

## Competencies

- 201-10-001 Knows the provisions and requirements of the Multi-Ethnic Placement Act (MEPA) and the Indian Child Welfare Act (ICWA) and how they affect foster care and adoption practice
- 201-10-002 Understands how differences in values, communication styles, social interactions and perspectives between a worker and an applicant family may complicate the family assessment/home study
- 201-10-003 Understands how values, beliefs, codes of conduct, and other cultural influences may affect separation, attachment, and a child's adjustment in placement
- 201-10-004 Understands the unique issues in transcultural foster and adoptive placements
- 201-10-005 Understands the importance of helping children in resource families develop or retain a positive cultural or racial identity
- 201-10-006 Understands how agency policies and practices may present obstacles to recruiting and retaining families from minority groups
- 201-10-007 Knows how to conduct a resource family assessment in a culturally sensitive and informed manner
- 201-10-010 Knows how to make placement decisions that are beneficial to the child and also in compliance with the Multi-Ethnic Placement Act (MEPA) and the Indian Child Welfare Placement Act (ICWA)
- 201-10-011 Can assist resource families in ensuring cultural continuity and positive identity formation for children in their care

# Taking It to Your Job: A Transfer-of-Learning Tool



*What Is Culture?*

*What I learned/ How I will use it on my job*

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*Exploring My Own Culture*

*What I learned/ How I will use it on my job*

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*Culture and Child Development*

*What I learned/ How I will use it on my job*

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*Racial/Ethnic Identity Formation  
What I learned/ How I will use it on my job*

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*Cross-Cultural Communication  
What I learned/ How I will use it on my job*

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*Culture and the Family Assessment Process  
What I learned/ How I will use it on my job*

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*Cultural Barriers in Agency Policy and Procedures  
What I learned/ How I will use it on my job*

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*Transracial/ Transcultural Placements*  
*What I learned/ How I will use it on my job*

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# STYLES OF VERBAL COMMUNICATION

## Dialogue

In a dialogue, people engage in a conversation or communication that explores ideas, opinions, and assumptions for the purpose of reaching a higher level of understanding. There is no expectation that any consensus or conclusion will be reached, nor that anyone's opinion is more valid than anyone else's. Participants should not attempt to persuade others, and everyone "wins." The goal is to surface, explore, and clarify relevant information. **There is no attempt to draw a conclusion, make a decision, or take a stand on an issue.**

## Discussion

Discussion is an exchange of information that not only identifies and clarifies issues, but guides communication in an attempt to weigh information, draw conclusions, reach a decision or consensus about the topic, or lead participants to select a position. Through the exchange of information, the most relevant or valid conclusions can be identified.

## Debate

Debate is designed to persuade. It is an exchange of information designed to convince someone else of the "rightness" of one's own information, opinion, or belief. Because of its persuasive intent, there may be a strong emotional expression on the part of the debaters, and a strong psychological investment in winning. The person whose opinion or information is most complete, most comprehensive, most logically sound, and is communicated with the greatest degree of conviction generally "wins" the debate. However, winning depends on the strength and inherent validity of the ideas and the ability of the debater to persuade others of their validity. **Debate is logical and rational.**

## Argument

Argument is a communication in which participants have a strong vested interest in winning at all costs. The need to win may not be associated with the validity of ideas. People argue to vent hostility or anger, to preserve self-esteem, to display or reassert power or strength, to defend against some perceived threat or loss, to inflict hurt on others, or to discredit an opponent. As arguments are primarily emotional events, they are often irrational or illogical. The point of an argument is not to communicate rationally and logically or to enlighten.

## CULTURE DEFINED

The first consideration in any discussion of culture is to define it and differentiate it from other related terms, such as race, nationality, and ethnicity. While these terms are often used interchangeably, they have very different meanings.

**Culture** is more complex than either ethnicity or race. Culture refers to the total system of values, beliefs, attitudes, traditions, and standards of behavior that regulate life within a particular group of people. Culture includes components that organize people into social groups and that regulate both individual and group behavior.

Culture includes cognitive systems such as beliefs, attitudes, and values. It includes norms, which are rules regarding appropriate ways of behaving, and it provides definition of roles, which are the appropriate and expected behaviors of certain people based upon their gender, social position, or area of responsibility in the society. It includes spiritual or religious systems and institutions. It includes language, which is the principle tool for communication among group members. Culture also includes the products of life, including the art and artifacts produced by the group.

While race is determined by one's biology and ethnicity by one's national or regional origin, culture is "made by humans." Cultural components are created by individuals and incorporated into group life to regulate social organization and to assure the survival and well-being of group members.

What is true is that culture, in contrast to race, gender, or ethnicity, is *transmitted through learning*. It is important to emphasize this point, since so much of cultural behavior, once learned, appears to be so "natural" that it can easily be perceived as "instinctive" or biologically determined. In fact, many people remain unaware that their beliefs and actions are, in fact, largely components of their culture--that is, learned over a lifetime.

# “WHO AM I?”

## A LOOK INSIDE YOUR OWN CULTURE

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### Directions:

Select one question from 1-6. After reading the question, should respond by relating how the issue(s) was handled within your family. Then discuss questions 7 and 8 in your group.

### Discuss one of these questions (#1 through #6):

1. As a child, what holidays did your family celebrate? How were they celebrated? How have family traditions been handed down in your family? Do you celebrate holidays now as your family did when you were a child? Why or why not?
2. What rules or values did your family have for children regarding chores, dress, dating, school, relationships with adults, peer relationships, manners, and etiquette? How were these rules or values communicated?
3. What foods did your family eat regularly that were different from foods your friends ate? Do you still eat these things? Why or why not?
4. What role did religion play in your family of origin? Did you worship regularly? Pray at home? Was religion a frequent topic of conversation in your home?
5. Did your family openly discuss sex in front of or with you?
6. Did your family openly discuss money matters in front of or with you?

### Every group discusses:

7. Do you define your family of origin as traditional or nontraditional? Why? Do you consider your current family to be traditional or nontraditional? Why?
8. When and how did you learn about your race and your ethnicity? Who taught you? Was it taught implicitly or explicitly? How has your race/ethnicity been integrated into your daily life? How did your family handle the issues of racism and discrimination?

# CULTURAL ISSUES IN CHILD DEVELOPMENT

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## Cultural implications for a child's growth, development, and identity formation **ages birth to two.**

- ✓ Infants and toddlers become accustomed to the sights, smells, and sounds of their environment.
- ✓ Infants develop attachment to their primary caregiver as a result of the caregiver's ability to meet the child's expressed needs. The child becomes accustomed to the caregiver's voice, scent, touch, and method of meeting needs. Cultural norms around caregiving may include when and how long a baby should cry, the use of a bottle or breast-feeding, schedules and routines, stimulation, exercise, and play.
- ✓ Infants and toddlers experience rapid physical growth and development, including the acquisition of gross motor skills. Cultures may vary relative to how much or how little they encourage or stimulate this growth. For example, in a culture where the mother carries the child on her back until age two, the child may not learn to walk until later in toddlerhood.
- ✓ Toddlers are beginning to develop language based on the language used in the home environment and to interact with the child.
- ✓ Toddlers begin to imitate social roles demonstrated by the adults in their environment. The child internalizes key cultural rules and expectations.
- ✓ Norms for gender roles are taught implicitly and explicitly to toddlers via toys, activities, and clothing.
- ✓ Toddlers become autonomous as permitted by their caregivers. Some cultures encourage the child's curiosity, while others may limit free exploration.
- ✓ Toddlers form a rudimentary self-concept based on the praise or scolding of their caregiver.



