Preserving African American Families

Research and Action Beyond the

Rhetoric

N A B S W

April 1991

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FORWARD

In 1986 the National Association of Black Social Workers, Inc. (NABSW) published a significant research document, Preserving African American Families: Research and Action Beyond the Rhetoric, for the following reasons:

* to provide its affiliate chapters and their members with viable information and strategies to continue advocating for the welfare of the African American family and child;

* to encourage the active participation of others in the African American community in helping change the current child welfare system, and

* to demonstrate to local and national public policy-makers the culturally-sensitive, cost-effective solutions that work for African American families.

Beginning with a title change reflecting the Association’s ever-present African consciousness, NABSW updated this important document in April 1991. Preserving African American Families: Research and Action Beyond the Rhetoric contains new information, statistics and recommendations for the '90s.

Yet, much remains the same in the document. Current research indicates that many of the 1986 findings and solutions are still valid and need continued attention. The model legislation proposed in 1986 remains appropriate for enactment today. Kinship relations continue to be important cultural considerations in providing services. Importantly, NABSW's policy position described in this document has proven successful in helping any and all problems that affect the family, including drug abuse.

At its 1991 annual conference in Atlanta, Georgia, NABSW will launch a first-of-its-kind national family preservation strategy with African Americans across the country. Preserving African American Families will serve as a working tool for these significant advocacy efforts.

NABSW extends its sincere thanks to the following contributing members. A special note of appreciation is given to Ms. Lolita Jones, Ms. Lee Barrett, Ms. Patricia Smiley and Ms. Mattalyn Love for their dedication and word processing skills.

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INTRODUCTION

The purpose of this paper is to draw attention to the deplorable child welfare system as it currently exists, and underscore the devastating effect it has on some American families. In emphasizing its fallacies, one must recognize that the failings of the child welfare system fall heaviest on the backs of African American and poor people. This does not ignore the irreparable harm it inflicts on other ethnic minorities and Caucasian families throughout this country. Therefore, it is the National Association of Black Social Workers’ (NABSW) hope that those who can make a difference will hear and understand the urgency of this call and be propelled to action.

The field of child welfare has focused on a population of individuals—in this case, children—rather than on the family, even though the child’s welfare in many ways is basically inseparable from the welfare of its family. The current structure of services to families and children still reflects a hundred years of tradition which has divided families into parents and children, with parallel and often competitive agency structures to meet the needs of each (Hartman & Laird, 1983, p. 50).

The policy of separating families in order to provide services is not sacrosanct to just the child welfare system, but is also apparent in the social welfare system in general. Most social welfare programs are developed for specific individuals, e.g., the elderly, the handicapped, children, expectant mothers, mothers without husbands, the unemployed, and so on. Services are provided to individuals on the implicit assumption that if an individual family member is provided with a service, the entire family will benefit. While these services do affect families, the nature of the impact is unknown, since the assumption has not really been tested (Moroney, 1980, pp. 25-26). On the other hand, human service professionals are much more certain that services provided for the total family will positively affect individual family members.

The particular alarm with the child welfare system is the fact that "child placement has been used not only as a solution to child abuse and neglect, but too often as a substitute for financial and social assistance to needy families (Hartman & Laird, 1983, p. 50)." The child welfare system is usurping the role of parents and putting the government in the position of literally destroying families. The child welfare system as it currently functions only serves to maintain itself.

Kenton states in All My Children that "the system will continue to provide victims faster than we can salvage them until we move toward changing those deeper forces that are causing the damage." NABSW believes the child welfare system in the United States must undergo a major overhaul, spawning a new system which will gradually shift its focus and resources from the removal of children from their natural families to an emphasis on family preservation and reunification.

Further, it is the Association’s belief that a reformed child welfare system must accept and come to rely on the less costly home-based family services approaches which, although relatively new, have been proven successful in reinforcing family preservation and reunification. Studies are now indicating that in even the most difficult family situations, including drug abuse, family
preservation services are helping families function better (Clark Foundation, 1989). Additionally, while foster home care requires direct and indirect expenditures of $5,000-$12,000 per child annually, a yearly cost of home-based services to a family is usually less. The total cost of providing home-based services for an entire family can be provided for from one-half to one-tenth the cost of residential or psychiatric care for one person. Thus, providing home-based services is not ultimately a question of new funding, but of transition to a system which maximizes preventive services so that less expenditures for out-of-home care will be necessary (Lloyd & Bryce, 1980, p.6).

The "permanency planning concept", as outlined in the U.S. Adoption Assistance and Child Welfare Act of 1980, essentially reaffirms that substitute care should be sought only when all other methods of resolving a family's crisis have been exhausted. Specifically, this law includes the following permanency planning goals:

1. Preventing unnecessary separation of children from their families in resolving problems.
2. Reunification services to families to enable foster children to return home.
3. Assuring adequate foster care in cases where children cannot return home or be placed for adoption.
4. Placing children in adoptive homes when restoration to their own homes is not possible (National Black Child Development Institute, (NBCDI) 1983, pp. 2-3).

NABSW is in accord with the government's goals for permanency planning. Unfortunately, however, the permanency planning movement in child welfare has not sufficiently improved continuity of care for children of color. Substitute care constitutes the 'core of the child welfare system' rather than supportive or supplemental services to families, and this discrepancy may be wider for people of color than for whites (Close, 1983, p. 13).

Significantly, NABSW believes if permanency planning were implemented as vigorously as it is heralded as a solution by child welfare professionals, then the discussion on transracial placements would be moot. Stated another way, effective implementation of permanency planning would substantially reduce the numbers of African American children in need of long term out-of-home placements, and subsequently diminish the current need for substitute African American parents. Consequently, same-race placements for African American children would, in the Association's belief, become an easily accomplishable goal.

Additionally, NABSW recognizes the function and important on-going need for out-of-home placements, even as NABSW argues for less emphasis on this concept. However, when out-of-home placements do become a necessity, same-race, same-culture placements should be strongly considered as those placements which provide a "least restrictive" (or less limiting) family setting. Moreover, if one accepts permanency planning as a means of reinforcing family preservation, then adoptions and long term foster placements are last considerations, applicable only when no other alternatives exist.
Finally, the following excerpts from best selling African American author Maya Angelou, forcefully address the subject in the introduction she wrote for the Clark Foundation booklet, *Keeping Families Together: The Case for Family Preservation* (Norman, 1985).

How much more strain is put upon the child who is uprooted and thrust among strangers with whom he has no mutual history? How is it possible to convince a child of his own worth after removing him from a family which is said to be unworthy, but with whom he identifies?

When any child, vulnerable as the season’s first snowflake, is handed into a strange atmosphere, even into a rare, sensitive and caring environment, the question which afflicts the newcomer is always, “If I wasn’t good enough for my own family, which they say is no good, how can I be accepted here, before strangers?” Tragically, the question is unanswerable and perseveres under the skin, in the viscera through the days, hours, and years into adulthood.

Even children who live with strict parents who inhibit their movements and chastise them physically, are regarded as lucky beyond any real comprehension.

The family is undeniably the greatest force for informing the young of possibilities and prohibitions. The young child, seeing the repetition of social acts within a group which he resembles, is acculturated into the ways of his folk. Authority is observed, conclusions are reached, and thus the lessons of tradition are internalized because within the kinship group there is an usually unstated but obvious understanding that all members’ actions are made for the group’s welfare.

There is a West African proverb which states, “The trouble for the thief is not how to steal the chief’s bugle, but where to blow it.” Our organizations can take a child from a non-supportive nuclear family, but to what end? Wouldn’t we show our intelligence and concerns more effectively if, rather than removing the child, we worked together with the entire family in order to create a healthy unit?

Alone is unutterable loneliness (pp. 1-IV).
CHILD WELFARE AND THE AFRICAN AMERICAN FAMILY

A Historical Perspective

The child welfare system in America is generally a program network of financial, legal, medical, psychological and social services provided to children and parents. Unfortunately, the system is frequently ineffective, even abusive to those who most need it, and seems particularly insensitive to poor and African-American people.

Discriminatory treatment of African American children has its roots in the history of the child welfare system and in the history of this country. In tracing African American history one finds that in Africa the socioeconomic context in which most African American people lived was "tribal socialism"; patterns of mutual concern and sharing, even in situations of great scarcity, where highly developed. Moreover, the systems of kinship ties and lineage rights provided the care of children left in need of parents. Depending on the society, the father's brother or the mother's oldest living brother was automatically charged with responsibility for the orphan.

From the beginning of United States history, African American children have been at least partially excluded from welfare services. Fortunately, African American children were not totally dependent upon the institutions of the broader society; they have always been able to rely on their own people who absorbed indigent African American children by African American community and family networks which compensated for society's indifference to the African American child. Similarly, African American schools, fraternal organizations, church clubs, and African American philanthropists offered to support--formally and informally--African-American families and children who faced poverty and discrimination (National Black Child Development Institute Inc., 1983, p. 2).

The long struggle on the part of the African American community to provide for those of its children whose parents could not adequately care for them is one of the strong features of the African American experience in this country. The capacity and readiness of African American families to open their homes to children and others in need of special care is both traditional and current. In spite of almost overwhelming oppression and the absence of adequate or even rudimentary resources, African American families have shown a spirit of benevolence which deserves to be appreciated and supported in more general approaches to child welfare today (Billingsley, 1982, pp. 45-46).

However, the African American family, because of and perhaps in spite of its long history, is the most effective instrument African Americans have had in their precarious struggle to survive in American society (Greathouse, 1981, p. 78). A child welfare system, therefore, which focuses so heavily on the placement of children away from their parents, and the subsequent destruction of African American families, is contradictory to African American beliefs and survival instincts. The traits identified by Hill as necessary for the survival and maintenance of effective family networks are kinship bonds, flexible family roles, and a strong orientation for work, achievement
and religion. For African American families, the role of the family as a primary socializing agent is embedded in an extended family network system (Harrison, 1985, p. 33). Unfortunately, during the twentieth century there has been a drop in exclusively African American support of these welfare endeavors. This leaves the placement of African American children under the auspices of a formal child welfare system designed to serve white families and children (National Black Child Development Institute Inc., 1983, p. 2).

Current Observations

The '90s signify the end of a decade in which a major legislative initiative intended to deter unnecessary removal of children from their families for their "own good" was enacted. Public Act 96-272 was intended to take steps to insure that "reasonable efforts" are made to keep all families intact before placement out-of-home. The passage of Public Law 96-272, the Adoption Assistance and Child Welfare Reform Act, mandated that states develop programming aimed at preventing foster care placement. Prior to 1980, nearly 400,000 children were in out-of-home placement. Children and youth of color are even now disproportionately represented in the foster care system by a margin of more than two to one (CWLA). Within the last ten years, child welfare professionals have attempted to re-tool policy and practice to prevent unnecessary placement of children outside of their own homes and community. There has also been a call for professionals of all races to develop cultural sensitivity and competency, heightened awareness and respect of a family's culture, and greater knowledge of the influence culture has on child rearing.

There has been some progress in implementing PL 96-272 during the past decade. According to the Edna McConnell Foundation, 30 states have family preservation programs, with the most programs located in Michigan. Significantly, at least 10 states have begun major statewide initiatives to provide family preservation services to children at risk of removal from home, including Alabama, New York, New Jersey, Connecticut, Kentucky, Michigan, Tennessee, Washington (state), Iowa, New Mexico, Colorado and Missouri. The Clark Foundation initiated in 1988 a model courts project which reviews reasonable efforts by the judiciary and helps the courts comply with Public Law 96-272. In 1990, the W.K. Kellogg Foundation funded the Family Approach to Crime and Treatment program, a $5.2 million family preservation project.

