



# CHILDREN, YOUTH AND FAMILIES BULLETIN

COMMONWEALTH OF PENNSYLVANIA • DEPARTMENT OF PUBLIC WELFARE

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3350-03-01

SUBJECT:

**Statewide Adoption Network (SWAN)  
Policies and Procedures**

BY:

**Wayne Stevenson, Deputy Secretary for  
Children, Youth and Families**

## SCOPE:

County Commissioners and Executives  
County Children and Youth Administrators, Inc.  
County Children and Youth Advisory Committees  
Pennsylvania Children and Youth Administrators Association  
Private Children and Youth Agencies  
County Mental Health and Mental Retardations Offices  
Juvenile Court Judges  
Juvenile Court Judges' Commission  
Orphans' Court Judges  
Statewide Adoption Network Advisory Committee  
Pennsylvania State Foster Parent Association  
One Church One Child of Pennsylvania, Inc.  
Juvenile Law Center  
Pennsylvania Council of Children, Youth and Family Services

## PURPOSE:

To replace OCYF Bulletin #3350-97-01 for the purpose of revising the service structure, rates and requirements relating to the SWAN initiative.

REFER COMMENTS AND QUESTIONS REGARDING THIS BULLETIN TO:

**Regional Children and Youth Program Directors**

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## **BACKGROUND:**

In Fiscal Year (FY) 1992-93, the Department, Juvenile Court Judges' Commission (JCJC) and county children and youth agencies began the SWAN initiative to address barriers to the adoption of children served by county children and youth agencies. A Permanency Planning Committee convened by the Department and JCJC identified the following barriers to timely adoptions:

- Adoption activities confined to county geographic boundaries inhibit timely adoption;
- Need for increased allocation of resources to adoption services; and
- Lack of statewide collaboration, coordination, information and structure among those involved in the adoption process inhibit timely adoption.

As a result of strong commitment and appropriations exceeding \$98 million through this initiative, adoptions of children in foster care have increased from 676 finalized adoptions in FY 1993-94 to 1,791 finalized adoptions in FY 2001-02. A cumulative total of 12,093 adoptions have been finalized in the nine-year period of this initiative. Pennsylvania is committed to improving permanency outcomes for children through the Child and Family Services Review (CFSR) process.

This bulletin replaces OCFY Bulletin #3350-97-01. OCYF has also issued Bulletin #00-95-14 that provides guidelines for the SWAN initiative.

## **PROGRAM DESCRIPTION:**

### Description of the Network:

The SWAN Program is a network of public and private agencies and organizations that have a common goal of improving the opportunity for timely permanency for Pennsylvania children (see Network Participant Roles on page 7). Opportunities for families must be provided in a qualitative and timely manner.

All activities conducted through the network are intended to support the timely permanence of children in the custody of county agencies and to support families. The network is comprised of adoption agencies, organizations and individuals working together on behalf of children. It is important that all participants approach their efforts from a common frame of reference. The discussion that follows is intended to help achieve a common understanding and approach to permanency services on behalf of children in county agency custody.

The cooperative working relationships of network participants facilitate timely permanency for children. When a family is interested in adopting a child in the custody of a county agency, the network can help them to obtain timely pre-permanency services. When a child is matched with a family, the network will help families through the process leading up to adoption finalization. A continuum of post-permanency services is also available to support the family until the child reaches adulthood.

County Options for Service:

County children and youth agencies have the following three options to provide permanency services. These options may be used exclusively or in combination to best meet the needs of the county agency. These options include the following:

- Provide permanency services directly with county agency staff;
- Purchase permanency services from another agency; and/or
- Make referrals to the SWAN Prime Contractor for units of service.

If a county becomes an affiliate with the SWAN Prime Contractor, the county must demonstrate that contract funding is not duplicating money already available through the Needs-Based Budget (NBB) process.

The Process for Making Referrals to the SWAN Prime Contractor:

County children and youth agencies that use the SWAN Prime Contract make referrals for specific units of service up to the total amount requested in the NBB. The SWAN Prime Contractor assigns the referrals to the affiliate agency designated by the county. When no affiliate agency has been designated, the SWAN Prime Contractor assigns the affiliate agency based on geographic proximity and capacity to complete the work in a timely manner. The affiliate agency works closely with the county agency to complete the specific service requested. Some units of service require that the county agency certify the completion of the work in order for the affiliate to complete the requirements for payment to be made by the SWAN Prime Contractor.

**SUMMARY OF REVISIONS:**

This bulletin makes the following revisions to the SWAN Program.

- Realignment of foster/adopt services into the regular permanency services at the same payment rates;
- Cost-of-living increases for units of service;
- Implementation of and information on best practice in permanency services, including references to the SWAN library and bulletin appendices;
- Enhancements added to the units of service;
- Template for and enhancements added to child-specific recruitment; and
- The addition of new units of service for child preparation and post-permanency services.

**DEFINITIONS:**

**ADOPTIVE FAMILY**

A family who has finalized the adoption of a child placed in their home.

## AFFILIATES

Licensed adoption agencies that contract with the SWAN Prime Contractor to provide permanency services for county agencies. Other entities will be added to provide post-permanency services and child preparation.

## CHILD

An individual who:

1. is under the age of 18;
2. is under the age of 21 years who committed an act of delinquency before reaching the age of 18 years; or
3. was adjudicated dependent before reaching the age of 18 years and who, while engaged in a course of instruction or treatment, requests the court to retain jurisdiction until the course has been completed, but in no event shall a child remain in a course of instruction or treatment past the age of 21 years.

## COUNTY AGENCY

The county children and youth social service agency established pursuant to section 405 of the act of June 24, 1937 (P.L.2017, No.396), known as the County Institution District Law, or its successor, and supervised by the Department of Public Welfare under Article IX of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code.

## FOSTER/ADOPT

An approved/licensed family providing foster care or formal kinship care who now intends to adopt a child whom was placed in their home for the purpose of fostering.

## LEGAL-RISK FAMILY

A pre-adoptive family, which solely intends to adopt, accepts the placement of a foster child prior to the termination of parental rights (TPR). In these situations:

- Permanency through adoption is aggressively pursued;
- The child is not legally free for adoption;
- There is a risk that the child may be reunified with their birth family;
- The child is not eligible for adoption assistance until TPR; and
- Many families may agree to become temporary foster families solely for the

purpose of receiving financial compensation until the adoption assistance agreement is established at TPR.

#### PRE-ADOPTIVE FAMILY

A family selected by the county agency or court, which intends to adopt a child who has been placed in their home. Adoption finalization is pending.

#### PRIME CONTRACTOR

The legal entity contracting with DPW to administer the SWAN Program.

#### SWAN ADOPTION LIBRARY

A three-volume set of materials to guide permanency practices in Pennsylvania. The volumes include a basic guide, additional resources to special needs adoption and a directory of network participants.

### **SWAN PROGRAM COMPONENTS**

#### **A. CHILD POPULATION SERVED**

SWAN serves children who:

- Are in the legal custody of county agencies and/or have a court-ordered goal of adoption; or
- Are in need of post-permanency services. These services are available through the Department's contract with the SWAN Prime Contractor and are subject to the availability of funds designated by the Department for post-permanency services. Post-permanency services may also be provided by the county agency and funded through the NBB process.

Children without a goal of adoption are eligible for child profile, child specific recruitment and child preparation services.

#### **B. ELIGIBLE FAMILIES**

Eligible families are those applicants who express an interest in providing permanency for children identified in the definition listed above of "Child Population Served" and are approved in accordance with Attachment F. Permanency includes adoption, kinship care and Permanent Legal Custodianship. Families shall not be denied the opportunity to adopt based on age, race, ethnicity, gender, religion, income, marital status, education, employment status, citizenship, or geography, in accordance with the Pennsylvania Adoption Act (23 Pa.C.S. 2101 et seq.).

### C. UNITS OF SERVICE, PAYMENT RATES AND AUTHORIZATION REQUIRED

The permanency services available through the SWAN Prime Contractor and the unit cost of each service are listed in the chart below.

Units of Service and Payment Rates:

Units of Service	Payment Rate
Family Profile	\$ 2500
Child Profile	\$ 2000
Child Preparation	\$ 2000
Child Placement	\$ 4000
Adoption Finalization	\$ 3500
Child-Specific Recruitment	\$ 3000
Post-Permanency Services:	
o Advocate for Post-Permanency Services	\$ 500
o Support Group	\$ 250
o Respite	\$ 300

County agencies may contact the SWAN Prime Contractor at 1-888-793-2512 or at [www.diakon-swan.org](http://www.diakon-swan.org) to inquire about any of these services.

County agencies should refer all necessary units of service to complete the child's permanency at the initial referral to the SWAN Prime Contractor. This complete referral package will ensure that the units of service will be available from the prime contractor for the child to reach permanency.

Authorization Required:

The SWAN Prime Contractor only pays affiliate agencies for authorized services. Affiliate agencies are only eligible for payment for those referrals officially received from the SWAN Prime Contractor.

### D. NETWORK PARTICIPANT ROLES

#### MEMBERS OF THE NETWORK:

The following members are critical to the success of the network:

- County children and youth agencies;
- County Commissioners Association of Pennsylvania (CCAP);
- Other organizations and licensed agencies;

- Private adoption agencies;
- The prime contractor;
- The Pennsylvania Department of Public Welfare (DPW), through the leadership of the Office of Children, Youth and Families (OCYF);
- Statewide Adoption Network Advisory Committee;
- The courts and the legal system;
- Child and Adolescent Service System Program (CASSP);
- Child and parent advocacy and support groups;
- Pennsylvania State Foster Parent Association (PSFPA);
- Parents - birth, legal, foster, pre-adoptive and adoptive;
- Pennsylvania Adoption Exchange (PAE);
- Pennsylvania Child Welfare Competency-Based Training and Certification Program (CBT); and
- SWAN Helpline (1-800-585-SWAN).

