

## NORTHEAST OHIO ADOPTION SERVICES

### STATEMENT OF PHILOSOPHY AND ADOPTION POLICY

Rule Number:

ODJFS: 5101:2-5-13(A)  
5101:2-33  
5101:2-44  
5101:2-47  
5101:2-48

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

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

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

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

\*Child Welfare League of America Standards for Adoption Service: Revised (New York: CWLA, 2000.)

3. The agency conducts adoption homestudy assessments for, and provides services to, families residing within 1½ hours driving distance from the NOAS office in Warren and from any NOAS assessor's home whose office base is his or her own home.
4. The goal of recruitment services to families is to provide prompt services, to screen in rather than screen out families, and to help families make an educated decision about the appropriateness of adoption for them.
5. NOAS will respond to adoption inquiries within seven working days and will provide the following information to those prospective applicants: a summary of NOAS' adoption policy, a description of the characteristics and approximate number of available children in Ohio, the JFS 01675 "Ohio Adoption Guide: Handbook for prospective Adoptive Families" or the link to access the guide electronically, instructions on how to obtain an application (JFS 01691 "Application for Child Placement"), the MEPA complaint procedure and the JFS 01611. NOAS utilizes the JFS 01691 "Application for Child Placement" as the standard form when accepting applications for adoptive placement. NOAS will send the JFS 01691 to any individual requesting an application for adoption within seven business days of our receipt of the request for an application. If the inquirer resides out-of-state or is an Ohio resident who does not meet the requirements for adoption services as outlined in the NOAS adoption policy, NOAS will adhere to Rule 2-48-08 to assure that the inquirer receives appropriate service within the required timeframes.

Although NOAS provides each family, that has applied for adoption, with the ODJFS 01985 "Adoption Subsidies Guide", here is a description of all state and federal adoption assistance including the eligibility and application requirements:

- a. Reimbursement for Nonrecurring Expenses:  
Families who are finalizing the adoption of a child meeting the Title IV-E special needs criteria may be eligible for a one time reimbursement of nonrecurring adoption expenses. This program provides funding for each child placed for adoption meeting the definition of special needs. The reimbursement is made to families (regardless of their income) who can document expenditures related to the adoption. Such expenses include, but are not limited to, application, pre-service training, home study assessment, criminal records checks, post-placement supervision services, finalization, attorney fees, court costs, reasonable costs of lodging and food as well as any medical or psychological exams or other evaluations required by the agency, etc. Each family is required to complete the "Application for Reimbursement of Nonrecurring Adoption Expenses" (JFS 01421) and submit this application to the county public children services agency with which the adoption assistance agreement was entered into. This application and the "Agreement for Payment/Reimbursement for Nonrecurring Expenses" (JFS 01438) must be completed prior to the adoption finalization. The maximum amount that the State will reimburse is stated in the JFS 01438.
- b. Title IV-E Adoption Assistance Subsidy:  
Title IV-E Federal Adoption Subsidy program provides federal financial support for children, placed for adoption, who meet the eligibility criteria. In order for a child to be eligible for Title IV-E Adoption Assistance, the public children services agency (PCSA) must determine and document that the child meets the definition of special needs and one of several other criteria each of which has varying requirements. Factors include such things as the age of the child and length of time the child spent in foster care. The criteria are detailed in rule 5101:2-49-02 of the Ohio Administrative Code.

In addition to a monthly monetary payment, these children are eligible for medical coverage under Medicaid and may be eligible to receive assistance and services under the federal Title XX program. The amount of adoption assistance is determined by negotiation and mutual agreement between the adoptive parent(s) and the PCSA. The family is required to complete the "Title IV-E Adoption Assistance Application" (JFS O1451) to initiate the process. This application may be completed before or after the child is placed in the family's home. This application and the "Adoption Assistance Agreement" (JFS 01453) must be completed before the adoption is finalized. Continuing eligibility for the Title IV-E Adoption Subsidy needs to be redetermined annually. In the event the family and the PCSA cannot come to an agreement regarding Adoption Assistance and mediation is needed, the required procedure is described under rule 5101:2-49-05. The process for a state hearing request is described in section 5101.35 of the ORC and division 5101:6 of the OAC.

c. State Adoption Maintenance Subsidy (SAMS) Program:

Many children who are ineligible for the Title IV-E Adoption Subsidy may be eligible for the SAMS program. A child who is eligible to receive the Title IV-E Adoption Assistance is not eligible to receive SAMS. SAMS is a State of Ohio financial assistance program for children with special needs placed in adoptive homes. In order to be eligible for SAMS, the child must meet the special needs criteria as defined in rule 5101:2-1-01 of the Ohio Administrative Code. The SAMS program consists of maintenance subsidies (monthly financial assistance paid to the adoptive parent on behalf of the special needs child to help meet costs of food, shelter, clothing and care). In order to be eligible for SAMS, the adoptive family must meet the eligibility criteria in accordance with rule 5101:2-44-06 of the Ohio Administrative Code. The family's gross income must not exceed 120% of the median income of the family of the same size as most recently determined according to state law. It must also be determined that the needs of the child are beyond the resources of the adoptive family and that the acceptance of the child as a member of the adoptive family would not be in the child's best interest without the subsidy. If a child and adoptive family are eligible for SAMS, monthly adoptive subsidy payments will be provided. A child who is eligible for SAMS may also qualify for Medicaid based on medical necessity if medical mental health or rehabilitative care is necessary and if the child is found to have been eligible for Medicaid prior to the adoption. The family is required to have completed the "Title IV-E Adoption Assistance Application/Redetermination of Continuing Eligibility" (JFS 01451) and found to be ineligible for the Title IV-E adoption subsidy in order for the process to be initiated. The family needs to apply for SAMS by completing the "Application for State Adoption Subsidy" (JFS 01613) prior to the adoption finalization. Continuing eligibility for SAMS needs to be redetermined annually.

d. Post Adoption Special Services Subsidy (PASSS):

PASSS is a subsidy program designed to assist eligible adoptive families, after the adoption finalization, to receive services to address the child's physical or developmental handicap(s), mental or emotional condition(s) that either existed before the adoption petition was filed or developed after the adoption petition was filed and can be attributed to factors in the child's background or medical history or the biological family's background or medical history. The intent of this subsidy is to ensure provision of services to prevent the disruption of an adoption. To be eligible for PASSS, conditions referenced in rule 5101:2-44-13.1 of the Ohio Administrative Code must be met. To initiate the process, the family must complete the "Application for a Post Adoption Special Services Subsidy" (JFS 01050) and provide a clear written statement describing the child's special need(s), an assessment or evaluation from a qualified professional, an estimate of the costs of services, updated financial information with a written statement that clearly indicates why the requested service is not within the resources of

the family, and public or private insurance if applicable. If applying for additional PASSS funds, an "Application for Additional Post Adoptive Special Services Subsidy (PASSS) Funding for Extraordinary Circumstances" (JFS 01051) must be completed. The application(s) and documents are submitted to the PCSA in the county in which the family and child reside.

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

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

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

NOAS adheres to the requirements set forth in the Multiethnic Placement Act (MEPA) as outlined in rule 5101:2-48-13 which includes completing a "MEPA Bi-Annual Comprehensive Self-Assessment Report". Also, NOAS staff and contractors agree to abide by the Multiethnic Placement Act, 42 U.S.C. 1996(b) (1996) (MEPA) standards of conduct pursuant to rule 5101:2-33-11 of the Administrative Code.