## **Cultural implications for a child's growth, development, and identity formation** **ages three to five.**

- ✓ The development of motor abilities may differ between boys and girls due to cultural differences. Some cultures may reinforce rough-and-tumble play for boys, stimulating muscle development and improving gross motor coordination. The child's culture may reinforce quiet play for girls, including drawing, coloring, playing musical instruments, and doll play, which promote fine motor coordination.
- ✓ Play is important "work" for children. How and what children play are influenced by their culture. Some cultures may emphasize fantasy play, while others may promote athletic or competitive play. Also, children's play provides many opportunities for imitation of social roles, practicing rules of etiquette, and developing communication skills, all of which are influenced by culture.
- ✓ The toys children play with may also be culturally determined. For example, some cultures purchase toys in stores, while other cultures may prefer that children play with homemade toys.
- ✓ Preschoolers begin to notice physical differences in individuals, including skin color, hair texture, etc. They may use known words to describe skin-color differences, such as chocolate, vanilla, caramel, or say that the individual has a tan.
- ✓ The acquisition of culturally acceptable gender roles is critical during this stage. Children begin to mimic parental role models and begin to internalize expectations of what males and females can and should do
- ✓ Preschool children develop a worldview based solely on their experience in their home and family. Children at this age believe that every family functions as theirs does.
- ✓ Preschool children are familiar with the visual cues of emotions and feelings they have seen in their own environment. They are becoming aware of culturally appropriate ways of expressing feelings.
- ✓ Initiative and autonomy are important tasks of this age group. How much and in what ways a child can explore and discover the world are guided by cultural norms and rules for children's behavior. Some cultures encourage the child to freely conquer his or her environment, while other cultures prefer that children operate within prescribed boundaries.
- ✓ Older preschoolers are able to identify their own racial, ethnic, or religious group. The child is exposed to positive and negative messages about his or her group portrayed by the media, toys, books, etc.
- ✓ Language for the preschool child is expanding and becoming refined. The nature of

language, the specific meaning of words, and rules for when and how people talk with one another are culturally determined. Some cultures may have the rule, “children should be seen and not heard,” while other cultures may encourage conversation between children and adults. For example, a child who asks for a drink of water by saying, “I want fa-foo,” may be using a family or culturally recognized word. If a caseworker does not recognize the effect of culture on language development, it can lead to an inaccurate assessment of speech and language delays, where none exist.

### **Cultural implications for a child’s growth, development, and identity formation** **ages six to nine.**

- ✓ During this stage, motor skills in children are being refined and perfected. The development of motor skills may be influenced by cultural factors. Cultures that value physical strength and skill tend to reinforce activities that involve gross motor abilities. In some cultures, girls are discouraged from engaging in active, rough-and-tumble, physical play. Cultures that place greater value on cognitive and social, rather than physical, skills may tend to discourage active, physical play and direct children to pursue activities that stimulate intellectual growth.
- ✓ During this stage of development, the child is beginning to understand another person’s perspective. The child comes to understand that people are different from him/her, and that others think differently, feel differently, behave differently, etc.
- ✓ Children at this age are beginning to develop coping skills. Strategies to solve problems are tied to one’s culture, and the child will likely incorporate coping skills modeled by his or her parents.
- ✓ School-aged children are governed by gender roles and rules, which are greatly influenced by culture. For example, a culture may have strong values that the father should work outside the home and the mother should work inside the home, while another culture may expect that both mother and father work outside the home and share household responsibilities.
- ✓ Six- to-nine-year-old children become aware of their parents’ attitudes towards sex, sexuality, nudity, etc. Children will begin to integrate these attitudes into their own values and beliefs

## **Cultural implications for a child's growth, development, and identity formation** **ages 10 to 12.**

- ✓ Children of this age are beginning to understand gender role differentiation more fully. The child realizes that boys and girls are different and are expected to behave differently. For example, a comment such as, "Don't be silly; boys don't play with dolls," would exemplify rigid gender role expectations of the child. Children will emulate those qualities valued for their gender in their culture. Culture may determine the acceptable behaviors for boys and girls, but the expectation that males and females are different in significant ways is fairly universal.
- ✓ School-aged children are becoming social beings. Rules of social behavior and etiquette are determined by the child's culture, but are, also, increasingly influenced by the child's peers.
- ✓ Self-esteem grows from the child's sense of accomplishment. External feedback, verbal and nonverbal, about the child's performance will stimulate a positive self-concept or contribute to poor self-esteem. A child's self-concept is greatly influenced by outside forces such as racism, sexism, and other forms of prejudice.
- ✓ The child begins to explore what membership in his or her group means and begins to assimilate cultural norms, values, attitudes, and behaviors into a daily routine. At this stage, the child is highly motivated to participate in cultural activities. However, the influence of the "outside world," especially that encountered in the all-important world of school, is also beginning to influence and shape the child's sense of self. At this age, the child may begin to question or experience conflicts with the previously incorporated worldview primarily influenced by the home and the cultural values learned there.
- ✓ For the older school-aged child, the onset of puberty and the development of identity stimulate interest in his or her family history and cultural heritage.

## **Cultural implications for a child's growth, development, and identity formation** **ages 13 to 18.**

- ✓ One of the major tasks of adolescence is the development of a personal identity. Analyzing and integrating culturally driven factors, such as values, beliefs, social roles, responsibilities, and rules of behavior into one's identity is challenging to the adolescent.
- ✓ Managing one's emerging sexuality is a significant challenge for the 13- to 18-year-old. Acceptable sexual behaviors and attitudes are determined by the child's culture.

For example, while one culture may encourage open discussion of sexual behaviors, birth control, dating, etc., another culture may feel the subject of sex is taboo and should not be discussed with children.

- ✓ Puberty is in full swing for the youth during this stage. The onset of puberty and menstruation may have various meanings, based on the child's culture.
- ✓ The search for independence is a significant source of stress for the adolescent. Culture determines when and how a child emancipates from his or her family of origin. Many cultures incorporate rites of passage to adulthood during this stage of development.
- ✓ Peer relationships are an important factor for all adolescents, but how and when peer interactions take place, is determined by the child's culture. Some cultures may limit peer interactions to structured events, while others may permit the youth to engage in friendships freely.
- ✓ At this stage of development, the youth struggles with the meaning of his or her race, culture, ethnicity, religion, and gender, and begins to determine how these characteristics will be integrated into his or her concept of self.

## CULTURAL ISSUES IN CHILD DEVELOPMENT: A SNAPSHOT

Ages	Cultural Issues			
0-2	Accustomed to sights, sounds, smells, tastes	When and how long a baby should cry; use of bottle vs. breast; play; schedules; stimulation	Begin to develop language	Rudimentary self-concept based on praise or scolding of caregiver
3-5	Begin to note physical differences in individuals; older pre-schoolers able to identify own cultural group	How and what children play (athletic and competitive play vs. quiet or fantasy play); choice of toys	Language expands and becomes more refined; learn how and when people and children talk	Opportunities for exploration, initiative, and autonomy impact self-confidence, self-concept
6-9	Begin to understand perspective of others, that there are differences in beliefs and practices	How and what children play (motor, social, or cognitive skills emphasized)	Heavily influenced by roles and rules which both have a strong cultural context	Begin to develop coping skills which are heavily influenced by culture
10-12	Begin to understand gender role differentiation (culturally determined)	Rules of social behavior and etiquette are governed by cultural context	Highly motivated to participate in cultural activities and assimilate cultural norms, values, attitudes, behaviors; interested in family history, cultural heritage; may question culture through association with school peers	Self-esteem grows from child's sense of accomplishment; greatly influenced by outside forces such as racism, sexism, and other forms of prejudice
13-18	Search for independence; culture determines when and how child emancipates	Peer relationships are extremely important; when and how interaction takes place is culturally determined	Manage emerging sexuality; acceptable behaviors defined by culture; onset of puberty and menstruation have cultural implications	Development of personal identity; youth struggles with meaning of race, culture, ethnicity, religion, and gender

## DEVELOPMENT OF RACIAL/ETHNIC IDENTITY

### Identity Development in Non-Minority Individuals

<b>No Social Consciousness</b>	Spontaneous, natural behavior triggered by the pressures to conform to particular social norms and behaviors. Individual is unaware of his/her expected social role.
<b>Acceptance</b>	Individual identifies with role models and imitates the modeling of behavior. Individual conforms to social expectations of appropriate behavior as a member of his/her group. Behaviors, attitudes, and values that do not fit into group's code of conduct are rejected and devalued.
<b>Resistance</b>	Individual begins to question previously held beliefs. Feelings of discomfort and anger emerge. Individual begins to reject the group's pressure to conform. A new perspective about his/her group is formed.
<b>Redefinition</b>	Individual becomes introspective about group's values and codes of conduct. Renewed interest in racial/ethnic heritage. Sense of pride in one's racial/ethnic group membership.
<b>Internalization</b>	Individual is able to integrate insights. Individual is more flexible, open-minded, and somewhat autonomous. Individual recognizes extent of his/her journey and empathizes with those at earlier stages.

