

AGENCY PLACEMENT ADOPTIONS-GUIDING PRINCIPLES

Chapter 220

Agency Placement Adoptions-Guiding Principles

22VAC40-220-10. 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.

"Adult adoptee" means anyone 18 years of age or older who has been adopted.

"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.

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

"Foster care" means substitute care and supervision provided to a child who has been entrusted or committed to an agency until the child can be returned home, placed with relatives, placed in permanent foster care, or adopted.

"Finalization of the adoption" means the court process of sanctioning the adoption which begins with the filing of a petition and ends with the entry of the final order of adoption.

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22VAC40-220-20. Guiding principles.

To achieve permanency for children through adoption, the agency shall provide services that are based on the best interest of the child and adhere to the following principles:

1. Legal adoption offers a child greater permanence and security than foster care;
2. Every child who cannot be returned home is adoptable, regardless of disabilities, age, race or other special needs;
3. The child is the client and services shall be focused on finding families for children, rather than on finding children for families;
4. Continuity of nurturing relationships is critical to a child's growth and development. Therefore, adoptive planning shall reflect the child's need to be in a permanent placement as soon as possible; shall recognize the importance of placing siblings in the same adoptive home; and shall consider foster parents with whom the child has developed emotional ties as a primary adoptive resource for the child;
5. The preferred adoptive family for a child is one of the same race, ethnic or cultural background, whenever possible, but none of these factors shall be the sole criterion of placement;
6. Adoptive planning is not limited to children for whom adoptive families are readily available, but is provided for all children through adequate, effective recruitment efforts;

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7. Adoption does not necessarily require complete severance of contacts with birth relatives, foster parents, or other people with whom the child has a significant relationship;
8. Subsidy helps achieve the permanency of adoption for children who might otherwise remain in long term foster care;
9. In assessing prospective adoptive families, the most important criteria is the family's ability to parent a child not born to them. Marital status, income level, education, age, health, and other factors are to be considered only in terms of their relationship to the applicant's ability to parent an adopted child;
10. Beyond its legal definition, adoption is a life-long process; therefore, services which meet the unique needs of adoptive families should be provided before and after finalization of the adoption;
11. The number of children in a family is not a determining factor in approving a Family for adoption or in considering an approved family for placement; rather, casework practice and service provision shall be focused on assessing the parent's ability to meet the needs of the specific child as well as the needs of the whole family unit;
12. Adult adoptees have the right to full disclosure of information from their records except that which would reveal the identity of their family of origin;
13. Prior to placement, adoptive parent or parents have the right to full factual information about the child and the child's birth family, except that which would reveal the identity of the child's family of origin.