There are also a growing number of family preservation programs designed especially for African-American families. Among them are the Black Family Development in Detroit, the Family Development Institute of the Centers for New Horizons in Chicago, and the Black Family Preplacement Project in Chicago (CWLA, December 1990).

However, full implementation of PL 96-272 has not occurred. In fact, there are few compliance guidelines; little, if any, funding for needed services, and limited federal enforcement and monitoring. The law remains, but it has "no teeth" (Clark Foundation, 1989).
As the catalytic agent who changed the adoption practices used by the child welfare system for African American children, NABSW has been active in the struggle to revamp the foster care system. By publishing the Preserving African American Families document, NABSW provided significant research to demonstrate why changes are needed, how changes could be made, and what practical and culturally-sensitive solutions should be implemented for African American families. NABSW has provided advocacy training to its members, and the NABSW affiliate chapters throughout the country have met with public policymakers, community leaders and others to change systems at the local level. In many states, policies and practices have been affected as a direct result of this combined voice.

Importantly, NABSW in 1986 proposed the National Black Heritage Child Welfare Act, renamed in 1991 to the National African American Heritage Child Welfare Act (See Appendix B), which calls for state agencies to give "due consideration" and a "high priority" to a child's race, ethnic and cultural heritage in foster care and adoption placement. The proposed legislation would authorize child-placing agencies to give preference, "in the absence of good cause to the contrary" to placing a child with a person or persons related by blood to the child, or, if that would be detrimental to the child or a relative is not available, a family with the same racial or ethnic heritage of the child. NABSW also suggested that Public Law 95-608, the Indian Child Welfare Act, be amended to include the National African American Heritage Child Welfare Act. To date, the United States Legislature has not passed the proposed Act.

While the major child welfare institutions have been modified by a gradual extension of services to African American children, the distribution of services remains inequitable. The best that can be said of child welfare efforts for African American children in the twentieth century is that there has been a shift from total exclusion to partial inclusion (Billingsley, 1982, p. 61).

Racism

As relates to racism, it is now common in America to hear whites referring to African Americans as racist. This is ludicrous, to say the least, and encourages one to revisit the definition.

Racism is a social force deeply imbedded in the fabric of the society in which we live. It is the systematic oppression, subjugation, and control of one racial group by another dominant or more powerful racial group, made possible by the manner in which the society is structured. In this society, racism emanates from white institutions, white cultural values, and white people. The victims of racism in this society are African American people and other oppressed racial and ethnic minorities.

Attitudinal racism exists when one racial group thinks or believes that another is inferior. Behavioral racism exists when one group excludes, oppresses, or persecutes another or serves it less well.
The essential and underlying dynamics of racism is the belief that white people are somehow brighter, prettier, more responsible, and more law-abiding than African American people. These "illusions of white grandeur" constitute one of the most subtle and pervasive aspects of white racism (Billingsley, pp. 8-9).

From the beginning of life in America, African American families have struggled -- though slavery, segregation, and institutionally racist practices -- to maintain the integrity of the African American "family." Placement of children out-of-home in foster care is viewed in the African American community as one more way to systematically undermine and destroy the African American family structure.

Poverty

Services to enhance the welfare of children living with their own families have been only minimally developed and do not constitute any significant portion of the total child welfare effort. This characteristic of the current child welfare system can be traced to the antiquated belief that influenced the provision of all social welfare services, not only child welfare. If individual inadequacy is the cause of poverty (as the American belief runs), then a poor family is an inadequate family, and there is little value in maintaining it as a unit. As a result, child welfare has not made a heavy investment in maintaining families, but in maintaining children away from their families (Billingsley, p. 11). This attitude is no more clearly illustrated than by the founder of the first Society for the Prevention of Cruelty to Children, who is quoted in the December 17, 1874 edition of The New York Times as having announced his intention to "seek out and rescue from the dens and slums of the City the little unfortunates whose lives were rendered miserable--by the human brutes who happened to possess the custody and control of them."

The failure of society to address itself to the problems of poor children is a special failure in relation to African American children because disproportionate numbers of them are born in poverty. African American children constitute approximately 15 percent of the nation's children, but nearly 44 percent of the nation's poor children (Billingsley, p. 12). "African American families have been vulnerable historically to economic stress", and there are no indications that condition will change in the near future. In 1982, about 29 percent of all African American men in the U.S. between the ages of 20 and 64 were not employed. African Americans in every income strata had less disposable income in 1984 than in 1980. The average middle-class and poor African American family had a lower standard of living in 1984 than in 1980. Thirty-five percent of all African American families had annual incomes below $10,000, as compared to 13.9 percent of white families. On the other hand, 20 percent of African American families had incomes that exceeded $25,000, as compared to 48 percent of white families.

Generally, it has been found that job loss, divorce, and involuntary residential change lowered a sense of competence or efficacy among men and women. Also, economic deprivation has been noted as a principal source of emotional depression, family stress, and family violence (Harrison, 1985, p. 25).
Throughout the twentieth century this country has gone on record in support of preserving and even enhancing family life. As early as 1909 this principle was enunciated at the first Conference on the Care of Dependent Children called by the President of the United States. The proceedings stated in part:

Home life is the highest and finest product of civilization. It is the great modeling force of mind and of character. Children should not be deprived of it except for urgent and compelling reasons. Children of parents of worthy character, suffering from temporary misfortune, and children of reasonable and efficient mothers, who are without support of the normal breadwinner, should as a rule be kept with their parents--except in unusual circumstances, the home should not be broken up for reason of poverty, but only considerations of inefficiency or immorality (Billingsley, pp. 68-69).

The strength of this country’s avowed commitment to family preservation has subsequently manifested itself in such recent legislation as the Adoption Assistance and Child Welfare Act of 1980.

It must be noted however, that this country’s avowed philosophical intent appears clearly ineffectual when juxtaposed against the discriminatory practices which repeatedly and continuously lead to the removal of the African American child from his/her biological family. This is particularly significant when one realizes that “The ‘breakdown’ of the African American family is being voiced as the cause of the alarming increase in incidence figures of teenage pregnancies, number of female heads-of-households, unemployment, and underemployment.” (Harrison, 1985, p. 34).

To summarize Billingsley in 1968, "researchers intent on explaining poverty, social unrest and related problems in the United States, chose to focus on African American people and the African American family as a means toward achieving that end. That is because African Americans were proportionately overrepresented and constituted the most visible subgroup within the country's population of poor people." Even today however, research has not provided the desired catalyst for altering the child welfare system for African American and poor people. The struggle continues.
PRESERVING AND RE-UNITING THE AFRICAN AMERICAN FAMILY

Current estimates are that nearly 500,000 children are in out-of-home placement in group homes, foster care, psychiatric institutions and juvenile justice facilities. The number of children in foster care declined by nine percent between 1980 and 1985, but rose again by an estimated 23 percent between 1985 and 1988. It is estimated that by 1995, 840,000 children will be in out-of-home care.

The literature indicates two primary reasons for the renewed growth of children in out-of-home care:

- A greater rate of children entering the care system compared to children leaving foster care. According to the three-year study by the Select Committee on Children, Youth and Families, the number of children entering foster care each year increased by 27 percent. In contrast, children are leaving foster care at a rate only four percent higher than in 1985.

- The nation’s drug epidemic. It is estimated that 50 to 80 percent of all confirmed child abuse cases are by parents who have had some involvement with drugs or alcohol use (CWLA).

In interviewing child welfare workers, one soon recognizes that many, if not most, of those working with ethnic minorities and poor people are not satisfied with the system’s functioning. However, they remain frustrated in searching for viable alternatives. By all indications however, the future thrust of the child welfare system should be family focused, placing its major emphasis on preserving and re-uniting the family. It is a less expensive course to follow. But, it will require good planning and cooperation between the child welfare and legal systems, adoption of a creative concept such as home based services, and support by the news media and general public. Certainly it is a more sensible approach than the "wholesale" out-of-home placement approach currently utilized. Furthermore, studies are showing that interventions which use the family-centered, home-based approach with drug-addicted families do, in fact, work.

The decision to place a child outside his/her home is a monumental one which should be made only with the greatest care and deliberation. It damages whatever continuity the child has experienced and introduces new emotional risks. The awesome responsibilities of such decisions too often fall to individuals who have few resources for family assessment, and to those who do not know about the power of family relationships (Lloyd and Bryce, 1966, p. 5). Further, since the problems that lead to placement rarely start out with the child--the mythical "bad seed"--but rather with the families themselves, they are usually not solved with a child’s removal. Taking one child out of a dysfunctional family does not necessarily ease the dysfunction. And when problems stem mainly from lack of resources, removing one child does not save other children in the same family from suffering the same continuing conditions. Depending on the
reason for removal, a family that loses one child to foster care also often loses others (Norman, 1985, p. 5).

No one knows exactly how many children who are now removed from their own homes could remain with their families if the necessary supportive services were available. But the evidence is clear that where there are adequate resources for preventive services, they can and do make a difference (Children’s Defense Fund, 1978, p. 19). So, perhaps time and services spent in trying to strengthen the child’s own home would avoid the move in the first place.

The obvious and often talked about remedy is preventive services to families where breakdown is beginning, but can be avoided if something is put into it in time (Lloyd and Bryce, 1966, p. 1). Permanency planning, when properly implemented, can be considered an effective means of using preventive services. As mentioned earlier, it seeks to avoid placement whenever possible, to reunite the family as soon as possible or, failing that, to provide an adoptive home for the child quickly.

Barriers and Challenges

One can readily glean from an analysis of the facts that African American families and their children receive differential treatment by child welfare systems. One of the effects of that treatment results in inflated foster care rolls. Let’s look at some of the identified causes:

* When it is necessary to place a child out of the home, typically parents are not explicitly encouraged to maintain contact with their children. Sometimes, they are actively discouraged from doing so (i.e. parent visits are limited to birthdays and special events.) Parents who want to maintain close contact with the child are not provided funds to pay transportation cost. Trial visits by children to their own homes are difficult to arrange; unless their family has resources to assume additional cost for food and other incidentals, such visits are unlikely to happen (Children’s Defense Fund, 1978, pp. 5, 21, 23).

* While the child is out of the home, parents generally get little help with the problems that led to removal. Funds for services that would enable the family to be reunited are seldom available (Children’s Defense Fund 1978, p. 5).

* The Children’s Defense Fund found in the states it studied that none were monitoring the treatment of minority children, yet available information suggested minority children were even more susceptible that other children to the failures of the child placing system.
Stereotypic views of minority groups may result in a tendency to discount environmental stresses as acceptable for and maladaptive behaviors as typical of a cultural group. Hence, referral agents or service providers may perceive no reason to intervene until problems have become more serious (Close, 1983, p. 14). That is, service providers would be likely to remain unaware of or ignore certain problems unless and until these problems become more serious. At that point they would consider supplemental services to be less warranted than psychologically oriented services, which, in turn, they would view as unlikely to be beneficial. Consequently, the removal of children from families that are judged to be permanently disorganized would be indicated (Close, 1983, p. 14).

Langer et al., found that professionals did not "waste" therapeutic contacts on African American or Spanish speaking children or on any low income group except white children. Jones et al., found a "pre-selection process" in three free psychiatric residency programs. African American patients were underrepresented in the census and were much more likely than were whites to be assigned to "second-best" treatments (such as drug clinics, fifteen-minute clinics, or training programs with rapid turnover of inexperienced therapists) and rarely were assigned to the more valued modalities of group therapy or individual therapy. These findings tend to support the charge that mental health professionals have been influenced by racist biases that affect the processes of evaluative and prognostic assessment and have tended to consider a narrow range of options for services to people of color (Close, 1983, pp. 14-15).

