

<b>Policy Title:</b>	Sibling Adoption Placement Planning – <b>Temporary</b> OAR				
<b>Policy Number:</b>	I-F.6 413-110-0100 thru 0150			<b>Effective Date:</b>	5/22/15 thru 11/17/15

Approved By: *on file*

Date Approved: 9/15/11

Policy

Procedures

Forms, etc.

Definitions

References

Contact

History

### Reference(s):

- ORS 418.937
- ORS 418.945
- ORS 419B.005
- ORS 419B.192
- I-E.1.1 Search for and Engagement of Relatives  
[http://www.dhs.state.or.us/policy/childwelfare/manual\\_1/i-e11.pdf](http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-e11.pdf)
- I-G.1.1, Foster Parent Request for Consideration as a Current Caretaker  
[http://www.dhs.state.or.us/policy/childwelfare/manual\\_1/i-g11.pdf](http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-g11.pdf)
- I-G.1.3 Adoption Applications, Adoption Home Studies, and Standards for Adoption  
[http://www.dhs.state.or.us/policy/childwelfare/manual\\_1/i-g13.pdf](http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-g13.pdf)
- I-G.1.5 Adoption Placement Selection  
[http://www.dhs.state.or.us/policy/childwelfare/manual\\_1/i-g15.pdf](http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-g15.pdf)

### Form(s) that apply:

- None referenced.

### Rules:

#### **413-110-0100**

##### **Purpose**

These administrative rules (OAR 413-110-0100 to 413-110-0150) describe the Department's case planning responsibility to maintain and support lifelong *sibling* relationships for a *child* in the legal custody of the Department whose *permanency plan* is adoption.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005, 419B.192

## 413-110-0110

### Definitions

The following definitions apply to these rules, OAR 413-110-0100 to 413-110-0150:

- (1) "Adoptive resource" means an individual or individuals selected by the Department, another public child welfare agency, or a licensed adoption agency as the adoptive family for a *child* where no administrative review was requested within the timeframe allowed for such a request, or if a review was requested, the selection has been sustained by that review and the review is complete.
- (2) "Child" means a person under 18 years of age.
- (3) "Committee facilitator" means a Department staff member appointed as a member of the committee to facilitate a *permanency committee* or adoption committee meeting.
- (4) "Department" means the Department of Human Services, Child Welfare.
- (5) "Permanency committee" means a group of individuals who are responsible for making a recommendation regarding a *permanency plan* or a potential permanency resource when the *child* or young adult likely is not returning to his or her parent.
- (6) "Permanency plan" means a written course of action for achieving safe and lasting family resources for the *child*. Although the plan may change as more information becomes available, the goal is to develop safe and permanent family resources with the parents, relatives, or other people who will assume legal responsibility for the *child* during the remaining years of dependency and be accessible and supportive to the *child* in adulthood.
- (7) "Sibling" means one of two or more children or young adults who are related, or would be related but for a termination or other disruption of parental rights, in one of the following ways:
  - (a) By blood or adoption through a common *parent*;
  - (b) Through the marriage of the legal or biological parents of the children or young adults; or
  - (c) Through a legal or biological parent who is the *registered domestic partner* of the legal or biological parent of the children or young adults.
- (8) "Substitute care" means an out-of-home placement of a *child* or young adult who is in the legal or physical custody and care of the Department.