### Identity Development in Persons of Difference

<b>Pre-Encounter</b>	Individual lacks interest in race concept and fails to see it as relevant. May have preference for dominant cultural values or codes of conduct, yet he/she may feel inferior or anxious.
<b>Encounter</b>	Individual examines and questions previously held dominant culture attitudes and beliefs. Stage can be triggered by a single overt encounter or an accumulation of subtle experiences. Individual may experience confusion about his/her own group as well as other groups.
<b>Awakening/Immersion</b>	Individual has searched for his/her own identity and is committing to his/her roots. Likely to endorse values and codes of conduct of his/her own group and reject those of other groups.
<b>Internalization</b>	Reassessment of racial/ethnic identity from which a more balanced, integrated identity emerges. Individual internalizes a positive, secure identity, permitting him/her to appreciate other racial/ethnic groups.

## ASSESSMENT ACTIVITY INSTRUCTIONS

An inaccurate assessment of a family is likely to occur if the worker is not aware of potential cultural differences.

For example, in the category of Resilience, Coping Skills, and Stress Management, some examples of cultural differences may be:

- Some cultures may stress stoicism; therefore, these individuals may cope with stress internally.
- Spirituality may be held in high esteem in some cultures; prayer and meditation would be common coping strategies.
- Because some cultures do not believe in disclosing personal problems outside the immediate family, the use of professional helpers, such as counselors or therapists, would not be a common stress management technique.

Identify three or four cultural differences that may exist for your assigned category. Record your answers on the flipchart paper and select a spokesperson.



## CULTURAL IMPLICATIONS WITHIN ASSESSMENT CATEGORIES

### Motivation and Expectations for Foster Care or Adoption

Some families may not be able to articulate accurately their motivations to foster and/or adopt, as this is a complicated and complex issue. Language barriers and educational differences may contribute to this struggle.

Religious motivations to foster and adopt must be carefully assessed. For some families, the need to foster or adopt is a duty or a calling, and the family is being pressured directly or indirectly by their church community to pursue placement. They desire to foster or adopt to fit into their church family. Placement with such a family is likely to result in crisis or disruption when the child's inappropriate behavior is viewed as ungrateful. Some families may express having seen a vision or state that God will answer prayers and respond to needs.

For other families, however, providing a temporary or permanent home to a needy child or adult is a natural outgrowth of their spiritual life. Placement is viewed as a selfless act, and the child is seen as needing care, nurturance, and healing.

### Personal and Emotional Maturity

Families whose culture stresses modesty and humbleness may not be able to express strengths, skills, and abilities of themselves or their family.

Cultures that stress privacy and limit who can be privy to personal information inhibit an individual's ability to talk about personal problems, responsibilities, vulnerabilities, and needs.

What constitutes being responsible may be determined by one's culture. For example, while one culture may view job stability as responsible, another culture may value attention to parenting and home management as the ultimate responsibility.

### Stability and Quality of Interpersonal Relationships

How and with whom individuals have interpersonal relationships are greatly influenced by one's culture. While some cultures are open and accepting of a variety of relationships, others may be more closed and value engaging in



relationships on a limited basis.

Longevity in a relationship cannot be a sole determinant of a healthy relationship. For example, some cultures may feel negatively about divorce, which would prohibit the termination of an unsatisfactory or even abusive relationship.

Some cultures may not encourage openness in the discussion of sex, sexuality, and sexual relationships. This could be misconstrued as “hiding something” if the assessor is not aware of cultural rules. How and when physical affection is displayed is also culturally determined.

It is important to note that persons from oppressed populations may be hesitant to share a great deal of personal information with individuals from governmental agencies, as they are concerned about how the information will be used or shared with others.

Roles and responsibilities within the relationship may be culturally determined. Some cultures assign roles and responsibilities according to gender, while others do not.

### **Resilience, Coping Skills, and History of Stress Management**

How individuals handle stress may be culturally determined. Some individuals pride themselves on being self-supporting and prefer to “pull themselves up by their bootstraps.” They may not readily share their problems with others, but rely on internal resources.

Spiritual or religious support is for some cultures a common way of coping with stress and personal problems. In such cultures clergy members are held in high esteem and are consulted on personal and family issues.

Who comprises a person's support system may also be influenced by culture. For some individuals, family, close friends, and the church constitute an adequate support system. Personal problems may not be shared outside this close-knit group. For other individuals, utilizing professional helpers, such as therapists and counselors, is an acceptable coping strategy.

### **Openness of Family System**

Some families will not seek help from formal community agencies; rather, they maintain strong, informal networks of kin and friends. They may prefer to turn to clergy or church group for help.

Other families may use professional helpers from agencies or organizations, as they prefer not to share personal issues with those close to them to avoid embarrassment or to avoid burdening the ones they love with personal problems.

Families may use a combination of formal and informal helpers, depending upon the situation. Medical issues may be directly referred to a doctor who is held in great esteem, while emotional issues may be handled in the context of an informal support system.

### **Parenting Skills and Abilities**

There are many facets to parenting that are influenced by culture. For example, expectations for children may vary from one culture to another. One family may expect older children to care for younger children, while another may view caregiving as strictly an adult responsibility.

Some families discipline children using non-corporal punishment, as they value nonviolent means of punishment. Other families may believe that physical punishment is an important component of discipline and that if parents do not spank their children, they are not being responsible parents.

Child care and nurturing may also be culturally based. How parents feed, clothe, bathe, show affection to, and stimulate a child may vary from parent to parent. Some families may believe that children should be allowed to cry before being picked up, while others may respond to a child at the first sound.

### **Empathy and Perspective-Taking Ability**

Because of limited exposure to diverse situations, some families may have difficulty understanding a perspective other than their own. The family may have never personally experienced or been aware of the conditions that lead to child abuse and neglect. Their first exposure to these concepts may have been in pre-service training.

Some individuals may not be able to empathize openly with others who are different from them because they feel that in doing so they may be at risk of ridicule from family members or others from their culture.

### **Entitlement**

In some cultures, it may be commonplace for individuals to care for or raise someone else's child. The parent may have grown up with non-blood siblings and view this relationship as typical. For these individuals, entitlement and

claiming are easily achieved.

Some families may have more rigid guidelines about what constitutes family. These relationships may be drawn strictly along blood lines, and the introduction of a non-blood family member may seem out of the ordinary and require additional support.

Claiming children into the family may be driven by cultural norms and rules. For example, some families may use formal means such as a welcome party, announcements, or introduction at church. Other families may choose more informal means, such as placing the child's name on the chore list, referring to the child as "my son/daughter," or sharing family stories.

### **Ability for Hands-On Parenting**

Parenting styles and methods are influenced by a person's culture. Some families may parent by giving verbal directions and expect the child to respond by complying on the first request. Other families may give a child two or three commands before intervening.

Some families prefer to be totally involved in their child's life and view their role as one of model or mentor. They see their child as a "do-it-yourself" project and are actively involved in their child's day-to-day routine. Other families may view parenting as a more indirect role, whereby the adults set standards and monitor the child's behavior but do not personally participate in their child's daily activities.

### **Lifelong Commitment**

How and when individuals make a permanent commitment to others can be influenced by cultural factors. Some families may have many long-term relationships because their culture encourages the establishment and maintenance of lengthy relationships.

Some families may not have had the opportunity to establish long-term relationships due to frequent moves necessitated by circumstances such as being in the military or pursuing job opportunities.

Some individuals may have decided to sever long-term ties because of their dysfunctional nature. Such families might be in the process of developing new relationships in order to ensure a healthy existence, and might need support for doing so.



## **Kidwell Agency Policy Manual Review**

**You have been hired by the Kidwell Agency to review its policy and procedure manual to ensure it is culturally sensitive.**

Your group has been assigned part of the manual. Read the policy and underline the sections you feel may be culturally insensitive. Discuss your findings with your team. On the left side of a flipchart paper, record the issues your group uncovered. For each problematic issue, develop a culturally sensitive alternative. Record these on the right side of the flipchart.

Choose a spokesperson to report your findings.

