



Exhibit B TO SUPERVISED PROVIDER AGREEMENT

HAGUE STANDARDS WITH WHICH SUPERVISED PROVIDER MUST COMPLY

In order for Children's Home Society of Minnesota to maintain Intercountry Adoption accreditation as required in order to act as a Primary Provider, Children's Home must be in ongoing compliance with applicable accreditation standards as outlined in the Hague Convention U.S. implementing regulations, 22 CFR Part 96, Subpart F: Standards for Inter-country Adoption Accreditation and Approval. Given the nature of Children's Home's relationship with _____ as Supervised Provider, it is imperative that the Supervised Provider is informed of and agrees to maintain compliance with key accreditation standards outlined below, which relate to ethical considerations, financial practices, and the provision of adoption services.

§96.34 Compensation

- 96.34 (a) The agency or person does not compensate any individual who provides intercountry adoption services with an incentive fee or contingent fee for each child located or placed for adoption.
- 96.34 (b) The agency or person compensates its directors, officers, employees, and supervised providers who provide intercountry adoption services only for services actually rendered and only on a fee-for-service, hourly wage, or salary basis rather than a contingent fee basis.
- 96.34 (c) The agency or person does not make any payments, promise payment, or give other consideration to any individual directly or indirectly involved in provision of adoption services in a particular case, except for salaries or fees for services actually rendered and reimbursement for costs incurred. This does not prohibit an agency or person from providing in-kind or other donations not intended to influence or affect a particular adoption.
- 96.34 (d) The fees, wages, or salaries paid to the supervised providers of the agency are not unreasonably high in relation to the services actually rendered, taking into account the country in which the adoption services are provided and norms for compensation within the intercountry adoption community in that country, to the extent that such norms are known to (Children's Home and) the accrediting entity; the location, number, and qualifications of staff; workload requirements; budget; and size of the agency or person.
- 96.34 (f) The agency or person identifies all vendors to whom clients are referred for non-adoption services and discloses to (Children's Home and) the accrediting entity any corporate or financial arrangements and any family relationships with such vendors

§96.35 Suitability of agencies and persons to provide adoption services consistent with the Convention.

- 96.34 (a) The agency or person provides adoption services ethically and in accordance with the Convention's principles of:
 - 1. Ensuring that intercountry adoptions take place in the best interests of children; and
 - 2. Preventing the abduction, exploitation, sale or trafficking of children.

- 96.35 (b) In order to permit the accredited agency (here, Children’s Home) to evaluate the suitability of an agency or person for accreditation or approval, the agency or person discloses to the accrediting entity the following information related to the agency or person, under its current or any former name:
1. Any instances in which the agency or person has lost the right to provide adoption services in any State or country, including the basis for such actions(s);
 2. Any instances in which the agency or person was debarred or otherwise denied the authority to provide adoption services in any State or country, including the basis and disposition of such action(s);
 3. Any licensing suspensions for cause or other negative sanctions by oversight bodies against the agency or person, including the basis and disposition of such action(s);
 4. For the prior ten-year period, any disciplinary action(s) against the agency or person by a licensing or accrediting body, including the basis and disposition of such action(s);
 5. For the prior ten-year period, any written complaint(s) related to the provision of adoption-related services, including the basis and disposition of such complaint(s), against the agency or person filed with any State or Federal or foreign regulatory body and of which the agency or person was notified;
 6. For the prior ten-year period, any known past or pending investigation(s) (by Federal authorities or by public domestic authorities), criminal charges(s), child abuse charge(s), or lawsuit(s) against the agency or person, related to the provision of child welfare or adoption-related services, and the basis and disposition of such action(s);
 7. Any instances where the agency or person has been found guilty of any crime under Federal, State, or foreign law or has been found to have committed any civil or administrative violation involving financial irregularities under Federal, State, or foreign law;
 8. For the prior five-year period, any instances where the agency or person has filed for bankruptcy; and
 9. Descriptions of any businesses or activities that are inconsistent with the principles of the Convention and that have been or are currently carried out by an agency or person, affiliate organizations, or by any organization in which the agency or person has an ownership or controlling interest.
- 96.35 (c) In order to permit the accrediting entity to evaluate the suitability of an agency or person for accreditation or approval, the agency or person (for its current or any former names) discloses to the accrediting entity the following information about its individual directors, officers, and employees:
1. For the prior ten-year period, any conduct by any such individual related to the provision of adoption-related services that was subject to external disciplinary proceeding(s);
 2. Any convictions or current investigations of any such individual who is in a senior financial management position for acts involving financial irregularities;
 3. The results of a State criminal background check and a child abuse clearance for any such individual in the United States in a senior management position or who works directly with parent(s) and/or children (unless such checks have been included in the State licensing process); and
 4. A completed FBI Form FD-258 for each such individual in the United States in a senior management position or who works directly with parent(s) and/or children, which the agency or person must keep on file in case future allegations warrant submission of the form for a Federal criminal background check of any such individual.
 5. Descriptions of any businesses or activities that are inconsistent with the principles of the Convention and that are known to have been or are currently carried out by individual

