are met:**
  - If the offense was a misdemeanor, or would have been a misdemeanor if conviction had occurred under the current criminal code, at least three years have elapsed since the applicant or other household member was fully discharged from imprisonment or probation or has had the record of conviction sealed pursuant to section 2953.32 of the Ohio Revised Code
  - If the offense was a felony, at least ten years have elapsed since the applicant or other household member was fully discharged from imprisonment or probation.
  - The victim of the offense was not one of the following:
    - a person under the age of eighteen;
    - a functionally impaired person as defined in division (A) of section 2903.10 of the Ohio Revised Code;
    - a mentally retarded person as defined in division (K) of section 5123.01 of the Ohio Revised Code;
    - a developmentally disabled person as defined in division (Q) of section 5123.01 of the Ohio Revised Code;
    - a person with mental illness as defined in division (A) of section 5122.01 of the Ohio Revised Code;
    - a person sixty years of age or older.
2. An applicant's approval must not jeopardize in any way the health, safety, or welfare of the children the agency serves. The following factors must be considered in determining the applicant's approval:

- the person's age at the time of the offense;
- the nature and seriousness of the offense;
- the circumstances under which the offense was committed;
- the degree to which the person participated in the offense;
- the time elapsed since the person was fully discharged from imprisonment or probation;
- the likelihood that the circumstances leading to the offense will recur;
- whether the person is a "repeat offender." A repeat offender means a person who has been convicted of or pleaded guilty to the commission of any of the offenses listed in **Appendix 3** two or more times in separate criminal actions. Convictions or guilty pleas resulting from or connected with the same act, or resulting from offenses committed at the same time, shall be counted as one conviction or guilty plea;
- The person's employment record;
- The person's efforts at rehabilitation and the results of those efforts;
- Whether any criminal proceedings are pending against the person;
- Any other factors HCJFS considers relevant.

It is the applicant's duty to provide written verification that the conditions specified in paragraphs 1 and 2 above are met. If the applicant fails to provide proof or if HCJFS determines that the proof offered by the applicant is inconclusive, the applicant will not be considered. ***Any doubt is resolved in favor of protecting the children served by HCJFS.***

This policy also applies to records of convictions that have been sealed because the information contained in those sealed records bears a direct relationship to the position for which the applicant is being considered. However, a prospective applicant ***may*** be approved if the applicant or other household member has been granted an unconditional pardon pursuant to Chapter 2967 of the Revised Code or if the guilty plea has been set aside pursuant to law. An unconditional pardon includes a conditional pardon with respect to which all conditions have been met.

HCJFS will request an FBI criminal records check as a part of the BCII criminal records check when prospective adoptive parents or other adult household members:

- Have not been a resident of Ohio for the 5 year period immediately prior to the date the check is requested
- Cannot prove they have been residents of Ohio for the 5 year period immediately prior to the date the check is requested
- Have maintained Ohio residency for the past 5 years but have spent significant time residing or working in another state
- Indicate they have committed an offense or violation listed in this Adoption Handbook, in Ohio or in any other state
- A BCII criminal records check reveals that an individual has a record in another state
- HCJFS determines that such a check is necessary to ensure the safety of prospective foster children.

At its discretion, HCJFS may request an FBI criminal records check even if the individual has presented proof of residency in Ohio for a five-year period.

<p><b>Confidentiality and the Release of Criminal Records Checks</b></p>
--

Criminal records checks on behalf of applicants and household members completed for the purposes of adoptive family approval are *not* public records and may *only* be released to the following:

- The person on whom the records check was completed or his representative;
- HCJFS or its representative;
- A representative of the Ohio Department of Job and Family Services who conducts monitoring activities of HCJFS;
- Any Court, hearing officer, or other necessary person involved in a case dealing with the denial of an applicant for adoptive placement.

### **Allegations of Abuse or Neglect**

HCJFS requests a report of substantiated or indicated allegations of abuse or neglect against the applicants or other adult household members from the Central Registry and SACWIS as a part of the homestudy assessment and homestudy update process. A report is also requested when a foster parent applies to be approved as an adoptive parent. In addition to the Central Registry report, the agency will review its records to determine if the applicant or any other household member currently has or has ever had an open Children's Services case with this agency. The agency may deny an application if the applicant or other household member has a substantiated or indicated history of abuse or neglect. HCJFS reserves the right to review allegations of child abuse and neglect at any time.

### **PRE-SERVICE TRAINING PROGRAM**

A comprehensive pre-service training program is provided to all foster and adoptive applicants. Training classes are offered on Tuesday and Thursday evenings and on Saturdays. Current information about available training is easily accessed on-line at the Ohio Child Welfare Training site at [www.owctp.com](http://www.owctp.com). A link is also available via [hckds.org](http://hckds.org). Training is currently held at 222 East Central Parkway in Cincinnati. This is a wheel-chair accessible facility located on several Queen City Metro bus lines. Training may also be held at the Southwest Ohio Child Welfare Regional Training Center site in Loveland (420 Wards Corner Road in the rear of the building). If necessary, barriers related to language can be accommodated by providing interpreters in sign or other languages. The required 33-hour pre-service training curriculum addresses the following areas:

1. The adoption process, including agency policy and procedures, the role of the agency, the scope of preservice training, the homestudy assessment, the matching process, placement and post-placement services, adoption subsidies, legalization (finalization), and openness of adoption.
2. Child development, including 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.
3. Separation and loss, including techniques for supporting a grieving child, developing empathy for the child's past, and promoting attachment and dealing with the unattached child.

4. Behavioral challenges, including why behaviors occur, typical behaviors to be expected, and creative parenting and discipline.
5. Cultural issues, including defining culture, understanding how one's own culture impacts parenting in general, understanding how one's own culture impacts the adopted child, and understanding the impact of cultural issues on adoption issues arising post-placement. Training in this area also includes how adoptive parents can use their knowledge of the child's culture to stimulate attachment and developmental growth and assist the child in identity formation, the impact of cross cultural placements on triad members and issues of racism, diversity and discrimination.
6. Caring for children who have been sexually abused, including the dynamics of sexual abuse, the impact of sexual abuse on children, and therapeutic parenting methods.
7. Adoption related issues, including talking about adoption with the adopted child, the child's birth family and on-going contact with significant others, adoption and the extended family, adoption issues at school and in the community, using community resources and advocating for the adoptive family and child.

In addition to pre-service training, HCJFS may provide educational and support materials and provide or refer the adoptive family to on-going training opportunities and groups for approved adoptive applicants and adoptive parents to ensure that both the adoptive family's needs as well as the child's needs are met.

HCJFS may waive specific components of the pre-service training program if the adoption homestudy assessor determines that the family has received this training previously or the family has the skills to care for the needs of the child to be placed in the home. The agency will document the waiver in the family's record.

Prospective adoptive parents may be simultaneously approved as foster parents. HCJFS no longer dually licenses parents as of February 2010.

## **ADOPTION APPLICATION PROCESS**

The Hamilton County Department of Job and Family Services does not deny to anyone the opportunity to become an adoptive or foster parent on the basis of the person's race, color, or national origin, nor does the agency delay or deny the placement of a child for adoption or foster care on the basis of the race, color, or national origin of the child or of the prospective adoptive or foster parent. The agency considers all approved adoptive families who express interest in matching with children available for adoption, regardless of geographic location.

The Application for Child Placement (JFS 01691) is made available during pre-service training for those applicants who have not previously requested an Application. If necessary, the agency will assist the applicant in completing the Application and will help to secure other required documents and information. While the completed Application can be returned to the agency by mail or submitted during one of the pre-service classes, the agency prefers that the application be submitted at the last preservice class. HCJFS offers applicants the right to a joint homestudy for simultaneous approval as adoptive parents and licensure as foster parents. Applicants may indicate their interest in simultaneous foster parent licensure and adoptive parent approval on the Application or at any time during the homestudy assessment process.

In addition, the applicant may revise the Application regarding the characteristics or number of children desired at any time during the homestudy assessment process.

Once the completed Application is received, the applicant is notified in writing of the name and phone number of the adoption assessor assigned to begin the homestudy process. The notification will also include the name and phone number of the assessor's supervisor. The assessor will begin the homestudy assessment within 30 days of the agency's receipt of the completed Application. If the applicant lives outside Hamilton County, the homestudy assessor will provide written notification to the Public Children's Services Agency in the applicant's county of residence that a homestudy has been initiated on the family. This notification will occur no later than 10 days after the homestudy is initiated and will include the following information, as is then known to HCJFS:

- Past or present functioning of the prospective adoptive parent
- Known rule violations involving any foster or pre-adoptive child
- Any third party investigations
- Information related to previous adoption applications
- Previous adoption disruptions from the prospective adoptive family

Homestudy assessments for the adoption of special needs children must be completed within 180 calendar days of the agency's receipt of the completed Application. (This 180-day completion time frame may be extended by written mutual agreement between the applicant and the assessor.) However, if the applicant is unable to submit all required documentation within one year, the agency has the right to terminate the Application. The applicant will be notified in writing 30 days in advance of the termination and provided an explanation of the reason for termination and a description of the procedures for requesting a review/grievance hearing.

**If the Application is not accepted**, the applicant is provided a written notice of the reason for non-acceptance and a description of the procedures for requesting a review of the agency's decision. As noted previously in this Handbook, the agency does not deny to anyone the opportunity to become an adoptive or foster parent on the basis of the person's race, color, national origin, handicap, or age.

## FEES FOR SERVICES

HCJFS does not charge any fees for adoption application, assessment or placement services on behalf of special needs children, whether the services are provided directly by HCJFS staff or by any agent under contract with HCJFS. However, adoptive families must pay the Probate Court filing fee and a fee to the Ohio Department of Health to secure the new adoptive birth certificate.

HCJFS does not charge a fee to transfer an approved adoptive applicant to another agency when the family expresses interest in adopting a waiting special needs child. A waiting child is defined as a child in the permanent custody of a public agency who is not:

- Currently in a pre-finalized adoptive placement, or
- In the process of visiting a prospective adoptive family, or
- Involved in a Court appeal.

A **fee of \$1500** will be charged for **use of the home by or transfer** of the homestudy of an approved adoptive applicant to another agency when the family expresses interest in adopting a

**non-special needs** child or adopting **privately**. Following receipt of a money order or certified check in Accounts Receivable/Fiscal from the approved applicant or receiving agency, HCJFS will transfer the homestudy and OAC-required supporting documents directly to the receiving agency.

Transfer fees paid by approved applicants for the purposes of adopting a non-special needs child are not reimbursable through Title IV-E adoption assistance. Such reimbursement for non-recurring adoption expenses is available only for the adoption of a special needs child (see Reimbursement for Non-recurring Expenses in the Adoption Subsidies section of this Handbook).

## FERTILITY ISSUES

If infertility has been an issue, HCJFS advises prospective applicants to address those issues before beginning the application process. Contrary to popular belief, adoption is not the most appropriate sequel to a diagnosis of infertility. A period of grieving is. The emotional trauma surrounding infertility is a painful experience and couples must take time to get through the grieving process. The issue of infertility is never concluded, but acceptance is the first step toward developing a sense of personal worth and comfort with one's own sexuality.

Infertility, human sexuality, and an adoptive parent's view of the adoption process are inter-related and successful integration occurs only with acceptance. HCJFS may request an applicant's participation in **Resolve**, a program designed to help individuals work through issues of infertility.

## ADOPTIVE HOMESTUDY PROCESS AND TIMEFRAME

The adoptive homestudy assessment is a joint decision-making process involving the applicant and the agency. The assessment process helps the family determine whether adoption and/or foster care are viable options and the characteristics of the children the applicant can best parent. Completing the homestudy requires time, thought, energy, and paperwork. At no time during the homestudy process does the agency delay or deny the placement of a child for adoption on the basis of the race, color, or national origin of the prospective adoptive parent or of the child involved. While the assessment process may seem complex and demanding, it is designed to be a tool for the family and the assessor to identify strengths and vulnerabilities that will affect the entire adoptive family in the months and years after placement has occurred. The homestudy process includes:

- At least four face-to-face interviews, two of which must be in the applicant's home. These interviews may be individual, group, or family interviews, and must include:
  - Individual interviews with each member of the family, including children as appropriate to their age and level of understanding;
  - Two joint interviews with the parents in a two-parent family; or
  - Two interviews with a single applicant;
  - One family interview with parents and children, if applicable.

The homestudy assessment will commence within thirty days of the date the agency receives a fully completed JFS 01691 "Application for Child Placement" (rev. 12/2006) signed by the adoptive applicant and completed within one hundred eighty days of the date the agency

received the application.

The following documents are completed as a part of the adoption homestudy process. Applicants must supply the following information or complete the required documents. The agency will assist the applicant in this process, if necessary:

- **Applicant Self-Assessment:**

- **Part I:** Each applicant will complete a separate Self-Assessment. Applicants should not be concerned about grammar or spelling! Some questions will be very easy to answer. Others will require some reflection and possibly discussion with other family members. Each question should be answered as completely as possible. Completing the Self-Assessment before the first meeting with the assessor will speed up the homestudy process. The information in the Self-Assessment will be incorporated into the homestudy that the assessor will complete at the end of the homestudy assessment process.
- **Part II:** This document familiarizes applicants with the kinds of questions and discussion topics that will be covered during the homestudy assessment interviews. Applicants can make notes on this document or use it as a guide through the homestudy process. Part II will not be turned in to the assessor.

