
POLICY TRANSMITTAL NO. 05-03	DATE: FEBRUARY 24, 2005
CHILDREN & FAMILY SERVICES DIVISION	DEPARTMENT OF HUMAN SERVICES OFFICE OF PLANNING, POLICY & RESEARCH

TO: ALL OFFICES

SUBJECT: MANUAL MATERIAL

OAC 340:75-7-19; 75-7-38; 75-15-8; 75-15-41 through 75-15-43;
75-15-82; 75-15-87; and 75-15-91.

EXPLANATION: Revisions to ITS in Subchapters 7 and 15 of Chapter 75 reflect the clarification of: (1) requirements for joint approval of resources; (2) notification to schools regarding the prohibition of corporal punishment for children in OKDHS custody; (3) adoption consultation process; (4) criteria staffing procedures; (5) statewide adoption staffing procedures; (6) procedures related to the request of sibling separation in adoptive placements; (7) procedures regarding requests by an approved adoptive resource to adopt a specific child; (8) adoption assessment and preparation process; and (9) storage of adoptive resource records.

340:75-7-19 ITS is revised to reflect the completion of Form DCFS-11, House Assessment, for joint approval of an adoptive home as a Child Welfare (CW) foster home.

340:75-7-38 ITS is revised to introduce Form DCFS-122, Notification to Schools Regarding Use of Corporal Punishment, and related procedures for use of the form.

340:75-15-8 ITS is amended to clarify adoption consultation procedures, including the referral of adoptive families to the resource assessment contractor.

340:75-15-41 ITS is revised to specify adoptive criteria participants and the required documents and information to be submitted as a result of the criteria staffing.

340:75-15-42 ITS is amended to clarify the role and responsibilities of the CW worker and adoption specialist in relation to the statewide adoption staffing.

340:75-15-43 ITS is revised to reflect current procedures regarding requests to separate siblings for the purpose of adoptive placement.

340:75-15-82 ITS is amended to reflect that a request by an approved adoptive family to adopt a specific child is communicated to the child's CW worker along with a copy of the adoptive home assessment.

340:75-15-87 ITS is revised to better detail the adoption assessment and preparation process, including required background searches and assessing the adoptive applicant's ability to parent.

340:75-15-91 ITS is amended to delete the provision for the request of a resource record from Children and Family Services Division for an adoptive family that has adopted a child through OKDHS.

Original signed on 2-22-05

Linda Smith, Director
Children and Family Services Division

Sharon Neuwald, Interim Administrator
Office of Planning, Policy & Research

WF # 05-B (NAP)

INSTRUCTIONS FOR FILING MANUAL MATERIAL

OAC is the acronym for Oklahoma Administrative Code. If OAC appears before a number on an Appendix or before a Section in text, it means the Appendix or text contains rules or administrative law. Lengthy internal policies and procedures have the same Chapter number as the OAC Chapter to which they pertain following a “DHS” number, such as personnel policy at DHS:2-1 and personnel rules at OAC 340:2-1. The “340” is the Title number that designates DHS as the rulemaking agency; the “2” specifies the Chapter number; and the “1” specifies the Subchapter number.

The chronological order for filing manual material is: (1) OAC 340 by designated Chapter and Subchapter number; (2) if applicable, DHS numbered text for the designated Chapter and Subchapter; and (3) all OAC Appendices with the designated Chapter number. For example, the order for filing personnel policy is OAC 340:2-1, DHS:2-1, and OAC 340:2 Appendices behind all Chapter 2 manual material. Any questions or assistance with filing manual material will be addressed by contacting Policy Management Unit staff at (405) 521-3611.

REMOVE

INSERT

340:75-7-19	340:75-7-19, pages 1-9, revised 3-1-05
340:75-7-38	340:75-7-38, pages 1-5, revised 3-1-05
340:75-15-8	340:75-15-8, pages 1-5, revised 3-1-05
340:75-15-41	340:75-15-41, pages 1-5, revised 3-1-05
340:75-15-42	340:75-15-42, pages 1-2, revised 3-1-05
340:75-15-43	340:75-15-43, pages 1-3, revised 3-1-05
340:75-15-82	340:75-15-82, pages 1-5, revised 3-1-05
340:75-15-87	340:75-15-87, pages 1-8, revised 3-1-05
340:75-15-91	340:75-15-91, 1 page only, revised 3-1-05

340:75-7-19. Joint approval of foster homes

(a) **Joint approval of resource homes.** Resource families may be jointly approved to provide foster care services to children in the custody of Oklahoma Department of Human Services (OKDHS) while approved by other agencies, OKDHS divisions, or tribes. Joint approval decisions follow assessment by all involved that the child's needs are best met in a jointly approved home. While the home is jointly approved, any changes or concerns are shared between all involved with the joint-approved home. Joint approval is child specific and occurs when:

- (1) a child's need for specialized services, treatment, or placement changes;
- (2) a child re-enters the Child Welfare (CW) system and has a previous relationship with the placement provider;
- (3) siblings need to be placed together;
- (4) an infant of a child in OKDHS custody requires placement; and
- (5) a child in OKDHS custody requires specialized services or treatment in a kinship placement. ■ 1

(b) **Joint use of kinship homes.** Using a kinship foster home as a CW foster home requires that the kinship family continue to meet all the requirements of a CW foster home. ■ 2

(c) **Joint use of adoptive home.** OKDHS advises the family of the differences in the goals of foster care and adoptive services and the differences in the roles and responsibilities that the family has to the child in foster care and the child's family. OKDHS advises the family that a child in foster care is not moved in order to place a child for adoption and considers the needs of all children in the home when making decisions about adoptive placements. ■ 3

(d) **Joint use of licensed family child care homes.** Joint approval of a licensed family child care home as a CW foster home occurs after a case-by-case assessment. ■ 4

INSTRUCTIONS TO STAFF**1. Joint approval of foster homes.**

- (1) **Process for joint approval of a therapeutic foster care (TFC) home as a foster family home.**

(A) The child's Child Welfare (CW) worker contacts the county of placement resource specialist before placement of a child.

(B) The resource specialist then contacts the Children and Family Services Division (CFSD) TFC programs manager and verifies the TFC agency agreement to share the resource.

(C) Following verification by the TFC agency that the resource may be shared, the CFSD TFC programs manager or designee notifies the resource specialist and CFSD Foster Care programs manager to proceed with the assessment of the home.

(D) The resource specialist contacts the TFC agency and requests the resource record and recommendation.

(E) Upon reviewing the resource record and recommendation, the resource specialist:

- (i) updates all required information, including training;**
- (ii) assesses the home utilizing Form DCFS-11, House Assessment;**
- (iii) completes an addendum; and**
- (iv) submits this information to the CW supervisor for approval.**

(F) Upon approval, the resource specialist creates a KIDS resource and notifies the child's CW worker that placement may be made and payments may begin.

(G) Additional placements of children in Oklahoma Department of Human Services (OKDHS) custody are not permitted without written approval from TFC and Foster Care programs managers.

(2) Process for joint approval of a foster family home as a TFC home.

(A) The child's CW worker, following consultation and approval from the CW supervisor and CW field liaison (CWFL), contacts the county of placement resource specialist with the request and documentation of previous services before placement of a child.

