



**National Resource Center for
Family-Centered Practice and Permanency Planning**
at the Hunter College School of Social Work

Information Packet

Racial Disproportionality in Child Welfare

National Resource Center for Family-Centered Practice and Permanency Planning

A Service of Children's Bureau/ACF/DHHS

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Summary

Racial disproportionality refers to both overrepresentation of children of color in foster care and disparate outcomes experienced by children of color in care (McRoy, 2008; 2005). Difficulty in identifying causal factors of disproportionality has often led to inaction, and consequently, to inappropriate use of resources in child welfare (Cross, 2008).

Typically, disproportionality is said to be caused by a wide range of social, political, economic and attitudinal disadvantages, specifically: poverty, classism, racism, organizational culture, service strategy, and resources (Casey Family Programs, 2005). While poverty among the families of color involved in the child welfare system has often been singled out as the root cause, national studies have found that there are no significant differences between races in terms of child abuse and neglect.

The differentiating factor seems to be the response of the helping professionals, which can often be influenced by the workers' own fears, stereotypes, and prejudices (Cross, 2008). While well-meaning, lack of cultural competence prevents them from engaging effectively with families from various cultural and language backgrounds. Therefore, the response of the institution – whether it be child welfare, juvenile justice, etc. – is influenced by the race or ethnicity of the children, youth and families in need, which in turn leads to higher rates of substantiation and removals and placements of children of color.

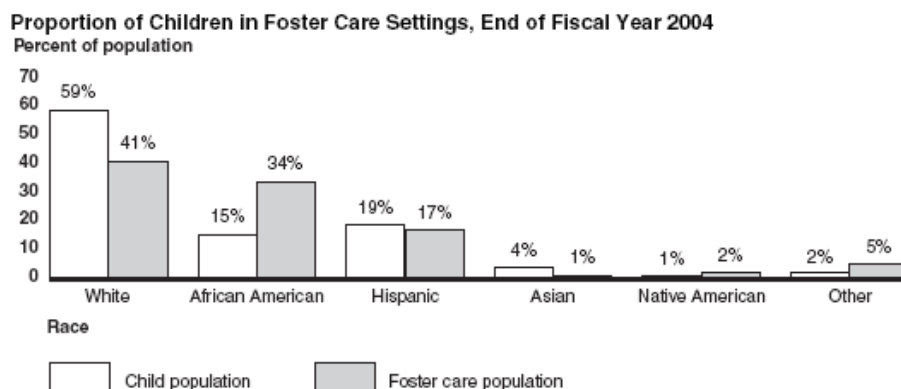
According to child welfare experts, to address racial disproportionality and the disparate treatment of children, youth, and families of color in the child welfare system, it is critical to acknowledge the intersystemic issues leading to disproportionality (McRoy, 2008). Communities should be assessed for risk and protective factors – both sources of stress and support. Services that are community-based and provided in collaboration with neighborhood organizations should be made available to support birth families. Additionally, agencies need to recruit a well-trained and diverse child welfare workforce that uses culturally competent practice approaches, including culturally sensitive assessment tools.

More research is urgently needed on the existence of disproportionality at various stages of Child Protective Services (CPS) decision making, community characteristics (including protective factors), cross-systems relationships, as well as evaluations of promising practices taking place around the country to address disproportionality and disparities in child welfare. To effectively study the causes of racial/ethnic disproportionality and disparities, qualitative and quantitative methods should be used in order to obtain relevant data at various levels, including the individual, family, community, organizational, and institutional (Hill, 2006).

Facts & Statistics

Despite the higher rates of poverty and lack of health care and educational opportunities disproportionately experienced by families of color, national studies have consistently found that parents of color do not maltreat their children any more than white parents; yet, they are investigated for maltreatment and substantiated for abuse and neglect at disproportionately higher levels (Hill, 2008; McRoy, 2005). Children/youth of color are more likely to be removed from home and placed in care, and to stay in care longer, and are less likely to return home or be adopted, than white children.

- Of the 510,000 children in foster care in 2006, over 300,000 (**nearly 60 percent**) were children and youth of color, as compared to just over 40% of the general child population (ACF/DHHS, 2008; GAO, 2007).
- Black and Native American children/youth are **three times more likely** to be in foster care than white children/youth; in certain states and counties, Hispanic children are also overrepresented (Hill, 2008).
- African American children who are removed from their homes stay in care **nine months longer** than white children due to “limited access to family support services, limited or inadequate legal representation of birth parents”, as well as “difficulties in recruiting and retaining permanent homes” (McRoy, 2008).
- Poverty, substance abuse, or family disruptions are not the explanation; all races and ethnic groups experience child maltreatment at about the same levels (Cross, 2008).
- Racial disparities in child welfare should be examined in the multisystemic context and addressed through multisystemic solutions (McRoy, 2008).
- Research on causal factors and kinship care, and evaluation of promising practices to guide policy and practice are needed (Hill 2008).



Source: GAO analysis of AFCARS and Census data.

