

5101:2-48-09

Application process and preservice training.

(A) A public children services agency (PCSA), private child placing agency (PCPA) or private noncustodial agency (PNA) that acts as a representative of the Ohio department of job and family services (ODJFS) in recommending foster homes for certification or a PCSA or PCPA that participates in the placement of children in foster homes or for adoption shall:

(1) Inform all individuals applying for approval for adoptive placement that they can also be studied for foster home certification.

(2) Conduct a joint homestudy pursuant to the requirements contained in rule 5101:2-5-20 of the Administrative Code which can result in the simultaneous approval of the applicant for:

(a) Adoptive placement.

(b) Foster care placement.

~~(A)(B)~~ A public children services agency (PCSA), private child placing agency (PCPA), and private noncustodial agency (PNA) A PCSA, PCPA and PNA shall utilize the JFS 01691 "Application for Child Placement" (rev. 12/2006) as the standard form when accepting applications for adoptive placement. A PCSA, PCPA or PNA shall send the JFS 01691 to any individual requesting an application for adoption within seven days of receipt of a request for an application.

~~(B)~~ A PCPA or PNA that has been certified to act as a representative of the Ohio department of job and family services (ODJFS) in recommending foster homes for certification, to place children for adoption, or to participate in the placement of children in foster homes or for adoption and a PCSA shall be responsible for conducting a joint homestudy pursuant to the requirements contained in rule 5101:2-48-12 of the Administrative Code which can result in the simultaneous recommendation for certification as a foster home and approval of the applicant for adoptive placement.

~~(C)~~ An application submitted with a knowingly false statement shall not be used to initiate the homestudy. A person seeking to adopt a minor who knowingly makes a false statement to be included in a foster or adoptive application submitted to a PCSA, PCPA, or PNA to obtain services of that PCSA, PCPA, or PNA in arranging an adoption pursuant to section 3107.11, 3107.012, or 5101.03 of the Revised Code is guilty of the offense of falsification under section 2921.13 of the Revised Code.

~~(D)~~(C) An application submitted with a knowingly false statement shall not be used to initiate the homestudy. If a PCSA, PCPA or PNA determines that an application has been falsified, the PCSA, PCPA or PNA shall follow the procedures outlined in rule 5101:2-33-13 of the Administrative Code.

~~(E)~~ When a family has 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, the assessor shall complete the JFS 01530 "Multiple Children/Large Family Assessment" (12/2006). The JFS 01530 must be completed prior to each adoptive placement.

~~(F)~~(D) An agency shall not begin the homestudy assessment process prior to the receipt of a fully completed JFS 01691 ~~which~~ is signed by the adoptive parent(s).

~~(G)~~(E) An agency shall not accept an application for approval for adoptive placement which does not contain complete and accurate information.

~~(H)~~(F) Upon receipt of the completed JFS 01691, the PCSA, PCPA, or PNA shall begin commence the homestudy process and request the applicant provide additional information including ~~but not limited to~~ at a minimum:

(1) Documentation of current marital status, which shall include a marriage certificate, divorce decree, or other verification of marital status, if applicable;

(2) A JFS 01681 "Applicant Financial Statement" (rev. 10/2000) providing ~~new~~ recent information ~~regarding the applicant's income, assets, child support obligations and financial liabilities;~~ to show the household has an income sufficient to meet the basic needs of the household and to make timely payment of shelter costs, utility bills and other debts.

(3) The report of any criminal records check conducted in accordance with section 2151.86 of the Revised Code. Except as provided in paragraph (D) of rule 5101:2-48-10 of the Administrative Code, an agency shall not recommend a person to be approved as an adoptive parent if the person or any adult member of the applicant's household has been convicted of any crime listed in paragraph (C) of rule 5101:2-48-10 of the Administrative Code.