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

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

NOAS will provide a written notice of the procedure for any complaints of discrimination in the adoption process that involve race, color or national origin (RCNO) to all individuals inquiring about or applying to be an adoptive parent. Such notice will be provided within seven days of the individual's first contact with the agency. Any individual may file a complaint alleging a discriminatory act, policy or practice involving RCNO in the adoption process of NOAS or the Ohio Department of Job and Family Services (ODJFS). Any person, including but not limited to, an employee or former employee of NOAS, any potential or approved adoptive family or foster caregiver, may also file a complaint alleging that he or she was intimidated, threatened, coerced, discriminated against or otherwise retaliated against in some way by NOAS or by ODJFS due to the individual making a complaint, testifying, assisting, or participating in any manner in an investigation, proceeding, or hearing in connection with an allegation that NOAS or ODJFS engaged in discriminatory acts, policies, or practices as it applies in the adoption process. The requirements contained in rule 5101:2-33-03 of the Administrative Code supersede the requirements of rule 5101:2-48-24 of the Administrative Code when the grievance or complaint involve alleged discriminatory acts, policies, or practices pertaining to the adoption process that involve RCNO.

The complaint procedure is as follows:

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

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

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

NOAS assures that it will maintain compliance with the Adoption and Safe Families Act of 1997, Pub. L. No. 105-89 ("ASFA"), the Indian Child Welfare Act of 1978, 25 U.S.C. 1901 (11/1987), et seq. ("ICWA"), the Multiethnic Placement Act of 1994 October 20, 1994, P.L. 103-382, as amended by Section 1808 of the Small Business Job Protection Act of 1996, Aug. 20, 1996, P.L. 104-188 (MEPA), and the Civil Rights Act of 1964 (Title VI), as they apply to the adoption process. The aforementioned "MEPA" and "Title VI" laws do not supersede the provisions of ICWA. All recruitment activities and materials will be in compliance with MEPA, Title VI, ICWA and AFSA.

7. Criteria for the homestudy used by this agency focus on the parenting capacity for a specific child, rather than on pre-determined physical and socio-economic characteristics of the family:
  - a. Age limits are flexible - with the minimum age of the adoptive applicant as 21 and the age of the child being a determining factor.
  - b. Married couples, single persons, or divorced men and women may adopt. For couples wishing to foster and/or adopt, the following factors will be considered within the family assessment process: the quality, length, and stability of the relationship.

- c. Working parents and those having other children are not excluded from the agency program. The agency requires that good child care arrangements be made prior to placement.
  - d. The agency makes no requirements regarding the educational level, occupation, or religious affiliation of its applicants. The agency will, however, make every effort to place a child in a family which meets the religious preference of the child's biological parent or of like religious persuasion if the child is old enough to have established a meaningful relationship with a religious organization.
8. All of the required items listed below need to be completed **after** NOAS receives the completed application to adopt from the family; otherwise, the item(s) will need to be repeated after NOAS receives the adoption application:
- a. NOAS will not begin the homestudy process prior to receiving a completed JFS 01691 "Application for Child Placement" which is signed by the prospective adoptive parent(s). NOAS will not accept an application for approval for adoptive placement which does not contain complete and accurate information. NOAS will commence the homestudy within thirty days of receiving the fully completed application. The commencement of a homestudy means, at a minimum, scheduling an appointment to interview the applicant or assuring that the applicant has been informed of the necessary materials required for the NOAS social worker (hereinafter referred to as an "assessor") to complete the homestudy.
  - b. Information regarding a family's current income, assets, and financial liabilities will be requested in the form of a JFS 01681 "Applicant Financial Statement". The prospective adoptive family will need to show proof of sufficient income to meet the basic needs of the household [this includes proof of household income for the most recent tax year prior to the date of application; proof of income for the household for a two-month period (the verification of income cannot be dated more than six months prior to the adoption homestudy approval); as well as one utility bill for each utility the household utilizes for any time period after the date of application but dated not more than six months prior to the adoption homestudy approval]. Financial assistance in the form of adoption subsidies may be available for children with special needs. Adoptive families will be provided general information (including eligibility requirements) regarding federal and state adoption assistance programs, nonrecurring and PASSS subsidy programs, and will be referred to the custodial agency of the adopted child in order to apply for assistance. Families will be helped to apply and NOAS will act as a liaison between the counties and adoptive parents.
  - c. A BCII and FBI criminal records check will be required as outlined in rule 5101:2-48-10 of the Administrative Code for all persons subject to a criminal records check. Applicants will be responsible for arrangements to be fingerprinted and for the fee associated with each BCII and FBI records check. Assistance with fees may be available based on family circumstances. The ability to pay this fee does not influence the choice of the most appropriate family for a child.
- . If a prospective adoptive parent or other adult member of the household has been convicted of or pleaded guilty to any of the offenses listed in the appendix of this policy, the family will not be approved for adoptive placement unless all conditions listed in rule 5101:2-48-10(D) are met. (Please refer to the Ohio Administrative Code for the conditions.)

An adoptive applicant(s) or approved adoptive parent(s) shall notify the agency in writing if a person residing in the home who is twelve years old but under eighteen years old, has been convicted or pleaded guilty to any offense listed in the Appendix to this policy or has been adjudicated to be a delinquent child for committing an act that if committed by an adult would constitute one of those offenses.

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

- d. The assessor will conduct at least one face-to-face interview with each member of the household over the age of four years who is currently residing in the home. This may be a joint interview or separate individual interviews.
- e. Prior to the end of the assessment (homestudy) process, applicants shall complete and sign the JFS 01673-A "Child Characteristic Checklist for Foster Care and/or Adoption" indicating the acceptable characteristics of the child that the applicant is requesting to adopt. Upon completion of the assessment (homestudy) process, the JFS 01673-A will be attached to the JFS 01673 "Assessment for Child Placement (Homestudy)". An applicant has the opportunity to revise the JFS 01673-A at any time regarding the characteristics or number of children desired.
- f. When an adoptive applicant will have at least five children residing in the prospective adoptive home including birth children, foster children, children in kinship care and the number of children the family will be approved to adopt, the NOAS assessor will complete a JFS 01530 Large Family Assessment" in addition to the JFS 01673 "Assessment for Child Placement (Homestudy)" and it will be attached to the JFS 01673.
- g. There shall be a continuous supply of safe drinking water. Well water used for drinking and cooking shall be tested by the health department prior to the approval of the homestudy.
- h. Other items needed for the completion of a homestudy include a medical statement (JFS 01653) completed by a licensed physician, physician assistant, clinical nurse specialist, certified nurse practitioner or certified nurse-midwife within one year prior to approval of the homestudy for the applicant and all household members, documentation of current marital status including a marriage certificate, divorce decree or other verification of marital status if applicable, three personal references who are unrelated to the applicant(s) and do not reside with the applicant(s), references from all adult children of all applicants, references from any other agency or organization the applicant and any household member has applied to or had a homestudy approved for foster care or adoption, or any organization they have worked with in providing care and supervision of children, a fire inspection (JFS 01200) by a certified fire inspector within twelve months prior to being approved as an adoptive home, a safety audit (JFS 01348) within six months prior to approval, a summary report from the ODJFS SACWIS alleged perpetrator search of abuse and neglect history for each adoptive applicant and each adult who resides with the applicant. When an applicant(s) or adult household member(s) has not resided in the State of Ohio for the past five years, NOAS will request a check of the child abuse and neglect registry of any other state in which the applicant(s) or other adult household member(s) has resided during the five years immediately prior to the date of the criminal records check as required by division (A) of section 2151.86 of the Revised Code.
- i. In addition to the requirements for the homestudy process as stated in Chapter 5101:2-48, NOAS requires adoptive applicants to submit a copy of autobiographical information. NOAS also completes a Bureau of Motor Vehicles (BMV) check annually and does not allow an adoptive parent with six or more points on their BMV driver record to transport an adoptive child whose adoption is not yet finalized. In addition, NOAS requires the applicants to submit releases of information to check local police records. NOAS does not allow an adoptive parent to hold a Type A or Type B day care license.

