

9560.0040 STATE PHOTOGRAPHIC ADOPTION EXCHANGE.

Subpart 1. **Child placement.** To ensure each child's placement in an adoptive home preferably away from the child's area of prior residence, the State Adoption Exchange shall be used by all authorized child-placing agencies in accordance with procedures under Minnesota Statutes, section 259.75, and the commissioner.

A. Each authorized child-placing agency shall register the child on the exchange using the registration form prescribed by the commissioner accompanied by a recent photograph of the child.

B. An authorized child-placing agency seeking to defer registration of the child shall make a written request to the exchange for written approval. The request for deferral must meet one of the conditions in subitems (1) to (6).

(1) The child is placed in an agency adoptive home and legal adoption occurs within two years of placement. The agency's report of the adoptive placement to the state agency shall constitute the basis for deferral.

(2) The child's foster home is being considered and meets the criteria of subpart 3. A deferral granted for this reason may not exceed 90 days unless the placement status formally becomes an adoptive placement.

(3) The child's prospective adoptive home is being considered. A deferral granted for this reason may not exceed 90 days unless an adoptive placement occurs.

(4) The child is undergoing diagnostic evaluation to aid the agency in adoptive planning. A deferral granted for this reason may not exceed 90 days.

(5) The child is hospitalized and needs continuing daily care which will not permit placement in a family setting. A deferral granted for this reason may not exceed the length of hospitalization.

(6) The child is 14 years of age or older and, after counseling with the agency on permanent placement options, will not consent to an adoption plan. The agency shall then assist the child in executing an affidavit to file with the exchange in which the child states that decision and an awareness that the decision may be changed at any time.

Subp. 2. **Special needs.** The local authorized child-placing agency shall, without undue delay, seek an adoptive home which will meet the child's special needs according to Minnesota Statutes, section 259.29.

A. The placing agency shall follow the order of placement preference and exception guidelines under Minnesota Statutes, section 259.29.

B. The adoptive placement of an Indian child who comes under the Indian Child Welfare Act of 1978, United States Code, title 25, sections 19 et seq., as amended through December 31, 1982, must follow the order of preference as determined by the child's tribe.

C. The placing agency shall document in its record any recruitment efforts it made and any requests or decisions made by the child's parent, the tribe, court, or agency which affects the order of placement preference.

Subp. 3. **Recruitment.** As required in Minnesota Statutes, section 259.77, an agency shall make special efforts to recruit adoptive families from among the child's relatives, if feasible, and shall provide for the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in the state for whom foster and adoptive homes are needed. The agency may work with various community and religious organizations, as well as the media, and may accept offers of service and monetary contributions to successfully recruit families for adoption.

Statutory Authority: *MS s 14.388; 245A.09; 257.05; 257.175; 259.53; 259.67; 259.75; 259.87*

History: *9 SR 909; 17 SR 1279; L 1994 c 631 s 31; 29 SR 1367*

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