

<b>Policy Title:</b>	Adoption Placement Selection – <i>Temporary</i> OAR		
<b>Policy Number:</b>	I-G.1.5 413-120-0000 thru 0060		<b>Effective Date:</b> 7-01-10 to 12-28-10

Approved By: *on file*

Date Approved: 7-01-10

- 
- Policy
  - Procedures
  - Forms, etc.
  - Definitions
  - References
  - Contact
  - History

**Reference(s):**

- ORS 418.280 and 418.285
- ORS 419B.192
- Title IV-E Indian Child Welfare Act
- Refugee Act of 1980
- PL 105-89, Adoption and Safe Families Act (ASFA)
- Fostering Connections to Success and Increasing Adoptions Acts of 2008
- 45 CFR Parts 1355, 1356 and 1357, 1/25/2000
- Child Welfare Policy I-E.1.1, Working with Relatives Towards Permanency for Children
- Child Welfare Policy I-E.2.1, Placement of Indian Children
- Child Welfare Policy I-F.2, Determining the Appropriateness of Adoption as a Permanency Plan
- Child Welfare Policy I-G.1.1, Foster Parent Request for Consideration as Current Caretaker
- Child Welfare Policy I-G.1.2, Identification and Consideration of Potential Adoption Resources
- Child Welfare Policy I-G.1.5, The Adoption Selection
- Child Welfare Policy I-G.1.10, Adoption Placement, Supervision and Support
- Child Welfare Policy II-B.1, Safety Standards for Foster Care, Relative Care, and Adoption Families

**Form(s) that apply:**

- DHS 2099, Authorization for Use and Disclosure of Information

**Rules:**

**413-120-0000**

**Purpose**

These rules, OAR 413-120-0000 to 413-120-0060, describe the Department's responsibilities

when making an adoption placement selection for a child in the custody of the Department when that child has a permanency plan of adoption.

Stat. Auth.: ORS 418.005, 418.280, 418.285

Stats. Implemented: ORS 418.005, 418.280, 418.285

#### **413-120-0010**

##### **Definitions**

The following definitions apply to OAR 413-120-0000 to 413-120-0060:

- (1) "Adoption committee" means either a Central Office adoption committee or a Local adoption committee.
- (2) "ADS" means an Adoption Decision Specialist, who is a Department employee appointed by the Adoption Program Manager to attend an adoption committee and to select an adoptive resource for a child and, when the child has a sibling, the child's siblings. The ADS must meet the requirements of each of the following subsections:
  - (a) Have significant expertise in the areas of adoption and permanency issues;
  - (b) Have experience with adoption placement planning;
  - (c) Be knowledgeable of the importance of lifelong family and cultural connections;
  - (d) Have no current personal or professional relationship to the child and his or her siblings or potential adoptive resource; and
  - (e) Have no prior involvement in permanency planning decisions for the child and any sibling considered for adoption.
- (3) "Adoption home study" means a document which includes an assessment of a potential adoptive resource to determine the suitability of the potential adoptive resource to make a lifelong permanent commitment to adopt a child in the Department's custody, in the custody of a public welfare agency in another state, or under the jurisdiction of a juvenile court in another state.
- (4) "Adoption placement selection" means a decision made by the Department that an individual or individuals have been identified as the adoptive family for the child.
- (5) "Adoptive resource" means an individual or individuals selected as the adoptive family for a child and the selection has not been subject to an administrative review, or if subject to a review, has been sustained by that review.
- (6) "Adoption worker" means an individual assigned by the Department or another public or private agency to complete an adoption home study and represent the family in the adoption selection process.
- (7) "Central office adoption committee" means a group of individuals convened by central office staff to make recommendations to an ADS regarding adoptive resources for a child. The adoption committee must be composed of at least three individuals.