- **Child Characteristics Checklist:**

Adoptive children range in age from infants to teens. Many have siblings who need and want to stay together. Most children who have been abused or neglected have some special needs as well. Figuring out the age range, gender, and number of children who would best fit into the family is the easy part. Determining the health, education, and behavior needs a family can manage is a little more difficult. When prospective adoptive or foster parents complete this Checklist, they should think about the impact each of these characteristics may have on themselves, other children in the home, and on any close friends or relatives who are involved in the family's life. The Checklist is used to help match adoptive and foster children with families that can best meet their needs.

- **Applicant Financial Statement (JFS 01681) and Financial Statement for Foster and Adoptive Parent Applicants (HCJFS 3061):**

Applicants do not need to have a large income or own their own home to become an adoptive or foster parent. However, applicants must be financially stable and able to meet the needs of their current household. In addition to these two Financial Statements, the assessor will ask for verification of income. Such verification may include:

- Pay stubs for past 2 months
- Confirmation of social security, SSI, pension, unemployment compensation, child support, etc. by viewing award letters, applicant direct deposit bank statements, on-line SS/SSI verification, etc.

In some situations, the applicant may be asked to furnish proof of expenses such as a statement from a landlord, etc. Adoptive parents are expected to maintain a reliable income to meet their current family's needs. The following are examples of reliable income:

- regular full- or part-time employment
- child support

- social security
- retirement pension
- SSI

The following standards must be met for an applicant to be in compliance with agency policy:

- Minimum 1-year history of timely debt payments, per credit check
- Acceptable debt-to-income ratio (applicant's income must be sufficient to make minimum monthly payments on all debts as well as meet all living expenses such as rent, utilities, food, clothing, transportation, insurance, etc.)
- In the event of bankruptcy, the applicant shows a minimum 1-year post-bankruptcy history of timely debt payment
- If the applicant has a history of slow pays, charge-offs, collections, etc., the applicant must show proof of efforts to correct these concerns such as a supporting letter from the creditor, etc.

Some income sources such as TANF and unemployment compensation are temporary by nature. Applicants with such income may be approved if they demonstrate a plan to secure long-term reliable income.

An applicant in arrears on child support payments or who has unpaid overpayments for TANF, food stamps, Type B child care (as provider or recipient) will not be considered until the arrearage or debts are paid. Any exception to this requirement is subject to agency discretion and is based on extraordinary circumstances.

- **Credit Check Policy and Letter of Understanding:**  
A credit check will be completed through CSC Credit Services as part of the homestudy. The credit check helps the agency assess a prospective adoptive or foster family's financial stability. Signing the Letter of Understanding allows the agency to complete this check. The credit report will be reviewed by the assessor and then destroyed.
- **Criminal Conviction Statement:**  
Each adult in the household must complete a separate Conviction Statement. If any family member has been convicted of any of the listed offenses, the information noted on page 2 of the Conviction Statement must be provided to determine if the applicant can continue with the homestudy process. See pages 13-14 for more information about this or talk with the homestudy assessor. It is also important to disclose any person residing in the home who is twelve years old, but less than eighteen years old, has been convicted or pleaded guilty to any offense listed in Appendix 3 of this handbook.
- **Medical Statement (JFS 01653) for each household member:**  
A licensed physician must complete medicals for all household members within 6 months prior to the agency's approval of the homestudy. If a physician has seen a family member recently, he/she may complete the Medical based on existing records. In other cases, the physician may require the individual to make an office visit. The physician must mail the Medicals directly to the assessor. In addition, applicants receiving disability, SSI, and workers compensation must provide documentation of the nature of the disabling condition as well as a statement from a physician that the disabling condition will not compromise or diminish their ability to care for an adoptive child.

- **Additional Health or Other Reports:** In addition to the JFS 01653 Medical Statement, the prospective adoptive parent may be required to secure and provide a report of an examination of any member of the household by a licensed physician, psychologist, or other certified or licensed professional if:
  - the applicant or any household member has suffered a serious illness or injury within the past year; or
  - HCJFS determines it to be necessary to ensure the safety, health, or care of any foster child who may be placed in the home.

Factors in the prospective adoptive parent's history or household that may require additional reports or assessments include, but are not limited to:

- history of DUI or drug dependency
  - history of felony conviction not listed below or multiple misdemeanor convictions resulting in incarceration or probation
  - loss of custody or removal of children
  - history of adjudications of abuse, neglect or dependency
  - children's services history of substantiated abuse or neglect dispositions or high to moderate risk assessments
  - orders of protective supervision
  - history of restraining orders (filed by or against the applicant or other household member)
  - day care provider/foster parent revocation of certification due to rule non-compliance
  - delinquency or status offense adjudications of the *applicant's children*
  - school reports on the applicant's children indicating poor attendance, behavior problems, lack of contact or interest by parent
- **Fire Inspection (JFS 01200):**  
A fire inspection of the home must be completed within 6 months prior to the agency's approval of the homestudy. The fire inspector must provide specific approval on the inspection form for each floor that has bedrooms for the prospective adoptive children. Contact the local fire department to arrange the inspection.
  - **References:**  
Four personal references will be requested, three of which must be from non-relatives
  - **Release to Contact Employer:**  
The applicant's employer may be asked to provide a reference.
  - **Release for Teacher/Counselor Report:**  
If there are school-aged children in the household, the applicant will be asked to sign a release to permit the assessor to contact the child's teacher or counselor.
  - **Releases to Contact Other Agencies or Individuals:**  
If the applicant has been a foster or adoptive parent or day care provider with another agency, the applicant will be asked to sign a release to allow the assessor to contact those agencies to provide a report on the applicant's service. If applicable, the assessor may ask for releases to contact any one of the following individuals or organizations with whom the applicant or other family member has had contact:
    - Counselor

- Therapist
- Physician other than the physician who provides the required Medical Statement
- Alcohol or drug treatment program
- Juvenile or adult probation or parole officer
- Any other individual or agency that HCJFS determines necessary to ensure the safety of the prospective adoptive child

If the applicant fails to submit all of the documentation noted above within one year of the agency's receipt of the initial or revised Application, the agency has the right to terminate the Application. The applicant will be notified in writing 30 days in advance of the termination and provided an explanation of the reason for termination and a description of the procedures for requesting a review/grievance board hearing.

In addition to interviews and completion of the documents noted above, the adoption homestudy assessor will also complete a **safety check** of the home using the JFS 01348 Safety Audit. The safety check will assess the following:

1. The home and all structures associated with it are maintained in a clean, safe, and sanitary condition and in a reasonable state of repair;
2. The home is adequately heated, lighted, and ventilated;
3. There is reasonable access to a working telephone for emergency situations;
4. The home has a working bathroom connected to an indoor plumbing system;
5. Potentially hazardous materials, tools, and equipment in or around the home are secured in a safe manner;
6. Firearms and other projectile weapons are locked and stored in an inoperable condition and ammunition and other projectiles are stored in a separate locked space;
7. All non-vented kerosene heaters used in the home are approved by the Underwriters Laboratory;
8. The home has a working UL-approved smoke alarm on each level of the home.

**Falsification:**

Applicants are cautioned to complete all paperwork thoroughly and accurately and to participate in the homestudy process with openness and candor. Information for the homestudy is gathered through interviews, references, medical reports, credit checks, criminal record checks and occasionally through an additional outside assessment. An applicant who knowingly makes a false statement on the Application or other document or during the course of the homestudy may be guilty of falsification, as defined in Ohio Revised Code 2921.13. If the agency investigates and determines the applicant made a knowingly false statement, the homestudy process will be discontinued and the applicant will be notified of the alleged false information and given an opportunity for an agency review to respond to the alleged falsification. If the applicant fails to respond within 14 days of receipt of the notice of alleged falsification, the agency will assume the applicant has selected him- or herself out of the homestudy process. The agency will then terminate the applicant's foster or adoptive homestudy.

If the applicant requests an agency review timely, the agency will meet with the applicant and any relevant witnesses within 3 weeks of the applicant's response, review the agency's documentation and any additional documentation provided by the applicant or witnesses, and determine whether the agency finds probable cause to indicate the applicant knowingly made a false statement on the application or during the homestudy process. The agency will issue a report of its investigation within 10 days after the agency's review meeting with the applicant. If additional time is needed to complete the investigation, the applicant will be notified and the

agency can be given an additional 14 days to complete the investigation and report. If the agency determines no falsification occurred, the homestudy process will be resumed, if the applicant chooses to proceed. If the agency finds probable cause to indicate the applicant knowingly made false statements, the applicant will be notified and the case will be referred to the Hamilton County Prosecutor for review and possible prosecution.

If a child is in placement with the adoptive family when the alleged falsification becomes known, the worker will report the alleged false information to the supervisor who will forward the information to the supervisor and section manager of the child's worker, if different. Within 24 hours of this report, the agency will determine if concerns related to the child's safety and well-being exist and if so, the child will be removed and placed in another setting. The child will remain outside the home until the investigation of the alleged falsification is completed and a final decision is rendered regarding the child's safety and continued use of the adoptive home.

All information related to the alleged falsification, investigation and outcome is filed in the adoptive family's record.

### **ADOPTIVE APPLICANT APPROVAL**

On the basis of the interviews and review of the medicals, references, and other reports and documents, the assessor will complete a written homestudy report (JFS 01673, Assessment for Child Placement/Homestudy). If the family has or will have 5 or more children including the prospective adoptive child, the assessor will also complete the JFS 01530 "Multiple Children/Large Family Assessment. The homestudy will be completed within 180 days of the agency's receipt of the completed Application. Typically, if all documents are submitted timely, the homestudy can be completed in about 4 months. (Completion *may* be delayed at the request of the applicant, or by a mutual written decision between the agency and the applicant to delay the homestudy assessment process.) The homestudy assessment will include a comprehensive evaluation of the prospective adoptive family. The assessor will provide written notification to the applicant of adoption approval or denial within 10 days of the completion of the homestudy. The HCJFS assessor will either approve or deny the adoption application.

If the application to adopt is approved, the agency will provide written notice of the dates of approval and expiration of the homestudy. This notice will be mailed within 10 days of completion of the homestudy and will include a description of the characteristics of the child or children for whom the family is being approved.

If the application to adopt is denied, the agency will provide a detailed explanation of the specific reasons for the denial and a description of the procedures to request an agency review. This notice will be mailed to the applicant within 10 days of the completion of the homestudy.

If the applicant disagrees with the denial recommendation, the applicant may:

- Request a hearing with the Foster and Adoptive Parent Grievance Board
- Withdraw the Application
- Do nothing

### **WELCOME BOOKS**

All approved adoptive families (excluding foster to adopt families whose primary interest is

foster parenting) must prepare a “welcome book” following their approval for adoption. Welcome books are used to introduce the family to the prospective child before any visits take place. The welcome book can help allay some of the fears the child may have about adoption. Welcome books should include, at a minimum:

- Photos of:
  - All family members
  - Extended family members and family friends, if significantly involved with the family
  - Family pets
  - Family home, including the bedroom for the prospective adoptive child
  - Exterior of the home
  - School the child will attend
- Short narrative for each photo
- Brief description of the family’s favorite activities

<b>FOSTER PARENT ADOPTION AND/OR APPROVAL OF A FOSTER HOME FOR ADOPTIVE PLACEMENT</b>
---

When a child is permanently committed to the agency, the law gives preference to the child’s adult relatives over the child’s foster parent when determining an adoptive placement for the child provided that the relative meets all relevant State child protection standards. If placement with the relative is not determined to be in the child’s best interest or if no relative is available, the child’s current foster parent is given priority consideration for approval as the child’s adoptive parent. A foster parent will be approved to adopt only if permanent placement of the child with the foster family is determined to be in the child’s best interests and meets the child’s special needs. See “Matching Adoptive Children with Families” later in this Handbook for more information on adoptive placement preferences.

If HCJFS obtains permanent custody of a child in foster care, the foster parent will be notified in writing of the child’s availability for adoption, their priority consideration and given an opportunity to consider adoption. If the foster parent is licensed by another recommending agency, that agency will also be notified of the child’s availability for adoption. Adoptive placement of a child with his or her current foster parent is a two-step process. The foster parent must first meet the standards for approval as an adoptive parent. If approved as an adoptive parent, the foster parent must then be formally matched with the foster child. A foster child is matched for adoption by his or her foster parent when it is determined to be in the child’s best interest by the agency’s Match Committee (see the section on “Matching Adoptive Children with Families” for information about the Match Committee).

**“Expedited” Foster Parent Adoption:**

Foster parents who wish to adopt a child who has lived in their home for 6 consecutive months or more are eligible to apply for the expedited adoption approval process. Such foster parents must complete and submit the JFS 01692 Application to Adopt a Foster Child. This Application along with supporting documents serves as a shortened homestudy. Foster parents are not required to complete or submit any documents previously submitted to the agency as a part of the foster homestudy process. However, a new BCII fingerprint check on both prospective adoptive parents must be completed prior to adoption finalization.

An adoption assessor will be assigned who will review the Application with the foster parent and provide:

- Information about the required training
- Information about the availability of adoption assistance and post-adoption services and provide the JFS 01985 Adoption Subsidies Guide
- This Adoption Handbook

As a part of the adoption assessment process, the assessor will interview all members of the family and consult with the child's adoption worker, the GAL, the family's support worker and other individuals, if indicated. If the foster parent lives outside Hamilton County, the assessor will provide written notification to the Public Children's Services Agency in the foster parent's county of residence that an adoption homestudy has been initiated on the family. This notification will occur no later than 10 days after the homestudy is initiated and will include the following information:

- Past or present functioning of the foster/prospective adoptive parent
- Known rule violations involving any foster or pre-adoptive child
- Any third party investigations
- Information related to previous adoption applications
- Previous adoption disruptions from the foster/prospective adoptive family

In addition, the assessor will compile and review:

- JFS 01653 Medical Statement for Foster Care/Adoptive Applicant completed on the applicants and all household members;
- The foster homestudy and supporting documents;
- The JFS 01385 Assessment for Child Placement Updates (recertifications), if applicable;
- The family foster home case record;
- BCII and/or FBI and Hamilton County Sheriff's criminal records checks;
- Relevant information from the child's case record concerning the child's placement with the foster family.

