

**Requirements of Guarantee of Adopted Children's Rights and
Interests by Intensive Protection Measures**

March 18, 2011

In order to further guarantee the healthy and orderly development of inter-country adoption, ensure the healthy development of adopted children and their best interests and prevent problems occurring after placement, CCAA will take measures based on the new changes and situations in inter-country adoption, enhance cooperation with governments and adoption agencies in receiving countries, improve on the assessment, home study reporting and post-placement tracking so as to better protect the rights and interests of the adopted children. The new measures are as follows:

I. Improvement on home study reporting

1. Substantiation of home study report

Home study reports should be fully and truly reflective of the prospective adoptive family's situation, prepared by certified social workers hired by the government and adoption agencies after home visits. The reports should be written and signed by the social workers to ensure authenticity. The reports prepared by adoption agencies should be typed on the agency's letterheads. American agencies completing the reports should have passed Hague accreditation or COA Child and Family

Service Accreditation. Each report should enclose a copy of the agency's accreditation certificate.

Adoption agencies should abide by the requirements of CCAA on home visits and home study reports. Social workers should meet face-to-face with the adoption applicants in meetings, conversations and interviews for no less than four times (including home visits). Telephone or internet interviews are not allowed. In order to fully understand the family's situation, CCAA will add the following requirements besides those listed in "Provisional Regulations and Requirements by CCAA for Foreign Adoption Organizations doing Adoption with China":

(1) Reference letters are required in home-study reports

Reference letters should confirm the applicants and their family's circumstances from the perspective of a third party, as a supplement to the information provided by the applicants in their documents so that CCAA understands fully the situation of the adoptive families.

Reference letters should be objective, true and detailed in reflection of the circumstances of prospective adoptive family. The referrer should be familiar with the adoptive family, such as good friends, neighbors, employers, colleagues, preachers, family doctors, etc. Reference letters should include the relationship between the referrer and the applicants, time of knowing the applicants and reasons to recommend. The letters should be about the applicants' personality and characters, merits and

shortcomings, mental health, maturity, family atmosphere and stability, behavior of the applicants in the community and inter-personal relationship with others. Major concerns of the letters include adoptive parents' ability to parent, suitability to adopt and any reasons not suitable for adopting a child. Reference letters should be dated, written and signed by the referrer and delivered directly to the person or agency preparing the home study report.

If the applicants have adult children (above 18 years old), it is better that one reference letter is written by the adult children, covering topics such as evaluation of the relation with his/her parents, merits and shortcomings of his/her parents, parenting skills and experience, whether the parents have frequent talk with him/her, discipline manners, any family violence, any maltreatment from his/her parents, reasons to believe his/her parents are/aren't suitable to adopt a child.

If the applicants have minor children who go to kindergarten or school, it is better that one reference letter is written by the teachers of the child, covering topics such as daily behavior of the minor child, evaluation of the parenting skills of the applicants, views on an adopted child living in the family, etc.

Each family should provide at least three reference letters, which can be notarized and legalized together with the home study report.

(2) When necessary, a psychological report should be supplemented to

the home study report.

If the social worker finds the applicants present the following circumstances during home visits, a professional psychological test and evaluation should be suggested and a psychological report should be provided to confirm whether the applicants are suitable to adopt.

① The applicants have received or are receiving psychological counseling, training or therapy.

② The applicants may have potential emotional problems which can affect adoption, such as alcohol problems at youth (and have already given up drinking for over ten years); have been mentally or physically abused; have suffered emotional loss or trauma.

③ The applicants have other problems which the social worker considers necessary to conduct a psychological evaluation.

2. Improvement on adoption training

Good adoption training can help the adoptive families fully understand and prepare for the possible risks in inter-country adoption, deal with problems in adoption and avoid adoption disruption and re-placement due to lack of preparation. Adoption training should cover topics such as how to nurture and educate children, how to establish attachment with adopted children, laws and regulations as well as procedures and process of inter-country adoption and requirements by Chinese government, features and risks of inter-country adoption, ways to

promote the integration between the child and family, ways to seek assistance when encountering difficulties and post-placement services provided by the government or adoption agencies. Training for families intending to adopt special needs children should be focused on the knowledge and skills in medical treatment, rehabilitation, nurturing and caring of special needs children. The training should take no less than 12 hours, combined by field training, lectures and distance training. Field training can be the main pattern, where adoptive families can share with prospective adoptive parents their successful experience in adoption. It also helps evaluate the effect of training.

Adoption training received by the applicants and its effects should be included in home study reports.

The above requirements on reference letters, psychological evaluation reports and adoption training will apply to the new adoption applications submitted from October 1, 2011.

II. Improvement on post-placement service

1. Further enhancement of post-placement service

The first few years after the placement of adopted child is very important for the integration and adjustment of the child and family. In order to ensure the smooth integration of adopted child into adoptive families, CCAA will intensify its post-placement work, extend the time

for submitting post-placement reports, and increase the frequency of reporting.