The parents of children of color seem to have been viewed as less likely to profit from services designed to enhance their ability to maintain or assume responsibility for caring for their children at home (Close, p. 19).

Children of color and/or their families received fewer services overall and the fact that workers had less contacts with African American and Hispanic parents raises serious questions about relative quality of the supportive supplemental services provided to minority families (Close p. 19).

Results indicate that the system responds more slowly to crisis that develop in families of color. African American and Hispanic children seem to have been denied equal access to emergency services (Close, p. 19).

NIMH data showed that among those with no previous psychiatric care, non-white youths are much more likely than white youths to be admitted to public mental hospitals (Stehno, 1982, p. 41).
The Children’s Defense Fund cited other studies which found that African Americans youths are more likely than white youths to be placed outside their homes without previously receiving in home services (Stehno, p. 41).

Most children come into placement because of family problems, and factors in the child welfare system can affect their time in care. African American families have fewer resources and more problems than do white families (Jenkins, 1983, pp. 44-45).

"The initial separation of child and family is often by default." (Children’s Defense Fund, 1978). The need for new stoves, furnaces, refrigerators, and adequate housing are frequently reasons used to remove a child from his home.

Removing a child from his home is often easy because funds for removal, and funds for maintenance of foster care are available. Funds for preventive services are not readily available (Children’s Defense Fund, 1978, p. 5).

When it is necessary to place a child out-of-the-home, sometimes states will not pay foster rates to relatives although they will to strangers. The reluctance to turn to relatives also grows in large part out of an unrealistic assumption that relatives ought to care for children out of love and not for money (Children’s Defense Fund, 1978, p. 5, 23).

It is tragically ironic that once parental ties have been severed, either as a consequence of parental abandonment or the action or inaction of public systems, legal termination of parental rights is rare (Children’s Defense Fund, 1978, p. 5).

Those who work directly with children report great pressures: excessive and meaningless paperwork, no time to get to know children for whom they make decisions, no time to visit families, and no training to deal with complex family problems, impossibly large caseloads (ranging from 40-80 cases at a time, and for many of those cases dragging on for years) (Norman, 1985, p. 9).

Understandably, every worker does not maliciously and intentionally approach minority clients with a bias. But, at the line level, on a daily basis, the structural faults of the system manifest themselves most painfully. This is the level at which children and families enter the system, become "clients" of the agency and get set on the track that both defines their troubles and attempts for better or worse, to help them out.

Imagine a social worker in a traditional setting. Elizabeth Cole of the Child Welfare League of America rose to her current position from caseworker status. She paints this picture: A young woman just out of college, with a degree in English or psychology, enters her new job. Untrained in social work, and often with a background quite different from that of most families
she will serve, she is shown how to fill out the requisite forms and handed sheaf of cases—sometimes 70 or more at once.

A child is being neglected by his mother. The police and his teachers agree he should be removed from home. Parents bring in a teenager, or the court refers an adolescent who is constantly in trouble. Parents want their bad daughter out of their hair. The caseworker knows that if she leaves a child at home and that child is hurt, she will be blamed.

Let’s say that a worker is a maverick who believes in working with a family to make positive changes; even so, her caseload is too high to allow her much time with a family, let alone an individual child. Her supervisor cannot afford to support her efforts, since risk of continued abuse also puts the supervisor’s job at stake.

It is Friday, 3 o’clock in the afternoon. A call comes in that the police are holding an abused child. Placing children with relatives or friends is often frowned upon sometimes even against state policy. In any case, such a search could take hours, and the work week ends at 5 o’clock. The pressure is on to move the child to safety by placing him or her quickly somewhere besides home. The alternatives are few (Norman, 1985, pp. 30-31).

There are workable alternatives which can help preserve or restore the family unit. They include crisis intervention and counseling services, respite care services, home finding services, homemaker aid services, day care, and a service variously referred to as Intensive Family Based Programs or Home Based Services or Home Based-Family-Centered Programs. We will discuss these latter programs shortly.

The following are interesting corollaries to the apparent need to try alternative approaches. One study indicated that the Department of Social Services, the most widely used agency, was reported to be helpful by only 59 percent of its users. Day care centers, although not widely used, were considered very helpful by those mothers who had children in them. Least appreciated of all services was the housing agency, reported as helpful by only 32 percent of users. It is apparent that the Department of Social Services is overwhelmingly perceived by these clients as a source of income support, and not as a resource meeting total family needs (Jenkins, 1985, pp. 82-83).

There also is a lack of cooperation and coordination between federal and state departments responsible for the provision of human services. For example, one of the easiest means of decreasing parental abuse of a child is to reach the child language and behavioral skills, and teach the adult(s) parenting skills. Day care centers provide such training in many instances. However, the federal government’s Head Start and Parent Child Center programs have been evaluated and acknowledged as some of the nation’s best programs of this nature. Yet, the state’s protective services workers—who have great input as regards out-of-home placements—and Head Start/Parent Child Center workers, rarely work in concert.
Culturally-Sensitive Solutions that Work

Home Based Family Centered programs (HBFC) provide counseling and support services in the homes of families with children at risk of being removed. HBFC programs are viable alternatives to long-term, out-of-home placements and facilitate family reunification services. The following are deserving of more extensive examination by the interested reader:

1. Family-Centered Project, St. Paul Minnesota.
2. Home-Based Services Model of South Dakota.
3. Home-Based Family Centered Program of Iowa.
5. The Family Reception Center of Brooklyn, New York.
9. The Michigan "Families First" programs, including Diversified Youth Services, Inc., Detroit, Michigan.

The above programs are examples of several programs around the nation which are successfully utilizing alternatives to long term out-of-home placements. While they are not exact duplicates of one another, there are common elements shared among the intensive family service programs, particularly those which are family-focused and home-based. Those elements include the following:

* Their goal is to assist the highly dysfunctional, multi-problem family in every way possible to strengthen the family unit and prevent the inappropriate separation of the children from their family.

* They are crisis-oriented, and see each family as soon as possible after referral is made.

* Their staff responds to families during emergencies and round-the-clock, maintaining flexible hours seven days a week.

* Their intake and assessment process carefully ensures that no child is left in danger.

* They deal with each family as a unit, rather than focusing on parents or children as problematic individuals.
Workers see families in their own homes, making frequent visits convenient to each family’s schedule. In addition, the families ecological or community system is also considered in order to resolve any external problems that are affecting the families functioning. This may involve the school, police, employer, etc.

Their approach combines teaching family member skills, helping the family obtain necessary resources and services, and counseling based on an understanding of how each family functions as a system.

They deliver services based on need rather than on categories that would ordinarily be assigned to each case.

Each worker carries a small caseload—not more than ten (10)—at any given time. Sometimes staff members work in teams of two or more to a family, providing each other with support and easing the demands of their irregular schedules.

They limit the length of their involvement with each family to a short period extending up to as much as two years, but typically between two and five months.

They provide their staff with ongoing in-service training, and often require of new staff members a degree in social work or deep knowledge of the community. However, a variety of disciplines and experience levels are frequently used when necessary.

They follow up on families to assess their progress and evaluate the program’s success.

They work with families who have multiple problems. The families may be in the first stages of disintegration or may have been struggling for generations. Usually the families have very poor problem-solving and coping skills accompanied by low self-esteem and generally chaotic life styles. Symptomatic of the constant stress experienced in these families are problems such as chemical abuse, chronic child neglect, emotional/physical child abuse, marital discord and violence, unemployment, extreme dependence on external resources, financial problems, negative inter-personal relationships, apathy, health problems, low income, out-of-control children, teenage runaways, juvenile delinquency, truancy, and poor school performance. Most often, the members of each family also have some strengths such as vocational skills, positive personality traits, hobbies, positive relationships, recreational skills, academic skills, and life skills. These strengths are usually minimal and not often evident. However, it is necessary for the home-based team to find these strengths in order to make gains with the family.

They rely on kinship relationships which provide permanency for the child while keeping the child within the boundaries of the family and community.
A primary worker or case manager established and maintains a nurturing, supportive relationship with the family.

Maximum utilization is made of family resources, extended family, and community. Workers quickly discover and build on strength in families, even the most problematic families.

Help is provided with any problem presented by the family. If the team does not have the expertise or resources needed, it arranges for or creates them in order to stabilize and improve family function.

The parents remain in charge of their family as educators, nurturers, and primary care providers. They are given renewed relevance and participate in setting program priorities, planning, and decision making.

HOME BASED FAMILY CENTERED service programs reflect the principle that the first and greatest investment should be made in the care and treatment of families in their own homes. This means the funds, personnel, and other resources which traditionally might have been expended on one family member by placement, are invested in the family unit (Norman, 1985, p. 8; Cope, 1983, p. 3; Lloyd & Bryce, 1966, pp. 2-3).

All the families worked with one thing in common—the usual intervention approaches have not been successful in reducing the risk of having the family disintegrate and the children placed outside the home (Cope, p. 3).

Families differ greatly with regard to cultural and socioeconomic dimensions, ethnic factors, religious affiliations, values, lifestyles, and an endless array of other attributes. Since it is a fact that such differences exists, viewing them empathetically and considering them in service activities is imperative. The HBFC programs have advantages and important implications for minority families which cannot be over looked.

Because of the large amounts of time spent in the home with families, HBFC service providers are ideally situated to observe the unique qualities and needs of minority families. Unlike many instances of office counseling, working with the family in the home pushes workers to the conclusion that they must understand the family’s culture and values if they are to be effective helpers. Worker insensitivity can result in unwitting blows to virtually any area of a family’s life—language, appearance, relationship style, or aspirations. HBFC agencies must include ethnic representation and education to prevent many of the disquieting things done to children and their families in the name of good intentions.
Workers who serve large minority populations most frequently include individuals from the minorities they serve as both professional and paraprofessional members of the HBFC service teams. HBFC service teams staffed with individuals of ethnic and cultural diversity, who also are oriented to and skilled in HBFC service techniques, can be matched with families of the same heritage. This minimizes misunderstandings and facilitates effective advocacy. It is important that HBFC workers use their experiences in the home and neighborhood to overcome misconceptions, prejudices, fantasies and myths. Unless this is accomplished, workers may be hampered in discovering the families’ strengths. Non-minority staff members should utilize minority staff as resources in developing insights and understandings.

From another perspective, it is also true that minority families need only what other families need. Being present in the home and neighborhood aids the service worker in relating more realistically to such practical issues as unemployment, educational opportunity, and housing. HBFC services place a strong emphasis on the securing of basic needs, advocacy, and the development of self-advocacy skills. Adequate medical care, appropriate child care, and programs and experiences designed to enhance self-esteem are among the ways in which HBFC service programs combat the tendency of established institutions (medical, legal, educational, etc.) to disenfranchise minorities (Lloyd & Bryce, 1966, p. 21).

While HBFC service is comparatively new, the approach has been closely scrutinized. Data collected from HBFC service programs consistently show that from seventy to ninety percent of families at high risk of placement are able to remain together.

Even when all families referred were already dispositioned for placement, at least seventy percent of these families were maintained intact by the provision of intensive HBFC services (Lloyd & Bryce, 1966, pp. 5-6).

Savings to the American Taxpayer

Billions of dollars are currently being expended for out-of-home care of children. Foster home care requires direct and indirect expenditures of $5,000 to $12,000 per child annually. The cost of institutionalizing a child ranges from $11,000 to $50,000 per year.

Data from a variety of HOME BASED FAMILY CENTERED programs all support the conclusion that the total cost of providing HBFC service for an entire family can be provided for from one-half to one-tenth the cost of residential or psychiatric care for one person. Thus, providing HBFC is not ultimately a question of new funding, but of transition to systems which maximize preventive services so that less expenditures for out-of-home care will be necessary (Lloyd & Bryce, p. 6).