- j. NOAS shall document in each record that the applicant has been evaluated by an assessor to determine the applicant's compliance with all homestudy requirements and the suitability of the applicant to be approved as an adoptive parent considering all household members. In completing the evaluation, a written narrative shall be compiled, signed by the assessor, and approved by the supervisor, indicating approval or denial of the application. This evaluation shall be a completed JFS 01673 "Assessment for Child Placement" or JFS 01692 "Application for Adoption of a Foster Child or Sibling Group" as applicable. Step-parent homestudies are exempt from this form requirement. The JFS 01698 "Step-parent Homestudy Report" may be used when the court requests an agency to conduct a homestudy involving a step-parent adoption. NOAS does not complete international homestudies.
9. All prospective adoptive families will be required to complete training prior to approval of an adoption homestudy. This training may be completed before NOAS receives the completed adoption application from the family. This preservice training will include, but not be limited to, the following components:
- The legal rights and responsibilities of adoptive parents;
  - The NOAS policies and procedures for adoptive homes.
  - ODJFS requirements for approving adoptive applicants;
  - The effects placement, separation and attachment issues have on children and their families;
  - The dynamics of physical abuse, sexual abuse, emotional abuse, neglect, and substance abuse on human growth and development;
  - Behavior management techniques;
  - Caregivers' involvement in permanency planning for children and their families and post adoptive issues for children and families including availability of adoption subsidies.
  - Effects of caregiving on children's families.
  - Prevention, recognition, and management of communicable diseases.
  - Community health and social services available to children and their families.
  - At least three hours of training on cultural issues including cultural diversity training, and an overview of the Multiethnic Placement Act, Oct. 20, 1994, P.L. 103-382, as amended by Section 1808 of the Small Business Job Protections Act of 1996, Aug. 20, 1996, P.L. 104-188 (MEPA), and the Civil Rights Act of 1964 (Title VI), as it applies to the foster care and adoption process. The three-hour requirement for cultural issues shall not be waived.
  - The substance of section 2152.72 of the Ohio Revised Code which deals with the information required to be shared with a prospective adoptive parent before a child who has been adjudicated a delinquent child for the commission of certain violent crimes is placed with a prospective adoptive parent. A course addressing section 2152.72 of the Ohio Revised Code shall be not less than one hour long.

At the discretion of the agency, training may be provided on an individual basis in response to exceptional circumstances or to meet the placement needs of a particular child or children. NOAS may waive components of the training if the assessor determines that the family has received training previously or the family has the skills to care for the needs of the child that will be placed in the home.

10. All applicants to the agency shall be given the opportunity to simultaneously apply for foster care and adoption. In fact, NOAS strongly encourages adoptive applicants to simultaneously apply for foster care. Those wishing to do so must be at least 21 years of age at the time of approval of the homestudy. All application forms required by state regulations must be completed by those who wish to pursue both programs at once. One set of homestudy interviews will be completed to satisfy both foster care and



adoption requirements, and the approval process will occur simultaneously. If a foster care applicant decides during the homestudy process to also become approved for adoption, the homestudy documentation and training completed up to that point may be utilized as long as the documentation or training has not expired upon completion of the homestudy. Applicants will not be required to duplicate documentation as a result of a new application date.

11. If NOAS determines that an adoptive homestudy cannot be initiated, the applicants will be notified within fifteen days of receipt of the completed application form as to the reason that the homestudy cannot be initiated and a description of procedures for requesting a review of NOAS' decision.

NOAS does not deny the acceptance of the application (JFS 01691) based on race, color, national origin, handicap, age, gender, sexual orientation, gender identity, or gender expression of the individual or of the child involved. NOAS does not consider race, color, national origin, handicap, age, gender, sexual orientation, gender identity, or gender expression of a family for whom NOAS is conducting a homestudy or homestudy update in determining whether a homestudy or homestudy update is approved or disapproved. Also, NOAS does not consider the race, color national origin, handicap, age, gender, sexual orientation, gender identity, or gender expression of a child in whom a family indicates an interest in adopting in determining whether to approve or disapprove the family's homestudy or homestudy update. NOAS does not discriminate in approving or disapproving a homestudy or homestudy update on the basis of disability in violation of section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794 (7/2014) and of Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. 1201 (8/1981).

For families desiring to adopt children, the adoption homestudy will be completed by NOAS utilizing the JFS O1673 "Assessment for Child Placement (Homestudy)". NOAS will notify the public children services agency in which the prospective adoptive parent resides within ten days after the initiation of the homestudy according to section 3107.103 of the Ohio Revised Code. (This requirement does not apply to an adoption by a stepparent whose spouse is the biological or adoptive parent of the minor to be adopted.) This notification letter will include the applicant's name, address, telephone number, the names and dates of birth of all household members at the time of application and will request any relevant information, if known, about the adoptive applicant(s) which will include, but not be limited to:

- a. Confirmation of household members as determined by review of the agency records,
- b. Information relating to previous adoption applications and/or placements such as:
  - Past or present functioning of the prospective adoptive parent and household members.
  - Rule violations.
  - Information on events leading to a removal of any child from the prospective adoptive home.

The family will be notified in writing regarding approval or denial of the homestudy within ten days after the homestudy has been approved or disapproved. The homestudy is to be completed within six months (180 days) of the date that the application is received by the agency. If all required documentation is not submitted within one hundred eighty days of the receipt of the application, the homestudy process will be terminated unless NOAS makes a determination that the homestudy should not be terminated and documents this on the JFS 01673 "Assessment for Child Placement". The applicant shall be notified, in writing, at least thirty days prior to the termination of the application. Written notification shall contain an explanation of the reason for termination and a description of the procedures for requesting a review of the agency's decision. NOAS will offer assistance to those applicants who need help in completing the application and securing all required documents and information. If a homestudy is not completed within

one year of the application date it shall be terminated unless NOAS makes the determination the homestudy should not be terminated. The decision not to terminate shall be made at the agency's discretion and documented on the JFS 01673. If NOAS decides to terminate the homestudy, NOAS shall notify the applicant, in writing, no less than thirty days prior to the termination. Written notification shall contain an explanation of the reason for termination and a description of the procedures for requesting a review of the agency's decision.

The homestudy shall be a joint decision making assessment and process involving both the applicant and NOAS assessor which is designed to determine whether adoption and/or foster care is a viable option for the applicant and the characteristics of children the applicant can best parent.

NOAS will not initiate or complete the homestudy when it has been determined by the NOAS assessor that the application (JFS 01691 "Application for Child Placement") or homestudy contains a false statement knowingly made by the applicant(s) that is included in the application or written report of the homestudy. If NOAS determines that any statement in an application or homestudy is false, NOAS will follow the procedures outlined in rule 5101:2-33-13 of the Ohio Administrative Code.

12. NOAS will update the initial adoptive homestudy every two years from the date of the approval of the initial homestudy or the date of the most current update whichever is more recent. If a homestudy is simultaneously approved for adoption and certified for foster care by the same agency, the spans shall be the same for both programs from the date of the foster home certification.

