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Office of Safety & Permanency for Children

Authorized Signature

Number: CW-PT-10-009

Issue Date: 07/01/2010

Topic: Adoptions

Transmitting (check the box that best applies):

- New Policy
- Policy Change
- Policy Clarification
- Executive Letter
- Administrative Rule
- Manual Update
- Other: _____

Applies to (check all that apply):

- All DHS employees
- Area Agencies on Aging
- Children, Adults and Families
- County DD Program Managers
- County Mental Health Directors
- Health Services
- Seniors and People with Disabilities
- Other (please specify):

Policy/Rule Title:	I-A.3.3 Release of Adoption Home Study I-E.3.6.3, Another Planned Permanent Living Arrangement I-F.6 Sibling Permanency Placement Planning I-G.1.1 Foster Parent Request for Consideration as a Current Caretaker I-G.1.2 Identification and Consideration of Potential Adoption Resources I-G.1.3 Adoption Applications and Standards for Adoption I-G.1.5 The Adoption Placement Selection I-G.1.10 Adoption Placement, Supervision, and Support
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Policy/Rule Number(s):	I-A.3.3 OAR 413-010-0081 thru 0086 I-E.3.6.3 OAR 413-070-0520 thru 0565 I-F.6 OAR 413-110-0100 thru 413-110-0150 I-G.1.1 OAR 413-120-0500 thru 413-120-0595 I-G.1.2 OAR 413-120-0700-413-120-0760 I-G.1.3 OAR 413-120-0190 thru 413-120-0246 I-G.1.5 OAR 413-120-0000 thru 413-120-0060 I-G.1.10 OAR 413-120-0800 thru 413-120-0880	Release No:	
Effective Date:	07/01/2010	Expiration:	12/28/10
References:			
Web Address:	http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-a33.pdf http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-e363.pdf http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-f6.pdf http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-g11.pdf http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-g12.pdf http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-g13.pdf http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-g15.pdf http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-g110.pdf		

Discussion/Interpretation:

These Temporary Rules are being filed in an effort to standardize consistent practice in Oregon regarding giving priority to relatives and placing siblings together through permanency and adoption planning. These rule revisions bring the Department's rules into compliance with statutory changes including changes to ORS 419B.192 in 2007 which requires the diligent effort to place with relatives and to place siblings together, and the federal Fostering Connections to Success and Increasing Adoptions Act of 2008.

These rules also include revisions to the timeline regarding consideration of foster parents as Current Caretakers extending the timeframe necessary to care for an unrelated child prior to requesting consideration from 6 months to 12 months, consistent with the statutory timeframes required prior to requesting intervenor status. The changes in the Current Caretaker rules also exempt relatives from the Current

Caretaker process, and allow foster parents to request consideration of siblings who they have not cared for during the 12 month timeframe requirement in an effort to keep siblings together.

These rules also include revisions which are consistent with guidance and input received from several parties including internal DHS Case Reviews, an ongoing field-program workgroup, National Child Welfare Resource Center for Adoptions, the National Governor's Association, and the Department of Justice. Throughout the rules there are several consistent themes including the following:

Clear focus on relatives and sibling placements as the priority for children in substitute care and when making permanent placements.

Early, ongoing inclusive planning to include consultation with the child's team and involvement of the CASA, child's attorney, tribal representative, and refugee council representative as adoption committee members.

In response to growing inclusion of community partners in permanency planning for children, affirmation of the Department's responsibility for decision making through procedural changes to the Adoption and Permanency Committees.

Acknowledgement that adoption selection decisions vary in complexity and alignment of selection with the right body of expertise.

Rules that are crafted to follow the practice continuum and share definitions across program areas.

A clear focus on the current and lifelong needs of the child through case planning.

These rules allow for greater input by the child's team and expanded opportunities for caseworkers and local offices to make adoption selection decisions. These revisions continue the practice model used in Oregon for several years of the adoption committee process, while also expanding the membership of and participation in adoption committees to include greater input by certain members of the child's team.