Stat. Auth.: ORS 418.005, 418.945

Stats. Implemented: ORS 418.005, 418.925, 418.937, 418.945, 419B.192

## **413-110-0130**

### **Consideration of Sibling Placement**

- (1) The Department's first priorities for placement of a *child* in the legal custody of the Department are placement with relatives and placing siblings together.
- (2) When any *child* in the legal custody of the Department is separated from one or more siblings in *substitute care*, the Department must make diligent efforts to place the siblings together in *substitute care*, so long as it is in the child's best interests, regardless of each child's *permanency plan*.
  - (a) The caseworker must document the efforts to place siblings together in *substitute care* in the Department's information system.
  - (b) If siblings are placed separately in *substitute care*, the Department must ensure that the children have the opportunity for regular, ongoing contact unless contact is not in the best interest of the *child* or one or more of the siblings.
- (3) When the Department is considering the permanent separation of one or more siblings through adoption, the caseworker must schedule a *permanency committee* for a recommendation and decision pursuant to Child Welfare Policy I-E.3.6, Legal Permanency, Concurrent Planning, and Use of Permanency Committee, OAR 413-070-0500 to 413-070-0519.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005, 419B.192

## **413-110-0132**

### **Consideration of Sibling Separation**

- (1) A *permanency committee* is used to consider the permanent separation of siblings in the legal custody of the Department through adoption, unless an *adoptive resource* has been selected for one or more siblings.
- (2) The *permanency committee* must consider the best interests of each *child* in the *sibling* group under consideration, and each of the following factors when making a recommendation:
  - (a) The current and lifelong needs of each *child* and of each *sibling* in the *sibling* group under consideration;
  - (b) The existence of each child's significant emotional ties to each *sibling* in the *sibling* group under consideration;
  - (c) The needs of each *child* and each *sibling* in the *sibling* group under consideration for each of the following:
    - (A) Physical and emotional safety;

- (B) Ability to develop and maintain current and lifelong connections with the child's family;
  - (C) Continuity and familiarity;
  - (D) Appropriate educational, developmental, emotional, and physical support;
  - (E) Stability and permanency; and
  - (F) Maintaining his or her identity, cultural, religious, and spiritual heritage.
- (3) The *permanency committee* considers all of the information, deliberates, and, when committee members agree, makes a recommendation to the Child Welfare Program Manager or designee including one or more of the following options:
- (a) Separation of a *child* from one or more siblings in the *sibling* group under consideration is not in the best interest of the *child* or the siblings, and the caseworker must continue to make efforts to place the siblings together for the purpose of adoption;
  - (b) Separation of a *child* from one or more siblings in the *sibling* group under consideration for the purpose of adoption is in the best interests of the *child* or the siblings; or
  - (c) When there are multiple siblings, recommendations with respect to which siblings in the *sibling* group under consideration should remain together for the purpose of adoption and how those matches are in the best interests of each *sibling*.
- (4) When the *permanency committee* cannot reach agreement, each *permanency committee* member makes his or her respective recommendations known to the *committee facilitator*.
- (5) The Child Welfare Program Manager or designee who makes the decision on behalf of the Department must consider all of the following when making the decision:
- (a) The considerations in subsections (2)(a)-(c) of this rule;
  - (b) The information presented to the *permanency committee*; and
  - (c) The recommendations of the *permanency committee*.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005, 419B.192

## 413-110-0150

### Sibling Placement and Permanency Planning

- (1) When separation of siblings has occurred as a result of a Department action or decision pursuant to Child Welfare Policy I-E.3.6, "Achieving Permanency", OAR 413-070-0516 to 413-070-0519, the Department's efforts to identify and recruit a potential *adoptive resource* must include recruitment efforts to identify a potential *adoptive resource* who can initiate and maintain connections between the *child* and one or more siblings, unless such a connection is not in the best interests of the *child* or one or more siblings.
- (2) The caseworker must make efforts to recruit and identify potential adoptive resources who appear to have the knowledge, skills, and abilities to be considered as the potential *adoptive resource* for other siblings when there are one or more siblings in *substitute care* who do not yet have a *permanency plan* of adoption.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005, 419B.192

#### Procedure(s) that apply:

- None referenced.

#### Contact(s):

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#### Policy History

- [09/17/96](#)
- [07/01/01](#)
- [01/01/04](#)
- [05/01/06](#)
- [07/01/10 thru 12/28/10](#)
- [04/04/11 thru 10/01/11](#)
- [09/19/11](#)