



## CEAS POLICY AND PROCEDURE

Policy Name: Policy and Procedures for Applications for Accreditation, Approval, and Renewal

Policy Number: ICA 5

Relevant Citations: 22 CFR Part 96.18-27 and 96.57-63

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### POLICY

**POLICY:** Center for Excellence in Adoption Services (CEAS) receives, reviews, and decides on applications for accreditation, approval, and renewal in accordance with the regulations set forth in 22 CFR Part 96 and in accordance with the Convention, the Intercountry Adoption Act (IAA), the Universal Accreditation Act (UAA), and any other applicable regulations, as additionally specified in the Memorandum of Agreement with the Department of State. In performing these functions, CEAS will operate consistent with Department of State policies and written directives regarding U.S. obligations under the Convention and regarding the functions and responsibilities of an accrediting entity under the IAA, UAA, and any applicable regulations.

#### **NOTES:**

The policies and procedures set out herein reference 22 CFR Part 96 but are not a substitute for those regulations. Agencies or persons seeking and maintaining accreditation or approval are expected to be familiar with the regulations in 22 CFR Part 96. In the event of any inconsistency between CEAS's policies and procedures and the regulations, the language of the regulation is controlling.

An "initial applicant" is an organization or individual applying for accreditation or approval:

- i. who is applying for intercountry adoption accreditation/approval for the first time,
- ii. who previously applied and was denied accreditation/approval or withdrew its application for accreditation/approval;
- iii. who was accredited/approved, but the accreditation/approval expired;
- iv. who had its accreditation/approval cancelled; or
- v. who was the subject of the adverse action of refusal to renew accreditation/approval.

A "renewal applicant" is an agency or person who, at the time of application, is accredited/approved to provide intercountry adoption services and seeks renewal of its accreditation/approval.

## **OVERVIEW:**

CEAS' uniform application contains two parts: Part A and Part B. Part A of the application is the initial application and Part B provides documentation supporting its application for accreditation, approval, or renewal. Supporting evidence is required in order to provide CEAS the information needed, in conjunction with site-visit, to determine the applicant's substantial compliance or, when applicable, capacity to substantially comply with the Standards outlined in 22 CFR Part 96 Subpart F. Upon receipt of Application Part A and B, CEAS conducts a site visit, and makes a decision on the application.

The length of time it takes for an initial applicant to be accredited/approved is dependent upon the length of time the organization or individual needs to review the Standards, gather and submit all required supporting evidence and set the dates for the site-visit. CEAS works with agencies or persons to determine the timeframe that works best for each participant. The timeline for renewal reviews will be set in such a way that the renewal process, including the final determination, will be completed prior to the expiration date of the current accreditation/approval for that agency or person.

All Applicants must submit the completed Application Part B no less than two (2) months prior to the scheduled site-visit.

Site-visits for renewal applicants are scheduled for completion approximately five (5) months prior to the agency or person's expiration date for renewal applicants. Site-visits for initial applicants will be scheduled for dates agreed upon by CEAS and the applicant.

In order for an initial applicant to be accredited or approved, they must demonstrate to CEAS they have the capacity to substantially comply with the Standards set forth in 22 CFR 96 Subpart F in accordance with the Substantial Compliance System, including the provisions of sections 96.25 and 96.27(e) and (f). In order for a renewal applicant to maintain their accreditation or approval, they must demonstrate to CEAS they are in substantial compliance with the Standards set forth in 22 CFR 96 Subpart F in accordance with the Substantial Compliance System, including the provisions of sections 96.25 and 96.27(e) and (f). The burden of demonstrating substantial compliance is on the applicant for accreditation or approval.

Standard Technical Support calls may be scheduled with the applicant to assist with maintaining an understanding of the process, documents, requirements, and expectations of the applicant and of CEAS.

CEAS staff conduct calls and interviews during the site-visit in private settings. Interviews are usually conducted individually, but some group interviews may be planned, for example, with members of the Governing Body and staff with similar responsibilities. Only those participants invited to the calls or interviews may participate, unless additional participants are agreed upon all parties in advance. CEAS does not record calls or interviews. Agencies or persons must obtain prior permission from CEAS to record a call or interview.