- (B) The resource specialist then contacts the Foster Care programs manager with all related information, verification that the foster family has adequately met the needs of the child placed, and a recommendation for joint approval.**
- (C) The Foster Care programs manager provides written approval to the resource specialist and the TFC programs manager. A copy of the written approval is given to the family for attachment to the TFC application.**
- (D) Upon TFC agency approval, the contract liaison creates a KIDS resource and the CW worker completes the KIDS Placement screens.**
- (E) Additional placements of children in OKDHS custody are not permitted without written approval from TFC and Foster Care programs managers.**
- (3) Process for joint approval of a tribal home as a foster family home.**
- (A) The child's CW worker contacts the CFSD tribal coordinator, county of placement resource specialist, and the tribal liaison before placement of a child.**
- (B) The tribal coordinator contacts the tribe to verify the tribe's agreement to share the resource.**
- (C) Following verification by the tribe that the resource may be shared, the tribal coordinator notifies the resource specialist and Foster Care programs manager to proceed with the assessment of the home.**
- (D) The resource specialist contacts the tribe and requests the resource record and recommendation.**
- (E) Upon reviewing the resource record and recommendation, the resource specialist:**
- (i) updates all required information, including training;**
 - (ii) assesses the home utilizing Form DCFS-11;**
 - (iii) completes an addendum; and**

(iv) submits this information to the CW supervisor for approval.

(F) Upon approval, the resource specialist creates a KIDS resource and notifies the child's CW worker that placement may be made and payments may begin.

(G) Additional placements of children in OKDHS custody are not permitted without written approval from the tribal coordinator and Foster Care programs manager.

(4) Process for joint approval of a foster family home as a tribal home.

(A) The tribe contacts the CFSD tribal coordinator with the request before placement of a child.

(B) The tribal coordinator contacts the Foster Care programs manager and the county of placement resource specialist.

(C) The Foster Care programs manager provides written approval to the resource specialist and tribal coordinator. The tribal coordinator gives a copy of the written approval to the tribe.

(D) Upon CFSD approval, the tribe completes and submits a foster home study to the tribal coordinator.

(E) The tribal coordinator creates a KIDS resource.

(F) The tribe notifies the tribal liaison of placement of the child in tribal custody in the tribal resource.

(G) Additional placements of children in tribal custody are not permitted without written approval from the tribal coordinator and Foster Care programs manager.

(5) Process for joint approval of a Developmental Disabilities Services Division (DDSD) home as a foster family home.

(A) The child's CW worker contacts the county of placement resource specialist before placement of a child.

(B) The resource specialist then contacts the CFSD DDSD liaison and

- verifies the DDSD agreement to share the resource.
- (C) Following verification by the DDSD liaison that the resource may be shared, the DDSD liaison or designee notifies the resource specialist and Foster Care programs manager to proceed with the assessment of the home.
- (D) The resource specialist contacts the DDSD resource specialist and requests the resource record and recommendation.
- (E) Upon reviewing the resource record and recommendation, the resource specialist:
- (i) updates all required information;
 - (ii) assesses the home utilizing Form DCFS-11;
 - (iii) completes an addendum; and
 - (iv) submits this information to the CW supervisor for approval.
- (F) Upon approval, the resource specialist creates a KIDS resource and notifies the child's CW worker that placement may be made and payments may begin.
- (G) Additional placements of children in OKDHS custody are not permitted without written approval from the DDSD liaison and Foster Care programs manager.
- (6) Process for joint approval of a foster family home as a DDSD home.
- (A) The child's CW worker, following consultation and approval from the CW supervisor and CWFL, contacts the county of placement resource specialist with the request and documentation of previous services before placement of a child.
- (B) The resource specialist then contacts the Foster Care programs manager with all related information, verification that the foster family has adequately met the needs of the child placed, and a recommendation for joint approval.

- (C) The Foster Care programs manager provides written approval to the resource specialist and DDS liaison. A copy of the written approval is given to the family for attachment to the DDS specialized foster care application.**
- (D) Upon DDS approval, the resource specialist creates a KIDS resource and the CW worker completes the KIDS Placement screens.**
- (E) Additional placements of children in OKDHS custody are not permitted without written approval from the DDS liaison and Foster Care programs manager.**
- (7) Process for joint approval of an Office of Juvenile Affairs (OJA) home as a foster family home.**
- (A) The child's CW worker, following consultation and approval from the CW supervisor and CWFL, contacts the county of placement resource specialist before placement of a child.**
- (B) The resource specialist then contacts the OJA staff and Foster Care programs manager and verifies OJA's agreement to share the resource.**
- (C) Following verification by OJA that the resource may be shared, the resource specialist contacts OJA to request the resource record and recommendation.**
- (D) Upon reviewing the resource record and recommendation, the resource specialist:**
- (i) updates all required information, including training;**
 - (ii) assesses the home utilizing Form DCFS-11;**
 - (iii) completes an addendum; and**
 - (iv) submits this information to the CW supervisor for approval.**
- (E) Upon approval, the resource specialist creates a KIDS resource and notifies the child's CW worker that placement may be made and payments may begin.**

- (F) Additional placements of children in OKDHS custody are not permitted without written approval from the Foster Care programs manager and OJA.
- (8) Process for joint approval of a foster family home as an OJA home.
- (A) The child's CW worker, following consultation and approval from the CW supervisor and CWFL, contacts the county of placement resource specialist with the request before placement of a child.
- (B) The resource specialist then contacts the Foster Care programs manager with all related information, verification that the foster family has adequately met the needs of the children, and a recommendation for joint approval.
- (C) The Foster Care programs manager provides written approval to the resource specialist. A copy of the written approval is given to the family for attachment to the OJA application.
- (D) OJA initiates its own contract with the CW foster family.
- (E) If CW decides to close the home, the reason is shared with OJA.
- (F) Additional placements of children in OKDHS custody are not permitted without written approval from the Foster Care programs manager and OJA.
2. Process for joint approval of a kinship home as a CW foster home. The CW worker creates a separate KIDS resource prior to any placements, with the resource type as CW Foster Family Care. A new contract number is not needed.
3. Process for joint approval of an adoptive home as a CW foster home. The resource specialist:
- (1) initiates a foster home assessment update, consisting of, but not limited to:
- (A) updating Form DCFS-26, showing any changes since the original application. The family must provide references, per OAC 340:75-7-18;

(B) completing Form DCFS-11, House Assessment;

(C) obtaining a copy of the adoptive home assessment and reviewing and updating any information;

(D) completing a Juvenile Justice Information System (JOLTS) review of any child older than 13 years of age residing in the home;

(E) conducting an FBI national criminal history records search of all adults in the home, including submission of fingerprints, if not done previously;

(F) documenting pre-service training;

(G) explaining Form DCFS-102, Notice to Foster Parent Applicant(s); and

(H) obtaining a copy of all required verification, such as driver license and liability insurance;

(2) completes and attaches the addendum to the adoptive home assessment documenting updated information and making a recommendation regarding the approval as a foster home; and

(3) has the family sign the foster care contract after completion of the entire foster home update.

4. Process for joint approval of a child care home as a foster family home.

(1) When the licensed family child care home requests joint approval as a CW foster home, the county of placement resource specialist and Licensing staff assigned to the child care home gather data that includes:

(A) information about the child considered for placement in the child care home;

(B) the number of children, and their ages, approved in the child care home;

(C) the number of children of their own;

(D) the history of licensing compliance that includes a description of

- any problems;
- (E) information regarding the child care home from the assigned Licensing staff; and
- (F) determination of the abilities of the child care provider to handle the needs of all the children.
- (2) The Licensing staff assigned to the child care home and CWFL make the final decision for joint approval of the home.
- (3) For child care benefits to a child care provider for a child in the custody of OKDHS placed in the child care provider's home, refer to OAC 340:40-7-8.
- (4) The child care home is continually monitored by CW and Licensing staff and all relevant information is shared.

340:75-7-38. Discipline for children in foster family care

(a) **Primary responsibility.** A primary responsibility of foster families is to help children learn behaviors that promote their self-regard, personal ability, and socialization skills. The rules governing these efforts are outlined in OAC 340:75-7-38(b) through (d).

(b) **Positive interactions.** Foster family interactions with a child:

- (1) protect and nurture the child's physical and psychological well-being;
- (2) advance the child's development;
- (3) meet the child's needs;
- (4) teach the child ways to prevent and solve problems;
- (5) maintain and build the parent and child relationship;
- (6) build the child's self-control and responsibility; and
- (7) comply with the Oklahoma Department of Human Services (OKDHS) rules on discipline to provide a safe, nurturing environment that allows the child to experience security and positive self-esteem.

