Adoption-Only Home Standards for Non-Wards in Unrelated Domestic Adoptions
Effective Date 1/1/2017

The following standards are intended to ensure the safety and protection of children who are voluntarily surrendered to a licensed child welfare agency ("agency") and placed into an “adoption-only home,” as defined by 225 ILCS 10/2.23.

1. Criminal Background
   A criminal background check shall be conducted on every household member age 18 and over. All adults shall be fingerprinted. All adults shall submit signed statements disclosing any arrest/criminal history. The criminal background check of adults will include the following:
   • Illinois State Police
   • Federal Bureau of Investigation
   • Illinois Sex Offender Registry
   • National Sex Offender Registry

   Additionally, the agency shall obtain child abuse background checks on every household member who is 13 years of age or over from the state child abuse and neglect registries of the states in which such household members have resided in the preceding five years. The agency will use the CFS 689 to obtain Illinois child abuse and neglect clearances.

   The agency shall obtain the criminal background checks and child abuse checks before the agency gives its approval for the placement of a child. The criminal background checks and child abuse checks shall not be more than two years old at the time of the adoption finalization.

   The agency will use the DCFS Licensing Standards for Foster Family Homes Appendix of Criminal Convictions that Prevent Licensure as a guideline to evaluate an applicant’s or household member’s criminal history. See Appendix A. If an adult applicant or household member has an arrest or conviction record, the agency shall thoroughly investigate and evaluate the criminal history of the applicant or household member and, in so doing, include an assessment of the applicant’s character and, in the case of the prospective adoptive parent, the impact that the criminal history has on his or her ability to parent the child; the investigation should consider the type of crime, the number of crimes, the nature of the offense, the age at time of crime, the length of time that has elapsed since the last conviction, the relationship of the crime to the ability to care for children, and any evidence of rehabilitation. In so doing,
   1. The agency shall not approve the home if the record reveals a felony conviction for crimes against a child, including, but not limited to, child abuse or neglect, child pornography, rape, sexual assault, or homicide.
   2. The agency shall not approve the home if the record reveals a felony conviction for homicide, rape, or sexual assault.
3. The agency shall not approve the home if the record reveals a felony conviction within the last five years, including, but not limited to, for physical assault, battery, drug-related offenses, or spousal abuse.

4. As to any other offenses on Appendix A and not included in paragraphs 1)-3) above, the agency may, in its sole discretion, approve the home if an applicant or household member has been convicted of an offense listed on said Appendix A, provided all of the following requirements are met:

   a. The relevant criminal offense or offenses occurred more than 10 years prior to the date of application;
   b. The conviction or convictions have previously been disclosed to the agency for the purposes of a background check;
   c. All relevant documents regarding the offense or offenses are provided to the agency, and the agency uses the following guidelines to determine if the home should be approved despite the offense:
      i. the age when the offense was committed;
      ii. the circumstances surrounding the offense;
      iii. the length of time since the offense was committed;
      iv. in the case of the applicant, the effect of the offense on the applicant’s ability to parent a child;
      v. employment references;
      vi. character references and any certificates of achievement;
      vii. an academic transcript showing educational attainment since the offense;
      viii. a Certificate of Relief from Disabilities or a Certificate of Good Conduct; and
      ix. anything else that speaks to the applicant’s or household member’s character;
   d. The applicant or household member undergoes a mental health or other relevant evaluation with favorable findings if requested by the agency, and provides the results of such evaluation to the agency.

2. Duty to Disclose
   Applicants should be notified of their duty to disclose all information regarding physical, mental or emotional health problems, information regarding arrests, history of substance abuse or offenses of sexual abuse, child abuse or family violence. Duty to disclose is an on-going process and withholding information may result in immediate termination of the adoption-only home approval process.

3. Health of Family Members
   All applicants and household members must have physical exams from a licensed health care professional. Adult household members must have results from a tuberculosis test. The exam results, which must be no older than 12 months prior to application, must indicate that the applicants are capable of caring for an adopted child. The agency may require further documentation and/or evaluation to make such a determination. All children who are household members must be up to date on immunizations as recommended by the Illinois
Department of Public Health unless the immunization is contrary to the child’s health as documented by a licensed health care professional, or applicants are able to document an exemption on religious grounds. Health information for adults, household members and children shall be documented in the adoptive home record. Copies of medical examinations of school age children who are members of the household that were completed in accordance with the requirements of the School Code [105 ILCS 5/27-8.1] are acceptable. Applicants and all household members must disclose any past or current medical issues, mental health, and substance abuse issues. The agency may require further documentation and/or evaluation to determine the suitability of the home.