NOAS will notify the adoptive parent(s) of the date of expiration of the homestudy not fewer than ninety days or more than one hundred fifty days prior to the expiration date. The notification will identify any information or documentation that is required for the homestudy update and will be completed on the JFS 01331, "Notice of Expiration and Reapplication for a Foster Home Certificate or Adoption Homestudy Approval". Following this notification to the adoptive parent(s), if the parent(s) wishes to be recertified for another two-year span, the parent(s) needs to document this on the JFS 01331 and return the JFS 01331 to NOAS. If the adoptive parent fails to either reapply or voluntarily terminate prior to the expiration date of the approval, the homestudy approval shall expire. If the family wishes to have an adoption homestudy approval after the expiration date, they shall reapply through the initial homestudy application process.

If the adoptive parent has applied to update an adoption homestudy at least thirty days prior to the expiration of a current adoption approval, an assessor will complete a JFS 01385 "Assessment for Child Placement Update" to ensure that the adoptive parent remains in compliance with the requirements of Chapter 5101:2-48 of the Administrative Code, and determine the continued suitability of the adoptive family. The agency shall compile and review the following documents, in addition to completing the JFS 01385:

- The most recent JFS 01653 "Medical Statement for Foster Care/Adoptive Applicant and All Household Members" completed for the applicant and all household members.
- The agency may require a new JFS 01653 if the agency deems it necessary.
- The agency may require a report of a physical, psychiatric or psychological examination or treatment of the adoptive parent(s) or other household member(s) in order to ensure the safety, health or care of an adoptive child. (The examination shall be conducted by a licensed physician, psychologist, or other certified or licensed professional.)
- The most recent fire inspection by a state certified fire safety inspector or the state fire marshal's office using the JFS - 1200 "Fire Inspection Report for Residential Facilities Certified by ODJFS", or other form used for a local or state fire inspection. The agency may require a new fire

inspection at the time of the update if the agency deems it necessary to ensure the home is free from conditions which may be hazardous to the safety of an adoptive child.

- The most recent JFS 01681 "Applicant Financial Statement". The agency may require a new JFS 01681 if there have been any substantial changes to the adoptive family's financial situation.
- The most recent well water test approved by the health department, if applicable. The agency may require a new well water test if the agency deems it necessary.
- The most recent JFS 01530 "Large Family Assessment" (rev. 12/2014), if applicable. If the family circumstances have changed substantially since the previous JFS 01530, or if a JFS 01530 was not previously completed and is now required, the agency shall complete a new JFS 01530 at the time of the update.
- If the agency has the ability to complete the search in SACWIS, the agency shall complete an alleged perpetrator search of abuse and neglect report history through the system for each adoptive parent and adult household member. If the agency does not have the ability to complete the search in SACWIS, the agency shall request a search of the system from ODJFS for each adoptive parent and each adult household member.
- The agency shall conduct a safety audit utilizing the JFS 01348 "Safety Audit" completed within six months prior to the approval of the adoption homestudy update, documenting the residence continues to meet all safety standards.
- The most recent criminal records check for the adoptive parents and adult household members. Once a homestudy is approved, a new criminal records check shall be conducted, pursuant to section 2151.86 of the Revised Code, for the adoptive parent(s) and each adult household member every four years prior to approving the adoption update. If an existing resident of the home, including youth placed in the home, turned eighteen years of age during the current approval span, the agency shall have criminal records checks completed at the time of the next update and every four years thereafter at the time of update.
- A minimum of one written reference from a professional who is knowledgeable of the family dynamics and family functioning. If a reference is not available from a professional, a personal reference from someone aware of the adoptive family's functioning is permissible. This reference shall not be completed by a relative or a household member. This reference is required for families who are only approved for adoption by the recommending agency. If the family is also certified for foster care by the recommending agency, the reference is not required.
- An assessor's update of an adoption homestudy shall include at least one home visit and one interview with each member of the household (except foster children) over the age of four years currently residing in the home. This may be a joint interview or individual interviews.
- If all of the requirements have been met by the adoptive parent(s), they will be approved to adopt for another two-year approval span. The effective date of the adoption homestudy approval will be the first day following the expiration of the previous approval span. The assessor will provide written notification (within ten days of completion of the homestudy update) to the applicant(s) of approval or denial of the update to the adoption homestudy.

If an agency receives a completed JFS 01331 less than thirty days prior to the expiration of the adoption approval, the agency may complete the requirements listed in rule 5101:2-48-12.1 if they have sufficient time and resources to complete the assessment and submit the requirements in paragraph (G) of this rule prior to the expiration date of the current approval span. If the agency is unable to complete the update of the adoption approval prior to the expiration, the adoption approval will expire on the date of expiration. If the family wishes to have an adoption homestudy approval after the expiration date, they shall reapply through the initial homestudy application process pursuant to rule 5101:2-48-09 of the Administrative Code.

13. An approved adoptive parent shall notify the recommending agency within one hour of any of the following circumstances involving an adoptive child whose adoption is not finalized:
- A serious injury or illness involving medical treatment of the adoptive child.
  - Unauthorized absence of the adoptive child from the home.
  - Removal of the adoptive child from the home by any person or agency other than the placing agency, or attempts at such removal.
  - Any involvement of the adoptive child with law enforcement authorities.
  - The death of the adoptive child.

An approved adoptive parent shall notify the recommending agency within twenty-four hours or the next working day if any of the following occur:

- A change in the marital status of an approved adoptive parent(s).
- Any serious illness or death of an approved adoptive parent or household member.
- The finalization of an adoptive child placed by a different agency.
- A change in the number of household members, not including foster children.
- A criminal charge or conviction of any approved adoptive parent or other adult household member(s).
- A significant change in financial status or income.
- A change of address for the adoptive family that is different than the address listed on the most recent homestudy or update.

If the agency is notified of any of the following changes for the foster caregiver, the agency shall amend the homestudy:

- a. A change in the marital status of the foster caregiver(s).
- b. The death of a foster caregiver or household member.
- c. A change in household members, not including foster children. If the amendment is due to a new household member, the agency shall ensure the following:
  - New household members residing with the adoptive parent shall have a JFS 01653 "Medical Statement for Foster Care/Adoptive Applicant and All Household Members" completed documenting they are free from any physical, emotional, or mental condition which would endanger children or seriously impair the ability of the household member to care for the child placed in the home. If the new occupant is an adopted child who immediately prior to the adoption resided in the home as a foster child, a JFS 01653 is not required. The JFS 01653 shall be dated within ninety days of the date the person becomes a household member. If the agency was not notified of the new household member pursuant to paragraph (B) of rule 5101:2-48-12.2 of the Administrative Code, the agency shall ensure the new household member completes the JFS 01653 within ninety days of the date the agency became aware of the new household member.
  - New adult household members residing with the foster caregiver shall have a bureau of criminal investigation (BCI) and federal bureau of investigation (FBI) records check, as outlined in rule. 5101:2-5-09.1 of the Administrative Code. The criminal records checks shall be conducted within ten working days of the date the person becomes a household member. If the agency was not notified of the change of the new household member pursuant to paragraph (B) of rule 5101:2-48-12.2 of the Administrative Code, then the criminal records check shall be conducted within ten working days of the date the agency became aware of the change of the new household member.

