

5101:2-48-16

Pre-adoptive staffing, matching and placement procedures.

(A) The custodial public children services agency (PCSA) or private child placing agency (PCPA) shall schedule a pre-adoptive staffing within forty-five days after the execution of the permanent surrender or of the file stamp date of the permanent custody order of a child.

(B) The following individuals shall be invited to attend the pre-adoptive staffing:

- (1) The child's caseworker.
- (2) The child's caseworker's supervisor.
- (3) The adoption caseworker who will work with the child on adoption issues and the adoption placement, if different from the child's ongoing caseworker.
- (4) The adoption worker's supervisor, if different from the ongoing caseworker's supervisor.
- (5) Any staff who has the specific assignment of recruiting families for children who are awaiting adoption.
- (6) Any adoption assessor who has or is in the process of conducting a homestudy for a kinship family or a foster family who has indicated an interest in the child.
- (7) The guardian ad-litem.
- (8) Key professionals working specifically with the child who have knowledge about the child's history and current needs that will be helpful to determine the child's placement needs.
- (9) The child's current caregiver, if deemed appropriate by the agency.
- (10) The child, if in the best interests of the child and deemed appropriate by the agency.
- (11) The birth family, if in the best interest of the child and deemed appropriate by the agency.

(C) During the pre-adoptive staffing, the following information should be discussed, as relevant to the child:

- (1) The child's social, developmental and medical history.
- (2) Previous placements.
- (3) Current strengths and limitations and other special needs, including previous or

current relationships with siblings or other birth relatives.

(4) Current therapeutic assessments and needs to be considered in determining the child's adoptive placement.

(5) Planning for transition of the case planning from a focus on foster care to adoption.

(6) Planning for good-bye visits.

(7) Assessing the child's understanding and readiness for adoption.

(8) Status of child's lifebook.

(9) Other preparation for adoption.

(D) Documentation pertaining to the pre-adoptive staffing shall be documented in "Part one" of the JFS 01689 "Documentation of the Placement Decision-Making Process" and maintained in the child's adoptive record. "Part one" of the JFS 01689 shall be provided to all agency workers who have families who are approved for adoption.

(E) Within forty-five days from the execution of the permanent surrender or of the file stamp date of the permanent custody order, the child shall have an adoption assessor assigned to work with the child on adoption planning issues and adoption placement. The adoption assessor may also serve as the child's caseworker.

(F) For purposes of this rule, a matching conference is the process of determining the most appropriate family to adopt a child based on the special needs of the child. At a minimum, the matching decision shall be based on the consideration of the placement of siblings together, information contained in the JFS 01685 "Child Study Inventory", "Part one" of the JFS 01689 and the JFS 01688 "Individualized Child Assessment" if applicable.

(G) Regardless of the geographic location, the following preferential order shall be given when considering families in the matching process:

(1) All adult relatives of the child who have expressed an interest in adopting the child who are approved to adopt, or who have completed the JFS 01691 "Application for Child Placement" prior to the placement decision or matching and meet all relevant state child protection standards unless the agency determines that the placement is not in the best interests of the child.

(2) The child's foster caregiver who is approved to adopt or who has completed the JFS 01691 prior to the placement decision or matching conference unless the agency determines that the placement is not in the best interest of the child.

(3) Other suitable approved adoptive families.

(H) The following individuals must be invited to the matching conferences:

(1) The child's previous caseworker, if this individual is different than the adoption caseworker who is working with the child on adoption issues and placement.

(2) The child's previous caseworker's supervisor, if applicable.

(3) The adoption caseworker who is working with the child on adoption issues and placement.

(4) The adoption caseworker's supervisor.

(5) Any staff who has the specific assignment of recruiting families for children who are awaiting adoption.

(6) Any adoption caseworker who has or is in the process of conducting an adoptive homestudy on a kinship family or the child's foster family who has indicated an interest in the child.

(7) Any adoption caseworker who has responsibility for an approved adoptive family where the JFS 01673 "Assessment for Child Placement (Homestudy)" indicates acceptance of the general characteristics and special needs of the child.

(8) The guardian ad-litem.

(9) Any other professional who may have knowledge of the child's history and current needs that will be helpful to determine the child's placement needs.

(I) The decision to match a child with an approved adoptive family shall be made by, at a minimum, the adoption caseworker for the child, the caseworker for the adoptive family, and a member of the administrative or supervisory staff of the custodial agency's adoption program. These individuals must attend the matching conference and be included in the placement decision-making process. If the adoption caseworker and family caseworker are the same individual, another adoption program staff member shall participate in the matching conference to assure that at least three individuals participate in making the matching decision.

(J) Agencies shall develop written procedures to address:

(1) How all families accepting of the child's characteristics shall be considered by the agency to be presented in the matching conference.

(2) The structured decision making process to select the most appropriate family to

be matched with the child.