On a cost per case basis, HBFC services are almost always more cost-effective than keeping a child in foster care. The 1989 statistics from Homebuilders, a nationally recognized family preservation program, indicate:
* In Washington state, the family preservation services cost was $2,700 per child as compared to $7,800 per child in foster care; $22,400 per child in a group home; and $45,000 per child plan in acute psychiatric hospitalization.

* In Michigan, the average cost of family preservation services was $4,500 per family compared to the cost of $10,000 per child for family foster care and $42,000 per child for institutional care (Clark Foundation, 1989).

The South Dakota Office of Children, Youth and Family Services reported that the HBFC cost per family was $575.00 per month or $16.43 per hour. Each family received an average of 50 hours of direct and indirect services per month. The cost for serving each family was $3,910.00.

Two projects in Iowa were operating with costs of $22.00 and $27.00 per unit of service (A unit is one hour of either direct or indirect time). In 1978-80, Mr. David H. Wright, in his proposal, offered to provide HBFC services for $15.70 per hour of direct client time. Direct time was considered as either face-to-face contacts or telephone conversations with clients. During the 1980-81 year, the rate remained $15.70 per hour of direct time, but direct time was expanded to include consultations with other professionals concerning the family (Cope, 1983, pp. 5-6).

As indicated earlier, Oregon has been a pioneer in intensive family-based care. In 1983, its intensive Family Services Program did a cost comparison study of all children it has served during three months, with twelve-month follow-up. The Intensive Family Services Program takes children only after a committee determines whether the child will be placed with a foster family or in some form of group care. Of the children in its study, 117 would have otherwise been sent into foster family care. The remaining 95 would have gone into group homes.

During the three months, Intensive Family Services spent a total of $945 per family. For three months of foster care in Oregon, the cost is $3,618 per child, and some families send several children into care. Some children in the Intensive Family Services program spent some time in substitute care during the study. But for every three months the program kept a child out of family foster care the state saved a minimum of $2,673. The savings were magnified when the program helped families with several children at risk of placement. And since residential care costs substantially more than foster family placement, savings were even higher for the children who would have entered group homes or institutions.

Similar studies of other programs show similar results. Alternative Treatment Associates, an intensive family program in northeastern Iowa, estimates that the $952 average it spends per family is 21 percent of the average cost per child in family foster care and only seven percent of the mean cost of group home care in the state.

The longer the average time children stay in foster care in a state, the more that state stands to save with an effective short-term preventive program. For example, in 1981, a child in New
York could be expected to stay an average of five full years in foster family care, at a total cost of $45,000. If the state instituted an intensive family service program and successfully treated 100 families in a year at an average cost of $1,000 per family, instead of sending 100 children to foster family care, it could stand to save between four and five million dollars. Savings compared to residential care would be even higher (Norman, 1985, pp. 19-20).

There seems to be overwhelming support for both preventing a child's entry into foster care and shortening a child's stay once in care. According to a study in New York City during the period 1966-1971, the cost of foster care appeared to be about five times the expense a family on a low-cost budget would incur in rearing its own child (Children's Defense Fund, 1978, p. 18).

Once convinced, some states have been able to alter their child welfare systems in little more than a year from a focus on child removal to an emphasis on preserving the nuclear family. "Any system geared toward out-of-home placement has its own values and logic-and both require extensive change for a new focus on prevention. There will be budgets to reorganize, transitions to plan, staff to hire and train or re-train, a vision to consolidate - and more" (Norman, 1985, p. 27).

The National Resource Center on Family-Based Services, supported with funds from the federal Department of Health and Human Services, helps interested child and family welfare agencies assess their resources and reorganize to prevent unnecessary out-of-home placements. The Center has worked with over 20 states, all of which now have at least fledgling family-based services. The Center recommends that any state intent on good planning, should review particular aspects of its functioning, including its mission; barriers to crisis intervention; existing out-of-home and preventive services; the variety and accessibility of other family services; existing training programs; and administrative resources (Norman, p. 27).

Reflections on the Judiciary and the Media

Beyond the general social welfare profession are several other actors whose decisions impinge upon the lives of children in the social welfare system. Two of those key actors are judges and media persons.

Judges [and lawyers] are key in the process by which children are placed away from home. When well-informed and committed to families' well-being, they can play a significant role in reform. When ill-informed or indifferent, they can act as significant obstacles. Some judges still seem unaware of the 1980 federal statute, or are simply indifferent to its requirement that the court find whether reasonable preventive efforts have been made before it places a child. In 1983 the National Resource Center for Child Advocacy and Protection of the american Bar Association found that, in many states that had not passed their own legislation mirroring the federal act, judges had never learned of the new requirement even though all states had received federal notification of the law (Norman, p. 33).
The National Council of Juvenile and Family Court Judges has been devising strategies to educate judges. In 1982, its Permanency Planning Committee responded to an invitation from two groups of Missouri judges to present a conference on permanency planning, which in turn led to the creation of the Missouri Supreme Court Task Force on Permanency Planning for Abused and Neglected Children. In 1984, the U.S. Justice Department’s Office of Juvenile Justice and Delinquency Prevention gave the National Council of Juvenile and Family Court judges a grant to develop a national training project with the Missouri Task Force as its prototype (Norman, p. 33).

Uncomfortable relations between judges and social workers are a common if unfortunate fact. Edward P. Gallogly, a Juvenile Court judge in Providence, Rhode Island, discovered at an informal meeting with Rhode Island social workers that "many of them were scared stiff of appearing in court. They considered most judges to be overbearing, intolerant, short-tempered tyrants," he said. "And I found out that I was one of the worst offenders (Norman, p. 34)."

Some judges think they know more about each case than the social workers who has handled it. And some agencies routinely frustrate judges by giving out too little information on the cases at hand (Norman, p. 34). Further, in cases where understanding significance of African American culture would have a bearing, frequently, no African American person is in the court room, or their testimony is discounted as having little or no meaning. As with other professions in our country, one must begin to seriously question whether white judges are routinely qualified to make important decisions about the lives of African American families and children. It is our hope that African American attorneys become pro-active regarding this concern.

The necessary balance depends upon respectful communication. Once judges and social workers communicate with each other, judges can encourage social workers to assess the need for placement more carefully, and social workers can help judges understand specific family situations.

Frequently, parents are not represented at the initial court hearing. It is also common for a child to have no legal counsel, and for courtroom debate about his or her future to take place only between the lawyer for the state social service agency, the judge, and the social worker on the case (Norman, p. 34).

In the absence of full legal representation, many states have now begun to appoint guardians ad litem or special advocates in cases involving separation of parents and children. Called CASA programs, most using lay volunteers and lawyers, vary according to the structure and administration of each state’s juvenile court (Norman, p. 34).

Finally, the media has the power to raise public consciousness or to reinforce old prejudices and fears. At their worst, the media ride on traditional views of the good child with monsters for parents, or good parents cursed with a bad child. Child abuse stories often carry shock value for media drawn to scandal. And when media simplify and sensationalize child abuse scandals, they
help viewers and readers jump to the conclusion that children should be more readily removed from home, that case workers are evil and administrators incompetent.

But the media can also responsibly uncover the errors of a child welfare system if it goes awry, alerting the public to bad practices. They can air the alternatives too, showing the effectiveness of sensible programs that build on families’ strengths and help keep children safe.

There is much room for public education on the problems of foster care and the possibilities of prevention. The press needs reliable sources of information just as much as child welfare programs need a reliable, responsible press. In turn, presented with accurate information and persuasive examples, the public is likely to support proposals and programs that make sense - keeping children safe and families intact (Norman, pp. 38-39).
OUT OF HOME PLACEMENTS

This section will discuss the two chief facets of out-of-home placements--foster care and adoptions--faced by children. NABSW fully acknowledges that out of home placements are sometimes necessary. However, the Association does not accept the frequency and speed with which children in general, and African American children in particular are removed from their biological homes. Moreover, when out-of-home placements are necessary, NABSW believes that same race placements are the least restrictive (less destructive) situation for a child.

Foster Care

By 1977, statistics showed that the foster care population was estimated at 502,000 (Gershenson, 1983, p. 1). African American children in placement were, by far, the most numerous, representing 100,245 (almost 80 percent) of the 126,844 children designated as minority. The percentage of white children in care dropped as the time in care increased, and the percentage of minority children in care rose as the time in care increased (Jenkins, Diamond, et al., 1983, p. 43). If current trends continue, the foster care population is projected to increase to some 840,000 children by 1995 (Clark Foundation, 1989).

At every point in the placement process children and their natural families are isolated from one another by the Pro-family rhetoric notwithstanding, a pervasive, implicit anti-family bias often shapes decisions about children at risk of removal or in out-of-home care (Children’s Defense Fund, 1978, p. 5).

Once in care, children of color are at a higher risk of becoming lost in "foster care drift"; they tend to remain in care longer than white children, and agencies tend to move more quickly to terminate the legal ties between them and their parents than they do to gain permanent custody of white children. Furthermore, once parental rights have been terminated, children of color are less likely than are white children receive adoptive services (Close, 1983, p. 13).

Research in the last few years indicates that the majority of children who were returned home did so within 18 months of placement (Campbell, Christy-Baker, et al., 1983, p. 6). However, as earlier stated, the estimated median time in care for African American children was thirty-two months. Moreover, 34.6 percent of African American children in out-of-home care have been there for more than four (4) years. Obviously, some very definitive and urgent action steps need to be taken on behalf of African American foster children.

Placement outside the home should not signal an end to all activities towards returning the child to his birth home (Campbell et al., p. 6). In foster care, planning for the child’s return home should begin immediately with a thorough assessment of the parents’ capacity to provide care.
Are the problems which necessitated the child’s placement chronic or situational, profound or superficial? Are they remediable—and how?

When a child is first removed from home, parents’ emotions are running high. They haven’t yet settled into apathy and complacency, and the family dysfunction is usually identifiable. This is the time to engage parents in treatment and to draw up a written agreement between the caseworker and parents, stating the goal of the treatment program—the return of the child within a specified period of time—and spelling out the steps both parties are expected to take to accomplish the goal (Pike, 1976, p. 24).

Frequently, the worker’s activities regarding removing the child from, or restoring the child to his family is based on an analysis of the situation. Pike in Permanent Planning for Children (1977) carefully outlines for the worker the key judgments to make—does the child’s own home meet the minimum acceptable level of living for the child? Will the child be physically in danger if he remains? Will the care in his own home be inadequate?

With over 500,000 children annually filling the foster care rolls, child welfare workers have no options but to decrease those rolls by returning and maintaining children in their families. Motivation to work for reunification for the worker must stem from a commitment that the family is not only the basic social welfare institution, but also from the belief that children thrive best in their biological family and that most families with help are able to care for their own children (Campbell, 1983, p. 7). Besides, non-white children, along with older children and children with disabilities are all part of a group traditionally considered hard-to-place children. Since families are not rushing to adopt them, perhaps a better approach would be to work to return them to their biological families.

Visits between biological parents and the child should begin instantly after placement. Only if parents are destructive in their contacts with the child should visits be restricted. The persistent presence of the child’s biological parents can help to control the over possessiveness that might interfere with the child’s subsequent return home (Pike 1976, p. 24).

Children, especially very young children, grow psychologically attached to providers which is healthy, but also poses a real difficulty if the ultimate plan is for the child to return home. This also works a hardship on foster parents who sometimes assume that because they are not aware of any plans for reuniting the child with this family that he will stay with them forever (Campbell, 1983, p. 6). It is absolutely essential therefore, that there be no delay in developing and implementing plans to reunify the child with his natural family.

