



# Adoption Procedures

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## **ADOPTION PROCEDURES**

Adoption services at CCDCFS are designed to direct various aspects of the adoption process. An important goal of the program is to prepare and ready the child to accept a new family and facilitate the child's move into a new home. The Adoption Department recruits, screens, develop and prepare a pool of adoptive homes for children who have been permanently separated from their families. In addition, the adoption staff must identify and select families who can meet the best interests and special needs of an individual child.

### **Children in Need of Adoptive Families:**

The Cuyahoga County Division of Children and Family Services are responsible for the adoption of "waiting" children who are in the permanent custody of the agency. Children waiting for adoption are likely to have a special need or circumstance. A child with "special needs or circumstances" is a child who, prior to adoptive placement, has at least one of the following characteristics which may be a barrier to adoption or a barrier to the child being sustained in an adoptive home without financial assistance because the child:

- Is in a sibling group that should be placed together;
- Is a member of a minority or ethnic group;
- Is six years of age or older;
- Has remained in the permanent custody of a Public Children's Service Agency (PCSA) or a Private Child Placing Agency (PCPA) for more than one year;
- A qualified professional, assessing conditions within their area of expertise, has diagnosed the child to have one of the following conditions:
  - A developmental disability, as defined in rule 5101:2-1-01 of the Administrative Code; or
  - A developmental delay, as defined in rule 5123:2-1-02 of the Administrative Code; or
  - Mental illness, as defined in rule 5101:2-1-01 of the Administrative Code; or
  - Mental retardation, as defined in rule 5101:2-1-01 of the Administrative Code.
  - Medical condition
- A member of the child's biological family has a social or medical history that establishes a substantial risk, as defined in paragraph (B) of this rule, of acquiring any one of the following conditions, as determined by a qualified professional assessing conditions within their area of expertise, which makes it difficult to place the child for adoption without the provision of AA:

- A developmental disability, as defined in rule 5101:2-1-01 of the Administrative Code; or
  - A developmental delay, as defined in rule 5123:2-1-02 of the Administrative Code; or
  - Mental illness, as defined in rule 5101:2-1-01 of the Administrative Code; or
  - Mental retardation, as defined in rule 5101:2-1-01 of the Administrative Code.
  - Medical condition
- 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 these foster parents as determined and documented by a qualified mental health professional;
  - Has experienced previous three or more adoption disruption or multiple placements

\*(From Ohio Administrative Code 5101:2-42-02)

**More specifically, in Cuyahoga County, "waiting children" are African American children of all ages, especially sibling groups, and Caucasian children over the age of eight and in sibling groups.**

**Geographic Region to be Served by CCDCFS**

- Adoptive assessments and pre-service training are available for all Cuyahoga County residents who desire to adopt a child with "special needs or circumstances." The child may or may not reside in Cuyahoga County.
- CCDCFS provides courtesy supervision for any Cuyahoga County adoptive family whose adopted child was placed through another county or state agency as a special needs placement and the child has special needs or circumstances.
- Adoptive assessments and 36 hours of pre-service training classes are provided to non-Cuyahoga County residents who live in a county which is contiguous to Cuyahoga County. The prospective applicant must wish to adopt a child with special needs or circumstances, who is in the custody of Cuyahoga County when the adoptive applicant's home county is unable to initiate an adoptive assessment within a reasonable amount of time.

- CCDCFS conducts courtesy adoptive home studies for out of county CSB/DHS staff wishing to adopt a child with special needs or circumstances.
- An adoptive family approved by any Ohio agency or out of state agency may adopt children in the custody of CCDCFS.
- CCDCFS will not release copies of homestudy documents to the applicant. The agency will, however, duplicate and release documents, except references, within 15 days to state certified public/private adoption agencies in Ohio and other states when a **child with special needs/circumstances** has been identified for adoptive placement by the applicant through that agency. There is no cost to the applicant. All requests for release of adoptive homestudies for children not meeting the agency eligibility requirements for a child with “special needs or circumstances” will be honored. **If the applicant desires that their approved homestudy be transferred to another agency for the purposes of adoption of any child who is not a "waiting child", fees will be assessed to the family for the preparation/reproduction of the assessment packet.**

### **Eligibility Requirements:**

**Child Desired:** Most of our child waiting for adoption have special needs or circumstances and are eligible for adoption. If there is no history of child abuse, neglect or dependency, and an applicant wishes to adopt, they will be referred to another agency for adoption services.

**Relatives wishing to adopt:** CCDCFS conducts homestudies for relatives who indicate a desire to adopt a related child. Relatives must meet the same eligibility requirements and follow the process as outlined in this policy.

**Age:** All adoptive applicants must be at least 18 years of age. If the applicant specifies that they wish to be studied for both foster care and adoption, the applicant must be 21 years of age.

Probate Court will be notified by the involved parties to respond to a request to verify when an adult who consents to be adopted was in the agency’s custody on the date of their 18<sup>th</sup> birthday.

**Marital Status:** Applicants can be married or single. Married applicants must be married for at least one year. Individuals who are cohabitating are not considered married. Applicants who are divorced or legally separated must be so for at least one year.

**Finances:** There is no minimum income required to adopt. However, adoptive applicants must demonstrate their ability to meet the basic needs of the present

family system (excluding foster children) such as housing, food, clothing, medical, transportation, etc. Total family income must be from the applicant's own source of income and cannot include foster care payments, adoption subsidies, TANF, SSI or any-limiting funding. Documentation of the applicant's current income is required.

Adoption subsidies may be available to assist with the expenses of the adopted child. **CCDCFS charges no fees for adoption services for applicants adopting children with special needs or circumstances.**

**Housing:** Adoptive applicants must reside in safe and sanitary housing with ample space to accommodate an adopted child. Housing must pass a safety and fire inspection. The adopted child must have his/her own bed but may share a room with another child of the same sex, if appropriate. No family member can be displaced to make room for an adopted child.

**Race, Color, National Origin: See Appendix B (attachment) \***

**Criminal Record:** All prospective adoptive parents and all adults living in the prospective adoptive home are required to be fingerprinted. Fingerprints are taken during the Pre-service Training by the Recruitment Staff and are sent to the Bureau of Criminal Investigation and Identification (BCII) for processing. A second set of fingerprints may be taken and submitted to the Federal Bureau of Investigation (FBI) in some situations such as if the applicant has not been a resident of Ohio during the past five years. Applicants must document their residency for the past five years. There is no cost to the applicant for fingerprinting. If the applicant is found to have a criminal record, a review of the record is made by the Adoptive Assessor to determine if the offense is or is not permissible for adoptive applicants under the Ohio Administration Code 5101:2-48-10, Ohio Revised Code 2901.01-2925.02 and 3716.11. (Note: Criminal records checks conducted by BCII are not public records.)

