



## Substantial Compliance Rating Process

Effective until March 31, 2021

The Substantial Compliance System (SCS) uses a four-point rating system to guide the evaluators in determining the agency/person's degree of compliance with each standard.

Evaluators determine an agency/person's degree of compliance by rating all standards and sub-section standards using their professional judgment and expertise and ensure that each rating has a written justification.

Following the initial and/or renewal accreditation/approval review the agency/person may be given an opportunity to provide additional documentation/evidence needed in order for IAAME to determine the agency/person is in substantial compliance with each particular standard. If such a process is allowed it will be allowed to take no longer than 90 days to complete, but will never be allowed to extend past the date of the current accreditation/approval date for any actively accredited/approved agency/person.

1. If the responses are not received timely or are not sufficient to document substantial compliance or the ability to be in substantial compliance will finalize the standardized rating tool and will deny the accreditation/approval.

### Weighting

1. **Mandatory Standards:** Mandatory standards represent practices that are essential to fulfillment of the aims of the Hague Convention, the IAA, and 22 CFR Part 96, and have the highest value in accreditation/approval. Mandatory standards require a rating of Full Compliance in order for the agency/person to be accredited or approved. Standards that are in the mandatory Category are: 96.30 (a), 96.30 (b), 96.30 (c), 96.30 (d), 96.31 (a), 96.31 (b), 96.34 (a), 96.34 (b), 96.34 (c), 96.35 (a), 96.36 (a), and 96.36 (b)
2. **Critical Standards:** Critical standards represent practices that have a significant impact on fulfillment of the aims of the Hague Convention and the IAA, and 22 CFR Part 96, and have a high value. Standards that are in the critical category are: 96.32 (a), 96.32 (b), 96.32 (d), 96.32 (e), 96.33 (a), 96.33 (b), 96.33 (c), 96.33 (d), 96.33 (e), 96.33 (f), 96.35 (b), 96.35 (c), 96.35 (d), 96.35 (e), 96.37 (a), 96.37 (b), 96.37 (c), 96.37 (d), 96.37 (e), 96.37 (f), 96.37 (g), 96.38 (a), 96.39 (a), 96.39 (d), 96.39 (e), 96.39 (f), 96.40 (a), 96.40 (b), 96.40 (c), 96.40 (d), 96.40 (e), 96.40 (g), 96.41 (a), 96.41 (b), 96.41 (c), 96.41 (e), 96.41 (f), 96.41 (g), 96.42 (a), 96.42 (b), 96.42



(c), 96.42 (d), 96.43 (a), 96.44 (a), 96.44 (b), 96.45 (a), 96.45 (b), 96.47 (a), 96.47 (b), 96.47 (c), 96.48(a), 96.49 (a), 96.49 (d), 96.49 (e), 96.49 (f), 96.49 (g), 96.49 (j), 96.50 (a), 96.50 (b), 96.50 (c), 96.50 (d), 96.50 (e), 96.50 (g), 96.51 (d), 96.52 (b), 96.52 (c), 96.52 (e), 96.53 (a), 96.53 (b), 96.53 (c), 96.53 (d), 96.53 (e), 96.54 (a), 96.54 (b), 96.54 (c), 96.54 (d), 96.54 (f), 96.54 (h), 96.54 (j), 96.54 (k), 96.55 (b), 96.55 (d), 96.55 (e) and 96.55 (f)

- 3. Foundational Standards:** Foundational standards are important to the operation of a well-functioning adoption program. They derive from and support compliance with the Hague Convention, the IAA, and the Hague Regulations. Standards that are in the foundational category are: 96.32 (c), 96.33 (g), 96.33 (h), 96.33 (i), 96.34 (d), 96.34 (e), 96.34 (f), 96.38 (b), 96.38 (c), 96.38 (d), 96.39 (b), 96.39 (c), 96.40 (f), 96.40 (h), 96.41 (d), 96.41 (h), 96.42 (e), 96.43 (b), 96.43 (c), 96.43 (d), 96.46 (a), 96.46 (b), 96.46 (c), 96.47 (d), 96.48 (b), 96.48 (c), 96.48 (d), 96.48 (e), 96.48 (f), 96.48 (g), 96.48 (h), 96.49 (b), 96.49 (c), 96.49 (h), 96.49 (i), 96.49 (k), 96.50 (f), 96.50 (h), 96.51 (a), 96.51 (b), 96.51 (c), 96.52 (a), 96.52 (d), 96.54 (e), 96.54 (g), 96.54 (i), 96.55 (a) and 96.55 (c)

### **Rating Indicators (Rating Guidance)**

- 1. Full Compliance** - The relevant policies, procedures, and/or practices, fully meet the standard as written. All elements or requirements are evident in practice with extremely rare or no exceptions. Exceptions in compliance do not affect, in any way, consistency with the aims of the Hague Convention and the IAA, organizational performance, or quality of service.
- 2. Substantial Compliance** - Practice is basically sound and reflects strong capacity with room to improve. A majority of the standard's requirements are met, but one or more factors are missing or need augmentation. Appropriate policies and procedures are in place. Minor inconsistencies and underdeveloped practices are noted; however, such inconsistencies do not jeopardize persons served; or overall performance, or consistency with the aims of the Hague Convention and the IAA in any way.
- 3. Partial Compliance** - A significant aspect of the organization's operations or service delivery deviates from the standard's requirements or from written material, or capacity is at a basic level. Significant omissions or exceptions to the standard occur with regularity. Policies or procedures are weak or personnel are poorly informed about policies or procedures. A majority of the standard's requirements are met, but several factors are missing or need augmentation. The standard requires written



procedures or documentation but the organization can only anecdotally describe how it meets the standard. Practice, as is, may compromise care of consumers, organizational functioning, or consistency with the aims of the Hague Convention and the IAA.

4. **Non-Compliance** - The observed operations and service delivery show signs of neglect, stagnation or deterioration, and there is a clear need for increased capacity. Practice or documentation does not address, or is in opposition to, the standard's requirements. Few, if any, of the standard's requirements are met. The organization does not have any of the necessary components of the basic framework the standard requires. (This may be due to glaring lack of attention to practice or service delivery, or administrative decisions that are not consistent with the standard.) Omissions or exceptions occur so frequently that they are the norm. Organizational functioning or integrity is seriously compromised. Health and safety of persons served may be at risk. The organization demonstrates inconsistency with the aims of the Hague Convention and the IAA.

#### **Overall Determination of Substantial Compliance:**

1. Overall compliance demonstrates "substantial compliance" by receiving a rating of Full or Substantial Compliance on 85% of applicable standards.
2. In order to be accredited or approved, the agency/person must:
  - a. receive ratings of Full Compliance on 100 percent of all applicable Mandatory Standards;
  - b. receive ratings of Full or Substantial Compliance on 100 percent of all applicable Critical Standards;
  - c. receive no rating of Non-Compliance on any Foundational Standard; and
  - d. receive ratings of Full or Substantial Compliance on enough Foundational Standards so that ratings of Full or Substantial Compliance have been received on 85 percent of all applicable Mandatory, Critical and Foundational Standards taken together.