- (K) The custodial agency shall hold a matching conference within ninety days of the execution of the permanent surrender or the file stamp date of the permanent custody order, unless the order is under appeal. If the order is under appeal the agency shall hold a matching conference within forty-five days of the issuance of the final decision. Nothing in this rule shall preclude the agency from holding the first matching conference at the same time as the pre-adoptive staffing.
- (L) Subsequent matching conferences shall be held for each child who is not matched with an adoptive family at least once every ninety days following the initial matching conference. Thirty days prior to each matching conference, "Part one" of the JFS 01689 shall be updated and made available to agency adoption caseworkers who are responsible for presenting prospective adoptive families at matching conferences.
- (M) When more than one PCSA, PCPA, or private noncustodial agency (PNA) is involved in an adoptive matching decision, a representative from each agency shall participate in the matching conference.
- (N) The matching conference shall be documented on the JFS 01689. "Part two" and "Part three" of the JFS 01689 shall be completed by the custodial agency at each matching conference.
- (O) The agency shall also document the outcome of the matching conference for each family on the JFS 01609 "Family Permanency Planning Data Summary" and for each child on the JFS 01610 "Child's Permanency Planning Data Summary".
- (P) The PCSA, PCPA or PNA shall make an adoptive placement only when it has permanent custody of the child, whether custody is obtained by permanent surrender or commitment. A child shall only be placed into an adoptive home which meets the best interests and special needs of the child.
- (Q) No PCSA or PCPA shall place a child in an Ohio home for the purpose of adoption unless a homestudy has been completed and approved by an Ohio PCSA, PCPA, or PNA pursuant to rules 5101:2-48-11 or 5101:2-48-11.1 or 5101:2-48-12 of the Administrative Code, as applicable. The homestudy shall be completed by a PCSA, PCPA, or PNA with authority recognized by the Ohio department of job and family services (ODJFS) to complete adoptive homestudies. The PCSA, or PCPA may place a child in an adoptive home in another state pursuant to rules governing the interstate placement of children pursuant to Chapter 5101:2-42 of the Administrative Code.
- (R) When more than one PCSA, PCPA, or PNA is involved in an adoptive placement, an exchange of detailed information between the agencies concerning the child and the prospective adoptive family shall occur following the matching conference in which the family is matched with a child. Initial contact with the prospective

- adoptive family shall be made by the PCSA, PCPA, or PNA who completed the adoptive family's homestudy, unless that agency grants permission for the other involved agency to contact the adoptive parent.
- (S) Prior to the date of adoptive placement, the PCSA or PCPA shall provide the prospective adoptive parent with the JFS 01685 "Child Study Inventory (CSI)" in accordance with rule 5101:2-48-21 of the Administrative Code.
- (T) Prior to the date of the adoptive placement, the PCSA or PCPA shall provide the adoptive family with the completed and signed JFS 01667 "Adoption Information Disclosure".
- (U) The JFS 01654 "Adoptive Placement Agreement" shall be signed by the PCSA or PCPA having permanent custody of the child, by the adoptive parent and, if applicable, by any other PCSA, PCPA, or PNA providing adoption services, on or before the date of adoptive placement. A copy of the signed agreement shall be given to the adoptive parent and any other signer of the agreement. The agreement shall explain the responsibilities and authority of all signers of the agreement.
- (V) No PCSA shall refuse to provide or arrange for services within its county to another PCSA on behalf of a special needs child when such services, if not provided, would cause a delay in the adoptive placement of a special needs child. Services shall include, but are not limited to: homestudy services; prefinalization and postfinalization services; and services needed to provide the court with information required for adoption finalization.
- (W) The PCSA in the county in which an adoptive family resides shall be notified when an adoptive placement by another PCSA has been made with a family residing within the county. The PCSA that facilitated the adoptive placement shall be responsible for the notification to the PCSA.
- (X) When the permanent custody of a child is under appeal through a court of appropriate jurisdiction or awaiting journalization by the court, the PCSA or PCPA may place the child in a substitute care placement certified as a foster home pursuant to Chapter 5101:2-7 of the Administrative Code that is also approved as an adoptive placement.
- (Y) All placement activities shall be in compliance with rules 5101:2-42-18.1 and 5101:2-48-13 of the Administrative Code and 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), 671(a)(18), 674(d) and 1996(b) (MEPA) and Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq, as they apply to the foster care and adoption process (Title VI).
- (Z) To implement the provision of paragraph (L) of this rule, which requires that a matching conference be held for each child who is not matched with an adoptive family at least once every ninety days, each PCSA or PCPA must identify all

children who are in the permanent custody of the agency who have not been matched with a prospective adoptive family on the effective date of this rule and hold a matching conference.

The agency shall phase in this requirement. The matching conferences for these children must commence no later than ninety days after the effective date of this rule and be completed within one year of the effective date of this rule. The provisions of paragraph (L) apply to subsequent matching conferences.

The provisions of paragraph (K) apply for children whose custody is under appeal on the effective date of this rule.

Replaces: 5101:2-48-16
Effective: 02/01/2005
R.C. 119.032 review dates: 08/01/2009

CERTIFIED ELECTRONICALLY

Certification

01/06/2005

Date

Promulgated Under: 119.03
Statutory Authority: 5101.141, 5103.03, 5153.16
Rule Amplifies: 2152.72, 5103.03, 5153.16
Prior Effective Dates: 7/1/90, 7/1/94, 9/18/96, 12/31/96 (Emer.), 3/31/97,
2/13/98 (Emer.), 5/14/98, 12/31/98 (Emer.), 4/1/99,
11/12/02