directors, officers, or employees of the agency or person.

- 96.36 (e) In order to permit the accrediting entity to monitor the suitability of an agency or person, the agency or person must disclose any changes in the information required by Section §96.35 within thirty business days of learning of the change.

§96.36 Prohibition on Child Buying

- 96.36 (a) The agency or person prohibits its employees and agents from giving money or other consideration, directly or indirectly, to a child's parent(s), other individual(s), or an entity as payment for the child or as an inducement to release the child. If permitted or required by the child's country of origin, an agency or person may remit reasonable payments for activities related to the adoption proceedings, pre-birth and birth medical costs, the care of the child, the care of the birth mother while pregnant and immediately following birth of the child, or the provision of child welfare and child protection services generally. Permitted or required contributions shall not be remitted as payment for the child or as an inducement to release the child.
- 96.36 (b) The agency or person has written policies and procedures in place reflecting the prohibitions in paragraph (a) of this section and reinforces them in its employee training programs.

§ 96.37 Education and experience requirements for social service personnel

- 96.37 (a) The agency or person only uses employees with appropriate qualifications and credentials to perform, in connection with an intercountry adoption, adoption-related social service functions that require the application of clinical skills and judgment (home studies, child background studies, counseling, parent preparation, postplacement, and other similar services).
- 96.37 (b) The agency's or person's employees meet any State licensing or regulatory requirements for the services they are providing.
- 96.37 (c) The agency's or person's executive director, the supervisor overseeing a case, or the social service employee providing adoption-related social services that require the application of clinical skills and judgment (home studies, child background studies, counseling, parent preparation, postplacement, and other similar services) has experience in the professional delivery of intercountry adoption services.
- 96.37 (d) The agency's or person's social work supervisors have prior experience in family and children's services, adoption, or intercountry adoption and either:
1. A master's degree from an accredited program of social work;
 2. A master's degree (or doctorate) in a related human service field, including, but not limited to, psychology, psychiatry, psychiatric nursing, counseling, rehabilitation counseling, or pastoral counseling; or
 3. In the case of a social work supervisor who is or was an incumbent at the time the Convention entered into force for the United States, the supervisor has significant skills and experience in intercountry adoption and has regular access for consultation purposes to an individual with the qualifications listed in paragraph (d)(1) or paragraph (d)(2) of this section.

- 96.37 (e) The agency's or person's non-supervisory employees providing adoption-related social services that require the application of clinical skills and judgment other than home studies or child background studies have either:
1. A master's degree from an accredited program of social work or in another human service field; or
 2. A bachelor's degree from an accredited program of social work; or a combination of a bachelor's degree in any field and prior experience in family and children's services, adoption, or intercountry adoption; and
 3. Are supervised by an employee of the agency or person who meets the requirements for supervisors in paragraph (d) of this section.
- 96.37 (f) The agency's or person's employees who conduct home studies:
1. Are authorized or licensed to complete a home study under the laws of the States in which they practice;
 2. Meet the INA requirements for home study preparers in 8 CFR 204.301; and
 3. Are supervised by an employee of the agency or person who meets the requirements in paragraph (d) of this section.