- (a) A central office adoption committee must include:
- (A) Three individuals, appointed by the Adoption Program Manager or designee, none of whom has any current personal or professional relationship to the child or potential adoptive resource.
  - (B) The three individuals ---
    - (i) Must include individuals who are Department staff members, one of whom has been appointed as a committee facilitator; and
    - (ii) May include one or two individuals who are community partners.
- (b) The three central office adoption committee members approved under subsection (a) of this section must meet the requirements of each of the following paragraphs:
- (A) Be knowledgeable of adoption and permanency issues;
  - (B) Be knowledgeable of the importance of a lifelong family attachment and cultural connections; and
  - (C) When there are two or more Department staff members on the central office adoption committee members, the staff members must represent more than one local child welfare office.
- (c) A central office adoption committee also includes all of the following members:
- (A) The child's caseworker; and
  - (B) Each of the following individuals when the individual gives notice to the Department of their intent to attend as a member of the adoption committee:
    - (i) The child's CASA, if one has been appointed;
    - (ii) The child's attorney, if one is representing the child;
    - (iii) When the child is identified as an Indian child, a tribal representative; and
    - (iv) When the child is identified as a refugee child, a member of the RCWAC.
- (8) "Child" means a person under 18 years of age.
- (9) "Committee facilitator" means a Department staff member appointed to facilitate a permanency or adoption committee meeting. The facilitator is a member of the committee and is responsible for ensuring all of the following:
- (a) That the meeting is held according to the requirements of Oregon Administrative Rules;

- (b) Individuals who are not committee members and are invited to and attend the meeting are:
- (A) Informed of the responsibilities of the committee and the confidentiality of information presented during the meeting;
  - (B) Allowed to present information appropriate for consideration in the permanency or adoption recommendation for the child and the child's siblings; and
  - (C) Excused in a timely manner.
- (c) Thorough and accurate documentation of the committee recommendations.
- (10) "CASA" means a court appointed special advocate, a volunteer who is appointed by the court, is a party to the juvenile proceeding, and advocates for the child pursuant to ORS 419A.170.
- (11) "Current Caretaker" means a foster parent who:
- (a) Is currently caring for a child in the legal custody of the Department who has a permanency plan or concurrent permanency plan of adoption;
  - (b) Has cared for the child for at least the past 12 consecutive months; and
  - (c) Has been approved for consideration by the Department as a potential adoptive resource for the child and when appropriate, the child's siblings who are also in substitute care but have not lived with the foster parent for 12 consecutive months.
- (12) "Department" means the Department of Human Services, Child Welfare.
- (13) "Designee" means an individual whom the designator directly and immediately supervises, or an individual with equal or greater management responsibility than the designator.
- (14) "DHS Staff Member" means any individual who is an employee, volunteer, trainee, or intern of any division within the Department of Human Services.
- (15) "Foster parent" means a person who operates a home that has been approved by the Department to provide care for unrelated children or young adults who are placed in the home by the Department.
- (16) "General applicant" means an individual:
- (a) Who is not a relative or current caretaker or a sibling's current guardian, relative, current caretaker, or adoptive resource with whom the sibling is currently living; and
  - (b) Has submitted a completed application to adopt a child.

- (17) "Indian child" means any unmarried person under 18 years of age who is either a member of an Indian tribe or is eligible for membership in an Indian tribe and is the biological child of a member of an Indian tribe.
- (18) "Local adoption committee" means a group of individuals convened by local child welfare office staff to make recommendations to an ADS regarding adoptive resources for a child. The local adoption committee must be composed of at least three individuals.
- (a) A local adoption committee must include:
- (A) Three individuals, appointed by the child welfare program manager or designee, none of whom has any current personal or professional relationship to the child or potential placement resource.
- (B) The three individuals ---
- (i) Must include individuals who are Department staff members, one of whom has been appointed as the committee facilitator; and
- (ii) May include one or two individuals who are community partners.
- (b) The three local adoption committee members approved under subsection (a) of this section must meet the requirements of each of the following paragraphs:
- (A) Be knowledgeable of adoption and permanency issues;
- (B) Be knowledgeable of the importance of a lifelong family attachment and cultural connections; and
- (C) When there are two or more Department staff members on the local adoption committee, must represent more than one local child welfare office.
- (c) A local adoption committee also includes each of the following:
- (A) The child's caseworker; and
- (B) Each of the following individuals when the individual gives notice to the Department of the intent to attend as a member of the local adoption committee:
- (i) The child's CASA, if one has been appointed;
- (ii) The child's attorney, if is representing the child;
- (iii) When the child is identified as an Indian child, a tribal representative; and
- (iv) When the child is identified as a refugee child, a member of the RCWAC.
- (19) "RCWAC" means the Refugee Child Welfare Advisory Committee.

