§ 451. Definitions. As used in this title:

1. "Child" shall mean a person under the age of twenty-one years whose guardianship and custody have been committed to a social services official or a voluntary authorized agency, or whose guardianship and custody have been committed to a certified or approved foster parent pursuant to a court order prior to such person's eighteenth birthday, except as provided in paragraph (g) of subdivision three of section three hundred eighty-four-b of this article and section six hundred thirty-one of the family court act. A "child" shall also mean a person under the age of twenty-one years whose care and custody have been transferred prior to such person's eighteenth birthday to a social services official or a voluntary authorized agency pursuant to section one thousand fifty-five of the family court act or section three hundred eighty-four-a of this article, whose parents are deceased or where one parent is deceased and the other parent is not a person entitled to notice pursuant to section one hundred eleven-a of the domestic relations law, and where such official or agency consents to the adoption of such person in accordance with section one hundred thirteen of the domestic relations law.

2. "Handicapped child" shall mean a child who possesses a specific physical, mental or emotional condition or disability of such severity or kind which, in accordance with regulations of the department, would constitute a significant obstacle to the child's adoption.

3. "Hard to place child" shall mean a child, other than a handicapped child, (a) who has not been placed for adoption within six months from the date his guardianship and custody were committed to the social services official or a voluntary authorized agency, or (b) who has not been placed for adoption within six months from the date a previous adoption placement terminated and the child was returned to the care of the social services official or a voluntary authorized agency, or (c) who possesses or presents any personal or familial attribute, condition, problem or characteristic which, in accordance with regulations of the department, would be an obstacle to the child's adoption, notwithstanding the child has been in the guardianship and custody of

the social services official or a voluntary authorized agency for less than six months.

4. (a) "Board rate" shall mean an amount equal to the monthly payment which has been or would have been made by a social services official, in accordance with section three hundred ninety-eight-a and other provisions of this chapter, for the care and maintenance of the child, if such child had been boarded out in a foster family boarding home. Such rate shall reflect annual increases in room and board rates and clothing replacement allowances.

(b) When a child is placed for adoption by a social services official or a voluntary authorized agency with adoptive parents residing in another social services district, the "board rate" shall mean the board rate of the social services district placing the child for adoption or the social services district in which the adoptive parents reside.

5. "Persons" shall include a single person eligible to adopt a child as well as a couple eligible therefor.

6. "Voluntary authorized agency" shall mean an authorized agency as defined in paragraphs (a) and (c) of subdivision ten of section three hundred seventy-one of this article.

7. "Social services official" shall mean a county commissioner of social services, a city commissioner of social services, or an Indian tribe with which the department has entered into an agreement to provide adoption services in accordance with subdivision two of section thirty-nine of this chapter.