**Kidwell Agency Policy on Recruitment of Foster and Adoptive Families**  
**Adopted February 30, 2006**

1. The Agency desires to recruit good families to provide foster care and adoption for our children. We believe that the best families have the following characteristics:
  - two parents, mother is an at-home parent
  - minimum income of \$30,000
  - family attends church at least once per week
  - home has fenced-in yard for child to play in
  - family has blood relatives living within 25-mile radius
  - no history of criminal activity or mental health services
  - parents meet height/weight standards within the normal range
2. The agency will place advertisements the first Sunday of each month in the *City Times Daily* newspaper in the Family Section. The advertisement will describe the types of children who need families and give a phone number for interested people to call.
3. The agency will also run 25-second Public Service Announcements on the television during the Noon News on Channel 9 the first and third Saturdays of the month. The PSA consists of the executive director telling viewers that the agency needs foster and adoptive parents. The agency's phone number will flash on the screen.
4. The agency will conduct an annual recruitment campaign the second week of August during the County Fair. An information booth will be set up in the Swine Building. Staff will volunteer to work the booth in four-hour increments. Balloons will be given to all children.
5. A secretary will receive calls from interested people Monday through Friday, 9:00 a.m. to 4:00 p.m. After hours, callers may leave a message on the agency answering machine with their name and address.
6. Interested persons will be sent an informational packet including an application, fingerprint form, police check form, financial form, medical form, a copy of the state rules for foster care and adoption, and a 30-page booklet on foster care and adoption.
7. When an individual returns a completed application packet, he/she will be invited to attend the next scheduled training session.

**Kidwell Agency Policy on Pre-service Training for  
Foster and Adoptive Families  
Adopted February 30, 2006**

1. Training will be 36 hours in length and will cover the following topics: attachment, separation, abuse and neglect, sexual abuse, teamwork, birth parent issues, child development, impact of fostering on the family, adoption issues, discipline, and agency policies.
2. Training will be held on 12 consecutive Wednesday evenings, from 7:00 to 10:00 p.m. or on three consecutive weekends, Saturdays and Sundays from 8:00 a.m. to 3:00 p.m.
3. Training rounds will be held three times per year. Applicants must take the sessions in order and must begin with Session 1. If an applicant calls the agency during the middle of a training session, he/she must wait until the next session begins.
4. Trainings will be held in the Community Room on the third floor of the Old First National Bank Building on Main Street. Since training is held after banking hours, trainers and applicants must enter the bank using the back door and use the steps to reach the training room. Food and drink are not permitted in the training room.
5. Written homework assignments based on readings will be given each week. Trainees will not receive a training certificate until all homework is completed and turned in.
6. The maximum number of participants is 25. Additional applicants will be placed on a waiting list for the next training.
7. The training will be conducted using lectures, videos, reading assignments, and homework. Questions will only be answered at the end of class, time permitting.
8. For security purposes, applicants and trainers must exit the building by 10:00 p.m.
9. Personal issues of the applicants are not to be discussed at class with trainers. Applicants are to call the agency to talk with staff.

**Kidwell Agency Policy on Homestudy Assessment for  
Foster and Adoptive Families  
Adopted February 30, 2006**

1. The homestudy assessment may begin after completed applications packets have been received and all training requirements have been met.
2. In addition to meeting state requirements, applicants must also:
  - possess a driver's license and own a car
  - have at least a high school diploma
  - have English as their primary language
  - have stable finances, including savings to cover three months' expenses
3. All interview appointments will take place in the agency during working hours (Monday-Friday, 9:00 a.m. to 4:00 p.m.).
4. A health and safety inspection of the home will take place once all other requirements have been met. The homestudy worker will coordinate a group inspection along with the Health Department and Fire Inspector.
5. The applicants, all other adults living in the home, and the designated backup child care provider must be fingerprinted. The applicants must pay the cost of \$25.00 for each set of fingerprints.
6. During the homestudy process, each applicant must write a 500-word autobiography describing their childhood and motivation to foster/adopt.
7. The applicant must also complete and pass a five-page written exam covering information taught during the pre-service training classes. Applicants who fail to pass will be required to repeat the training.
8. Assessments will be assigned to social workers on a rotating basis. Applicants are to communicate only with that worker.
9. Acceptance or denial of the applicant will be done in writing and delivered via U.S. mail.
10. Refusal to answer any question will result in immediate withdrawal.

## OPINIONS ABOUT TRANSRACIAL/TRANSCULTURAL PLACEMENT

	Positions For	Positions Against	Outcomes
<b>Transracial Placements</b>			
<b>International Placements</b>			



## DEFINITIONS AS PRESCRIBED BY ICWA

**Active efforts**-prompt and diligent efforts to: determine the child's tribe(s) which he or she may qualify for membership; contact the child's tribe(s) when known; provide remedial services and rehabilitative programs designed to prevent the breakup of the family; coordinate with the child's tribe or any Indian organization to assist the Indian parent or Indian custodian with services needed to avoid placement, or in the event placement becomes necessary, to serve as a placement for the child; make arrangements to ensure visitation with the extended family, or if there is not family in the area, with other tribal members to support the child's cultural connections; and coordinate with the child's tribe and family to identify significant cultural and important familial events and arrange for the child's attendance.

**Child custody proceedings**-include foster care placements, termination of parental rights, pre-adoptive placements and adoptive placements. A placement that meets the definition of foster care placement and results from an act that would not be deemed a crime if committed by an adult such as a status offense, is a child custody proceeding under ICWA. A child custody placement pursuant to a divorce where someone other than one of the parents will obtain custody of the child is also a child custody proceeding under ICWA.

**Extended family member**-defined by the law or custom of the Indian child's tribe, or in the absence of such law or custom, a person who has reached the age of 18 or who is the Indian child's grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or step parent.

**Foster care placements**-any action where an Indian child is removed from his parents or Indian custodian for temporary placement in a home or institution, including guardianship and conservatorship, and where the parent or custodian cannot have the child returned upon demand but where parental rights have not been terminated.

**Indian**-any person who is a member of an Indian tribe, or who is an Alaska Native and a member of a Regional Corporation. For the purposes of ICWA, tribes are arbiters of their own membership.

**Indian child**-any unmarried person who is under age 18 and is either: (a) a member of an Indian tribe, or (b) eligible for membership in an Indian tribe and is the biological child of a member of an Indian tribe.

**Indian child's custodian**-any person who has legal custody of an Indian child under tribal law or custom or State law, or to whom temporary physical care, custody and control has been transferred by the parent of such child.

**Indian child's tribe**-the Indian tribe in which an Indian child is a member or eligible for membership, or in the case of an Indian child who is a member of or eligible for membership in more than one tribe, the Indian tribe with which the Indian child has the more significant contacts.

**Indian tribe**-any Indian tribe, band, nation, or other organized group or community of Indians recognized as eligible for the services provided to Indians by the Secretary of the Interior because of their status as Indians.

**Qualified expert witness**-although not defined under ICWA, a House Report prepared in conjunction with ICWA, states that the phrase, "is meant to apply expertise beyond the normal social worker qualifications." H.R. No. 95-1386, 95th Congress, 2d Session, reprinted in 6 U.S.C.C.S.A.N. 7530, 7454 (1978). In addition, the Bureau of Indian Affairs, has promulgated "Guidelines for State Courts" which interpret the ICWA. The following characteristics set forth at 44 Federal Registrar 67,593 (1979) as those most likely to qualify a witness as an expert under the ICWA:

- (a) A member of the Indian child's tribe who is recognized by the tribal community as knowledgeable in tribal customs as they pertain to family organization and child rearing practices;
- (b) A lay expert witness having substantial experience in the delivery of child and family services to Indians, and extensive knowledge of the prevailing social and cultural standards and child rearing practices within the Indian child's tribe; or
- (c) A professional person having substantial education and experience in the area of his or her specialty.

Thus, a "qualified expert witness" is not an expert on ICWA, but an expert on the child's tribe.

## ICWA Resources



***The Family, Children, and Adult Services (FCASPL) Procedure Letter No. 215 provides New Provisions for implementing requirements of the Indian Child Welfare Act.***

**FCASPL 294 explains the “Federal Requirements for the Transfer of Indian Children to a Tribal Title IV-E Agency or an Indian Tribe with a Title IV-E Agreement.”**

### **For technical assistance, please contact:**

#### **State ICWA Liaison for Ohio**

- Karen McGormley, Section Chief, Substitute Care and Permanency Services, ODJFS, PO Box 183204, Columbus, Ohio 43218, (614) 752-0651, Karen.McGormley@jfs.ohio.gov.

