

**441—107.8(600) Investigative services.**

**107.8(1) Preplacement investigations.** When an adoption investigator provides a preplacement investigation of a prospective adoptive family, the investigation shall meet the requirements of Iowa Code section 600.8(1)“a,” including an assessment of the family’s ability to parent a child.

*a.* The preplacement investigation shall include at a minimum two contacts, one face-to-face interview with the applicants and each member of the household and at least one home visit.

*b.* The investigator shall have on file a written assessment of the family which shall be used to approve or deny a prospective adoptive family. The written assessment (home study) shall include the date the home study was completed, shall be signed by the investigator and the signature notarized. The assessment shall include the following:

- (1) Motivation for adoption and whether the family has biological, adopted, or foster children;
- (2) Family and extended family’s attitude toward accepting an adopted child, and plans for discussing adoption with the child;
- (3) The attitude towards adoption of significant other people involved with the family;
- (4) Emotional stability, marital history and assessment of marital relationship, including verification of marriages and divorces, and compatibility of adoptive parent(s);
- (5) Ability to cope with problems, stress, frustrations, crises, separation, and loss;
- (6) Medical conditions which would affect the applicant’s ability to parent a child;
- (7) Ability to provide for the child’s physical and emotional needs;
- (8) Adjustment of biological children and previously adopted children, if any, including their attitudes towards adoption, adjustments in the family and in school;
- (9) Capacity to give and receive affection;
- (10) Statements from at least three references provided by the family and other unsolicited references;
- (11) Attitudes of the adoptive applicants towards the birth parent(s) and the reason(s) the child is available for adoption;
- (12) Income information;
- (13) Disciplinary practices that will be used;
- (14) History of abuse by family members and treatment;
- (15) Assessment of commitment to and capacity to maintain other significant relationships;
- (16) Substance use or abuse by family members and treatment; and
- (17) Recommendations for type of child, number, age, sex, characteristics, and special needs of children best served by this family.

*c.* Record checks. The certified adoption investigator shall submit record checks for each applicant and for any other adult living in the home of the applicant to determine whether they have founded child abuse reports or criminal convictions. Form 470-0643, Request for Child Abuse Information, and Form 595-1396, Request for Non-Law Enforcement Record Check, shall be used for this purpose.

If there is a record of founded child abuse or a criminal conviction for the applicant, or any other adult living in the home of the applicant, the applicant shall not be approved as an adoptive family, unless an evaluation determines that the abuse or criminal conviction does not warrant prohibition of approval.

EXCEPTION: The person making the investigation shall not approve a prospective applicant and shall not perform an evaluation if the applicant or any other adult living in the home of the applicant has been convicted of a felony offense as set forth in Iowa Code section 600.8(2)“b.” The person making the investigation shall not approve a prospective applicant and shall not perform an evaluation if the applicant or any other adult living in the home of the applicant has committed a crime in another state that would be a forcible felony if the crime would have been committed in Iowa, as set forth in Iowa Code section 600.8(2)“b.”

The evaluation shall consider the nature and seriousness of the abuse or crime, the time elapsed since the commission of the founded abuse or crime, the circumstances under which the abuse or crime was committed, the degree of rehabilitation, the likelihood that the person will commit the abuse or crime again, and the number of abuses or crimes committed by the person. The person with the founded child abuse or criminal conviction report shall complete and return Form 470-2310, Record Check Evaluation,

within ten calendar days of the date on the form to be used to assist in the evaluation. Failure of the person to complete and return Form 470-2310 within the specified time frame shall result in denial of approval for adoption.

(1) If the applicant or any other adult living in the home of the applicant has been convicted of a simple misdemeanor or a serious misdemeanor that occurred five or more years prior to application, the evaluation and decision may be made by the certified adoption investigator. The certified adoption investigator shall notify the applicant of the results of the evaluation using Form 470-2386, Record Check Decision.

(2) If the applicant or any other adult living in the home of the applicant has a founded child abuse report, has been convicted of an aggravated misdemeanor or felony at any time, or has been convicted of a simple or serious misdemeanor that occurred within five years prior to application, the evaluation shall be initially conducted by the certified adoption investigator.

1. If the certified adoption investigator determines that the abuse or crime does warrant prohibition of approval, the certified adoption investigator shall notify the applicant of the results of the evaluation using Form 470-2386, Record Check Decision.

2. If the certified adoption investigator believes that the applicant should be approved despite the abuse or criminal conviction, the certified adoption investigator shall provide copies of the child abuse report or criminal history record, Form 470-2310, Record Check Evaluation, and Form 470-2386, Record Check Decision, to the Department of Human Services, Administrator, Division of Adult, Children and Family Services, Hoover State Office Building, Des Moines, Iowa 50319-0114. Within 30 days the administrator shall determine whether the abuse or crime merits prohibition of approval and shall notify the certified adoption investigator in writing of that decision. The certified adoption investigator shall mail the applicant Form 470-2386, Record Check Decision, when a decision is reached regarding the evaluation of an abuse or crime, or when an applicant fails to complete the evaluation form.

(3) The child abuse and criminal record checks shall be repeated and any founded abuses or convictions of crimes since the last record check shall be evaluated using the same process during the home study update required by Iowa Code section 600.8.

*d.* Home study updates are required if the home study was written more than one year previously, in accordance with Iowa Code section 600.8. The home study update shall consist of completing the following:

(1) The child abuse and criminal record checks shall be repeated and if there are new founded abuses or conviction of crimes that were not evaluated in the previous home study they shall be evaluated using the process set forth in 107.8(1)“c.”

(2) One face-to-face visit shall be conducted with the approved family.

(3) The information in the approved home study shall be reassessed.

(4) An updated report of the reassessment and adoptive home study shall be written, dated, signed and notarized and a copy provided to the family.

**107.8(2) Background information investigation.** When an adoption investigator completes a background information investigation on the child to be adopted at the request of the placer, the investigation shall include a complete family medical and mental health history and developmental history of the child to be adopted. A personal interview with each parent of the child must be completed unless a parent's identity or whereabouts is unknown.

**107.8(3) Postplacement investigation.** When an adoption investigator completes postplacement supervision, at least three visits to the adoptive family's home and personal observation of the child are required.

*a.* Postplacement reports are to be written after each postplacement visit and copies kept in the permanent family file retained by the investigator.

*b.* Postplacement supervision should assess the placement in the following areas:

(1) Integration and interaction of the child with the family.

(2) Changes in the family functioning which may be due to the child's placement.

(3) Social, emotional and school adjustment of the child.

(4) Changes that have occurred in the family since placement of the child.

- (5) The family's method of dealing with testing behaviors and discipline.
  - c. Home visits shall be completed at a minimum as follows:
    - (1) One no later than 30 days after placement.
    - (2) One no later than 90 days after placement.
    - (3) A final visit prior to requesting a consent to adopt. Home visits shall be completed as often as necessary if the adoptive family is experiencing problems.
  - d. A report based on the postplacement visits with recommendations regarding the finalization of the adoption shall be submitted to the court.
- 107.8(4) Reports of investigations.** The adoption investigator is authorized to provide reports to the courts concerning the above investigations and reports to the guardian or custodian of the child and the attorney for the adoptive family.
- 107.8(5) Fees for services.** Certified investigators may charge a fee for the services described in subrules 107.8(1), 107.8(2), and 107.8(3). The licensor shall review the amount of fees for services charged to families at the time that the investigator's records are reviewed for recertification. Information shall also be retained regarding fees charged to a family by another party and collected by the investigator.