If the foster family has or will have 5 or more children including the prospective adoptive child, the assessor will also complete the JFS 01530 "Multiple Children/Large Family Assessment. If they have not already done so, the foster parents must complete those pre-service classes specific to adoption and cultural issues, if these classes were not completed in the previous 2 years (the agency has the discretion to waive the 2-year requirement). Based on interviews with family members and others and review of the foster home record, the assessor will approve or deny the Application to Adopt. If the Application is approved, the assessor will provide written notification within 10 days of approval. The notification will include the date of homestudy approval and expiration and the name(s) of the child(ren) for whom the foster parent is approved. If the Application is denied, the assessor will provide written notification within 10 days of the denial. This notification will include a detailed explanation of the reasons for the denial and a description of the procedures to request an agency review/grievance hearing. The foster parent will also be notified that the child will be presented for matching with other adoptive families within 90 days.

If the application is approved, the assessor will prepare a summary of the family for presentation to the Adoption Match Committee. If the Match Committee approves the match, the foster parent and assessor will complete adoption placement, finalization and subsidy paperwork and schedule a finalization date with Probate Court. No additional foster (or adoptive) children will be placed with the foster family until the adoption is finalized.

**"Traditional" Foster Parent Adoption:**

If a foster parent expresses interest in adoption, either of a child who has lived in the home for less than 6 consecutive months or of another child, and the foster parent has not previously been approved to be an adoptive parent through the joint homestudy process, the agency will:

- Provide the foster parent with a JFS 01691 Application for Child Placement and the JFS 01673-A Child Characteristics Checklist. If necessary, the agency will help the foster parent complete the documents.
- Assign an adoption assessor to the foster family who will review the Application and Checklist. The assessor will then compile and review the following:
  - JFS 01653 Medical Statement for Foster Care/Adoptive Applicant completed on the applicants and all household members;
  - The foster homestudy and supporting documents;
  - The JFS 01385 Assessment for Child Placement Updates (recertifications), if applicable;
  - The family foster home case record;
  - BCII and/or FBI and Hamilton County Sheriff's criminal records checks;
  - Relevant information from the child's case record concerning the child's placement with the foster family.

If the foster parent lives outside Hamilton County, the assessor will provide written notification to the Public Children's Services Agency in the foster parent's county of residence that an adoption homestudy has been initiated on the family. This notification will occur no later than 10 days after the homestudy is initiated and will include the following information:

- Past or present functioning of the foster/prospective adoptive parent
- Known rule violations involving any foster or pre-adoptive child
- Any third party investigations
- Information related to previous adoption applications
- Previous adoption disruptions from the foster/prospective adoptive family

The adoption assessor will make at least one home visit with the foster parent to interview all family members and observe the interaction between the child, foster parent and other members of the household. Extended family may also be interviewed as well as the family's support worker, the child's worker and GAL, if applicable. The assessor will discuss how the foster parent has been working with the child on problems identified in the case plan and how they will handle any long-term issues or problems the child may have. In addition, the assessor will provide the family with:

- JFS 01685 Adoption Subsidies Guide
- This Adoption Handbook

All foster parents will be required to attend, at a minimum, those pre-service training classes that relate specifically to adoption and cultural issues, if these classes were not completed in the previous 2 years (the agency has the discretion to waive the 2-year timeframe). At its discretion, the agency may require the foster parent to attend additional classes in the pre-service training curriculum as a part of the adoption approval process.

Based on the information obtained from interviews with the foster family and others and review of the foster home record and related documents, the assessor will complete portions of the JFS 01673 Assessment for Child Placement/Homestudy not previously completed as a part of the family foster home certification. If the family has or will have 5 or more children including the prospective adoptive child, the assessor will also complete the JFS 01530 "Multiple Children/Large Family Assessment. The foster homestudy and/or most recent JFS 01385 Assessment for Child Placement Update and the newly completed adoptive JFS 01673

Assessment for Child Placement become the adoptive family record.

If the foster parent is approved to be an adoptive parent, the foster parent will be notified in writing within 10 days of the approval. This notification will include the dates of the adoption homestudy approval and expiration and a description of the characteristics of the child or children for whom the foster parent is approved. If the foster parent is not approved to be an adoptive parent, the foster parent will be notified in writing within 10 days of completion of the homestudy, provided a detailed explanation of the reasons for the denial and will be informed of the procedures to request an agency review/grievance hearing.

### **RELATIVE ADOPTION**

Relatives are given priority consideration over non-relatives for adoptive placement. Relatives wishing to legally adopt a child in the permanent custody of HCJFS must meet all relevant state child protection standards and must be approved as adoptive parents using the same standards for approval as non-relative applicants. A relative who has approved homestudy or who has a completed and signed JFS 01691 Application for Child Placement or similar adoption application for another state on file for at least 5 days prior to the match conference can be considered for matching by the adoption match committee.

### **LEGAL RISK FOSTER / ADOPTION PROGRAM**

Many adoptive families are also licensed foster families who are willing to take a “legal risk” foster placement. Such families ultimately wish to adopt but are prepared to accept a foster child who has not yet been legally freed for adoption but whose history indicates a high probability of permanent custody. Placing such a child with a legal risk foster/adoptive family lessens the number of moves the child makes in agency care and allows the child and caregiver the opportunity to establish an attachment early in the child’s life. However, legal risk foster/adoptive families must understand that the child’s biological parents retain substantial legal rights in the child. These rights include:

- Reasonable visitation
- Communication
- Right to determine religious affiliation
- Right to consent to the child’s adoption
- Responsibility for financial support of the child if able

Until the Court enters an order permanently terminating parental rights, HCJFS is legally obligated to provide services to reunify the child with his or her family if possible, within a reasonable length of time. When the child is in foster status, reunification plans usually include an opportunity for regular visitation with the biological family and the possibility of eventual return of the child to the biological family or placement with a relative.

A child who meets one or more of the following criteria might be placed with a foster/adoptive family on a legal risk basis:

- The child has been in the care of the agency for a year or more
- The child’s sibling(s) have previously been permanently committed
- The child’s parents have been unable to successfully resolve the issues that resulted in placement

- The child's permanent custody is under appeal

A family who accepts a legal risk placement will sign a Statement of Understanding at the time of placement acknowledging that the child is being placed with the family **as a foster child**. The foster/adoptive parents must agree to cooperate and assist with the child's visitation with family as well as assist in the child's reunification with parents or relatives, should that occur.

If the agency secures permanent custody, the family and child are presented to the Adoption Match Committee. If the match is approved, the child is able to remain with the family and the Adoptive Placement Agreement (JFS 01654) is signed. The finalization process can begin after the child has lived with the legal risk family on a foster or adoptive basis for at least six months.

However, if the Court determines that permanent custody is not in the child's best interests or if a relative is identified who expresses an interest in adopting the child and completes an approved adoption homestudy, the child may be returned to parents or placed with relatives. About 25% of the children placed on a "legal risk" basis with foster/adoptive families are later returned to birth families or placed with relatives.

Many foster/adoptive families willing to accept a legal risk placement also provide traditional foster care. Such families provide temporary care for children until the child is able to return to parents or relatives. However, adoptive families who are also licensed foster parents are not obligated to provide traditional foster care while waiting for a legal risk placement. Legal risk foster/adoptive families may also choose to provide respite services for other foster or adoptive families. Respite caregivers provide planned short-term care for a foster or pre-finalized adoptive child for the purposes of alleviating the stress associated with caring for the child.

## HCKIDS.ORG

HCJFS maintains a web site ([www.hckids.org](http://www.hckids.org)) featuring waiting agency child. The HCJFS web site also contains information about upcoming adoption events, adoption policies and procedures and other information of interest to adoptive families. Waiting families are encouraged to check the web site periodically. The web site indicates when the child has an identified family.

## ADOPTIVE FAMILIES APPROVED BY OTHER AGENCIES

HCJFS considers approved homestudies that have been forwarded by other public or certified private adoption agencies in Ohio and from other states in the same manner as homestudies completed by HCJFS. However, HCJFS will not consider any homestudy forwarded directly by an adoptive family. Families wishing to have their homestudies considered by HCJFS must authorize their approving agency to forward the homestudy directly to HCJFS. Homestudies from other agencies are integrated into the agency's adoption files and maintained in the same manner as the homestudies approved by HCJFS. Data from approved homestudies forwarded by other agencies is entered into SACWIS (Statewide Automated Child Welfare Information System). See "Matching Adoptive Children with Families" later in this Handbook for more information.

If HCJFS determines that a homestudy completed by another agency contains knowingly false

information, HCJFS will provide written notification to the sending agency of the alleged false information within 3 days of determination. HCJFS will not consider the family for matching with a child in HCJFS custody.

## **PREPARING THE CHILD FOR ADOPTIVE PLACEMENT**

By the time a child is available for adoption, the agency has acquired a good deal of knowledge about the child and the child's ability to relate to others. Efforts to prepare a child for adoptive placement begin no later than the date of permanent custody. Often the preparation begins much earlier. Within 30 days of the permanent custody, an adoption transfer conference occurs. The transfer conference is an opportunity for agency staff and others involved in the child's care (foster parent, GAL, teacher, etc.) to review the child's background and needs and develop an adoption recruitment plan. The child is assigned to an adoption worker at this conference. Within 90 days of the permanent custody, the child is presented at the adoption Match Committee. If the child is not matched at this initial match conference, the child is presented again at least once every 90 days until the child is matched with a prospective adoptive family and the Adoptive Placement Agreement is signed.

Services provided to the child and/or to the adoptive family to prepare for placement include helping the child understand and work through the following:

- Biological, social, and psychological heritage
- Placement history
- Self-esteem issues
- Separation and attachment issues
- Feelings concerning adoption
- Review of life book materials
- If applicable, terms and conditions of an open adoption.

Depending on the child's age, he or she may be enrolled in an adoption readiness group to help prepare the child for adoption. Once the child has been matched and information about the child has been shared with the prospective family, the child's worker meets with the child to talk about the prospective adoptive family and to review the family's Welcome Book. Preplacement visits are scheduled and the adoptive family receives a copy of the schedule. Depending on the child's age and readiness, the initial visit(s) take(s) place at the child's foster home. Subsequent visits take place at the adoptive parents' home and may include several overnight or weekend visits prior to adoptive placement. All adoption preparation efforts are documented in the child's case record.

## **MATCHING ADOPTIVE CHILDREN WITH FAMILIES**

HCJFS does not deny anyone the opportunity to become an adoptive parent on the basis of the person's race, color, or national origin, nor does the agency delay or deny the placement of a child for adoption on the basis of the race, color, or national origin of the child or of the prospective adoptive parent. The agency considers all approved adoptive families who express interest in matching with children available for adoption, regardless of race, color, national origin, or geographic location.

Regardless of geographic location, the following preferential order is given when considering

families for matching with a child available for adoption:

- Adult relatives who have expressed an interest in adopting the child or a relative or non-relative identified by the child's birth mother as a potential resource to adopt the child. The relative or non-relative must have an approved adoption homestudy or a completed and signed JFS 01691 Application for Child Placement or similar adoption application for another state on file for at least 5 days prior to the match conference. The relative or non-relative must meet all relevant State child protection standards. If relative placement is not determined to be in the child's best interest or if no relative is available,
- The child's current foster parent who is approved to adopt or who has a completed and signed JFS 01691 Application for Child Placement or JFS 01692 Application for Adoption of a Foster Child on file with the agency for at least 5 days prior to the match conference. If the agency determines that placement with the foster parent is not in the child's best interest,
- Approved adoptive applicants

In general, approved adoptive families who are currently matched with a child or who have a prefinalized adoptive placement will not be considered for matching with another child. An exception to this policy may be made in the following circumstances:

- the prospective child is a sibling of a child either matched with or living with the adoptive family, or
- the child is a former foster child of the adoptive family.

A birth parent's wishes may be given consideration in the selection of an adoptive family. However, it is the agency's responsibility to consider **all** possible placement resources, giving priority consideration where indicated, and to select the placement best able to meet the child's individual needs. A birth parent's request to place the child with an adoptive family of a specific race, color, or national origin violates federal law and will not be honored.

Adoptive family placement decisions are made by a Match Committee which meets weekly or more often, if necessary. The Committee is composed of the following:

- Adoption Match Coordinator
- Child's ongoing caseworker and supervisor (if this is the child's first presentation to Match Committee)
- Child's adoption worker and supervisor
- Adoption recruiters and their supervisor
- Adoption workers from HCJFS and other agencies who have responsibility for prospective adoptive families
- The court appointed Guardian Ad Litem for the child being presented
- A representative of the Public Defender Office
- A representative from ProKids
- A representative from the adoption or children's services community who is not an employee of HCJFS
- The HCJFS MEPA Monitor
- The ODJFS MEPA Monitor
- HCJFS Section Managers
- HCJFS Assistant Director responsible for the Children's Services Division
- HCJFS Director

Matches are made by the Committee with the **child's best interests** as the guiding principle. A child's best interests are served when a comprehensive assessment of the individual child's

needs is made. Among the needs considered by the Committee are the child's age, gender, relationships with and attachment to parents, siblings, other family members and previous and current caregivers, health and physical condition, education, cognitive and psychological needs, linguistic, dietary, musical, and athletic needs and such other personal needs and preferences as the child can articulate and discuss.