#### **U. S. Department of Interior Offices**

- Bureau of Indian Affairs, Central Office; Assistant Secretary; 1849 C. Street, N.W., Washington, D.C. 20240; (202) 208-7163.
- Bureau of Indian Affairs, ICWA Response Center, Assistant Secretary, 1001 Indian School Road, NW Albuquerque, NM 8104.
- Bureau of Indian Affairs, Midwest Regional Office, Regional Director, One Federal Drive, Room 550, Ft. Snelling, Minnesota, 55111; (612) 713-4400

#### **National Resource Centers**

- National Indian Child Welfare Association (NICWA); [www.nicwa.org](http://www.nicwa.org); 5100 Southwest Macadam Avenue, Portland Oregon, 97239; (503) 222-4044  
**Note:** *The Ohio Child Welfare Training Program (OCWTP) offers an online course on ICWA free of charge to PCSA employees (3 CEU credits available). For more information, contact Charlotte Osterman, (614) 251-6000, ext. 2222.*
- Native American Rights Fund – <http://narf.org/icwa/federal/index.htm>

#### **Ohio Resource Center**

The North American Indian Cultural Center (NAICC) – Main Office; 111 West Avenue, Tallmadge, OH 44278; 330-724-1280

**For additional resources:**

The web links to the list of federally recognized tribes and to the tribal leaders directory can be located at:

<http://www.bia.gov/DocumentLibrary/index.htm>

The web link to the non-federally acknowledged list of tribes which have filed a petition or letter of intent to become federally recognized can be located at:

<http://www.bia.gov/WhoWeAre/AS-IA/OFA/index.htm>

The web link to the Tribal Court Clearinghouse which contains the Bureau of Indian Affairs updated Guidelines for State Courts and Services in Indian Child Custody Proceedings (February 2015) can be located at: :

<http://www.tribal-institute.org/lists/icwa.htm>

## **ADDITIONAL INFORMATION ON MEPA-AS AMENDED**

### **PERMISSIBLE/NON-PERMISSIBLE ACTIVITIES:**

- Foster Care: OAC 5101:2-42-18.1(E-F)
- Adoption: OAC 5101:2-48-13(G-H)

### **INDIVIDUALIZED CHILD ASSESSMENT PROCESS:**

- Foster Care: OAC 5101:2-42-18.1(G-K)
- Adoption: OAC 5101:2-48-13(I-M)

### **MEPA COMPLAINT PROCEDURES/NON-RETALIATION CLAUSE:**

- Foster Care/Adoption: OAC 5101:2-33-03

### **MEPA STANDARDS OF CONDUCT:**

- Foster Care/Adoption: OAC 5101:2-33-11(G)

### **GENERAL INFORMATION:**

ODJFS website: [www.jfs.ohio.gov](http://www.jfs.ohio.gov)

Health and Human Services-Office of Civil Rights websites:  
[www.hhs.gov/ocr](http://www.hhs.gov/ocr) OR  
<http://www.hhs.gov/ocr/civilrights/resources/specialtopics/adoption/>

Administration for Children and Families website:  
[www.acf.hhs.gov](http://www.acf.hhs.gov)

## **MEPA**

### **Permissible and Non-Permissible Activities**

The following activities have been deemed **PERMISSIBLE** by OAC 5101:2-42-18.1(E) and OAC 5101:2-48-13(G). Exact citations are found after the rule:

- a. **Asking about and honoring any initial or subsequent choices made by prospective adoptive parents regarding what race, color, or national origin of child the prospective adoptive parents will accept -- Adoption: OAC 5101:2-48-13(G)(1)**

**Asking about and honoring any initial or subsequent choices made by prospective foster caregivers regarding what race, color, or national origin of a child the prospective foster caregivers will accept--Foster Care: OAC 5101:2-42-18.1(E)(1)**

*– Prospective parents may choose to parent any type of child they feel comfortable nurturing and caring for on a temporary or lifelong basis. Prospective foster or adoptive parents are permitted to "change their mind" at any time. Applicants may make statements such as "We do not desire to parent Asian children," or "I don't think an African American child would do well in our neighborhood." The agency must respect their wishes and not retaliate in any way.*

- b. **Providing information and resources about adopting a child of another race, color or national origin to prospective adoptive parents who request such information and making known to all families that such information and resources are available--Adoption: OAC 5101:2-48-13(G) (3)**

**Providing information and resources about fostering a child of another race, color or national origin to prospective foster caregivers who request such information and making known to all families that such information and resources are available--Foster Care: OAC 5101:2-42-18.1(E)(2)**

Assessors must be well versed in the dynamics and strategies of parenting a child of a different RCNO in order to *respond to questions and concerns raised by prospective foster or adoptive parents* who desire to parent a child of another RCNO. Consequently, social workers must strive to develop knowledge through education activities such as attending

culture/diversity training, self-study, participation on cultural diversity workgroups or committees.

Some guidelines to assist social workers in responding to foster or adoptive parents questions or inquiries:

1. Avoid statements that would be considered as "steering."  
"Steering" is any activity that attempts to discourage prospective foster or adoptive caregivers from providing care for a child of a particular race, color, or national origin.
2. Provide information that is research based---**NOT YOUR OPINION!**  
Reviewing articles from social work journals such as Child Welfare or Social Work will provide you with factual information to share with the families.
3. Encourage foster and adoptive families to conduct their own information-gathering by participating in support groups, OCWTP training, reading articles from Adoptive Parents magazine, reviewing materials from the National Adoption Information Clearinghouse (NAIC), or attending conferences by North American Council on Adoptable Children (NACAC), Child Welfare League of America (CWLA) and the National Foster Parent Association (NFPA).

In addition, agencies should develop materials and resources such as book lists, suggested readings, community resources (parent support groups, cultural centers, churches, events, and activities). Information about these resources should be ready and available to families who request it. Agencies must inform families that such information is available.

- c. **Considering the request of a birth parent(s) to place the child with a relative or non-relative identified by name --Adoption: OAC 5101:2-48-13(G)(4) and Foster Care: OAC 5101:2-42-18.1(E)(3)**

There are times when the birth parent indicates that he or she desires a placement with a relative or friend of the family. This may be the birth parents' attempt to avoid a placement across racial lines. However, *the relative (or non-relative) must be specifically named--it cannot be a broad request*, such as, "I want my child with a Latino family." In addition, the specified relative/non-relative must meet all relevant state child protection standards and the placement must be in the child's best interests.

- d. **Promoting cultural awareness, including awareness of cultural and physical needs that may arise in the care of children of different races, ethnicities, and national origins as part of the training which is required of all applicants who seek to become adoptive parents--**

**Adoption: OAC 5101:2-48-13(G)(6)**

**Promoting cultural awareness, including awareness of cultural and physical needs that may arise in the care of children of different races, ethnicities, and national origins as part of the training which is required of all applicants who seek to become foster caregivers-- Foster Care: OAC 5101:2-42-18.1(E)(5)**

*In Ohio, all prospective foster and adoptive parents are required to complete a state approved training on cultural diversity as part of their pre-service training. This is permissible since all applicants, not just those desiring to parent a child of a different RCNO, must attend the training. Therefore, no delay is experienced by the prospective family.*

Though the pre-service training (and the session on Cultural Diversity) is required of all prospective foster and adoptive parents, *agencies should inform all families during Preservice training that information, support and resources are available to any family who requests such help.* In addition, it is permissible to provide information, resources and support opportunities via newsletters, mailings or flyers if all families receive such correspondence.

*Handouts, booklets, pamphlets, and other resource materials may be made available to all training participants as part of the training session on cultural diversity, as required by OAC 5101:2-5-33 and 5101: 2-48-09. Any handouts developed, utilized or made available during training must have prior approval from ODJFS. Approved resources are available via the OCWTP Foster, Adoptive and Kin Preservice Training Curriculum.*

- e. **Documenting verbal comments, verbatim, or describing in detail any other indication made by a prospective adoptive family member living in the household or any other person living in the household reflecting a negative perspective regarding the race, color, or national origin of a child for whom the prospective adoptive family have expressed an interest in adopting. Adoption: OAC 5101:2-48-13(G)(7)**

**Documenting verbal comments, verbatim, or describing in detail any other indication made by a prospective foster caregiver household member living in the household, or any other person living in the household reflecting a negative perspective regarding the race, color, or national origin of a child for whom the prospective foster family have expressed an interest in fostering or adopting Foster Care: OAC 5101:2-42-18.1(E)(6)**

***The documentation shall indicate whether those comments were made before or after completion of the cultural diversity training***



**which is required for all adoptive** (or foster caregiver) **applicants**. The comments/conversation may have taken place during the homestudy interviews, during training, or in conversation with staff, such as phone calls or face-to-face contacts.