4. Finances
Applicants shall demonstrate the ability to financially support child/ren and will provide verification of income. Types of verification may include income tax returns, W-2, pay stubs, accountant letter, etc. Applicants shall provide description of income sources, assets, liabilities, debts, and monthly expenses. Applicants shall indicate whether or not they have ever filed for bankruptcy. Agencies shall make an assessment of the applicants’ ability to support child/ren based on the totality of the information provided by the applicants.

5. Adoption Education / Training
Applicants shall complete a minimum of six hours of agency approved training to be completed prior to placement. Agencies’ training shall comply with 401.520.

6. Home Safety
A home visit must be conducted within the 12 months prior to placement of a child. Minimum requirements of the home assessment must comply with Appendix B and be documented in the adoptive home record.

7. Character References
A minimum of three written references, at least two of which shall be unrelated to the applicants, shall be obtained verifying the stability and character of the applicants.

8. Documents of the applicants to be verified as part of the home study, and maintained in the adoptive home record, include but are not limited to:
   a. Photo identification, such as valid driver’s license, passport, or other photo ID
   b. Marriage or Civil Union certificate
   c. Birth certificates
   d. Verification of termination of prior marriages(s) or civil union(s), as applicable.

9. Home Study
An adoption-only home study shall include, at a minimum, one in-person home visit with applicants present, an individual interview with each applicant, and an interview of each additional household member. For additional household members, the agency will determine the method of interviewing/observing each household member based upon his or her age and
developmental capacity. The adoption home study shall consist of a thorough assessment of the applicant’s physical, mental, financial, and emotional ability to successfully parent a child through adoption and shall include:

a. Motivation and readiness for adoption
b. Description of each applicant to include date of birth, physical description, family of origin/family history, education, employment, personality, interests. Description of other household members, including children, if applicable.
c. Marital relationship, current and prior(s), if applicable
d. Parenting experiences
e. Discipline beliefs/approach
f. Understanding of adoption issues
g. Anticipated child care plans for adopted child
h. Description of home, community and availability of resources. The home shall meet the minimum requirements as outlined in Appendix B.
i. Guardianship plans
j. Summary of character references
k. Background check results, including a statement as to whether the applicants or household members have a history of substance abuse, child abuse, domestic violence, criminal convictions and/or arrest history, physical or sexual abuse, either as a victim or perpetrator, even if the incident did not result in an arrest or conviction
l. A statement indicating whether the applicants have ever had parental rights involuntarily terminated, including the circumstances
m. Documentation of pre-adoptive training
n. Characteristics of the child/ren whom the applicants would be qualified to adopt
o. No previous unfavorable home studies
p. Final recommendation
q. The home study shall be signed and dated by a home study worker who has conducted the home study and the worker's supervisor.

10. Applicants will be informed of the DCFS standard of Prohibition of Corporal Punishment (CFS 453-3). An acknowledgement of understanding shall be signed by the applicants and maintained in the adoptive home record.

11. Post-placement Services
   The agency will conduct a minimum of two in-person contacts with the adoptive parent(s) and child following placement; however, in no such instance shall contact be any less than once per quarter until the adoption has finalized. At least one in-person contact must be in the adoptive parent’s home. Additional contacts may be required by the agency based on the agency’s assessment regarding the needs of the child and adoptive parent(s). Each in-person contact shall be documented in the adoptive home record. Post-placement services for the agency’s out of state placements are subject to the rules of the adoptive parent’s home state pursuant to the Interstate Compact on the Placement of Children.
Appendix A

Licensing Standards for Foster Family Homes Appendix of Criminal Convictions that Prevent Licensure

If the foster parent applicants or any adult member of the household has been declared a sexually dangerous person under the Sexually Dangerous Persons Act [725 ILCS 205], or convicted of committing or attempting to commit one or more of the following serious criminal offenses under the Criminal Code of 1961 [720 ILCS 5], or under any earlier Illinois criminal law or code or an offense in another state, the elements of which are similar and bear a substantial relation to any of the criminal offenses specified below, this will serve as a bar to receiving a foster home license or permit.

OFFENSES DIRECTED AGAINST THE PERSON

HOMICIDE

Murder
Solicitation of murder
Solicitation of murder for hire
Intentional homicide of an unborn child
Voluntary manslaughter of an unborn child
Involuntary manslaughter
Reckless homicide
Concealment of a homicidal death
Involuntary manslaughter of an unborn child
Reckless homicide of an unborn child
Drug induced homicide

KIDNAPPING AND RELATED OFFENSES

Kidnapping
Aggravated kidnapping
Aggravated unlawful restraint
Forcible detention
Child abduction
Aiding and abetting child abduction
Harboring a runaway