§ 96.38 Training requirements for social service personnel

- 96.38 (a) The agency or person provides newly hired employees who have adoption-related responsibilities involving the application of clinical skills and judgment (home studies, child background studies, counseling services, parent preparation, post-placement and other similar services) with a comprehensive orientation to intercountry adoption that includes training on:
1. The requirements of the Convention, the IAA, the regulations implementing the IAA, the UAA, and other applicable Federal regulations;
 2. The INA regulations applicable to the immigration of children adopted from a foreign country;
 3. The adoption laws of any foreign country where the agency or person provides adoption services;
 4. Relevant State laws;
 5. Ethical considerations in intercountry adoption and prohibitions on child-buying;
 6. The agency's or person's goals, ethical and professional guidelines, organizational lines of accountability, policies, and procedures; and
 7. The cultural diversity of the population(s) served by the agency or person.
- 96.38 (b) In addition to the orientation training required under paragraph (a) of this section, the agency or person provides initial training to newly hired or current employees whose responsibilities include providing adoption related social services that involve the application of clinical skills and judgment (home studies, child background studies, counseling services, parent preparation, post-placement and other similar services) that addresses:
1. The factors in the countries of origin that lead to children needing adoptive families;
 2. Feelings of separation, grief, and loss experienced by the child with respect to the family of origin;
 3. Attachment and post-traumatic stress disorders;
 4. Psychological issues facing children who have experienced abuse or neglect and/or whose parents' rights have been terminated because of abuse or neglect;
 5. The impact of institutionalization on child development;
 6. Outcomes for children placed for adoption internationally and the benefits of permanent

- family placements over other forms of government care;
 - 7. The most frequent medical and psychological problems experienced by children from the countries of origin served by the agency or person;
 - 8. The process of developing emotional ties to an adoptive family;
 - 9. Acculturation and assimilation issues, including those arising from factors such as race, ethnicity, religion, and culture and the impact of having been adopted internationally; and
 - 10. Child, adolescent, and adult development as affected by adoption.
- 96.38 (c) The agency or person ensures that employees who provide adoption-related social services that involve the application of clinical skills and judgment (home studies, child background studies, counseling services, parent preparation, post-placement and other similar services) also receive, in addition to the orientation and initial training described in paragraphs (a) and (b) of this section, no less than thirty hours of training every two years, or more if required by State law, on current and emerging adoption practice issues through participation in seminars, conferences, documented distance learning courses, and other similar programs. Continuing education hours required under State law may count toward the thirty hours of training as long as the training is related to current and emerging adoption practice issues.
- 96.38 (d) The agency or person exempts newly hired and current employees from elements of the orientation and initial training required in paragraphs (a) and (b) of this section only where the employee has demonstrated experience with intercountry adoption and knowledge of the Convention, the IAA, and the UAA.

§96.39 Information Disclosure and Quality Control Practices

- 96.39 (d) The agency or person requires a client to sign a waiver of liability as part of the adoption service contract only where that waiver complies with applicable State law. Any waiver required is limited and specific, based on risks that have been discussed and explained to the client in the adoption services contract.
- 96.39 (f) The agency or person uses the internet in the placement of individual children eligible for adoption only where:
- 1. such use is not prohibited by applicable State or Federal law or by the laws of the child's country of origin;
 - 2. such use is subject to controls to avoid misuse and links to any sites that reflect practices that involve the sale, abduction, exploitation, or trafficking of children;
 - 3. such use, if it includes photographs, is designed to identify children either who are currently waiting for adoption or who have already been adopted or placed for adoption (and who are clearly so identified); and
 - 4. such use does not serve as a substitute for the direct provision of adoption services, including services to the child, the prospective adoptive parent(s), and/or the birth parent(s).