In addition, all members of the adoptive applicant's household, ages 12-18 requires a criminal records check. The youth's criminal history may or may not prohibit the adoptive applicant's approval for adoption.

***Failure to disclose any criminal background of any household member will result in discontinuation of adoption services.***

**History with CCDCFS:** If an adoptive applicant has been involved with CCDCFS in the past due to allegations of abuse, neglect or dependency, additional assessment or documentation may be needed. Results of the assessment may make the family ineligible to foster or adopt.

**Additional Assessments:** CCDCFS reserves the right to request/require additional assessments which can include psychological/psychiatric evaluations, additional medical screening, substance abuse assessment, review of past

records, etc. Refusal to comply with any request can result in discontinuation of adoption services.

The **Adoption Process** consists of the following components: inquiry, pre-service training, application, assessment (more commonly known as “Homestudy”), identification/selection, pre-placement visitation, pre-finalization/services (see page 19), finalization and post-finalization.

**(See Recruitment Policy Appendix C 6.02.01)**

## **INQUIRY PROCESS**

Individuals interested in adopting may contact the agency by phone, in person or in writing. The Recruitment Department provides timely and equal services to all inquirers.\*

The Recruitment Department (216-881-5775) is responsible for intake and will, within one working day:

- Mail or provide information packet to the inquirer which includes:
  - Information about the types of children available for adoption at CCDCFS;
  - How to access waiting children on Adopt US Kids photo web page. A National Photo Listing Site.
  - The JFS 01675 Ohio Adoption Guide;
  - Information about the eligibility requirements including the criminal records check requirement, how to obtain an application and a summary of the assessment process;
  - Information about Title IV-E Adoption Assistance and summary of agency policies;
  - Schedule of pre-service training and other promotional information.
- If requested, an application will be provided by the Recruitment Department within 7 days.
- If appropriate, the Recruitment Department invites prospective applicants to attend the next pre-service training class. If time permits, a reminder card is sent to the inquirer prior to the first class. Additional reminder cards are sent in the event that the inquirer does not attend the first class.
- If the inquirer resides out of state and has an approved homestudy, CCDCFS sends the inquirer a copy of the JFS 01675. In addition, if the inquirer is interested in a specific child, they are given the child’s social worker’s phone number.
- If the inquirer resides out of state and does not have an approved homestudy, CCDCFS sends the inquirer a copy of JFS 01675. In addition,

if the inquirer is informed that s/he will need a completed and approved homestudy for their state of residence in order to be considered for a waiting child.

- If the inquirer is a resident of Ohio and does not qualify for homestudy services at CCDCFS, the Recruitment Department sends the inquirer a JFS 01675 and the handout, "Who waits for a Family" which provides the inquirer a list of other agencies who can provide adoption services. The Recruitment Department can refer the inquirer to another agency in the inquirer's home county or geographic region.
- The Recruitment Department maintains a tracking card file on each inquirer which indicates the follow-up services provided to each inquirer.
- Recruitment activities and materials are in compliance with (see 2-48-05(F) for language.)

### **PRE-SERVICE TRAINING**

Attendance at Pre-Service Training is mandatory by State law for all foster and adoptive applicants and includes both members of a couple. The training is 36 hours in length and is offered weekdays or week nights for eight weeks or on two Friday evenings and three consecutive Saturdays. During training, additional informational materials are distributed to prospective parents. These materials include: agency mission statement, application, pre-service training schedules and make up information, pre-service training handbook, summary of the agency adoption policy and information about the types of children available for adoption. During the first session, participants are given an overview of the foster care/adoption policies program assessment and placement process. Staff is available to answer questions and concerns.

Adoption, foster care and relative applicants are trained jointly on the following topics: abuse/neglect, importance of birth parents, impact of separation, promoting attachment, normal child development, the impact of abuse and neglect, parenting children who have been sexually abused, communicable diseases, discipline and behavioral challenges, health/safety issues, foster/adoptive care giving, 3 hours of cultural issues including cross cultural parenting and diversity issues and adoption related issues. The trainers use a combination of lectures, guided group discussion, panel discussions, audio-visual materials, experiential and small group activities to assist the learning process.

If an applicant needs assistance during training due to language or communication difficulties, the agency arranges interpretation services at no cost to the applicant. Person's needing interpretation services should contact the Recruitment Department (216) 881-5775 to make arrangements prior to training.

Applicants who wish to be jointly approved for adoption and certified for foster care must also attend a six hour class entitled, "Foster Care 101". This class provides an in depth review of the foster care rules and agency policies.

Upon completion of the pre-service training, prospective foster and adoptive parents are awarded a "Certificate of Completion" which documents his/her attendance. If needed, applicants are given information regarding "make ups" for missed sessions. **The Pre-Service Training requirement will not be considered complete until all sessions have been attended by the applicant or by both applicants of a couple.** There is no admittance into class after the start time scheduled for that class. Pre-Service training is valid for 12 months from the time the prospective applicants begin their first session of training in order to submit their application for foster care/adoption. Prospective applicants will be mandated to take Pre-service training again in order to submit an application for foster care/adoption if their Pre-service training is expired. Prospective applicants are allowed to begin a round of Pre-service training up until session #3. After session #3, a prospective applicant will be instructed to wait until the next round of Pre-service training begins through DCFS. For applicants transferring from other agencies, CCDCFS considers training completed on a case to case basis. Applicants may be required to repeat training or complete additional sessions.

Recruitment and pre-service Orientation training materials/packets explain information regarding but not limited to requirements to become a foster/adoptive parents, agency and community resources and support, waiting children's characteristics, the Ohio Administrative Code rules for licensing and or approving foster/adoptive homes and the paperwork for submission to begin the home study process for foster care and or adoption. Information includes statements regarding falsification on the application and during the home study process and for those families planning to adopt and currently have five or more children residing in the home, a large family assessment are performed on that family.

## APPLICATION PROCESS

Prospective adoptive parents receive applications at the pre-service training. [However, a request for an application may be made at any time to the Recruitment Department]. The application is reviewed in class and must be completed as follows prior to submission:

- Each section must be filled in completely and accurately.
- The application must include five references. For a 2 parent family application, there must be 2 relative references - 1 for each applicant in a couple and 3 non – family references. All addresses and phone numbers must be complete: One reference per address, please.
- The applicant must note if the adoption is "child specific" (a specific child has been identified) or general on the application.



- The adoption applications with false statements knowingly submitted by the adoptive applicant who are seeking to adopt minors will not be used to begin the adoption home study. If the assessor determines that an application has been falsified we are to follow the procedures in rule 5101:2-33-13 where such cases are referred to the county prosecutor for adoption applications only.

NOTE: For foster care applications where applicants have been determined to have inaccurate information or is incomplete, continue to follow current rule in 5101:2-5-28.