**ROLES OF NETWORK PARTICIPANTS:**

**THE PENNSYLVANIA DEPARTMENT OF PUBLIC WELFARE (DPW):**

DPW has the following responsibilities regarding permanency services and activities:

- A. Work in collaboration with all network participants to remove systemic barriers that impede the timely permanency of waiting children;
- B. Ensure safety and permanency for children in a timely manner;
- C. Develop and monitor contract objectives, priorities and terms of the prime contract for full compliance;
- D. Fund and support approved contract costs;
- E. Participate in the development of the terms of contracts with affiliates;

- F. Maintain and support a SWAN Advisory Committee;
- G. Prepare, issue and keep current policies and procedures that will direct the operation of the network;
- H. Facilitate regular communication and collaboration among network participants;
- I. Monitor compliance with permanency policies and procedures;
- J. Monitor operations to assess the accomplishment of program goals;
- K. Operate PAE, including the website;
- L. Monitor the delivery of Competency-Based Training (CBT), as it relates to permanency services;
- M. Coordinate and negotiate a public education and media campaign designed to improve the permanency opportunities for children in county agency custody;
- N. Maintain a data system on the status of child population served;
- O. Compile and disseminate data on SWAN program activities to network participants; and
- P. Report to the Governor's Office and legislative leadership regarding program activity.

PENNSYLVANIA COUNTY CHILDREN AND YOUTH AGENCIES:

County agencies have the following responsibilities regarding permanency services and activities:

- A. Work in collaboration with all network participants to remove systemic barriers that impede the timely permanency of waiting children;
- B. Comply with applicable laws, regulations and guidelines relating to adoption services;
- C. Use state funds as available to fund permanency services;
- D. Actively recruit adoptive families, according to the Multi-Ethnic Placement Act (MEPA) and its amendments;

- E. Cooperate with legal counsel to facilitate termination of parental rights (TPR) to assure that the child is legally free for adoption;
- F. Request where appropriate, the court to set a goal of adoption for children in county custody;
- G. Complete, submit and update the SWAN Eligibility Report/Update Form, CY-890, (see Attachment A) on an ongoing basis;
- H. Comply with PAE registration requirements (see Attachment C);
- I. Make case-specific referrals to The SWAN Prime Contractor for appropriate services as defined in the NBB Bulletin;
- J. Cooperate with contracted agencies by providing access to information in case records that will allow affiliates to fully complete the tasks for which they are responsible;
- K. Assure that a child profile is completed within 90 calendar days after the goal of adoption has been established (see page 16, Child Profile and Attachment B); or to make a referral to The SWAN Prime Contractor within 10 days to have a child profile completed by an affiliate;
- L. Cooperate in the development of a Child Preparation Plan for every child for whom such a plan is deemed necessary to prepare the child for permanency (see Attachment E and SWAN Adoption Library Section I);
- M. Make a determination whether or not to accept family profile documents within 30 days of receiving them from the affiliate agency (see Attachment F);
- N. Ensure Child Specific Recruitment activities are provided for children without identified families (see Attachment I);
- O. Share the child profile with the prospective family's agency (see Attachment B);
- P. Review family profiles and make a timely decision in selecting a family for child placement (see Attachments C and G for greater detail of the process of family selection decisions);
- Q. Assure that families are aware of community resources and supports, as well as benefits available through the Pennsylvania Adoption Opportunities Act, the Federal Adoption Tax Credit and the Adoption Assistance Regulations (see Attachments D and D-1 and the SWAN

Adoption Library);

- R. When an affiliate agency is involved, the county agency will cooperate with the agency supervising the prospective family to assure smooth placement transition toward permanency for the child and family;
- S. Remain informed and collaborate with the affiliate agency on the child's progress following placement; and make reasonable efforts to finalize adoptions in a timely manner (see Attachment H);
- T. Determine whether to consent to the adoption, based on supervisory reports, and, if so, to provide consent and other necessary legal documents for timely finalization (see Attachment H); and
- U. Provide or arrange for post-permanency services (see page 26), as appropriate to meet the needs of the child and his/her family.

SWAN PRIME CONTRACTOR:

The SWAN Prime Contractor has the following responsibilities regarding permanency services and activities:

- A. Work in collaboration with all network participants to remove systemic barriers that impede the timely permanency of waiting children;
- B. Support DPW in the implementation of all components of the SWAN program and comply with terms of the SWAN contract;
- C. Enter into and monitor unit cost contracts with approved affiliates for quality and timely permanency services;
- D. Contract with licensed agencies and organizations in good standing, as directed by the terms of the prime contract, to provide related support services (legal services, conferencing, training, recruitment and outreach efforts, and post-permanency services);
- E. Make payments to affiliates in a timely manner;
- F. Maintain accurate records of referrals, services delivered and payments made;
- G. Maintain a database system that is accessible to DPW;
- H. Receive and assign referrals from counties and affiliates;
- I. Refer requests for information from new families to the SWAN Helpline;

- J. Facilitate regular communication and collaborative efforts among network participants;
- K. Provide periodic reports to DPW as required describing contracted activities; and
- L. Provide educational and training opportunities to network participants that focus on best practices in permanency.

AFFILIATES:

SWAN affiliates have the following responsibilities regarding permanency services and activities:

- A. Work in collaboration with all network participants to remove systemic barriers that impede the timely permanency of waiting children;
- B. Deliver services according to the terms of their contractual agreement and this Bulletin;
- C. Actively recruit adoptive families according to MEPA and its amendments;
- D. Develop and approve eligible family applicants for children served by SWAN;
- E. Comply with PAE requirements for family registration (see Attachment C);
- F. Share child profile information with prospective families in a manner that assures the protection of confidentiality (see Attachment B);
- G. Share family profile information with county agencies in a manner that assures the protection of confidentiality;
- H. Cooperate with county agencies in providing information to the family about the types of support available through adoption assistance (see Attachment D);
- I. Collaborate with the county agency in the provision of all units of service; and
- J. Comply with the Child Protective Services Law (CPSL) and mandated reporting requirements and provisions of ASFA and MEPA.

## **E. SWAN SERVICES**

### **1) DIRECT SERVICES**

#### **a) FAMILY PROFILE:**

This extensive process of developing families for children in the foster care system is described on pages 13-16, in Attachment F and the SWAN Adoption Library 2-13. The process of developing families for children in the foster care system is designed for use by licensed adoption agencies to determine the suitability of an applicant to be an adoptive parent, based on the applicant's qualifications and the readiness of the applicant to parent a specific child based on the child's individual needs.

The family profile process is now identical for pre-adoptive families and/or foster families who will adopt. Our research has shown that adequate family preparation is essential for families to move forward to finalization. The need for annual family profile updates has been eliminated and addendums after one year are required below as part of the enhancements to this unit of service. The family profile can be used for a maximum of 3 years, which may include two addendums.

Affiliate agencies must get prior authorization from the prime contractor to provide family profiles to those families recruited by the affiliate. The Family Profile Authorization Agreement (see Attachment F-1) must accompany these formal requests from the affiliate agency.

#### **Invoicing Information for Affiliate Agencies:**

An affiliate may invoice the prime contractor for a family profile referral at \$2,500 when the family profile document is completed and shared with the family. The family profile must indicate whether or not the family is approved as a pre-adoptive family (see Attachment F). The unit cost of \$2, 500 includes the completion of two addendums, if necessary.

#### **Family Profile Enhancements:**

This unit of service is enhanced to ensure preparation of families to adopt children with special needs and now requires the following:

- Orientation of the pre-adoptive family;
- Training completion on issues relevant to special needs adoption, (see Family Preparation in the SWAN Adoption Library, Section 2);
- Completion of the family profile document;
- Pre-adoption continuing education in order to keep families interested in adoption pending a placement;

- Registration with PAE on the CY-131 by the agency completing the family profile;
- Completion of an addendum by a county agency or an affiliate during the first and/or second year following the completion of the original family profile in cases where a child is not placed with a pre-adoptive family;
- A county agency may request a family profile addendum when a family is being considered for a child placement or when necessary for a court proceeding; and
  
- Annual foster care approval in cases involving foster parents.

SWAN Program Activities for Family Profile (see SWAN Adoption Library Section 2)

1. Family identification
2. Family profile.

Family Identification:

- 1) County and affiliate agencies are expected to identify and prepare families to adopt children who are in the custody of county agencies and who have a goal of adoption.
- 2) Adoptive applicants begin the process of becoming an eligible family when they contact an affiliate or county agency expressing an interest in adopting waiting children.
- 3) The county or affiliate agency must verbally contact the applicant within one week of receiving an inquiry.
- 4) The county or affiliate agency must provide an orientation to families who continue to express an interest in adopting following the initial contact. The orientation must be completed within 30 calendar days.
- 5) The orientation provided by adoption agencies shall address at least the following topic areas:
  - (a) What families can expect to experience during the process leading up to adoption;
  - (b) A description of pre- and post- permanency services and the supports available to families from the affiliate and/or county agency;
  - (c) An explanation of the adoption assistance

program. County and affiliate agencies must comply with the adoption assistance standards (see Attachments D and D-1 and SWAN Adoption Library, Assistance -4).

- (d) A discussion of the family profile process and a description of who will have access to the content of the family profile (see Attachment F-2). The description needs to identify that the family profile information will only be released to another agency providing a continuation of family profile/family preparation services or to an agency with child custody for their use in matching; and
- (e) A description of waiting children and their needs.

- 6) Families who continue to be interested in adoption following the orientation process are invited to submit a written application for adoption (see Attachment F).

#### Family Profile:

- 1) The family profile process begins at the point the family submits a written application to adopt. Families who complete a Family Profile Authorization Agreement may be offered a family profile (see Attachment F).
- 2) If an approved foster family is selected to become adoptive parents, a family profile must be completed.
  - The family profile for such an approved foster family is usually completed by the agency that supervises the foster family.
  - If the supervising agency is not licensed to provide adoption services, the family profile must be provided by an agency licensed to provide adoption services.
  - The family profile for adoption by foster families will include the differences associated with being an approved adoptive parent rather than a foster parent.
  - Family preparation to transition from foster care to adoption is critical to ensure readiness for permanency.

- 3) A family profile will be considered “completed” when:
  - A written family profile report is available for inclusion in the agency file;
  - The family profile results have been reviewed with the adoptive applicants; and
  - The family signs a statement indicating that they have read the profile and understand the contents (see Attachment F).
- 4) Agencies shall make a decision regarding approval/non-approval of the applicant as an adoptive family. Families who complete requirements in a timely manner will be assured the completion of a family profile within 120 days upon completion of affiliate/county requirements.