~~(3) Completed copy(ies) of the bureau of criminal identification and investigation (BCII) and federal bureau of investigation (FBI) prescribed criminal records check form for the applicant and other adult household members, if applicable. An agency shall not recommend a person to be approved as an adoptive parent if the person has been convicted of any crime listed in rule 5101:2-48-10 of the Administrative Code and has not met the rehabilitation requirements outlined in rule 5101:2-48-10 of the Administrative Code; and~~

~~(4) Proof that the applicant and all adult members of the household, if applicable,~~

~~have been residents of the state of Ohio for the five year period immediately prior to the date upon which the criminal records check is requested. Proof of residence may include tax records, school attendance records, bank records, rent or mortgage payment receipts or other documentation presented by the applicant. Documents presented by the applicant do not need to be maintained in the case record.~~

(G) The PCSA, PCPA or PNA shall search the statewide automated child welfare information system (SACWIS) or the central registry of abuse and neglect pursuant to rules 5101:2-34-38.1 and 5101:2-33-22 of the Administrative Code if SACWIS is not fully implemented, for each adoptive applicant and each adult household member of the applicant's home prior to approval of the adoptive home in accordance with paragraph (I) of this rule. This search is to be used to determine the suitability of the adoptive applicant as an adoptive parent. The search shall also be conducted within ten days of the addition of any new adult member of the applicant's household once the applicant's homestudy has been approved.

(H) If the applicant is a foster parent for the adoptive child, the PCSA, PCPA or PNA shall search SACWIS or the central registry of abuse and neglect pursuant to rules 5101:2-34-38.1 and 5101:2-33-22 of the Administrative Code if SACWIS is not fully implemented, when:

(1) The applicant has not had a previous central registry check completed as a foster parent in Ohio.

(2) Any adult household member who has not had a previous central registry check completed as a requirement of living with a foster parent in Ohio.

(3) Any adult household member who had a central registry check previously but left the foster family's home to reside elsewhere for any period of time over two weeks.

(4) The agency conducting the adoption homestudy is different than the agency that has certified or currently services the foster caregiver.

(I) The recommending agency shall request a check of the child abuse and neglect registry of any other state in which a prospective adoptive applicant or other adult household member in the applicant's home has resided in 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.

(J) A summary report of the results of the search shall be placed in each adoptive home record.

(1) The summary report shall include, for each applicant and each adult household member, a chronological list of abuse and neglect determinations or allegations in which the person was involved where a PCSA has done one of

the following:

(a) Determined that abuse or neglect occurred.

(b) Initiated an investigation, and the investigation is ongoing.

(c) Initiated an investigation, and the investigation was unable to determine whether abuse or neglect occurred. This provision is limited to report dispositions the PCSA determined to be unable to locate.

(2) The summary report shall not contain any of the following:

(a) Any information concerning a report of abuse or neglect where the PCSA determined that abuse or neglect did not occur or was unsubstantiated.

(b) The name of the person who or entity that made, or participated in the making of, the report of abuse or neglect. This includes any additional collateral contact who made, or participated in, the report of abuse or neglect.

(c) The name of or other identifying information regarding a child.

(d) Any information the release of which is prohibited by state or federal law.

(3) If the search indicates there are no allegations or reports of involvement in child abuse and/or neglect investigations or there are only unsubstantiated reports for any applicant or adult household member, the summary report shall indicate that there are no substantiated or indicated reports involving any applicant or adult household member in an allegation or report of involvement in a child abuse and/or neglect investigation reported to the uniform statewide child welfare information system or the central registry.

~~(K)~~ (K) If the PCSA, PCPA, or PNA determines that an adoptive homestudy cannot be initiated, the agency shall send written notification to the applicant stating the reason for not initiating the homestudy and a description of procedures for requesting a review of the agency's decision. The notification shall be sent to the applicant no later than fifteen days after the application was submitted.

~~(L)~~ (L) An applicant shall have the opportunity to revise the JFS 01691 at any time regarding the characteristics or number of children desired. If the agency, based upon receipt of a revised JFS 01691, determines that the applicant is now seeking a special needs child, requirements and time frames for the application and homestudy process shall begin with the date that the revised JFS 01691 is received by the agency. If the applicant revises the JFS 01691 and does not seek to adopt a special needs child, the time frames for the application and homestudy process shall be consistent with the agency's adoption policy prepared pursuant to rule

5101:2-48-05 of the Administrative Code.

