

BARKER POLICIES

Adoptive Parents have read, accept, and agree to comply with the following Barker policies to the extent applicable to their adoption:

1.1 Home Studies

1.1.1 Barker offers adoption preparation and home study services but does not under any circumstance guarantee the approval of a home study. The Agency is dedicated to making placements that it considers to be in the best interest of the child. Applicants who wish to adopt a child (“applicants”) must be in good physical and mental health and ready to provide a safe and nurturing environment for an adopted child. They must be capable of dealing with the challenges inherent in the process of adopting a child internationally.

1.1.2 Home studies conducted by Barker are the property of the Agency and can only be used for the purposes agreed upon by both Barker and the applicants; Barker’s home study document specifies approval for a particular kind of adoption (*e.g.*, adoption from a particular program, age of the child, gender of the child, any special needs, number of children in birth family, etc.). Change to this approval requires mutual reassessment.

1.1.3 Barker offers adoption services, but cannot guarantee placement of a child, nor can Barker guarantee a specific age of a child at the time of placement. No one can credibly make this guarantee because international adoptions are controlled by foreign governments that can change their rules or close the adoption process with or without notice.

1.2 Gender Selection

Barker encourages applicants wherever possible to remain open to the referral of a boy or a girl. The Agency believes that families who remain open as to the gender of their child are best able to accept the varied uncertainties that come with adoption and parenting, including any individual needs of their child. In some instances, Barker permits applicants to express gender preferences, as for example when such expression is allowed by the Sending Country and/or when such requests do not pose unreasonable delays to other applicants or to children waiting to be adopted.

1.3 Infertility, Pregnancy, and Multiple Placement

The addition of a child to a family involves consideration, preparation, and adjustment. To ensure the best transition for the child and the family, and to ensure the child’s successful placement, it is Barker’s policy not to have two or more unrelated children enter a family at the same time, nor does Barker allow two active adoptions at the same time. Applicants may submit a second application to Barker following finalization of the first adoption and completion of the six-month post-placement supervisory period. Thus, with the exception of biological siblings, families will only be approved for placement of one child at a time.

Barker does not permit prospective applicants to start the adoption process if they are pregnant or undergoing infertility treatment. If an applicant becomes pregnant during a pending adoption, she is required to notify the Agency as soon as possible and discuss the situation with the appropriate director or social worker. Barker reserves the right to place the applicant in a “hold” status. In the case of an international adoption, “hold” status may include withdrawing the individual’s dossier/home study packet from consideration by foreign agencies/officials and/or withdrawing any pending referral. Certain countries, for example South Korea, require Barker to put pregnant applicants in a “hold” status, in which case the Agency has no discretion to do otherwise.

1.4 Ethical Practices

Barker provides adoption services ethically and in accordance with the Hague Convention’s principles of: ensuring that both domestic and intercountry adoptions take place in the best interests of children; and preventing the abduction, exploitation, sale, or trafficking of children.

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 of origin, the Agency 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, or the provision of child welfare and child protection services generally.

1.5 Grievances and Complaints

Applicants may appeal the clinical decisions of professional Barker staff and file a complaint concerning violations of the Hague Convention as provided below.

1.5.1 Review of Professional Staff Decisions (Clinical Decisions):

(a) Applicants who have (i) been accepted for home study and thereafter have had the home study process discontinued by professional staff decision, or (ii) adopted a child from the Agency and been refused an application to adopt another child, have the right to appeal that decision.

(b) Barker shall give applicants who fall under Article 3.5.1(a)(i) or 3.5.1(a)(ii) written notice and explanation of that decision, as well as an explanation of the appeal process, by professional Barker staff.

(c) All applicants who are in either situation (a)(i) or (a)(ii) above, and who wish to appeal a staff decision, may meet with the Executive Director to discuss their concerns. The Executive Director has the responsibility to reevaluate each situation and notify the applicant(s) and the staff regarding the future course of action.

(d) Applicants who wish to appeal the Executive Director's decision may petition the Licensing Board of the appropriate jurisdiction.