**b) CHILD PROFILE:**

A child profile is a thorough review and assessment of the child’s life. The child should participate with the worker in the development of the child profile to the fullest extent possible. This information is confidential and only shared between agencies and with a prospective eligible family. The many purposes of the child profile and the topics to be addressed are provided in this Bulletin on pages 16-18, Attachment B and SWAN Adoption Library, Section 1.

An affiliate agency may invoice the prime contractor for child profile referrals at \$2000 upon receipt of the County Certification of Service Completion from the county agency that made the referral indicating that the work product is satisfactory. The unit cost of \$2,000 includes the completion of two addendums, if necessary.

The child profile process is now identical for children without a family identified and the children who are being adopted by their foster families. Our research has shown that adequate child profiles are essential for children to move forward to permanency. The need for annual child profile updates has been eliminated and addendums after one year are required below as part of the enhancements to this unit of service. The child profile can be used for a maximum of three years, which may include two addendums.

**Child Profile Enhancements:**

This unit of service is enhanced to ensure preparation for permanency of children with special needs and now requires the following:

- Completion of the child profile document;

- County agencies must register children with PAE, as defined in Attachment C on the CY-130. This ensures registration with other exchanges provided by PAE includes but is not limited to The Collaboration to AdoptUSKids, [www.adoptuskids.org](http://www.adoptuskids.org), and Three Rivers Adoption Council and inclusion in photo listing books and on websites;
- Children who need a family recruited must have a high quality color photograph (snapshot, Polaroid or studio portrait of any size but where the child's facial features are distinct and apparent) and a one-page written description of the child;
- Completion of an addendum upon request by a county agency or an affiliate during the first and/or second year following the completion of the original child profile in cases where the child is not placed with a family; and
- A county agency may request an additional child profile unit of service only in cases where the child has not been placed for adoption within three years.

#### SWAN Program Activities for Child Profile

The child profile is both a document and a process (see SWAN Adoption Library Section 1).

- 1) Each child with a goal of adoption must have a child profile.
- 2) The content of a foster/adopt child profile is the same as that of a traditional child profile.
  - The child profile is usually completed by the agency that is providing foster care services to the child.
  - If the agency providing foster care services to an individual child is not licensed to provide adoption services, the child profile must be provided by an agency licensed to provide adoption services.
- 3) Child profile content must include information listed in Attachment B, and a one-page description and a current color photograph in cases where family recruitment is needed.
- 4) The child profile must be completed as a separate document within 90 calendar days after the goal of adoption has been established (see Attachment B) or within 90 calendar days of the date of receipt of referral by the affiliate.
- 5) Identifying birth family and legal family information must be

separated from the child's profile when the child profile is shared with prospective/selected families (see Attachment B; VII, D, 1, a). The child profile is shared with the prospective/selected families by the county agency or affiliate.

- 6) The full content (except identifying birth family and legal family information) of the child profile must be reviewed with families being considered for placement in order that the family may make an informed decision whether or not to provide permanency for the child. The child profile is not meant to be the sole source of information (see Attachment G).
- 7) The child profile should only be shared with those families being seriously considered for placement.
- 8) To ensure confidentiality in accordance with applicable statute and regulations after the placement, the child profile will be located only in the following four places:
  - Selected family;
  - Placing county agency;
  - Affiliate agency that prepared the child profile; and
  - Affiliate agency that supervised and provided permanency, if different than the agency completing the child profile.
- 9) The affiliate will destroy all documentation utilized to prepare the child profile after receiving the Certification of Service Completion Form from the county agency.

**c) CHILD PREPARATION FOR PERMANENCY:** (see Attachment E and SWAN Adoption Library Section 1)

Children in out-of-home placement have experienced varying degrees of trauma in their young lives. It is essential that professionals maximize the child's readiness for permanency and prevent permanency disruption by facilitating the transition from out-of-home placement to a permanent family.

This unit of service involves the development and implementation of the written child preparation plan for the planning and preparation of the child for permanent placement. The county and the affiliate agency will collaborate on the development of the child preparation plan. A variety of techniques are available to facilitate the preparation process and the techniques must be specified in the written child preparation plan.

The affiliate agency may invoice the Prime Contractor at \$2000 when the affiliate and the county agency certify the completion of the activities in the written child preparation plan.

Child Preparation Enhancements:

This unit of service is added to ensure that children are prepared and ready for permanency and requires the following:

- Completion of the written child preparation plan to include the specific techniques and activities to be used to prepare the child for permanency;
- Assignment of an individual with demonstrated skills in assisting children with grief and loss and attachment development issues; and
- It is expected that the assigned professional will meet with the child for a maximum of 10 meetings over a 6-month period.

SWAN Program Activities for Child Preparation (See Attachments B, E and G and SWAN Adoption Library Section 1)

1. Child preparation
2. Child identification.

Child Preparation:

- 1) County agencies shall ensure that children are being prepared for permanency. Child preparation is now a unit of service. This process must begin at intake, particularly if the child is placed out of home, and be in concert with concurrent planning practices.
- 2) The planning and preparation of the child for permanency must be coordinated in a written Child Preparation Plan between the county and affiliate agencies. It is essential to include all parties who are part of the process. The individual with demonstrated skills in assisting children with grief and loss, and attachment development should be identified to lead the child preparation effort.
- 3) A variety of techniques may be implemented to facilitate the preparation process for children (e.g., lifebook/lifebox, stories, time lines, life maps). A lifebook/lifebox is recommended for each child who enters out-of-home placement.

- 4) Child preparation assists the child in readiness for permanency. Best practice in the preparation process may help to reduce the loss behaviors exhibited in later developmental stages that increase the risk of permanency disruption.

Child Identification: (see Attachments A and C and SWAN Adoption Library Section 1)

- 1) County agencies will, at a minimum, semi-annually review the child's permanency plan, determine if a goal change to adoption is needed, and when appropriate, seek court approval to change the child's placement goal to adoption. Federal and state policies require that reasonable efforts must be made to finalize the permanency plan that is in effect for the child. At each permanency hearing for the child, the county agency must present to the court the efforts made to achieve permanency in order for the court to make a determination as to whether reasonable efforts to finalize the permanency plan were made.
- 2) County agencies will complete, submit and update on an ongoing basis the SWAN Eligibility Report/Update Form, CY-890.
- 3) PAE shall provide quarterly reports to the SWAN Prime Contractor and to the county agencies on the status of children as reported on the CY-890.
- 4) County agencies must register a child with PAE using the Child Registration Form (CY-130) within 90 days of termination of parental rights when a report of intent to adopt has not been filed. County agencies should register a child with PAE on the CY-130 as soon as the court approves a goal change to adoption. Early registration increases matching opportunities for the child.

**d) PLACEMENT:**

The placement of a child with a pre-adoptive family requires extensive child preparation (see Bulletin pages 18-22, Attachments E and G, and SWAN Adoption Library, Section 3) and family preparation (see Attachment F). This unit of service involves the implementation of the plan for placement and family selection by the county agency.

The affiliate agency may invoice the prime contractor for placement referrals at \$4000 when the report of intent to adopt has been filed with the court (see SWAN Adoption Library Section 3). In cases where Pennsylvania children are placed in families who live out-of-state and the report of intent to adopt does not exist in the local court, the placement unit may be paid (if referred by the county) at the same time the adoption finalization is completed.

Affiliate agencies will not be paid for placement for foster/adopt cases but are now eligible for payment for the finalization unit of service (see Finalization page 22).

Placement Enhancements:

This unit of service is enhanced to ensure proper planning and decision-making and now requires the following:

- Pre-placement visits (see Bulletin page 22, Attachments E and G, and SWAN Adoption Library Section 3);
- The family's review of the child referrals made by adoption exchanges and child profiles;
- A matching and decision-making process of a family to best meet the needs of the child (see SWAN Adoption Library Section 3);
- Preliminary negotiations of the adoption assistance agreement; and
- Permits that children can be placed with legal-risk families for the purposes of adoption prior to TPR. However, the placement unit cannot be billed until the Intent to Adopt is filed following TPR.

SWAN Program Activities for Pre-Placement Services

Pre-placement Services: (see Attachments E and G and SWAN Adoption Library Section 3)

- 1) When child placement with an eligible family is being considered, the county agency, in consultation with the family agency and consistent with specifications in Attachment G, shall review all child and family (retaining confidentiality) information to make a decision on their suitability as the best family resource available for the child.
- 2) The agency that completed the family profile shall review available child information with the family so that a decision on the suitability of the placement can be made.
- 3) The agency that completed the family profile shall inform the

family that information on the child is confidential.

- 4) At least one pre-placement visit with the child and pre-adoptive family will occur.
- 5) The county agency and the eligible family shall begin to negotiate the adoption assistance agreement at this phase in the process prior to placement.

**e) FINALIZATION:**

The finalization of the adoption includes all services provided to the child, the pre-adoptive family and the county agency with custody of the child prior to the issuance of a decree of adoption by the court. Finalization services begin at the point of placement and include the subsequent supervisory period and reports (see Attachment H and SWAN Adoption Library Section 3) and may include, but are not limited to, supportive services, home visits, supervisory reports, and the work done with attorneys and courts to facilitate the adoption in a timely manner.

The finalization unit of service is now identical for pre-adoptive families and/or foster families who will adopt. Our research has shown that adequate post-placement supervision is essential for families to keep moving forward to finalization. The need for foster/adopt services (formerly three payments for intent, petition and finalization units of service) has been eliminated.

Affiliates may invoice the prime contractor for finalization referrals at \$3500 after the adoption decree is obtained from the court.

**Finalization Enhancements:**

This unit of service is enhanced to ensure proper post-placement supervision and now requires the following:

- A minimum of three supervisory reports (see Attachment H);
- Filing of the adoption intent, petition and actual finalization; and
- Review of the adoption assistance agreement including but not limited to the necessary post-permanency services to support the child and the family to enhance permanency (see SWAN Adoption Library, Assistance-4).

**Placement Supervision Services:**

- 1) When a child is placed for adoption, the agency that is supervising the family shall visit the family at least once per month.