(c) **Teaching techniques.**

(1) **Positive behavior management.** Positive behavior management techniques include, but are not limited to:

(A) rewards. Rewards may be small gestures of approval, such as treats, toys, and symbols of recognition such as stickers, stars, happy faces, or money. Rewards are for the interest, desire, and effort the child displays, not for performance, talent, or ability. This technique must not be used all the time;

(B) privileges. Privileges allow the child to experience greater freedom or opportunity and an increased responsibility. Privileges are used to encourage the child's interest and talents by supporting the child's efforts in pursuing interests; and

(C) praise. Praise may be communicated with a smile or nod of approval, expressing to the child how pleased the person is with him or her.

(2) **Self-control.** To promote the child's self-control, foster parents clearly communicate expectations and provide structured, safe environments. The foster parent's use of planning and preparation prevents confrontation, acting-out, and negative behaviors by:

(A) establishing expectations. Children in out-of-home care experience varied expectations of foster parents in every placement setting. Since each placement setting is different, the foster parent must communicate expectations to the child. Expectations are communicated through setting rules, telling the child what to expect, and modeling. Clearly communicated expectations provide structure for the child and a structure for building and maintaining self-control; and

(B) modifying the environment. Structured, safe environments allow children to succeed at identified tasks. Foster parents structure environments by removing sources of stimulation for the child and establishing routines and consistency in day-to-day schedules.

(3) **Direct intervention.** When the child does not have sufficient self-control to ensure acceptable behavior, the foster parent uses direct intervention and techniques, per OAC 340:75-7-38(c)(1) and (2). Techniques used are dependent upon the child's developmental needs and anticipated outcomes. Techniques appropriate for responding to lack of self-control include:

(A) rules. Rules are established guidelines that:

(i) allow the child to know what can and cannot be done;

(ii) help the child know right from wrong;

(iii) communicate to the child how something is done and help prevent problems; or

(iv) provide a way to respond to a problem;

(B) time-out. Time-out provides space between the child and a situation where the child exhibits behavior that is not acceptable or where the situation is dangerous. Recommended time-out is one minute per age of the child;

(C) restricting privileges. Privileges are restricted when a child is not allowed to do something for a specified period of time, such as not playing with a particular toy, watching television, playing the stereo, playing computer games, having phone privileges, or engaging in some other pleasant activity. Talking to parents

or siblings is not included in restricting phone privileges;

(D) grounding. Grounding involves imposing restriction on a child's interaction and involvement with friends or activities outside of the placement setting, such as restriction to the house or leaving the premises to attend parties, movies, or visit friends. Grounding is typically used for the older child;

(E) logical consequences. Logical consequences require the family to impose a response to the child's behavior consistent with and connected to the unacceptable behavior exhibited; and

(F) natural consequences. Natural consequences occur in response to the behavior. This technique is most appropriately used with adolescents and for those who tend to get in power struggles. Natural consequences are never allowed when a child's safety or well-being is in question.

(4) **Physical discipline.** OKDHS prohibits the use of any form of physical discipline for any child in OKDHS custody in an out-of-home placement or any act or omission that would emotionally, physically, or psychologically harm the child.

(A) The foster parent contacts the child's Child Welfare (CW) worker or the resource specialist if he or she cannot discipline the child through appropriate non-physical means. ■ 1

(B) OKDHS does not authorize any school personnel to administer corporal punishment to any child in OKDHS custody. The foster parent does not sign such authorizations, but refers school personnel to the child's CW worker to establish alternative discipline methods. ■ 2

(C) The developmental needs of a child and the desired outcomes define the discipline techniques used to modify the behaviors of the child. Some of the circumstances that may affect the technique used include:

- (i) the behavior the child is exhibiting;
- (ii) the foster parent's feelings about the behavior;
- (iii) the purpose assigned to the behavior;
- (iv) where the behavior occurs; and
- (v) who is present at the time of the behavior.

(5) **Punishment.** Unacceptable behavior management methods and techniques promote negative behavior, are punitive, and do not promote self-control. Unacceptable behavior management techniques for a child include, but are not limited to:

(A) the use of the hand or any object, such as a board, fly swatter, paddle, belt, switch, electrical cord, hair brush, or wooden spoon, to hit, strike, swat, or physically discipline;

(B) deprivation of food;

(C) deprivation of family visits;

(D) slapping, pinching, shaking, biting, pushing, shoving, thumping, or rough jerking;

(E) cursing or other verbal abuse;

(F) private or public humiliation or any act that degrades;

(G) derogatory remarks about the child, the child's biological family, race, religion, or cultural background;

(H) solitary confinement in areas such as closets, cellars, and rooms with locked doors;

(I) threatening to move the child from the foster home;

(J) use of any chemical agent, such as mace, sleeping pills, or alcohol;

(K) physical force or threat of physical force;

(L) assuming and maintaining an unnatural position, that may include holding arms out-stretched from the body, placing the nose against a wall, or forced squatting;

(M) tying with a rope, cord, or other object;

(N) ordering, allowing, or encouraging physical discipline or hitting by other children or anyone else in the home;

(O) washing the mouth out with soap, eating certain foods, which may include

peppers or hot sauce for punishment; and

(P) forced physical exertion, such as running laps and push-ups.

(d) **Physical restraint.** The use of physical restraint is only justified as an emergency safety measure in response to imminent danger to the child or others and when no alternative means are sufficient to accomplish the purpose. The foster parent completes and submits to the child's CW worker or resource specialist Form DCFS-53, Restraint Report for Foster Family Care, when restraint is used.

(e) **OKDHS rules.** The foster family must abide by OKDHS rules for discipline of a child in OKDHS custody even if there is a difference between OKDHS discipline rules and the methods used to discipline the family's own children.

INSTRUCTIONS TO STAFF

1. Assisting in non-physical methods of discipline. The child's Child Welfare (CW) worker or resource specialist is available to offer assistance in finding non-physical methods of discipline that are effective with the specific child. The CW worker intervenes to assist in defusing the situation. All persons are dealt with reasonably and calmly to avoid a confrontation that may lead to personal injury.

(1) Consultation with community resources or a mental health professional may assist in the development of appropriate discipline or behavior management techniques, per OAC 340:75-7-38.

(2) The CW worker makes referrals to parent training classes or in-service training.

2. Notification to schools regarding corporal punishment. Upon enrollment of a child in Oklahoma Department of Human Services (OKDHS) custody into a school that has a policy allowing the use of corporal punishment, the CW worker completes Form DCFS-122, Notification to Schools Regarding Use of Corporal Punishment, and submits it to the appropriate school official.

340:75-15-8. Responsibilities of the adoption specialist

The responsibilities of an adoption specialist are included in (1) through (5) of this Section.

(1) **Adoption consultation.** The adoption specialist consults with permanency planning, foster care, and Child Protective Services staff and serves as a team member in addressing permanency planning issues for children in care. Consultation may be informal between workers or occur in a multi-disciplinary team through criteria staffings and permanency planning reviews. Consultation regarding adoption issues is an ongoing process. The process begins with the referral for Swift adoption services, including the completion of Form DCFS-29, Child Profile Assessment for Adoption, and concludes when an adoptive placement is made. ■

1

(2) **Recruitment of adoptive homes.** The adoption specialist engages in activities designed to recruit resource families who reflect the diversity of the children in out-of-home care and who are willing and able to parent children with special needs. ■

1

(3) **Assessment and preparation of adoptive families.** The adoption specialist educates and prepares families on an ongoing basis to parent children with special needs. ■

1

(4) **Post placement services.** Post placement services begin when a child is placed in trial adoption and end when the adoption is legalized, in accordance with OAC 340:75-15-103 through 340:75-15-109.