- (20) "Refugee child" means, as defined under ORS 418.925, a person under 18 years of age who has entered the United States and is unwilling or unable to return to the person's country because of persecution or a well-founded fear of persecution on account of race, religion, sex, sexual orientation, nationality, membership in a particular group, or political opinion, or whose parents entered the United States within the preceding 10 years and are or were unwilling or unable to return to their country because of persecution or a well-founded fear of persecution on account of race, religion, sex, sexual orientation, nationality, membership in a particular group, or political opinion.
- (a) As used in this section, "persecution" means that harm or suffering will be inflicted upon the person in order to punish the person for possessing a particular belief or characteristic. "Persecution" does not include harm and suffering that is inflicted on persons generally by reason of civil or military strife in a country.
  - (b) As used in this section, "fear of persecution" means an apprehension or awareness, based on external objective facts, that the person will suffer persecution upon return to the person's country.
- (21) "Relative" has the meaning given that term in OAR 413-070-0063.
- (22) "Sibling" means one of two or more children or young adults related:
- (a) By blood or adoption through a common legal parent;
  - (b) Through the marriage of the children's or young adults' legal or biological parents; or
  - (c) Through a legal or biological parent who is the registered domestic partner of the child's legal or biological parent.
- (23) "Substitute caregiver" means a relative caregiver, foster parent, or provider who is authorized to provide care to a child or young adult who is in the legal or physical custody of the Department.

Stat. Auth.: ORS 418.005, 418.280, 418.285, 418.937, 419B.100, 419B.192

Stats. Implemented: ORS 418.005, 418.280, 418.285, 418.937, 419B.100, 419B.192

#### **413-120-0020**

##### **Placement Selection Options**

- (1) When the child has a permanency plan of adoption, the caseworker, in consultation with the supervisor and the child's team, may make the adoption placement selection for a child as part of case-planning when the requirements of at least one of the following subsections is met:
- (a) The child is identified as an Indian child and the adoption placement selection complies with Child Welfare Policy I-E.2.1, "Placement of Indian Children" OAR 413-070-0100 to 413-070-0260.
  - (b) The child is identified as a refugee child and the adoption placement selection

complies with Child Welfare Policy I-E.2.2, "Placement of Refugee Children"  
OAR 413-070-0300 to 413-070-0380.

- (c) A relative is being considered alone as the potential adoptive resource for a child or identified sibling group, unless subsections (3)(e) and (f) of this rule apply.
  - (d) When the potential adoptive resource for the child or children is a sibling's current guardian, relative, current caretaker, or adoptive resource with whom the sibling is currently living and is being considered alone.
  - (e) The Department has conducted a diligent search but has not found any relative or sibling resource as described in subsection (d) of this section available as a potential adoptive resource, and unless subsections (3)(e) and (f) of this rule apply the requirements of one of the following paragraphs is met:
    - (A) A current caretaker is being considered alone for a child who has been recommended by a permanency committee; or
    - (B) The child is under six years of age and each potential adoptive resource is a general applicant, unless subsection (2)(c) of this rule applies.
- (2) The child's caseworker refers the child to a local adoption committee, unless subsections (3)(e) and (f) of this rule apply, when at least one of the following subsections applies:
- (a) The child is six years of age or older;
  - (b) The child has one or more siblings also being adopted and the potential adoptive resource is not a relative, current caretaker, or sibling resource as described in subsection (1)(d) of this rule;
  - (c) The identified potential adoptive resources include the child's current foster parent being considered as a general applicant along with other general applicants; or
  - (d) The caseworker wishes to have the benefit of added expertise in assessing the appropriateness of one or more potential adoptive resources based on the unique needs of the child or identified sibling group.
- (3) The child's caseworker refers the child to a central office adoption committee when the requirements of at least one of the following subsections are met:
- (a) The potential adoptive resources include more than one relative or other sibling placement resource as described in subsection (1)(d) of this rule.
  - (b) The potential adoptive resources include:
    - (A) A relative or a sibling placement resource; and
    - (B) A current caretaker.
  - (c) The potential adoptive resources include more than one current caretaker being