In addition, **documentation shall be included in the family's homestudy, update, or an addendum to the homestudy or update prior to consideration of placement or a matching conference. The matching committee may consider the information in determining if the placement is in the child's best interests.)**

The following are required components of the documentation:

1. The entire conversation must be recreated including the social worker's comments and /or responses and what specifically was said by each party. This is known as a "process recording".
2. If the comments were made before or after the required cultural diversity training

Below are *recommendations/suggestions* for documentation of the conversations/observations. These should be made in writing:

1. Who was present including all household members, staff and others present during the conversation or when the observation was made
2. Date/time/place of the comments
3. Witnesses' dated signatures

- f. **Considering the race, color, or national origin of the child as a possible factor in the placement decision when compelling reasons serve to justify that the RCNO need to be a factor in the placement decision pursuant to paragraph (I) of this rule. Even when the facts of a particular case allow consideration related to the RCNO, this consideration shall not be the sole determining factor in the placement decision. Adoption: OAC 5101:2-48-13(G)(5)**

**Considering the race, color, or national origin as a possible factor in the placement decision when compelling reasons serve to justify that the RCNO need to be a factor in the placement decision pursuant to paragraph (G) of this rule. Even when the facts of a particular case allow consideration related to the RCNO, this consideration shall not be the sole determining factor in the placement decision. Foster Care: OAC 5101:2-42-18.1(E)(4)**

While each placement decision must be made based on the individual needs of the child, the consideration of race, color, or national origin as a relevant factor is quite unusual. **Even when the facts of a particular case allow consideration related to race, color or national origin, this**

**consideration shall not be the determining factor in the placement decision.** An example of a compelling reason may be when a child initiates a verbal or written self-disclosure that he or she is adamant about not living with a family of another race, color, or national origin based on some type of emotional or physical harm that has occurred in the past which has caused a some type of apprehension of a certain race of people. However, further assessment by the MEPA monitor and an outside mental health professional is required before a match considering race, color, or national origin can be made. In this situation, the Individualized Child Assessment process must be followed. *This process will be discussed later.*

**IMPORTANT NOTE:** *Even when justified, the consideration of RCNO shall not be the sole determining factor in the placement decision and does not equate that only a same-race placement should be considered. All families who can meet the child's needs must **still be considered**. However, if in extreme circumstances, which are likely to be rare, a social worker feels that RCNO must be considered, the JFS 01688, "Individualized Child Assessment" process must be followed. This will be discussed in the next section. Even when the JFS 01688 process is completed, the agency still cannot use RCNO as a reason to seek out home studies for a same race placement or use RCNO to differentiate between placements. RCNO can not be the sole factor considered in placement decision-making.*

- g. **Honoring the decision of a child over twelve years of age to not consent to an adoption when that decision has been approved by a court pursuant to Section 3107.06 of the Revised Code--Adoption: OAC 5101:2-48-13(G)(2)**

In Ohio, children over the age of 12 must consent to their adoption. *If a child has indicated that he or she will not agree to an adoptive placement, the court, during a regular review hearing, must approve that decision in order to honor the child's request.* The child's social worker must document the reasons why the child has indicated that he or she does not wish to consent to the adoption and what support, education and counseling has been offered to the child. Social workers must take care not to influence the child's decision by using unsupportive comments or negative attitudes. If the child's refuses to consent to the adoption on the basis of RCNO, then the JFS 01688 process should be followed.

A similar rule does not exist for foster care placements.

## Non-Permissible Activities

The following activities ARE NOT PERMISSIBLE by OAC 5101:2-42-18.1(F) and OAC 5101:2-48-13(H):

- a. **Using race, color, or national origin of the prospective adoptive parents to differentiate between adoptive placements for a child, unless the procedures in paragraph (I) to (M) of this rule are followed. – Adoption: OAC 5101:2-48-13(H)(1)**

**Using race, color, or national origin of a prospective foster caregiver to differentiate between foster care placements for a child, unless the procedures in paragraph (G) to (K) of this rule are followed. --Foster Care: OAC 5101:2-42-18.1(F)(1)**

Example: Giving one family an advantage or showing preference for one family over another because of their race, color, or national origin - *Each family should be considered relative to their capacity to meet the child's special and unique needs, not their RCNO.*

- b. **Honoring the general request of birth parent(s) to place a child with a prospective adoptive parent(s) of a specific race, color, or national origin unless the birth parent(s) identifies a relative or non-relative by name and that person is found to meet all relevant state child protection standards, provided that the agency determines that the placement is in the best interests of the child. --Adoption: OAC 5101:2-48-13(H)(2)**

**Honoring the general request of birth parent(s) to place a child with a parent(s) of a specific race, color, or national origin unless the birth parent(s) identifies a relative or non-relative by name and that person is found to meet all relevant state child protection standards, and the agency determines that the placement is in the best interests of the child. --Foster Care: OAC 5101:2-42-18.1(F)(2)**

As mentioned in the previous section, the request by a birth parent to place a child with a relative or non-relative must name a specific individual. Birth parents may say, "I don't want my child with a blue family, I want them to live with a yellow family." *General requests to place a child with a same RCNO family cannot be honored.* It is helpful to counsel birth parents regarding the legal guidelines by which placement decisions must be made.

- c. **Requiring a prospective adoptive family to prepare or accept a transracial adoption plan --Adoption: OAC 5101:2-48-13(H)(3)**

**Requiring a prospective family to prepare or accept a transracial**

**foster care plan -- Foster Care: OAC 5101:2-42-18.1(F)(3)**

*This constitutes "additional assessment" and, therefore, creates a delay for the prospective family to be ready for placement. It can also be viewed as a way of discouraging applicants by creating more paperwork for them to complete.*

Prior to MEPA, it was not uncommon for prospective foster/adoptive parents who desired to parent a child of another RCNO to be required to complete additional paperwork, attend more hours of training, and produce a plan to describe how they would meet a child's racial needs.

- d. **Using "culture" or "ethnicity" as a proxy for race, color, or national origin.--Adoption: OAC 5101:2-48-13(H)(4) and Foster Care: OAC 5101:2-42-18.1(F)(4)**

There have been times when agencies have tried to circumvent the requirements of MEPA by using the terms *culture* or *ethnicity* in lieu of the terms *race*, *color*, or *national origin*. *Agencies must be careful to avoid this practice, as it is a clear violation of MEPA.* It is helpful to recognize and remember that race and culture have very different definitions:

race: a constellation of physical features of an individual transmitted via genetics, such as skin color, hair texture, facial features, etc.

culture: attitudes, values, and beliefs of an individual transmitted via learning from others through modeling, teaching, observation, etc.

- e. **Delaying or denying placement of a child based upon the geographical location of the neighborhood of the prospective adoptive family whenever geography is being used as a proxy for the racial or ethnic composition of the neighborhood; the demographics of the neighborhood; the presence or lack of presence of a significant number of persons of a particular race, color or national origin in the neighborhood. --Adoption: OAC 5101:2-48-13(H)(5)**

**Delaying or denying placement of a child based upon the geographical location of the neighborhood of the prospective foster caregiver whenever geography is being used as a proxy for the racial composition of the neighborhood; the demographics of the neighborhood; the presence or lack of presence of a significant number of persons of a particular race, color or national origin in the neighborhood.-- Foster Care: OAC 5101:2-42-18.1(F)(5)**

The OAC specifically notes that "geography" may not be used as a proxy for RCNO. This includes prohibition to use "the demographics of the

neighborhood; the presence or lack of presence of a significant number of persons of a particular race, color, or national origin in the neighborhood" as a proxy for RCNO

For example, a social worker might say, "I can't place a child in that neighborhood because the child isn't used to living in the suburbs." This could be interpreted as *denying a prospective foster/adoptive family placement because their neighborhood or community does not reflect the child's race, color, or national origin.*

In addition, The Adoption and Safe Families Act (ASFA) of 1997 prohibits the denial or delay of placement based on the prospective adoptive family's geographic location.