(5) **Post adoption services.** Post adoption services are provided at the family's request after the adoption is legalized, in accordance with OAC 340:75-15-124 through 340:75-15-133.

INSTRUCTIONS TO STAFF**1. (a) Adoption consultation. The adoption consultation process includes:**

(1) monthly review of Report YI602, Adoption Permanency Plan Case Goal Report, by the adoption specialist. Initial consultation occurs within 30 calendar days after the child's name first appears on Report YI602;

(2) scheduling criteria staffings for each child on Report YI602;

(3) documenting all adoption consultations and criteria staffings in the permanency planning case KIDS Contacts screen and all Swift services referrals in KIDS Adoption Efforts screen;

(4) sending the child's biological KK case record to Departmental Services Unit to be copied;

(5) researching all Oklahoma Department of Human Services (OKDHS) files related to the child, including any Family Support Services Division services records and medical records within the database maintained by Oklahoma Health Care Authority (OHCA);

(6) completing Form DCFS-110, Child Profile Referral, to submit to the Swift profile contractor after the criteria staffing. The referral packet includes, at a minimum:

(A) copy of the child's biological KK case;

(B) full-certified copy of child's birth certificate;

(C) copy of all legal orders pertaining to custody status and disposition of the child, including, but not limited to the:

(i) original deprived petition;

(ii) amended deprived petition;

(iii) Emergency Custody Order;

(iv) Temporary Custody Order;

(v) Adjudication Order;

(vi) Disposition Order;

(vii) Termination of Parental Rights Order for mother; and

(viii) Termination of Parental Rights Order for father;

(D) KIDS reports, including Forms:

(i) CWS-KIDS-2, Client Information, attached for each child and biological parent;

(ii) CWS-KIDS-6, Case Contacts;

(iii) CWS-KIDS-12, Client Medical/Psychological; and

(iv) CWS-KIDS-20, Placement Worksheet;

(E) signed Form HIPAA-3, Authorization to Disclose Medical Records, on each medical, dental, psychological, and educational provider identified in the case records or within the database maintained by OHCA;

(F) Form DCFS-49, Perinatal Information, that is mailed to the hospital where the child was born;

(G) Form ODH 347, Medical and Social History Report for Adoption;

(H) Form DCFS-90, Assessment of Child by Caregiver;

(I) OKDHS Publication No. 85-67, What Do You Think? How Do You Really Feel About Your Adoption Choices?; and

(J) Form DCFS-2, Adoptive Placement Criteria Staffing;

(7) initiating Forms ODH 347 and DCFS-90 and OKDHS Publication No. 85-67.

(A) If not previously completed by the Child Welfare (CW) worker, these are completed as part of Swift services. Swift services may be completed by the adoption specialist or CW worker. When appropriate, former foster parents, CW workers, and relatives may be contacted for additional information.

(B) The resource assessment contractor completes Form DCFS-29, Child Profile Assessment for Adoption, including attachments;

(8) arranging for the child to be staffed at the next statewide adoption staffing, when there is no identified adoptive resource family;

(9) faxing copies of all recommended resource family assessments to the appropriate CW worker within five working days of statewide adoption staffing;

(10) assisting the CW worker with the selection and recommendation process; and

(11) assisting the CW worker with referrals for media recruitment, adoption parties, and adoption exchanges, when there is no recommended resource family for the child.

(b) To facilitate the recruitment of adoptive homes, the adoption specialist:

(1) develops an annual local recruitment plan in coordination with area adoption and county foster resource staff;

(2) utilizes a combination of child-specific and more general targeted recruitment strategies;

(3) coordinates recruitment activities with Children and Family Services Division Adoption Section; and

(4) jointly recruits foster homes.

(c) For the assessment and preparation of adoptive families, the adoption specialist:

(1) enrolls the adoptive applicant in the required pre-service training, including Behavior Crisis Management Training (BCMT); and

(2) completes Form DCFS-67, Referral for Resource Family Assessment, and sends the form to the resource assessment contractor within two weeks of receipt of the completed application along with:

(A) Form DCFS-2, if applicable;

(B) Form DCFS-11, House Assessment, completed at the initial home visit by the adoption specialist on all new inquiries. The resource assessment contractor completes Form DCFS-11 on all conversion assessments;

(C) Form DCFS-26, Resource Family Assessment Application;

(D) Form DCFS-29, Child Profile Assessment for Adoption, for conversion assessments;

(E) Form DCFS-109, Records Check;

(F) Form ADM-130, Request for Background Check, for all household members age 18 or older;

(G) fingerprinting results, if available;

(H) copy of all KIDS Pre-Resource and Resource contacts;

(I) copy of entire resource record, including re-evaluations, for kinship and foster families applying to adopt; and

(J) any other forms or documentation that the applicant returns to the adoption specialist. The contractor completes the assessment using Form DCFS-69, Guidelines for Resource Family Assessment.

PART 6. ADOPTION PROCESS

340:75-15-41. Adoptive placement criteria staffing

The adoption process is a team effort that includes the adoption specialist and supervisor, Child Welfare (CW) worker and supervisor, and service providers. Within 30 calendar days of the initial adoption consultation, Form DCFS-2, Adoptive Placement Criteria Staffing, is completed on any child with the goal of adoption to assist in determining the type of placement which best meets the child's needs. The assessment may identify a prospective adoptive parent(s)' ability to meet the child's needs and shall address the legal status and any legal barriers to adoption. Completion of the adoptive placement criteria staffing is not approval for adoptive placement. A child for whom there is no resource identified is referred to statewide adoption staffing. ■ 1

(1) **Siblings.** Siblings are placed together when possible. Siblings are separated in adoptive placement only in certain circumstances, in accordance with OAC 340:75-6-85.2 and 340:75-15-43.

(2) **Attachment.** The attachment of the child to the siblings, foster family, and significant others is assessed and utilized as an indicator of the child's ability to attach to an adoptive family. ■ 2

(3) **Age.** Age is evaluated in relation to the applicant's ability to parent the child into adulthood. An applicant nearing 65 years may be considered for adolescent children. ■ 3

(4) **Health.** The health records of the adoptive parent(s) must indicate the adoptive parent(s) has the health to participate with the child in normal developmental activities and parent the child into adulthood.

(5) **Culture.** OKDHS does not rely on generalizations about the identity needs of children of a particular race or ethnicity. OKDHS does not presume from the race or ethnicity of the prospective parent(s) that he or she would be unable to maintain the child's ties to another racial, ethnic, or cultural community.

(6) **Adoption of an Indian child.** Children who meet the definition of an Indian child under the Indian Child Welfare Act (ICWA) must be placed according to the placement preferences established by that Act. [OAC 340:75-19-23] Before OKDHS places an Indian child in a non-extended family or non-Indian resource, the child's CW worker must request that the court of adjudication conduct a good cause hearing. ICWA requires that:

(A) a good cause hearing is set;

(B) prior notice is given to all parties, including the tribe(s); and

(C) the court makes a finding that good cause exists, for whatever reason, to not follow the placement preferences of the ICWA.

(7) **Religion.** The child is provided an opportunity for spiritual and moral development. If the child has made a religious commitment or the birth parent(s) has made a specific request, OKDHS makes a reasonable effort to find an adoptive family of like faith.

(8) **Language.** If the child's primary language is other than English, special consideration is given to identifying an adoptive family that is fluent in the same language as the child. This would include sign language for a hearing impaired child.

(9) **Education.** The child is given the opportunity to develop his or her potential and will not be subjected to unrealistic academic expectations.

(10) **Geographic location.** The child is placed in a locality where the child and adoptive family are protected from identification and from undue interference by the birth family. When foster parents or relatives are considered as an adoptive resource this criterion is of special significance. An assessment is made to determine the adoptive parent(s)' ability to parent without undue interference.