**(See Policy 6.03.05 Falsification of Adoptive Application/Home Study)**

During the pre-service training, the applicant has the opportunity to submit the application, have it reviewed by a staff member and ask specific questions during a “mini” interview. At this time, the applicant is fingerprinted and the application notarized. If the applicant needs assistance completing the application, s/he must request help from the trainers or staff present at the training. Applicants may also call the Recruitment Department (216-881-5775) for help.

**If the applicant desires to adopt a child with no history of child abuse, neglect, or dependency, the application is returned to applicant with a referral to another adoption agency which can provide desired services and placement.**

If an applicant needs assistance in completing the application or gathering information, arrangements can be made with the Recruitment Department to provide help before pre-service training or at another time convenient to the applicant.

The application is then processed by the Recruitment Department. This includes preparing the application file for transfer to the Adoptions Department, sending out of the references letters and a review of the agency’s records.

Applicants are notified by letter within 4-6 weeks of submission of their application whether the agency can continue with the homestudy process. Correspondence from the agency is as follows:

- The Homestudy Department sends a postcard indicating that the application was received and accepted.
- The Homestudy Department sends a postcard that the application has been assigned to a supervisory unit for assessment.

- Within 10 days, the notification letter from the homestudy unit is sent stating that the application has been accepted and services will be continued. It contains the following information:
  - Name of the assigned Adoption Assessor.
  - A statement that a face to face interview will be scheduled within 10 business days.
  - A statement that the applicant will need to complete a financial disclosures form at a later date.
  - Notification of required medical exams for each household member before the completion of the homestudy.

If the notification letter states that the agency **must deny or discontinue** homestudy services, it will contain the reason for denial and a description of the agency's review procedures.

(See Agency Review Procedures on Page 10) Some examples of reasons for denial are:

When it is determined that an adoption home study has been falsified, the agency follows the procedure in 5101:2-33-13. If an adoptive child is placed in an approved adoptive parents home and that parent(s) or other household members knowingly makes a false statement home and that results in the assessor reassessment of an approved or updated, the adoptive parent(s) or other household members is guilty of the offense of falsification. The assessor reports such incidents of falsification according the procedures in 5101:2-33-13.

(See Policy 6.03.05 Falsification of Adoptive Application/Home Study when an adoptive child is placed)

- The applicant, or any adult member or member aged 12-18 of the applicant's household, has been convicted of a criminal offense not permitted under the Ohio Administrative Code 5101:2-48-06.
- A member of the applicant's household aged 12-18, has been convicted of a criminal offense that if the youth had been an adult, the offense would not permitted under the Ohio Administrative Code 5101:2-48-06.
- The applicant does not meet eligibility requirements as outlined in the Adoption Policy. (See Eligibility Requirements on page 2).

- The applicant does not desire to be studied for or to adopt a child with special needs or circumstances as described on page one of the Adoption Policy.
- The applicant's current or past issues which interfere with his/her ability to be an adoptive parent such as domestic violence, substance abuse, mental illness, etc.

Following the initial interview and a review of the applicant's initial documentation, the applicant is notified of the agency's decision to begin or deny homestudy services. Homestudy services will be denied or discontinued if:

- The requested documentation is not received despite numerous requests.
- The applicant refuses to be interviewed.
- The applicant refuses to complete a financial disclosures form.
- The applicant refuses to cooperate with a physical, psychological or substance abuse evaluation or refuses to provide any needed documentation.
- Information is made available that determines the applicant to be ineligible.
- The applicant or any adult member of the household refuses to be fingerprinted or complete a criminal records check.
- The applicant has falsified information on the application, or any documentation or made inaccurate statements to the Adoption Assessor.
- The applicant refuses to allow a safety or fire inspection of the home.

### **Joint Foster Care and Adoption Application Process**

Some adoptive applicants may desire to make a simultaneous application to foster and adopt children. All applicants have a right to pursue a joint application and homestudy assessment process. CCDCFS is able to provide joint homestudy services. Prospective parents desiring joint approval/certification must meet the eligibility and assessment requirements of both programs. Joint program applicants must be at least 21 years of age.

### **ADOPTION ASSESSMENT PROCESS**

The adoption assessment or "homestudy" consists of several face to face interviews between the Adoption Assessor and the applicant and their family. The interviews are an important component of the homestudy process. These meetings provide an opportunity for the prospective adoptive family and the Adoption Assessor to become acquainted. The Assessor's role is to become

familiar with the prospective family's personalities, lifestyle, strengths and limitations. Likewise, the prospective adoptive family is able to gain more insight about the adoptive process and begin to build a relationship with the agency.

The interview process may feel very intrusive for some individuals. Discussions with the Adoption Assessor may include such topics as childhood experiences, relationship issues, thoughts about adoption and birth parents, beliefs about parenting and discipline and feelings about sexuality. The interviews are designed to assist the applicants in assessing their ability to provide lifelong care to a child with special needs or circumstances.

There are several face to face interviews with at least one taking place in the applicant(s) home. The Assessor will also conduct individual interviews with all family members including the children as well as a meeting with the entire family. Applicants are encouraged to be flexible with the schedules to accommodate the interviews.

In addition, the Adoption Assessor must review all required documentation, discuss arrangements for a fire inspection and conduct a safety inspection of the home. This is to ensure that the child will be placed in a safe, sanitary environment capable of meeting the child's needs.

A "safe home" will:

- be maintained in a clean, safe and reasonable state of repair.
- be adequately heated, lighted and ventilated.
- have access to a telephone for emergency situations.
- have an indoor working bathroom and toilet facility connected to an indoor plumbing system.
- be free of potentially hazardous materials, weapons and equipment in and around the home. Dangerous items will be secured in a safe place and inaccessible to children.
- ensure that any ammunition, arrows or projectiles for weapons are stored in a locked area separate from the disarmed weapon.
- have working "UL approved" smoke detectors on each level of occupancy
- have only "UL approved" un-vented kerosene heaters (if applicable).
- have an approved fire extinguisher

The Adoption Assessor reviews all documentation as well as information gathered during the interviews and conduct an assessment with the applicant regarding his/her ability to successfully parent an adopted child. This is discussed with the applicant(s) and together, the applicant(s) and the Adoption Assessor must reach a mutual determination regarding the nature of the adoptive placement for the family.

The Adoption Assessor prepares a written document which compiles and summarizes the information gathered during the homestudy process to present to

the agency for approval or denial for adoption. The homestudy process is completed within 180 days of the date the completed application was submitted which initiated a homestudy for any applicant seeking a special needs child.

The applicant(s) is notified by letter of the approval or denial for adoptive placement.

**The notification of approval for adoption placement includes:**

- Date of approval
- A description of the type of child(ren) the applicant desires to adopt
- Information about the adoptive homestudy update process, if applicable

**The notification of denial for adoptive placement includes:**

- An explanation of the reason for denial
- A description of procedures for agency review\*\* (\*\*See Agency Review Procedures, in the next section).