§96.40 Fee Policies & Procedures

- 96.40 (a) The agency or person provides to all applicants, prior to application, a written schedule of expected total fees and estimated expenses and an explanation of the conditions under which fees or expenses may be charged, waived, reduced, or refunded and of when and how the fees and expenses must be paid.
- 96.40 (d) The agency or person also specifies in its adoption services contract when and how funds

advanced to cover fees or expenses will be refunded if adoption services are not provided.

- 96.40 (h) The agency or person returns any funds to which the prospective adoptive parent(s) may be entitled within sixty days of the completion of the delivery of services

§ 96.41 Responding to Complaints and Improving Service Delivery

- 96.41 (b) The agency or person permits any birth parent, prospective adoptive parent or adoptive parent, or adoptee to lodge directly with the agency or person signed and dated complaints about any of the services or activities of the agency or person (including its use of supervised providers) that he or she believes raise an issue of compliance with the Convention, the IAA, the UAA, or the regulations implementing the IAA, and advises such individuals of the additional procedures available to them if they are dissatisfied with the agency's or person's response to their complaint.
- 96.41 (c) The agency or person responds in writing to complaints received pursuant to paragraph (b) of this section within thirty days of receipt, and provides expedited review of such complaints that are time-sensitive or that involve allegations of fraud.
- 96.41 (d) The agency or person maintains a written record of each complaint received pursuant to paragraph (b) of this section and the steps taken to investigate and respond to it and makes this record available to the accrediting entity or the Secretary upon request.
- 96.41 (e) The agency or person does not take any action to discourage a client or prospective client from, or retaliate against a client or prospective client for: making a complaint; expressing a grievance; providing information in writing or interviews to an accrediting entity on the agency's or person's performance; or questioning the conduct of or expressing an opinion about the performance of an agency or person.

§96.42 Retention, Preservation, and Disclosure of Adoption Records

- 96.42 (c) The agency or person ensures that personal data gathered or transmitted in connection with an adoption is used only for the purposes for which the information was gathered and safeguards sensitive individual information.

§96.47 Preparation of Home Studies in Incoming Cases

- 96.47 (a) The agency or person ensures that a home study on the prospective adoptive parent(s) (which for purposes of this section includes the initial report and any supplemental statement submitted to DHS) is completed that includes the following:
1. information about the prospective adoptive parent(s)' identity, eligibility and suitability to adopt, background, family and medical history, social environment, reasons for adoption, ability to undertake an intercountry adoption, and the characteristics of the children for whom the prospective adoptive parent(s) would be qualified to care (specifying in particular whether they are willing and able to care for a child with special needs);
 2. a determination whether the prospective adoptive parent(s) are eligible and suited to adopt;
 3. a statement describing the counseling and training provided to the prospective adoptive parent(s);
 4. the results of a criminal background check on the prospective adoptive parent(s) and any other individual for whom a check is required by 8 CFR 204.311;

5. a full and complete statement of all facts relevant to the eligibility and suitability of the prospective adoptive parent(s) to adopt a child under any specific requirements identified to the Secretary by the Central Authority of the child's country of origin; and
 6. a statement in each copy of the home study that it is a true and accurate copy of the home study that was provided to the prospective adoptive parent(s) or DHS.
- 96.47 (b) The agency or person ensures that the home study is performed in accordance with 8 CFR 204.311 and any applicable State law.
- 96.47 (c) Where the home study is not performed in the first instance by an accredited agency, the agency or person ensures that the home study is reviewed and approved in writing by an accredited agency. The written approval must include a determination that the home study:
1. includes all of the information required by paragraph (a) of this section and is performed in accordance with 8 CFR 204.311, and applicable State law; and
 2. was performed by an individual who meets the requirements in Section 96.37(f), or, if the individual is an exempted provider, ensures that the individual meets the requirements for home study providers established by 8 CFR 204.301.
- 96.47 (d) The agency or person ensures takes all appropriate measures to ensure the timely transmission of the same home study that was provided to the prospective adoptive parent(s) or to DHS to the Central Authority of the child's country of origin (or to an alternative authority designated by that Central Authority).