SEX OFFENSES

Indecent solicitation of a child
Indecent solicitation of an adult
Public indecency
Sexual exploitation of a child
Custodial sexual assault
Sexual relations within families
Prostitution
Soliciting for a prostitute
Soliciting for a juvenile prostitute
Solicitation of a sexual act
Pandering
Keeping a place of prostitution
Keeping a place of juvenile prostitution
Patronizing a prostitute
Patronizing a juvenile prostitute
Pimping
Juvenile pimping
Exploitation of a child
Obscenity
Child pornography
Harmful material
Tie in sales of obscene publications to distributors
Posting of identifying information on a pornographic Internet site

**BODILY HARM**

Aggravated battery of a child
Tampering with food, drugs, or cosmetics
Drug induced infliction of great bodily harm
Hate crime
Stalking
Aggravated stalking
Threatening public officials
Home invasion
Vehicular invasion
Criminal sexual assault
Aggravated criminal sexual assault
Predatory criminal sexual assault of a child
Criminal sexual abuse
Aggravated sexual abuse
Criminal transmission of HIV
Criminal neglect of an elderly or disabled person
Child abandonment
Endangering the life or health of a child
Ritual mutilation
Ritualized abuse of a child
If the foster parent applicants or any adult member of the household has been convicted of committing or attempting to commit one or more of the following serious criminal offenses under the Criminal Code of 1961 [720 ILCS 5], Cannabis Control Act [720 ILCS 550] or the Illinois Controlled Substances Act [720 ILCS 570], or under any earlier Illinois criminal law or code or an offense in another state, the elements of which are similar and bear a substantial relation to any of the criminal offenses specified below, this conviction will serve as a bar to receiving a foster home license or permit, unless all of the following requirements are met:

1. The relevant criminal offense or offenses occurred more than 10 years prior to the date of application or renewal.

2. The applicant had previously disclosed the conviction or convictions to the Department for the purposes of a background check.

3. After the disclosure, the Department either placed a child in the home or the foster family home license was issued.

4. During the background check, the Department had assessed and waived the conviction in compliance with the existing statutes and rules in effect at the time of the waiver.

5. The applicant meets all other requirements and qualifications to be licensed as a foster family home under the Child Care Act and the Department’s administrative rules.

6. The applicant has a history of providing a safe, stable home environment and appears able to continue to provide a safe, stable home environment. (Section 4.2 of the Child Care Act)

**OFFENSES DIRECTED AGAINST THE PERSON**

**KIDNAPPING AND RELATED OFFENSES**

Unlawful restraint

**BODILY HARM**

Felony aggravated assault
Vehicular endangerment
Felony domestic battery
Aggravated battery
Heinous battery
Aggravated battery with a firearm
Aggravated battery of an unborn child
Aggravated battery of a senior citizen
Intimidation
Compelling organization membership of persons
Abuse and gross neglect of a long term care facility resident
Felony violation of an order of protection

OFFENSES DIRECTED AGAINST PROPERTY

Felony theft
Robbery
Armed robbery
Aggravated robbery
Vehicular hijacking
Aggravated vehicular hijacking
Burglary
Possession of burglary tools
Residential burglary
Criminal fortification of a residence or building
Arson
Aggravated arson
Possession of explosive or explosive incendiary devices

OFFENSES AFFECTING PUBLIC HEALTH, SAFETY AND DECENCY

Felony unlawful use of weapons
Aggravated discharge of a firearm
Reckless discharge of a firearm
Unlawful use of metal piercing bullets
Unlawful sale or delivery of firearms on the premises of any school
Disarming a police officer
Obstructing justice
Concealing or aiding a fugitive
Armed violence
Felony contributing to the criminal delinquency of a juvenile

DRUG OFFENSES

Possession of more than thirty grams of cannabis
Manufacture of more than 10 grams of cannabis
Cannabis trafficking
Delivery of cannabis on school grounds
Unauthorized production of more than five cannabis sativae plants
Calculated criminal cannabis conspiracy
Unauthorized manufacture or delivery of controlled substances
Controlled substance trafficking
Manufacture, distribution, advertisement of look-alike substances
Calculated criminal drug conspiracy
Street gang criminal drug conspiracy
Permitting unlawful use of a building
Delivery of controlled, counterfeit or look-alike substances to persons under age 18, or at truck stops, rest stops, safety rest areas, or on school property
Using, engaging, or employing persons under 18 to deliver controlled, counterfeit or lookalike substances
Delivery of controlled substances
Sale or delivery of drug paraphernalia
Felony possession, sale or exchange of instruments adapted for use of controlled substance or cannabis by subcutaneous injection

Final approval for licensure shall not be granted if the record check reveals a felony conviction for child abuse or neglect, for spousal abuse, for a crime against children, or for a crime involving violence, including rape, sexual assault or homicide, but not including other physical assault or battery or if there is a felony conviction for physical assault, battery or a drug-related offense committed within the past 5 years. [20 ILCS 505/5(v-1) and (v-2)]
Appendix B

