



North Carolina Department of Health and Human Services
Division of Social Services

325 North Salisbury Street • Raleigh, North Carolina 27603
Courier # 56-20-25

James B. Hunt, Jr., Governor
H. David Bruton, M.D., Secretary

Kevin M. FitzGerald, Director
(919) 733-3055

September 2, 1999

DEAR COUNTY DIRECTOR OF SOCIAL SERVICES

**SPECIAL ATTENTION: ADOPTION SUPERVISORS
ADOPTION SOCIAL WORKERS**

Subject: Statewide Contracts with Private Adoption Agencies

The Division is very pleased to announce the renewal of the statewide contracts with private adoption agencies that are willing to work collaboratively with county DSS agencies to find safe, permanent homes for children in the foster care system. A fourth agency has joined the partnership for SFY 99-00. The participating private adoption agencies are Another Choice for Black Children, Inc., based in Charlotte (704-394-1124); Bringing it All Back Home's Adoption Plus Program based in Asheville (704-236-2877), The Children's Home Society based in Greensboro (1-800-632-1400), and The Methodist Home for Children based in Raleigh (888-305-4321). During our annual meeting, each agency reiterated their commitment to work in partnership with all 100 counties on behalf of children in the foster care system.

Effective immediately, you may contact them about adoption services for foster children. Please ensure that all of your staff who provide adoption services receive a copy of this letter.

Under the performance-based contracts with these agencies, reimbursements for their services are paid only when specific outcomes are achieved. The outcomes are: (1) placement for the purpose of adoption; (2) Decree of Adoption; and (3) first anniversary of the Decree of Adoption if the placement remains intact. The contracts presume that the private agency will assume primary responsibility for the full adoption process following a referral by a county DSS agency. Consequently, the statewide contracts include the full range of adoption services, including: accepting and processing referrals from county DSS agencies; recruiting, training and assessing prospective adoptive families; making informed and well-documented recommendations about the "match" between specific children and prospective families; arranging visits with families; facilitating necessary court proceedings; and supporting families throughout the adoption process and as needed for post-adoption services. County DSS staff should make direct contact with these agencies when a foster child has become legally free and an adoptive placement has not been identified. All such referrals will be accepted



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and the agencies have made a strong commitment to maintain frequent contact with the county DSS agency following a referral. At their discretion, these agencies will accept referrals of children for whom Termination of Parental Rights is imminent but not yet complete.

We need to stress that the statewide contracts with these agencies are to complement and improve your adoption program. The contracts do not replace the mandated adoption requirements of county DSS agencies. Consequently, county DSS agencies must actively recruit prospective adoptive families and conduct preplacement assessments of families that are interested in adopting children in the foster care system, regardless of whether or not they are interested in becoming foster parents first. The contracts are intended to provide additional assistance to you when finding an adoptive home for a child is particularly difficult.

Each of the private agencies is licensed by the Division and must adhere to the same rules of confidentiality regarding the children and families that we serve. Therefore, all records relating to the children should be made available to these agencies. The confidentiality of records must not be used as a barrier to their full access to information. All county DSS agencies are expected to provide necessary documents for the legalization of an adoption to the private agencies in a timely manner. In our recent meeting with the private agencies, we were pleased to hear that progress has been made in the area of receiving and sharing of information. Also, the private agencies understand that they must adhere to the Division's practice standards in the provision of adoption services. They are expected to provide the county DSS with the required documentation of provided services in a timely manner. We encourage you to emphasize this expectation in your work with these agencies.

The statewide contracts with these agencies do not cover their full, annual operating costs and are typically exhausted before the end of the fiscal year. These agencies do receive payments from the Special Children Adoption Fund when their contracts are exhausted. If the Fund becomes depleted, it may be necessary for a private agency to charge fees for their services.

Each of these private agencies may also be available to provide discrete services as part of a DSS-initiated adoption process (e.g. preplacement assessments for relative or foster parent adoptions) or to dedicate staff time exclusively to a county DSS on a regularly scheduled basis. Although such partnerships are encouraged, these types of arrangements are not reimbursable under the statewide contracts and the county DSS should expect to enter into a separate contract with the private agency for this level of service.

The enactment of the federal and state law regarding criminal records checks for adoptive parents has resulted in delays in the approval of adoptive homes. We greatly regret the problems this has created for public and private agencies alike. We have



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worked closely with the SBI and FBI on this issue and believe that our collaborative efforts will resolve many of these problems during the current state fiscal year. Please recognize that county DSS staff are able to place children in licensed foster homes for the eventual purpose of adoption, even when the criminal record check results have not been received. Reimbursement for foster care assistance is available in such situations. County DSS staff are also able, when specifically sanctioned by the court, to place children with unlicensed, prospective adoptive families whose preplacement assessment has been completed and approved pending the results of the criminal record check. Reimbursement for foster care assistance is not available in such situations. In both situations, a petition for adoption cannot be filed until the results of the criminal record checks have been received. In both situations, the placement date on the petition will have to be a date following the receipt of the results of the criminal record check.

We have been advised by the Office of the Attorney General that with the enactment of our criminal records check statute, the requirements of the Adoption and Safe Families Act have been met for this state. State statutes give the county DSS Director the authority to determine how and when a person's criminal history affects their application to become an adoptive parent. Therefore, if the preplacement assessment which included the criminal records check has been approved by the county DSS Director (typically upon the recommendation of the agency's Adoption Committee), the placement is not in violation of the Adoption and Safe Families Act and adoption assistance can be approved with state and federal financial participation.

We sincerely appreciate all that you do to ensure safe, permanent homes for children in the foster care system. We believe that our adoption system is strengthened when county DSS agencies and private adoption agencies work in partnership on behalf of children in the foster care system who cannot be reunited with their families.

If you have any questions about this information, please call Esther High, Special Needs Adoption Coordinator, at (919) 733-4622.

Sincerely,



Charles C. Harris, Chief
Children's Services Section

cc: Kevin FitzGerald
Melinda Hamrick
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Children's Services Team Leaders
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