§96.48 Preparation and Training of Prospective Adoptive Parent(s) in Incoming Cases

- 96.48 (a) The agency or person provides prospective adoptive parent(s) with at least ten hours (independent of the home study) of preparation and training, as described in paragraphs (b) and (c) of this section, designed to promote a successful intercountry adoption. The agency or person provides such training before the prospective adoptive parent(s) travel to adopt the child or the child is placed with the prospective adoptive parent(s) for adoption.
- 96.48 (b) The training provided by the agency or person addresses the following topics:
1. the intercountry adoption process, the general characteristics and needs of children awaiting adoption, and the in-country conditions that affect children in the foreign country from which the prospective adoptive parent(s) plan to adopt;
 2. the effects on children of malnutrition, relevant environmental toxins, maternal substance abuse, and of any other known genetic, health, emotional, and developmental risk factors associated with children from the expected country of origin;
 3. information about the impact on a child of leaving familiar ties and surroundings, as appropriate to the expected age of the child;
 4. data on institutionalized children and the impact of institutionalization on children, including the effect on children of the length of time spent in an institution and of the type of care provided in the expected country of origin;
 5. information on attachment disorders and other emotional problems that institutionalized or traumatized children and children with a history of multiple caregivers may experience, before and after their adoption;
 6. information on the laws and adoption processes of the expected country of origin, including foreseeable delays and impediments to finalization of an adoption;
 7. information on the long-term implications for a family that has become multicultural through intercountry adoption; and

8. an explanation of any reporting requirements associated with intercountry adoptions, including any post-placement or postadoption reports required by the expected country of origin.
- 96.48 (c) The training or person also provides the prospective adoptive parent(s) with training that allows them to be as fully prepared as possible for the adoption of a particular child. This includes counseling on:
1. the child's history and cultural, racial, religious, ethnic, and linguistic background;
 2. the known health risks in the specific region or country where the child resides; and
 3. any other medical, social, background, birth history, educational data, developmental history, or any other data known about the particular child.
- 96.48 (d) The agency or person provides such training through appropriate methods, including:
1. collaboration among agencies or persons to share resources to meet the training needs of prospective adoptive parents;
 2. group seminars offered by the agency or person or other agencies or training entities;
 3. individual counseling sessions;
 4. video, computer-assisted, or distance learning methods using standardized curricula; or
 5. in cases where training cannot otherwise be provided, an extended home study process, with a system for evaluating the thoroughness with which the topics have been covered.
- 96.48 (e) The agency or person provides additional in-person, individualized counseling and preparation, as needed, to meet the needs of the prospective adoptive parent(s) in light of the particular child to be adopted and his or her special needs, and any other training or counseling needed in light of the child background study or the home study.
- 96.48 (f) The agency or person provides the prospective adoptive parent(s) with information about print, internet, and other resources available for continuing to acquire information about common behavioral, medical, and other issues; connecting with parent support groups, adoption clinics and experts; and seeking appropriate help when needed.
- 96.48 (g) The agency or person exempts prospective adoptive parent(s) from all or part of the training and preparation that would normally be required for a specific adoption only when the agency or person determines that the prospective adoptive parent(s) have received adequate prior training or have prior experience as parent(s) of children adopted from abroad.
- 96.48 (h) The agency or person records the nature and extent of the training and preparation provided to the prospective adoptive parent(s) in the adoption record.

§96.50 Placement and Post-Placement Monitoring Until Final Adoption in Incoming Cases

- 96.50 (a) The agency or person takes all appropriate measures to ensure that the transfer of the child takes place in secure and appropriate circumstances, with properly trained and qualified escorts, if used, and, if possible, in the company of the prospective adoptive parent(s).
- 96.50 (b) In the post-placement phase, the agency or person monitors and supervises the child's placement to ensure that the placement remains in the best interests of the child, and ensures that at least the number of home visits required by State law or by the child's country of origin are performed, whichever is greater.