The goal of returning a child to its biological family is a tough one for both the child welfare worker and the foster parent. Nevertheless, foster parents can face the challenge of partnership in parenting a child if they are included in the planning process. Ryan and others (1980) comment on this use of foster parents.
Foster parents are professional parents. They are concerned about the children in their homes. With training and agency support, they can develop great expertise in child development and behavior management. They provide a model of stable family living and can demonstrate skills in parenting, planning and using leisure time to enhance family life, and can show the importance of a warm, positive approach. They can develop an understanding of a child's need for his family and encourage the maintenance of relations. Often, exposure to foster parents is the parents' first opportunity to observe the positive aspects of family living. Frequent contact between the child and the parents often increases the motivation of the parents for change in order to get their children home, and is less likely to result in their reaching a point where they accept the loss of the children as permanent.

The foster parents can also provide the information which will help the individual worker and the team decide on the best plan. Frequently, natural parents report that "When I saw how well little Mimi did in that home, I know that I wanted to be a mama just like that, "or" I realized that I could never do that for Jim."

In reunification work, the social worker at all stages of intake, study and placement keeps constantly in mind and explores means for the child to be reunited with his family of origin. Decisions made by the worker consciously outline reasons and ways for returning the child home as well as the barriers (Campbell, 1983, p. 7). This cannot be emphasized enough.

Often the child welfare worker is required to remove children/adolescents from their homes to insure safety or other needs. It is important to remember that no matter how damaging the home environment, an important factor in the development of a treatment plan especially for the child and family, is the evaluation of attachment and the effects that separation has on everyone (Campbell, p. 29).

In foster care, as with adoptions, NABSW believes racial matching is a necessary requirement to insure least restrictive family adjustment. Foster parents are important surrogates, and should be considered as parents in achieving the goal of reunification for a child and not as competitors for the child's affection. Reunification is an admirable goal for African American children placed out of the home because adoptive home rates reported for 1983 showed that 16,235 African American children were free for adoption and that adoptive placements had not been found for 12,777 of those African American children (Mason, 1985, p. 84). Most foster parents realize this instinctively and make a point of:

* Preparing the child for visits home.
* Teaching the child how to show affection to parents.
* Teaching the parent what is age appropriate behavior for the child.
* Provide a positive parenting experience for the child (Campbell, p. 33).

In some instances it becomes rapidly apparent that the rights of a natural parent will or must be terminated. In these instances NABSW abhors the system which allows the African American child to flounder on the foster care rolls when a relative or one of the many desirous African
American families on waiting lists around the country would readily adopt such a child. When it is absolutely clear that a African American child will be eventually offered for adoption, perhaps it is a potential and declared African American adoptive parent who should be given the chance or encouraged to act as surrogate parent. Too often the adoption, foster care and protective services departments of child welfare systems are operated as separate, unrelated departments.

Adoptions

Over the last 14 years, NABSW has labored relentlessly in its efforts to oppose transracial adoption, that is adoption of children by parents of another race. In the past couple of years however, NABSW’s position has been assailed by individuals and groups of mostly white people around the country who feel the Association’s position is an impediment to facilitating adoption of African American children. Moreover, with the help of a news media which fails to take the extra investigative steps, this small but vocal group of mostly whites, has captured an increasing share of the public’s sentiment.

Nevertheless, NABSW herewith reaffirms its position against transracial adoption and continues to take a vehement stand against the placement of African American children in white homes. The Association affirms the inviolable position of African American children in African American families where they belong physically, psychologically and culturally in order that they receive the total sense of themselves and develop a sound projection of their future.

The larger issue, and more pressing challenge, is to revamp an ineffective child welfare system. The current system is weighted by an urgency to remove children from their biological families, particularly African American children.

The uninformed observer is frequently led to believe that the 16,000+ African American children who are free for adoption are available because African American don’t adopt, or because there are not enough "qualified" African Americans willing to adopt African American children. Therefore, the argument goes, "isn’t it better that African American children have white parents than no parents at all?" NABSW, however, realizes that much of the information conveyed to the casual observer about African American child welfare is erroneous or mythical. Therefore, NABSW steadfastly holds to the position that African American children should not be placed with white parents under any circumstances; further, the needs does not exist for transracial placements. Let us examine the premise.

Historically, according to Ladner, the American adoption movement was conceived to meet the needs of infertile white middle class couples, and only secondarily to meet the needs of orphaned children. Race was the criterion that was most rigidly adhered to under the "matching" philosophy. In the attempt to give an infertile couple the child they had proven incapable of having, it was axiomatic that the adopted child and parents would be of the same race, allowing the child to blend into this couple’s life and to give the appearance that this was their biological
offspring. If there were exceptions, African American applicants were far less likely to be permitted to adopt a white child than whites were to adopt a African American child, since the tradition of African American racial subordination made such a prospect untenable. Today there are very few documented cases [African Americans adopting white children] in the United States.

Adopting across racial lines appears to have started almost accidentally. Throughout the United States there is a scattering of African American adults who grew up in white homes. A small number were legally adopted, while others were foster children, or were reared as the couple’s child without the benefit of legal adoption. Some of those children who were adopted, it has been reported, were originally thought to be of white parentage. As the children grew older it became obvious to the parents that the child was of mixed parentage. No one knows how many of these children were returned to the agencies or disposed of in other ways, but some were kept by their adoptive parents despite the mix-up in their racial backgrounds.

Another category of African Americans who grew up in white homes were the sons and daughters of household servants who deliberately sought employment among wealthy whites so their children could be exposed to white upper-class culture. Many of these white employers sent their servant’s children to college, thus enabling them to achieve social mobility. The earliest record of documented transracial placement occurred in Minneapolis, Minnesota in 1948.

Billingsley and Giovannoi assert that it was immediately following World War II that adoption agencies began trying to include African American children in their program. "When these agencies were unable to place African American children as fast as white children, the agencies began to define the children and the families as "problems" these authors assert. "The fact that the agencies had long excluded African American children and families, and were thus inexperienced in serving them, was quickly forgotten."

The first organized attempt by white agencies to find homes for African American children was initiated in 1955 by the Minority Adoption Recruitment of Children’s Homes (MARCH). It was to be followed by several other similar organizations in the United States and Canada. They included Parents to Adopt Minority Youngsters, The Open Door Society, and the Council of Adoptable Children.

In the pioneering years of the transracial adoption movement, parents appeared to have been motivated primarily out of their concern for homeless minority children. As the infant shortage increased, parents became motivated by the desire to adopt whatever child the agencies had available. The racially mixed child was an acceptable alternative to many (Ladner, 1977, pp. 63-70).

However, in the earlier stages of the adoption movement, (and as recent as 1975) one must remember that the qualifying criteria for adoptive parents were quite stringent. Alfred Kadushin’s text on child welfare services, which is used extensively in the training and socialization of prospective social workers, spelled out the usual requirements agencies have maintained for adoptive parents and, once again, a very specific picture emerges:
1. Married couples between thirty-five and forty-five.
2. Can supply medical proof of infertility and are in good health.
3. Generally has a religious affiliation.
4. Has financial stability.
5. Emotionally healthy.
6. Must have adjusted to sterility and have a happy marriage.

When a "hard to place" (child of color, older child, handicapped child) child is considered for adoption, however, Kadushin describes an accommodation which takes place between the adoptive applicant who fails to meet some of the generally accepted eligibility requirements and the social worker who is trying to place a child with special needs. "Typically an applicant usually prefers to adopt a healthy, normal, white infant...He recognizes that because he is over 40 years of age, or because he is in poor health, or because his wife is a member of a different religious faith, the social worker will probably consider him a marginally eligible applicant. In objectively appraising the chances to adopt a child who possesses the ideal qualities, the applicant comes to realize that in all probability a 'less desirable' child will be offered to him...His willingness to compromise may be thought of as an expression of his desire to compensate for his marginal eligibility." Kadushin refers to agencies' views that securing homes for "hard-to-place" children entailed a "regression from ideal standards (Hartman, 1979, pp. 17-22).

If Kadushin's description can be considered valid, then the quality of many white parents adopting African American children clearly is not the quality of white parent approved for adopting white children, an obvious double standard. The unmet need of the many minority children who are eligible for adoption might suggest that minority communities are unresponsive to waiting children (Mason, 1985, p. 84). However, other considerations and a closer analysis will result in very different conclusions.

First, African-American adoption has, historically, been a matter of what Hill calls "informal" adoption, whereby, a child is taken into a home are reared as one's own child, except that it is never formalized in the courts. Because this practice was without legal sanction, and thus was never entered as an adoption statistic, the myth arose in this society that African-Americans do not adopt. The fact is, although African-Americans adopted in large numbers, the practice of legal adoption is still a relatively new phenomenon for many African-Americans, especially the working class.

To further dispel the myth that African-Americans do not adopt, Hill conducted a study for the National Urban League which produced profound revelations. He reported that, "Each year African American Families demonstrate their ability to "adopt" children with a placement rate more than ten times that of formal adoption agencies. Hill also found that for the year of 1968, for all the African-American children adopted, some 90 percent were adopted by the formal method (the comparable number for whites was 7 percent) (Ladner, 1977, pp. 72-77).
Other studies indicate that when family composition, income, and age are the same, African Americans adopt at a rate 4.5 times greater than the white or Hispanic community (Gershenson, 1984, p. 2).

This lends support to the conclusion that the informal adoption tradition still persists. The fact that adoption agencies do not carry out a brisk business in placing children in African American homes should not be used as documentation for the myth that African Americans do not adopt (Ladner, 1977, pp. 76-77).

As earlier indicated, the major problem impeding placement of African American children with African American families is a lethargic child welfare system which is unresponsive to the needs of African American families.

The restrictive, adoptive parent eligibility criteria, and financial limitation, are primary barriers to inracial adoptions. Significant research comments regarding these barriers include:

1. Although adoption subsidies have become available in recent years, they frequently are inadequate to help low and moderate income persons with potential adoptive child rearing needs.

2. If older (above 55) parents have traditionally served as informal adoptive parents, then why can they not routinely be approved as formal adoptive parents?

3. Blood relatives are not actively recruited and offered subsidies to adopt a child, an omission that defies all logic (Children’s Defense Fund).

4. African American adoptions of healthy African American infants have not remained a problem where there have been creative attempts to work with and educate the African American community attempts to work with and educate the African American community regarding adoption needs. Innovative recruitment techniques on behalf of older and handicapped African American youngsters must be strengthened.

5. Why are African American infants allowed to develop unhealthy attachments to foster parents—particularly white ones—without provision for timely return to their natural families or African American adoptive families?

6. Finally, the one parent family has become a reality in the African American community. There are some very positive developments coming from this phenomenon. Concurrently, as the following paragraph will briefly discuss, there are many single childless African American adults who’d make splendid adoptive parents.
The attenuated nuclear family, more commonly known as the one parent family, is a viable structure within the African-American culture, mother or father with children living together. However, there are some factors that affect African-Americans that have little or no impact on Anglos. The sex ratio between African-American men and women also contributes to the large number of female-headed households. In the age range of greatest marriageability, 25 to 64, there are about 45 African American males for every 100 African American females. The abnormally high mortality rate for African American males of a marriageable age or younger, owing to the affects of ghetto living, contributes to the number of single parent households. The economic factor is a major reason for single parent families among low income African Americans. Some men must leave so their wives and children can receive financial support.

Owing to poverty and racism, an unusually high percentage of African American males are in prison, which removes them from the family scene. African American families also lost an unusually high number of African American males during the Vietnam War. African American casualties accounted for 23 percent of all deaths related to African Americans constitute 11 to 12 percent of the total American population.

Births out of wedlock account for a number of single parent African American families: however, it is significant that recently there has been a steady decline in the out-of-wedlock births of African American women, while the rate among whites has shown a steady increase.