considered for a sibling group.

- (d) The local child welfare office wishes to have the benefit of added expertise in assessing the appropriateness of one or more potential adoptive resources based on the unique needs of the child or identified sibling group.
  - (e) The potential adoptive resources include a DHS staff member and the requirements of the DHS-060-002, "Conflict of Interest Policy" and the "Conflict of Interest Policy Addendum for CAF Employees" apply.
  - (f) The potential adoptive resources include a non-DHS staff member with a potential conflict of interest with the Department.
- (4) The caseworker may request that the adoption placement selection be made through the use of a local adoption committee rather than by the caseworker, or at a central office adoption committee rather than a local adoption committee after consultation with the supervisor. The request must be approved by both of the following:
- (a) The Child Welfare Program Manager or designee for the use of a local adoption committee; and
  - (b) The Adoption Program Manager or Adoption Program Assistant Manager or designee for the use of a central office adoption committee.
- (5) When an adoption committee is not required, the selection made under section (1) of this rule must be documented and all of the following notifications must occur by the end of the next business day following the adoption placement selection.
- (a) The child's caseworker must notify all of the following individuals of the adoption placement selection:
    - (A) The child's attorney;
    - (B) The CASA;
    - (C) When the child is an Indian child, the child's tribe;
    - (D) When the child is identified as a refugee child, a member of the RCWAC;
    - (E) The adoption worker or workers; and
    - (F) The central office Adoption Program.
  - (b) The adoption workers must notify the potential adoptive resources whether the resource was selected or not.

Stat. Auth.: ORS 418.005, 418.280, 418.285, 419B.192

Stats. Implemented: ORS 418.005, 418.280, 418.285, 419B.192

- (1) To be considered as a potential adoptive resource, each individual must provide a release of information regarding the potential adoptive resource's adoption home study and all identified supporting protected information to be considered by the Department or an adoption committee during the adoption selection.
- (2) Each adoption committee member who receives confidential information for consideration and each individual who attends an adoption committee is bound by Oregon statutes regarding confidentiality and Child Welfare Policies I-A.3.2, "Confidentiality of Client Information" OAR 413-010-0000 to 413-010-0075 and I-A.3.3, "Release of Adoption Home Study" OAR 413-010-0081 to 413-010-0086.

Stat. Auth.: ORS 409.225, 418.005, 418.280, 418.285, 418.305, 419A.255

Stats. Implemented: ORS 409.225, 418.005, 418.280, 418.285, 418.305, 419A.255

### **413-120-0035**

#### **Invitation and Attendance at Adoption Committee**

- (1) The Department must schedule and notify all of the following individuals of the date, time, and location of an adoption committee:
  - (a) The child's caseworker;
  - (b) The child's CASA;
  - (c) The child's attorney;
  - (d) A tribal representative when the child is an Indian child;
  - (e) A member of the RCWAC when the child is a Refugee child;
  - (f) The adoption committee members;
  - (g) The ADS; and
  - (h) Individuals invited to present information at an adoption committee.
- (2) The Department may invite the following individuals, who may attend and present information regarding the child's current and lifelong needs, to an adoption committee:
  - (a) The child, on a case by case basis, when the child's caseworker determines attendance by the child is appropriate;
  - (b) The child's current or previous substitute caregiver, unless the individual is being considered as a potential adoptive resource for the child; or
  - (c) Any other individual identified by the child's team who has significant information about the current and lifelong needs of the child.
- (3) The Department must provide the committee facilitator with the names of each individual invited to the adoption committee.