While expanding the composition of an adoption committee, these rules clearly denote the authority and responsibility for adoption selection decisions within the scope of Department responsibilities through a new designation for Department staff as an Adoption Decision Specialist (ADS). The expanded Adoption Committee has full responsibility for the consideration, deliberation and recommendations regarding a child's prospective adoptive placement. The ADS makes the adoption placement decision following receipt of the committee recommendations.

These rules streamline the process used for making permanency planning decisions by implementing the use of Permanency Committees to make recommendations regarding sibling planning, Alternate Permanent Planning Living Arrangements, Consideration of Current Caretakers, and Consideration of Non-Relatives as having an Emotionally Significant Relationship. These revisions standardize the composition of the Permanency Committee and describe the circumstances in which a Permanency Committee is used for recommendations on a child's permanency plan, and the timelines and review process of the Permanency Committees. These rules further provide designated Department staff with the authority and responsibility to make a decision after a thorough review of a Permanency Committee's recommendation.

Several terms and definitions have been changed through the filing of these rules. Staff should note the definitions of Permanency Committee, Local Adoption Committee and Central Office Adoption Committees. Permanency/Adoption Councils are no longer terms used in these administrative rules.

Finally, the Adoption Program has reorganized several sets of adoption rules in an effort to allow for greater clarity and to allow for shared definitions across program areas. The rules include standardized language and terms, and the procedural language has been removed from administrative rules when appropriate.

Implementation/Transition Instructions:

These Temporary Rule revisions mark a significant change in how adoptive resource recommendations and adoption placement selections are made in Oregon. The Central Office staff will work with local branch management and staff, with the Child Welfare Partnership and, with community partners in implementing these changes, providing training, and lending support to making this transition.

Child Welfare Program Managers and staff should read and review these administrative rule changes. The expectation is that Department staff will comply with these revised rules.

The Adoption Program will issue an Informational Memorandum providing guidance regarding implementation of the changes, as revised procedures have not yet been written. There will be several opportunities for staff comment regarding the temporary rule changes, and to provide input into the development of the final rules. The Adoption Program is setting up a specific email address for questions and is developing a plan to communicate answers to frequently asked questions. Surveys will also be developed to solicit feedback regarding the changes. A Rule Advisory Committee will be scheduled and these rules will be reviewed at Policy Council this fall.

Branch offices should follow the Temporary Rules and the Informational Memo's rather than Chapter 5 of the Procedure Manual for any adoption actions. The Procedure Manual will be revised during the Temporary Rule period.

Training/Communication Plan:

The Adoption Program has developed and is providing a series of trainings throughout the state on the revised Permanency Committee and Adoption Committee processes. Additional training is being developed and branch staff will be notified when training opportunities become available.

The Adoption Program will provide ongoing practice discussions with Child Welfare Program Managers throughout the Temporary Rule period and as requested by the CWPMs. The Adoption program will be communicating changes at the Supervisor Quarterlies scheduled this summer. An Informational Memo will be released providing guidance regarding the procedural changes needed for committees and planning.

Local/Branch Action Required:

Review and comply with the Temporary Rules. Refer to these Temporary Rules for direction in adoption planning and decision-making, and do not use Chapter 5 of the Procedure Manual for direction until revisions have been posted. Staff will receive notification of posting of revised Procedures through an Informational Memorandum.

Central Office Action Required:

Adoption Program staff will answer email and phone inquiries on policy interpretation as needed.

Adoption Program staff will revise Chapter 5 of the Procedure Manual.
Foster Care Program staff will revise Chapter 5 related to the Permanency Committee and Child Welfare Program Manager’s role in the APPLA decision-making process.
Adoption Program staff will work with the Child Welfare Partnership to develop advanced training on Department responsibilities as they relate to permanency decisions and the adoption selection process.

Field/Stakeholder review: Yes No

If yes, reviewed by:

Filing Instructions:

If you have any questions about this policy, contact:

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