The greatest problem for parents and children living in female-headed homes is one of economics. Although it is commonly believed that dependency is characteristic of most of these families, only half of them receive welfare assistance. Thus, the majority are not completely dependent on welfare. Recent census data indicate that three fifths of the women heading African American families work (most of them work full-time), although 60 percent of them are poor. In spite of their determination to work and support their families, economics remain a crucial concern of single parents.

The average African-American household had 3.3 persons in 1975. Although African-American women have the highest birthrate, our family size has been on the decline. Few people are aware that childlessness is higher among African-American couples than white couples. Also, African-American middle-class women have the lowest birth rate among all women. Middle-class women perceive a direct link between large families and low income. These women have to stay in the labor force to maintain their middle-class status (Greathouse & Miller, 1981, pp. 76-77).

It would seem that single African American women and men, given proper subsidy and supplemental support services, would make excellent adoptive parents and should be creatively recruited as such.

Although many white families applying to adopt African American children probably can provide loving homes and parenting skills, none of them can fulfill African American children's need to feel positive about their African-American identity.
Helping a child learn strategies to deal with racism and the negative feelings about being African American that racism incurs is very helpful. With such preparation, African American children are able to have positive feelings about themselves when growing up in very racist environments, while those without it often can't have a high level of self-esteem. Further, the need to preserve our culture and community springs from a desire to maintain a real and psychological place, belonging only to African Americans, where we are accepted, respected, and protected (Comer & Poussaint, 1975, pp. 12-24).

These statements tend to support the separate observations of Porter, McAdoo, and Cross. They suggest self-esteem and racial self-perception may operate independently in African American adopted children. A positive sense of racial identity seems, from this study, more difficult in transracial than in inracial adoption (McRoy, 1982, p. 526).

Day estimated in 1979 that over fifteen thousand African American children had been placed with white adoptive families (McRoy, 1982, p. 522). Those kind of statistics are alarming and disconcerting when one attempts to project the difficulties of a African American child.

Ladner warns that white parents who adopt African American youngsters must also be willing and able to identify not only with their African American children but also with African Americans generally. They cannot be permitted to isolate their child and view him or her or her as "different" from other African Americans, but rather they must perceive their child to be an extension of African Americans.

To adopt a African American child means that these parents have forfeited their rights to be regarded as a "white" family. They cannot try to continue to fit the role of the idealized white middle-class nuclear family who happens to have a African American adopted child. Therefore, they will never be able to successfully retreat into their previously protected all white enclaves without risking psychological harm to the child, to their biological children, and to themselves.

In the face of the above admonishment, NABSW does not believe the most sensitive, loving and skilled white parent could avoid doing irreparable harm to a African American child.

During the course of evolving from an infant to an adult, every child goes through the maturation process. All young people are at certain times in their lives influenced by parents and/or other important adults. However, it is during the crucial teenage years that youngsters tend to value the opinions and influence of their peers as much, if not more than significant adults.

It is important for this discussion that we assess what a African American teenager can expect from white peers, irrespective of who his parents are. One study by Glock et. al., germane to this discussion, attempted to measure white (non-Jewish) teenager perceptions of African American teenagers. The study was done simultaneously in three U.S. median to large size
cities with significant, but not majority African American populations. The findings are quite interesting.

The white, non-Jewish teenagers were presented battery of stereotypes, purported to be descriptive of African Americans. They were then asked to report the extent of their agreement with each stereotype, half of the sample being told to do so having a African American teenager in mind and the other matched half being instructed to answer with reference to African Americans in general. There were minor differences in response depending upon the referent. For purposes of brevity, consider the response only of that half of the sample who answered with African American teenagers as the referent.

As can be seen in Table 1 on the next page, white non-Jewish teenagers show a marked proclivity to accept rather than to reject negative attributions about their African American peers. Of 14 stereotypes worded in an outrightly negative way (as indicated by the *), 10 were accepted by a majority in Commutertown, seven in Oceanville, and 10 in Central City. Immorality, troublemaking, gaudiness, and vanity are the charges most frequently leveled against African American teenagers. The only negative stereotypes receiving negligible support (if acceptance from 20 percent to 22 percent can be so classified) are that African Americans are sly and too powerful.
### Table 1

**ACCEPTANCE OF STEREOTYPES OF AFRICAN-AMERICAN TEENAGERS BY WHITE NON-JEWISH ADOLESCENTS**

<table>
<thead>
<tr>
<th>Stereotypes (accepted by 50% or more)</th>
<th>Commutertown %</th>
<th>Oceanville %</th>
<th>Central City %</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Troublemaker</em></td>
<td>Athletic 90</td>
<td>Athletic 93</td>
<td>Athletic 89</td>
</tr>
<tr>
<td><em>Gaudy</em></td>
<td>78</td>
<td><em>Gaudy</em> 75</td>
<td><em>Gaudy</em> 74</td>
</tr>
<tr>
<td><em>Untrustworthy</em></td>
<td>71</td>
<td><em>Untrustworthy</em> 63</td>
<td><em>Untrustworthy</em> 50</td>
</tr>
<tr>
<td><em>Bossy</em></td>
<td>62</td>
<td><em>Bossy</em> 64</td>
<td><em>Bossy</em> 61</td>
</tr>
<tr>
<td><em>Sloppy</em></td>
<td>59</td>
<td><em>Sloppy</em> 62</td>
<td><em>Sloppy</em> 64</td>
</tr>
<tr>
<td><em>Selfish</em></td>
<td>58</td>
<td><em>Selfish</em> 40</td>
<td><em>Selfish</em> 58</td>
</tr>
<tr>
<td><em>Quitter</em></td>
<td>56</td>
<td><em>Quitter</em> 54</td>
<td><em>Quitter</em> 58</td>
</tr>
<tr>
<td><em>Conceited</em></td>
<td>54</td>
<td><em>Conceited</em> 50</td>
<td><em>Conceited</em> 57</td>
</tr>
<tr>
<td></td>
<td><em>Unfriendly</em> 48</td>
<td><em>Unfriendly</em> 42</td>
<td><em>Unfriendly</em> 49</td>
</tr>
<tr>
<td></td>
<td>Religious 35</td>
<td><em>Friendly</em> 40</td>
<td><em>Friendly</em> 37</td>
</tr>
<tr>
<td></td>
<td>School spirit 48</td>
<td><em>Pushy</em> 44</td>
<td>School spirit 40</td>
</tr>
<tr>
<td></td>
<td>Religious 39</td>
<td><em>Powerful</em> 45</td>
<td><em>Powerful</em> 36</td>
</tr>
<tr>
<td></td>
<td><em>Conceited</em> 37</td>
<td><em>Powerful</em> 39</td>
<td><em>Powerful</em> 34</td>
</tr>
<tr>
<td></td>
<td>Intelligent 33</td>
<td><em>Sly</em> 32</td>
<td><em>Sly</em> 32</td>
</tr>
<tr>
<td>Minority Stereotypes (accepted by less than 25%)</td>
<td>Intelligent 24</td>
<td>Ambitious 20</td>
<td>Ambitious 26</td>
</tr>
<tr>
<td><em>Powerful</em></td>
<td>22</td>
<td><em>Sly</em> 15</td>
<td><em>Sly</em> 32</td>
</tr>
<tr>
<td><em>Sly</em></td>
<td>20</td>
<td><em>Powerful</em> 9</td>
<td><em>Powerful</em> 36</td>
</tr>
<tr>
<td>Ambitious</td>
<td>14</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Mean Proportion accepting outrightly negative stereotypes**

- Commutertown: 56%
- Oceanville: 49%
- Central City: 64%

This strong tendency to accept negative attributions is combined with an almost equal inclination to reject positive ascriptions. A majority in all three communities acknowledge African-American athletic prowess, but otherwise, positive ascriptions are rejected about as frequently as negative ones are accepted.
More specifically, labels such as troublemakers, sloppy and quitters are applied to African-Americans by more than half of the respondents. Teenagers were asked both how they would feel about interacting with "a student in the college preparatory program who is African-American and is getting B's" and with "a student in the vocation program who is African-American and is getting failing grades." The only form of interaction rejected by a majority is having a successful African-American peer date one's sibling. A sizable minority are unwilling to countenance even such activities as working on the same committee, belonging to the same social club, and having a African-American teenager home to dinner.

Table 2

SOCIAL DISTANCE TO A HIGH-STATUS AFRICAN-AMERICAN TEENAGER
AMONG WHITE NON-JEWISH ADOLESCENTS

<table>
<thead>
<tr>
<th></th>
<th>COMMUTERTOWN</th>
<th>OCEANVILLE</th>
<th>CENTRAL CITY</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rank</td>
<td>%</td>
<td>Rank</td>
</tr>
<tr>
<td>Date sibling</td>
<td>56.2</td>
<td>1</td>
<td>55.3</td>
</tr>
<tr>
<td>On same committee</td>
<td>32.9</td>
<td>2</td>
<td>40.8</td>
</tr>
<tr>
<td>Home to dinner</td>
<td>32.2</td>
<td>3</td>
<td>28.9</td>
</tr>
<tr>
<td>As close friend</td>
<td>31.2</td>
<td>4</td>
<td>31.9</td>
</tr>
<tr>
<td>Member of same</td>
<td>29.9</td>
<td>5</td>
<td>33.3</td>
</tr>
<tr>
<td>Club as speaking</td>
<td>17.7</td>
<td>6</td>
<td>11.3</td>
</tr>
<tr>
<td>Acquaintance</td>
<td>11.3</td>
<td>7</td>
<td>11.6</td>
</tr>
<tr>
<td>To lunch</td>
<td>10.9</td>
<td>8</td>
<td>12.9</td>
</tr>
<tr>
<td>Sit next to in</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Class</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>At party</td>
<td>10.4</td>
<td>9</td>
<td>11.3</td>
</tr>
<tr>
<td>N=</td>
<td>(388)</td>
<td></td>
<td>(300)</td>
</tr>
<tr>
<td>Mean=</td>
<td>25.9</td>
<td></td>
<td>26.4</td>
</tr>
</tbody>
</table>

(Glock, Wutynow, et. al., 1975 pp. 133-139)

In summary, it is incredibly difficult to imagine any rationale that would justify white continued efforts to compete with African Americans for the adoption of African American children. With just scant research and a normal curiosity, one can dispel the myth that African-Americans are not interested in or exist in placement of African-American children with African-American parents is unquestionably the least restrictive family atmosphere for the African American child. The real assistance African Americans need in this regard is help in restructuring an antiquated child welfare system which routinely reeks havoc upon African American families and children.
CONCLUSION

The child welfare system has reluctantly and ineffectively served the needs of African-Americans and poor people, and has used substitute care and out-of-home placements as finite approaches for serving children. Moreover, services to children and to parents have been delivered as if they were separate and distinct entities. Thus, the child welfare system itself has been, and continues to be, a prime perpetrator of family fragmentation.

Unfortunately, there will probably always be a need to use out-of-home placements and substitute parental care. However, NABSW is in full accord with the U.S. Adoption and Child Welfare Act of 1980 which encourages "permanency planning" with family preservation as a primary goal and substitute care as a last resort. Further, when out-of-home placements are required, NABSW believes that permanent homes for children be quickly identified and made available as soon as possible.

Additionally, the Association believes it is imperative that African American children be placed with African American parents when substitute parents are required because this is the "least restrictive" (less limiting) family situation for African-American children.

An analysis of data clearly supports the assumption that family preservation and re-unification are the most effective and economical approaches for helping children. When a family can be assisted to remain intact, the children stand to benefit more than if they are removed from the home. Furthermore, in the vast majority of cases, the cost of assisting a troubled family to remain permanently together is less costly than alternatives such as foster care and institutional placements. Importantly, data indicates that family-centered, home-based services are successful in helping the most troubled families, particularly drug addicted families.

