

**Title:** §96.36(b) PROHIBITION ON CHILD-BUYING POLICY

**Policy:** The agency 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 or foreign authorities, an agency may remit reasonable payment 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. Reasonable is determined by the expense for the service and comparable to other costs in the country. Permitted or required contributions shall not be remitted as payment for the child or an inducement to release the child.

When it comes to both domestic and intercountry adoptions, all employees are expected to provide ethical services, while taking into consideration the best interest of each child. We will constantly strive to prevent the abduction, exploitation, sale, or trafficking of children. Any employee violating this policy faces termination.

**Purpose:** To ensure that each employee does not engage in any child-buying practices of any kind.

**Scope:** The procedures outlined below will apply to each and every person working in connection with the Agency, including: Directors, employees, the Executive Director and Contract Workers.

**Procedure:**

**1.0 GENERAL GUIDELINES**

- 1.1 The Agency will follow the guidelines set forth by the State of Indiana's Department of Child Services with respect 465 IAC 2, Licensing of Child-Placing Agencies.
- 1.2 The Directors, the Executive Director, employees and independent contract workers will disclose to the Agency any and all information personally related to them on a "Disclosure Policy 96.36a".
- 1.3 The Agency will ensure that inter country adoptions are in the best interests of children and seeks to prevent the sale, exploitation, abduction or trafficking of children. The Agency will not compensate any individual providing adoption services with an incentive fee or fee contingent on each child located for adoption.
- 1.4 Compensation shall be based on services rendered or on an hourly wage or salary basis.
- 1.5 Any practice that consists of or is related to, payment for a child or as an inducement to release a child for adoption is strictly forbidden. Agency employees, coordinators and prospective adoptive parents are prohibited from giving money, gifts, bribes or other consideration directly or indirectly to any person or entity, including any biological relative or caregiver of a child, as payment for a child or as inducement to release a child for purposes of adoption.

- 1.6 The Agency may make, or permit to be made, legitimate, ethical adoption related costs and expenses permitted under Hague Convention standards, including:
- Pre-birth and birth-related medical costs
  - Costs of care for the child
  - Costs of care for the birthmother while pregnant and for a reasonable period immediately following birth of the child
  - Legal, governmental and other reasonable costs related to an adoption proceeding
  - Costs and expenses for providing child welfare and child protection services, including contributions to agencies, institutions or orphanages and government administrative fees.
- 1.7 All Supervised Providers and Foreign Supervised Providers of Agency shall (i) comply with all requirements of SOP #1, Policies and Procedures for the Selection, Monitoring and Oversight of Supervised Providers and Foreign Supervised Providers, (ii) shall sign and deliver a Supervised Provider agreement or Foreign Supervised Provider agreement in the form established by Agency which specifically includes a prohibition on child-buying and requires that such Supervised Provider or Foreign Supervised Provider has written policies and procedures in place reflecting these prohibitions and reinforces them in its employee training programs, and (iii) deliver a Disclosure of Suitability Information form which indicates that it has a record demonstrating the highest level of conduct in its past dealings.
- 1.8 All newly hired employees who have adoption-related responsibilities involving the application of clinical skills and judgment will receive a comprehensive orientation to intercountry adoption, including ethical considerations in intercountry adoption, prohibitions on child-buying and Agency guidelines related to the same.
- 1.9 The Agency shall conduct periodic in-office training sessions to reaffirm the prohibitions on child-buying and the restrictions on payments made by or on behalf of Agency or any adoptive family and to assure that all such employees are familiar with these restrictions.
- 1.10 The Agency shall set forth its policy prohibiting any such payments on its website and shall make it available to anyone requesting such information upon request.

## **2.0 Procedure if an allegation is raised**

- 2.1 If any employee or agent of KidsFirst International Adoption, Inc. is accused of 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; accusations, evidence, and records will be brought before the Executive Director or Board of Directors.
- 2.2 The Executive Director or Board of Directors will have 2 weeks to review the information and make a determination.

2.3 If evidence is substantiated that an employee or agent has given 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 not permitted by Hague Regulations 96.36, the employee or agent will be accountable for these actions and employment status will be based on the discretion of the Board of Directors. At minimum, the Executive Director of KidsFirst International Adoption, Inc. will hold a staff meeting to review and discuss the agency's policy on the prohibition of child buying with all of Agency staff.