~~(K)~~(M) Upon request, the PCSA, PCPA or PNA shall assist the applicant in completing the application and provide assistance to the applicant in securing all required documents and information.

~~(L)~~(N) The PCSA, PCPA or PNA shall not continue with the homestudy process if all required documentation is not submitted within one year of the receipt of the initial or revised JFS 01691 unless the agency makes a determination that the homestudy should not be terminated. The applicant shall be notified, in writing, ~~no less than~~ 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.

~~(M)~~(O) The PCSA, PCPA, or PNA shall provide preservice training to all adoptive applicants; prior to approval of the homestudy. Preservice training shall address the following components:

- (1) The adoption process,
 - (a) Agency policy and procedures,
 - (b) Role of the agency,
 - (c) Preservice training,
 - (d) Homestudy,
 - (e) Matching,
 - (f) Placement,
 - (g) Post-placement services,
 - (h) Adoption subsidies,
 - (i) Legalization,
 - (j) Openness of adoption,

(2) Child development.

- (a) Normal child development.
- (b) Predictable stages of development in the adopted child.
- (c) The impact of earlier separations.
- (d) The impact of abuse and neglect.
- (e) Identity and control issues in adolescence.

(3) ~~Separation and loss~~ Attachment and separation.

- (a) Techniques for supporting a grieving child.
- (b) Developing empathy for the child's past.
- (c) Promoting attachment and dealing with the unattached child.

(4) Dealing with behavioral challenges.

- (a) Why behaviors occur.
- (b) Typical behaviors to be expected.
- (c) Creative parenting/discipline.

(5) Cultural issues (Minimum three hours required).

- (a) Defining culture.
- (b) Understanding how one's own culture impacts parenting in general.
- (c) Understanding how one's own culture impacts the adopted child.
- (d) Impact of cultural issues on adoption issues arising postplacement.

- (e) How adoptive parents can use their knowledge of the child's culture to stimulate attachment, stimulate developmental growth, and to assist the child in identity formation.
 - (f) Impact of cross cultural placements on triad members and extended family.
 - (g) Diversity issues.
 - (h) Issues of racism and discrimination.
 - (i) Overview of the Multiethnic Placement Act ~~as amended~~ of 1994, 42 U.S.C. 622(b)(9), 671(a)(18), 674(d) and 1996(b) (1/2/06) and Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d (1/2/06), as it applies to the foster care and adoption process.
- (6) Caring for children who have been sexually abused.
- (a) Dynamics of sexual abuse.
 - (b) Impact of sexual abuse on children.
 - (c) Therapeutic parenting methods.
- (7) Adoption related issues.
- (a) Permanency issues for children.
 - (b) Permanency issues for families.
 - ~~(a)~~(c) Talking about adoption with the adopted child.
 - ~~(b)~~(d) The child's birth family and ongoing contact with significant others.
 - ~~(c)~~(e) Adoption and the extended family.
 - ~~(d)~~(f) Adoption issues at school and in the community.
 - ~~(e)~~(g) Using community resources.

~~(F)~~(h) Advocating for the adoptive family and child.

~~(N)~~(P) A PCSA, PCPA, or PNA may waive components of the requirement for education and 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. The three hour requirement for cultural issues shall not be waived. When a waiver has been granted by the agency, it shall document the waiver in the case record pursuant to rule 5101:2-48-22 of the Administrative Code.

~~(O)~~(Q) No agency shall deny the acceptance of the JFS 01691 based on race, color, national origin, handicap, or age of the applicant.

Effective:

R.C. 119.032 review dates: 05/30/2008

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 2151.86, 5103.03
Rule Amplifies: 2151.421, 3107.011, 3107.032, 5103.18
Prior Effective Dates: 7/1/90, 9/1/94, 9/18/96, 12/31/96 (Emer.), 3/31/97,
2/13/98 (Emer.), 5/14/98, 12/31/98 (Emer.), 4/15/99,
11/12/02, 9/1/03, 12/11/2006