All placement decisions are individualized and guided by what is in the best interest of the particular child in need of adoptive placement. Assessing the capacity of a prospective adoptive family to understand and meet the special needs of a particular child is a part of the placement decision. The strengths and vulnerabilities of the prospective family, as identified during the homestudy assessment process, and the family's capacity to meet all of the child's needs are weighed so as to provide for the child's best interests. Consideration is given to placing siblings together and to maintaining ties with other family members, if that is determined to be in the child's best interest. An adoptive parent's preferences as to the race, color, or national origin of a prospective adoptive child are taken into consideration only as they relate to their capacity to meet the needs of a particular child.

Decisions of the Match Committee are made with the aid of the non-voting Match Coordinator who works to achieve consensus among the Committee members. If consensus cannot be achieved, decisions are made by majority vote. All Match Committee decisions are subject to approval by the Hamilton County Juvenile Court.

**“Identified” Family:**

An “identified family” for a child is defined as a relative who has expressed interest in adopting the child or a relative or non-relative identified by the child's birth mother as a potential resource to adopt the child or the child's current foster parent who has expressed an interest in adopting the child. To be considered for matching with the child, the relative or non-relative must have an approved adoption homestudy or must have a completed and signed JFS 01691 Application for Child Placement or similar adoption application for another state on file for at least 5 days prior to the match conference. The child's foster parent must either have an approved adoption homestudy or a completed and signed JFS 01691 Application for Child Placement or JFS 01692 Application for Adoption of a Foster Child on file with the agency for at least 5 days prior to the match conference.

For each child who does not have an identified family, Recruitment staff will email the child's profile to all known adoption agencies one month prior to his/her scheduled presentation at match. Providers with interested families can call HCJFS, assess if this child is appropriate for their family and receive the child's profile. Those families accepting of the child's characteristics can be presented by their agency worker and will be placed on the match committee agenda.

HCJFS adoptive families accepting of the child's characteristics will be contacted by their adoption worker and provided information about the child to determine if the family is interested in being presented for the child. If the prospective family is managed by another agency, agency Recruitment staff will contact that family's agency to provide information about the child and that agency will then contact the family to present information about the child. The process of contacting prospective families is usually completed in about 2 weeks and the child's worker is notified of all families who express an interest in being presented for the child.

If more than 11 families express interest in being presented for the child, the child's worker and/or GAL and/or any member of the Match Committee may identify up to 5 families they wish to present for the child at the Match Committee. The Match Coordinator will then randomly

select up to 6 of the remaining families so that a total of 11 are identified to be presented for matching with the child.

**Match Committee Procedure:**

The child’s worker presents information about the child to the Match Committee. Workers for each of the families selected for presentation are present at the meeting or participate via teleconference. Family workers and other Match Committee members may ask questions about the child following the child presentation. Workers for each family then present information about their families and answer questions from the child’s worker and other participants. When all presentations are completed, participants discuss the merits of each prospective match. The Match Committee voting members (including those participating by teleconference) then vote by secret ballot. Voters must record the reasons for their vote and sign the ballot. The match decision is made by majority vote. There must be a minimum of 3 votes in favor of a family for a match to occur. In cases involving “stranger adoptions” in which multiple families are presented, the family receiving the second highest number of votes is designated as the back-up match for the child, if the family received at least 3 votes. If no other family receives 3 votes, the Match Committee has the option of taking a second vote to designate a back-up match. If the matched family declines to accept the match, the back-up family is contacted.

If no match occurs, the child is presented again for matching in no more than 90 days.

<b>PROVISION OF INFORMATION TO THE ADOPTIVE FAMILY</b>
--

Once a match has been made between an adoptive family and child, the prospective adoptive parent is provided information about the child and any identified or anticipated special needs of the child, as well as information about resources available to help the prospective parent make an informed decision about accepting the child for placement. The adoptive parent is encouraged to ask as many questions as needed, talk to service providers, family and friends, and take time to think over the placement before making a decision. HCJFS requests that the prospective adoptive parents inform the agency of their decision within 30 days.

If the adoptive parent accepts the child for placement, a pre-placement visit schedule is developed. The following information and materials, as applicable to the age and circumstances of the child, are provided *prior to placement*:

- The child study inventory (CSI) which contains a summation of the history of the child’s birth family, from which identifying information is removed (except in cases of relative and foster parent adoptions). The CSI includes includes a summary of the birth parents’ history including information about the parents’:
  - Age
  - Marital status
  - Education and occupational background
  - Ethnic and racial background, religious and other cultural characteristics
  - Talents and hobbies
  - Mental and physical disabilities
  - Medical conditions such as genetic/inherited diseases, malformations, etc.
  - Social and medical information on the child’s siblings
  - Social and medical information on the adoptive child’s ancestors

- Social and Medical History (JFS 01616)
- A list of the child's identified and anticipated special needs, including documentation verifying those needs
- The child's placement history, including reasons for the original placement and reasons for subsequent placements, if applicable
- A summation of the history and background information known about the child which includes:
  - Positive attributes, characteristics or strengths of the child such as friendliness, talents, interests or education achievements
  - Physical, intellectual and social development of the child
  - Immediate health needs and current medications
  - A summary of any psychiatric or psychological evaluation of the child, and/or summary of recommendations of an examination to detect mental or emotional disorders
  - Attachment and bonding of the child to caregivers and siblings
  - If the child has been adjudicated delinquent, a description of the act which resulted in the child being found delinquent and the disposition made by the court (See **Appendix 4** for requirements regarding provision of additional information about certain delinquent acts)
  - Information on any other violent acts committed by the child of which HCJFS has knowledge
- Written information describing the types of behavior that the prospective adoptive parent may anticipate from a child who has experienced abuse and neglect, suggested interventions, and the post-adoption services available if the child exhibits those types of behaviors after adoption
- Information about any child-specific financial or medical resources, known or anticipated, including adoption subsidy information
- The child's life book
- If applicable, certain materials, photos, or the birth parent's first name that the birth parent requested be given to the adoptive parent or adopted child in accordance with the authorization made on the JFS 01693, Ohio Law and Adoption Materials; and
- The child's social security number, if applicable.

In rare circumstances, a child available for adoption has been convicted of a serious violent felony or sex crime. Additional procedures and information are required in these circumstances. See **Appendix 4** for information about these additional placement procedures and requirements

The adoption assessor will review the information and materials provided in detail with the family. The JFS 01667 "Adoption Information Disclosure" documents provision of this information and is signed by the adoptive parents and the assessor prior to placement. Documentation of the information and materials provided as well as the Adoption Information Disclosure is kept in the adoptive family's record.

## ADOPTIVE PLACEMENT PROCEDURES

HCJFS makes adoptive placements only when it has secured permanent custody of the child. The agency does not place a child in any home in Ohio unless an adoptive homestudy has been completed and approved by an Ohio-certified adoption agency. The agency may place a child in an adoptive home in another state provided that the adoptive home has been approved by the receiving state in accordance with the rules governing the Interstate Compact on the

## Placement of Children.

The placement procedures detailed in this section apply to all adoptive placements, including adoptive placement with a child's foster parent or relative as well as placement with "stranger" families. If HCJFS collaborates with another agency in an adoptive placement, both agencies exchange detailed information about the child and prospective adoptive family prior to making the placement. The agencies sign a written agreement detailing the specific responsibilities of each agency. In general, the adoptive family's worker makes the first contact with the family about a prospective adoptive child. The child's worker then follows up to provide additional information. If the child is being placed with an Ohio family outside of Hamilton County, the adoption worker will provide written notification to the Public Children's Services Agency in the adoptive family's county of residence of the impending placement. The notification will occur at least 10 days before the child's placement and will include the *following* information:

- A description of the child's special needs
- The names, address and ages of the prospective adoptive parents
- The number of children that will reside with the adoptive family when the child is placed

This notification is required even if the child is living with the adoptive family as a foster or relative child prior to adoptive placement.

On or before the date of placement, the adoptive family, the child's worker, and a representative of the family's adoption agency, if different, sign the Adoptive Placement Agreement (JFS 01654), a copy of which is provided each signer. The Placement Agreement explains the responsibilities and authority of all signers of the agreement and specifies the placement date. Pre-placement visits may begin before the Placement Agreement has been signed.

No additional children will be considered for placement with the adoptive family, either on a foster or adoptive basis, until all previous adoptions have been finalized, unless the Match Committee determines there is good cause to do so. Examples of good cause include:

- the child under consideration is related to a child already placed with the family
- the family has a relationship with the child under consideration
- the family is uniquely well qualified to adopt the child under consideration.

After finalization, an adoption homestudy update will be completed if the family is interested in being considered for another adoptive placement. The actual length of time between placements depends on the readiness and capacity of the adoptive family. A family who finalizes the adoption of their long-time foster child may be ready for a new adoptive (or foster) placement shortly after finalization. On the other hand, a family who has just finalized the adoption of a child with many special needs may need a year or more to focus on that child's integration into the family before being considered for a new placement.

On occasion, HCJFS provides or arranges services within Hamilton County for another Public Children Services Agency on behalf of a special needs child when such services, if not provided, would cause a delay in the adoptive placement of the child. Such services may include homestudy assessment services, pre- and post-finalization services, and services needed to provide the Court with information required for adoption finalization.

## **PREFINALIZATION SERVICES**

Once preplacement visits have been completed and the adoptive placement has been made, the agency provides services to assist both the child and the adoptive family in adjusting to the placement. The adoption assessor makes a home visit with the child and adoptive parents within seven days following placement. Thereafter, the assessor completes monthly home visits with both the adoptive parent and the child throughout the prefinalization period. The first of these monthly home visits occurs no later than 30 days after the placement home visit. The assessor will also have in-person contact with all other family members at least once every 60 days. Additional in-person contacts may be made if necessary. During visits, the assessor will gather information about how the placement is progressing and how the child is adapting as well as the child's social and emotional functioning.

Prefinalization services for the child and adoptive parent are provided either by the agency or by arrangement through another agency or service provider from the date of placement until the adoption is finalized. Such services may include, at a minimum:

- Case management
- Home visits
- Counseling
- Crisis services
- Diagnostic and therapeutic services
- Adoption readiness and adjustment groups.

Prior to termination of parental rights and throughout the pre-placement and post-placement period, agency staff are compiling and documenting the child's history on the Social and Medical History (JFS 01616). The Social and Medical History is presented to the adoptive parents prior to the child's placement and may be updated if more information becomes available. Information is gathered from interviews with the biological parents, relatives, and others who may have knowledge of the parents and their ancestors, review of agency records, and any other records which the parent may have consented to release. In addition, blank copies of the Social and Medical History may be given to the birth parents or others familiar with the child's history who can supply medical and social background information.

## **ADOPTION FINALIZATION**

No sooner than six months following the child's placement with the family, the agency may file for adoption finalization. HCJFS completes and files the Prefinalization Adoption Assessment Report (JFS 01699), the Social and Medical History, the Petition for Adoption and other documents with the Hamilton County Probate Court at least 20 days before the scheduled adoption finalization hearing. If the child was permanently surrendered, a copy of the Ohio Law and Adoption Materials (JFS 01693) is also submitted. A copy of the Prefinalization Adoption Assessment is also provided to the adoptive parents at least 20 days prior to finalization. An adoption finalization hearing is scheduled before a magistrate. The adoptive applicants, adoptive child, and adoption worker attend the hearing. The magistrate reviews the documents submitted by the agency and confirms with all parties that adoption finalization is in the best interests of the child. The Court then approves the adoption by issuing a Final Decree of Adoption and an Adoption Certificate establishing the permanent, legal parent-child relationship.

## **POST-FINALIZATION SERVICES**

Post-finalization services are available to adoptive parents and children for 3 months following finalization at no charge to the adoptive family. The agency may, however, bill other sources such as Medicaid for payment. These services may be provided directly by HCJFS or by referral and may include such services as counseling and crisis services and on-going educational or training opportunities. Post-finalization services are also available upon request to the birth parents.

## **POST-ADOPTION SERVICES**

Post-adoption services are voluntary services available upon request to families with finalized adoptive placements made through HCJFS. The purpose of these services is to support the adoptive placement and maintain the child in the home or, if temporary placement is needed, to stabilize the child and enhance the family's parenting skills so that the child returns to a strengthened family unit. Families in need of post adoption services should call 241-KIDS for this service.

In addition, HCJFS provides post-adoption services to Hamilton County adoptive parents and children whose placements were made by another agency. HCJFS may contact the placing agency to request assistance in providing services for the family. However, HCJFS will provide immediate assistance if required until the placing agency can provide services. If the adoptive family reports they are unable to access the services provided by the placing agency, HCJFS, as Hamilton County's Public Children Services Agency, is responsible for providing directly or by referral appropriate post-adoption services to adoptive families and children residing in this county. HCJFS will also provide post-adoption services directly or by referral to Hamilton County birth parents whose adoptive placement was made by another agency. While HCJFS may contact the placing agency to request assistance in providing services, HCJFS remains responsible for provision of services.

### **Adoption of An Adult Previously in the Custody of HCJFS:**

If an adult who was in the custody of HCJFS on his or her 18<sup>th</sup> birthday consents to be adopted, HCJFS will provide a notarized statement on agency letterhead to the prospective adoptee, the adoptee's representative or to the Probate Court, as applicable. The statement will verify the adoptee's custody status as of his or her 18<sup>th</sup> birthday.

