



January 19, 2022

**Family, Children and Adult Services Manual Transmittal Letter No. 481**

**TO:** Family, Children and Adult Services Manual Holders

**FROM:** Matt Damschroder, Director

**SUBJECT: Adoption Application and Preservice Training**

This letter transmits amendment of Ohio Administrative Code (OAC) 5101:2-48-09. This rule will be effective February 1, 2022. The following is a brief explanation of the changes:

OAC 5101:2-48-09 entitled **Application Process and Preservice Training** provides guidance to agencies regarding the process and training required for persons seeking adoption approval. Paragraph (D) was amended to change terminology from adoptive parent to applicant. Paragraph (F)(3) was amended to provide reference to the offense list in appendix A of rule 5101:2-7-02, and to update language to enhance clarity. Paragraphs (O)(11) and (O)(12) were amended to include a requirement of training for a specified time frame for cultural issues and for addressing section 2152.72 of the Revised Code. Paragraph (P) was amended to remove the requirement to not allow the training on cultural issues to be waived, which will allow for cultural training to be a regular topic that could be subject to waiver. In paragraph (Q) language was updated to change terminology from handicap to disability, and sexual identity to gender identity.

**INSTRUCTIONS:**

The following chart indicates the material that should be removed from the Family, Children and Adult Services Manual (FCASM) and the materials that are to be inserted in the FCASM.

LOCATION	REMOVE AND FILE AS OBSOLETE	INSERT/REPLACEMENT
Social Services	OAC 5101:2-48-09	OAC 5101:2-48-09
Transmittal Letters		FCASMTL No. 481

5101:2-48-09

**Application process and preservice training.**

- (A) A public children services agency (PCSA), private child placing agency (PCPA) or private noncustodial agency (PNA) that acts as a representative of the Ohio department of job and family services (ODJFS) in recommending foster homes for certification or participates in the placement of children in foster homes and for adoption shall:
- (1) Inform all individuals applying for approval for adoptive placement that they can also be studied for foster home certification.
  - (2) Conduct a joint homestudy pursuant to the requirements contained in rule 5101:2-5-20 of the Administrative Code which can result in the simultaneous approval of the applicant for:
    - (a) Adoptive placement.
    - (b) Foster care placement.
- (B) A PCSA, PCPA and PNA shall utilize the JFS 01691 "Application for Child Placement" as the standard form when accepting applications for adoptive placement. A PCSA, PCPA or PNA shall send the JFS 01691 to any individual requesting an application for adoption within seven business days of receipt of a request for an application.
- (C) An application submitted with a knowingly false statement shall not be used to initiate the homestudy. If a PCSA, PCPA or PNA determines that an application has been falsified, the PCSA, PCPA or PNA shall follow the procedures outlined in rule 5101:2-33-13 of the Administrative Code.
- (D) An agency shall not begin the homestudy assessment process prior to the receipt of a fully completed JFS 01691 signed by the ~~adoptive parent~~ applicant(s).
- (E) An agency shall not accept an application for approval for adoptive placement which does not contain complete and accurate information.
- (F) Upon receipt of the completed JFS 01691, the PCSA, PCPA, or PNA shall commence the homestudy process and request the applicant provide additional information including at a minimum:
- (1) Documentation of current marital status, which shall include a marriage certificate, divorce decree, or other verification of marital status, if applicable.
  - (2) To show the household has an income sufficient to meet the basic needs of the household, an adoptive applicant shall provide at a minimum:

- (a) A complete JFS 01681 "Applicant Financial Statement."
  - (b) Proof of income for the household for the most recent tax year prior to the date of application.
  - (c) Proof of income for the household for a two month period. The verification of income shall not be dated more than six months prior to the agency's approval.
  - (d) At least one utility bill for each utility necessary to maintain the household. The bill or bills shall not be dated more than six months prior to the agency's approval.
- (3) The report of any criminal records check conducted in accordance with section 2151.86 of the Revised Code. Except as provided in paragraph (D) of rule 5101:2-48-10 of the Administrative Code, an agency shall not ~~recommend a person to be approved as an adoptive parent if the person or any adult member of the applicant's~~ approve an adoption homestudy if the applicant or any adult member of the household has been convicted of any crime listed in paragraph (C) appendix A of rule 5101:2-48-10 ~~5101:2-7-02~~ of the Administrative Code.
- (G) The PCSA, PCPA or PNA shall search the statewide automated child welfare information system (SACWIS) or the central registry of abuse and neglect for each adoptive applicant and each adult household member of the applicant's home prior to approval of the adoptive home. This search is to be used to determine the suitability of the adoptive applicant as an adoptive parent. The search shall also be conducted within ten days of the addition of any new adult member of the household.
  - (H) The recommending agency shall request a check of the child abuse and neglect registry of any other state in which an adoptive applicant or other adult household member in the applicant's home has resided in the five years immediately prior to the date of the criminal records check as required by division (A) of section 2151.86 of the Revised Code.
  - (I) The national sex offender registry is located at <http://www.nsopw.gov/>. A national sex offender registry check is to be completed:
    - (1) For the adoptive applicant and each adult who resides with the adoptive applicant. The results are to be reviewed prior to the agency's approval of the adoption homestudy. The application may be denied based solely on the results of the search.