(11) **Resources.** The adoptive family must have adequate resources to meet the financial, medical, health, educational, shelter, and emotional needs of the child. Adoption assistance is a resource for children who meet the eligibility criteria. [OAC 340:75-15-128]

INSTRUCTIONS TO STAFF

1. Criteria staffing procedures.

(1) The adoption specialist schedules the time and place for the criteria staffing during the initial adoption consultation.

(2) Prior to the staffing, the Child Welfare (CW) worker and CW supervisor complete Form DCFS-2, Adoptive Placement Criteria Staffing, to the extent possible.

(3) The assigned court-appointed special advocate (CASA) reviews Form

DCFS-2. Any additional information provided by the CASA may be included on Form DCFS-2. The CW worker requests the CASA sign Form DCFS-2 indicating the opportunity to review the content and notification of the date, time, and location of the upcoming criteria staffing.

(4) The CW worker:

(A) notifies all appropriate participants of the criteria staffing.

(i) Recommended participants include the area adoption specialist, the child's CW worker, CW supervisor, resource specialist, Developmental Disabilities Services Division (DDSD) case manager, therapeutic foster care (TFC) therapist, and tribal social worker.

(ii) Other persons with information that may assist in planning for the child are also invited, including, but not limited to CW field liaison (CWFL) and SoonerStart and Office of Juvenile Affairs staff.

(iii) All participants are required to review and sign Form DCFS-2;

(B) attaches the most recent completed Permanency Planning Review form to Form DCFS-2;

(C) if the court of jurisdiction has given any specific direction or court order regarding adoptive placement of the child, attaches a copy of the court order or court minute to Form DCFS-2. If not attached, it must be identified on Form DCFS-2 as an action step with a due date;

(D) prior to submitting a request for separating siblings, staffs concerns regarding sibling placement and separation with the designated Children and Family Services Division (CFSD) Permanency Planning Section programs field representative.

(i) If this is not completed prior to the criteria staffing, it must be identified on Form DCFS-2 as an action step with a due date.

(ii) Requests to separate siblings for the purpose of adoptive placement must be submitted in a memo to and approved by CFSD Sibling Separation Committee;

(E) if Form DCFS-11, House Assessment, was previously completed for

- a relative of the child, attaches a copy of this form to Form DCFS-2. If not attached, it must be identified on Form DCFS-2 as an action step with a due date; and**
- (F) conducts a thorough Child Abuse and Neglect Information System search for prospective resources identified.**
- (i) The results of all Child Protective Services investigations and assessments, including any policy violations and written plans of compliance, are included on Form DCFS-2.**
- (ii) If this is not completed prior to the criteria staffing, it must be identified on Form DCFS-2 as an action step with a due date.**
- (5) The area adoption supervisor and CW supervisor review completed Form DCFS-2, including the documented action steps, and sign as mandatory reviewers of Form DCFS-2.**
- (A) If no areas of concern are identified, the adoption specialist proceeds with the Swift services referral.**
- (i) If a resource for the child is identified, the resource assessment referral is made after Form DCFS-26, Resource Family Assessment Application, is received.**
- (ii) The CW worker notifies the identified resource of the results of the criteria staffing and that a referral for a resource family assessment will be made.**
- (B) If an area of concern or placement dispute is identified, the adoption specialist or area adoption supervisor promptly notifies CFSD Adoption Section. If no resolution is reached after review by the Adoption Section, the Adoption Section programs manager notifies the CWFL and county director that a grand staffing is needed.**
- 2. Attachment of the child. The child's CW worker is aware that an indicator of success in adoption is the child's ability to attach. The child's CW worker solicits the cooperation and assistance of the foster family and other professionals, if indicated, to help the child accept adoption and the transition into the placement.**
- 3. Age of applicant. When the age difference between the applicant and the child**

is more than 55 years, the CWFL and Adoption Section are consulted.

340:75-15-42. Statewide adoption staffing

A child is referred for statewide adoption staffing when the goal for the child becomes adoption, unless there has been a prospective relative(s) or foster family identified for the child at criteria staffing. From the resource family assessments submitted for consideration, the Child Welfare (CW) worker selects the three families who are best able to meet the identified needs of the child and ranks the families in order of preference. If there are no resource families identified for consideration at the initial statewide staffing, information regarding the child's continued need for an adoptive resource is presented at each subsequent staffing and child specific recruitment activities are initiated to recruit an adoptive family. [OAC 340:75-15-82] ■ 1

INSTRUCTIONS TO STAFF

1. **Statewide adoption staffing. Statewide adoption staffing, found in the STO DCFS/Adoption/Statewide Staffing public folder on Outlook, occurs monthly and is an opportunity for Child Welfare (CW) workers to obtain home assessments for adoptive placement consideration. Tribal representatives are invited quarterly to statewide staffing.**

(1) The CW worker:

(A) brings 45 copies of Form DCFS-29, Child Profile Assessment for Adoption, and a current color photograph of each child to be presented;

(B) gives a brief presentation, five to seven minutes, of the child and describes the reason the child came into care and the child's:

(i) current legal status;

(ii) current placement, including level of care and length of time in current placement;

(iii) health, day-to-day behavior, functioning in school, and educational needs;

(iv) progress in counseling, if applicable;

(v) contact with his or her biological family, including placement with siblings or visitation with siblings;

(vi) interests or hobbies;

(vii) strengths and needs; and

(viii) preference for placement, including the type of family;

(C) reads all resource family assessments submitted within 30 days of staffing the child;

(D) from the resource family assessments submitted for consideration, selects three families who appear best able to meet the identified needs of the child and prepares an adoptive placement recommendation for each family, per OAC 340:75-15-45; and

(E) if no resource family assessments are submitted for consideration, explores other recruitment opportunities, including:

(i) re-staffing the child;

(ii) scheduling the child for the next adoption party; and

(iii) listing the child's profile on the Internet.

(2) The adoption specialist:

(A) creates and provides a list of the corresponding adoption specialist and all adoptive families to be considered by the CW worker for the child staffed;

(B) forwards resource family assessments to the child's CW worker within three working days; and

(C) consults with the CW worker to facilitate the adoptive placement recommendation process.

340:75-15-43. Sibling placements

(a) The Oklahoma Department of Human Services (OKDHS) supports the relationship of sibling groups by placing them together in out-of-home care whenever possible. Siblings who are not placed together in foster care are afforded regular visitation with each other. Siblings who are separated are moved into the same placement at the first available opportunity. Siblings with the goal of adoption are staffed for adoptive placement as a sibling group.

(b) Exceptions to placing siblings together for adoptive placement include children who are placed among relatives and children who have a documented need for separation due to extreme behavior that is or would be harmful to a sibling on a long-term basis. [OAC 340:75-6-85.3] ■ 1

(c) When separation is approved by the sibling separation committee, a plan for continued contact is provided to and agreed upon by the caregivers of the children. The Child Welfare (CW) worker explains to the prospective adoptive parents that authorization to separate the children for placement does not sever the sibling relationship.

INSTRUCTIONS TO STAFF

1. (a) Requests to separate siblings for the purpose of adoptive placement are submitted in a memo to Children and Family Services Division (CFSD) Adoption Section.

(b) Requests are reviewed by the Sibling Separation Committee that meets monthly and is comprised of representatives from CFSD:

(1) Child Protective Services;

(2) Permanency Planning;

(3) Foster Care;

(4) Therapeutic Foster Care (TFC);

(5) Indian Child Welfare; and

(6) Adoption.

(c) Requests may be approved, denied, or the committee may agree that

additional information is needed to render a decision.

