
22 VAC 40-250-10. Definitions.

The following words and terms, when used in this chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Adoption" means a legal process in which a person's rights and duties toward birth parents are terminated and similar rights and duties are established with a new family.

"Adoptive placement plan" means a written plan for finding a permanent adoptive placement for a child.

"Agency" means a local Department of Public Welfare or Social Services.

"Agency placement adoption" means an adoption in which a child is placed in an adoptive home by an agency or child-placing agency which has custody of the child.

"AREVA" means the Adoption Resource Exchange of Virginia which maintains a registry and photo-listing of children and families waiting for adoption.

"Child" means any person under 18 years of age.

"Child placing agency" means any agency licensed to place children in foster homes or adoptive homes.

"Child with special needs" means any child in the custody of an agency or child placing agency who:

- A. legally free for adoption; and The state has determined the child is unlikely to return home because of termination of parental rights;
1. ~~B. For whom it has been determined that the child is unlikely to be adopted within a reasonable period of time due to one or more factors including, but not limited to~~ Has individual characteristics that make the child hard to place including:

1. Physical, mental, or emotional condition existing prior to adoption;
2. Hereditary tendency, congenital problem or birth injury leading to substantial risk of future disability;
3. Individual circumstances of the child related to age, racial or ethnic background or close relationship with one or more siblings or foster parents.

C. Has had reasonable efforts made to place the child for adoption without subsidy.

~~D. For whom the above conditions were present at the time of adoption, but not diagnosed until after entry of the final order of adoption, and no more than one year has elapsed since the diagnosis.~~

22 VAC 40-250-20. The Adoption Resource Exchange of Virginia.

The purpose of AREVA is to increase opportunities for children to be adopted by providing services to agencies having custody of these children.

A. Services provided by AREVA shall include:

1. Maintaining a registry of children awaiting adoption and a registry of approved families waiting for adoption;
2. Preparing and distributing a photo-listing of special needs children awaiting adoption and a photo-listing of families awaiting special needs children;
3. Providing information and referral services for children who have special needs to link agencies with other adoption resources;
4. Providing on-going recruitment for waiting children;
5. Providing consultation and technical assistance to agencies in finding adoptive families for waiting children; and
6. Monitoring agency compliance with:
 - a. Legal requirements for adoption; and
 - b. State board policy on registering children and families; ~~and,~~
 - e. ~~Submission and completion of the Adoptive Placement Plan.~~

B. Registration requirements.

1. Registration of children.

- a. All children shall be registered with AREVA within ~~30~~ 60 days of termination of parental rights if:
 - (1) The goal is adoption;
 - (2) The child is legally free for adoption;
 - (3) The agency has the authority to place for adoption; and
 - (4) Adoptive placement has not occurred.
- b. A copy of ~~the plan for adoptive placement and~~ the court commitment or permanent entrustment agreements shall be submitted by the agency with the child's registration forms.

2. Registration of families.

- a. Approved families shall be registered within ~~30~~ 60 days after the date of approval if they are expressing interest in adopting children who are:
 - (1) ~~Six years of age and over;~~ Eight years of age or over;
 - (2) Members of sibling groups ready for placement at the same time;
 - (3) Physically, mentally, or emotionally disabled; or
 - (4) Black, biracial, or members of other minority races, who are three years of age or older.
- b. Approved families expressing interest in adopting healthy white children up to the age of six may be registered with AREVA upon request of the family.

C. Photo-listing procedures.

1. Local agencies may request a 60-day deferment from the photo-listing for children and families when:
 - a. A family has been identified, including foster parents, and placement is pending;
 - b. The child or family shall be featured in the photo-listing the month following expiration of the deferment period, unless an adoptive home placement agreement has been signed.
2. An additional 30 day deferment may be granted once at the discretion of AREVA staff.
- ~~b.~~ 3. AREVA staff shall make the determination about which children and families to feature in the photo-listing. The decision will be based on the needs of waiting children and on the types of families waiting for placement.

D. Agency responsibilities.

1. The agency shall be responsible for local recruitment of prospective adoptive families.
2. The agency registering the child or family shall inform AREVA immediately of:
 - a. Changes in the status of the child or family;
 - b. Placements for adoptive purposes;
 - c. Withdrawals of the child or family from AREVA.
3. The agency shall provide families selected for a particular child with full factual information that the agency has on the child and the child's birth family, except that which would reveal the identity of the child's birth family. The information provided shall include complete medical and psychological reports.

4. The agency shall explore with the family selected for a particular child the family's ability to fully or partially meet financial costs related to any special needs the child may have. If it is determined that the child has special needs and is eligible for subsidy, the agency shall inform the adoptive parents of the child's eligibility for subsidy.

5. The agency shall obtain the consent of the Commissioner of Social Services prior to placing a child out of state.

E. Resource utilization. When indicated, AREVA shall consult with the agency regarding the need to explore additional resources.

1. AREVA staff may recommend referral of a child to a specialized adoption agency.

2. AREVA staff shall routinely register a child with the national adoption exchange ~~after the child has been in the photo listing for 60 days~~ upon registration with AREVA, unless a placement is pending.

3. AREVA shall be responsible for statewide recruitment of prospective adoptive families.

4. AREVA will automatically feature children on the state's electronic exchange system. AREVA staff shall make the determination about which children and families to feature. The decision will be based on the needs of waiting children and on the types of families waiting for placement.

5. AREVA staff will monitor OASIS to identify children overdue for registration.