- 96.50 (c) When a placement for adoption is in crisis in the post-placement phase, the agency or person makes an effort to provide or arrange for counseling by an individual with appropriate skills to assist the family in dealing with the problems that have arisen.
- 96.50 (d) If counseling does not succeed in resolving the crisis and the placement is disrupted, the agency or person assuming custody of the child assumes responsibility for making another placement of the child.
- 96.50 (e) The agency or person acts promptly and in accord with any applicable legal requirements to remove the child when the placement may no longer be in the child's best interests, to provide temporary care, to find an eventual adoptive placement for the child, and, in consultation with the Secretary, to inform the Central Authority of the child's country of origin about any new prospective adoptive parent(s).
1. In all cases where removal of a child from a placement is considered, the agency or person considers the child's views when appropriate in light of the child's age and maturity and, when required by State law, obtains the consent of the child prior to removal.
 2. The agency or person does not return from the United States a child placed for adoption in the United States unless the Central Authority of the country of origin and the Secretary have approved the return in writing.
- 96.50 (f) The agency or person includes in the adoption services contract with the prospective adoptive parent(s) a plan describing the agency's or person's responsibilities if a placement for adoption is disrupted. This plan addresses:
1. who will have legal and financial responsibility for transfer of custody in an emergency or in the case of impending disruption and for the care of the child;
 2. if the disruption takes place after the child has arrived in the United States, under what circumstances the child will, as a last resort, be returned to the child's country of origin, if that is determined to be in the child's best interests;
 3. how the child's wishes, age, length of time in the United States, and other pertinent factors will be taken into account; and
 4. how the Central Authority of the child's country of origin and the Secretary will be notified.
- 96.50 (g) The agency or person provides post-placement reports until final adoption of a child to the foreign country when required by the foreign country. Where such reports are required, the agency or person:
1. informs the prospective adoptive parent(s) in the adoption services contract of the requirement prior to the referral of the child for adoption;
 2. informs the prospective adoptive parent(s) that they will be required to provide all necessary information for the report(s); and
 3. discloses who will prepare the reports and the fees that will be charged.
- 96.50 (g) The agency or person takes steps to:
1. ensure that an order declaring the adoption as final is sought by the prospective adoptive parent(s), and entered in compliance with section 301(c) of the IAA (42 U.S.C. 14931(c)); and
 2. (2) notify the Secretary of the finalization of the adoption within thirty days of the entry of the order.

§ 96.51 Post-Adoption Services in Incoming Cases

- 96.51 (a) When post-adoption reports are required by the child's country of origin, the agency or person includes a requirement for such reports in the adoption services contract and makes good-faith efforts to encourage adoptive parent(s) to provide such reports. takes all appropriate measures to ensure that the transfer of the child takes place in secure and appropriate circumstances, with properly trained and qualified escorts, if used, and, if possible, in the company of the adoptive parent(s).
- 96.51 (c) When post-adoption reports are required by the child's country of origin, the agency or person includes a requirement for such reports in the adoption services contract and makes good-faith efforts to encourage adoptive parent(s) to provide such reports.
- 96.51 (d) The agency or person does not return from the United States an adopted child whose adoption has been dissolved unless the Central Authority of the country of origin and the Secretary have approved the return in writing.

Questions regarding the Standards should be directed to Therese Bartlett or successor (representative at Children's Home).

By signing below, you attest that you agree to hold your agency in full compliance with the standards outlined above and will immediately inform Children's Home if not in full compliance with the standards outlined above.

SUPERVISED PROVIDER NAME

CHILDREN'S HOME SOCIETY OF MINNESOTA

Authorized Agency Representative (Print Name)

Therese H. Bartlett
Director of International Adoption Programs

Signature, Authorized Agency Representative

Signature, Children's Home Representative

Date

Date