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Governor Scott Walker
Secretary Eloise Anderson

Division of Safety and Permanence

May 8, 2018

Child Welfare Licensing Memo 2018-17-Lic

To: Private Adoption Agencies

From: Ron Hermes
Bureau Director 

RE: Ch. 51 Administrative Rule Changes

PURPOSE

The purpose of this memo is to provide information regarding upcoming revisions to Wisconsin Administrative Code Chapter DCF 51 that pertain to Private Child Placing Agencies facilitating private domestic and international adoptions.

BACKGROUND

2015 Wisconsin Act 379, relating to preadoption preparation requirements and referrals to Post Adoption Resource Centers was passed on April 25, 2016.

In summary, 2015 Wisconsin Act 379 impacts preadoption preparation training in the following ways:

- Increases training hours and updates required core competencies to include:
 - A minimum of 25 hours of training for prospective adoptive parents;
 - A minimum of six in-person training hours;
 - A minimum of six child-specific training hours; and
 - Additional core competencies focusing on child abuse and neglect, including sexual abuse, trauma, and child-specific training.
- Removes the Department's authority to require preadoptive training under §48.84 for parents adopting a child in a foreign jurisdiction under §48.97. Please note this is a change to the original interpretation under Child Welfare Licensing Memo 2016-43L, which indicated Act 379 made no changes to this requirement. supercedes
- Requires agencies providing preadoptive training to offer at least 6 hours of training to families post adoption. Families are not required to take this training but may request it.

INFORMATION SUMMARY

Revisions related to Act 379 to Wisconsin Administrative Code Chapter DCF 51 will be effective on September 1, 2018. First time prospective adoptive parents finalizing an adoption before September 1, 2018 must meet preadoptive training requirements under current Chapter DCF 51. First time prospective adoptive parents finalizing on or after September 1, 2018 must

meet the new Chapter DCF 51 preadoptive training requirements effective as of September 1, 2018.

Agencies should begin preparing for this change and require prospective adoptive parents to complete the training necessary for them based on their anticipated adoption date. In order to assist adoption agencies, the Department has created a Frequently Asked Questions document regarding common questions received about the new training requirements.

Please note that while revising Wisconsin Administrative Code Chapter DCF 51, the Department reorganized Chapters DCF 50 and 51 to clarify applicability. Chapter DCF 50 has been revised and has changed from “Facilitating the Adoption of Children with Special Needs” to “Facilitating Public Adoptions and Adoption Assistance”. Chapter DCF Chapter 51 has also been revised and changed from “Adoption of Children with Special Needs and Preadoption Preparation Training” to “Preadoption Training.”

As of the effective date of the revised administrative rules, the Special Needs Adoption Program will now be known as Public Adoptions.

CONTACT INFORMATION

If you have additional questions, please contact your licensing specialist directly, or the individual listed as the contact within each referenced memo.

ADOPTION AND INTERSTATE SERVICES SECTION CONTACT:	Adoptions Program Specialist Bureau of Permanence and Out-of-Home Care (608) 422-6905
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CHILD WELFARE LICENSING SECTION CONTACT:	Child Welfare Program Specialist Bureau of Permanence and Out-of-Home Care (262) 446-7856
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MEMO WEBSITE:	https://dcf.wisconsin.gov/cwportal/policy
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ATTACHMENT:	Preadoption Training Requirements
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Preadoption Training Requirements

Frequently Asked Questions (FAQ) for Private Adoption Agencies

This document is intended to answer frequently asked questions about the upcoming revisions to Wisconsin Administrative Code Chapter DCF 51. All answers in this document apply to the revised rule, which will be effective on September 1, 2018.

Applicability

Q1. Are all prospective adoptive parents required to complete the preadoption preparation training?

A1. Only prospective adoptive parents adopting for the first time and who are adopting a child being placed for adoption by an agency under §48.833, who will petition a court for adoptive placement of a child under §48.837, or who will bring a child from a foreign country to be adopted in Wisconsin under §48.839 are required to complete the preadoptive training under §48.84.

Relatives adopting a child who was placed for adoption by a parent with custody of the child under §48.835 and prospective adoptive parents who adopt a child in a foreign jurisdiction and then register that adoption in Wisconsin under §48.97 are not required to complete this training.

Q2. What training requirements are in place for prospective adoptive parents adopting a child in a foreign jurisdiction and registering that adoption under §48.97?

A2. In order to register the adoption under §49.97(2)(c)3., the prospective adoptive parents must submit a sworn statement to the court that “the required preadoption training was completed”. This refers to any federally required preadoption training or preadoption training required by the specific country from which the child is adopted. Agencies are allowed to require prospective adoptive parents adopting in a foreign jurisdiction to complete training as part of their agency’s policies.

Entities Providing Training

Q3. Who is required to provide the preadoptive training?

A3. The requirements for which entities may provide the preadoptive training under §48.84 have not changed, however, state statutes now allow for an exception for training provided by an out-of-state agency to be considered to meet training requirements.

Number of Training Hours

Q4. Does the 25 required hours of preadoption training include the previously required 2 hours of orientation?

A4. The previously required 2 hours of orientation is not included in the 25 hours of required preadoption training. The 2 hours of orientation training requirement was removed so that adoption agencies may be more flexible in scheduling the necessary orientation time applicable to their agency. The 25 hours of preadoption training must cover the required competencies.