Prior to the applicant's submission of an application and prior to paying fees, the applicant should assess if they are able to demonstrate substantial compliance or to demonstrate its capacity to be in substantial compliance with all applicable Standards in keeping with the substantial compliance system and to complete the process as described below. The burden of demonstrating substantial compliance or the capacity to substantially comply is on the applicant.

Once an applicant has paid fees, the fees are non-refundable.

## PROCEDURES

### **A. APPLICATION PART A**

1. Eligibility: An agency or person who provides, or an applicant who intends to provide, adoption services, as defined in 22 CFR 96.2, is eligible to apply for intercountry accreditation or approval with CEAS.
  - a) Corporate Structure

Agencies or persons must demonstrate compliance with 22 CFR 96.31 through submission of documentation to CEAS with Application – Part A (the initial application for accreditation or approval and renewal) . Such documentation includes but is not limited to filings required by the Internal Revenue Services, including Form 990 when applicable, copy of certification of incorporation or other legal formation, and/or copy of 501(c)(3) status letter or status letter from a state authority confirming qualification as a non-profit organization (if applicable).
  - b) License and Authorization

As set forth in 22 CFR 96.30, an agency or person must be licensed or otherwise authorized to provide adoption services in at least one State and comply with regulatory requirements in all jurisdictions in which it provides adoption services. All licenses and/or other authorization documents from the State(s) in which the applicant conducts business must be submitted to CEAS with Application – Part A and must be current and active.
2. Initial applicants for accreditation/approval contact CEAS via the “Contact” form on the CEAS website at [www.ceadoption.org](http://www.ceadoption.org) and select the option that indicates the applicant is inquiring about the intercountry adoption accreditation/approval application. The form asks the applicant to provide their name, phone number, email, and a brief message.
3. CEAS provides Application Part A as an online form.
  - a. For initial applicants, CEAS staff utilize the information submitted to contact the potential applicant within five (5) business days of receipt. During this initial contact, CEAS staff gather additional information regarding the applicant and their potential eligibility for initial accreditation/approval. CEAS staff provide technical guidance to help the potential applicant determine if accreditation/approval is required for the service(s) the applicant provides or intends to provide. If accreditation/approval is required and the applicant chooses to move forward with seeking accreditation/approval, CEAS staff create a record for the applicant and provide Application Part A and initiate the invoice for the Application Part A fee.
  - b. For renewal applicants, at least twelve (12) months prior to the expiration of the current accreditation/approval, accredited agencies and approved persons will be notified by CEAS staff of the date by which they should begin the application process for renewal of their accreditation or approval. If the agency or person indicates a desire to move forward with the renewal process, CEAS staff provide Application Part A and initiate the invoice for the Application Part A fee.

- c. Information to be entered and/or uploaded by the initial applicant in the application Part A includes the following for initial applicants:
    - i. Applicant's official name (including name doing business as, if applicable)
    - ii. Physical Address (Primary Location) and Mailing Address
    - iii. Phone number
    - iv. Website
    - v. Additional Location(s) where intercountry adoption services are provided in the United States
    - vi. Contact Information for the Primary Contact and CEO/Executive Director
    - vii. Date the organization was established
    - viii. Adoption services the applicant intends to provide (Incoming Services, Outgoing Services, or both)
    - ix. Information on if the applicant intends to act as a primary provider, including any countries in which the applicant intends to provide adoption services as the primary provider
    - x. Disclosure of Suitability Information as set forth in 22 CFR 96.35
    - xi. Copy of certification of incorporation or other evidence of legal formation (organizations only)
    - xii. Copy of 501(c)(3) status letter and/or evidence of State approval of non-profit status, if applicable
    - xiii. Licenses/certification held (all locations as applicable)
  - d. Information to be entered and/or uploaded by the renewal applicant in the application Part A includes the following for renewal applicants:
    - i. Disclosure of Suitability Information as set forth in 22 CFR 96.35
    - ii. Number of placements for which the agency or person acted as a primary provider for the last 24 months preceding the date of submission of Application Part A.
4. Within five (5) business days of the Application Part A being received, CEAS staff email the applicant to provide applicant with the name and contact information of the CEAS staff who will be working with applicant throughout the accreditation/approval process, and to schedule an intake call.
  5. During the intake call, CEAS staff:
    - a. review information in the Application Part A and request any additional information,
    - b. address the applicant's questions,
    - c. review adoption service(s) provided or intended to be provided by the applicant, including whether the applicant intends to act as a primary provider,
    - d. review Application Part B and supporting evidence requirements and provide an overview of the on-site and decision-making process,
    - e. discuss a general timeline for the process including options for the due date of Application Part B, and date of the site-visit, and
    - f. schedule dates for technical support calls as needed.
  6. Within ten (10) business days of the intake call, CEAS staff send the Memorandum of Agreement between the applicant and CEAS. The applicant must submit the signed Agreement and pay the accreditation/approval fee as outlined within the Agreement.
  7. Within five (5) days after the MOA is provided, CEAS sends an email with the due date for submission of the Application Part B and the dates for the scheduled site-visit.