- (4) A potential adoptive resource may provide additional information through the adoption worker regarding the potential adoptive resource's ability to meet the child's current and lifelong needs. The potential adoptive resource or his or her legal or personal advocate may not attend an adoption committee.
- (5) Any individual invited to provide information related to the child's needs may present that information to the adoption committee in person, by telephone, through electronic communication, or in writing.
- (6) Each adoption worker presenting a potential adoptive resource and the child's caseworker must attend the full adoption committee. When an adoption worker or a caseworker is unavailable, the worker's supervisor or a designated co-worker must present the potential adoptive resource or the child to prevent delay of the adoption committee. When an out-of-state relative is being presented, the local child welfare office determines who presents information regarding the relative.
- (7) After presentation of information about the child and his or her siblings to the adoption committee:
  - (a) All of the following individuals remain at the adoption committee:
    - (A) The adoption committee members;
    - (B) The ADS;
    - (C) Each CASA, attorney, tribal representative, or member of the RCWAC, whether or not these individuals are participating as committee members; and
    - (D) Each adoption worker or other individual attending to present information regarding the potential adoptive resource.
  - (b) All other individuals are excused from the adoption committee.

Stat. Auth.: ORS 418.005, 418.280, 418.285

Stats. Implemented: ORS 418.005, 418.280, 418.285

#### **413-120-0040**

#### **Department Responsibility Regarding Potential Adoptive Resources**

- (1) The child's caseworker must do all of the following:
  - (a) Receive and review adoption home studies;
  - (b) Identify potential adoptive resources with the capacity to meet the current and lifelong needs of a child or identified sibling group as described in Child Welfare Policy I-G.1.2, "Identification and Consideration of Potential Adoption Resources" OAR 413-120-0700 to 413-120-0760; and
  - (c) Notify the adoption worker whether a potential adoptive resource:

- (A) Has been identified for consideration by an adoption committee; or
  - (B) Has been selected by the caseworker as an adoptive resource under OAR 413-120-0020(1).
- (2) The adoption worker must do all of the following:
- (a) Inform the potential adoptive resource whether the potential adoptive resource has been identified for consideration by an adoption committee or selection by a caseworker;
  - (b) Provide the potential adoptive resource with information regarding the adoption placement selection process; and
  - (c) Obtain all appropriate releases of information.

Stat. Auth.: ORS 418.005, 418.280, 418.285  
Stats. Implemented: ORS 418.005, 418.280, 418.285

#### **413-120-0050**

#### **Response to Invitation, Notification to the Department, and Distribution and Review of Written Materials**

- (1) Any individual other than a Department staff member invited to participate as an adoption committee member under OAR 413-120-0035, must notify the Department at least 10 business days prior to the adoption committee whether the individual will participate as an adoption committee member.
- (2) At least 7 business days prior to the scheduled adoption committee, the Department will send each participating adoption committee member and the ADS written information, for review at the scheduled adoption committee, regarding all of the following:
  - (a) The child, and his or her siblings, if any; and
  - (b) The potential adoptive resources.
- (3) Any exception to the timelines in sections (1) and (2) of the rule must be agreed upon by the adoption committee.
- (4) Each adoption committee member who receives the confidential written information prior to the scheduled adoption committee is responsible for thorough review of all the information.
- (5) All confidential written information provided to an adoption committee member under section (2) of this rule will be retained by the Department at the conclusion of the scheduled adoption committee.