- 2) Supervision shall continue for a minimum of three months except for foster/adopts, which, if appropriate, may be finalized in less than three months.
- 3) The supervising affiliate shall provide reports to the custodial agency until finalization (see Attachment H).
- 4) If placement supervision has not facilitated the finalization of an adoption within one year of the date of child placement, the county agency must initiate action to address the delay in adoption. The action must include at least the following:
  - (a) Permanency hearings conducted pursuant to Section 6351 of the Juvenile Act (42 Pa. C.S.);
  - (b) Documentation of efforts taken to finalize the adoption;
  - (c) An inquiry into what is causing the delay in finalizing the adoption;
  - (d) A statement of findings resulting from the inquiry; and
  - (e) A statement describing the expectations regarding new activities and timeliness needed to finalize the adoption.
- 5) The supervising affiliate, as a mandated reporter, shall monitor the child's safety and must report immediately to ChildLine (1-800-932-0313) when the child's safety is at risk or when the child's basic developmental needs are not being met in his/her pre-permanence family (see Attachment H, letter H).
- 6) The supervising affiliate shall inform the family of additional supports and benefits including adoption assistance (see Attachment D).

SWAN Program Activities for Finalization: (see Attachment H and SWAN Adoption Library Section 3)

Services to support movement towards legal finalization of the adoption shall include the following activities:

- 1) The affiliate agency shall provide a recommendation through the supervisory reports to the county agency regarding the appropriateness of finalizing the adoption.
- 2) The county agency shall make the decision regarding consent to the adoption. If consent is to be given, it is the responsibility of the county agency to obtain and provide the following documentation in a timely manner:

- (a) The child's birth certificate;
  - (b) A certified copy of the termination decrees on all parents;
  - (c) A signed agency consent; and
  - (d) A signed adoption assistance agreement.
- 3) The decision to consent to the adoption should be based on the content of placement supervisory reports (Attachment H) and discussion with all involved parties.
  - 4) The affiliate and county agency shall cooperate with the attorney representing the family in accomplishing a finalization at the earliest appropriate time.
  - 5) Prior to finalizing the adoption, the county and affiliate agency shall inform the family regarding the availability of Adoption Assistance and post-permanency services.
  - 6) Copies of the final adoption decree must be provided to the county agency, affiliate and family.

**f) CHILD-SPECIFIC RECRUITMENT (CSR):**

Children who have no pre-adoptive family identified for them shall be considered for Child Specific Recruitment (CSR) activities (see Attachment I and SWAN Adoption Library Section 3). CSR includes, but is not limited to, all planned activities used to identify a pre-adoptive family who is interested in a specific child.

County agencies may make a referral to the prime contractor ONLY after PAE registration, routine recruitment activities and other contacts have been completed.

Affiliates may invoice the prime contractor for CSR referrals at \$3000 with documentation of fulfillment of the activities in the written CSR plan and/or the identification of a family for the child. The prospective family identified by the affiliate agency becomes an option for placement consideration by the county agency.

**CSR Enhancements:**

This unit of service is enhanced to ensure all opportunities for finding a family for a child have been pursued. The affiliate agency shall work closely with the county agency and the child to develop a family. A

template of required activities is provided in Attachment I and additional recommendations for CSR best practice are located in the SWAN Adoption Library. These activities include the following:

- Registration with PAE on the CY-130 which automatically includes registrations with other exchanges including but not limited to The Collaboration to AdoptUSKids, [www.adoptuskids.org](http://www.adoptuskids.org), and Three Rivers Adoption Council, photo listing books and websites;
- Development of a written CSR plan identifying activities and expectations;
- Preparation of the child for recruitment activities, including appearing on the website and working with the media;
- Children without families shall appear on [www.adoptpakids.org](http://www.adoptpakids.org); and
- Pursuance of all media opportunities.

SWAN Program Activities for Child-Specific Recruitment: (see Attachment I and SWAN Adoption Library Section 3)

- 1) The county agency is responsible to identify a permanent family for each waiting child.
- 2) When the county agency has been unable to identify a family through local resources, registration with PAE and other contacts within the network, the agency may make a referral to the SWAN Prime Contractor for CSR.
- 3) The county agency and the affiliate will meet to review the written CSR plan. Time frames, not to exceed 12 months, are established for required CSR strategies. The strategies are personalized to the individual child for whom the plan is being established. Additional strategies may be added to the plan. The county agency and affiliate both sign and date the written CSR plan.
- 4) The affiliate aggressively pursues the activities in the written CSR plan.
- 5) The affiliate provides the SWAN Prime Contractor with documentation of their efforts to carry out the written plan.
- 6) CSR is completed when:
  - a) The SWAN Prime Contractor certifies that the necessary documentation in Attachment I has been

- provided, and
- b) The activities in the written CSR plan are completed;  
or
  - c) A family who can meet the needs of the child is identified by the affiliate.
  - d) In situations not covered in a, b and c, which result in the county withdrawing the CSR referral, the affiliate may submit in writing to the SWAN Prime Contractor a request for payment consideration based on completion of activities in the written CSR plan.
- 7) The written CSR plan will be evaluated by the SWAN Prime Contractor in collaboration with the county agency and the affiliate each 12-months to determine if an additional unit of service will be allocated to continue CSR efforts in order to find a permanent family for the waiting child.

**g) POST-PERMANENCY SERVICES:**

Parents may require a continuum of support services to ensure their success as permanent families. Three of the services will be provided by the SWAN Prime Contractor:

- Advocate for Post-Permanency Services;
- Support Group; and
- Respite.

These ongoing services are seen as prevention services in order to enhance permanency in families. The family must agree to receive these services. The adoption assistance agreement should include a plan for the county's ongoing commitment to families to meet the needs of the child.

County agencies, affiliate agencies or families may make referrals for post-permanency services to the Prime Contractor. The Prime Contractor will authorize an affiliate agency to provide these services for a six-month period of time. Affiliates may invoice the Prime Contractor upon completion of prior authorized services for each of the units as described below.

**Advocate for Post-Permanency Services:**

This new unit of service is a management function performed by an affiliate agency to ensure that families access services to meet the needs that may occur following finalization. Families may select an affiliate agency to provide post-permanency services. The selected affiliate will provide this service in a timely manner. An affiliate agency may invoice the Prime Contractor for Advocate for Post-Permanency Services at \$500 per month for a maximum of six months. Services extending beyond six

months require an additional unit to be authorized by the Prime Contractor.

Enhancements:

Services are completed when the affiliate agency assists the family in:

- Advocating to ensure ongoing permanency in families;
- Identifying strengths and needs;
- Collaborating with the family to establish a family support plan for service delivery;
- Coordinating the provision of specific services to meet the needs of the family; and
- Facilitating collaboration between the systems serving the family.

Support Group:

This new unit of service encourages structured group meetings of eligible families to occur on a regular basis. Families may select the affiliate agency support group of their choice. An affiliate agency may invoice the Prime Contractor for support group services for \$250 per family, per quarter. Services are completed when the affiliate submits to the Prime Contractor the documentation of attendance at the meeting and the program agenda. Affiliate agencies that facilitate support groups shall make this service available to families associated with local or contiguous counties and other affiliates in the local geographic area.

Enhancements:

This unit of service is designed to ensure that families are supported by:

- Building relationships among other parents and children;
- Forming a community of support and mentoring among families;
- Offering opportunities for socialization and recreational activities among families;
- Providing information and educational materials relevant to families; and
- Utilizing professional and paraprofessionals for group leadership and childcare.

Respite:

This new unit of service provides families with planned periods of respite in order that parents are able to maintain a consistent level of parenting and enhance permanency in families. Families will work through an affiliate agency to arrange this service at a maximum of \$300 per month per family. Families may receive a maximum of 48 hours of this service per month. Services are completed when the affiliate submits to the Prime Contractor the documentation that the services have been provided.

Enhancements:

This unit of service is designed to ensure that eligible families, as defined on page 6, are supported by:

- Developing resources to alleviate the pressures of parenting children with special needs;
- Utilizing competent resources to provide a continuum of care for the children; and
- Ensuring the flexibility to meet the needs of the parents and their children.

SWAN Program Activities for Post Permanency Services: (see SWAN Adoption Library Section 3 and Assistance-1 & 4)

Post-permanency services are available through the SWAN prime contract and are subject to the availability of funds designated by DPW for post-permanency services. Post-permanency services should be addressed by the county agency in the Adoption Assistance Agreement if one exists.

**2) SUPPORT SERVICES**

The support services and activities of a variety of businesses and organizations are critical to expanding the Network's capacity to provide permanency for waiting children. The support services outlined below are obtained through partnership and/or contractual relationships with DPW or the Prime Contractor. These services and providers are expected to expand in variety and numbers as the needs of the Network and of the waiting children continue to grow.

**a) DEVELOPMENT OF ADOPTIVE FAMILIES:**

A. PAE Website, [www.adoptpakids.org](http://www.adoptpakids.org)

The website features Pennsylvania's children in foster care who have a goal of adoption, but do not have a family identified for them.

B. One Church, One Child of Pennsylvania, Inc. (OCOC), 1-800-437-

0268

OCOC is an initiative to recruit African American families for African American children through the faith community.

C. Pennsylvania State Foster Parent Association (PSFPA), 1-800-951-5151

PSFPA is the state association for foster and adoptive parents.

D. SWAN Helpline, 1-800-585-SWAN

The Helpline is the point of contact for families interested in adoption. Information is provided and referrals are made based on the needs of the caller.

E. New Family Recruitment Campaign

DPW contracts with a public relations firm for a media campaign to recruit new foster and adoptive families for the children who do not have permanency.

**b) MATCHING SERVICES:** (see SWAN Adoption Library Section 3)

A. Pennsylvania Adoption Exchange (PAE) Registration

The PAE is one tool used to match children and families. Waiting children and families with approved family profiles are registered in the database. The computer identifies possible matches based on the criteria selected on the registration forms. The PAE staff forward the matching information to the caseworkers for the child and family for consideration.

B. Quarterly and Statewide Meetings of the Network

SWAN quarterly meetings are held four times a year. These meetings include two statewide meetings and two series of quarterly meetings in six locations. The quarterly meetings also are used as opportunities for the training. These meetings are included as sources to fulfill the annual training requirements for county agency staff.

C. Annual Adoption Conference

The Department sponsors an annual adoption conference focusing on children with special needs.

**c) LEGAL SERVICES:**

A. Legal Services Initiative

This initiative trains pro bono attorneys to handle adoption cases for county agencies and also places paralegals in the agency for the purpose of streamlining the paperwork for termination of parental rights and adoption finalization. This initiative has been effective in reducing the amount of time in the adoption process in the counties where it has operated.

