

# Statement of Scope

## Department of Children and Families

**Rule Number:** DCF 51

**Relating to:** Preadoption training

**Rule Type:** Permanent

### **1. Finding/nature of emergency (for emergency rules only)**

NA

### **2. Detailed description of the objective of the rules**

The proposed rule will bring ch. DCF 51 into conformance with s. 48.84 (2g) (a), Stats., as affected by 2023 Wisconsin Act 118, which allows proposed adoptive parents to complete in-person training requirements through a live videoconference.

A proposed adoptive parent is required to complete 25 hours of preadoption training. Of these 25 hours, at least 6 hours must be completed in person or through a live videoconference and at least 6 hours must be targeted toward the specific needs of the child to be adopted.

The proposed rule will also make minor wording changes in the list of topics covered in preadoption training.

### **3. Detailed explanation of statutory authority for the rules**

Section 48.84 (2), Stats., provides that the department shall promulgate rules establishing the topics covered under in the required preadoption preparation. The preparation shall include training on issues that may confront adoptive parents, in general, and that may confront adoptive parents of special needs children or foreign children. In all cases, the training shall cover the topics of attachment, trauma, neglect, and abuse, including sexual abuse.

Section 227.11 (2) (a), Stats., expressly confers rule-making authority on each agency to promulgate rules interpreting the provisions of any statute enforced or administered by the agency.

### **4. Estimate of amount of time that state employees will spend developing the rules and of other resources necessary to develop the rules**

75 hours

### **5. List with description of all entities that may be affected by the proposed rules**

Proposed adoptive parents and organizations specified in s. 48.84 (1), Stats., that provide preadoption training.

### **6. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rules:**

42 USC 671 (a) (24) requires that foster parents are prepared adequately with appropriate knowledge and skills before a child is placed in their foster home and requires that the

preparation be continued as necessary after the placement of the child. Under ss. 48.833 and 48.837, Stats., a child is placed for adoption in a licensed foster home prior to adoption. For intercountry adoptions, 22 CFR 96.48 requires that an accredited agency or approved person provide prospective adoptive parents with at least 10 hours of training on issues related to intercountry adoptions before they travel to adopt a child or a child is placed with the prospective adoptive parents for adoption. The agency or person can exempt prospective adoptive parents from all or part of the training if the prospective adoptive parents have received adequate prior training or have prior experience as parents of children adopted from abroad.

**7. Anticipated economic impact of implementing the rules (note if the rule is likely to have a significant economic impact on small businesses):**

None or minimal

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