Minimum Requirements of Adoptive Homes

These minimum requirements shall be provided to applicants in advance of commencing the home study process. As applicable, documentation of compliance with these minimum requirements shall be on file with the licensed child welfare agency.

a) An adoptive home located in Illinois shall be clean, well ventilated, free from observable hazards, properly lighted and heated, and free of fire hazards.

b) The water supply of the adoptive family home shall comply with the requirements of the local health department and the Illinois Department of Public Health. If the adoptive family home accepts children under age 10 or who are developmentally disabled, the maximum hot water temperature from all showers and bathtubs shall be no more than 115° Fahrenheit. If well water is used, a copy of the Inspection Report and Compliance with Regulations shall be on file with the licensed child welfare agency.

c) Water Hazards Protection

1) All in-ground swimming pools located in areas accessible to children shall be fenced. The fence shall be at least five feet in height and secured by a locked gate.

2) All above-ground pools shall have non-climbable sidewalls that are at least four feet high or shall be enclosed with a five-foot fence that is at least 36 inches away from the pool's side wall and secured with a locked gate. When the pool is not in use, the pool's steps shall be removed or the pool shall be otherwise protected to insure the pool cannot be accessed. Any above-ground pool that has non-climbable walls lower than four feet above the ground must itself be enclosed by a five-foot fence or have a barrier that complies with US Consumer Product Safety Commission guidelines placed on top of the pool to raise the wall height to four feet. A five-foot perimeter fence enclosing the yard does not replace the requirement of a five-foot fence or other barrier to prevent access to an above ground pool. The fence must be at least 36 inches away from the above-ground pool, encompass the pool area and act as a barrier to prevent children from gaining unsupervised access to the pool. This also applies to existing pools.

3) Any hot tub not enclosed with a five-foot fence shall have a securely locked cover.

4) Any portable wading pool not enclosed with a five-foot fence shall be emptied daily.

5) Adoptive parents residing in homes with pools, hot tubs, ponds, outdoor fountains, decorative water ponds, fishponds, or the like must have current CPR certification.

d) Portable space heaters may be used as a supplementary source of heat if they have an Underwriters Laboratories sticker attached and are used in accordance with local and State building and fire codes. Portable space heaters may not be used in rooms where children are sleeping. Portable and fixed space heaters in areas occupied by children shall be separated by fire resistant partitions or barriers to prevent contact with the heater.
e) Dangerous household supplies and dangerous tools shall be kept in a safe place inaccessible to children under 12 years of age. These items shall remain inaccessible to children during disposal.

f) When not being dispensed or immediately accessible due to medical necessity, prescription and nonprescription drugs shall be kept in places that are not readily accessible to children under 12 years of age. Expired or unused medications, syringes, medical waste or medication shall remain inaccessible to children during disposal.

g) Any and all firearms and ammunition shall be locked up at all times and kept in places inaccessible to children. No firearms possessed in violation of a State or federal law or a local government ordinance shall be present in the adoptive home at any time. Loaded guns shall not be kept in an adoptive home unless required by law enforcement officers and in accordance with their law enforcement agency's safety procedures. Agency staff shall request and recommend that applicants store any and all firearms outside the adoptive home and its property. Any and all firearms and ammunition stored in the adoptive home, contrary to the recommendation to store them outside of the adoptive home, shall be unloaded and secured in separate and locked storage receptacles specifically manufactured to keep firearms and ammunition secure. Trigger locks shall be used on all firearms and shall be cross-checked by the applicant to ensure the trigger lock model used has not been recalled by the Consumer Product Safety Commission; and any keys needed to access said firearms and ammunition must be kept with the owner or stored outside the adoptive home and shall not be shared with anyone. Applicant will have current Firearm Owners Identification (FOID) card and shall provide it to the agency for inspection.

h) The adoptive home shall comply with all requirements of the State laws and municipal codes for household pets. Certificates of inoculation for rabies shall be available for inspection.

i) The adoptive home shall have an operating telephone (landline or cellular) on the premises.

j) The adoptive home shall be equipped with a minimum of one approved smoke detector in operating condition on every floor level, including basements and occupied attics, in accordance with Section 3 of the Smoke Detector Act [425 ILCS 60].

k) An adoptive home that is not exempted by Section 20 of the Carbon Monoxide Alarm Detector Act [430 ILCS 135] shall be equipped with a minimum of one approved carbon monoxide detector within 15 feet of every sleeping room, in accordance with Section 10 of that Act.

l) Each adoptive child shall have a sleeping arrangement appropriate to his/her age and adequate storage space for belongings.

m) The adoptive home shall have a written Fire Safety Evacuation Plan which shall be on file with the supervising agency.

n) The adoptive home shall be free from unsafe child products. IDPH website of unsafe products shall be reviewed with applicants. http://srs.dph.illinois.gov/webapp/SRSApp/pages/