B. Juvenile Law Center (JLC)

JLC has been a partner with the SWAN program since its' inception by providing training to the network and providing technical assistance on legal issues related to special needs adoption through their toll-free telephone line.

d) **OUTREACH, COMMUNICATIONS AND PUBLIC RELATIONS SERVICES:**

DPW has a contract with a marketing firm for the following services:

A. Media Campaign

Television, radio and print ads were developed and air periodically to recruit new families for Pennsylvania's waiting children.

B. Network News

OCYF publishes a quarterly newsletter to the network about special needs adoption and the current events related to the SWAN program.

C. Promotional Materials

Several types of materials to promote special needs adoption have been developed including posters, brochures, family information packets, magnets, tote bags, hats and t-shirts.

D. Special Events Planning and Promotion

OCYF directs the planning and promotion of numerous special events to promote special needs adoption locally as well as at the state and national levels.

e) **TRAINING AND EDUCATIONAL SERVICES:**

A. Prime Contractor

The Department contracts with a prime contractor to administer public sector permanency services conducted by a network of adoption agencies. These services enhance and expedite the permanency process for children in foster care.

B. Pennsylvania Child Welfare Competency-Based Training and Certification Program (CBT)

The Department provides this program to train child welfare professionals in Pennsylvania.

C. Quarterly and Statewide Meetings of the Network  
(See Matching Services B. above)

D. Annual Adoption Conference

(See Matching Services C. above)

E. Child and Adolescent Service System Program (CASSP)

This program administered by the Office of Mental Health and Substance Abuse Services (OMHSAS) focuses on serving children. OCYF is collaborating with OMHSAS to better serve children who are waiting for permanency and those who are in permanent families.

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- A. SWAN ELIGIBILITY REPORT / UPDATE FORM CY-890
- B. CHILD PROFILE
- C. PENNSYLVANIA ADOPTION EXCHANGE INSTRUCTIONS AND REGISTRATION FORMS,  
Child Registration Form - CY 130, AND Family Registration Form - CY 131
- D. ADOPTION OPPORTUNITIES ACT AND ADOPTION  
ASSISTANCE/REGULATIONS/ATTACHMENTS D AND DI
- E. CHILD READINESS AND PREPARATION FOR PERMANENCY AND TEMPLATE FOR  
WRITTEN CHILD PREPARATION PLANS
- F. ADOPTIVE FAMILY PROFILE, F-1 FAMILY PROFILE AUTHORIZATION AGREEMENT, F-2  
SAMPLE AUTHORIZATION FOR RELEASE OF CONFIDENTIAL INFORMATION  
CONTAINED WITHIN THE FAMILY PROFILE
- G. DETERMINATION OF ACCEPTABILITY FOR PERMANENCY
- H. SUPERVISORY REPORTS
- I. CHILD SPECIFIC RECRUITMENT TEMPLATE FOR WRITTEN PLANS

**ATTACHMENT A**

**SWAN ELIGIBILITY REPORT/UPDATE (CY 890)**



**SWAN Eligibility Report/Update  
(CY 890)**

**INSTRUCTIONS:** This form is used to report and update information about children with a goal of adoption who are in the custody of county children and youth agencies. Initial report is to be submitted within 30 days of a court approving the goal. Updates are to be submitted within 30 days of a change in previously reported information. **MAIL COMPLETED FORM TO:** SWAN Prime Contractor, 471 JPL Wick Drive, P.O. Box 4560, Harrisburg, PA 17111, or **FAX:** 1-866-903-2684.

<input type="checkbox"/> SWAN #	<input type="checkbox"/> DHS #	<input type="checkbox"/> PAE #
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**CHILD DEMOGRAPHICS**

CHILD'S LAST NAME:		CHILD'S FIRST NAME:		MI:
DATE OF BIRTH:		SOCIAL SECURITY # (Requested):		GENDER: <input type="checkbox"/> MALE <input type="checkbox"/> FEMALE
RACE AND ETHNICITY - Check all that apply:				
RACE:	<input type="checkbox"/> AMERICAN INDIAN/ALASKAN NATIVE	<input type="checkbox"/> ASIAN	<input type="checkbox"/> BLACK/AFRICAN AMERICAN	
	<input type="checkbox"/> NATIVE HAWAIIAN/OTHER PACIFIC ISLANDER	<input type="checkbox"/> WHITE	<input type="checkbox"/> UNABLE TO DETERMINE	
ETHNICITY:	<input type="checkbox"/> HISPANIC	<input type="checkbox"/> NON-HISPANIC	<input type="checkbox"/> UNABLE TO DETERMINE	

**AGENCY INFORMATION**

COUNTY CHILDREN AND YOUTH AGENCY			COUNTY CASEWORKER (Full name)	
MAILING ADDRESS			EMAIL	
CITY	STATE	ZIP	TELEPHONE # ( )	FAX # ( )

**CHILD'S PRIMARY GOAL**

DATE CURRENT GOAL ESTABLISHED:	<input type="checkbox"/> GOAL UNDER APPEAL - DATE:
<input type="checkbox"/> REUNIFICATION <input type="checkbox"/> ADOPTION <input type="checkbox"/> PLC <input type="checkbox"/> FIT AND WILLING RELATIVE <input type="checkbox"/> APPLA	

**CHILD'S CONCURRENT GOAL**

DATE CURRENT GOAL ESTABLISHED:	<input type="checkbox"/> GOAL UNDER APPEAL - DATE:
<input type="checkbox"/> REUNIFICATION <input type="checkbox"/> ADOPTION <input type="checkbox"/> PLC <input type="checkbox"/> FIT AND WILLING RELATIVE <input type="checkbox"/> APPLA	

**CHILD'S STATUSES**

<b>CURRENT PLACEMENT:</b>		
DATE CURRENT PLACEMENT ESTABLISHED:		
<input type="checkbox"/> PRE-ADOPTIVE HOME (kinship)	<input type="checkbox"/> PRE-ADOPTIVE HOME (non-kinship)	<input type="checkbox"/> FOSTER CARE (kinship)
<input type="checkbox"/> FOSTER CARE (non-kinship)	<input type="checkbox"/> INSTITUTION	<input type="checkbox"/> GROUP HOME
<input type="checkbox"/> TRIAL HOME VISIT	<input type="checkbox"/> RUNAWAY	<input type="checkbox"/> OTHER _____
<b>TPR STATUS (CHECK ONE):</b>		
<input type="checkbox"/> PARENTAL RIGHTS NOT TERMINATED	<input type="checkbox"/> PARENTAL RIGHTS TERMINATED	<input type="checkbox"/> MOTHER DECEASED - DATE:
MOTHER'S RIGHTS TERMINATED - DATE:		<input type="checkbox"/> FATHER DECEASED - DATE:
FATHER'S RIGHTS TERMINATED - DATE:		<input type="checkbox"/> TERMINATION UNDER APPEAL - DATE APPEALED:
<b>ADOPTIVE RESOURCE STATUS:</b>		
DOES CHILD HAVE ADOPTIVE RESOURCE IDENTIFIED? <input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> INTENT TO ADOPT FILED - DATE:
<b>FAMILY &amp; CHILD PREPARATION:</b>		
<input type="checkbox"/> FAMILY PROFILE (STUDY) NOT COMPLETE	<input type="checkbox"/> CHILD NOT PREPARED FOR ADOPTION	<input type="checkbox"/> CHILD AND FAMILY PREPARED
<b>CYS CASE STATUS:</b>		
<input type="checkbox"/> CLOSED - DATE:		
<input type="checkbox"/> REUNIFIED	<input type="checkbox"/> FINALIZED	<input type="checkbox"/> GUARDIANSHIP
<input type="checkbox"/> EMANCIPATED	<input type="checkbox"/> DECEASED	<input type="checkbox"/> TRANSFERRED TO ANOTHER AGENCY
<input type="checkbox"/> OTHER _____		<input type="checkbox"/> LIVING WITH RELATIVE
		<input type="checkbox"/> RUNAWAY*

\*RUNAWAY may only be indicated if the county agency has been dismissed of responsibility for care and placement.

## **ATTACHMENT B**

### **CHILD PROFILE**

- I. Each child in county custody with a court-ordered goal of adoption must have a child profile completed. County and/or affiliate agencies shall complete child profiles. The purpose of the child-specific profile is to provide a comprehensive review of a child's life in order to:
  - A) Assist in recruitment activities and identifying possible matches for placement to occur;
  - B) Share information with prospective families who are being considered to provide permanency for the child. This profile is not considered to be the sole source of information on the child.
  - C) Identify strengths and possible risk factors that might be useful in the placement adjustment period and enhancing permanency; and
  - D) Maintain a history as described below for the child as a resource of information for his/her later life.
- II) Child profiles must include a current, high-quality, color photograph of the child (snapshot, Polaroid or studio portrait of any size but where the child's facial features are distinct and apparent) and a one-page synopsis of the child when recruitment activities are needed.
- III) Confidentiality of the child profile must be protected in accordance with applicable statute and regulations.
- IV) Agencies shall begin the process of gathering information for child profiles at the point of initial intake at the county agency.
- V) The county agency may complete the child profile or make a referral to the Prime Contractor to arrange for an affiliate to complete the profile.
- VI) All sources of information on the child must be documented in the child profile.
- VII) The child profile shall address EACH of the following topic areas:
  - A) INTRODUCTION
    - 1) Brief description of the child,
    - 2) Economic, cultural and ethnic background,
    - 3) Brief review of situation precipitating placement, and
    - 4) Placement chronology (time line).
  - B) HISTORY
    - 1) DEVELOPMENTAL

- (a) Circumstances at birth
- (b) Early development to include:
  - (i) Motor development
  - (ii) Speech and language development
  - (iii) Temperament
  - (iv) Toilet training
  - (v) Feeding experiences
- (c) Subsequent age-appropriate task development

## 2) SOCIAL

- (a) Events/experiences that resulted in the child coming into placement include abuse/neglect experiences
- (b) Placements (all out-of-home care)
  - (i) Duration
  - (ii) Adjustment
  - (iii) Significant events
- (c) Previous patterns of interpersonal relationships

## 3) PSYCHOLOGICAL / PSYCHIATRIC

Since evaluations may not be released without consent of the author, a summary of the evaluation, names of evaluators and dates of any evaluation must be documented. Copies of the evaluations remain on file at the county agency.