## B. APPLICATION PART B

1. CEAS provides the applicant with a customized Application Part B, which consists of the applicable Standards as outlined in 22 CFR Part 96 Subpart F and the Tables of Evidence - the documents required to be submitted with Application Part B. CEAS also provides instructions for submitting Application Part B. The CEAS Tables of Evidence indicate whether the supporting evidence is to be submitted with Application Part B or provided to CEAS staff during the site-visit. Additionally, the Application Part B includes notations for each Standard indicating if each standard's weighting is Mandatory, Critical, or Foundational.
2. The applicant uploads documents required for Application Part B according to the instructions provided and then completes the Application Part B Submission Form online when all the required documents have been uploaded CEAS and the applicant is ready to submit their completed Application Part B.
3. A minimum of two CEAS staff complete the following prior to conducting the site-visit:
  - a. review Application Part B and supporting evidence submitted, and
  - b. review monitoring and oversight records for renewal applicants.
4. Within two (2) months of the date of the scheduled site-visit, CEAS staff send the applicant Pre-Site Planning information, including the following:
  - a. a list of additional evidence needed during the site-visit,
  - b. a list of individuals to be interviewed during the site-visit,
  - c. a list of other sites to be visited as a part of the site-visit,
  - d. a request for a private and confidential space for the reviewer(s) to work while on-site,
  - e. Information regarding the items for the site-visit agenda to be developed and approved by CEAS with assistance of the applicant.

The applicant should begin to plan the interview schedule based on availability of persons selected for interviews. The applicant should contact CEAS staff immediately with any difficulties planning the interview schedule. The interview schedule will be finalized and approved by CEAS staff.

5. The Site-visit Agenda includes the following:
  - a. Entrance meeting
  - b. Review of on-site evidence including case records
  - c. Interviews
  - d. Visits to other sites, if applicable
  - e. Exit meeting
6. Within ten (10) business days of CEAS sending the Pre-site Planning information, CEAS staff contact the applicant to review the correspondence, address any questions, further elaborate on evidence needed if there are changes or questions, and finalize the site-visit agenda.
7. Within five business days of the site-visit, CEAS staff send the applicant:
  - a. the final agenda,
  - b. the list of additional evidence to be reviewed, and
  - c. the list of case records selected to be reviewed.