- New adult household members shall provide the name of any agency they have applied to or had a homestudy approved for foster care or adoption, or any organization they have worked with in providing care and supervision of children.
  - The agency shall request a check of the child abuse and neglect registry of any other state the new adult household member has resided in for the five years immediately prior to the date of the criminal records check for the new household member, as required by division (A) of section 2151.86 of the Revised Code.
  - If the new household member is the co-parent or spouse of the foster caregiver and shall therefore be added to the certificate, the agency shall contact all adult children of the new co-parent or spouse for a reference. If the person has not previously completed the preservice training, the agency shall ensure the co-parent or spouse completes the preplacement training required pursuant to rule 5101:2-5-33 of the Administrative Code no later than one hundred eighty days after becoming a household member. Once the co-parent or spouse is added to the certificate, the required continuing training hours shall be prorated from the date the co-parent or spouse is added to the foster care certificate through the expiration of the current certification span.
- d. A change of address for the foster family that is different than the address listed on the foster home certificate. If the amendment is due to a change of address of the foster home, the agency shall ensure the following:
- The agency shall conduct a safety audit documenting the new residence satisfactorily meets all safety standards. The safety audit shall be completed on the JFS 01348 "Safety Audit". The safety audit shall be conducted within ten working days after the change of address.
  - The agency shall require the foster caregiver to obtain a fire safety inspection certifying the new residence is free from conditions hazardous to the safety of a foster child. The fire safety inspection shall be completed on the JFS 01200 "Fire Inspection Report For Residential Facilities Certified by ODJFS" or other form used for a local or state fire inspection. The fire safety inspection shall be requested prior to or within thirty days of the date of the change of address. If the agency was not notified of the change of address pursuant to paragraph (B) of rule 5101:2-48-12.2 of the Administrative Code, then the fire inspection shall be requested within thirty days of the date the agency became aware of the change of address. The fire safety inspection shall be conducted prior to or within ninety days of the date of the change of address. If the agency was not notified of the change of address pursuant to paragraph (B) of rule 5101:2-48-12.2 of the Administrative Code, then the fire inspection shall be conducted within ninety days of the date the agency became aware of the change of address.

An amendment is a narrative of the assessor's evaluation of the change that has occurred in the approved adoptive family. The agency shall note the date they were notified of this change. The amendment shall be completed within thirty days of the date of the change, or within thirty days of the date the agency became aware of the change if notification did not occur pursuant to paragraphs of (A) or (B) of rule 5101:2-48-12.2 of the Administrative Code.

14. Education group sessions and individual family interviews will be used by the agency in completing the family homestudy and making placement decisions.
15. Children will be matched to adoptive parents based on the child's best interests and the prospective parents' ability to respond to the child's special needs. The matching decision will be based on, at a minimum, consideration of the placement of siblings together, the JFS 01690 "Documentation of the pre-adoptive Staffing and Updates", the JFS 01689 "Documentation of the Placement Decision-Making Process" and the JFS 01688 "Individualized Child Assessment" if applicable. The custodial agency may

also consider placement preferences of the birth parents. No chronological waiting list of adoptive families will be maintained. Regardless of geographic location, the following preferential order will be applied when considering families in the matching process:

- a. If only one relative or if only the child's current foster caregiver has expressed an interest in adopting the child, and if the agency deems that placement with the relative or foster caregiver is in the child's best interest, the agency shall give preference to this family in the placement selection. The agency is not required to consider other families in the matching process.
- b. The following is the preferential order for the placement of a child if more than one family is being considered for placement:
  - (1) For a child federally recognized as a member of a tribe or Alaskan Native Village, the Indian Child Welfare Act of 1978, 25 U.S.C. 1901 (ICWA) shall take precedence in any adoption proceedings.
  - (2) Whenever possible and in the best interest of the child(ren), sibling groups should not be separated.
  - (3) Any adult, or the child's current foster caregiver when the following apply:
    - (a) The adult has expressed an interest in adopting the child and already has an approved adoptive homestudy, or has submitted the required document listed below at least five business days prior to the scheduled matching conference:
      - (i) The JFS 01691 "Application for child Placement" (rev. 12/2014)
      - (ii) The JFS 01692 "Application for Adoption of a Foster Child or Sibling Group" (rev. 12/2014)
      - (iii) The adoption application or equivalent document that is required in the state the adult resides in.
    - (b) Placement with the adult would establish permanency for the child and be in the best interest of the child.
  - (4) A foster caregiver with whom the child has resided in the past, whose placement would be in the best interest of the child and who is approved for adoption pursuant to Chapter 5101:2-48 of the Administrative Code or the laws of the state where the previous foster caregiver now resides.
  - (5) Any other approved adoptive parent(s) who is accepting of the child's characteristics, who has expressed an interest in adopting the child, and whose placement would be in the best interest of the child.
- c. If there are more than five families who are potential matches for the child, the agency may narrow the number of families to a minimum of five based on:
  - (1) The preference to keep siblings together if in the child's best interest.
  - (2) The level of experience the family has in working with a children who have the specific behavior, medical or mental health challenges that the specific child presents.
- d. If there are no families available to be considered at a matching conference for a specified child, the agency shall conduct child-specific recruitment for the child prior to the next matching conference. Child-specific recruitment shall include at least two of the three activities below
  - (1) Distribution of written information regarding the child to two or more adoption agencies, media outlets, or social media sites used to recruit adoptive families for the child.
  - (2) Review of the case file for relatives or individuals in the child's past who may be able and willing to provide a permanent home for the child.
  - (3) Exploration with the child of individuals with whom the child is familiar who may be able and willing to provide a permanent home for the child.

- e. Other items that need to be taken into consideration in the matching process are:
- (1) The child's preference may be considered if the child has the capacity to express a preference.
  - (2) Normally, a NOAS adoptive family will not be considered for another adoptive placement until any current adoptive placement(s) is legalized. An exception can be made only with the written consent of the custodial agency of any unlegalized children in the home.

Placement decisions will be shared by NOAS and the child's referring custodial agency, although it is recognized that the custodial agency holds the final legal responsibility to determine placements. The custodial agency will conduct a structured decision making process to select the most appropriate family to be matched with the child. Staff involved in placement decisions will include the child's NOAS permanency planning specialist, the family's NOAS permanency planning specialist, the NOAS supervisor and/or permanency planning director, the child's custodial agency worker, and the custodial agency supervisor. These persons will have input in the completion of the JFS 01689 "Documentation of the Placement Decision-Making Process". An exchange of detailed information between agencies concerning the child and prospective adoptive family will take place. Initial contact with the prospective adoptive parent(s) will be made by the adoptive parent(s)' social worker unless the agency gives permission for another agency to contact the adoptive parent(s). When an adoptive family has been selected, a JFS 01654 "Adoptive Placement Agreement" will be signed by the adoptive parent(s), a representative of the custodial agency and a representative of the agency that will be providing the adoption services for the adoptive family, on or before the date of the adoptive placement. A copy of the signed agreement will be given to the adoptive parent(s) and any other signer of the agreement.

All approved families who have notified NOAS of their interest in a child on referral and all NOAS families accepting of the child's characteristics (per the family's completed JFS 01673-A "Child Characteristics Checklist for Foster Care and Adoption") will be considered to be presented to the custodial agency for the matching conference and considered equally regardless of race, color, national origin, or geographic boundaries. Nondiscriminatory procedures shall be utilized to review all approved adoptive families for matching with available children, to select approved families to be presented at the matching conference for available children and to match a child with an approved family outside of the agency's jurisdiction. An agency cannot use race, color or national origin as a basis for denying or delaying presentation of a family at a matching conference and cannot use the family's geographical location as the basis for denying or delaying a child's adoptive placement. Regardless of a family or child's geographic location, all families expressing interest in a particular child must be considered at the time of matching. The child's needs and best interest are paramount.