However, neighborhood-based foster care is not prohibited by MEPA/IEPA or ASFA. Foster care placements should enhance the likelihood of reunification. Placement in proximity to the child's home and school will not only support reunification, but also will reduce the trauma experienced by the child and decrease the chance of recidivism.

- f. **Requiring extra scrutiny, additional training, or greater cultural awareness for individuals who are prospective adoptive parents of children of a different RCNO than required of other prospective adoptive parents.-- Adoption: OAC 5101:2-48-13(H)(6)**

**Requiring extra scrutiny, additional training, or greater cultural awareness of individuals who are prospective foster caregivers of children of a different RCNO required of other prospective foster caregivers.-- Foster Care: OAC 5101:2-42-18.1(F)(6)**

All applicants, regardless of the type of child they wish to adopt, must receive the same assessment, attend the same training, and be held to the same requirements. *Agencies are not permitted to have additional requirements such as:*

- Additional training requirements
- Approved transracial parenting plans
- Additional assessment activities, such as questionnaires or surveys
- Any additional documentation related to transracial or parenting, such as special references, letters of support, etc.

In short, all applicants must receive the same treatment. Therefore, if an agency requires training on cultural diversity, it must be required of all applicants regardless of the type of child they wish to foster or adopt. Consequently, the State of Ohio has made cultural diversity training mandatory for all applicants.

- g. **Relying upon general or stereotypical assumptions about the needs of children of a particular race, color, or national origin.-- Adoption: OAC 5101:2-48-13(H)(7) and Foster Care: OAC 5101:2-42-18.1(F)(7)**

Each placement should take into consideration the unique and special needs of the child. The child's needs are determined via an individualized assessment of the child's background and medical, physical, emotional, social, and cognitive, needs as well as factoring in any salient birth family social/medical history. *Social workers must conduct a thorough review of the child's record and seek to confirm documented and undocumented information before considering the type of family best able to meet the child's needs.* Relying on assumptions is likely to lead to a disrupted placement.

- h. **Relying upon general or stereotypical assumptions about the ability of prospective adoptive parents of a particular race, color, or national origin to care for or nurture the sense of identity of a child of another race, color, or national origin.-- Adoption: OAC 5101:2-48-13(H)(8)**

**Relying upon general or stereotypical assumptions about the ability of prospective foster caregivers of a particular race, color, or national origin to care for or nurture the sense of identity of a child of another race, color, or national origin.-- Foster Care: OAC 5101:2-42-18.1(F)(8)**

Just as each child deserves an individualized assessment, each prospective placement family will benefit from the same. A thorough, mutual family assessment will reveal each family's strengths, limitations, motivations, values, and expectations.

- During the homestudy, an agency may not assess, or ask prospective parents to assess, whether they are competent to parent a child whose RCNO differs from that of the parents. Throughout a family's interaction with the agency, an agency may not ask or consider:
  - Why a family wants to parent across RCNO lines;
  - What a family knows about RCNOs different from its own;
  - Whether a family's activities reflect a knowledge of or appreciation for the RCNO of the child the family wishes to parent. **May not single out parents who want to parent across RCNO-lines** or require them to learn about a different RCNO

In addition, *overgeneralization or stereotyping prospective families will lead to misassumptions about the family.* Placements will be made or not

made based on misperceptions of the family. Crises or disruptions can often occur when placement decisions are based on faulty information.

- i. **"Steering" or discouraging prospective adoptive parents away from parenting a child of another race, color, or national origin. "Steering" is any activity that attempts to discourage prospective foster or adoptive caregivers from providing care for a child of a particular race, color, or national origin." -- Adoption: OAC 5101:2-48-13(H)(9)**

**"Steering" or discouraging prospective foster caregivers away from parenting a child of another race, color, or national origin. "Steering" is any activity that attempts to discourage prospective foster or adoptive caregivers from providing care for a child of a particular race, color, or national origin."-- Foster Care: OAC 5101:2-42-18.1(F)(9)**

At times, social workers may feel compelled to dissuade prospective parents of one RCNO from parenting children of another RCNO. Some examples of this may be:

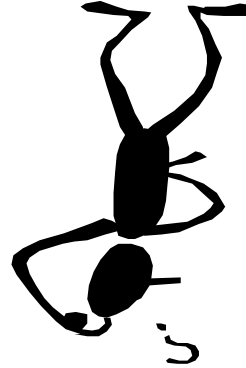
- describing additional requirements that applicants who desire to parent a child of another RCNO must complete;
- using scare tactics about potential problems the parents would face if they parent a child of another RCNO;
- stating that the family would receive a quicker placement if they would only parent children of the same race;

***There are many other examples of "steering." Some are very subtle; others are more blatant. All are non-permissible!***

**WHICH WAY DO WE GO??**

**OR**

**MEPA JEOPARDY!!**



**Directions:** Answer the following questions for your assigned case:

- A.** Is this situation potentially a problem?
- B.** Why or why not?
- C.** Describe the social worker's next steps

**Case #1**

Baby Jane Doe was abandoned at the hospital. She is a healthy white newborn. The social worker is unable to find a white, legal-risk, foster-to-adopt home so the baby is kept in the hospital another two days while the social worker calls other agencies in the state.

**Case #2**

Mr. and Mrs. Winston are an infertile white couple who desire to adopt a healthy newborn. They come to the training and fill out the application. On the application they indicate that they only want to adopt a white or Asian child.

**Case #3**

Robert and James are two-year-old, African-American twins. They are removed from their mother due to her drug addiction. At the placement meeting, the birth mother requests that the children be placed with an African-American family, not a white or Latino family. The children are placed in a group home while the social worker searches for an African-American family.

**Case #4**

Little Julio is a four-year-old Puerto Rican boy who is the child of migrants. He speaks no English. The social worker takes the child to the identified foster home, but refuses to place the child since no one in the home can speak Spanish.



## WHO-WHAT-WHERE-WHEN QUIZ???

1. \_\_\_ Information regarding the "Complaint Procedure" for allegations of discrimination involving race, color, or national origin in the foster care/adoption process must be given, in writing, to all individuals inquiring or applying to be a foster caregiver or adoptive parent within SEVEN DAYS of the individual's first contact with the agency.
2. \_\_\_ Any individual may file a complaint alleging a discriminatory act, policy, or practice involving race, color, or national origin in the foster care or adoption process of a public/private agency having a foster care/adoption program or ODJFS.
3. \_\_\_ When an individual believes that he or she has been discriminated against based on RCNO during the foster care/adoption process, he or she may file a complaint with any public or private foster care/adoption agency or directly with the Ohio Department of Job and Family Services.
4. \_\_\_ A complainant has two years to file a complaint of alleged discrimination involving RCNO during the foster care/adoption process.
5. \_\_\_ When a complaint is received by any public/private foster care or adoption agency, ODJFS and the Bureau of Civil Rights must be notified. ODJFS-Bureau of Civil Rights shall conduct the investigation, not the public/private foster care or adoption agency. Complaints regarding RCNO can be filed directly with BCR or the federal Health and Human Services.
6. \_\_\_ When a public/private foster care/adoption agency is the subject of a complaint, that agency shall cooperate fully with ODJFS and submit any information requested by ODJFS within 14 days of request.
7. \_\_\_ The investigation shall include (but is not limited to) face-to-face interviews with the complainant, agency personnel, and all relevant witness.
8. \_\_\_ The final investigation report shall be issued within 90 days of the receipt of the initial complaint.
9. \_\_\_ Upon completion of the final investigation report, ODJFS shall determine if any action against a public/private foster care or adoption agency is warranted.
10. \_\_\_ No person filing a complaint alleging a discriminatory act, policy, or practice, or who has testified, assisted, or participated in any manner in the investigation of a complaint shall be intimidated, threatened, coerced, or retaliated against by any employee or contractor of the public/private foster care/adoption agency or ODJFS.