## 4) MEDICAL

- (a) Findings from the most recent medical examination; and
- (b) Discussion of child's medical background, to include:
  - (i) Immunizations
  - (ii) Serious illnesses
  - (iii) Surgeries
  - (iv) Hospitalizations
  - (v) Handicapping conditions
  - (vi) Genetic influences
  - (vii) Allergies/medication reactions
  - (viii) Congenital conditions
  - (ix) Birth parent addiction

## 5) EDUCATIONAL HISTORY

- (a) The names and addresses of each school attended, to include precise dates of enrollment
- (b) School attendance patterns
- (c) Grade level achieved (note repeated grades)
- (d) Academic performance:
  - (i) Standardized test results
  - (ii) IEP results/recommendations

- (e) Behavior issues
- (f) Extracurricular activities and special interests
- (g) Special recognitions
- (h) Teacher comments

## C) CURRENT FUNCTIONING

### 1) BEHAVIORAL PATTERNS

- (a) Eating and sleeping habits
- (b) Interests and activities
- (c) Responses to discipline

### 2) RELATIONSHIPS

- (a) Significant adults
  - (i) Biological parents
  - (ii) Foster parents
  - (iii) Siblings
  - (iv) Teachers, clergy, others
- (b) Peers

### 3) READINESS FOR PERMANENCY(see Appendix E)

- (a) Summary of loss/separation issues
- (b) Summary of abuse issues
- (c) Summary of permanency preparation activities

## D) BIRTH AND LEGAL FAMILY INFORMATION

### PARENTS

#### 1) Identifying information

- (a) Name, address, Social Security number and telephone number of birth family members and legal family if the child was adopted (Add this information as an attachment to the Child Profile and do NOT provide this identifying information to adoptive parents).
- (b) Date and place of birth
- (c) Marital status
- (d) Racial/ethnic background
- (e) Religious background

#### 2) Medical information

#### 3) Physical characteristics

#### 4) Special abilities or interests

#### 5) Education

#### 6) Employment

#### 7) Social problems

#### 8) Emotional/psychiatric problems

- 9) Drug and alcohol usage
- 10) Parent(s) view of the adoption, to include:
  - (a) Participation in termination decision, either voluntary relinquishment or involuntary termination,
  - (b) Assistance in closure/preparation of child.

#### SIBLINGS

- 1) Date and place of birth
- 2) Physical characteristics
- 3) Significant conditions or issues
- 4) Special abilities
- 5) Current living situations
- 6) Visitation recommendations

Submitted by: Name and Title, Agency Name and Date

Reviewed by: County Agency, Worker's Name and Date

Certified by: County Agency, Worker's Name and Date

## ATTACHMENT C

### PENNSYLVANIA ADOPTION EXCHANGE INSTRUCTIONS

- A) The county agency must register with the Pennsylvania Adoption Exchange (PAE) every child who is legally free for adoption and for whom no "Report of Intent to Adopt" has been filed within 90 calendar days of the date of termination of parental rights (TPR). See the CY-130 form attached. A completed CY-130 must include a high quality color photograph and one-page written description of the child to be used for recruitment activities (see child profile on Bulletin page 16). Registration with PAE will include registration with The Collaboration to AdoptUSKids, [www.adoptuskids.org](http://www.adoptuskids.org), Three Rivers Adoption Council, photolisting books and websites unless the county indicates a strong reason why the child should not have all opportunities for finding a family made available to them.
- B) The agency may register a child with PAE when a petition to terminate parental rights has been filed but not yet acted upon.
- C) The agency must register with PAE using the CY-131 form every applicant family who has been approved to adopt a child with special needs.
- D) Based on the availability of registered children and families, PAE shall make child/family referrals to participating agencies.
- E) Within 15 calendar days of receiving a PAE referral, the agency caseworker, which registered the child, shall contact by telephone the agency caseworker that registered the family to determine the appropriateness of further pursuing the referral. The agency worker who registered the family may initiate the phone contact with the agency caseworker which registered the child.
- F) If after initial discussions, the agencies decide to give further consideration to the referral, the agencies may exchange child and family profiles while protecting confidentiality.
- G) The agency decision regarding the referral shall be communicated to (PAE) within 40 calendar days of the agency's receipt of the original referral.
- H) The agency shall involve at least the following individuals in arriving at a decision to accept or not accept a (PAE) referral:
  - 1) Agency staff;
  - 2) Applicant family; and
  - 3) Age appropriate children.
- I) County agencies shall update child/family registrations with PAE at least annually with updated high quality photographs (snapshot, Polaroid or studio portrait of any size but where the child's

facial features are distinct and apparent) and one-page written descriptions of the child to be used for recruitment activities.

- 1) County agencies shall submit to PAE updated information as it becomes available for all children.
  - 2) County or affiliate agencies shall submit to PAE updated information on family applicants for whom adoption placement has not yet occurred.
  - 3) Agencies shall submit updated information on forms provided by PAE
- J) Agencies shall withdraw a PAE registered child or family within 10 calendar days of a child or family being determined as no longer available for consideration. Because timeliness is so critical, an immediate telephone or fax notice is recommended.
- K) Agencies shall maintain an up-to-date PAE photo listing of registered children and make it available for review by any prospective applicant interested in adopting a child with special needs.

**ATTACHMENT D**

ADOPTION OPPORTUNITIES ACT AND ADOPTION ASSISTANCE / REGULATIONS  
(ATTACHMENTS D AND DI)

## PA ADOPTION OPPORTUNITIES ACT

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No. 339

AN ACT

HB 2025

Amending the act of June 13, 1967 (P.L. 31, No. 21), entitled "An act to consolidate, editorially revise, and codify the public welfare laws of the Commonwealth," providing for adoption opportunities.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

**Section 1.** Article VII, act of June 13, 1967 (P.L. 31, No. 21), known as the "Public Welfare Code," is amended by adding a subdivision heading and sections to read:

### ARTICLE VII CHILDREN AND YOUTH

\* \* \*

#### (e) Adoption Opportunities Act

**Section 771. Declaration of Purpose.** — This subdivision shall be interpreted and construed so as to effect the following purpose: to encourage and promote the placement in adoptive homes of children who are physically and/or mentally handicapped, emotionally disturbed, or hard to place by virtue of age, sibling relationship, or ethnicity.

**Section 772. Definitions.** — As used in this subdivision:

"*Adoption opportunity*" is a subsidy which may include maintenance cost; medical, surgical, and psychological expenses; and other costs incident to the adoption.

"*Child*" means an individual who is under the age of eighteen years.

"*Eligible child*" means a child in the legal custody of local authorities where parental rights have been terminated pursuant to the procedure set forth in Article III of the act of July 24, 1970 (P.L. 620, No. 208), known as the "Adoption Act," and such child has been in foster placement for a period of not less than six months and where the child has been shown to be a difficult adoption placement because of a physical and/or mental handicap, emotional disturbance, or by virtue of age, sibling relationship, or ethnicity. A child in the legal custody of an agency approved by the department shall be an eligible child if the child is certified as eligible by the local authorities.

"*Local authorities*" means county institution districts or their successors.

**Section 773. Rules and Regulations.** — (a) The Department of Public Welfare shall establish and develop criteria and promulgate necessary regulations for public child welfare agencies to implement an adoption opportunity in accordance with the provisions of this subdivision (e).

(b) The regulations shall include, but not be limited to, criteria for identifying eligible children and adoptive homes, procedures for implementing the subsidy, and reporting requirements by local authorities.

(c) All regulations established pursuant to this section shall be adopted pursuant to the act of July 31, 1968 (P.L. 769, No. 240), known as the "Commonwealth Documents Law," and the hearings referred to in section 202 of that act shall be mandatory.

**Section 774. Adoption Opportunity Payments and Reimbursement.** — (a) The amount of adoption subsidy for maintenance costs to an adoptive family shall not exceed the monthly payment rate for foster family care in the county in which the child resides.

(b) The department shall reimburse local authorities for at least eighty percent (80%) of the cost of an adoption opportunity provided by local authority pursuant to the provisions of this subdivision (e), provided the local authority complies with the reporting requirements established by the department pursuant to section 773.

(c) No public funds shall be expended under this subdivision (e) on behalf of an eligible child until all available benefits under existing or future private, public, local, State, or Federal programs have been exhausted. Notwithstanding any other provision of law, adoptive families subsidized under the provisions of this subdivision (e) shall not be liable pursuant to the provisions of the act of October 20, 1966 (3rd Sp. Sess., P.L. 96, No. 6), known as the "Mental Health and Mental Retardation Act of 1966," or the act of June 24, 1937 (P.L. 2045, No. 397), known as "The Support Law," in the event that the adopted child needs services or assistance under the provisions of Article IV of this act or under the provision of the "Mental Health and Mental Retardation Act of 1966."

**Section 2.** This act shall take effect immediately so as to permit the Department of Public Welfare to establish regulations, but no payments shall be made prior to July 1, 1975.

APPROVED — The 30th day of December, A.D. 1974.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 339.

Secretary of the Commonwealth.

## Subchapter C. ADOPTION ASSISTANCE

Sec.

<u>3140.201.</u>	Applicability.
<u>3140.202.</u>	Child eligibility.
<u>3140.203.</u>	Adoption assistance agreement.
<u>3140.204.</u>	Payments/benefits.
<u>3140.205.</u>	Eligibility for Federal financial participation.
<u>3140.206.</u>	State reimbursement.
<u>3140.207.</u>	Entitlement to other services and benefits.
<u>3140.208.</u>	Procedures.
<u>3140.209.</u>	[Reserved].
<u>3140.210.</u>	Right to hearing and appeal.

### Cross References

This subchapter cited in 55 Pa. Code § 3130.36 (relating to adoption services); 55 Pa. Code § 3140.17 (relating to review of county plans and budgets); and 55 Pa. Code § 3140.22 (relating to reimbursable services and reimbursement rates).

### § 3140.201. Applicability.

This subchapter applies to the provision of adoption assistance by county children and youth social service agencies. This subchapter is promulgated by the Department to provide financial assistance to adoptive parents on behalf of children with special needs who meet adoption assistance eligibility criteria. The subchapter presents the

requirements for State and Federal financial participation in the costs of providing adoption assistance.