**Transfer of Adoption Applicants from other agencies:** Adoptive applicants may transfer their homestudy to CCDCFS. However, CCDCFS will not consider any homestudy received directly from the applicant. Approved homestudies must be sent by the agency completing the assessment. Prospective adoptive parents desiring to transfer to CCDCFS may be declined if the family does not meet agency requirements for adoptive services or may be required to complete additional requirements to be considered as a CCDCFS approved adoptive family.

- Notification is sent to the public children services agency in the county in which the prospective adoptive resides within ten days after the initiation of a home study according to section 3107.013 of the Revised Code.
- Notification is sent to the public children services agency in the county in which the prospective parent resides of an impending adoptive placement no later than ten days prior to the placement of the child in the adoptive home.

**Agency Review Procedures**

**NOTE: Review procedures differ for foster care and adoption**

Applicants are informed in writing when homestudy services have been denied or discontinued. If the applicant(s) disagree with this decision, s/he may discuss the decision more fully with the Adoption Assessor and/or supervisor. If the applicant(s) is not in agreement with the outcome of the meeting s/he may request an agency review by contacting the Chief Supervisor of the Homestudy Department. A face to face meeting between the applicant(s), Adoption Assessor supervisor and Chief Supervisor shall take place within 30 days of receipt of request of the applicant. The decision resulting from the review is sent in writing to

all parties within 15 days of the review and all documentation of the review is maintained in the applicant's agency record. (Additional information regarding the Agency Review Procedures is contained in the notification letter.) (For complaints, alleged discrimination in the Foster Care or Adoption Process see Appendix B.)

The homestudy is completed within 180 days from the date the application is submitted. If the homestudy is not completed within 180 days, the agency may terminate homestudy services. The agency must document in the applicant(s) record the reason the agency was unable to complete the homestudy within 180 days. The applicant(s) are notified in writing within 30 days prior to the termination. A new application for adoption is required if the applicant(s) requests that homestudy services be continued. The applicant may be required to repeat the Pre-service training or meet other requirements due to policy changes or revisions which occurred during the 12 months period.

### **Review of Homestudy Documents by Applicant**

Occasionally, prospective adoptive applicants request to review homestudy documents. This is permissible; however, documents may only be reviewed at the agency and may not be photocopied or removed from the building. Applicants may get copies of a redacted version of the homestudy upon written request. Applicants get a copy of **only** the homestudy with the references, fingerprints etc removed. It is for their use only and cannot be submitted to any agency for consideration of match with a child.

**NOTE: References and medical exam reports are confidential and may not be reviewed by the applicant.**

### **Release of Homestudy Documents to Other Agencies**

CCDCFS will not release copies of homestudy documents to the applicant. The agency will, however, duplicate and release documents, except references, within 15 days to state certified public/private adoption agencies in Ohio and other states when a **child with special needs/circumstances** has been identified for adoptive placement by the applicant through that agency. There is no cost to the applicant. All requests for release of adoptive homestudies for children not meeting the agency eligibility requirements for a child with "special needs or circumstances" will be honored. **If the applicant desires that their approved homestudy be transferred to another agency for the purposes of adoption of any child who is not a "waiting child", fees are assessed to the family for the preparation/reproduction of the assessment packet.**

### **Updating the Adoptive Homestudy**

The homestudy of an approved adoptive family is valid for six years from the date of initial approval. No adoptive homestudy is valid after a 6 (six) year period, but must be updated every two years (OAC 5101:2-48-12). An approved adoptive homestudy must be updated every 2 years for dually approved homes (approved

for both foster care and adoption), the adoption update can be done in conjunction with the recertification. An **update** includes an interview(s) to review any changes which may have occurred since the original approval. Essentially, an approved adoptive homestudy can only be updated twice before it expires. Once an approved adoptive homestudy expires, the family must submit a new ODJFS 01691 "Application for Child Placement" and a new ODJFS 01673, "Assessment for Child Placement" must be completed". Simply stated, a new homestudy has to be completed. If a significant time has passed since approval, the prospective parent(s) may be required to complete another criminal records check, update application information or provide current documentation. Approved letters must include updated information regarding the type of child(ren) the family desires to adopt. Prospective parents will also be notified by letter if the family has been suspended or terminated. This letter cites the reasons for suspension or termination and outline procedures for an Agency Review.

### **Ohio Adoption Photo listing for Prospective Adoptive Parents**

When approved, families are free to engage in any other agency activities for searches for children if unable to be selected for a child within the first 2-3 months of approval. CCDCFS also contracts with The Adoption Network for Navigator services to help families identify children for adoption.

NOTE: CCDCFS Adoption Coordinators maintains records of approved homestudies received from any other agencies in the same manner as our own agency approved homestudies.

### **Foster to Adopt Notification of the Adoption Process**

The foster parents and their licensing agency are notified when permanent custody is being sought. At that time, foster parents are given the opportunity to express their interest in being considered as a candidate to adopt the child. Foster parents must notify the agency in writing regarding their decision. In addition, the time the child has spent with the foster parent will count towards the required service period to finalization.

## **OPENNESS IN ADOPTION**

\*The mission of the Adoptions Division of Cuyahoga County Department of Children and Family Services is to secure permanent homes for children who are in the permanent custody of the agency. The children available for adoption commonly have emotional ties to biological family members such as parents, sibling, grandparents and other extended family members. At times, it is in the best interests of the child to arrange and facilitate some level of openness in the adoption. The decision is made on a case by case basis and may include the child's birth parents, siblings, extended family members or other important individuals in the child's life. In addition, the child may benefit from an ongoing relationship with the previous foster family. The adoptive family makes the ultimate decision as to whether there will be openness in the adoption as there is no law in the State of Ohio regarding Open Adoption.

## SELECTION OF A FAMILY FOR A CHILD

CCDCFS actively seeks to identify and select agency approved adoptive families who can meet the best interests and special needs of children who are in the permanent custody of the agency. Children being placed for adoption by CCDCFS must be placed only with prospective families who have an approved adoptive homestudy and shall comply with the rules of the Interstate Compact for the Placement of Children (ICPC) if placed outside the State of Ohio.

Applicants with a total of five or more children residing in the home, including foster children and children in kinship care, or if the family will have a total of five or more children who will reside in the home upon the adoptive placement of a child, must have the assessor complete the JFS 1530 "Multiple Children/Large Family Assessment".

The first step in the matching and selection process is the identification of the child's best interests and special needs. This is done by assessing the current and future needs of the child as outlined in the Child Study Inventory, the child's case plan, medical history, education summaries, psychological/therapy reports, case notes and other appropriate documentation. In addition, the child's desires are considered on an age appropriate basis.

\*Criteria for matching adoptive parents to available children, include, but are not limited to: length of time between placements, consideration of placing siblings together and preferences to placing with relatives and foster caregivers.