## **RELEASE OF THE ADOPTIVE HOMESTUDY TO ANOTHER AGENCY**

At the request of an approved adoptive applicant, HCJFS will release the homestudy and supporting documents directly to another adoption agency. In addition to the homestudy (JFS 01673), the following documents can be provided to another agency:

- Child Characteristics Checklist of the JFS Assessment for Child Placement
- Safety Audit (JFS 01348)
- Fire Inspection (JFS 01200)
- Applicant Financial Statement (JFS 01691)
- Multiple Children/Large Family Assessment (JFS 01530)
- Water test results, if applicable
- BCII Criminal Record Checks
- FBI Criminal Record Checks, if applicable
- Medical Statements for all family members (JFS 01653)

- Assessment for Child Placement Updates (JFS 01385), if applicable (includes both foster home recertifications and adoption updates).

The requested information will be released to the agency within 15 days of receipt of an authorization for release executed by the adoptive applicant. No fees are assessed for the release of the homestudy for the purposes of adopting a waiting special needs child.

**Falsification:**

If the agency investigates and determines that the application or homestudy contains a knowingly false statement, the homestudy will not be released. See “Falsification” in the section on “Adoptive Homestudy Process” earlier in this Handbook for more information.

**RELEASE OF THE ADOPTIVE HOMESTUDY TO THE ADOPTIVE PARENT**

The homestudy and documents noted above, with the exception of reference letters and Medical Statements (JFS 01653), may be released to the adoptive parent upon submission of a written request to the agency’s section manager for adoption and execution of an authorization for release of the homestudy. The parent should request a copy of the JFS 01653 Medical Statement directly from the physician who completed the Medical Statement.

**TRANSFER OF AN APPROVED HOMESTUDY**

Approved adoptive applicants may request the transfer of their homestudy and state-required documents noted above to another adoption agency. The adoptive applicant must sign an authorization for the release of the homestudy and HCJFS, the approved applicant, and the receiving agency must sign an agreement to the transfer. The receiving agency then becomes the applicant’s official adoptive family serving agency. The sending agency removes the family from their list of adoptive families in SACWIS and the receiving agency registers the family in SACWIS as their adoption resource.

No transfer fee is charged if the home is transferred to another Ohio agency for the purposes of adopting a waiting special needs child. A **transfer fee of \$1500** will be charged if the family is seeking to adopt a **non-special needs child** or is seeking to adopt **privately**. (see the section, Fees for Services, elsewhere in this Handbook for more information).

**RELEASE OF IDENTIFYING AND NON-IDENTIFYING INFORMATION**

As used in adoption, identifying information means the birth parent’s first name, last name, maiden name, alias, social security number, address, phone number, and place of employment. Also considered identifying information are any other numbers required by federal or state law as a means of identifying an individual, such as numbers used by Ohio’s statewide education management information system. Birth parents who voluntarily surrender a child for adoption are provided and asked to complete Ohio Law and Adoption Materials (JFS 01693). This document is not required of but may be voluntarily completed by parents whose parental rights have been involuntarily terminated. The Ohio Law and Adoption Materials form allows the birth parent to designate whether the Ohio Department of Health may or may not release identifying information about the birth parent to the adoptive parent or to the adopted person.

If the birth parent allows release, identifying information can be released to the adoptive parent upon request when the adopted person is at least eighteen but under the age of twenty-one years. Identifying information can be released directly to the adopted person upon request when the adopted person is at least twenty-one years of age.

The birth parent may reverse the decision to release information at any time and as many times as desired by submitting a new denial or release to the Ohio Department of Health.

A copy of the contents of the adoption file on record with the Ohio Department of Health may be released to the adoptive parents when the adopted person is at least eighteen years of age but less than twenty-one years. At the age of twenty-one, the adopted person may request a copy of this file. Such files may include identifying information about the birth parent.

When the adopted person is twenty-one years of age or older, he or she may submit a request to the Ohio Department of Health authorizing the Department to assist the adopted person's birth parents or birth siblings in finding the adopted person's name by adoption. The adopted person may reverse this decision at any time and for as many times as the adopted person wants by submitting a request to the Ohio Department of Health.

The following non-identifying information may be released to the adoptive parent or to the adopted person without the consent of the birth parent. This information, if available, is routinely provided to adoptive families prior to adoptive placement:

- Birth parent's age at the time the child is adopted
- Medical and genetic history of the parents
- Age, gender, and medical and genetic history of the child's birth siblings and extended family members
- The heritage and ethnic background, educational level, general physical appearance, religion, occupation, and cause of death of the birth parents, siblings, and extended family members.

## HOMESTUDY UPDATES AND AMENDMENTS

All homestudies approved on or after December 11, 2006 shall be updated every two years from the approval date of the initial homestudy. Homestudies approved prior to December 11, 2006 shall be updated every two years but the date of the approval of the most current update from which the next two year update is due.

### **Homestudy Update Procedure:**

The family will be notified 90 to 120 days before the homestudy update due date of the need to update the homestudy. If the family wishes to update the homestudy, the Notice of Expiration (JFS 1331) must be signed and submitted to the agency by the date specified on the Notice (typically 30 days before the update due date). Failure to submit the Notice by the required date and complete the homestudy update with the assessor prior to the update due date will cause the homestudy to lapse. If the homestudy expires, the adoptive family record will be closed and the adoptive parent must complete a new Application and homestudy assessment with all supporting documentation.

The homestudy update process consists of a home visit, interviews with the adoptive parents and other household members and a safety audit (JFS 01348). The family's assessment of the

adoptive experience is reviewed, as well as the adoptive parent's strengths, growth areas, training needs, if any, changes in income, employment, health status, and significant family events. The following additional documentation is also required:

- Criminal Record Checks: A new BCII fingerprint check and Hamilton County criminal record check must be completed for the adoptive parents and any other adults in the household. If the adoptive family does not reside in Hamilton County, a criminal record check in the family's county of residence is also completed,
- Juvenile Record Check: A Hamilton County juvenile record (and a check in the family's county of residence, if different) must be completed on all youth ages 12 through 17 years. The juvenile check is not required for foster children or pre-finalized adoptive children.
- Reference: At least one reference must be provided by a professional who is knowledgeable of the adoptive family's dynamics. If a reference from a professional is not available, a personal reference from someone familiar with the adoptive family's functioning is acceptable.

Depending on the family's circumstances, the following additional documentation may be required as a part of the homestudy update:

- Medical: A new JFS 01653 Medical Statement may be requested, if there has been a significant change in the health status of any family member
- Additional Report or Evaluation: If needed to ensure the safety, health or care of an adoptive child, the agency may require that the adoptive parent or other family member secure a report of a physical, psychological or psychiatric evaluation. This report must be conducted by a licensed physician, psychologist, psychiatrist or other certified or licensed professional.
- Fire Inspection: A fire inspection may be required if the safety audit shows conditions in the home that may be hazardous to the safety of an adoptive child.
- Financial Statements: The agency may require the adoptive parents complete a new JFS 01681 Applicant Financial Statement and HCJFS 3061 Financial Statement for Foster and Adoptive Parent Applicants if there has been a substantial change in the family's financial status. A credit check may also be completed.

The agency also requests a report of substantiated or indicated allegations of abuse or neglect against the adoptive parents or other adult household members from the Central registry and SACWIS as a part of the homestudy update.

The family will be notified within 10 days of completion of the homestudy update of approval or denial of the update. The approval notice will include the date of approval and the date the approved update will expire as well as the number, age range and gender of children for whom the family is approved. If the homestudy update is denied, the notice will contain a detailed explanation of the reasons for the denial and the procedures the adoptive parents can follow to request a review hearing.

Adoptive families who are also licensed as foster parents may be able to have both the adoption update and foster home recertification completed through a single process, if the adoption update due date and license expiration occur within 60 days of each other. If schedules allow, the adoption worker and recertifier can make a joint home visit to complete the recertification and update requirements. If the adoption update due date and license expiration are more than 60 days apart, a separate adoption update and foster home recertification must be completed.

**Homestudy Amendment Procedure:**

A homestudy amendment must be completed whenever any of the following circumstances occur:

- Change in marital status of the adoptive parent
- Change in the health status of the adoptive parent or other household members
- Finalization of an adoptive child
- A child moves into or leaves the household through birth, kinship or foster care (does not include children who reach the age of 18)
- An adult moves into or leaves the household (does not include a child who reaches 18).
- Death of any household member
- Criminal charge or conviction of the adoptive parent or other adult household members
- Change of address
- Change in financial status or income

A homestudy amendment includes a home visit and interviews with relevant family members. The adoption assessor will complete a written assessment of the change within 60 days.

**New Adult Household Member:**

If a new adult moves into the household, a Medical Statement (JFS 01653) must be completed within 60 days of the move into the household. A Hamilton County criminal records check and BCII fingerprint check must be initiated within 10 days of the move. If the person has not been a resident of Ohio for the 5 years prior to moving into the household, an FBI check will also be completed. If the adoptive family does not live in Hamilton County, a criminal record check in the family's county of residence is also completed.

**New Spouse:**

If the adoptive parent marries, the new spouse must complete the preservice training classes and complete and submit all of the documentation required of a new adoptive parent. A homestudy assessor will be assigned to interview the new spouse and complete an adoption homestudy assessment. See "Adoptive Homestudy Process" and "Adoptive Applicant Approval" earlier in this Handbook for information.

**New Child Household Member:**

If the change is the addition of a child (other than a foster child), a Medical Statement must be completed within 60 days. If the child is between the ages of 12 and 18 years, a juvenile record check will also be completed in the family's county of residence.

**Relocation:**

If the family moves, a relocation assessment will be completed. A safety audit will be completed and a new fire inspection must be secured. The relocation assessment includes a review of the family's income and expenses and the space available to accommodate all family members.

<b>ADOPTIVE FAMILY CASE RECORD</b>
------------------------------------

The adoptive family case record consists of all documents produced and collected as a part of the adoption application, homestudy assessment, and adoptive placement process. Copies of all of the documents mentioned in this Adoption Handbook are a part of the record as well as case notes, copies of all legal documents, and correspondence.

The adoptive family case record is considered confidential by state law. HCJFS secures adoptive family records in locked files. Access to adoptive family case records is strictly controlled and limited to adoption staff or auditors with a defined business need to access the record.

<b>ADOPTIVE CHILD CASE RECORD</b>
-----------------------------------

Once a child's adoption is finalized, a permanent adoptive child case record is maintained. The record contains all documents pertinent to the child's adoption including the child's original birth certificate, all materials and documents compiled for the Child Study Inventory, the Social and Medical History, matching documents, the JFS 01688 Individualized Child Assessment and supporting documentation, if applicable, the Prefinalization Adoption Assessment Report, a copy of the final decree of adoption, and a copy of the child's life book.

The child's adoptive case record is marked confidential and is permanently secured from release or inspection except under the following conditions:

- Consent for release is given by the Hamilton County Probate Court;
- HCJFS is required to examine the record for administrative purposes, including audits and examining the record to obtain non-identifying information;
- ODJFS is required to examine the record for official administrative, certification, or eligibility determination purposes.

## ADOPTION SUBSIDIES

A variety of resources are available to assist families who wish to adopt special needs children. Some of the assistance is determined by the specific circumstances of the child's birth family at the time the agency became involved. Subsidies may also be based on the child's current and anticipated special needs or on the financial circumstances of the adoptive family. Both the federal government and the State of Ohio have programs to assist with the adoption of special needs children. All programs are administered through HCJFS.

While some financial assistance is available to adoptive parents, ***it is not the intention of the agency to provide total financial support for an adopted child.*** The assistance provided is designed to supplement rather than replace existing public and private resources available to the family. The amount of payment is determined by negotiation and mutual agreement between the adoptive parents and HCJFS. The final amount should be combined with the adoptive parents' resources to meet the needs of the child. Adoptive parents who have access to medical and dental insurance through employers are expected to add the adopted child to their policy when the adoption is finalized. ***By law, medical and dental insurance cannot be denied to an adopted child based upon previously existing conditions.***

Specific eligibility and re-determination requirements of the various adoption assistance programs will be discussed in detail during the homestudy assessment process. The adoption assessor will assist the applicant in completing applications for adoption assistance. Adoptive parents are advised, however, that ***the authority to approve an agreement to provide financial assistance for an adopted child rests solely with the Director of the Hamilton County Department of Job and Family Services or his or her authorized designee. Any promises or commitments not in writing and not signed by the Director or designee are not authoritative. Oral representations are not binding upon HCJFS and are considered null and void.***

### Title IV-E Adoption Assistance

Title IV-E Adoption Assistance is a federally funded program that offers financial and medical assistance to families who adopt children with certain special needs. Eligibility is based on several factors, among them the financial circumstances of the child's caregiver at the time the child came into the care of the agency and the timing of certain judicial actions. Any child who is eligible for supplemental security income (SSI) at the time of filing of the petition for adoption finalization is automatically eligible for this program. The monthly adoption assistance payment is generally negotiated before the child's adoptive placement. In addition to a monthly payment, each child receives a Medicaid card which is to be used to cover the entire cost of hospitalization and most routine medical, dental, and prescription expenses, secondary to the adoptive family's medical insurance. Except in rare circumstances, the Title IV-E adoption assistance application must be completed and submitted to the agency prior to the adoption finalization. See the JFS 01985 Adoption Subsidies Guide for more information (available on the Adopt Ohio web site at <http://jfs.ohio.gov/oapl/>). An annual redetermination of continuing eligibility is required for Adoption assistance post finalization.