NOAS works in conjunction with custodial agencies to assure that children referred to NOAS will not be placed into an adoptive family unless permanent custody of the child is attained nor will a child be placed in an Ohio home for adoption unless a homestudy has been completed and approved. If a family from a state other than Ohio has been identified as a match for a child, the custodial agency will assure that the adoptive home has been approved by the receiving state, pursuant to ICPC rules. NOAS also works with custodial agencies to assure compliance with the "Indian Child Welfare Act of 1978". Prior to adoptive placement, NOAS, in conjunction with the custodial agency, will provide the adoptive parent with the following: the child study inventory, information regarding any child-specific financial and medical resources, known or anticipated, including subsidy information, the child's lifebook, if applicable, materials the birth parents request be given to the adopted person or adoptive parents when authorization is given on the JFS 01693 ("Ohio Law and Adoption Materials") photographs of the birth parents that the birth parent requested be given to the adopted person or adoptive parent when authorization is given on the JFS 01693, the birth parent's first name when authorization is given on the JFS 01693, and the social security number, if applicable.

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

This does not apply to a stepparent adoption. In the case of an infant placement, the notification may be made prior to the birth of the child.

19. When an applicant seeking to adopt a minor or foster child will have at least five children residing in the prospective adoptive home (including foster children, children in kinship care, adoptive children and birth children) after the minor or foster child to be adopted is placed in the home for adoption, a NOAS assessor will complete a JFS 01530 "Multiple Children/Large Family Assessment" prior to each adoptive placement. If this situation already exists when the initial homestudy is being completed, a JFS 01530 will be completed in addition to the JFS 01673 "Assessment for Child Placement (Homestudy)" and will be attached to the JFS 01673.
20. If a foster caregiver who is not an approved adoptive parent expresses the desire to adopt a foster child or sibling group that has been residing with the foster family for at least six consecutive months, NOAS will assess the family using the procedures outlined in rule 5101:2-48-11.1. These procedures provide for a shortened homestudy process by using the JFS 01692 "Application for Adoption of a Foster Child or Sibling Group" to assess the family.

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



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

21. Normally, a NOAS adoptive family will not be considered for another adoptive placement until any current adoptive placement(s) is legalized. An exception can be made only with the written consent of the custodial agency of any unlegalized child(ren) in the home.
22. When an applicant knowingly makes a false statement in the application or homestudy process or when an adoptive child is placed in an approved adoptive parent(s) home and the adoptive parent(s) or other household member(s) knowingly makes a false statement that results in the assessor reassessment of an approved or updated homestudy, the NOAS assessor will report incidents of falsification according to the procedures outlined on rule 5101:2-33-13 of the Ohio Administrative Code and NOAS will then proceed with the administrative falsification procedures as outlined in rule 5101:2-33-13 of the Ohio Administrative Code.
23. The agency will provide pre-finalization services to all adoptive families from the date of adoptive placement of the child until the issuance of a final decree of adoption. Services provided directly by NOAS will include case management, counseling, and crisis services. Referrals will be provided to community service providers for diagnostic and therapeutic services.

The assessor will make face-to-face post-placement visits in the adoptive parent(s)' home with the adoptive parent(s) and the child throughout the finalization period as follows:

- a. At a minimum, one face-to-face visit with the child and adoptive parent(s) shall be made during the first seven days of the placement, not including the date of placement.
- b. At a minimum, one face-to-face visit with the child and adoptive parent(s) shall be made during the first thirty days of placement, not including the visit during the first seven days of placement.
- c. After the first thirty days, at a minimum one face-to-face visit with the child and the adoptive parent(s) shall be made monthly.

The frequency of visits with any other household members shall be as follows:

- a. At a minimum, one face-to-face visit in the home with any household member whose permanent residence is the adoptive home shall be made every sixty days.
- b. At a minimum, two face-to-face visits in the home prior to finalization with any household member whose permanent residence is the adoptive home although he or she may temporarily reside elsewhere. No less than sixty days between visits.

During each visit, the assessor shall gather information on how the placement is progressing from the child, as appropriate to his or her ability to communicate, the adoptive parent(s) and other household members, in applicable visits. All contacts and visits shall be documented in the child's case record and address the following:

- a. The child's safety and well-being within the adoptive home. In assessing the child's safety and well-being, the assessor shall consider the following through observation and individualized interviews with each person obtained during the visit:
  - (1) The child's current behavior and emotional and social functioning in the adoptive home and any other settings.

- (2) The child's adjustment to the placement.
  - (3) The child's feelings around loss, separation and the reasons for being adopted.
- b. Any new information regarding the child, the adoptive parent(s) or the other household members, including, but not limited to: changes in marital status; significant changes in the health status of a household member; placement of additional children; birth of a child; death of a child or household member; a criminal charge, conviction or arrest of the child, adoptive parent(s) or any household member; addition or removal of temporary or permanent household members; family's relocation; child's daily activities; a change in the adoptive parent(s) employment or any financial hardships; and/or any supportive services needs for the child or adoptive parent(s) to assure the child's safety and well-being.

For a child who is placed through the "Interstate Compact for the Placement of Children" into an approved adoptive home outside of Ohio:

- a. Request the out-of-state children services agency (CSA) to conduct visits with the adoptive family in the home as identified in this rule and to submit written supervisory reports on a monthly basis.
- b. At a minimum, one face-to-face visit shall be conducted by the assessor within the PCSA or PCPA who is a responsible for the child's case, or another assessor employed or contracted by the PCSA or PCPA who has been delegated to act on behalf of the assigned assessor in his or her absence once every six month period prior to the finalization of the adoption.
- c. The assessor shall observe and document the interaction between the adoptive child, the adoptive parent and all other household members pursuant to rule 5101:2-48-17 of the Ohio Administrative Code.

An assessor will complete a JFS O1699 ("ODJFS Prefinalization Adoption Assessment Report") which will be provided to the prospective adoptive parent (including foster caregiver adoptive situations) no later than twenty days prior to the date scheduled for the final hearing on the adoption unless the court determines there is good cause for filing the report at a later date.

24. NOAS will provide or arrange for post-finalization services upon request or referral to all families who have previously adopted through the agency or adoptees who were placed by the agency. Post-finalization services offered directly by the agency will include information, case management and counseling. The agency will also make referrals to other agencies providing post-finalization services and community resources, upon written request of a parent, legal custodian or guardian, provide consultation on adoption-related issues to non-agency professionals who are working with the family, and provide information regarding procedures to release identifying information according to rule 5101:2-48-20 of the Ohio Administrative Code.
25. NOAS will provide for an agency review in response to complaints from adoptive applicants, prospective adoptive families and adoptive families regarding the application or homestudy process, denial of an applicant for adoptive placement or other pre-placement or post-placement adoption services offered by the agency within 30 days of receipt of request. Applicants will be provided specific notice of their right to a review, which will include a face-to-face meeting with the adoptive applicant, prospective adoptive families and adoptive families requesting an agency review, the adoptive family caseworker, the executive director of the agency or the executive director's designee, who will serve as the review agent and any other individual with information regarding the complaint, as deemed appropriate by the executive director or designee. The review agent will render a written decision,

including the reason for the decision, based upon evidence presented at the review, within 15 days of the review, with a copy to all parties involved. All documentation about the review will be maintained in the family's and child's (if applicable) case record. If an approved family requests an agency review because the family believes they were denied an adoptive placement solely on the basis of geographic location, the custodial agency shall provide the family with notices and copies of all materials related to requesting a state hearing. For complaints involving alleged discriminatory acts, policies or practices pertaining to the foster care and adoption process that involve race, color or national origin, the procedures outlined in rule 5101:2-33-03 of the Administrative Code supersede the requirements of this rule. NOAS will follow the procedures as outlined in rule 5101:2-33-13 of the Administrative Code when an agency determines there may knowingly be falsification on an adoptive application or homestudy, or any other document submitted during the homestudy process.