Stat. Auth: ORS 418.005, 418.280, 418.285  
Stats. Implemented: ORS 418.005, 418.280, 418.285

## 413-120-0053

### The Adoption Committee

- (1) Individuals invited under OAR 413-120-0035(2) to participate in an adoption committee are expected to comply the requirements of all of the following subsections:
  - (a) Present written or oral information regarding a child during the adoption committee;
  - (b) Respond to clarifying questions from adoption committee members; and
  - (c) Be excused from the adoption committee prior to the presentation of the potential adoptive resources.
- (2) Individuals who have been invited to participate as adoption committee members but fail to provide the notification required in OAR 413-120-0050(1) may attend the full adoption committee but may not participate in deliberations or recommendations regarding the adoption placement selection to the ADS.
- (3) Adoption committee members must comply with the requirements of all of the following subsections:
  - (a) The adoption committee members must consider the information in the presentations regarding the current and lifelong needs of each child and each potential adoptive resource.
  - (b) The adoption committee members must deliberate based on all of the information provided to them and make a recommendation to the ADS regarding the adoptive resource that is likely to permanently and fully integrate the child into the family and meet the current and lifelong needs of the child and each of his or her siblings.
    - (A) When adoption committee members agree, the adoption committee may make one or more of the following recommendations:
      - (i) State which single adoptive resource is the most appropriate;
      - (ii) State one or more potential adoptive resources are equally appropriate;
      - (iii) State an order of preference of appropriate adoptive resources; or
      - (iv) State one or more potential adoptive resource is not appropriate and should not be considered.
    - (B) When the adoption committee cannot reach agreement, each adoption committee member makes his or her respective recommendations to the committee facilitator.
  - (c) At the conclusion of the adoption committee, the committee facilitator must do all of the following:

- (A) Present the adoption committee recommendations to the ADS; and
  - (B) Document in writing each of the following:
    - (i) The results of the adoption committee's deliberations;
    - (ii) The rationale supporting the adoption committee's recommendation; and
    - (iii) Submit the written documentation to the ADS within 3 business days following the adoption committee.
- (4) The ADS is not a member of the adoption committee and participation by the ADS during the adoption committee is limited to asking questions to clarify or seek further information. Questions from the ADS are reserved for the end of each presentation and prior to the deliberations.

Stat. Auth: ORS 418.005, 418.280, 418.285  
Stats. Implemented: ORS 418.005, 418.280, 418.285

#### **413-120-0057**

##### **The Adoption Selection and Notification**

- (1) The ADS must do all of the following:
  - (a) Make the adoption placement selection in compliance with both of the following:
    - (A) Based upon the information gathered through the adoption committee process; and
    - (B) When the ADS relies on additional information not available to the adoption committee at the time the adoption committee deliberates, document the additional information in the written decision.
  - (b) Make the decision by the end of the next business day following the adoption committee.
- (2) Notification of the Adoption Placement Selection.
  - (a) The ADS must notify the child's caseworker, the adoption workers, and the committee facilitator of the adoption placement selection by the end of the next business day following the scheduled adoption committee.
  - (b) By the end of the next business day after the notification in subsection (a) of this section:
    - (A) The adoption workers must notify each family presented at the adoption committee that an adoption placement selection has been made. When the adoption worker is not available, a local child welfare office supervisor or private agency supervisor is responsible for ensuring notifications are

made in accordance with this subsection.

- (B) The child's caseworker must notify the child's attorney, CASA, tribal representative and a member of the RCWAC. When the child's caseworker is not available, a local child welfare office supervisor is responsible for ensuring notifications are made in accordance with this subsection.
- (3) The ADS must send written documentation of the adoption placement selection to the central office Adoption Program within four business days following the adoption committee.