### **Reimbursement for Non-recurring Expenses**

Families who adopt special needs children are eligible to receive up to \$1000 reimbursement per child for certain non-recurring expenses associated with adoption. Such expenses might be Court filing fees, fees for the new birth certificate, costs associated with the adoptive homestudy such as medical or psychological exams, travel, food, and lodging expenses when necessary to complete the preplacement or adoption process, and certain other one-time only costs associated with the child's adoption. The Application for Reimbursement of Nonrecurring Adoption Expenses must be submitted prior to adoption finalization. Once the adoption is finalized, the adoptive parent must submit receipts for the allowable expenses to HCJFS no later than 2 years after finalization to receive reimbursement. Effective 11/2/09, families who are adopting internationally are ineligible for non-recurring adoption expenses as a result of the Fostering Connection to success Act of 2008.

### **State Adoption Maintenance Subsidy (SAMS)**

The State of Ohio provides a state adoption maintenance subsidy of \$240 to moderate and low-income families for the adoption of special needs children. The maintenance subsidy is designed to help with the routine day-to-day costs associated with caring for the adopted child and is not intended to replace other forms of financial assistance to needy families such as TANF. Adoptive families may receive both TANF and SAMS. However, unlike Title IV-E Adoption Assistance, an adopted child does not automatically qualify for Medicaid under the state adoption maintenance subsidy. The child must have a documented mental, physical or rehabilitative need in order to be eligible for Medicaid. Adoptive parents must make a separate application to their county Department of Job and Family Services for Medicaid assistance or for the Children's Health Insurance Program (CHIP) which provides medical care for low-income working parents. Families who receive Title IV-E Adoption Assistance are not eligible for the State Adoption Maintenance Subsidy. Application for the SAMS program must be made prior to adoption finalization. Both the state adoption maintenance subsidy and Medicaid must be reviewed and re-determined periodically.

### **Medicaid**

Medicaid is available to all children receiving Title IV-E adoption assistance and to many children receiving the state adoption assistance maintenance subsidy (SAMS). Medicaid is designed to pay for most medical, dental, vision and prescription expenses. The policy of HCJFS is that no medical expenses will be paid through the Title IV-E adoption assistance or SAMS programs when Medicaid or private insurance is responsible for paying for the services. Adoptive parents must use Medicaid providers whenever possible.

### **Post-Adoption Special Services Subsidy (PASSS)**

The PASSS program was established to aid in the provision of post-adoption services that are determined to be beyond the adoptive parents' means. Such services are used to preserve the adoptive family unit and prevent out-of-home placement or to reunify adoptive families when out-of-home care is necessary. ODJFS provides a limited amount of funds annually for this program which is administered at the county level. The existence of these funds is not guaranteed. Adoptive parents applying for PASSS funds must provide an assessment by a qualified professional that the requested services will address the child's identified physical,

developmental, mental or emotional special need and will have a reasonable chance of alleviating the condition or helping the child and family adapt to the condition or need. The requested services must be beyond the economic resources of the adoptive family and the child's special need must have existed before the adoption was finalized or can be attributed to a preadoptive condition. Funds may be used to cover special medical or psychological services but may not be used for educational services or for activities solely designed to improve the child's self-esteem. PASSS funds are intended to cover services not covered by other adoption subsidy programs, private insurance or Medicaid and may not be used to replace existing Title IV-E or state adoption subsidies.

PASS applications are reviewed internally by a post adoption subsidy review committee composed of a representative of adoption administration, a post adoption team member and a community representative knowledgeable about post adoption services.

## PROBLEM RESOLUTION AND ADOPTION GRIEVANCE PROCEDURES

Prospective HCJFS adoptive applicants, approved adoptive applicants, and HCJFS adoptive families may occasionally disagree with agency personnel or object to agency actions or decisions. When these disagreements or objections cannot be resolved with the worker, a variety of steps are available to resolve the problem, depending on whether the complaint is related to the child or to the caregiver and the nature and seriousness of the complaint.

Adoptive parent concerns related to the child should be addressed with the child's worker and supervisor and, if necessary, with the section manager. The family's adoption worker may be contacted to assist in resolving the problem. However, final authority for resolving child-related concerns rests with the child's worker's chain of command. Child-related concerns include but are not limited to:

- Specific care and treatment of the child
- Medical, dental, psychological or counseling concerns
- School placement
- Visitation
- Placement planning
- Removal of a preadoptive or foster child\*

\* In the event that a foster or preadoptive parent objects to the removal of the child, the Court must be notified of the foster or preadoptive parent's objection. The Court will review the case plan and **may** schedule a hearing to review the matter. Foster and preadoptive parents should notify both the child's worker and the adoptive family worker of their objection. Adoptive parents may still use this problem resolution procedure to address their objections.

Adoptive parent concerns related specifically to the foster or adoptive family or home should be addressed with the family's support worker or adoption worker and supervisor and, if necessary, with the section manager. Such concerns include but are not limited to:

- Agency policies related to foster or adoptive homes such as:
  - Number, gender and age range of placements
  - Board rates
  - Training requirements
- Agency interpretation of state rules for foster and adoptive homes

If the adoptive parent/applicant is unable to resolve the concern with the worker, the following

steps can be taken:

1. Request an in-person meeting or conference call with the supervisor and worker to resolve the problem. Whenever possible, the Section Chief should attend. If the problem is not resolved at this meeting and it is a serious matter,
2. Request a hearing with the Foster and Adoptive Parent Grievance Board by contacting the Consumer Services Office @ 946-2138.

Certain more serious complaints are addressed through a formal hearing with the Foster and Adoptive Parent Grievance Board. This grievance process is specific to **HCJFS licensed** foster and adoptive applicants/parents. All network provider grievances must be addressed through their licensing agency. These complaints are limited to:

- Denial of foster or adoptive parent approval
- Foster parent license revocation or denial of recertification
- Non-usage of foster or adoptive home\*

NOTE:

\*The decision to match or unmatch a child with an adoptive family is not a complaint that can be addressed through the Grievance Board.

HCJFS Foster and adoptive applicant/parents are encouraged but not required to attempt to resolve serious complaints at the supervisory and section manager levels before requesting a formal hearing with the Grievance Board.

#### **MEPA Complaints:**

MEPA prohibits delay or denial of foster or adoptive placement or approval of a foster or adoptive parent based on the race, color or national origin of the applicant/parent or of the child. Applicants/parents who believe a MEPA violation has occurred can file a formal complaint alleging MEPA discrimination with the Ohio Department of Job and Family Services. A complaint can also be filed with the U.S. Department of Health and Human Services. The agency's Foster and Adoptive Parent Grievance Board is unable to hear a MEPA complaint. See the MEPA Formal Complaint Procedure in **Appendix 1** for more information on filing a formal MEPA complaint or call the HCJFS MEPA Monitor at 946-1488 for more information.

#### **Supervisor Meeting:**

The applicant/parent calls the worker's supervisor to discuss the concern and resolve the problem by phone. If the supervisor is not immediately available, the supervisor will return the call within 1 business day. The supervisor has the discretion to:

- attempt to resolve the applicant/parent's complaint by phone call or
- schedule a meeting with the applicant/parent within 5 business days to resolve the complaint
- include the worker in the meeting with the applicant/parent consumer

The supervisor and applicant/parent will discuss the concern, agency reasons for the disputed action or decision, and attempt to resolve the issue. The supervisor will send the applicant/parent a letter summarizing the issues discussed and the outcome. Whenever possible, the Section Chief will attend the meeting. The letter will:

- be mailed to the applicant/parent within 5 business days of the phone call or meeting
- Advise the applicant/parent to contact the section manager if the applicant/parent is not satisfied with the outcome.

If the problem or concern is not resolved in the supervisory meeting/call, the applicant/parent may contact the CSO to schedule a Grievance Board Hearing

**Stay of Action:**

The agency will stay any planned action related to the applicant/parent's complaint pending the outcome of the grievance hearing, unless the responsible section manager documents that such a stay would be clearly detrimental to the child or clearly not in the child's best interest.

**Grievance Board Authority:**

The Foster and Adoptive Parent Grievance Board is available to hear serious complaints as defined previously. Grievance Board decisions must comply with state law and Court orders. The Grievance Board has no authority to supercede Court orders or contradict state law or administrative rule.

If the serious complaint is not resolved in the manager meeting, the applicant/parent may request a hearing with the Foster and Adoptive Parent Grievance Board. This request must be made no later than 10 calendar days after the applicant/parent's receipt of the letter from the section manager. Failure to request the grievance hearing within that timeframe will result in the applicant/parent's waiver of the right to a Grievance Board hearing to resolve the specific complaint. If no Grievance Board hearing is requested, the resolution achieved at the manager's meeting is considered **final**.

The Grievance Board hearing is scheduled as follows:

The HCJFS applicant/parent requests a grievance hearing by calling the Children's Services Consumer Services Office (946-2138) within 10 calendar days of his/her receipt of the manager's letter. The Children's Services CSO will:

- record the date of the applicant/parent's request for a grievance hearing
- record the substance of the applicant/parent's complaint

The CSO will inform the applicant/parent:

- of the requirement to submit his/her complaint in writing for the Grievance Board to review
- that a "Statement of Complaint for Grievance Board Hearing" will be mailed to him/her as a suggested format for the written complaint. A business reply envelope will be included with the "Statement of Complaint."
- that his/her written complaint may be rendered in any format and must be returned to the CSO.

The CSO representative will arrange scheduling of the Grievance Board hearing:

- CSO must schedule a hearing date no later than 30 calendar days from the date the applicant/parent contacted the Children's Services CSO to request the grievance hearing.
- To ensure that the applicant/parent has ample time to prepare for the hearing, arrange to be away from work, etc., CSO will mail notification to the applicant/parent of the day, time, and location of the hearing, at least 10 calendar days before the scheduled hearing. This notification will be sent by certified return-receipt mail.
- The hearing day and time may be changed if the applicant/parent notifies CSO within 3 business days of receipt of the hearing notice. In extraordinary circumstances (illness, death in family, etc.), the hearing may be rescheduled as late as the day of the hearing.
- If the applicant/parent fails to make a request to CSO to reschedule the grievance hearing and does not appear at the scheduled hearing, the applicant/parent will be considered to have waived the right to a grievance hearing related to the specific complaint.
- The CSO grievance hearing facilitator will notify the applicant/parent by certified return receipt mail of this waiver of right to a grievance hearing on the specific complaint. The

hearing facilitator will attach the applicant/parent's written complaint, if submitted, or the Children's Services CSO's written documentation of the applicant/parent's oral complaint.

**Grievance Board Members:**

The Foster and Adoptive Parent Grievance Board is made up of:

- A CSO or HCJFS staff person designated by the Director who acts as the grievance hearing facilitator
- BOCC ombudsman
- Third party Foster or adoptive parent(s)

The grievance hearing facilitator will ensure that the selected foster or adoptive parent has no personal or professional relationship with the grievants. The foster or adoptive parent will sign a confidentiality agreement.

The grievance hearing facilitator conducts the hearing. The proceeding is tape-recorded and any participant in the process may take notes. Both the applicant/parent and the agency may be represented by an attorney or other representative.

- Grievance Board members are provided with the applicant/parent's written complaint.
- The applicant/parent presents information relevant to the complaint. The applicant/parent may present written materials to supplement the presentation. In addition, the applicant/parent may present witness testimony.
- The foster, adoption or child's worker and/or supervisor present reasons for the agency's action or decision. The section manager may also present information.
- Grievance Board members and attorneys, if present, may ask questions of each party.
- Once Board members feel they have sufficient information from all parties, everyone except Grievance Board members are excused from the hearing.
- Board members review the information presented and arrive at a decision on the applicant/parent's complaint. The Board's decision is made by consensus or majority vote.
- No later than 5 business days after the hearing, the grievance hearing facilitator prepares the written report of the Grievance Board. The report includes:
  - Summary of the information presented by the parties
  - Reasons for the Board's finding
  - Citation of relevant law, rule or agency policy pertaining to the Board's finding

NOTE: All placement decisions must be approved by Juvenile Court.

**Notification of Grievance Decision:**

The grievance hearing facilitator will notify the applicant/parent by letter of the final decision no later than 15 calendar days after the Hearing. This notification will be sent by certified return receipt mail and will include a copy of the Grievance Board report. The letter will identify if Court approval of the final decision is required. A copy of the summary letter and the Grievance Board report is also provided within 15 days to all parties who were present at the Hearing.

Certain matters can be heard in an ODJFS state hearing in addition to, or in lieu of, the foster and adoptive parent grievance hearing. These matters are:

1. HCJFS approved adoptive families who believe that an adoptive placement was denied or will be denied solely on the basis of geographic location are entitled to a state hearing rather than the agency grievance hearing. HCJFS will provide the applicant/parent with notices and copies of all materials related to requesting a state hearing.
2. HCJFS foster parent applicants whose Application for Child Placement is being denied are entitled to a state hearing in addition to the agency grievance hearing.

3. HCJFS licensed foster parents whose license is being revoked or whose reapplication is being denied are entitled to a state hearing in addition to the agency grievance hearing.

