

SECTION EIGHT

ADOPTION

I. Adoption

A. Protocol for Making Adoptive Placements

The Adoption Best Practice Manual (April, 2008) has replaced the Adoption Services Policies and Procedures Manual.

Agencies will use this up-dated Manual for making adoptive placements. Follow this link.

<http://www.tn.gov/youth/dcsguide/policies/chap15/ProtocolAdoptPlacements.pdf>

B. Special Needs Children

Adoption services for special needs children are a part of the continuum.

C. Full Adoption Case Management Services

The provider is able to provide the full case management services (both those that are typical for foster care and those that are additional due to the child being in adoption status).

1. in accordance with the Adoption and Safe Families Act (ASFA) requirements regarding concurrent planning, the provider shall begin the **Pre-Placement Summary when a referral is made to the DCS attorney to file termination of parental rights.**
2. perform all steps necessary to provide diligent search for an adoptive family and prepare the adoptive family
3. perform all services necessary to place the child for adoption, including compliance with legal requirements and other binding documents, ICPC, and securing adoption assistance when the child is eligible
4. perform all steps necessary to prepare the child for adoption
5. perform regular continuum services through finalization of the adoption
6. respond to disruptions during the pre-finalization period only
7. complete all required reports and procedures, including sealing of the adoption record

D. Primary Components of Adoption Services

The provider will use the practices described in the Adoption Best Practice Manual.

E. DCS Policies on Adoption Services and Foster Care

Also to be used are the following DCS policies on adoption services and selected DCS policies on foster care services as applicable also to adoption services:

<http://tennessee.gov/youth/dcsguide/policies.htm> *Chapter 15 and Chapter 16*

F. Steps to Adoption

1. Identify children to be placed. DCS and the provider will confirm which children have a goal of adoption.
2. Ensure Termination of Parental Rights (TPR) has been obtained. DCS will verify that all TPRs, surrenders, and appeals are finalized on all legal/birth parents. Reference: DCS Policy 15.3
3. Provide copy of entire record. DCS will allow the provider to have temporary physical access to the record for a specified period of time according to a signed agreement for use of the file. The record will be submitted to the provider within five (5) working days of the agency's request for the record.

4. Assess placement with siblings. DCS and the provider will assess the placement with siblings. However, DCS must approve any separation of siblings. Reference: DCS Policy 15.1
5. Therapeutically prepare the child for adoption. The provider will prepare the child for adoption using the guidelines and criteria currently implemented by DCS in the Adoption Best Practice Manual
6. Pre-placement Summary and Presentation Summary
The provider will prepare the Pre-placement Summary and the Presentation Summary following the guidelines set forth by DCS. Reference: Adoption Best Practice Manual
7. Maintaining Child's Foster Care Placement
The provider will preserve the child's current foster care placement by providing appropriate foster care management and supportive services.
8. Monthly Summaries
The provider will submit monthly summaries on the child to DCS until finalization of the adoption because this is a foster care placement until finalization.
9. Permanency Plan, Court Reviews, and Foster Care Reviews
The provider and DCS will ensure that all federal and state time frames are met on each child. The provider will prepare the appropriate forms (copy of DCS Permanency Plan, monthly summary, and/or court report) for each review. Both DCS and the provider will need to have a representative at court reviews.
10. Maintain Child Welfare Benefits in Current Status
The provider will complete appropriate forms as updates/changes occur and forward these to the child welfare benefits worker (CWBW). At the time of adoptive placement, the FSW will close TennCare in the birth name and apply for TennCare in the adoptive name. Forms: Child Welfare Benefits (CWB) Application, CWB Determination Notification of Change in Circumstances, CWB Redetermination
11. Maintain the current child welfare information system
The provider will submit all information on the child directly to the DCS keyer using a paper template or via Internet in order to maintain a current status in the current child welfare information system. This should include, but is not limited to, LEA, EPSDT TENNderCARE), Dental, Permanency Plan, Goals, Type of Placement, and any other changes recorded in the current child welfare information system.
12. EPSDT (TENNderCARE) and Dental Services
The provider agency will make appointments and ensure that the child receives an EPSDT (TENNderCARE) screening at least yearly and a dental screening at least twice a year and all necessary follow-up health services. These medical dates must be reported in the current child welfare information system.
13. **AdoptUsKids (AUK)**
To register a child on AUK, the provider will complete and submit appropriate AUK information, which will include information from the REACT Child Entry form, a narrative for the child (at least 100 words), and a photo. The provider will also provide updated information as changes occur.

DCS Policy 15.5 Registering and Maintaining Status of Children On AdoptUsKids (AUK)

Policy Statement:

All children who are in full guardianship to DCS, and do not have a family identified, as evidenced by not having a signed intent for adoption, or are not in a pre-adoptive placement must be registered and maintained in current status on AdoptUsKids (AUK). Approved resource parents who are interested in adopting will be given the option of registering themselves on AUK so that their profile is available to providers and DCS staff searching for potential adoptive families.