Source: United States Government Accountability Office (2007)

Legislation & Policies

Fostering Connections to Success and Increasing Adoptions Act of 2008 ([PL 110-351](#) / [HR 6893](#)) was designed to connect and support relative caregivers, improve outcomes for children in foster care, provide for tribal foster care and adoption access, and improve incentives for adoption. Amending parts B and E of Title IV of the Social Security Act, it provides new federal funding to states for subsidized guardianship payments for relatives, incentives for adoption, adoption assistance, kinship navigator programs, new family connection grants, and federal support for youth to age 21.

The changes to the Social Security Act from the Public Law 110-351 can be viewed at:

http://www.acf.hhs.gov/programs/cb/laws_policies/cblaws/safe2008draft.htm

The following provisions have the potential to help to address racial disproportionality in child welfare:

- Kinship Navigator Program
- Subsidized Guardianship
- Notice to relatives
- Expanded respite care services for relative foster parents
- Support for family-finding models as an alternative to out-of-home nonfamily placements
- Separate licensing standards
- Guardianship incentive payments

Center for Juvenile Justice Reform and Chapin Hall Center for Children (2009) concluded that “federal legislation allowing states to provide supports to kin would likely reduce the number of children placed with unrelated foster parents and reduce the number of placements children in the foster care system experience. Because children of color are more likely to enter the formal foster care system and be placed outside their homes, increasing the number of these children placed with family members would reduce disproportionality in the child welfare system and the eventual pathway that many follow into the juvenile justice system.”

The full report is available at: http://cjjr.georgetown.edu/pdfs/cjjr_ch_final.pdf

Earlier Federal Laws Impacting Racial and Ethnic Disproportionality

- **Indian Child Welfare Act** (ICWA) of 1978 was the first federal law that expressed an explicit preference for kinship care for Native American children in foster care.
More on ICWA: <http://www.law.cornell.edu/uscode/25/ch21.html>
- **Multi-Ethnic Placement Act** (MEPA) of 1994 and its amendment, **Inter-Ethnic Placement Act** (IEPA) of 1996, were the principal federal laws that addressed the use of race, color and

national origin in making decisions about foster care and adoptive placements. Prohibiting the consideration of race in placement decisions, MEPA and IEPA mandated that an increased effort be made to find and recruit potential foster families of color. *Race Matters Consortium's analysis on MEPA/IEPA is available at: <http://www.racemattersconsortium.org/docs/whopaper2.pdf>.*

More on MEPA/IEPA: http://www.hunter.cuny.edu/socwork/nrcfcpp/info_services/mepa.html

- **Adoption and Safe Families Act (ASFA)** of 1997 stated a clear preference for the use of kin for foster care placements. "Although the preference is not extended specifically to families of color, the provision had implications for disparity because kinship resources are so commonly utilized for children of color" (CJJR & CHCC, 2009).

More on ASFA: http://www.hunter.cuny.edu/socwork/nrcfcpp/info_services/asfa.html

State Legislative Initiatives

National Conference of State Legislature tracks legislative initiatives in a number of states to address racial equity and reduce disproportionality. *Available at: <http://www.ncsl.org/default.aspx?tabid=16370>*

Casey-CSSP Alliance for Racial Equity in Child Welfare: Recommendations for Policy

As a response to the 2007 Government Accountability Office (GAO) report, the Casey-CSSP Alliance for Racial Equity in Child Welfare emphasized that federal and state policies and solutions must support the efforts of the state and county systems to effect positive change in addressing disproportionality in state and county child welfare systems. The Alliance proposed several specific recommendations:

- I. Improve child welfare financing to promote permanency
- II. Provide family-strengthening and prevention services
- III. Implement strength-based decision making approaches in all systems that serve children and families
- IV. Enhance the capacity of federally funded data collection and reporting systems
- V. Report on racial and ethnic disparities in assessing state child welfare systems
- VI. Increase involvement of families in the development and implementation of child welfare policies and practices
- VII. Expand cultural competence training to adequately address disproportionality and disparate outcomes

The two-page policy response is available online at: http://www.cssp.org/uploadFiles/Casey-CSSP%20Alliance%20Policy%20Recommendations%20_5_%2012%2014%2007.pdf

Best Practices and Model Programs

The Casey-CSSP Alliance for Racial Equity has identified six dimensions that are necessary in order to address and reduce racial and ethnic disproportionality in child welfare systems:

1. Creating a policy and finance environment that is supportive of achieving racial equity as an outcome through legislation, policy change and finance reform;
2. Identifying promising practices and evidence-based solutions through research and evaluation;
3. Youth, parent, and community partnerships and development;
4. Creating public will through well-designed communications message and distribution strategy;
5. Development of a culturally competent child welfare workforce;
6. Practice change by improving policies and practices (site-based implementation).