NABSW is not alone, or even first, in its resolve that the child welfare system examine and alter its emphasis from out-of-home placement, to family preservation and reunification. The Association fully realizes that intensive planning efforts and shifts of resources will be required. Yet, this is essential because the current system, in addition to being unnecessarily costly, is breaking-up families and frustrating workers.

In order to adopt a family preservation goal of permanency planning, NABSW believes the system must adopt a home-based concept of service delivery to assist families who are experiencing difficulties. Such services must be family-oriented and community-based. Essential to the success of this concept is education, cooperation and commitment from the legal system and the child welfare system.

When annually there are more than 100,000 African American children and 400,000 non-African American children in America in foster care, the need for change is evident. Responsible citizens who are concerned about families and care about children have an obligation to create humane systems that support families rather than destroy them. For those who understand the challenges brought to light in this document and are compelled to action, NABSW recommends that the following efforts be actively pursued:
* CHANGE THE CHILD WELFARE SYSTEM BY PLANNING AND SUBSEQUENTLY IMPLEMENTING A MAJOR SHIFT FROM CHILD REMOVAL TO FAMILY PRESERVATION AND REUNIFICATION USING A FAMILY-FOCUSED, HOME-BASED CONCEPT OF SERVICES DELIVERY. THIS WILL BE REQUIRE A TRANSITION OF RESOURCES AND RETRAINING OF ALL PERSONNEL -- MANAGEMENT, ADMINISTRATION, SUPERVISORY AND DIRECT SERVICE EMPLOYEES.

* ADVOCATE FOR THE AMENDMENT OF PL 95-608, THE INDIAN CHILD WELFARE ACT, TO INCLUDE NABSW'S PROPOSED LEGISLATION -- THE NATION AFRICAN AMERICAN HERITAGE CHILD WELFARE ACT -- OR SIMILAR LEGISLATION.

* EDUCATE PERSONS IN THE LEGAL SYSTEM -- IN PARTICULAR THE COURTS -- IN ADHERING TO THE 1980 U.S. ADOPTION AND CHILD WELFARE ACT WHICH PROMOTES "PERMANENCY PLANNING" WITH FAMILY PRESERVATION AS A PRIMARY GOAL AND SUBSTITUTE CARE AS A LAST RESORT.

* ESTABLISH LOCAL COMMITTEES OF LAY AND PROFESSIONAL PERSONS FROM THE AFRICAN AMERICAN COMMUNITY TO INSURE THAT STATES ARE COMPLYING AND CARRYING OUT ALL REASONABLE EFFORTS IN PLACING AFRICAN AMERICAN CHILDREN WITH AFRICAN AMERICAN FAMILIES WHEN REMOVAL FROM A NATURAL FAMILY IS NECESSARY.

* INSURE THAT THE BEST INTERESTS OF THE CHILD ARE MET BY REQUIRING DUE CONSIDERATION OF A CHILD'S RACE OR ETHNIC HERITAGE IN SUBSTITUTE CARE PLACEMENT.

* ENCOURAGE AND SUPPORT COOPERATIVE WORKING AGREEMENTS BETWEEN THE LEGAL SYSTEM AND THE CHILD WELFARE SYSTEM THAT PROVIDE EXPEDITIOUS SERVICES, DUE PROCESS AND THE DEVELOPMENT OF PERMANENCY PLANNING FOR AFRICAN-AMERICAN CHILDREN.
* ADVOCATE FOR INCREASED FUNDING FOR EARLY INTERVENTION, FAMILY-CENTERED, HOME-BASED SERVICES AND DRUG PREVENTION AND TREATMENT PROGRAMS AS PART OF A COMPREHENSIVE CONTINUUM OF CARE FOR FAMILIES.

* DEVELOP AND SUPPORT POLICIES AND PRACTICES THAT REDUCE OR ELIMINATE BARRIERS TO KINSHIP PLACEMENTS, AND PROVIDE TRAINING FOR CHILD WELFARE PROFESSIONALS ON THE USE OF KINSHIP AND OTHER MODELS TO SUPPORT CHILDREN IN THEIR EXTENDED FAMILIES.

The National Association of Black Social Workers, Inc., stands resolute in its efforts to preserve, reunite and strengthen African-American families. At its 23rd annual conference in Atlanta, Georgia, NABSW will launch a first-of-its-kind national family preservation strategy with African Americans from across the country. Importantly, NABSW will serve as an information clearinghouse, building on the knowledge and experience of its affiliate chapters, about what works in the treatment of African-American families, particularly where substance abuse is an issue.
APPENDIX A

FACTS IMPACTING AFRICAN AMERICAN CHILD OUT-OF-HOME PLACEMENTS
FACTS IMPACTING AFRICAN AMERICAN CHILD OUT-OF-HOME PLACEMENTS

* The number of American children decreased by one million between the early 1960s and mid 1980s.

* The foster care population is estimated to have risen from a low of 241,900 in 1960, to 502,000 in 1977. From 1980 to 1985, the foster care population declined by 9 percent, yet rose again by 23 percent by 1988.

* Nearly 500,000 children are in out-of-home placement, and, if the growth trend continues, 840,000 children will be in out-of-home placement by 1995.

* During 1982, at least 425,000 children passed through the foster care system.

* Approximately 1/5th of all foster children, having been released from placements, re-enter the system within one year of discharge.

* The percentage of children remaining in out-of-home care for more than four years is 38 for American Indians, 34.6 for African American children, 32 for Hispanic children and 17.7 for white children (Gershenson, 1983).

* The proportion of African American children in the foster care system has been steadily increasing since 1981. In June, 1981, 47 percent of all children in foster care were African American. In June, 1990, 52 percent were African American.

* Of the half million children now in foster care nationwide, 100,000 have been there for over six years (Center for Analysis of Public Issues, 1982).

* 65.4 percent of the children in care less than one year and 46.5 percent of children in care five or more years were white. Conversely, 34.6 percent of the children in care less than one year and 53.5 percent of those in care five or more years were minority children (Jenkins, 1983, p. 43).

* African American children are more likely than white children to live without or away from their families.

* The estimated median time in care for all children and for all minority children was twenty-five months, but for African American children it was thirty-two months and for white children it was twenty months. Thus, on the average, African American children were in care a year more than were white children (Jenkins, 1983, p. 43).
One study showed that in December, 1982, African American children were:

1. 14 percent of the child population
2. 25 percent of the foster care population
3. 37 percent of the children who were free for adoption who had not been placed
4. African American children are believed to have the highest out-of-home placement rate--9.5 per thousand compared with 3 per thousand for white children (Mason, 1985, pp. 84-85).

One study indicated that two subgroups, Hispanic children aged 6 and younger and African American children aged 7 and older are especially at risk of being neglected by the system (Close, 1983, p. 19).

In 1990 all foster children made an average of 2.7 moves in placements.

Between 1982-1989 the number of children in foster care who are six years and under increased 36 percent; of that number, the largest increase was in African American children under six (82.9 percent) 82.9 percent for African American children and 46.3 percent for White children.

Children over the age of 11 are more likely to be waiting for an adoptive placement than children under the age of 11 (Maza, 1983, p. 1).

The overwhelming majority of children in foster care reside in foster family homes, about 70% (Gershenson, 1983).

More than 4 out of every 5 white children live in two-parent families; less than half of all African American children do.

The 1987 median family income of African American Families—both intact and single parent—was slightly more than half that of white families (Edelmen, 1980).

In 1977, 37% of the African American children as compared to 54% of the white children free for adoption were placed in adoptive homes. Both figures decreased in 1982 with 25% of the African American children and 39% of the white children free for adoption placed in adoptive homes (Gershenson, 1984).

The public child welfare agencies primarily place children in two-parent families in which the mother is less than 55 and the family income is above the poverty standard. Examination of this population suggest the following:

- 18 African American children were adopted per 10,000 African American families,
- 4 white children were adopted per 10,000 white families, and
3 Hispanic children were adopted per 10,000 Hispanic families.

The above indicates that the African American community is adopting children from public child welfare agencies at a rate of 4.5 times greater than the white or Hispanic community when family composition, income, and age are the same.

When a comparison of the African American, white or Hispanic community is made relative to the increased effort necessary by the community to place the children waiting for adoptive homes into such homes, the following would be required:

- The African American community would have to increase its effort by 144% from 18 to 44 children per 10,000 African American families,

- The white community would have to increase its effort by 50%, from 4 to 6 children per 10,000 white families, and

- The Hispanic community would have to increase its effort by 100%, from 3 to 6 children per 10,000 Hispanic families (Gershenson, 1984)
APPENDIX B

A PROPOSED NATIONAL AFRICAN AMERICAN HERITAGE CHILD WELFARE ACT
A PROPOSED NATIONAL AFRICAN AMERICAN HERITAGE CHILD WELFARE ACT

Relating to child welfare; providing guidelines for considering race and ethnic origin in foster care and adoption placement; requiring recruitment, periodic review, reporting, and recordkeeping; proving for a monitoring body; amending P.L. 95-603 (Indian Child Welfare Act, Section 105 and Section 106 11/08/78).

BE IT ENACTED BY THE LEGISLATURE OF THE UNITED STATES OF AMERICA that the Indian Child Welfare Act herein, is amended to include the National African American Heritage Child Welfare Act; to read:

Section 1 RECORDS REQUIRED

Each person or authorized child placing agency permitted by the law to receive children, secure homes for children, or care for children, shall keep a record containing the name, age and former residence, legal status, health records, sex, race, ethnicity and accumulated length of time in foster care, if applicable, of each child received; the name, former residence, occupation, health history, and race, ethnicity, character, of each genetic parent; the date of reception, placing out, and adoption of each child, and the name, race, occupation and residence of the person with whom a child is placed; the date of the removal of any child to another home and the reason for removal; the date of termination of the guardianship; the history of each child until he reaches the age of 18 years, is legally adopted, or is discharged according to the law, and further demographic and other information as is required by the commissioner of public welfare.

Section 2 AUTHORIZED CHILD PLACING AGENCY DEFINITION

DEFINITION

For the purposes of chapters "authorized child placing agency" means the local social service agency under the authority of the county welfare board or human service board, or any agency licensed by the commissioner of child welfare or a comparable authority in the state of United States, to place children for foster care or adoption

Section 3 PROTECTION OF HERITAGE OR BACKGROUND

The authorized child placing agency shall ensure that the child’s best interests are met by giving due consideration of the child’s race or ethnic heritage in making a family foster care placement. The authorized child placing agency shall place a child, released by court order or by voluntary release by the parent or parents, in a family foster home selected by following the preferences described in Section 12.
Section 4 SIX MONTH REVIEW OF PLACEMENTS

There shall be an administrative review of the case plan of each child placed in a residential facility no later than 180 days after the initial placement of the child in a residential facility and at least every six months thereafter if the child is not returned to the home of his parent or parents within that time.

Section 5 ANNUAL FOSTER CARE REPORT

The commissioner or a comparable authority of child welfare shall publish annually a report on children in residential facilities. The report shall include, by county and statewide, information on legal status, living arrangement, age, sex, race, ethnicity, accumulated length of time in foster care, and other demographic information deemed appropriate on all children placed in residential facilities. The report shall also state the extent to which authorized child placing agencies comply with Sections 6 and 11 and include descriptions of the methods used to comply with those sections.

Section 6 RECRUITMENT OF FOSTER FAMILIES

Each authorized child placing agency shall make special efforts to recruit a foster family from among the child’s relatives, except as authorized in Section 12, and among families of the same minority racial, or minority ethnic heritage. Special efforts include contacting and working with community organizations and religious organizations, utilizing local media and other local resources, and conducting outreach activities. The agency may accept any gifts, grants, offers of services, and other contributions to use in making special recruitment efforts. These efforts are to be reviewed by a monitoring body as authorized in Section 16.