Prospective families for the child are then identified based on their ability to meet the child's best interests and special needs on a lifelong basis. There are individuals who may be considered as potential adoptive parents for the child:

- Adult relatives of the child, who have expressed an interest, are given priority consideration provided that the relative caregiver meets all ODHS child protection and adoption homestudy standards.
- Foster parents are also given priority consideration when relatives are unable to meet the child's best interests or special needs or are unavailable to adopt the child. The foster parents and their licensing agency are notified when permanent custody is being sought. At that time, foster parents are given the opportunity to express their interest in being considered as a candidate to adopt the child. Foster parents must notify the agency in writing regarding their decision. In addition, the time the child has spent with the foster parent will count towards the required service period prior to finalization.
- Adoptive families who have been approved by CCDCFS or another Ohio agency or out of state agency.



However, when the waiting child is of Native American heritage, priority for adoptive placement is given to the child's tribe or another Native American family. CCDCFS complies with all aspects of the Indian Child Welfare Act of 1978 (ICWA) regarding decision-making for and placement of Native-American Children.

### **Matching Conference Process:**

A **matching conference** (a structured decision making process to select the most appropriate family to be matched with the child) is scheduled to discuss and determine which of the identified adoptive families can best meet the child's best interests and special needs. The matching conference is conducted by a facilitator and those participating in the staffing are the child's social worker, child's Guardian ad Litem (GAL), each of the prospective families' Adoption Assessor, and supervisors. Other individuals such as teachers, therapists, foster parents, etc. may attend as needed. If an adoptive family approved by another agency is being considered, a representative of that agency must attend.

All families accepting of the child's characteristics must be considered by the agency to be presented in the matching conference.

Identifying and selecting a family to adopt is based on the best interests and special needs of the child. The agency maintains compliance with Adoption and Safe Families Act of 1997, and in compliance with Multiethnic Placement Act 1994. A statement of assurance that the agency shall maintain compliance with the Indian Child Welfare Act of 1978, 25 U.S.C.A. 1901, et seq. The Multiethnic Placement Act of 1994 as amended by Section 1808 of the Small Business Job Protection Act of 1996, 42 U.S.C. 622(b)(9), 671(a)(18), 674(d) and 1996(b)(hereinafter "MEPA") and Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq, as they apply to the adoption process (hereinafter "Title VI"), do not supercede the provisions of the Indian Child Welfare Act of 1978.

The agency has the availability of a state hearing when an adoptive family believes that an adoptive placement was denied or will be denied solely for the reasons of geographic location.

Prospective adoptive parents (approved by CCDCFS, any Ohio agency or out of state agency) may make inquiry regarding the adoption of any child in the permanent custody of CCDCFS, any Ohio agency or any out of state agency. Prospective adoptive families are encouraged to maintain contact with the agency by:

- participating in agency adoption fairs and recruitment activities
- attending ongoing training and/or cluster meetings
- calling or visiting with their Adoption Assessor
- checking Internet sites which feature waiting children such as AdoptUsKids.
- contacting the Recruitment Department
- reviewing the FEATURES book, which lists county specific children available for adoption

## FORMAL ADOPTION PRESENTATION

When an approved adoptive family has been selected for a child, the family is contacted and given information about the child. If the family indicates that they would consider adoptive placement of the child, the prospective parents are asked to attend a **formal presentation**. The formal presentation is a meeting attended by the child's social worker and supervisor, the prospective adoptive family and their Adoption Assessor and other individuals who may assist in presenting information about the child such as the child's foster parents, therapists, teachers and Guardian *Ad Litem*.

Prospective parents are encouraged to take notes and ask questions during the presentation. The following materials are reviewed and discussed. Copies of these materials are provided to the prospective parents:

- Child Study Inventory (CSI)
- ICCA (Individual Child Care Agreement)
- Medical history summary
- Placement summary
- Summary of psychological and therapy reports
- Summary of school reports
- Eligibility for adoption subsidies
- Adoption Disclosure Form

The adoptive family must be shown the child's Lifebook and pictures. It is not necessary for the prospective parents to make a final decision at the meeting. The family is encouraged to take time to discuss the child(ren) and the potential impact of adoption on the family. The family informs the agency within three days of their decision to proceed with the adoption. Should the prospective parent(s) feel that s/he is not appropriate candidate(s) to adopt the child; s/he may decline and be reconsidered for a different child in the future.

## PRE-PLACEMENT PROCESS

Once the prospective family has acknowledged their desire to adopt the child(ren), a pre-placement visitation plan is developed by the child's social worker and the Adoption Assessor with input from the foster and adoptive families.

A pre-placement plan may consist of the following components:

- Initial meeting of the child, usually at the foster home
- First visit, usually an activity on neutral territory such as the movies, ball game, park, skating rink, etc.
- Several day visits (number depends on the needs of the child)
- Overnight and weekend visits (number depends of the needs of the child)
- Placement of the child in the adoptive home

The adoptive parent(s)'s responsibilities during the pre-placement process include developing a positive relationship with the child's foster family, providing transportation to and from visits, reporting visitation progress to the child's social worker and the Adoption Assessor, participating in staffings and meetings regarding the child, learning about the child's need from the foster parent, social worker or training classes and other activities as deemed necessary to assist the child with making a smooth transition. Adoptive parents must begin to establish a day to day routine for the child.

There is no formal time frame for the duration of pre-placement visitation. Visitation is based solely on the best interests and needs of the child(ren).

On or before the day of adoptive placement, the adoptive parents receives any additional documentation, information, materials or items the birth parent requested be passed on and the child's Lifebook. Prior to placement, the adoptive parents signs the "Adoption Agreements" and is given Adoption Subsidy information.

## **ADOPTION SUBSIDIES**

**Adoption Subsidies** are financial and service assistance given to the adoptive family to assist with meeting the child's special needs. Subsidies are available for children with special needs or circumstances who meet the eligibility criteria. **There is a monthly workshop provided free of cost by the agency which reviews current adoption subsidy policy.** Informational packets are available at the workshop. Specific information regarding the child and family's program eligibility will be given by the child's social worker.

There are several types of programs for which the child and family may be eligible. The current programs available are:

- **Title IV-E Adoption Assistance** is a federally funded program. Most children placed for adoption by CCDCFS are eligible. If the child is found eligible, this program offers a monthly cash allowance and/or a Medicaid card for the child.
- **State Adoption Maintenance Subsidy** is a program funded by the State of Ohio. Recipients of this program may receive a monthly cash allowance and the child may be eligible to receive a Medicaid card. The child must be found ineligible for the federal program in order to be eligible for the State Program.
- **Special Services Subsidy** is a program funded by Cuyahoga County for children who are adopted from CCDCFS. Services such as therapy, emergency respite care, etc. may be paid through this program once the adoption is finalized. Eligibility for this program is on a case by case basis

and requires specific documentation of the child's special need and the need for the identified services. There are specific criteria that must be met to receive funding.