(d) Requests must contain:

(1) each child's KK number, name, age, and date of birth;

(2) a brief summary of the reasons each child came into care and length of time in Oklahoma Department of Human Services (OKDHS) custody;

(3) each child's current placement, length of time in current placement, and length of time placed apart from siblings, and efforts made to place the siblings together in foster care or to reunite into one home;

(4) if siblings were placed together at any time while in OKDHS custody, the dates of placement, length of time together, and an explanation regarding the disruption of the placement;

(5) a description of day-to-day behavior of each child at home, school, and church;

(6) frequency and type of contact among the siblings;

(7) recommendations of the counselors or therapists involved with each child;

(8) desires of each child regarding placement; and

(9) a permanency recommendation for each child.

(d) Reasons for the separation request and behaviors referenced in the request must be thoroughly detailed. For example, rather than stating that a child is difficult, specific behaviors must be identified.

(e) Supporting documentation is required, as applicable, such as letters from counselors or therapists, psychological evaluations, court-appointed special advocate (CASA) recommendation, criteria staffing notes, Permanency Planning Review forms, and Form DCFS-90, Assessment of Child by Caregiver. Letters from the child's TFC counselor must be signed by the TFC agency director.

(f) Documentation identifying an ongoing plan of visitation and contact among

siblings may be requested by the Sibling Separation Committee.

PART 10. ADOPTIVE FAMILY ASSESSMENT AND PREPARATION PROCESS

340:75-15-82. Recruitment of adoptive homes

(a) **Recruitment program.** The recruitment of adoptive homes is an ongoing, proactive component of adoption services. A combination of both child-specific and more general, targeted recruitment is utilized. Public service announcements are also utilized to inform the general public of the continuous need for adoptive families for children with special needs. ■ 1

(b) **Minority adoption recruitment.** General, targeted, and child-specific recruitment methods are used to recruit minority families as well as families for any growing population within the Child Welfare system. Diligent efforts are made to recruit potential adoptive families who reflect the ethnic and racial diversity of children in the custody of the Oklahoma Department of Human Services (OKDHS) for whom adoptive homes are needed. ■ 2

(c) **Media recruitment.** Options for media recruitment may include, but are not limited to television, newspapers, and public service announcements (PSA). ■ 3

(d) **Adoption exchange registrations.** Sections 7510-2.1 through 7510-2.5 of Title 10 of the Oklahoma Statutes require that children be listed on an adoption exchange if they have not been placed for adoption in 90 calendar days after termination of parental rights where the child is legally free for adoption. OKDHS utilizes a variety of exchanges which provide the best opportunity to identify adoptive resources. ■ 4

(e) **Website photo listing.** OKDHS has an online photo listing of children who are waiting for adoptive homes. Legally free children who have been staffed at statewide adoption staffing, but for whom no adoptive home was identified, are referred to www.okdhs.org/adopt and www.adoptuskids.org. Children who object to being listed on the Internet or other exchanges are exempt. ■ 5

INSTRUCTIONS TO STAFF

1. (a) **Recruitment.** Recruitment events are ongoing and coordinated with resource specialists in each county. The desired outcome of recruitment events is to increase available foster and adoptive family resources. The comprehensive recruitment plan must include, but is not limited to:

(1) descriptions of the characteristics of children requiring placement;

(2) specific strategies to reach all parts of the community;

(3) diverse methods of disseminating both general and child-specific information;

(4) strategies for ensuring that all prospective resource parents have access to the home study or assessment process, including location and hours of services that facilitate access by all members of the community;

(5) strategies for dealing with linguistic barriers; and

(6) procedures for a timely search for prospective resource parents for a child.

(b) The crucial coordination issue for planning recruitment activities is the extent to which the adoption staff are prepared to respond quickly and energetically to prospective adoptive applicants who contact Oklahoma Department of Human Services (OKDHS) as a result of recruitment efforts. At a minimum, adoption specialists are prepared to fully discuss:

(1) the adoption process;

(2) the types of children waiting for adoptive homes; and

(3) answer prospective applicants' questions when the first contact is made with OKDHS.

(c) Requests to apply to adopt a specific child are referred to the child's Child Welfare (CW) worker and may be reviewed through a criteria staffing, to assess whether this is an appropriate plan for the child. The inquiry is documented in KIDS Pre-Resource Contacts screen.

(d) A request by an approved adoptive family to adopt a specific child are communicated to the child's CW worker along with a copy of the completed approved adoptive home assessment.

2. Minority recruitment.

(1) The One Church, One Child (OCOC) Minority Adoption Recruitment program is a special minority recruitment program designed to find parents for children who are African American and need permanent homes. The program seeks to inform the African American community about children who need adoptive homes, dispel myths and misconceptions regarding the

adoption process, and identify families interested in adopting children. Program activities are conducted statewide. An adoption specialist in both Tulsa and Oklahoma counties is assigned to work with the program.

(A) Presentations are made in churches in the African American community regarding the need for adoptive homes. Each church is challenged to recruit from its members at least one family to adopt a child. A referral is made to the OCOC recruiter or to a master adoption coordinator regarding the family's interest so that an intake interview may be scheduled.

(B) Master adoptive parents (MAPs):

(i) are experienced adoptive parents who have completed the adoption process and serve as a resource to prospective adoptive applicants, some of whom are trained in the OCOC program;

(ii) share information regarding the adoption process with prospective adoptive applicants from an adoptive parent perspective; and

(iii) may bridge the gap between the time a prospective adoptive applicant expresses an interest in adoption and a contact is made by an adoption specialist or OCOC recruiter. Referrals to MAPs are coordinated by the OCOC adoption coordinator.

(2) Indian adoptive home recruitment. In accordance with the Indian Child Welfare Act (ICWA), efforts to recruit Indian adoptive homes are coordinated with tribal social workers who provide a connection to Indian families.

3. Media recruitment.

(1) Waiting Child television feature. Children are referred for Waiting Child through the Area VI Adoption Unit, after they have been staffed, and are legally free, and no placement resources are available to meet the children's needs. Each inquiry received following a Waiting Child broadcast is documented as a KIDS Pre-Resource and transferred to the appropriate adoption specialist. Referrals to Waiting Child and the resulting number of inquiries are recorded in the child's KIDS Adoption Efforts screen.

(2) Newspaper. Referrals to appear in newspaper features are coordinated with the appropriate Area Adoption Unit.

(3) Public service announcement (PSA) and Swift phone line 1-877-OKSWIFT. Oklahoma families who express an interest in adopting are referred to the area adoption supervisor by Children and Family Services Division Adoption Section. An adoption specialist is assigned to contact these families.

4. National adoption recruitment.

(1) Referrals to appear on www.adoptuskids.org are made to the area adoption supervisor for children who meet the criteria for listing. A recent color photograph and one page profile for adoption are submitted to the area adoption supervisor.

(2) The child's CW worker discusses the listing with the child and notifies the area adoption supervisor, if the child objects. Children must be legally free to be listed on an exchange.

(3) Photographs of children listed on the exchange are updated annually, at a minimum, and when any significant change occurs in the child's appearance. Profile information is updated annually, at a minimum, and when any significant change occurs in the child's general functioning.