- (2) For an approved adoptive applicant and each adult who resides with the adoptive applicant prior to the adoption homestudy update. The adoption homestudy update may be denied solely on the results of the search.
- (J) A summary report of the results of each search shall be placed in the adoptive home record.
- (K) If the PCSA, PCPA, or PNA determines that an adoptive homestudy cannot be initiated, the agency shall send written notification to the applicant stating the reason for not initiating the homestudy and a description of procedures for requesting a review of the agency's decision. The notification shall be sent to the applicant no later than fifteen days after the application was submitted.
- (L) An applicant shall have the opportunity to revise the JFS 01691 at any time regarding the characteristics or number of children desired. If the agency, based upon receipt of a revised JFS 01691, determines that the applicant is now seeking a special needs child, requirements and time frames for the application and homestudy process shall begin with the date that the revised JFS 01691 is received by the agency. If the applicant revises the JFS 01691 and does not seek to adopt a special needs child, the time frames for the application and homestudy process shall be consistent with the agency's adoption policy prepared pursuant to rule 5101:2-48-05 of the Administrative Code.
- (M) Upon request, the PCSA, PCPA or PNA shall assist the applicant in completing the application and securing all required documents and information.
- (N) The PCSA, PCPA or PNA shall not continue with the homestudy process if all required documentation is not submitted within one hundred eighty days of the receipt of the initial or revised JFS 01691 unless the agency makes a determination that the homestudy should not be terminated and documents this on the JFS 01673 "Assessment for Child Placement." The applicant shall be notified, in writing, at least thirty days prior to the termination of the application. Written notification shall contain an explanation of the reason for termination and a description of the procedures for requesting a review of the agency's decision.
- (O) The PCSA, PCPA, or PNA shall document that each person seeking adoption approval successfully completes preservice training, prior to approval of the homestudy. Preservice training shall address the following components:
- (1) The legal rights and responsibilities of adoptive parents.
  - (2) The recommending agency's policies and procedures.
  - (3) ODJFS requirements for approving adoptive applicants.

- (4) The effects placement, separation and attachment issues have on children and their families.
  - (5) Caregivers' involvement in permanency planning for children and their families and post adoptive issues for children and families including availability of adoption subsidies.
  - (6) The dynamics of physical abuse, sexual abuse, emotional abuse, neglect, and substance abuse on human growth and development.
  - (7) Behavior management techniques.
  - (8) Effects of caregiving on children's families.
  - ~~(9) Prevention, recognition, and management of communicable diseases.~~
  - ~~(10) Community health and social services available to children and their families.~~
  - ~~(11)~~(9) ~~At least three hours of training on cultural~~Cultural issues including cultural diversity training and an overview of the Multiethnic Placement Act, Oct. 20, 1994, P.L. 103-382, as amended by Section 1808 of the Small Business Job Protection Act of 1996, Aug. 20, 1996, P.L. 104-188 (MEPA), and the Civil Rights Act of 1964 (Title VI), as it applies to the foster care and adoption process.
  - ~~(12)~~(10) The substance of section 2152.72 of the Revised Code which deals with the information required to be shared with a prospective adoptive parent before a child who has been adjudicated a delinquent child for the commission of certain violent crimes is placed with a prospective adoptive parent. ~~A course addressing section 2152.72 of the Revised Code shall not be less than one hour long.~~
- (P) A PCSA, PCPA, or PNA may waive components of the training if the assessor determines that the family has received training previously or the family has the skills to care for the needs of the child that will be placed in the home. ~~The three hour requirement for cultural issues shall not be waived.~~ When a waiver has been granted by the agency, it shall document the waiver in the case record.
- (Q) No agency shall deny the acceptance of the JFS 01691 based on race, color, national origin, handicap disability, age, gender, sexual gender identity, or sexual orientation of the applicant.

Effective: 2/1/2022

Five Year Review (FYR) Dates: 3/1/2026

CERTIFIED ELECTRONICALLY

---

Certification

01/18/2022

---

Date

Promulgated Under: 119.03  
Statutory Authority: 2151.86, 3107.033, 5103.03  
Rule Amplifies: 2151.86, 2152.72, 3107.033  
Prior Effective Dates: 07/01/1990, 09/01/1994, 09/18/1996, 12/31/1996 (Emer.), 03/31/1997, 02/13/1998 (Emer.), 05/14/1998, 12/31/1998 (Emer.), 04/15/1999, 11/12/2002, 09/01/2003, 12/11/2006, 08/21/2008, 10/01/2014, 08/01/2017, 03/01/2021