Q5. Can the reasonable and prudent parent training required under Ch. DCF 56 Admin Code be considered a part of the required 25 hours of pre-adoption training?

A5. No. The reasonable and prudent parent training is a requirement for foster care licensure and not adoption. It is not included as one of the required competencies.

Q6. Can adoption agencies require more training than the 25 hours?

A6. The preadoption training requirement is for *at least* 25 hours. Agencies may create policies that include additional training requirements for prospective adoptive parents. Adoption agencies must determine whether a prospective adoptive parent is competent in the required competencies, and a prospective adoptive parent may be required to complete additional training if the agency determines it is necessary for the prospective adoptive parent to become competent in that topic.

Content and Format of the Training

Q7. Are there new competencies required as a part of the 25 hours of preadoption training?

A7. Yes. The following competencies are required to be met through the 25 hours of required preadoption training. The new competencies are underlined:

- Adoption and its impact on parenting and family dynamics.
- The issues for a child in an adoptive placement.
- Loss and grief for the adopted child and the adoptive family.
- Attachment issues in adoptive placements.
- Support and resources for adopted children and adoptive families.
- Cultural sensitivity in adoption.
- Effects of abuse and neglect in adoption, including sexual abuse.
- Legal issues relating to adoption.
- Issues of children being adopted from an institutionalized care setting.
- Educational issues in adoption.
- Childhood developmental stages.
- Trauma issues related to adoption.

Within the “Support and resources for adopted children and adoptive families” competency listed above, the adoption agency must provide the prospective parents with information about the Post Adoption Resource Center (PARC) in the parents’ region, as well as their ability to request post adoption training from the adoption agency. PARCs are willing to attend in-person training in order to provide an overview of the services they provide. There is also a video that can be shared with prospective adoptive parents. The video can be found at:

<https://www.youtube.com/watch?v=1HOAll9ZASs>.

Q8. Does each competency require a certain number of hours out of the required 25 hours of preadoption training?

A8. There is no requirement for any individual competency to meet an hour requirement. Adoption agencies must determine how many hours may be required to cover a particular competency.

Q9. How is the required 6 hours of child-specific training determined?

A9. Adoption agencies are responsible for determining what training is considered child-specific to meet the requirement that *at least 6 of the 25* hours must be child-specific. Some of the required competencies may already be specific to the child, such as if the child is being adopted internationally from institutionalized care. If the child to be adopted has specific needs that are not covered in the competencies, the prospective adoptive parents may need more than 25

hours of training to cover both the required competencies and the necessary child-specific training. The adoption agency must document in the provider file how the training meets the child-specific requirement.

Q10. If prospective adoptive parents are adopting more than one child at the same time, typically a sibling group, are they required to have more child-specific training?

A10. Prospective adoptive parents are required to have at least 6 hours of training specific to the child to be adopted. If there is more than one child being adopted, the prospective adoptive parents must have 6 hours child-specific training for *each* child. If the children to be adopted have similar needs, those 6 hours for each child may be covered by the same training. The adoption agency must document in the provider file how the training meets the child-specific requirement.

Q11. If prospective adoptive parents have adopted in the past, are they required to have child-specific training or make up the difference in hours for subsequent adoptions?

A11. No. If the prospective adoptive parents are not adopting for the first time, they are not subject to any preadoption training requirements under §48.84.

Q12. Which competencies are required to be trained in-person?

A12. There are no requirements for any certain competency to be trained in-person. The adoption agency may determine which competencies to cover or partially cover during the required 6 hours of in-person training. As in-person training allows for the trainer to ensure the prospective parent is engaged, understands the material, and has an opportunity to ask questions, adoption agencies should consider offering in-person training for the competencies that are more difficult to understand.

Q13. How is in-person defined?

A13. In-person means the trainer is physically in the same room as the prospective parent. The trainer must be in the room to ensure the prospective adoptive parent is engaged, understands the material, and has an opportunity to ask questions. While this may be offered individually or in a group, a group in person training allows prospective adoptive parents to make connections with other prospective adoptive parents.

Q14. Are there other requirements for the format of the training?

A14. Yes. The credit given for training using books and periodicals may not exceed 5 hours of the required 25 hours of training. Additionally, the content of the preadoption training must be current and relevant to the type of adoption that the prospective adoptive parents are completing.

Q15. Are there documentation requirements for adoption agencies?

A15. The adoption agency must maintain documentation that each prospective adoptive parent completed the required training, including but not limited to that at least 6 hours were in person, and how the 6 hours of child-specific training was met for each child to be adopted. This documentation must be maintained in the prospective adoptive parent provider file.

Post-Adoption Training

Q16. Are families required to complete training post adoption?

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A16. No. Under §48.84, parents who are post adoption may request training from adoption agencies, but are not required to seek training.

Q17. Are adoption agencies required to provide training requested by parents post adoption?

A17. The agency that provided the preadoption training must offer to provide at least 6 additional hours of training after the adoption that is appropriate to the postadoption needs of the family. This offer may be made prior to or at the time of adoption. The adoption agency must explain that the family may request the training at any time in the future. If requested by a post-adoptive parent, an adoption agency that provided the required preadoption training must provide up to 6 hours of training specific to the needs family. If the adoption agency does not have sufficient expertise with the family's specific needs, the adoption agency must refer adoptive parents to resources that are appropriate to provide that training.

Q18. How are agencies required to document a post adoption training request?

A18. A request for post adoption training and action the adoption agency took to address that training request does not need to be documented by the agency.