5. Website photo listing. The Oklahoma Adoption Exchange Website is www.okdhs.org/adopt. Exempt from listing are children who:

(1) are age 12 years or older and do not choose to be adopted pursuant to Section 7503-2.3 of Title 10 of the Oklahoma Statutes (10 O.S. § 7503-2.3). The child's decision not to be adopted is addressed on an ongoing basis with the child, with emphasis on giving the child information about the adoption process. Documentation of the child's refusal to be adopted is included in the child's case record that is updated yearly;

(2) are runaways whose present location is unknown;

(3) do not have adoption as the permanency plan, for example, permanent placement with relatives or long-term foster care is the permanency plan;

(4) due to medical or psychological reasons as determined by a licensed

**psychiatrist, psychologist, or physician, are not ready for adoption; or
(5) are currently in adoptive placement pursuant to 10 O.S. § 7505-6.3.**

340:75-15-87. Assessment and preparation process

(a) **Assessment.** The assessment process is a tool for the Oklahoma Department of Human Services (OKDHS) to assist the family in determining their ability to parent a child with special needs. The family is provided basic background information required to understand the adoption process, laws, and types of parenting issues faced by parents who adopt children with special needs. All services provided to the family in preparation for placement are designed to increase the family's ability to problem solve, access help, and cope with parenting a child with a unique history and needs. ■ 1

(b) **Joint approval of resource families.** OKDHS may jointly approve Child Welfare (CW) foster homes which are also certified as adoptive homes. Before the home may be approved as a CW foster home and certified as an adoptive home, the home must meet eligibility standards of both programs. [OAC 340:75-7-123.1] The differences in the goals of the two programs are explained to the family. The family is advised that children in foster care are not moved in order to place an adoptive child in the home. All children in the home, including children in foster care placement, are considered in making placement decisions regarding an adoptive placement.

(c) **Interviews with applicants.** Individual and joint interviews are held with each family and household member with a minimum of two home visits on separate days. Information regarding the current family structure, family history, and social support is gathered through the interviews. ■ 2 & 3

(d) **Reference information.** The signed Form DCFS-26, Resource Family Assessment Application, grants OKDHS permission to contact the listed references. Forms are mailed to appropriate references. ■ 4

(e) **Health and age.** Form DCFS-38, Medical Examination Report, or other medical exam report by a doctor, for each family member in the household, must be submitted before the assessment is complete. ■ 5 An application to adopt a specific child elicits information to assess the parent(s)' ability to provide care for that child into adulthood, given the parent(s)' health history and age. ■ 6

(f) **Background checks.** A criminal background check is required for prospective adoptive parents and all other household members 18 years and older. This includes an Oklahoma Department of Public Safety check, an Oklahoma State Bureau of Investigation (OSBI) check, a search of the Department of Corrections files maintained pursuant to the Sex Offenders Registration Act, and a Child Abuse and Neglect Information System check. A national criminal history records search based upon submission of fingerprints is required for prospective adoptive parents and other household members 18 years and older who have not lived continuously in Oklahoma

for the past ten years. When a fingerprint search has been done in the past five years and is available for review by the person conducting the adoptive home study, then only an OSBI criminal background check is required. Section 7505-5.3(A)(4) of Title 10 of the Oklahoma Statutes mandates the same procedure for all public agency and private adoptive parent applicants. ■ 7 A study is not initiated if any adoptive parent applicant or any adult household member refuses to submit the forms granting permission for the investigation. All adult household members age 18 and older are required to complete and sign Form ADM-130, Request for Background Check, authorizing OKDHS to conduct an investigation. The applicant(s)' signature, as well as the submission of fingerprint cards and Form ADM-130 authorize OKDHS to complete a background investigation. ■ 8 This information is considered in making a final recommendation. Background information that reveals a risk to the child is used in denying the application. [OAC 340:75-15-88] ■ 9

(1) **Fingerprinting charges.** Once an applicant receives fingerprint cards, law enforcement or a private fingerprinting company may fingerprint them. There is no charge to the OKDHS adoptive parent applicants. Non-OKDHS adoptive parent applicants are responsible for any charges incurred for this service.

(2) **Obtaining fingerprinting services.** Law enforcement is not mandated to provide the fingerprinting service. Local law enforcement is contacted to ascertain their willingness and availability to provide this service and the cost per person.

(3) **Time frames.** If the fingerprinting is not done correctly, the cards can be rejected by either the OSBI or the Federal Bureau of Investigation (FBI). The applicant must be reprinted when this occurs. If the fingerprint cards are found unacceptable the second time, the applicant must pay the fee to be re-fingerprinted and non-OKDHS applicants must pay the \$50 search fee. The estimated time frame to receive all results from the OSBI and FBI is approximately eight weeks.

(g) **Marriage history.** Adoptive applicants provide copies of present marriage licenses and divorce decrees, legal separations, and annulments, if applicable. Documentation of the validity of the present marriage is necessary to determine eligibility to adopt and to protect the legal status of the prospective adoptive child. If there are children from a previous marriage, their role in the family is discussed and child support is documented.

(h) **Financial statement.** Applicants complete Form DCFS-20, Resource Family Financial Assessment, and provide documentation of employment and income. Management of resources is more important than the family's income and is addressed in the assessment summary.

(i) **Photographs.** Recent photographs of the applicant(s) are provided as part of the

final assessment summary. ■ 10

(j) **Orientation.** The adoptive applicants must attend 21 hours of Oklahoma Parents as Tender Healers (OK PATH) orientation and six hours of Behavior Crisis Management Training (BCMT). This training is mandatory and is designed to assist adoptive applicants in evaluating the strengths, needs, and challenges they might face in parenting a child with special needs. [OAC 340:75-7-14] ■ 11

INSTRUCTIONS TO STAFF

1. Assessment time frames.

(1) An at-home consultation is scheduled within ten working days after receiving the application or on a date agreed upon with the family.

(2) The assessment process begins with completion of Form DCFS-11, House Assessment, by the adoption specialist.

(3) Form DCFS-69, Guidelines for Resource Family Assessment, is followed in completing the process.

(A) Information is gathered in a series of interviews with persons who have applied to adopt and any other household members.

(B) Within two weeks of receipt of the completed application, a referral is made to the resource assessment contractor, per OAC 340:75-15-8 Instructions to Staff.

(C) The assessment is completed within 90 calendar days of the referral to the resource assessment contractor.

2. Interviews. Through the assessment and preparation process the resource assessment contractor assists the adoptive applicant in:

(1) understanding the types of parenting issues faced by families who adopt children with special needs.

(A) The family gains insight and feedback about their strengths, needs, and challenges in parenting the type of child they have applied to adopt.

(B) The assessment includes the gender, age range, and race of child the family wishes to adopt, and the special needs the family feels they

are capable of parenting. Special needs may include being part of a sibling group, age, race, mental, physical, or emotional disabilities, or being at high risk for developing a physical or mental disability; and

(2) reviewing Form DCFS-63, Child Needs Information Checklist, and explains the conditions listed.

(A) If the applicant has applied to adopt a specific child, the assessment summary addresses the applicant's relationship to the child, the child's needs, and whether the applicant can meet the child's special needs on a permanent basis and into adulthood.

(B) When assessing an applicant, the most important criterion is the applicant's ability to parent a child not born to him or her. Marital status, income level, education, age, health, and other factors are considered only in relation to the applicant's ability to parent an adopted child.

3. Assessment tools. The adoption specialist or resource assessment contractor utilizes the Genogram, Family Network Diagram, and Eco-Map as tools in assisting adoptive applicants to assess their strengths and challenges in parenting a child with special needs through adoption. The adoption specialist allows the applicants to determine the pace at which the process proceeds. Some applicants are ready to quickly move through the assessment, while others need more time to process information. The Genogram, Family Network Diagram, and Eco-Map are included with a narrative obtained through the interviews in the assessment summary.

4. References.

(1) The adoption specialist sends the applicant, as appropriate, Forms:

(A) DCFS-39, Resource Family Reference Letter for Adult Children;

(B) DCFS-43, Resource Family Reference Letter for School Personnel;

(C) DCFS-48, Resource Family Reference Letter for an Employer;

(D) DCFS-64, Resource Family Personal Reference Letter; and

(E) DCFS-65, Resource Family Assessment Reference Letter for Mental

Health Professionals.

(2) References may be contacted for an interview if they fail to respond to the reference letter request or if information contained in the response requires further clarification. No additional references are contacted without the specific written permission of the applicant. If voluntary references contact the adoption specialist to provide information, this is included in the assessment.