**APPENDIX 1**  
**MEPA FORMAL COMPLAINT PROCEDURE:**  
**Alleged Discrimination Involving Race, Color or National Origin**  
**In the Foster Care or Adoption Process**

**What kind of discrimination does this procedure cover?**

The Multiethnic Placement Act (MEPA) and Title VI of the Civil Rights Act of 1964 prohibit any agency that receives federal funds, like the Hamilton County Department of Job and Family Services (HCJFS), from discrimination on the basis of race, color or national origin in the foster care or adoption process. MEPA prohibits an agency from delaying or denying approval of a foster or adoptive parent or placement of a child with a foster or adoptive parent based on the race, color or national origin of the prospective parent or of the child. Discrimination is prohibited from a person's first contact with this agency's adoption and foster care program to the last contact. This covers the application and homestudy approval process as well as the process to match an approved family with a foster or adoptive child and the adoption subsidy negotiation process.

If you believe that you have been discriminated against on the basis of race, color or national origin, or if you believe an Ohio foster care or adoption agency has policies or practices that discriminate in the adoption or foster care process based on the race, color or national origin of the prospective foster or adoptive parent or of the child, you can file a formal complaint.

**What else does this procedure cover?**

Anyone (prospective or current foster or adoptive parent or family member, employee or former employee, etc.) who believes that he or she was intimidated, threatened, coerced, discriminated against or otherwise retaliated against in some way because he or she made a complaint, testified, assisted or participated in any manner in an investigation related to alleged discrimination on the basis of race, color or national origin in the foster care or adoption process may also file a formal complaint. This complaint can be made against this agency, any other Ohio foster care or adoption agency, or the Ohio Department of Job and Family Services (ODJFS).

**Who can file a formal complaint?**

Any person can file a formal complaint alleging a discriminatory act, policy or practice involving race, color or national origin in the foster care or adoption process by HCJFS, another Ohio foster care or adoption agency, or by ODJFS. This can include but is not limited to:

- a foster or adoptive parent or other member of a foster or adoptive family
- a prospective foster or adoptive parent or other family member
- an employee or former employee of HCJFS or of another Ohio adoption or foster care agency

**How can I file a formal complaint?**

You must complete the "Discrimination Complaint Form" (JFS 02333). You can get a copy of this form by calling either:

- Shirley Norman, HCJFS MEPA Monitor  
(513) 946-1488
- OR**
- Ohio Department of Job and Family Services, Bureau of Civil Rights  
Toll Free: 1-866-227-6353

You can file this formal complaint with any of the following:

- Hamilton County Department of Job and Family Services  
Attn: Shirley Norman, MEPA Monitor  
222 E. Central Parkway  
Cincinnati, OH 45202
- Ohio Department of Job and Family Services  
Bureau of Civil Rights  
30 E. Broad Street, 37<sup>th</sup> Floor  
Columbus, OH 43215
- Any other public or private Ohio foster care or adoption agency

### **When must I file the formal complaint?**

You must file the complaint within 2 years of the alleged discriminatory act, or within 2 years from the date you learned of or should have known of the discriminatory act, policy or practice.

### **Who investigates the formal complaint?**

The Bureau of Civil Rights of the Ohio Department of Job and Family Services will conduct an investigation. If you filed your complaint with HCJFS or another Ohio foster care or adoption agency, that agency must send your complaint to the Bureau of Civil Rights of ODJFS within 3 business days. ODJFS will investigate your complaint. At a minimum, the investigation will include in-person interviews with:

- You
- The individual or agency who allegedly committed the discriminatory act or had the discriminatory practice or policy
- Relevant witnesses

The agency that is the subject of your complaint must cooperate fully with ODJFS during the investigation and must submit any requested information to ODJFS within 2 weeks of the request, unless ODJFS agrees to another timeframe.

### **How long does this take?**

ODJFS must complete the investigation and provide a report to you and to the agency that is the subject of the investigation within 90 days of receipt of the initial complaint. If unusual circumstances prevent ODJFS from completing the investigation within that timeframe, ODJFS will notify you and the agency of the need for additional time.

### **What happens while the complaint is being investigated?**

The agency that is the subject of the complaint may not initiate, conduct, or run concurrent investigations surrounding the complaint or take any further action regarding you or the subject of your complaint until the issuance of the final investigation report by ODJFS, unless approved by ODJFS.

### **What happens if discrimination is found?**

Depending on the nature of the discriminatory act or policy, ODJFS might require the agency to change a policy or procedure. If ODJFS determined that an individual employee discriminated against a prospective foster or adoptive parent on the basis of race, color or national origin, ODJFS might require HCJFS to take disciplinary action against the employee. However, a finding of discrimination or non-discrimination will not necessarily affect any specific decision or action of the agency that was related to your complaint of discrimination.

**Can I make a complaint to OCR?**

Yes, a complaint can be made to the federal Office for Civil Rights (OCR) of the U. S. Department of Health and Human Services. While the ODJFS Bureau of Civil Rights is still responsible for investigating the formal complaint, OCR has the authority conduct its own investigation. OCR can be contacted at:

- U. S. Department of Health and Human Services  
Office of the Chief Counsel  
Office for Civil Rights  
233 North Michigan Ave, Suite 700  
Chicago, IL 60601  
(312) 353-1640

**Who can I talk to if I want more information about MEPA discrimination?**

Any of the following individuals or offices can give you more information about MEPA discrimination:

- Hamilton County Department of Job and Family Services  
MEPA Monitor  
222 E. Central Parkway  
Cincinnati, OH 45202  
(513) 946-1488
- Ohio Department of Job and Family Services  
Office of the Chief Inspector  
Bureau of Civil Rights  
30 E. Broad Street, 37<sup>th</sup> Floor  
Columbus, OH 43215  
(614) 644-2703  
Toll Free: 1-866-227-6353
- U. S. Department of Health and Human Services  
Office of the Chief Counsel  
Office for Civil Rights  
233 North Michigan Ave, Suite 700  
Chicago, IL 60601  
(312) 353-1640

**NOTE:** In February 2005, the MEPA Formal Complaint Procedure was mailed to all HCJFS foster or adoptive parents identified as licensed/approved as of February 1, 2005. The Procedure was also mailed to all individuals who were in the process of being licensed as foster parents or approved as adoptive parents as of February 1, 2005. The MEPA Formal Complaint Procedure has been included with the informational materials mailed to all prospective foster and adoptive parents since March 1, 2005.

**APPENDIX 2**  
**STANDARDS OF CONDUCT:**  
**Employee and Contractor/Provider Compliance with**  
**MEPA and Title VI of the Civil Rights Act of 1964**  
**Effective February 1, 2005**

The Hamilton County Department of Job and Family Services has established the following Standards of Conduct with regard to the performance of employees and contractors/providers related to compliance with 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), 71(a)(18), 674(d) and 1996(b) (MEPA) and Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq (Title VI), as they apply to the foster care and adoption process. These Standards of Conduct prohibit policies, procedures or actions which serve to:

- Deny any person the opportunity to become a foster caregiver or an adoptive parent on the basis of race, color or national origin of that person, or of the child involved; or
- Delay or deny any placement of a child in foster care or for adoption on the basis of the race, color or national origin of the foster caregiver(s), of the adoptive parent(s) or of the child involved.

**Permissible Actions:**

MEPA and Title VI permit the following actions as they apply to the foster care or adoption process:

1. Asking about and honoring any initial or subsequent choices made by prospective foster or adoptive parents regarding what race, color, or national origin of child the prospective foster or adoptive parents will accept.
2. Honoring the decision of a child twelve years of age or older to not consent to an adoption when that decision has been approved by a court pursuant to section 3107.06 of the Ohio Revised Code.
3. Providing information and resources about fostering or adopting a child of another race, color or national origin to prospective foster or adoptive parents who request such information and making known to all families that such information and resources are available.
4. Considering the request of a birth parent(s) to place the child with a relative or non-relative identified by name.
5. Considering the race, color or national origin of the child as a possible factor in the placement decision when compelling reasons serve to justify that race, color or national origin need to be a factor in the placement decision pursuant to 5101:2-48-13 and 5101:2-42-18.1 of the Ohio Administrative Code. These rules permit consideration of race, color or national origin if an Individualized Child Assessment (JFS 01688) completed pursuant to these rules indicates the child has needs related to race, color or national origin that should be taken into account when placing the child. Even when the facts of a particular case allow consideration related to race, color, or national origin, this consideration shall not be the sole determining factor in the placement decision.
6. Promoting cultural awareness, including awareness of cultural and physical needs that may arise in the care of children of different races, ethnicities, and national origins as part of the training which is required of all applicants who seek to become foster or adoptive parents.
7. Documenting verbal comments, verbatim, or describing in detail any other indication made by a prospective foster or adoptive family member living in the household or any other

person living in the household reflecting a negative perspective regarding the race, color or national origin of a child for whom the prospective foster or adoptive family has expressed an interest in fostering or adopting. The documentation shall indicate whether those comments were made before or after completion of the cultural diversity training which is required for all foster and adoptive applicants. Documentation shall be included in the family's homestudy, update, or an addendum to the homestudy or update prior to consideration of placement or a matching conference. A matching conference is the process of determining the most appropriate adoptive family for the child based on the child's special needs. The matching committee may consider the information in determining if the placement is in the child's best interests.

**Prohibited Actions:**

MEPA and Title VI prohibit the following actions as they apply to the foster care or adoption process:

1. Using the race, color or national origin of a prospective foster or adoptive parent to differentiate between placements.
2. Honoring the request of a birth parent(s) to place a child with prospective foster or adoptive parent(s) of a specific race, color or national origin, unless the birth parent(s) identifies a relative or non-relative by name and that person is found to meet all relevant state child protection standards, provided that the agency determines that the placement is in the best interests of the child.
3. Requiring a prospective adoptive family to prepare or accept a transracial adoption plan.
4. Using "culture" or "ethnicity" as a proxy for race, color or national origin.
5. Delaying or denying placement of a child based upon the geographical location of the neighborhood of the prospective foster or adoptive family whenever geography is being used as a proxy for:
  - the racial or ethnic composition of the neighborhood;
  - the demographics of the neighborhood; or
  - 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.
6. Requiring extra scrutiny, additional training, or greater cultural awareness of individuals who are prospective foster or adoptive parents of children of a different race, color or national origin than required of other prospective foster or adoptive parents.
7. Relying upon general or stereotypical assumptions about the needs of children of a particular race, color or national origin.
8. Relying upon general or stereotypical assumptions about the ability of prospective foster or adoptive parents of a particular race, color or national origin to care for or nurture the sense of identity of a child of another race, color, or national origin.
9. "Steering" prospective foster or adoptive parents away from parenting a child of another race, color, or national origin. "Steering" is any activity that attempts to discourage prospective foster or adoptive parents from parenting a child of a particular race, color or national origin.
10. Requiring an ongoing, foster care or adoption worker or contractor to justify a proposed placement for the reason that the race, color or national origin of the child is different from that of the family whom the worker is proposing as the child's foster caregiver or adoptive parent.

**Prohibition on Retaliation:**

HCJFS employees and contractors/providers may not intimidate, threaten, coerce, discriminate against or otherwise retaliate against any individual who makes a complaint, testifies, assists or participates in any manner in an investigation related to alleged discrimination on the basis of race, color or national origin in the foster care or adoption process.

**Additional Information:**

Employees or contractors/providers who desire more information about MEPA and Title VI as related to the adoption and foster care process may contact:

- Shirley Norman, HCJFS MEPA Monitor  
(513) 946-1488

**MEPA Formal Complaint Procedure:**

Any person who believes that HCJFS, any other public or private Ohio adoption or foster care agency, or the Ohio Department of Job and Family Services has policies or procedures that violate MEPA and Title VI may file a complaint. In addition, anyone who believes that he or she was intimidated, threatened, coerced, discriminated against or otherwise retaliated against in some way because he or she made a complaint, testified, assisted or participated in any manner in an investigation related to alleged discrimination on the basis of race, color or national origin in the foster care or adoption process may also file a complaint. Individuals who may file a formal complaint include but are not limited to the following:

- a foster or adoptive parent or other member of a foster or adoptive family
- a prospective foster or adoptive parent or other family member
- an employee or former employee of HCJFS or of any other Ohio adoption or foster care agency

Individuals who wish to file a formal complaint must complete the "Discrimination Complaint Form" (JFS 02333). This complaint may be filed with any of the following:

- Hamilton County Department of Job and Family Services  
Attn: Shirley Norman, MEPA Monitor  
222 E. Central Parkway  
Cincinnati, OH 45202
- Ohio Department of Job and Family Services  
Bureau of Civil Rights  
30 E. Broad Street, 37<sup>th</sup> Floor  
Columbus, OH 43215
- Any other public or private Ohio foster care or adoption agency

If the complaint is filed with HCJFS's MEPA Monitor or with any other public or private Ohio foster care or adoption agency, the MEPA Monitor or other public or private agency must forward the complaint within 3 business days to the Bureau of Civil Rights of ODJFS for investigation. ODJFS must complete the investigation within 90 days of receipt of the complaint, unless unusual circumstances prevent it from completing the investigation within that timeframe. ODJFS will provide a copy of the investigation report to the complainant and to the agency that is the subject of the complaint.

**Enforcement Requirements:**

These standards of conduct include enforcement requirements to be used whenever an agency employee or contractor/provider engages in discriminatory acts, policies, or practices involving race, color, or national origin in the foster care or adoption process as determined by the Bureau of Civil Rights of ODJFS upon completion of the investigation conducted pursuant to rule 5101:2-33-03 of the Administrative Code.

For HCJFS employees, these enforcement requirements shall include employee discipline in accordance with either Sections 7.0 through 7.3 of the Hamilton County Board of County Commissioners Personnel Policy Manual or Article 7 of the collective bargaining agreement between HCJFS and AFSCME Local 1768.