### **Notes of Decisions**

#### *Most Suitable Home*

Based upon the Federal government's official interpretation of the Federal regulations of this program, this court holds that the local agency must first find, not just "an appropriate" adoptive home, but must first "locate the most suitable family for the child," without regard for whether the most suitable family does or does not require any form of assistance. *Gruzinski v. Department of Public Welfare*, 731 A.2d 246 (Pa. Cmwlth. 1999).

#### **§ 3140.202. Child eligibility.**

(a) The county children and youth social service agency (county agency) is the sole authority for certifying a child's eligibility for adoption assistance.

(b) The county agency shall certify for adoption assistance children whose placement goal is adoption and who meet the following requirements:

(1) The child is 17 years of age or younger.

(2) Parental rights have been terminated under 23 Pa.C.S. Part III (relating to the Adoption Act).

(3) The child is in the legal custody of the county agency or another agency approved by the Department.

(4) The child shall have at least one of the following characteristics:

(i) A physical, mental or emotional condition or handicap.

(ii) A genetic condition which indicates a high risk of developing a disease or handicap.

(iii) Be a member of a minority group.

(iv) Be a member of a sibling group.

(v) Be 5 years of age or older.

(c) Prior to certification for adoption assistance, the county agency shall make reasonable efforts to find an adoptive home without providing adoption assistance. Evidence of this effort shall be recorded in the case record and include registration with the Department's adoption exchange for at least 3 months.

(d) If it would be against the best interests of the child because of factors, such as the existence of significant emotional ties with prospective adoptive parents while in the care of the parents as a foster child, the requirement of subsection (c) does not apply.

#### **Authority**

The provisions of this § 3140.202 amended under Articles II, VII, IX and X of the Public Welfare Code (62 P. S. §§ 201—211, 701—774, 901—922 and 1001—1080).

#### **Source**

The provisions of this § 3140.202 amended January 23, 1987, effective July 23, 1987, 17 Pa.B. 392; amended October 26, 1990,

effective immediately and apply retroactively to July 30, 1988, 20 Pa.B. 5437. Immediately preceding text appears at serial pages (114540) to (114541).

### Notes of Decisions

#### *Eligibility*

A child with special needs was not eligible for adoption subsidy payments until March 29, 1989, the date of termination of the natural parents' rights. *Allegheny County Office of Children and Youth Services v. Department of Public Welfare*, 800 A.2d 367 (Pa. Cmwlth. 2002).

The county children and youth services agency is responsible for determining the adoption assistance eligibility not only for children who are in their care and custody, but for all children. *Gruzinski v. Department of Public Welfare*, 731 A.2d 246 (Pa. Cmwlth. 1999).

A child, who was born with a cleft palate, cleft jaw, and a cleft lip, is eligible for adoption assistance retroactive to the first instance where the child was residing with the adoptive mother and the birth mother's parental rights were terminated, where, at the time the adoption petition was filed, the child was eligible for AFDC while living with a specified relative, her aunt, the adoptive mother, and the child, in fact, received AFDC payments while living with the adoptive mother prior to the adoption, even though actual payments are not necessary in order to meet the AFDC relatedness standard for adoption assistance. *Gruzinski v. Department of Public Welfare*, 731 A.2d 246 (Pa. Cmwlth. 1999).

#### *Exception*

Extenuating circumstances existed in this case to justify a waiver of the 3-month “reasonable efforts” requirement, where each child was placed in the custody of the adoptive parents at a very tender age and formed familial bonds with their adoptive parents; it would not have been in the best interest of either child to have the child removed and placed with a different family solely because that family did not require an adoption subsidy. *Adoption Resource Center, Inc. v. Department of Public Welfare*, 727 A.2d 1209 (Pa. Cmwlth. 1999).

The exception to the “reasonable efforts” requirement of this regulation should be interpreted broadly, where the “such as” language of the regulation suggests that other situations may come within the exception, and the foster care scenario described therein merely provides one example. *Adoption Resource Center, Inc. v. Department of Public Welfare*, 727 A.2d 1209 (Pa. Cmwlth. 1999).

*Federal Law; Consistency*

The Adoption Opportunities Act (62 P. S. § § 771—774) and the regulations promulgated thereunder, are consistent with the Federal Adoption Assistance and Child Welfare Act of 1980 (42 U.S.C.A. § § 670—676), with respect to the requirement that the child be in agency custody to qualify for certain subsidies. The court found that the child was effectively in that position, thereby satisfying the requirements of the Adoption Opportunities Act. *C.B. and J.B. v. Department of Public Welfare*, 786 A.2d 176 (Pa. 2001).

*Three-Month Waiting/Search Period*

Although the court agreed that the primary focus of the adoption agency should be on finding the most suitable family for the child,

and not on “shopping” for a family that does not require assistance, the court declined to hold that the 3-month registration requirement contained in this regulation is per se unreasonable or in violation of Federal law. *Adoption Resource Center, Inc. v. Department of Public Welfare*, 727 A.2d 1209 (Pa. Cmwlth. 1999).

### **Cross References**

This section cited in 55 Pa. Code § 3140.205 (relating to eligibility for Federal financial participation).

#### **§ 3140.203. Adoption assistance agreement.**

(a) The county agency shall execute a binding written adoption assistance agreement between the parties—prospective adoptive parents and county agency—at the time of or before the court issues the final adoption decree.

(b) The adoption assistance agreement shall specify benefits and conditions relating to adoption including:

(1) The dollar amount of the adoption assistance payment, if any.

(2) The schedule for making payment and the date on which the payment will commence, which may not be earlier than the date on which the adoption was finalized and the dollar amount of the nonrecurring adoption expenses, if any.

(3) The availability and scope of Medical Assistance coverage, under Title XIX of the Social Security Act (42 U.S.C.A. § § 1396—1396q) (Title XIX) (Medicaid).

(4) The availability and scope of social services under Title XX of the Social Security Act (42 U.S.C.A. § § 1397—1397f) (Title XX).

(5) The extent to which benefits for the child will apply when the adoptive family resides in or relocates to another state while the agreement is in effect.

(6) A provision for the protection of the interests of the child in case the adoptive parents and child reside or relocate to another state while the agreement is in effect.

(i) For an adoptive child certified eligible for Federal Financial Participation, eligibility for Medical Assistance and Title XX social service is retained.

(ii) With regard to Medical Assistance eligibility under Title XIX and social services under Title XX, one of the following statements shall be contained in the agreement.

(A) "The child you are adopting has been determined eligible for Federal Financial Participation. If you currently reside or subsequently relocate outside this Commonwealth, the child you are adopting will remain eligible for Medical Assistance benefits under Title XIX of the Social Security Act and social services under Title XX of the act. The authorizing Medical Assistance card will be issued from the child's state of residence."

(B) "The child you are adopting has been determined ineligible for Federal Financial Participation. Although a Pennsylvania Medical Assistance card may be provided in the child's name regardless of your state of

(5) The extent to which benefits for the child will apply when the adoptive family resides in or relocates to another state while the agreement is in effect.

(6) A provision for the protection of the interests of the child in case the adoptive parents and child reside or relocate to another state while the agreement is in effect.

(i) For an adopted child certified eligible for Federal Financial Participation, eligibility for Medical Assistance and Title XX social service is retained.

(ii) With regard to Medical Assistance eligibility under Title XIX and social services under Title XX, one of the following statements shall be contained in the agreement.

(A) "The child you are adopting has been determined eligible for Federal Financial Participation. If you currently reside or subsequently relocate outside this Commonwealth, the child you are adopting will remain eligible for Medical Assistance benefits under Title XIX of the Social Security Act and social services under Title XX of the act. The authorizing Medical Assistance card will be issued from the child's state of residence."

(B) "The child you are adopting has been determined ineligible for Federal Financial Participation. Although a Pennsylvania Medical Assistance card may be provided in the child's name regardless of your state of residence, it may be difficult to locate medical providers who will accept a Pennsylvania Medical Assistance card if you reside outside Pennsylvania boundaries. Title XX social services as agreed upon will be available to the extent that a voluntary agreement can be worked out between involved states."

(iii) For agreements entered into on or after October 1, 1983, if a needed service specified in the adoption assistance agreement is

not available in the state of residence, the county making the original adoption assistance agreement remains responsible for assuring reasonable access to specified or comparable service.

(7) The circumstances that would cause a reduction in the amount paid or termination of the adoption assistance agreement.

(8) That adoptive parents are responsible for notifying the county agency of changes in circumstances, and that the county agency will contact the parents at least annually to assess the child's continued dependency.

(9) Information concerning additional services that are available to the child, such as mental health/mental retardation services.

(10) Acknowledgement that the adoption assistance agreement remains in effect if a family relocates outside the certifying county.

(11) The duration of the agreement.

(12) The schedule for making payment and the date on which payment will commence.

(c) Each party to the agreement shall be given one signed copy of the agreement.

#### **Authority**

The provisions of this § 3140.203 amended under Articles II, VII, IX and X of the Public Welfare Code (62 P. S. §§ 201—211, 701—774, 901—922 and 1001—1080).

#### **Source**

## **ATTACHMENT E**

### **CHILD READINESS AND PREPARATION FOR PERMANENCY AND TEMPLATE FOR WRITTEN CHILD PREPARATION PLANS**

All preparation activities should be conducted through a collaborative effort between workers of the county agency and affiliate agency that may be assisting in the placement.

Children must be prepared for transition between foster care and placement to ensure readiness for permanency. The following are recommended to ensure that children are engaged in the preparation process. (Refer to the SWAN Adoption Library Section 1 for further best practices on this topic).

- A. Specialized work with children requires skills in grief and loss, attachment development and the ability to engage children in preparation activities. The family with whom the child is currently living should be involved in the preparation activities to enhance the child's ability to prepare for the changes.
- B. Engaging the child requires patience, understanding of childhood developmental stages and sensitivity to the child's trauma by the individual facilitating the preparation process and transition.

#### **GOALS OF CHILD PREPARATION**

- A. To enable the child to understand the reasons for being unable to return to the birth or legal family (clarification). Accept the reality of being a member of several families (integration), and visualize him/herself becoming a member of another family (actualization).
- B. To ensure that children have an opportunity to resolve losses, through a process of grieving in a safe atmosphere, to ask questions, and to feel positively about a prospective family (attachment).
- C. To help children establish a more secure foundation for identity formulation by maintaining their biological and placement history.