### **C. Site-visit**

1. The length of site-visit depends on various factors including the size of the applicant organization and scope of the adoption services provided by or intended to be provided by the applicant.
2. At a minimum, one CEAS staff conduct the site-visit. Additional CEAS staff may be needed given the size of the applicant organization and scope of the adoption services provided by or intended to be provided by the applicant. CEAS will determine the number of staff needed to conduct the site-visit prior to the finalization of the site-visit agenda.
3. CEAS may review case records and other evidence prior to the entrance meeting if this is the agreed upon schedule for the applicant and is described in the written Site-visit Agenda.
4. An entrance meeting is conducted to begin the site-visit. The entrance meeting starts with introduction of the CEAS staff and an opportunity for the applicant's executives and staff to introduce themselves to the CEAS staff. CEAS staff review the schedule and confirm any final changes needed. CEAS staff explain the requirements for a private room. CEAS staff may ask questions of the applicant's executives and staff to further clarify any outstanding questions on services or processes to assist them in making any final adjustments to the agenda. During the entrance meeting, the applicant's executives and staff have an opportunity to ask questions regarding the site-visit process.
5. Following the entrance meeting, CEAS staff work with the applicant's assigned staff person to carry out the rest of the tasks on the site-visit agenda. CEAS staff request any remaining supporting evidence needed for review and conduct individual and/or group interviews, as appropriate.
6. CEAS generally does not retain copies of any documents reviewed during the site-visit, but CEAS may request copies of any documents reviewed be provided to CEAS. If CEAS staff determines that CEAS needs to retain copies of any documents reviewed during the site visit, the applicant will provide such copies in accordance with the instructions provided by CEAS staff and CEAS provide the applicant with a record of the documents obtained during the site visit.
7. An exit meeting is held the final day of the site-visit. This meeting includes CEAS staff and the applicant's executives and staff whom the applicant determines to be appropriate. During the exit meeting CEAS staff provide a brief review of activities completed during the site-visit. CEAS staff will not provide specific details regarding any findings or the specific rating for each Standard but provide an overview of observed areas of strength and areas identified as needing improvement. CEAS staff provide information related to the next steps in the review process.

### **D. Accreditation or Approval Decision**

1. Pursuant to 22 CFR 96.27(b), renewal applicants are evaluated based on actual performance and initial applicants on capacity to perform in compliance with the Standards, unless CEAS determines that it is necessary to measure capacity because adequate evidence of actual performance is not available.
2. CEAS' evaluation and decision making includes review of Application Part A and B and evidence from the site-visit, application of the substantial compliance rating system, and committee review of those findings. CEAS staff utilizes the information collected to determine the applicant's compliance or capacity to comply with each of the Standards set forth in 22 CFR 96 Subpart F. The information gathered, observed, and reviewed is utilized to rate

each Standard and to justify the rating. The CEAS staff completing the review complete the Standardized rating tool for each of the sections they are responsible for reviewing.

3. CEAS utilizes a Standardized rating tool to rate and finalize initial and renewal accreditation/approval decisions. The rating tool:
  - a. includes all Standards directly from 22 CFR Part 96 Subpart F,
  - b. identifies the weighting for each Standard (Mandatory, Critical, and Foundational)
  - c. specifies a numerical rating for each Standard indicating whether the applicant was found to be in (1) full compliance, (2) substantial compliance, (3) partial compliance, or (4) non-compliance, and
  - d. a brief justification for each rating and specification if the review was based on performance or capacity.
4. CEAS Compliance Review Committee (CRC) reviews the completed Standardized rating tool.
  - a. For initial applicants:
    - i. If the applicant is found not to be in substantial compliance, CEAS provides an opportunity for the applicant to correct deficiencies that would prevent accreditation/approval. The applicant will have a maximum of 6 months to provide evidence of correction of deficiencies. If such deficiencies are unable to be corrected by the applicant, the CRC denies the application for accreditation or approval (see below).
    - ii. If the applicant was determined to be in substantial compliance the CRC grants accreditation/approval.
  - b. For renewal applicants:
    - i. If the applicant is found not to be in substantial compliance, the CRC may decide to take adverse action (See Policy and Procedures for Adverse Action). An applicant's accreditation/approval may not be renewed while the applicant is under adverse action
    - ii. If the agency or person was determined to be in substantial compliance, the CRC grants renewal of accreditation/approval.
5. When a decision is made to grant accreditation, approval, or renewal, CEAS completes the following:
  - a. CEAS sends a final decision letter and final accreditation/approval report to the applicant within five (5) business days of the final decision.
  - b. CEAS publishes an announcement on the CEAS website of the decision, notifies the Department of State, and updates the Adoption Tracking Service (ATS).
  - c. CEAS sends a certificate of accreditation/approval within thirty (30) calendar days of the final decision letter.
6. Denial of Application for Accreditation or Approval
  - a. When the CRC denies an initial applicant's accreditation/approval, CEAS provides the applicant with a Notice of Denial (Notice). The Notice documents the standards which have been determined to be deficient in compliance, the numerical rating, and the justifications for each rating.
  - b. The Notice provides the applicant with an opportunity to submit a petition for reconsideration of denial. The petition must include all additional evidence to address the deficiencies in compliance described in the Notice and must be received within sixty (60) calendar days from the date of the Notice.