26. NOAS does not charge a fee to families adopting a child with special needs if the family remains with NOAS and continues to pursue adopting a child(ren) on referral to NOAS. However, fees will be charged in the following situations:
- a. **Transfer or Sharing of a Homestudy:**  
If a family wants their homestudy transferred to another agency, within two years of the completion of their homestudy, NOAS will charge the family \$2,600.00 to complete this transfer regardless of whether or not the receiving agency charges a fee to complete a homestudy. After two years, if the family requests their assessment to be transferred, NOAS will charge \$750.00. After four years, if the family wants their homestudy transferred, a fee of \$150.00 will be charged. These rates also apply if a family's homestudy is shared with another agency or entity for placement of a child for which NOAS has no contract. NOAS will not sign for the approval to transfer the homestudy or agree to share the homestudy until this fee is paid in full. This new fee schedule takes effect for any transfer or shared homestudy arrangement initiated on July 1, 2016 or later. These fees will be waived if the family has finalized an adoptive placement through NOAS.
  - b. **Completing Adoption Updates for Families not Actively Seeking an Adoptive Placement:**  
An adoption homestudy needs to be updated every two years. NOAS does not charge for the first update (when the family has been approved for two years). NOAS does not charge for the second update (when the family has been approved for four years) either if at least one of the following has occurred:
    - (1) The family has legalized an adoptive placement through NOAS.
    - (2) The family has received a foster or adoptive placement through NOAS.
    - (3) The family agreed to be included in a matching conference after having been given all of the information about the child even if the family was not selected for the child by the custodial agency. However, this exemption does not apply if the family rejects the placement after having been selected for the child.
    - (4) There have been temporary extenuating circumstances that have greatly impacted the family's ability to accept an adoptive or foster placement.

If none of the above four items have occurred, a fee of \$250 will be charged to the family to complete the second update. For every other update (every four years) after the second update, a fee of \$250 will be charged if none of the above four items have occurred within the previous four years. NOAS will not complete this update unless the fee for the update is paid in full at least 60 days prior to the expiration date of the homestudy. This new fee schedule takes effect for any update that is due on July 1, 2016 or later.

27. Following are the Ohio regulations regarding the sharing and transfer of adoption homestudies:

"Sharing an adoptive homestudy" means forwarding an approved adoptive homestudy to a public children services agency (PCSA), private child placing agency (PCPA), or comparable agency in another state for consideration of potential adoption matches, or receiving an approved adoptive homestudy from a PCSA, PCPA, private non-custodial agency (PNA) or comparable agency in another state for the same purpose.

"Transferring an adoptive homestudy" means releasing a copy of the approved homestudy and all related materials to another agency. Upon acceptance of the receiving agency and the execution of the JFS 01334 "Recommendation for Transfer of a Foster or Adoptive Home" the sending agency is relieved of all responsibilities related to the approved adoptive family.

An agency shall not solicit homestudies or transfers from other agencies for the purpose of locating a family of a specific race, color or national origin. An agency shall only consider approved homestudies forwarded by another agency. A copy of the adoption homestudy shall not be accepted directly from the approved adoptive parent or other individual. An adoptive parent may provide other information to the receiving agency that the parent considers to be relevant. The agency shall not require any additional documentation for the homestudy beyond the requirements of Chapter 5101:2-48 of the Administrative Code. If the approved adoptive family has signed a release of information the agency shall make the homestudy available to any other agency requesting a copy of the homestudy for sharing or transferring. An agency or probate court shall not release or accept a homestudy for sharing or transferring purposes if it has been determined that the application, homestudy or a supporting document contains a false statement knowingly made by the adoptive parent. The agency shall follow the procedures outlined in rule 5101:2-33-13 of the Administrative Code when the determination has been made that a document was falsified. The agency may charge a reasonable fee for the release of the homestudy and related materials.

The agency shall forward a copy of the homestudy and all related materials within fifteen working days of the receipt of the signed release of information and any applicable fee. If the request is to transfer the homestudy, then the most recent report of the alleged perpetrator search of child abuse and neglect information from the statewide automated child welfare information system (SACWIS) shall also be forwarded to the receiving agency with the homestudy and related materials.

If the agency or probate court in receipt of the homestudy determines that the homestudy or a supporting document contains a knowingly false statement, the agency or probate court in receipt of the homestudy shall not consider the homestudy in any matching conference or for consideration of a transfer and shall notify the sending agency in writing of the false statement within three days of the determination of the false statement. If an incomplete homestudy is received from an agency, or supporting documentation is missing from the record, the receiving agency shall notify the sending agency in writing within ten days from the date of receipt of the incomplete homestudy.

Upon receipt of the record, the receiving agency shall assign an assessor to review the information received and conduct an assessment of the transfer request. In addition to reviewing the recommending agency's records and any information provided by the adoptive parent(s), the assessor shall:

- a. Contact staff from the current recommending agency and the adoptive parent(s) to determine the reasons why the request to transfer is being made at this time.

- b. Make at least one visit to the home and conduct a face-to-face meeting with each adoptive parent and all other household members.
- c. Receive three new personal references for the adoptive parent(s) from persons who are unrelated to the adoptive parent and do not live with the family.
- d. Receive new references from all adult children of the adoptive parent(s). If the adult children are unable or unwilling to provide a reference this shall be assessed during the transfer process and documented in the provider record.
- e. Conduct a new criminal records check for all persons subject to a criminal records check residing in the home. Results shall be obtained, reviewed and approved prior to accepting the transfer request.
- f. Complete a new safety audit of the adoptive home on the JFS 01348 "Safety Audit" (rev. 12/2014) to ensure the home meets all current safety requirements.

If a transfer request is pending within ninety days immediately prior to the expiration date of the two year approval span, the current agency and the receiving agency may determine through mutual agreement which agency will conduct the update of the adoption homestudy. The assessor shall complete the transfer assessment within sixty days of the date the complete record was received from the current agency.

Upon completion of the assessment, the assessor shall make a final decision regarding the transfer and document that decision in the receiving agency's record. Written notice of the decision shall be given to the adoptive parent and the recommending agency within five working days of the date the decision was made. The approval or rejection of a transfer request rests solely with the receiving agency. Nothing in this rule shall be construed to require an agency to accept the transfer of an adoption homestudy from another agency. If the decision is to deny the transfer request, all information contained in the copy of the record from the current recommending agency as well as any information gathered during the transfer assessment, including the written notice to deny the request, shall be maintained by the agency for at least two years. If the decision is to approve the transfer request, the JFS 01334 shall be completed and signed by both the sending and receiving agencies, and all information gathered during the assessment process shall be incorporated into the receiving agency's adoptive provider record.

Homestudies received from other agencies shall be regularly considered for potential adoption matches pursuant to rule 5101:2-48-16 of the Administrative Code, and shall be maintained according to the agency's policy.