Section 7 PROTECTION OF HERITAGE OR BACKGROUND

The intent of this section is to ensure that the best interests of the child are met by requiring due consideration of the child’s minority race or minority ethnic heritage in adoption placements. For purposes of inter-country adoptions, due consideration is deemed to have occurred if the appropriate authority in the child’s country of birth has approved the placement of the child.

The authorized child placing agency shall give preference in the absence of good cause to the contrary, to placing the child with (a) a relative or relatives of the child, or if that would be detrimental to the child or a relative is not available, (b) a family with the same racial or ethnic heritage as the child, or, if that is not feasible, (c) a family of different racial or ethnic heritage from the child which is knowledgeable and appreciative of the child’s racial or ethnic heritage and has on-going contact with others of the child’s ethnic or racial background.

If the child’s genetic parent or parents explicitly request that the preference described in clause (a) or clauses (b) and (b) not be followed, the authorized child placing agency shall honor that request consistent with the best interests of the child.
If the child’s genetic parent or parents express a preference for placing the child in an adoptive home of the same or a similar religious background so that of the genetic parent or parents, in following the preferences in clause (a) or (b), the agency shall place the child with a family that also meets the genetic parent’s religious preference. Only if no family is available that is described in clause (a) or (b) may the agency give preference to a family described in clause (c) that meets the parent’s religious preference.

Section 8 COMMISSIONER’S DUTIES

Upon the filing of a petition for adoption of a child the clerk of court shall immediately transmit a copy of the child welfare. The commissioner or a comparable authority shall verify the allegations of the petition, investigate the conditions and antecedents of the child for the purpose of ascertaining whether he is a proper subject for adoption, and make appropriate inquiry to ascertain whether the proposed foster home and the child are suited to each other and whether the proposed foster home meets the preferences described in Section 10. The report of the county welfare board submitted to the commissioner of child welfare bearing on the suitability of the proposed foster home and the child to each other shall be confidential, and the records of the county welfare board or the contents thereof shall not be disclosed either directly or the contents thereof shall not be disclosed either directly or indirectly to any person other than the commissioner or comparable authority of child welfare or a judge of the court having jurisdiction of the matter. Within 90 days after the receipt of said copy of the petition the commissioner or comparable authority shall submit to the court a full report in writing with his recommendations as to the granting of the petition. If such report is not returned within the 90 days, without fault of petitioner, the court may hear the petition upon giving the commissioner or comparable authority five days notice by mail of the time and place of the hearing. If such report disapproves of the adoption of the child, the commissioner or comparable authority may recommend that the court dismiss the petition.

Section 9 ADOPTION AGENCIES

If the child to be adopted has been committed to the guardianship of an agency, or if the child has been surrendered to an agency pursuant to Section 7 the court, in its discretion, may refer the adoption petition to such agency, or, if the adopting parent has a step-parent relationship to the child, to the county welfare depart of the child welfare department, within 90 days of receipt of a copy of the adoption petition, shall file with the court a report of its investigation of the environment and antecedents of the child to be adopted and of the home of the petitioners and its determination whether the home of the petitioners meets the preferences described in Section 10. If such report disapproves of the adoption of the child, the agency or county child welfare department may recommend that the court dismiss the petition.

Section 10 HEARING DEGREE

Upon the hearing, (a) if the court finds that it is in the best interests of the child that the petition be granted, a decree of adoption shall be made and recorded in the office of the clerk of court ordering that henceforth the child shall be the child of the petitioner. In the decree the court may change the name of the child if desired.
After the decree is granted the clerk of court shall immediately mail a copy of recorded decree to the commissioner or comparable authority of child welfare; (b) if the court is not satisfied that the proposed adoption is in the best interests of the child, the court shall deny the petition, and shall order the child returned to the custody of the person or agency legally vested with permanent custody or certify the case for appropriate action and disposition to the court having jurisdiction to determine the custody and guardianship of the child.

**Subdivision 2 PROTECTION OF HERITAGE OR BACKGROUND**

The intent of this section is to ensure that the best interests of children are met by requiring due consideration of the child’s minority race or minority ethnic heritage in adoption placements. For purposes of inter-country adoptions due consideration is deemed to have occurred if the appropriate authority in the child’s country of birth has approved the placement of the child.

In the adoption of a child of minority racial or minority ethnic heritage, in reviewing adoptive placement, the court shall consider preference, and in determining appropriate adoption, the court shall give preference, in the absence of good cause to the contrary, to (a) a relative or relatives of the child, or, if that would be detrimental to the child or a relative is not available, to (b) a family with the same racial or ethnic heritage as the child, or if that is not feasible, to (c) a family of different racial or ethnic heritage from the child that is knowledgeable and appreciative contact with others of the child’s ethnic or racial background.

If the child’s genetic parent or parents explicitly request that the preference described in clause (a) or in clauses (a) and (b) not be followed, the court shall honor that request consistent with the best interests of the child.

If the child’s genetic parent or parents express a preference for placing the child in an adoptive home of the same or a similar religious background to that of the genetic parent or parents, in following the preferences in clause (a) or (b), the court shall place the child with a family that also meets the described in clause (a) or (b) may the court give preference to a family described in clause (c) that meets the parent’s religious preference.

**Section 11 FAMILY RECRUITMENT**

Each authorized child placing agency shall make special efforts to recruit an adoptive family from among the child’s relatives, except as authorized in Section 10, Subdivision 2, and among families of the same minority racial or minority ethnic heritage. Special efforts include contacting and working with community organizations and religious organizations, utilizing local media and other local resources, and conducting outreach activities. The agency may accept any gifts, grants, offers of services, and other contributions to use in making special recruitment efforts.

**Section 12 PROTECTION OF RACIAL OR ETHNIC HERITAGE, OR RELIGIOUS AFFILIATION**

The intent of this section is to ensure that the best interests of children are met by requiring due consideration of the child’s minority race or minority ethnic heritage in foster care placements.
The court, in transferring legal custody of any child or appointing a guardian for the child under the laws relating to juvenile courts, shall place the child in the following order of preference, in the absence of good cause to the contrary, in the legal custody or guardianship of an individual who (a) is the child’s relative, or if that would be detrimental to the child or a relative is not available, who (b) is of the same racial or ethnic heritage as the child, or if that is not possible, who (c) is knowledgeable and appreciative of the child’s racial or ethnic heritage and has on-going contact with others of the child’s racial or ethnic heritage. The court may require the county child agency to continue efforts to find a guardian of the child’s minority racial or minority ethnic heritage when such a guardian is not immediately available.

If the child’s genetic parent or parents explicitly request the preference described in clause (a) or in clauses (a) and (b) not be followed, the court shall honor that request consistent with the best interests of the child.

If the child’s genetic parent or parents express a preference for placing the child in a foster or adoptive home of the same or a similar religious background to that of the genetic parent or parents, in following the preferences in clause (a) or (b), the court shall order placement of the child with an individual who meets the genetic parent’s religious preference. Only if no individual is available who is described in clause (a) or (b) may the court give preference to an individual described in clause (c) who meets the parent’s religious preference.

Section 13 DISPOSITIONS

If the court finds that the child is neglected, dependent, or neglected and in foster care, it shall enter an order making any of the following dispositions of the case:

A. Place the child under the protective supervision of the county child welfare board or child placing agency in his own home under conditions prescribed by the court directed to the correction of the neglect or dependency of the child.

B. Transfer legal custody to one of the following:
   1. A child placing agency; or
   2. The county child welfare board;

C. If the child is in need of special treatment and care for his physical or mental health, the court may order the child’s parent, guardian, or custodian fails to provide this treatment or care, the court may order it provided.

Subdivision 1aWRITTEN FINDINGS

Any order for a disposition authorized under this section shall contain written findings of fact to support the disposition ordered, and shall also set forth in writing the following information:

A. Why the best interests of the child are served by the disposition ordered; and
B. What alternative dispositions were considered by the court and why such dispositions were not appropriate in the instant case; and

C. In the case of a child of minority racial or minority ethnic heritage, how the court's disposition complies with the requirements of Section 12.

Section 14 DISPOSITIONS; VOLUNTARY FOSTER CARE PLACEMENTS

Upon a petition for review of the foster care status of a child, the court may:

A. Find that the child's needs are being met and that the child's placement in foster care is in the best interests of the child, in which case the court shall approve the voluntary arrangement. The court shall order the social service agency responsible for the placement to bring a petition as appropriate, within two years if court review was pursuant to Section 5, or within one year if court review was pursuant to Section 5.

B. Find that the child's needs are not being met, in which case the court shall order the social service agency or the parents to take whatever action is necessary and feasible to meet the child's needs, including, when appropriate, the provision by the social service agency of services to the parents which would enable the child to live at home, shall order an administrative review of the case again within six months and a review by the court within one year.

C. Find that the child has been abandoned by his parents financially or emotionally, or that the developmentally disabled child does not require out-of-home care because of the handicapping condition, in which case the court shall order the social service agency to file an appropriate petition.

Section 15 PROTECTION OF HERITAGE OR BACKGROUND

In ordering guardianship and transferring legal custody of the child to an individual under this section, the court shall comply with the provisions of Section 12.

Section 16 MONITORING BODY

A Monitoring Body, or board composed of lay and professional persons from the African American community will be established for the purpose of insuring State agency compliance with the intent of this law regarding the placement of African American children. This body will review those cases in which the Department had demonstrated an inability to find African American families, in order to ascertain whether special efforts, as determined in this law, have been met. The body has the authority to refer cases back to the Department for further action, in the event that a finding of inadequate effort has been made. The body is not responsible for recruitment of homes.
I. Selection:
   A. Appointment to a Statewide board should be made by the Governor of the Commonwealth or State
   B. Board Composition
      The board should consist of 12 individuals, 3/4 of which should be people of color
   C. The individuals serving on the board should be representatives of community people and Human Service professionals.

1. Four of the 12 slots should be filled with community people. Community people here are defined as individuals who have demonstrated an interest in minority children and families. Such individuals themselves should be from areas which are heavily populated with minorities. In essence community people here refer to ethnic and cultural groups which are the victims of discrimination.

2. The eight remaining seats should be filled by Human Service professions.
   A. Human Service professions are defined here as clergy, medical, social service, mental health, substance abuse, legal, educational, and outreach personnel.
   B. No more than two Human Service professionals should be active employees of the Child Welfare System.

3. Supportive Staff
   A. In addition to selection of the board, the Governor should assign supportive staff of the board.
   B. Supportive staff duties:
      1. coordinate meetings
      2. Keep and disseminates recordings of meetings.

II. Guidelines
   A. Status of board members
      1. All board members are to serve on a voluntary basis
      2. Length of service
      3. Each board member should serve either 2-2 year or 2-3 year term, neither of which should exceed two terms.
      4. Determination of the length of time served should be made on a random basis, either by selecting names or alphabetically.
   B. Meetings

      Meetings will convene 6 times a year (by-monthly)
C. Training

The National Association of Black Social Workers will be responsible for the development of a training package designed to inform the board of the significance of placing a child as the law is written.

D. Duties

The board is designed to primarily insure that the law is carried out.

Section 17 RULEMAKING

The commissioner or a comparable authority of child welfare shall promulgate rules to implement the provisions of Sections 1 to 9 and 11 and to coordinate foster care and adoption services in order to facilitate referral of children from foster care into adoptive placement where eventual return of the child to the child's genetic parent or parents is unlikely or would be detrimental to the child.
BIBLIOGRAPHY