Stat. Auth: ORS 418.005, 418.280, 418.285

Stats. Implemented: ORS 418.005, 418.280, 418.285

#### **413-120-0060**

##### **Review of the Adoption Selection**

- (1) When requested by someone other than the DHS Assistant Director of CAF, the scope of the review is limited to the selection process and the decisions made by the caseworker or ADS.
- (2) The following individuals may submit a written request for the review under section (1) of this rule.
  - (a) The child;
  - (b) The child's attorney;
  - (c) The child's caseworker, with the approval of the caseworker's supervisor and the Child Welfare Program Manager or designee;
  - (d) The CASA;
  - (e) A tribal representative;
  - (f) A member of the RCWAC;
  - (g) A relative who was considered as the adoptive resource but was not selected;
  - (h) The sibling's current guardian, relative, current caretaker, or adoptive resource with whom the sibling is currently living; or
  - (i) A current caretaker who was considered as an adoptive resource but was not selected.
- (3) A written request for review must be received by the Adoption Program Manager or designee within seven calendar days of the notification of the adoption placement selection under OAR 413-120-0020(5) or OAR 413-120-0053(3).
- (4) The DHS Assistant Director for CAF or designee must decide whether to grant a review

of the adoption placement selection within 14 calendar days after the notice of the adoption placement selection under OAR 413-120-0020(5) or OAR 413-120-0057(3).

- (5) The DHS Assistant Director for CAF or designee must provide written notice of the decision whether to review the adoption placement selection to the requestor, with copies to the child's caseworker, caseworker's supervisor, the adoption worker, the local Child Welfare Program Manager, and the Adoption Program Manager. This written notice required under this section may be provided outside of the 14 day period described in section (4) of this rule.
- (6) The DHS Assistant Director for CAF or designee may also, on his or her initiative and without a request for a review, give notice of intent to review the adoption placement selection when the requirements of both of the following subsections are met:
  - (a) The decision to review is made within seven calendar days after the date of the notice of the adoption placement selection in OAR 413-120-0057(2).
  - (b) Upon making a decision to review, the DHS Assistant Director for CAF or designee gives notice of intent to review to the child's caseworker, caseworker's supervisor, the adoption worker, the local Child Welfare Program Manager, and the Adoption Program Manager.
- (7) When the DHS Assistant Director for CAF or designee gives notice of intent to review, he or she may take the actions in at least one of the following subsections:
  - (a) Personally conduct a review of information considered when making the adoption placement selection, and may consider additional, relevant information. The DHS Assistant Director for CAF must issue a decision affirming or changing the original adoption placement selection.
  - (b) Remand an adoption placement selection to an adoption committee to make an adoption placement recommendation.
    - (A) The adoption committee reviews information considered when making the adoption placement selection.
    - (B) The adoption committee may issue a recommendation supporting or not supporting the adoption placement selection of the caseworker or the ADS; and
    - (C) Make adoption placement recommendations to the DHS Assistant Director for CAF or designee.
    - (D) The DHS Assistant Director for CAF or designee makes the final adoption placement selection.
  - (c) Appoint another individual to conduct a review of information considered when making the adoption placement selection, to include consideration of additional relevant information.
    - (A) The individual makes a recommendation affirming the original adoption selection decision or a new adoption selection decision.

- (B) The DHS Assistant Director for CAF or designee will make the final adoption placement selection.
- (8) The decision made by the DHS Assistant Director for CAF or designee as a result of a review under this rule is final.
- (9) Notwithstanding sections (1) through (8) of this rule, the DHS Assistant Director for CAF may reconsider a decision and require the actions in subsections (7)(a) to (c) of this rule to occur when the following conditions exist:
- (a) The time to request review of an adoption placement selection under section (3) of this rule has expired;
  - (b) There is no request for review pending; and
  - (c) The deadline set by statute for a person entitled to seek judicial review of an adoption placement selection entered under sections (1) to (8) of this rule has not expired.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.280, 418.285

### Procedure(s) that apply:

- None referenced.

### Contact(s):

- **Name:** Beth Englander, Carla Crane, Gail Schelle
- **Phone:** 503-945-5358, 503-945-5998, 503-945-5997

### Policy History

- 12/29/95
- 09/17/96
- 08/15/97
- 02/10/98
- 08/12/99
- 01/24/01 thru 07/21/01
- 07/01/01
- 01/01/02
- 02/26/07 thru 08/24/07
- 12/12/07 thru 06/09/08
- 08/01/07
- 06/01/08