Post-placement reports should reflect truly the development of the adoptee and integration with adoptive families based on the full knowledge of the adoptive families. The reports should be prepared by certified social workers hired by the government or adoption agencies which have prepared home study reports for the family after home visits. The reports should be written and signed by the social workers to ensure authenticity. The reports prepared by adoption agencies should be typed on agency's letterheads. If the adoptive family has changed residence, and the original adoption agency which prepared home study reports cannot prepare post-placement reports for them, the family can ask other accredited agency to do it.

Social workers hired by the government or adoption agencies should prepare six reports respectively at one month, six months and twelve months after adoption, and then at the second, third and fifth year after adoption. For adoptees who are close to fourteen years old at adoption, the reports should be prepared according to the above requirements until the child turns eighteen.

CCAA will impose the following requirements on post-placement reports apart from the original ones:

The reports at one month after adoption should focus on the initial

integration of the adoptee with adoptive families and the adjustment of adoptee, with description of the registration procedure in China, such as impression and feeling during the adoption process.

The fourth to sixth reports should include, in addition to the post-placement reports, medical checkup certificate of the adoptee provided by doctors, evaluation of the adoptee provided by his/her kindergarten or school (if he/she goes to kindergarten or school) and a short essay written by the adoptee if he/she reaches 10 years old.

For families who have adopted special needs children, in the report at twelve months after adoption, families should fill in a table of "Feedback on the Special Needs Child" and elaborate on the implementation of medical rehabilitation and nurturing plan during the one year after adoption.

Each post-placement report should enclose eight photos instead of four. The reports should be delivered by the government departments or adoption agencies through which the adoptive family submitted their application documents. Families who have adopted over two children (except twins) should prepare and submit separate reports for each child.

If the adopted child is re-placed, suffers from death, or his/her interests are seriously damaged, the government departments or adoption agencies through which the adoptive family submitted their documents should notify CCAA in time, not limited by the frequency required above

for post-placement reports.

For further information of the requirements on contents and format of the post-placement reports, please refer to CCAA website.

The new requirements on post-placement reports apply to families whose *Notice of Coming to China for Adoption* is issued after August 1, 2011.

2. Enhancement of follow-up visits after placement. In order to understand well the living conditions of the adopted children, CCAA will work closely with adoption agencies to visit adopted children abroad regularly to ensure the healthy development of the adoptees.
3. Improvement on facilitating the heritage tours of adoptees. CCAA will continue to organize various activities and invite the adoption agencies, adoptive families and adoptees to visit China. Heritage tours help the children understand more about their motherland and hometown and develop a correct perspective on inter-country adoption. Through heritage tours, we can also know about the life of the adoptees abroad and the integration of the child into adoptive families.

III. Full play of the role by governments and adoption agencies

CCAA has always maintained a good relationship with governments and adoption agencies in receiving countries. In order to guarantee the rights and interests of the adopted children and realize the goal of

inter-country adoption, CCAA will take measures to enhance cooperation and give full play to the role of governments and adoption agencies in supervision and communication in inter-country adoption.

1. Improvement on performance evaluation

The evaluation system for adoption agencies is an important measure to regulate inter-country adoption and ensure protection of the rights and interests of adoptees. CCAA will improve evaluation rules and requirements based on the new features of inter-country adoption, with its major concerns on the evaluation of home study report, post-placement reports, placement of special needs children and participation in child welfare programs, etc. It is also hoped that adoption agencies abide by the basic principles of inter-country adoption and fully understand the significance of adoption training, home study reporting and post-placement service. Agencies should prepare the applicants before adoption and during the waiting period to help them deal with problems that may turn up during the adoption procedure, help families with referrals and help find suitable families for the children. After placement, agencies should help children and families adjust to each other as soon as possible.

2. Filing of records of adoption agencies

CCAA will file and update records of adoption agencies, understand their work in China and keep records of agency facilitators.

Work of branch offices and cooperative agencies of American agencies will also be regulated and recorded. CCAA will make out detailed requirements for branch offices and cooperative agencies to regulate the service contract of American adoption agencies with other cooperative agencies. Rights and duties, service and liabilities between the two parties should be clearly set out in the cooperative service agreement, which should be kept records in CCAA.

3. Full play of the overseeing role of government in receiving countries.

CCAA will further enhance the cooperation with government and accrediting agencies in receiving countries, establish and improve the cooperative mechanism and encourage the governments to fully play their role of overseer in inter-country adoption. Both sides will take effective measures, provide regular feedbacks and exchange information and experience to ensure the smooth operation of all sections of inter-country adoption and protect the rights and interests of adopted children.

4. Improvement on communication mechanism

CCAA will hold regular meetings with adoption agencies, in which we will give briefings on daily work and performance evaluation results, answer questions raised by adoption agencies and take the opportunity to discuss about ways to establish a good communication platform to promote cooperation and put into better play the important role of adoption agencies in inter-country adoption and protection of adopted

children's rights.

CCAA will continue to adhere to the principles and goals of inter-country adoption and take measures to protect the rights and interests of adopted children. We will continue to improve the cooperative mechanism with relative governments and adoption agencies to establish a healthy and harmonious environment for inter-country adoption and ensure its smooth, steady and healthy development.

China Center of Adoption Affairs