For contractors/providers performing foster care or adoption services on behalf of HCJFS, these enforcement requirements shall include discipline in accordance with the contractor/provider's personnel policy and may include contract termination. Enforcement requirements for contractor/provider subcontractors shall include corrective action in accordance with the contractor/provider's contract with the subcontractor and may include contract termination.

These enforcement requirements are applied in accordance with applicable employment law and union contracts.

**Corrective Action Plan:**

HCJFS shall provide for the submission of a corrective action plan whenever an investigation conducted by ODJFS, pursuant to rule 5101:2-33-03 of the Administrative Code, results in a finding that an agency employee or contractor/provider engaged in discriminatory acts, policies, or practices. If the finding involves a discriminatory act, policy or practice by a contractor/provider or subcontractor, HCJFS shall develop the corrective action plan in collaboration with the contractor/provider or in collaboration with the contractor/provider and subcontractor.

The corrective action plan shall:

- Address how HCJFS will prevent future violations by that employee or contractor/provider or subcontractor, and
- Be submitted to ODJFS within thirty days of notification of the findings of the investigation.

HCJFS shall provide a copy of these Standards of Conduct to each employee or contractor/provider who is:

- Engaged in the placement of children into foster care or for adoption, or
- Engaged in the recruitment, assessment, approval, or selection of foster or adoptive families.

Employees or contractors/providers shall receive a copy of the written Standards of Conduct no later than March 3, 2005. If these Standards of Conduct are revised, employees and contractors/providers shall receive a copy of the revised Standards of Conduct within 30 days of the completion of any revisions. New employees or contractors/providers shall receive a copy of the written Standards of Conduct within thirty days of their hire date or the effective date of their contract. HCJFS and contractors/providers shall ensure that these Standards of Conduct are provided to their employees and subcontractors.

### APPENDIX 3 PROHIBITIVE CRIMES

Except as provided on pages 12-14 of this Handbook, an applicant will not be approved for adoption if the applicant or any other adult household member has been convicted of or pleaded guilty to any of the following offenses. In addition, an applicant will not be approved for adoption if the applicant or any other adult household member has been convicted of or pleaded guilty to an existing or former law of the State of Ohio, any other state, or of the United States that is substantially equivalent to any of these offenses:

959.1	Cruelty to Animals
2903.01	Aggravated murder
2903.02	Murder
2903.03	Voluntary manslaughter
2903.04	Involuntary manslaughter
2903.11	Felonious Assault
2903.12	Aggravated assault
2903.13	Assault
2903.15	Permitting child abuse
2903.16	Failing to provide for a functionally impaired person
2903.21	Aggravated menacing
2903.211	Menacing by stalking
2903.22	Menacing
2903.34	Patient abuse, neglect
2905.01	Kidnapping
2905.02	Abduction
2905.04	Child stealing
2905.05	Criminal child enticement
2907.02	Rape
2907.03	Sexual Battery
2907.04	Corruption of a minor
2907.05	Gross sexual imposition
2907.06	Sexual imposition
2907.07	Importuning
2907.08	Voyeurism
2907.09	Public Indecency
2907.12	Felonious sexual penetration
2907.21	Compelling prostitution
2907.22	Promoting prostitution
2907.23	Procuring
2907.25	Prostitution
2907.31	Disseminating matter harmful to juveniles
2907.32	Pandering obscenity
2907.321	Pandering obscenity involving a minor
2907.322	Pandering sexually oriented matter involving a minor
2907.323	Illegal use of a minor in nudity oriented material or performance
2909.02	Aggravated arson
2909.03	Arson
2909.22	Soliciting or providing support for act of terrorism
2909.23	Making a terroristic threat
2909.24	Terrorism
2911.01	Aggravated robbery

2911.02	Robbery
2911.11	Aggravated burglary
2911.12	Burglary
2913.49	Identity Fraud
2917.01	Inciting to Violence
2917.02	Aggravated riot
2919.12	Unlawful abortion
2919.22	Endangering children
2919.23	Interference with custody
2919.24	Contributing to the unruliness or delinquency of a child
2919.25	Domestic violence
2923.12	Carrying a concealed weapon
2923.13	Having a weapon while under disability
2923.16 <sup>1</sup>	Improperly discharging a firearm at or into a habitation or school
2925.02	Corrupting another with drugs
2925.03	Trafficking in drugs
2925.04	Illegal manufacture of drugs or cultivation of marijuana
2925.05	Funding of drug or marijuana trafficking
2925.06	Illegal administration or distribution of anabolic steroids
2925.11	Possession of drugs or marijuana
2927.12	Ethnic intimidation
3716.11	Placing harmful objects in food
4511.19	Operating vehicle under the influence of alcohol or drugs – OVI or OVUAC



**APPENDIX 4  
PROVISION OF INFORMATION  
REGARDING CERTAIN SERIOUS FELONIES OR OTHER VIOLENT ACTS**

When a child who has been adjudicated delinquent for commission of any of the following offenses is considered for placement with an adoptive family, HCJFS must provide a detailed written report to the prospective adoptive family prior to placement:

- Aggravated murder
- Murder
- Voluntary manslaughter
- Involuntary manslaughter
- Felonious assault
- Aggravated assault
- Assault
- Rape
- Sexual battery
- Gross sexual imposition
- Conspiracy involving an attempt to commit aggravated murder or murder, or
- Any other offense that would be a felony if committed as an adult, and the child, upon committing the offense, was found to be using or in possession of a firearm or body armor.

This written report will contain:

1. A description of the child's social history;
2. Unless the child's record has been sealed pursuant to section 2151.358 of the Revised Code, a description of all the known acts committed by the child that resulted in the child being adjudicated delinquent and the disposition made by the court. If HCJFS knows the child's record has been sealed, the adoptive parent will be informed in writing by the agency that the child's record of a prior delinquency adjudication has been sealed;
3. A description of any other violent act committed by the child of which HCJFS is aware;
4. The substantial and material conclusions and recommendations of any psychiatric or psychological examination conducted on the child or, if no psychological or psychiatric examination of the child is available,
5. The substantial and material conclusions and recommendations of an examination to detect mental and emotional disorders conducted by a licensed independent social worker, licensed social worker, licensed professional clinical counselor, or licensed professional counselor.

Unless a psychological examination of the child has been conducted within 12 months prior to the date the child is expected to be placed with the adoptive family, HCJFS will ensure that a psychological examination of the child is conducted and that a written report detailing the substantial and material conclusions and recommendations of the examination is provided to the adoptive parent no later than 60 days after placing the child in the adoptive home.

If HCJFS wishes to place the child with an adoptive family approved by another agency, HCJFS will provide information concerning the child's condition and prior history of maltreatment and adjudications of unruliness or delinquency to the adoptive family's agency prior to any contact with the prospective adoptive family to allow the family's agency to make an informed decision as to whether the adoptive family is able to provide for the child's needs.

## APPENDIX 5 GLOSSARY OF TERMS

**Adoption:** A legal process that establishes a lifelong parent-child relationship between an adult and a child not born to them. The adoptive parent(s) are legally and morally responsible for all aspects of the child's care.

**Adopted Person:** A person whose legal relationship was terminated with his/her biological parents, through permanent surrender or court order, and a new legal parent-child relationship was established.

**Adoption Assessor (or Assessor):** A social worker who has completed a specialized curriculum in adoption services as required by the Ohio Department of Job and Family Services.

**Finalization:** The legalization of an adoption in Probate Court

**Homestudy:** The interview/assessment process for families seeking adoption

**Match:** The selection of a family for a child

**Permanent Commitment/Permanent Custody (P.C.)/Termination of Parental Rights:** Court action that terminates all parental rights and frees the child for adoption.

**Permanent Surrender:** a voluntary action of the biological parent to relinquish custody of the child to a public or private agency, thereby freeing the child for adoption; HCJFS secures a permanent commitment from the Court before placing a voluntarily surrendered child for adoption.

**Post-Adoption Services:** Voluntary services provided upon request to the adoptive family or child after finalization.

**Post-Finalization Services:** Services provided to the new adoptive family for 3 months following finalization.

**Pre-Finalization Services:** Services provided to the child and family prior to adoption finalization.

**Resource Placement:** A legal risk placement with a foster family that is also an approved adoptive family; the child is not legally free for adoption.

**Subsidy:** Arrangement for financial assistance to adoptive families of special needs children.

**Temporary Commitment/Temporary Custody (T.C.):** Custody status in which the birth parent retains visitation and certain other rights to the child; a child in this custody status may be placed in a resource home but is not legally free for adoption.

**APPENDIX 6**  
**JFS 01611**  
**Ohio Department of Job and Family Services**  
**Non-Discrimination Requirements for Foster Care and Adoptive Placements**

The JFS 01611 “Ohio Department of Job and Family Services Non-Discrimination Requirements for Foster Care and Adoptive Placements” can be found on the next 3 pages. This document is also available electronically:

<http://www.odjfs.state.oh.us/forms/findform.asp?formnum=01611>

Ohio Department of Job and Family Services  
**NON-DISCRIMINATION REQUIREMENTS FOR FOSTER CARE AND  
ADOPTIVE PLACEMENTS**

The Multiethnic Placement Act of 1994, 42 U.S.C. 622(b)(9), 671(a)(18), 674(d) and 1996(b) (MEPA) and Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq as it applies to the foster care and adoption process (Title VI), are designed to decrease the time children wait for foster care and adoption placement, prevent discrimination in the placement of children, and aid in the identification and recruitment of foster and adoptive families who can meet each child's needs. They prohibit any agency using federal funds from denying any person the opportunity to become an adoptive parent or foster caregiver on the basis of race, color or national origin (RCNO) of that person, or of the child involved and from delaying or denying the placement of a child for adoption or foster care on the basis of race, color or national origin of the adoptive parent or parents, of the foster caregiver or caregivers, or the child involved.

Under MEPA and Title VI, no agency may routinely consider RCNO as a factor in assessing the needs or best interests of children. In each case, the only consideration shall be the child's individual needs and the ability of the prospective foster caregiver or adoptive parent to meet those needs. Only the most compelling reasons may serve to justify consideration of RCNO as part of a placement decision. Such reasons emerge only in the unique and individual circumstances of each child and each prospective foster caregiver or adoptive parent. In those exceptional circumstances when RCNO need to be taken into account in a placement decision, such consideration must be narrowly tailored to advance the child's best interest. Even when the facts of a particular case allow consideration related to RCNO, this consideration shall not be the sole determining factor in the placement decision.

The following actions by a PCSA, PCPA, or PNA are permitted under MEPA and Title VI:

- Asking about and honoring any choice made by prospective foster caregivers or prospective adoptive parents regarding the child's RCNO the prospective foster caregivers or prospective adoptive parents will accept.
- Honoring the decision of a child over 12 years of age to not consent to an adoption, unless the court finds that the adoption is in the best interest of the child and the child's consent is not required.
- Providing information and resources about adopting a child of another RCNO to prospective foster caregivers or prospective adoptive parents who request such information and making known to all families that such information and resource are available.
- Considering the request of a birth parent(s) to place the child with a relative or nonrelative identified by name.

This form is used in compliance with the Ohio Administrative Code rules 5101:2-48-05 and 5101:2-42-18.1

- Considering the RCNO of the child as a possible factor in the placement decision when compelling reasons serve to justify that RCNO need to be a factor in the placement decision. Even when the facts of a particular case allow consideration related to RCNO, this consideration shall not be the sole determining factor in the placement decision.
- Promoting cultural awareness, including awareness of cultural and physical needs that may arise in the care of children of different races, ethnicities, and national origins as part of the training which is required of all applicants who seek to become foster caregivers or adoptive parents.
- Documenting verbal comments, verbatim, or documenting in detail any other indication made by a prospective foster caregiver or prospective foster caregiver family member or prospective adoptive parent or prospective adoptive family member living in the household reflecting a negative perspective regarding the RCNO of a child for whom they have expressed an interest in fostering or adopting and indicating whether those comments were made before or after completion of the cultural diversity training which is required for prospective foster care and adoptive applicants.

The following are examples of actions prohibited under MEPA and Title VI:

- Using the RCNO of a prospective foster caregiver or prospective adoptive parent to differentiate between adoptive placements for a child.
- Honoring the request of a birth parent(s) to place a child with a prospective foster caregiver of a prospective adoptive parent of a specific RCNO, unless the birth parent(s) identifies a relative or non-relative by name and that person is found to meet all relevant state child protection standards, provided that the agency determines that the placement is in the best interests of the child.
- Requiring a prospective foster caregiver or prospective adoptive family to prepare or accept a transracial foster care or adoption plan. Using "culture" or "ethnicity" as a proxy for RCNO.
- Delaying or denying placement of a child based upon the geographical location of the neighborhood of the prospective foster caregiver or a prospective adoptive family 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 RCNO in the neighborhood or any similar purpose.
- Requiring extra scrutiny, additional training, or greater cultural awareness of individuals who are prospective foster caregivers or prospective adoptive parents of children of the different RCNO than required of other prospective foster caregivers or prospective adoptive parents.
- Relying upon general or stereotypical assumptions about the needs of children of a particular RCNO.

- Relying upon general or stereotypical assumptions about the ability of prospective foster caregivers or prospective adoptive parents of a particular RCNO to care for or nurture the sense of identity of a child of another RCNO.
- "Steering" prospective foster caregivers or prospective adoptive parents away from parenting a child of another RCNO. "Steering" is any activity that attempts to discourage prospective foster caregivers or prospective adoptive parents from parenting a child of a particular RCNO.