Available at: <http://www.casey.org/Resources/Initiatives/CaseyCSSPAlliance/> and <http://www.hunter.cuny.edu/socwork/nrcfcpp/downloads/newsletter/ppt-summer-2006.pdf>

Suggestions for Child Welfare Agencies

Casey Family Programs' Breakthrough Series Collaborative on reducing disproportionality and disparate outcomes for children and families of color suggested that the key components of the framework to address disproportionality in child welfare agencies are:

- Agency mission and policies that support anti-racist practice;
- Cross-system leadership that address disproportionality and disparity in outcomes;
- Collaboration with community and tribal stakeholders to support families;
- Community partnerships to address child maltreatment, disproportionality and racism, and to help communities build the protective capacity of neighborhoods, tribes, and families;
- Staff and stakeholder training about institutional and structural racism and its impact on decision-making, policy, and practice;
- Using cultural values, beliefs, and practices of families, communities, and tribes to shape family assessment, case planning, case service design, and decision making process;
- Develop and use data in partnership with families and communities to assess agency success at key decision points in addressing disproportionality and disparate outcomes.

Available at: http://calswec.berkeley.edu/CalSWEC/2005_FELeader_BSCDisproporFramework.pdf and http://www.casey.org/Resources/Publications/pdf/BreakthroughSeries_ReducingDisproportionality_FR.pdf

Dennette Derezotes, the Executive Director of the Race Matters Consortium, concluded that child welfare agencies can ensure racial equity in the agency functioning and outcomes through ongoing cultural competence assessment, training and technical assistance, evaluation and measurement of racial equity

in agency's functioning and outcomes, identifying goals and tracking program activities, and identifying culturally competent practices to better serve children, youth, and families (2006).

Available at: <http://www.hunter.cuny.edu/socwork/nrcfcpp/downloads/newsletter/ppt-summer-2006.pdf>

State and Local Approaches

The Casey-CSSP Alliance has done extensive work in analyzing racial disproportionality data at the national, state, and county levels (Hill, 2007), and identifying promising practices that address the issue at state and local jurisdictions. Several activities and strategies are present across many jurisdictions that were reviewed for the report *Places to Watch: Promising Practices to Address Racial Disproportionality in Child Welfare Services* (Jones, 2006):

- Attention to racial disparities and prioritizing the need for action
- Development and use of data
- Partnership with the community to develop more comprehensive action plans and strategies to address the problem
- Improving and expanding service delivery and supports
- Policy changes to reinforce system reforms
- Ongoing evaluation to track progress
- Seeking external funding

Some examples of state and local approaches are listed below. More comprehensive information is available in the two Casey-CSSP Alliance publications at:

<http://www.casey.org/Resources/Publications/pdf/PlacesToWatch.pdf> and

<http://www.cssp.org/uploadFiles/An%20Analysis%20Of%20Racial-Ethnic%20Disproportionality.pdf>.

- In **Guilford County, NC**, the managers at the Department of Social Services formed the Guilford County Workgroup on Disproportionality to create an internal DSS process—with community input—to reduce the disproportionality and treatment disparity of African American children in the county.
- The **Illinois** African American Family Commission (<http://www.aafc.org/>) addresses disproportionality through legislative review, research initiatives and reports, advocating for and helping develop policies, plans, and programs that promote family preservation and strengthen African American communities in Illinois.
- **Ramsey County, MN**, implemented practices to reform its management, organization, and services, such as: review of system-wide policies and practices and allowing community input when making changes, staff training on culturally competent practice, use of family-centered assessment framework to improve practice, and hiring cultural consultants to increase agency knowledge and sensitivity to the different racial and ethnic groups.

Online Resources

National Resource Center for Family-Centered Practice and Permanency Planning, one of the seven national resource centers funded by the Children's Bureau (ACF/DHHS), provides resources for exploring and addressing racial disproportionality in child welfare, as well as information on state efforts. The website also directs the reader to in-depth resources on children and youth of color, Indian child welfare issues and Latino child welfare issues.

http://www.hunter.cuny.edu/socwork/nrcfcpp/info_services/disproportionate.html

Child Welfare Information Gateway, a Service of the Children's Bureau (ACF/DHHS), provides information and resources on disproportionality issues, including: overrepresentation in foster care, underrepresentation in family support and family preservation services, inequitable investigations for suspected cases of maltreatment, and disparities in decision-making.

<http://www.childwelfare.gov/systemwide/cultural/disorp/>

Casey-CSSP Alliance for Racial Equity in Child Welfare develops and implements effective strategies to address and reduce racial and ethnic disproportionality in the nation's child welfare system, providing tools and technical assistance to agencies in local areas.

http://www.cssp.org/major_initiatives/racialEquity.html

Race Matters Consortium is a national multi-system initiative that promotes strategies that prevent, intervene and eliminate adverse disproportionality and disparities in child welfare. The *Model for Examining Disproportionality* is available at <http://www.racemattersconsortium.org/docs/dispromodel.pdf>.
<http://www.racemattersconsortium.org/>

National Conference of State Legislatures tracks the state legislators' funding, structuring, and oversight activities of child welfare systems. NCSL maintains a comprehensive database of reports and summaries on racial inequity in child welfare.

<http://www.ncsl.org/>

National Association of Public Child Welfare Administrators developed a *Disproportionality Diagnostic Tool* to help users examine the societal, systemic, and individual factors that may contribute to racial disproportionality and disparate treatment of children of color.

<http://www.napcwa.org/DDT/tools.asp>

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