- c. Upon receipt of the petition, CEAS reviews the petition, renders a decision, and notifies the applicant in writing of the decision within thirty (30) calendar days from the date of receipt of the petition.
7. In certain limited circumstances, CEAS may have sufficient evidence to determine that an applicant is not eligible for accreditation/approval or renewal of its accreditation/approval and may decide to discontinue the accreditation/approval/renewal process early.
- a. If such a decision is made, CEAS informs the applicant of this decision and the reason for the decision in writing within five (5) business days of the decision. See also procedures for above for Denial of Accreditation or Approval or Policies and Procedures for Adverse Action.
  - b. Reasons for such a decision include, but are not limited to:
    - i. instances where documentation or information gathered demonstrates fraud, gross misconduct, and/or illegal activity, or
    - ii. instances where documentation or information gathered demonstrates serious failures with regards to child safety.
8. Reasons for Denial of Initial Accreditation/Approval or Refusal to Renew
- a. Denial of initial accreditation/approval or refusal to renew accreditation/approval may be based upon factors including but not limited to the following:
    - i. The applicant's inability to demonstrate substantial compliance or, when applicable, the capacity to substantially comply with the applicable Standards.
    - ii. The applicant's failure to provide required or requested information in a timely manner or at all during the initial accreditation/approval and/or renewal process.
    - iii. The applicant's failure to make staff available as requested which results in CEAS's inability to fully assess the applicant's demonstration of substantial compliance or, when applicable, their capacity to substantially comply with the Standards.
    - iv. The applicant's failure to report information necessary for CEAS to make a complete and informed decision regarding the applicant's demonstration of substantial compliance or, when applicable, their capacity to substantially comply with the Standards.
    - v. CEAS took adverse action against the applicant and the adverse action remains in effect at the time of expiration of accreditation or approval.

#### 10. Re-Application

- a. As per CFR 96.27(e), if an applicant has previously been denied accreditation or approval, has withdrawn its application in anticipation of denial, or is reapplying for accreditation or approval after cancellation, refusal to renew, or temporary debarment, the accrediting entity may take the reasons underlying such actions into account when evaluating the applicant for accreditation or approval, and may deny accreditation or approval on the basis of the previous action.
- b. An applicant who has been denied accreditation/approval may reapply to CEAS after a period of six (6) months. This time period allows the applicant time to address the deficiencies that led to the denial. The applicant may contact CEAS after the six (6) month period via the online form to re-apply. CEAS reserves the right to deny the applicant's request if, after the initial contact, CEAS determines the issues that led to the original denial have not been adequately addressed.



## **E. Extension of Accreditation/Approval**

Pursuant to 22 CFR 96.60(b), CEAS is authorized to grant an extension of a previously granted four (4) year accreditation/approval for a period of up to one (1) year if such an extension will not cause the agency or person's accreditation/approval to exceed five (5) years in total. CEAS may only grant an extension of accreditation/approval to stagger renewal requests.

1. At least annually, CEAS assesses the need to grant extensions to stagger renewals and notifies the agency or person of the option for extension within 30 days prior to providing the renewal Application Part A. See CEAS's Fee Schedule and Explanation of Fees for more information about the Extension Fee.
2. Agencies and persons must meet the following requirements to be considered for an extension:
  - a. no open complaint investigations or adverse actions,
  - b. remain in substantial compliance with applicable Standards in 22 CFR 96 Subpart F,
  - c. have no changes in corporate or internal structure (such as a merger or change in Chief Executive or Financial Officer, or equivalent) since the last decision to grant renewal.
3. If CEAS grants an extension of accreditation or approval, the agency or person will be provided with an updated expiration date, a letter granting accreditation or approval extension, and a new certificate of accreditation or approval.

## **F. Withdrawal of Application for Accreditation, Approval, or Renewal**

1. An applicant may request to withdraw their initial or renewal application for accreditation, approval, or renewal at any point during the process.
2. Upon receipt of the request, CEAS documents the decision to withdraw the application in the record and sends a letter via email to the applicant acknowledging the withdrawal of the application.