

5101:2-48-16

Pre-adoptive staffing, matching and placement procedures.

(A) Not later than forty-five days after the execution of the permanent surrender or of the file stamp date of the permanent custody order, the agency shall assign an assessor to work with the child on adoption planning issues and adoption placement. The assessor may also serve as the child's caseworker.

(B) The custodial public children services agency (PCSA) or private child placing agency (PCPA) shall conduct a pre-adoptive staffing:

(1) No earlier than the date of the filing for termination of parental rights (TPR) or the birth of the child if the child is being adopted as an infant less than six months of age.

(2) No later than forty-five days after the execution of the permanent surrender or of the file stamp date of the permanent custody order of a child.

(C) For the purpose of this rule, a pre-adoptive staffing is the process of identifying, planning and coordinating services for a child after the execution of the permanent surrender or the file stamp date of the permanent custody order. Invitees must be notified at least seven days prior to the pre-adoptive staffing.

(D) 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 assessor who will be assigned to work with the child on adoption issues and the adoption placement, if different from the child's ongoing caseworker.

(4) The assessor's supervisor, if different from the ongoing caseworker's supervisor.

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

(6) Any 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.

(12) The agency's Multiethnic Placement Act (MEPA) monitor.

(E) During the pre-adoptive staffing, the following information shall be discussed, as relevant to the child.

(1) The child's social, developmental and medical history.

(2) Previous placements.

(3) Specific recruitment efforts to find a permanent home for the child.

(4) Current strengths and limitations and other special needs, including previous or current relationships with siblings or other birth relatives.

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

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

(7) Planning for good-bye visits.

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

(9) Status of child's lifebook.

(10) Other preparation for adoption.

(11) Any families who may be interested in adopting the child.

(12) The JFS 01530 "Multiple Children/Large Family Assessment" (12/2006) as outlined in rule 5101:2-48-12 of the Administrative Code.

(F) Documentation pertaining to the pre-adoptive staffing shall be documented on the JFS 01690 "Documentation of the Pre-adoptive Staffing and Updates" (12/2006) and maintained in the child's adoptive case record. The JFS 01690 shall be distributed within fifteen days after the date of the pre-adoptive staffing to assessors in the agency who complete adoption homestudies.

(G) For purposes of this rule, a matching conference is the process of determining the most appropriate family to adopt a child based on the child's individual needs and the ability of the prospective adoptive parent to meet those needs. 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" (rev. 09/2003), the JFS 01689 "Documentation of the Placement Decision-Making Process" (rev. 02/2005) and the JFS 01688 "Individualized Child Assessment" (rev. 02/2005), if applicable.

(H) A matching conference must be conducted to match a child with a family for the purposes of adoption. The matching conference must be held prior to the placement of the child for adoption.

(I) During the matching conference, the multiple family assessment as outlined in rule 5101:2-48-12 shall be discussed, if applicable.

(J) The custodial agency shall hold the initial 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. Invitees must be notified at least seven days prior to the matching conference.

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

(1) For the first matching conference only, the child's previous caseworker if the individual is different than the assessor assigned to work on adoption issues and placement.

(2) For the first matching conference only, the child's previous caseworker's supervisor, if applicable.

(3) The assessor assigned to work with the child on adoption issues and placement.

(4) The assessor's supervisor.

(5) The child's caseworker, if different from the assessor above.

(6) Any custodial agency staff who has the specific assignment of recruiting families for children who are awaiting adoption if there are no families identified for the child being presented in the matching conference.

(7) Any adoption caseworker who has responsibility for an approved adoptive family where the JFS 01673 "Assessment for Child Placement (Homestudy)" (rev. 08/2005) and the JFS 01673-A "Child Characteristics Checklist for Foster Care and/or Adoption" (rev. 08/2005) indicates acceptance of the general characteristics and special needs of the child.

(8) Any assessor from any agency who is responsible for an approved adoptive applicant being presented at the matching conference.

(9) The guardian ad-litem.

(10) 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.

(11) The MEPA monitor.

(12) Ohio department of job and family services (ODJFS) external MEPA monitor. The external MEPA monitor shall be notified via e-mail transmission at: matchingconference@odjfs.state.oh.us.

(L) The minimum number of individuals who must be in attendance at the matching conference to make any matching decision include: 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 the matching decision.

In situations where the custodial agency does not have the number of adoption program staff employed to include in the matching conference, it is permissible for a professional or para-professional who is employed with the custodial agency to participate in the matching conference. This person shall, however, be an employee of the custodial agency and shall have at minimum basic knowledge related to special needs adoption and permanency planning to participate in the placement decision-making process.