#### **ACTIVITIES OF CHILD PREPARATION**

- A. Establish a relationship with the child and current caregivers.
- B. Review the child profile and all available information about the child.
- C. Participate in the written child preparation plan, plan the series of meetings with the child, explore their life story, and begin the process of helping them make sense of what happened to them. The Lifebook/Lifebox process is a very useful tool for this activity (see SWAN Adoption Library Section 1). Timelines, lifemaps and other tools may be created to assist the child in understanding their past and current history.

- D. Permit and encourage the child to express emotions and behaviors associated with grief and loss and attachment development.
- E. Explore with the child their understanding of living with a permanent family and the process.
- F. Provide information to the child, their foster family and relevant others about the transition to permanency.
- G. Help the child to visualize being a member of a new family when one has been identified.
- H. Visit with the family at least once prior to placement.

## LIFEBOOKS

A lifebook is one technique to help children tell their life stories. It is more than a product, it is an ongoing process for the child to review their life experiences and to maintain continuity when transitioning to a family.

Lifebooks serve several functions:

- A tool through which children can grieve losses;
- A tool to provide continuity towards identity development;
- A document to identify relationships where attachment has been achieved successfully;
- and
- A record, for the children, to maintain their journey through placement.

The lifebook should be developed by the individual(s) who:

- Has established a secure relationship with the child;
- Is knowledgeable about the grief and loss issues and attachment development for children in the foster care system; and
- Is skilled in assisting the child with grief and loss and attachment development.

## **ATTACHMENT F**

### FAMILY PROFILE

Agencies are encouraged to go beyond the minimum requirements as proposed in the following Family Profile. The Family Profile Outline as described in the Adoption SWAN Adoption Library Section 2 is especially suitable for children who are available through the Statewide Adoption Network.

- A. Agencies may offer all interested families who sign the Family Profile Authorization Agreement (see Attachment F-1), the opportunity to complete an application.
- B. For people whom complete an application and express interest in adopting a child with "special needs", the agency shall begin the process of orientation, preparation and assessment within 30 days of receipt of the application.
- C. Agencies that provide adoption services only for a specific child population, for example, infant children or a child from a foreign country, are not required to accept an application or provide services to applicants who are interested in adopting a child that the agency does not serve. Families should be referred to the SWAN Helpline at 1-800-585-SWAN to receive a list of affiliate and county agencies in their geographic area.
- D. Agencies whose area of child service does not match applicant interest shall refer the applicants to another, more appropriate agency.
- E. Upon accepting an application, the agency shall inform the applicants of the need to obtain the following clearances:
  1. a child abuse history clearance;
  2. a Pennsylvania criminal record check; and
  3. a Federal Bureau of Investigation record check (if the applicant currently resides or previously resided outside of Pennsylvania).
- F. When any of the following crimes as defined under the Pennsylvania Crime Code or an equivalent code in another state is committed, agencies may NOT accept the convicted person for consideration. The following crimes will disqualify an applicant:
  1. criminal homicide (Chapter 25);
  2. aggravated assault (Section 2702);
  3. stalking (Section 2709.1);
  4. kidnapping (Section 2901);

5. unlawful restraint (Section 2902);
6. rape (Section 3121);
7. statutory sexual assault (Section 3122.1);
8. involuntary deviate sexual intercourse (Section 3123);
9. sexual assault (Section 3124.1);
10. aggravated indecent assault (Section 3125);
11. indecent assault (Section 3126);
12. indecent exposure (Section 3127);
13. relating to incest (Section 4302);
14. concealing death of child (Section 4303);
15. endangering welfare of children (Section 4304);
16. dealing in infant children (Section 4305);
17. prostitution and related offenses (felony offense under Section 5902 (b));
18. obscene and other sexual materials and performances (Section 5903 (c) or (d));
19. corruption of minors (Section 6301);
20. sexual abuse of children (Section 6312);
21. felony offense under the act of April 14, 1972 (P.L.233, No. 64), known as the Controlled Substance, Drug, Device and Cosmetic Act, committed within the five-year period immediately preceding verification under the CPSL; and
22. the attempt, solicitation or conspiracy to commit any of the above offences.

G. When an applicant has been named in the central registry as a perpetrator in a founded report of child abuse or student abuse committed within the past five years they are disqualified as an applicant.

#### FOSTER/ADOPT FAMILY PROFILE ISSUES

The following issues must also be addressed in the family profile for foster/adopt situations:

A) change in relationship between foster parent(s) and child as result of permanency;

- B) effect permanency will have on foster parents' current financial arrangement with agency (foster care maintenance payments versus adoption assistance);
- C) change in relationship between agency and family;
- D) effect permanency will have on existing biological or adopted children (including discussions with the children) or other foster children in the home;
- E) discussion of resource utilization with family and the change in the agency's role in providing resources to the family;
- F) an understanding of the child's complete background history including but not limited to the child profile;
- G) a physical examination shall be required of foster parents if one has not been provided to the agency within the past year or if changes in the foster parents' physical health have been noted and would appear to affect the reasonable health and life expectancy of the applicant; and
- H) new child abuse and police clearances are required if previous clearances are not current within one year.

#### Preparation and Assessment

- A) Agencies shall provide information to applicants that will assist the applicants in determining if adoption is appropriate for them. Such assistance shall include at a minimum the presentation of the following information:
  - 1) a realistic description of the type of child whom the family is interested in ; and
  - 2) a realistic description of the scope of the challenges that parenting a child can create.
- B) The SWAN Adoption Library can be a vitally important resource to agencies working with families. We strongly encourage the use of the family profile best practice guidelines as outlined in the SWAN Adoption Library in assessing family characteristics. At a minimum, agencies shall consider the following characteristics of prospective families:
  - 1) ability to problem solve and cope with stress;
  - 2) family growth during the family profile process;
  - 3) motivation to build their family through adoption;
  - 4) family use of resources; and
  - 5) family composition and life style.

C) Agencies shall consider the following applicant circumstances during the assessment process:

- 1) Marital Status - It is not a requirement that an applicant be married. Single individuals are encouraged to adopt.
- 2) Age - Age must not be the sole criterion upon which the suitability of an applicant is determined. The ability of an applicant to meet the specific needs of a child must receive primary consideration.
- 3) Income - Income must not be a determining factor in accepting applications or in the selection of applicants for a particular child.
- 4) Housing - Housing must provide adequate living space to promote the health, safety and well-being of the family.
- 5) Religion - Lack of a religious faith may not be used as a means of prohibiting an applicant for consideration. Agencies under religious auspices may stipulate requirements consistent with their faith and that of their clients.
- 6) Health - Consider an assurance of reasonable health and life expectancy, so that the child will be able to mature with a sense of security, and that parental life expectancy is consistent with the child's need for parental care.
- 7) Infertility - An applicant's inability to conceive his or her own child may not preclude consideration for child placement.
- 8) Family Composition - Families with biological or adoptive children as well as childless applicants must be given the same consideration.

D) References must assure that they are an unrelated person to the applicant who has observed the applicant(s) in situations that indicate their capacity for parenthood.

#### Acceptance and Non-acceptance

- 1) Agencies shall make a decision regarding applicant suitability within 120 days of accepting an application. The family profile is shared with the applicant.
- 2) The 120-day decision requirement does not apply if applicants are interested in a child without special needs and outside of the SWAN program.
- 3) Agencies shall communicate the applicant suitability decision in a face-to-face interview with the applicants.
- 4) Agencies shall give applicants a written summary of the reasons for approval/non-approval of the family profile. Applicants shall sign a statement that they read the family profile and understand its contents.

## **ATTACHMENT G**

### **DETERMINATION OF ACCEPTABILITY FOR PERMANENCY**

There are many factors to consider prior to making a placement. Good communication between the county and affiliate agencies will ensure the development of an appropriate plan prior to placement. The following list is suggested to assist counties and affiliates in determining the suitability of a permanent placement:

- A) Review the child profile and other information to determine completeness;
- B) When satisfied that information received is sufficiently complete, review the child's information with the family while protecting the confidentiality of the child;
- C) Obtain and provide answers for the family on the questions they may have following the review of information;
- D) Explain to the family the adoption assistance possibilities available to the child being considered and the elements of non-recurring costs (see Attachment D and SWAN Adoption Library Assistance-4);
- E) Counties should choose, in a timely manner, the family best able to meet the child's special needs;
- F) If a decision is made to proceed with the placement, discuss the placement plan and the next steps with the child and the family prior to placement (see Attachment E and SWAN Adoption Library Section 1);
- G) Arrange pre-placement visits;
- H) Participate in pre-placement visits as appropriate;
- I) The county or affiliate agency must meet with the prospective family in the family's home with the child. This meeting may take place in a licensed adoption agency, in those cases, where the family is from out-of-state or living overseas. In these two scenarios, the supervisory reports (see Attachment H) must address the observation of the home and/or setting. Families should be encouraged to visit the child in Pennsylvania prior to placement; and
- J) Make arrangements for placement to occur.

## **ATTACHMENT H**

### **SUPERVISORY REPORTS**

The supervising affiliate shall provide a minimum of three reports to the custodial agency until finalization. The reports shall address at the minimum the following issues:

- A) The dates of the contacts with the family and the child, and the names of other individuals present during the contact;
- B) The family's adjustment to the permanency experience and the changes in their family situation since placement, including how they cope with problem areas;
- C) How marital and sibling relationships are being affected;
- D) How the child and extended family members relate to each other;
- E) How the child accepts and understands the meaning of permanency;
- F) For children of school age, how the child is adjusting within the school environment, including reports from therapists or others providing support services to the child;
- G) An assessment of the child's physical growth, development, and medical information;
- H) A safety assessment is required. If the child's safety is at risk or if the family is not meeting the child's basic developmental needs, the affiliate, in their role as a mandated reporter, must call ChildLine at 1-800-932-0313 and immediately inform the county agency.
- I) The child's response to any treatment associated with his or her special needs;
- J) Recommended actions which may include the following:
  - 1) Increase/decrease supervision;
  - 2) Continue/discontinue placement;
  - 3) Provide further review of the situation, or
  - 4) Provide further supports to the family.
- K) A recommendation of whether or not to proceed towards finalization.

**ATTACHMENT I**

Child Specific Recruitment (CSR) Template for written plans.