<http://www.tn.gov/youth/dcsguide/policies/chap15/15.5.pdf>

14. Assess Potential Adoptive Family Resources

When the resource family is not the adoptive family, the provider agency will explore and assess potential adoptive family resources for the child through its pool of available adoptive families and **AUK.**

15. Recruit Adoptive Families

When the resource family is not identified as the adoptive family, the provider must review family inquiries received from AUK and search for potential adoptive families who are registered on AUK. If there are no families available through AUK, the provider, in conjunction with DCS and child's team, will prepare and implement an Individual Recruitment Plan for the child. (Link to DCS Policy 16.46 Engaging the Child and Family Team, as well as the CFTM Protocol).

16. Prepare Families with the PATH Process

The provider will provide assessment and preparation of families for adoption using the PATH process. This will include, but is not limited to, writing the home study using DCS format, obtaining fingerprint results, **and assisting families in registering on AUK.** The provider will be responsible for assuring fingerprint clearances.

17. Select Family via the CFTM for Identification of an Adoptive Family

The provider will prepare a Pre-placement Summary and home study, and obtain a release to share the study and convene a CFTM according to DCS policies and procedures. DCS must be part of the CFTM. Reference: DCS Policy 15.2

18. Present the Child to the Family

The provider will conduct a pre-placement conference with the DCS case manager/licensed child placing agency staff serving the adoptive family when placement is being made outside the resource family. The provider/DCS/licensed child placing agency staff, as appropriate, will present information about the child to the adoptive family using the child's presentation summary, medical records, educational records, and current pictures of the child. The agency serving the family will obtain the family's decision to commit to the child. When placing the child with a new family, the provider, in coordination with the agency serving the family, will plan and implement a pre-placement plan for the child and family. The pre-placement plan and activities between the child and adoptive family will be conducted in accordance with the child's developmental levels and needs.

19. Negotiate Adoption Assistance

The provider will work with the DCS Permanency Specialist to negotiate the adoption assistance. Only the Permanency Specialist can complete the application and contracts with the input from the provide agency. The provider will discuss the child's eligibility for adoption assistance and negotiate with the adoptive family consistent with DCS policy. The provider will complete appropriate applications observing the DCS policy on determining adoption assistance. DCS will approve/deny these applications.

DCS Policy 15.11 Adoption Assistance

Policy Statement:

Children who are legally free, are being adopted and meet the criteria of special needs will be eligible to receive adoption assistance, based on the documentation of need.

<http://www.tn.gov/youth/dcsguide/policies/chap15/15.11.pdf>

20. Adoptive Placement with the Family

Refer to Protocol for Making an Adoptive Placement for payment issues.

The provider will update the child's status on AUK by placing the child on hold.

NOTE: Provider is responsible for notifying the placement specialists that the child has been placed with a pre-adoptive family so that the current child welfare information system can be updated after the Intent to Adopt has been signed by the pre-adoptive family.

21. Provide Pre-Adoptive Placement Services until Finalization of Adoption

The provider will conduct supervision of the home in compliance with DCS policy and will provide therapeutic services for the child and family in a manner consistent with the guidelines for foster care, provide information to the family's attorney for the filing of the adoption petition, and seek clearance of the Putative Father Registry. Reference: DCS Policy 15.4

22. Respond to Disruptions

The provider will coordinate services with DCS to respond to families and children experiencing a disrupted pre-adoptive placement, and the provider will **update the child's status on AUK and place child as "active"**. The provider will provide therapeutic services to the child and family and is still responsible for the child.

23. Report to Court

The provider will obtain the signed consent to the adoption by DCS.

- a. The provider will prepare and submit court reports and necessary documents as required by the court using the DCS format.
- b. The provider will complete the application for a new birth certificate by adoption.
(Adoption Best Practice Manual *Responding to the Reference; Providing for the Issuance of a New Birth Certificate by Adoption*)

24. Adoption Finalized

DCS Policy 15.8 Preparing Adoption Records for Archives

Policy Statement:

Every adoption record must be sent to the Office of Child Permanency to be sent to archives for permanent storage, once an adoption is finalized.

The State of TN Interstate Compact on the Placement of Children (ICPC) will submit the following closed ICPC adoption records to the Office of Child Permanency for preparation for archives (1) all ICPC adoption records (independent, private licensed child placing and public agency) where the adoption was finalized in Tennessee; and (2) all ICPC adoption records wherein the TN public agency or TN private licensed child-placing agency had full or partial guardianship over the child, regardless of where the adoption was finalized.

<http://www.tn.gov/youth/dcsguide/policies/chap15/15.8.pdf>

- a. The provider will attend the court hearing to finalize the adoption.
- b. The provider will change child's status on AUK by selecting one of the "Placed" options.
- c. Seal adoption record and submit to the identified regional Adoption TC for verification and approval of accuracy.
- d. Once the new birth certificate is obtained, the provider will obtain the original record from DCS.
- e. The provider will prepare and submit the record for permanent filing in compliance with DCS procedures. [Reference: Adoption Best Practice Manual, *Preparing the Record for Permanent Filing*]