- **Non-recurring Adoption Expenses** is a subsidy program which covers the one time costs of the adoption process such as legal or court fees, homestudy physical or psychological exam costs or long distance travel for pre-placement visits. Documentation of expenses is required and the funds are not received until after the adoption is finalized. Families may receive reimbursement for up to \$1,000 for qualified expenses.
- **Post Adoption Special Services Subsidy (PASSS)** provides monies for services related to physical or mental health needs. The adoptive parents must make application in the county in which they reside once the adoption is finalized. The program is only offered to Ohio residents. The services must preserve the placement and strengthen the adoptive family unit. Application must be made prior to services rendered.
- **ALL SUBSIDIES ARE BASED UPON THE AVAILABILITY OF FEDERAL, STATE AND COUNTY FUNDS**

All adoptive families are given specific information regarding their child and family's eligibility when the child has been identified and accepted for placement by the adoptive family. All applications for subsidy must be made to the agency (or county) holding permanent custody of the child. In situations involving a PCPA the families are to apply for subsidy in the county in which they reside. **Adoptive parents are encouraged to attend a workshop presented by the adoption staff explaining subsidy programs, policies and procedures.**

### **PRE-FINALIZATION SERVICES**

Following the placement of the child in the adoptive home, the child's social worker and the family's Adoption Assessor will continue to provide case management services to the child and family and will regularly visit the home to provide support, encouragement and information during the adjustment period. The social worker and/or Assessor may provide referrals for counseling, diagnostic, therapeutic, medical and educational services. In addition, the social worker and Adoption Assessor are available for crisis intervention as needed.

Adoptive parents are expected to assume all responsibilities upon placement such as transportation to appointments, financial responsibility, guidance, nurturing, continuance of medical/psychological service provision and day to day care. Adoptive parents must also cooperate with the legal mandates of the agency such as court hearings, Administrative Case Reviews, subsidy requirements and staffings.

Each family is reviewed by the Adoption Assessor regarding their training needs relative to the needs of the child(ren). The number of suggested hours will vary according to the family's knowledge and experience as well as the child's special needs and circumstances. For example, new parents caring for an adopted child who has been diagnosed with Attention Deficit Hyperactivity Disorder are encouraged to complete a class on that subject. Training classes are available to all parents free of cost at Cuyahoga County Division of Children and Family Services. All training needs must be met prior to finalization.

When the child(ren) is in a home on adoptive placement status, no foster child(ren) are placed in the home prior to the finalization of the child on adoptive placement status. Approval may be attained for special circumstances.

### **POST FINALIZATION**

Finalization is a court hearing which grants the adoptive parent(s) full rights and responsibilities as the "legal" parent of the child(ren). Following finalization, the agency is no longer required to provide case management services to the child or family. After the court hearing, the child and family's cases are closed. However, the agency continues to be available to provide services such as crisis intervention, additional information, training/education or may make referrals to community agencies to provide services. Post finalization services are available at any time the adoptive parents or adoptee requests assistance. Adoptive families are encouraged to continue to attend ongoing training, monthly cluster meetings and adoptive parent support groups. There are no costs for any services provided directly by CCDCFS.

**The Adoptive Parent Support Group** meets monthly and is open to all adoptive families before, during and after adoptive placement. The support group hosts recreational events, training, speakers and serves to answer questions and concerns of adoptive parents and children.

Adoptive families who receive some form of adoption subsidy are required to complete an annual redetermination process. Failure to do so can result in termination of subsidy.

**Families can adopt more than once!!!** An adoptive family may reapply to adopt as soon as the current placement is finalized. Should a sibling of the current child become available, the family may apply to adopt that child prior to finalization. A family who has finalized the adoption of a child within the previous two years may simply update their approval by submitting a new application to the agency. The Adoption Assessor follows the guidelines for an "update". An interview(s) is conducted to assess the adjustment of previously adopted children and the family and the potential impact of a subsequent adoption on the family system. If significant time has passed since the original approval, the adoptive parent(s) may be required to complete another criminal records check, provide current documentation, complete additional training or meet other requirements due to policy changes or revisions which occurred since the original approval.

Subsequent adoption must follow the agency procedures for assessment, identification/selection, pre-placement, subsidy, post-placement and post-finalization services.

## APPENDIX A

Cuyahoga County Division of Children and Family Services:

### STANDARD CONDUCT

**CUYAHOGA COUNTY DIVISION OF CHILDREN & FAMILY SERVICES  
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 Cuyahoga County Division of Children and Family Services (CCDCFS) 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:

- Asking about the honoring any initial or subsequent choices made by prospective adoptive parents or foster caregivers regarding what race, color, or national origin of child the prospective adoptive or foster caregivers will accept.
- Honoring the decision of a child over twelve 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 race, color or national origin to prospective adoptive parents or foster caregivers who request such information and making known to all families that such information and resources are available.
- Considering the request of a birth parent(s) to place the child with a relative or non-relative identified by name.

- 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 the race, color or national origin need to be a factor in the placement decision and the MEPA review process has been completed. Even when the facts of a particular case allow consideration related to the race, color, or national origin, 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 adoptive parents or foster caregivers.
- Agencies are required to document verbal comments, verbatim, or describing in detail any other indication made by a prospective adoptive or foster caregiver or their 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 adoptive family or foster caregivers have expressed an interest in adopting or fostering. The documentation must indicate whether those comments were made before or after completion of the cultural diversity training which is required for all adoptive or foster caregiver applicants. Documentation must 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 shall consider the information to determine if it will impact the placement.

**Prohibited Actions:**

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

- Using the race, color or national origin of a prospective foster or adoptive parent to differentiate between adoptive placements.
- 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 is in the best interests of the child.
- Requiring a prospective adoptive family to prepare or accept a transracial adoption plan.
- Using "culture" or "ethnicity" as a proxy for race, color or national origin.
- 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.

- 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.
- Relying upon general or stereotypical assumptions about the needs of children of a particular race, color or national origin.
- 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.
- “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.
- 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:**

CCDCFS’ 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.

**MEPA Complaint Procedure:**

Any person who believes that CCDCFS, any other public or private Ohio adoption or foster care agency 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 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 CCDCFS or of any other Ohio adoption or foster care agency.
- an adoptive family who believes that a placement was denied or will be denied, solely for reasons of geographic location of the family has available the right to a state hearing.

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

- CCDCFS Community Relations Unit, 3955 Euclid Avenue, Cleveland Ohio 44115; (216) 432-CARE (2273), 1-800-321-0322, or,
- The Ohio Department of Jobs and Family Services, Bureau of Civil Rights, 150 E. Gay Street, 18<sup>th</sup> Floor, Columbus Ohio 43266-0423; (614) 644-2703 or 1-866-227-6353, or,
- **A complaint may also be made to:** Office of Civil Rights, U.S. Dept. of Health & Human Services, 200 Independence Avenue, SW, Room 506F, Washington, DC 20201; 1-800-363-1019 (Voice), 1-800-537-7697 (TDD)
- Any other public or private Ohio foster care or adoption agency.