(M) When more than one PCSA, PCPA or PNA is involved in an adoptive matching decision, a representative from each agency shall participate in the matching conference. Participation by teleconference is acceptable. The PCSA, PCPA, or PNA shall provide relevant information that may impact the safety and well being of the child being placed with the prospective adoptive family which shall include, but not limited to:

(1) Past or present functioning of the prospective adoptive parent.

(2) Rule violation involving foster and pre-adoptive child.

(3) Third party investigations.

(4) Information relating to previous adoption applications.

(5) Previous disruptions from the prospective adoptive family home.

(N) The custodial agency shall document each matching conference on the JFS 01689 during the matching conference.

(O) The custodial agency shall document each matching conference for each child on the JFS 01610 "Child Permanency Data Summary" (02/2005).

(P) 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; a relative or non-relative that the birth mother has indicated by name as a potential resource to adopt her child. The identified relative or non-relative must have, at a minimum, a signed JFS 01691 "Application for Child Placement" (rev. 12/2006) or other signed adoption application on file with another state, five days prior to the matching conference. The resource must meet all relevant state child protection standards unless the agency determines that the placement is not in the best interest of the child.

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

(3) Other suitable approved prospective adoptive families.

(Q) Subsequent matching conferences shall be held for each child, except as referenced in paragraph (S) of this rule, at least once every ninety days following the initial matching conference. Thirty days prior to each matching conference, the JFS 01690 shall be updated and made available to all adoption assessors responsible for the completion of adoptive homestudies, and on the statewide automated child welfare information system as available.

(R) The agency shall conduct a search for prospective families in the statewide automated child welfare information system if there are no families identified to be presented at any matching conference.

(S) Subsequent matching conferences are not required when:

(1) Signatures of the adoptive parent(s) and applicable agencies have been completed on the JFS 01654 "Adoptive Placement Agreement" (rev. 10/2001).

(2) The child reaches age eighteen years old.

(3) The child's custody changes to a status other than permanent custody.

(T) If the child's adoptive placement disrupts and there is a permanent surrender or the

child is placed in the permanent custody of the PCSA or PCPA, the child is required to begin the cycle of ninety day matching conferences again with the first one due ninety days from the date of disruption.

- (U) For any PCSA, PCPA or PNA which has not transitioned to the statewide automated child welfare information system, the custodial agency shall provide information necessary for the completion of the JFS 01609 "Family Permanency Planning Data Summary" (rev. 02/2005) to the Ohio PCSA which had a family presented at the matching conference. The agency responsible for each prospective adoptive family presented at the matching conference shall document the outcome of the matching conference for the family on the JFS 01609.
- (V) The PCSA or PCPA 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.
- (W) 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 rule 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 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.
- (X) 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) Facesheet" (rev. 09/2003) in accordance with rule 5101:2-48-21 of the Administrative Code.
- (Y) 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" (rev. 09/2003) in accordance with rule 5101:2-48-15 of the Administrative Code.
- (Z) The JFS 01654 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.
- (AA) 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.

- (BB) When a child is placed with an Ohio adoptive family by an Ohio agency, the PCSA in the county in which the child is to be placed shall be notified, in writing, of the impending placement by the placing agency no later than ten days prior to the placement. In the case of an infant placement, the notification may be made prior to the birth of the child.
- (CC) When a child from outside Ohio is placed with an Ohio adoptive family, the Ohio agency recommending the adoptive family, or approving the adoptive family homestudy, shall notify, in writing, the PCSA in the county where the adoptive family resides of the impending placement no later than ten days prior to the placement. In the case of an infant placement, the notification may be made prior to the birth of the child.
- (DD) When the permanent custody of a child is under appeal through a court of appropriate jurisdiction or awaiting journalization of a court order, 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.
- (EE) When an applicant knowingly makes a false statement in the application or homestudy process, the custodial agency shall not present that family at the matching conference if the outcome of the agency review results in a reassessment of the homestudy.
- (FF) 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).
- (GG) The PCSA, if different from the PCSA in the county in which the adoptive applicant(s) resides, the PCPA or PNA shall provide notification letter which shall include a description of the special needs and the age of the prospective adoptive child and the name of the prospective adoptive parent and the number of children that will reside in the prospective adoptive home when the prospective adoptive child is placed in the prospective adoptive home. This does not apply to stepparent adoption.

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Certification

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