(e) If international applicants are disputing an Executive Director's decision that may be considered "non-clinical" concerning 1) any services or activities of the Agency that require the Executive Director's review, and 2) issues related to compliance with the Hague Convention (including the Agency's use of supervised providers), or the regulations implementing the Intercountry Adoption Act of 2000 (IAA), the applicant will follow the procedures for registering complaints as outlined below in Article 1.5.2.

1.5.2 Review of Non-Clinical Decisions

(a) Barker encourages birth parents, adoptive parents, prospective adoptive parents, and adopted persons to bring to the Agency's attention complaints concerning: 1) services or activities of the Agency that require the Agency's management review; and 2) issues related to compliance with the Hague Convention (including its use of supervised providers), or the regulations implementing the Intercountry Adoption Act of 2000 (IAA).

(b) Each complaint must be in writing (preferably using the Agency's Complaint Form), signed, and dated and sent to the attention of the Executive Director of The Barker Foundation.

(c) Each complaint must identify the service in question or the nature of the Hague Convention violation, the date or timeframe of the service or violation, and the expected resolution.

(d) The Agency shall send a letter acknowledging receipt of the complaint, and the Executive Director shall respond in writing to all written complaints within 30 days of receipt, giving priority and expedited review, as appropriate, to matters that are time-sensitive or involve allegations of fraud.

(e) If the complainant is not satisfied with the resolution of the complaint from the Executive Director, the complainant may lodge the complaint directly with the Agency's Board of Directors, the Agency's accreditation and/or licensing authority, or with the Secretary of the U.S. Department of State ("Secretary"). If the complaint is lodged with the Agency's Board of Directors, the Executive Committee of the Board will review the complaint and respond in writing within thirty days of receipt, giving expedited review, as appropriate, to matters that are time-sensitive or involve allegations of fraud. Furthermore, the Agency shall comply promptly with any requests by accreditation authorities or the Secretary to view complaint records.

1.6 Charitable Donations

While philanthropic contributions are welcomed, Barker nonetheless must ensure that such donations do not in any way influence child placement decisions. Accordingly, the Barker Foundation will not solicit or accept monetary or in-kind contributions from individuals who have applied to adopt a child. Such individuals are designated as "in-service" clients,

and monetary and in-kind donations shall not be solicited or accepted from them until they have fulfilled Barker's post-placement supervisory requirements and a legal adoption is completed and documented with a Final Decree of Adoption. When these requirements have been met, the adoptive parent(s) is designated as an "out-of-service" client(s) whose charitable donations are permitted. Such a policy is meant to ensure that the welfare of the child is at all times paramount, without any undue influence upon the normal adoption procedures of the Agency.

1.7 Prohibition on Corporal Punishment

Barker specifically prohibits the use of corporal punishment with children who are in Agency care or who are under Agency supervision, and discourages any subsequent use of corporal punishment in parenting. Corporal punishment is defined as "the inflicting of pain or discomfort. Prohibited actions include but are not limited to, hitting a child with any part of the body or with an implement, pinching, pulling, shaking, or binding a child, forcing him/her to assume an uncomfortable position, or locking him/her in a closet. The prohibition is in effect whether punishment is spontaneous or a deliberate technique for effective behavioral change, or part of a behavior management program."

1.8 Immunization Policy

Barker requires all families to comply fully with the universal childhood immunization schedules endorsed by the American Academy of Pediatrics.

1.9 Refund of Fees

Barker has established a fee structure permitting applicants to pay agency fees in phases over the course of the adoption process. Because Barker's work with applicants is ongoing, and because applicants pay fees for adoption services rather than for children, any payment of Barker's agency fees for services already rendered is nonrefundable. On a case-by-case basis, Barker may refund a portion of its agency fees upon approval of the Executive Director. In such situations, Barker will return the funds to applicants within sixty days of the completion of the delivery of services.

The refunding of international fees varies by country. Although Barker will make a diligent effort to obtain refunds of any international fees paid to a foreign authority/service provider/contractor, it cannot guarantee a refund. If applicants withdraw from the adoption process for any reason, or if the adoption fails for any reason, Barker cannot guarantee the return of any portion of the international fees. If fees are returned, Barker will approve the refund decision and return the fees to the applicants within sixty days.