If the complaint is filed with this agency’s Community Relations Unit or with any other public or private Ohio foster care or adoption agency, that individual or 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.

**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:

- CCDCFS Community Relations Unit  
(216) 432-CARE (2273)  
1-800-321-0322

**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 Ohio Administrative Code.

For CCDCFS employees, these enforcement requirements must include employee discipline in accordance with either Sections 4.0 through 4.7 of the Cuyahoga County Personnel Policy Manual or similar provision of a collective bargaining agreement between Cuyahoga County and a union.

For contractors/providers performing foster care or adoption services on behalf of CCDCFS, these enforcement requirements must include discipline in accordance with the contractor/provider’s personnel policy. Enforcement requirements for

contractor/provider subcontractors shall include corrective action and may include contract termination.

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

**Corrective Action Plan:**

CCDCFS 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, CCDCFS 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 CCDCFS 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.

CCDCFS 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 thirty 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. Contractors/providers shall ensure that these Standards of Conduct are provided to and understood by their employees and subcontractors.

Reference: Ohio Administrative Code 5101:2-33-11; 5101:2-48-13, 5101:2-42-18.1

## **Appendix B**

Cuyahoga County. Division of Children and Family Services

SUBJECT:

### **COMPLAINTS, ALLEGED DISCRIMINATION IN THE FOSTER CARE OR ADOPTION PROCESS**

#### **STATEMENT OF POLICY:**

1. Any person may file a complaint alleging a discriminatory act, policy or practice involving race, color or national origin (RCNO) in the foster care or adoption process of CCDCFS or any person or entity affiliated with CCDCFS.

The complaint shall be filed within two (2) years from the date of the occurrence of the alleged discrimination act; or two (2) years from the date upon which the complainant learned or should have known of a discriminatory act, policy or practice.

CCDCFS, if the subject of a complaint shall not initiate, conduct, or run concurrent investigations surrounding the complaint take any further action regarding the complaint until the issuance of the final investigation report by ODJFS, unless approved by ODJFS.

CCDCFS, if the subject of a complaint shall cooperate fully with ODJFS during the course of the investigation and shall submit any information requested by ODJFS no later than fourteen (14) days from the date of the request, unless otherwise agreed upon.

2. Any person, including but not limited to, an employee or former employee of a Public Children's Services Agency, Private Child Placing Agency, or Private Non-custodial Agency or a member of a family which has sought to become a foster caregiver or adoptive parent, may also file a complaint alleging that he or she was intimidated, threatened, coerced, discriminated against or otherwise retaliated against in some way by CCDCFS because he or she has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing in connection with an allegation that CCDCFS engaged in discriminatory acts, policies, or practices as it applies in the foster care or adoption process.

3. The individual shall use the JFS 02333 "Discrimination Complaint Form". This form is available, on request, through the customer services unit of CCDCFS and available on the Cuyahoga County website.

The complaint may be filed with:

CCDCFS Community Relations Unit, 3955 Euclid Avenue, Cleveland Ohio 44115 (216) 432-CARE (2273), 1-800-321-0322, or,

The Ohio Department of Jobs and Family Services, Bureau of Civil Rights, 150 E. Gay Street, 18<sup>th</sup> Floor, Columbus Ohio 43215; (614) 644-2703 or 1-866-227-6353, or,

**A compliant may also be made to: Office of Civil Rights, U.S. Dept. of Health & Human Services, 200 Independence Avenue, SW, Room 506F, Washington, DC 20201; 1-800-363-1019 (Voice), 1-800-537-7697 (TDD)**

4. Any complaint alleging discrimination involving race, color or national origin in the foster care or adoption process received by CCDCFS will be forwarded to ODJFS within three working days of date of receipt of the complaint.
5. Nothing in this policy shall prohibit an individual from filing a complaint with the United States Department of Health and Human Services, Office for Civil Rights or other such entity.
6. The Grievance Review Policy, 2.03.05 does not apply to allegations involving race, color or national origin.
7. See page 22 for geographic location language, "Also, an adoptive parent who believes that a placement was denied, or will be denied, solely for reasons of geographic location of the family has available the right to a state hearing."
8. CCDCFS shall provide a written notice of the procedures for any complaints of discrimination in the foster care or adoption process that involve RCNO within thirty days of the effective date 02/01/05 to all foster caregivers certified or in the process of certification and to all individuals who have approved adoptive homestudies or who are participating in the adoptive homestudy process on the effective date of 02/01/05.

A written notice shall be provided within seven days of the individuals first contact with the agency and to all individuals inquiring about or applying to be a foster care giver or adoptive parent.

References:

Ohio Administrative Code 5101:2-33-03

Ohio Administrative Code 5101:2-48-24

## Appendix B

Ohio Department of Job and Family Services

Non-discrimination Requirements for Foster Care and Adoptive Placements

JFS 01611 (2/2005)

## Appendix C

Cuyahoga County Division of Children and Family Services

**SUBJECT: Foster & Adoptive Recruitment Policy**

### **PROCEDURES**

**A. DCFS** will maintain a full-time Foster Care and Adoption Recruitment Department; the duties of which will include the planning and implementation of a comprehensive recruitment plan to be approved by the agency Director and submitted to the state by May 01st of every year. The recruitment plan will include but not be limited to a campaign developed and implemented to recruit for foster/adoptive families to meet the needs of the population of children DCFS has in temporary/permanent custody including, but not limited to participation at community events and activities, the development of brochures, pamphlets and flyers, responding to inquiries, the provision of Pre-Service Training to prospective foster and adoptive applicants and the tracking and support of applicants through the application and training process.

**B. Recruitment priorities shall be established annually based on:**

(1) The children who need temporary or permanent homes range in age from 0-18 years. Over half are African American, Hispanic or other multiethnic minority. Frequently the children are part of a sibling group and or teenagers. Due to histories of abuse and neglect, the children are likely to possess some degree of physical, social, emotional, cognitive problems/or developmental delay, and require specialized care to meet their needs, ranging from traditional care to specialized and therapeutic care.

(2) Current geographic distribution of client cases and the distribution of licensed DCFS foster/adoptive homes.

**C.** The community is made aware of DCFS's need and campaign to recruit foster and adoptive families as well as the population of children who need foster care/adoptive families through a diverse multi-media campaign including a variety of print media, radio and television, special events and mixers, public

speaking, in home parties, displays, billboards, literature distribution, the DCFS website and the “Ohio Adoption Photo Listing web page” etc.