- 28. NOAS will make the homestudies of any of its approved adoptive families, who have signed the authorization for release of information form, available to any other PCSA, PCPA or PNA which requests a copy of the homestudy within 15 days after the request to the designated agency. NOAS does not charge a fee to the receiving agency for the release of the homestudy and related documents. However, NOAS will not release a homestudy to any other agency or probate court when it has been determined that an application, homestudy or any document provided during the homestudy process contains a false statement knowingly made by the applicant(s) that is included in the written report of the homestudy. If the agency receiving the homestudy determines that the homestudy contains a knowingly false statement, that agency shall not consider the homestudy in the matching process and shall notify NOAS in writing of the false statement within three days of the determination of the false statement.
- 29. If a PCSA, PCPA or PNA expresses an interest in making a placement with a NOAS approved adoptive family, the PCSA, PCPA or PNA must be willing to enter into a fee-for-service contract with NOAS.

30. NOAS allows the adoptive applicant the ability to review their homestudy, but prohibits the actual release of the homestudy to the adoptive applicant.
31. NOAS will not consider a homestudy that has been sent to NOAS by a prospective adoptive parent. Only homestudies completed by NOAS or forwarded to NOAS by another agency will be considered. Approved homestudies received from another PCSA, PCPA or PNA will be maintained in the same manner as NOAS approved homestudies. Homestudies from other agencies shall be regularly considered for potential adoption matches until the family is no longer available for adoption, a child has been matched with the family or the homestudy has expired. NOAS will integrate all homestudy materials and related documents received from other agencies into the NOAS files of approved homestudies.
32. NOAS will inform the adoptive parent(s) of the process and timelines involved in requesting, from the Ohio Department of Health, certain information from the adoptive child's adoptive file which may include identifying information about the birth parents and requesting from the Ohio Department of Health assistance for the birth family or birth siblings to find the adopted person's name by adoption, if desired by the adopted person, according to Rule 5101: 2-48-20 (B). It should be noted that none of this information can be made available if the birth parent(s) have signed a denial for the release of this information.
33. The use of recreational marijuana remains illegal in the state of Ohio. In terms of medical marijuana, although legalized by the state of Ohio, under federal law, as a Schedule I Narcotic in the Controlled Substances Act, marijuana remains illegal as a substance. NOAS is responsible for the safety and well-being of all children placed in the care of the home this agency approves for foster care and adoption. Despite the growing acceptance and promotion of both recreational and medical marijuana, the agency will choose to err on the side of caution, and restricts the use of recreational and/or medical marijuana for any applicants, licensed foster/adoptive parents or household members.
34. The agency reserves the right to modify these policies in specific situations in order to meet the placement needs of children on referral to the agency.
35. NOAS uses the most current version of all ODJFS forms that are mentioned in this policy.

JH/cb/4/25/79

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Revised: 7/18/19; Approved: Board of Trustees Meetings, 7/18/19

APPENDIX TO "STATEMENT OF PHILOSOPHY AND ADOPTION POLICY"  
Offenses Prohibited by Rule 5101:2-48-10 of the Ohio Administrative Code

Offenses to Animals

1. R.C. 959.13 – Cruelty to Animals

Homicide

2. R.C. 2903.01 – Aggravated murder
3. R.C. 2903.02 – Murder
4. R.C. 2903.03 – Voluntary manslaughter
5. R.C. 2903.04 – Involuntary manslaughter

Assault

6. R.C. 2903.11 – Felonious assault
7. R.C. 2903.12 – Aggravated assault
8. R.C. 2903.15 – Permitting child abuse
9. R.C. 2903.13 – Assault
10. R.C. 2903.16 – Failing to provide for a functionally impaired person

Menacing

11. R.C. 2903.21 – Aggravated menacing
12. R.C. 2903.211 – Menacing by stalking
13. R.C. 2903.22 – Menacing

Patient Abuse and Neglect

14. R.C. 2903.34 – Patient abuse; Neglect

Kidnapping and Related Offenses

15. R.C. 2905.01 – Kidnapping
16. R.C. 2905.02 – Abduction
17. R.C. 2905.04 – Child stealing (as this law existed prior to July 1, 1996)
18. R.C. 2905.05 – Criminal child enticement

Sex Offenses

19. R.C. 2907.02 – Rape
20. R.C. 2907.03 – Sexual battery
21. R.C. 2907.04 – Unlawful sexual conduct with a minor
22. R.C. 2907.05 – Gross sexual imposition
23. R.C. 2907.06 – Sexual imposition
24. R.C. 2907.07 – Importuning
25. R.C. 2907.08 – Voyeurism
26. R.C. 2907.09 – Public indecency
27. R.C. 2907.12 – Felonious sexual penetration (as this former section of law existed)
28. R.C. 2907.21 – Compelling prostitution
29. R.C. 2907.22 – Promoting prostitution
30. R.C. 2907.23 – Enticement or solicitation to patronize a prostitute; procurement of a prostitute for another
31. R.C. 2907.25 – Prostitution; after a positive HIV test
32. R.C. 2907.31 – Disseminating matter harmful to juveniles
33. R.C. 2907.32 – Pandering obscenity
34. R.C. 2907.321 – Pandering obscenity involving a minor
35. R.C. 2907.322 – Pandering sexually oriented matter involving a minor
36. R.C. 2907.323 – Illegal use of a minor in nudity-oriented material or performance



Arson

- 37. R.C. 2909.02 – Aggravated arson
- 38. R.C. 2909.03 – Arson
- 39. R.C. 2909.22 – Soliciting or providing support for act of terrorism
- 40. R.C. 2909.23 – Making terroristic threat
- 41. R.C. 2909.24 – Terrorism

Robbery and Burglary

- 42. R.C. 2911.01 – Aggravated robbery
- 43. R.C. 2911.02 – Robbery
- 44. R.C. 2911.11 – Aggravated burglary
- 45. R.C. 2911.12 – Burglary

Theft and Fraud

- 46. R.C. 2913.49 – Identity Fraud

Offenses against the Public Peace

- 47. R.C. 2917.01 – Inciting to violence
- 48. R.C. 2917.02 – Aggravated riot

Offenses against the Family

- 49. R.C. 2919.12 - Unlawful abortion
- 50. R.C. 2919.22 – Endangering children
- 51. R.C. 2919.23 – Interference with custody (that would have been a violation of R.C. 2905.04 as it existed prior  
to July 1, 1996 if the violation had been committed prior to that date)
- 52. R.C. 2919.24 – Contributing to unruliness of delinquency of a child
- 53. R.C. 2919.25 – Domestic violence

Weapons Control

- 54. R.C. 2923.12 – Carrying a concealed weapon
- 55. R.C. 2923.13 – Having a weapon while under disability
- 56. R.C. 2923.161 – Improperly discharging a firearm at or into a habitation, in a school safety zone or with intent  
to cause harm or panic to persons in a school building or at a school function

Drug Offenses

- 57. R.C. 2925.02 – Corrupting another with drugs
- 58. R.C. 2925.03 – Trafficking in drugs
- 59. R.C. 2925.04 – Illegal manufacture of drugs or cultivation of marijuana
- 60. R.C. 2925.05 – Funding of drug or marijuana trafficking
- 61. R.C. 2925.06 – Illegal administration or distribution of anabolic steroids
- 62. R.C. 2925.11 – Possession of drugs or marijuana that is not a minor drug possession offense

Other

- 63. R.C. 2927.12 – Ethnic Intimidation
- 64. R.C. 3716.11 – Placing harmful objects in food or confection
- 65. R.C. 4511.19 – Operating vehicle under the influence of alcohol or drugs – OVI or OVUAC