5. Health.

(1) If any family member has received counseling or therapy, Form HIPAA-3, Authorization to Disclose Medical Records, must be signed and:

(A) if the person is an adult, Form DCFS-65 is sent requesting information about the treatment received; or

(B) if the person is younger than 18 years of age, Form DCFS-65-A, Child's Mental Health Reference Letter, is sent requesting information about the treatment received.

(2) The reference information is not given to the adoptive family as part of the completed assessment. If negative reference information is received, the issues are fully explored with the applicant without revealing the source of the information.

(3) Form DCFS-42, Family Health History, is completed by the applicant. The narrative summary describes the family's health history, health insurance coverage, and assesses their ability to care for a child into maturity. A statement from the family physician is required for all children in the home to verify the children are free from communicable diseases and are current on immunizations.

6. Age. If the age difference between the applicant and the child is more than 55 years, the Child Welfare field liaison and Children and Family Services Division (CFSD) Adoption Section are consulted at the time of the local adoptive placement criteria staffing, per OAC 340:75-15-41.

7. Fingerprinting.

(a) OKDHS adoptive applicants. Oklahoma Department of Human Services

(OKDHS) adoptive applicants and household members 18 years of age and older who have not lived continuously in Oklahoma for the last ten years must be fingerprinted. If they have been fingerprinted in the last five years and the information is available for review by the person conducting the home study, then only an Oklahoma State Bureau of Investigation (OSBI) search is required. The search fee is paid by OKDHS for all OKDHS adoptive applicants and their adult household members.

(1) The adoption specialist provides the applicant and any household member 18 years of age and older who have not lived continuously in Oklahoma for the last ten years with two fingerprint cards. The cards are taken to local law enforcement or a private fingerprinting company where the fingerprinting takes place. OKDHS pays for the required fingerprinting. Tribal homes that are in the process of certification to serve children in OKDHS custody are included in this process.

(2) After fingerprints are obtained, the applicant returns the cards to the respective adoption specialist who checks the fingerprint cards for completeness and applicant's signature. The completed fingerprint cards and Form ADM-130, Request for Background Check, are placed in a sealed manila envelope marked confidential and mailed to CFSD Fingerprint Processing Section, PO Box 268935, Oklahoma City, OK 73126.

(3) The results are returned to the CFSD Fingerprint Processing Section in approximately eight weeks. If an FBI criminal history is found on the applicant, this information is not dispersed to non-governmental agencies. The applicant may access this information by mailing a letter of request, that includes an address in which to mail the information, to the Fingerprint Processing Section.

(b) Non-OKDHS adoptive applicants. Non-OKDHS adoptive applicants and adult household members 18 years of age and older must complete Form ADM-130. An OSBI check is required for all OKDHS and non-OKDHS applicants and includes a search of:

(1) Oklahoma Department of Corrections files maintained pursuant to the Sex Offenders Registration Act; and

(2) Oklahoma Department of Public Safety records.

(A) Non-OKDHS applicants are responsible for paying the cost of

fingerprinting and OSBI name search. The cost for the FBI and OSBI search for an applicant is \$50. Of this cost, \$9 is for OKDHS administrative fees and \$41 is the actual cost for the search. An OSBI name search is required for each member of an applicant's household who is 18 years of age or older. The cost for this search is \$20 for each applicant. Of this cost, \$5 is for OKDHS administrative fees and \$15 is the actual cost for the search.

(B) The private agency, private attorney, or tribal office provides each applicant with two fingerprint cards. The applicant takes the cards to local law enforcement or a private fingerprinting company where the fingerprinting takes place. Each applicant is responsible for paying the cost of fingerprinting.

(C) After fingerprints are obtained, the applicant returns the cards to the respective private agency, private attorney, or tribal office. Fingerprint cards are not returned to local OKDHS offices. The private agency, private attorney, or tribal office reviews the cards with the applicant for completeness and applicant's signature.

(D) Completed Form ADM-130 must accompany each set of fingerprint cards. Completed forms and fingerprint cards for all members of the same household must be submitted together. The payment is a check or money order made payable to OKDHS. Fingerprint cards and forms received without payment by CFSD are returned. The completed fingerprint cards, Form ADM-130, and payment are mailed by the private agency, private attorney, or tribal office in a sealed envelope marked confidential to CFSD Fingerprint Processing Section, PO BOX 268935, Oklahoma City, OK 73126.

(E) The results are returned to the private agency, private attorney, or tribal office in approximately eight weeks. A return address must be provided for results to be returned. If an FBI criminal history is found on an applicant, this information is not dispersed to non-governmental agencies. OKDHS provides the non-governmental agency with a response letter stating only that criminal history was found. The applicant may access this information by mailing a written request, that includes the address in which to mail the information, to CFSD Fingerprint Processing Section.

8. Criminal background check. A review is completed of any existing OKDHS

records and information systems checks, including Oklahoma State Courts Network (OSCN) and Oklahoma District Court Records (ODCR) on each adult household member. Any significant information obtained through completed Form ADM-130 and other information systems checks is reviewed thoroughly, verbally discussed with the applicant, and included in the written assessment summary in the Verification section.

9. Child abuse and neglect information. A Child Abuse and Neglect Information System (CANIS) search is required for all OKDHS and non-OKDHS adoptive applicants. The Adoption Section completes all CANIS searches. CANIS search results are forwarded to the agency or other person authorized to conduct home study investigations per Section 7505-5.4 of Title 10 of the Oklahoma Statutes.

(1) OKDHS applicant. Any significant information obtained through completing Form DCFS-109, Records Check, is reviewed thoroughly, verbally discussed with the applicant, and included in the Verification section of the assessment summary.

(2) Non-OKDHS applicant. The applicant must complete a written request for a CANIS search via Form DCFS-125, Request for Child Abuse and Neglect Information System Search, that is submitted with verification of impending adoption to the Adoption Section by the applicant or agency or other person authorized to conduct home study investigations.

10. Photographs. The family is encouraged to incorporate photographs, such as photographs of parents, relatives, home, work space, school, pets, activities, other children in the family, and the neighborhood, into a family Life Book. The Life Book must be 8 ½ X 11 inches and filed with the assessment.

11. Orientation. The information about the adoption process provided to adoptive applicants allows them to decide whether adoption is appropriate for their family. The dates the applicants attended pre-service training, including Behavior Crisis Management Training (BCMT), and a description of their reaction to the information provided is included in the Training section of the assessment summary. Exceptions must be requested from the Adoption Section.

340:75-15-91. Closure of resource family home

(a) **Basis for closure.** A resource family home is closed when:

- (1) a request is made by the adoptive family;
- (2) the family has completed the adoption of a child from the Oklahoma Department of Human Services and does not wish to reapply;
- (3) the family has moved out of state;
- (4) the family's address is unknown;
- (5) the family displays a lack of interest and cooperation; or
- (6) the family no longer meets standards as found in OAC 340:75-15-88(d).

(b) **Procedures.** Specific procedures are followed to close an adoptive resource family home. ■ 1

INSTRUCTIONS TO STAFF

1. (a) **Notice of closure.** When possible, the adoption specialist makes face-to-face contact with the adoptive family to clarify the reason for closure of the home. A letter is sent to the family, with the reason for closure stated in clear, concise language. Relevant Oklahoma Department of Human Services (OKDHS) rules or procedures are cited and attached. The adoption specialist may consult with Children and Family Services Division Adoption Section staff to determine whether to close an adoptive home.

(b) **Resource closing summary.** The adoption specialist writes a closing summary outlining the reasons for closure and stating whether the adoptive applicants should be considered as an adoptive resource in the future, should they reapply. This summary is entered in KIDS resource assignment text box when the assignment is end dated.

(c) **Resource record at closure.** If the adoptive family has adopted a child through OKDHS, the adoptive resource record is submitted to the Adoption Section within 30 calendar days of finalization of the adoption. If the family has not adopted through OKDHS, the closed adoptive resource record is permanently filed in the local OKDHS office.