- D. Targeted recruitment campaigns are used to attract families to meet the needs of specific groups such as adolescents, minority children from birth to 18 years old, medically-fragile or emotionally disturbed children and sibling groups. This is accomplished through public speaking, articles in newsletters, special events, in-home parties, strategically located displays, and special campaigns such as **One Church One Child and the Neighborhood Blitz**.
- E. Child specific recruitment activities are conducted for children in permanent custody for whom adoption is the plan and a family has not yet been identified. This is accomplished through the production of flyers, through events which permit prospective parents to meet waiting children, with the use of the Ohio Adoption Photo-listing, Ohio Web page and National Photo-listing Services, through the use of adoption exchanges and the ODJFS Adoption Congresses, through the sharing of information with other agencies, and through in-home parties and special events designed to encourage the interaction between prospective adoptive families and waiting children. Diligent efforts are made to recruit prospective families in the communities from which the children are being removed.
- F. DCFS shall not use geographic location of the prospective caregiver as a proxy for 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 as a basis to delay or deny the placement of children. Diligent efforts are made to recruit and approve a pool of adoptive families that are reflective of the diverse population of waiting children in the permanent custody of DCFS.

\*Identifying and selecting a family to adopt is based on the best interests and special needs of the child. The agency shall maintain compliance with Adoption and Safe Families Act of 1997, and in compliance with Multiethnic Placement Act 1994. A statement of assurance that the agency shall maintain compliance with the Indian Child Welfare Act of 1978, 25 U.S.C.A. 1901, et seq. The Multiethnic Placement Act of 1994 as amended by Section 1808 of the Small Business Job Protection Act of 1996, 42 U.S.C. 622(b)(9), 671(a)(18), 674(d) and 1996(b)(hereinafter “MEPA”) and Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq, as they apply to the adoption process (hereinafter “Title VI”), do not supercede the provisions of the Indian Child Welfare Act of 1978.

The agency has the availability of a state hearing when an adoptive family believes that an adoptive placement was denied or will be denied solely for the reasons of geographic.

Appendix C

Ohio Department of Job and Family Services

Non-discrimination Requirements for Foster Care and Adoptive Placements

JFS 01611 (2/2005)

**Appendix D**

Cuyahoga County Division of Children and Family Services

Subject:

**ADMINISTRATIVE FALSIFICATION PROCEDURES**

- A. The assigned CCDCFS assessor shall report in writing a person who knowingly makes a false statement on an application or home study document during the home study process to the Administrator and/or Deputy Director for the Resources and Placement Department within three (3) days of the assessor's determination of possible falsification.
- B. The written statement shall include, but is not limited to:
  - (1) The original application completed by the applicant.
  - (2) Documentation verifying the information reported on the application or in the home study by the applicant is knowingly false.
- C. The Administrator or Deputy Director shall review the documentation and make a determination as to whether it is probable that falsification may have occurred. Within fourteen (14) days of the determination of falsification, the assessor will notify the applicant by completing the "**Notification of CCDCFS's Determination that Probable Cause Exists That Falsification May Have Occurred on an Adoption Application or Home Study Document**" form that the information submitted to the agency has been determined to be knowingly false.
- D. The notice shall include procedures for an agency review. In addition, the notice shall include all of the following information:
  - (1) Date notification letter is prepared by the assessor.
  - (2) Mailing address of the applicant(s).
  - (3) A statement indicating the home study process will discontinue because the agency has probable cause to believe the information provided by the



applicant on the JFS 01691, "Application for the Placement of a Child" or during the home study process is knowingly false.

- (4) A copy of the information that is alleged knowingly false.
  - (5) Documentation verifying the information submitted on the JFS 01691 or during the home study process that is knowingly false.
  - (6) A statement indicating that all cases in which it is determined by the agency the applicant made knowingly false statements will be referred to the county prosecutor office in the county the applicant(s) reside.
  - (7) The applicant(s) right to an agency review to respond to the alleged falsification.
  - (8) A statement indicating that if the applicant(s) fails to respond within the fourteen (14) day period the applicant(s) application is withdrawn, and the action of refusing to respond to allegations of knowingly making false statement(s) has resulted in the applicant(s) selecting themselves out of continuing the home study process.
- E.** The notification letter shall be mailed to the applicant by certified mail. In addition, the notification letter may be delivered to the address of the applicant(s) or given to the applicant(s) directly.
- F.** If the applicant responds within fourteen (14) days of the date of receipt of the written notice alleging falsification, the Administrator and/or Deputy Director for Resources and Placement is responsible for reviewing information received from the adoptive applicant within twenty-one (21) days of receipt of the applicant(s) response.
- G.** The review shall include but is not limited to:
- (1) A face-to-face meeting with the adoptive applicant, and all relevant witnesses, if available.
  - (2) Issuance of a final investigatory report to the adoptive applicant(s) that is the subject of the investigation. The report shall include the allegations, relevant background information deemed appropriate by the agency, the results of the investigation and recommendation of whether or not the agency found probable cause to indicate the applicant(s) made knowingly false statements on the application for child placement or during the home study process.
- H.** The agency shall notify the applicant(s) no later than ten (10) days after the agency review. If unanticipated circumstances require additional time to complete the review or to issue the final report, CCDCFs shall notify the

adoptive applicant that is the subject of the investigation of the need for additional time. The extension shall not be longer than fourteen (14) days after CCDCFS notifies the applicant(s) of the need for additional time to complete the investigatory report.

- I. CCDCFS shall provide written notification, within thirty (30) days, to the adoptive applicant of any action to be taken.
- J. Upon completion of the final investigation report:
  - (1) If determined there has been no falsification made by the applicant(s), CCDCFS shall resume the home study process if the applicant(s) chooses to proceed. The home study shall be completed within one hundred eighty (180) days from re-commencement.
  - (2) CCDCFS shall refer all cases to the county prosecutor in which there is probable cause to believe that falsification of an adoptive application or home study has been committed under section 2921.13 of the Revised Code.
- K. The adoptive family case record shall include all documentation which supports the agency's action in determining the results and recommendation of the internal investigation.

#### **ADMINISTRATIVE FALSIFICATION PROCEDURES WHEN AN ADOPTIVE CHILD IS PLACED**

- A. When an adoptive child is placed in an approved adoptive parent(s) home and the adoptive parent(s) or other household member(s) knowingly made a false statement that results in the assessor's reassessment of an approved or updated home study the prospective adoptive parent(s) or other household member(s) may be guilty of the offense of falsification under section 2921.13 of the Revised Code. The assessor shall report incidents of falsification in accordance to the procedures of this policy.
- B. CCDCFS must determine within twenty-four (24) hours of completing the agency's internal review or investigation, if there is probable cause related to the adoptive child's safety and well-being to remove the child from the adoptive parent(s) home pending the results of an Intake investigation.
- C. CCDCFS upon an internal investigation shall refer all cases to the county prosecutor in which there is probable cause to believe that falsification of an adoptive application or home study has been committed under section 2921.13 of the Revised Code.