**STANDARDS OF CONDUCT:  
Employee and Contractor/Provider Compliance with  
MEPA and Title VI of the Civil Rights Act of 1964  
Effective February 1, 2005  
Updated September 8, 2010**

The Hamilton County Department of Job and Family Services has established the following Standards of Conduct with regard to the performance of employees and contractors/providers related to compliance with the Multiethnic Placement Act of 1994 as amended by Section 1808 of the Small Business Job Protection Act of 1996, 42 U.S.C. 622(b)(9), 71(a)(18), 674(d) and 1996(b) (MEPA) and Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq (Title VI), as they apply to the foster care and adoption process. These Standards of Conduct prohibit policies, procedures or actions which serve to:

- Deny any person the opportunity to become a foster caregiver or an adoptive parent on the basis of race, color or national origin of that person, or of the child involved; or
- Delay or deny any placement of a child in foster care or for adoption on the basis of the race, color or national origin of the foster caregiver(s), of the adoptive parent(s) or of the child involved.

**Permissible Actions:**

MEPA and Title VI permit the following actions as they apply to the foster care or adoption process:

1. Asking about and honoring any initial or subsequent choices made by prospective foster or adoptive parents regarding what race, color, or national origin of child the prospective foster or adoptive parents will accept
2. Honoring the decision of a child twelve years of age or older to not consent to an adoption when that decision has been approved by a court pursuant to section 3107.06 of the Ohio Revised Code.
3. Providing information and resources about fostering or adopting a child of another race, color or national origin to prospective foster or adoptive parents who request such information and making known to all families that such information and resources are available.
4. Considering the request of a birth parent(s) to place the child with a relative or non-relative identified by name.
5. Considering the race, color or national origin of the child as a possible factor in the placement decision when compelling reasons serve to justify that race, color or national origin need to be a factor in the placement decision pursuant to 5101:2-48-13 and 5101:2-42-18.1 of the Ohio Administrative Code. These rules permit consideration of race, color or national origin if an Individualized Child Assessment (JFS 01688) completed pursuant to these rules indicates the child has needs related to race, color or national origin that should be taken into account when placing the child. Even when the facts of a particular case allow consideration related to race, color, or national origin, this consideration shall not be the sole determining factor in the placement decision.
6. Promoting cultural awareness, including awareness of cultural and physical needs that may arise in the care of children of different races, ethnicities, and national origins as

part of the training which is required of all applicants who seek to become foster or adoptive parents.

7. Documenting verbal comments, verbatim, or describing in detail any other indication made by a prospective foster or adoptive family member living in the household or any other person living in the household reflecting a negative perspective regarding the race, color or national origin of a child for whom the prospective foster or adoptive family has expressed an interest in fostering or adopting. The documentation shall indicate whether those comments were made before or after completion of the cultural diversity training which is required for all foster and adoptive applicants.

Documentation shall be included in the family's homestudy, update, or an addendum to the homestudy or update prior to consideration of placement or a matching conference. A matching conference is the process of determining the most appropriate adoptive family for the child based on the child's special needs. The matching committee may consider the information in determining if the placement is in the child's best interests.

**MEPA and Title VI prohibit the following actions as they apply to the foster care or adoption process:**

1. Using the race, color or national origin of a prospective foster or adoptive parent to differentiate between placements.
2. Honoring the request of a birth parent(s) to place a child with prospective foster or adoptive parent(s) of a specific race, color or national origin, unless the birth parent(s) identifies a relative or non-relative by name and that person is found to meet all relevant state child protection standards provided that the agency determines that the placement is in the best interests of the child.
3. Requiring a prospective adoptive family to prepare or accept a transracial adoption plan.
4. Using "culture" or "ethnicity" as a proxy for race, color or national origin.
5. Delaying or denying placement of a child based upon the geographical location of the neighborhood of the prospective foster or adoptive family whenever geography is being used as a proxy for:
  - the racial or ethnic composition of the neighborhood;
  - the demographics of the neighborhood; or
  - the presence or lack of presence of a significant number of persons of a particular race, color, or national origin in the neighborhood or any similar purpose.
6. Requiring extra scrutiny, additional training, or greater cultural awareness of individuals who are prospective foster or adoptive parents of children of a different race, color or national origin than required of other prospective foster or adoptive parents.
7. Relying upon general or stereotypical assumptions about the needs of children of a particular race, color or national origin.
8. Relying upon general or stereotypical assumptions about the ability of prospective foster or adoptive parents of a particular race, color or national origin to care for or nurture the sense of identity of a child of another race, color, or national origin.
9. "Steering" prospective foster or adoptive parents away from parenting a child of another race, color, or national origin. "Steering" is any activity that attempts to discourage prospective foster or adoptive parents from parenting a child of a particular race, color or national origin.
10. Requiring an ongoing, foster care or adoption worker or contractor to justify a proposed placement for the reason that the race, color or national origin of the child is different from that of the family whom the worker is proposing as the child's foster caregiver or

adoptive parent.

**Prohibition on Retaliation:**

HCJFS employees and contractors/providers may not intimidate, threaten, coerce, discriminate against or otherwise retaliate against any individual who makes a complaint, testifies, assists or participates in any manner in an investigation related to alleged discrimination on the basis of race, color or national origin in the foster care or adoption process.

**Additional Information:**

Employees or contractors/providers who desire more information about MEPA and Title VI as related to the adoption and foster care process may contact:

- Shirley Norman, HCJFS MEPA Monitor (513) 946-1488

**MEPA Complaint Procedure:**

Any person who believes that HCJFS, any other public or private Ohio adoption or foster care agency, or the Ohio Department of Job and Family Services has policies or procedures that violate MEPA and Title VI may file a complaint. In addition, anyone who believes that he or she was intimidated, threatened, coerced, discriminated against or otherwise retaliated against in some way because he or she made a complaint, testified, assisted or participated in any manner in an investigation related to alleged discrimination on the basis of race, color or national origin in the foster care or adoption process may also file a complaint. Individuals who may file a complaint include, but are not limited to, the following:

- a foster or adoptive parent or other member of a foster or adoptive family
- a prospective foster or adoptive parent or other family member
- an employee or former employee of HCJFS or of any other Ohio adoption or foster care agency

Individuals who wish to file a complaint may do so by phone or in writing. To submit your complaint by phone, call 1-614-644-2703 or toll free 1-866-227-6353. For TTY, call 1-614-995-9961 or toll free 1-866-221-6700

To submit your complaint in writing, you may fill out the “**Discrimination Complaint Form**” (**JFS 02333**). You can get a copy of this form by calling either:

- Shirley Norman, HCJFS MEPA Monitor (513) 946-1488, OR
- Ohio Department of Job and Family Services, Bureau of Civil Rights Toll Free: 1-866-227-6353

Or, if you do not use the “Discrimination Complaint Form”, your written complaint should include the following information:

- Your name, address and phone number;
- The name and address of the agency or person you believe discriminated against you;
- How, why and when you believe you were discriminated against;
- Any other information that would help BCR understand your complaint.

You may submit your written complaint by mail or fax to BCR:

- The Ohio Department of Job and Family Services  
Office of Employee and Business Services  
The Bureau of Civil Rights

30 E. Broad Street, 37th Floor  
Columbus, Ohio 43215  
Fax: 1-614-752-6381

You may also submit your written complaint to:

- Hamilton County Department of Job and Family Services  
Attn: Shirley Norman, MEPA Monitor  
222 E. Central Parkway  
Cincinnati, OH 45202

If you submit your complaint to the HCJFS MEPA Monitor, it will be submitted to BCR within three business days.

- Any other public or private Ohio foster care or adoption agency

ODJFS must complete the investigation and provide a report to you and to the agency that is the subject of the investigation within 90 days of receipt of the formal complaint. If unusual circumstances prevent ODJFS from completing the investigation within that timeframe, ODJFS will notify you and the agency of the need for additional time.

### **Enforcement Requirements:**

These standards of conduct include enforcement requirements to be used whenever an agency employee or contractor/provider engages in discriminatory acts, policies, or practices involving race, color, or national origin in the foster care or adoption process as determined by the Bureau of Civil Rights of ODJFS upon completion of the investigation conducted pursuant to rule 5101:2-33-03 of the Administrative Code.

For HCJFS employees, these enforcement requirements shall include employee discipline in accordance with either Sections 7.0 through 7.3 of the Hamilton County Board of County Commissioners Personnel Policy Manual or Article 7 of the collective bargaining agreement between HCJFS and AFSCME Local 1768.

For contractors/providers performing foster care or adoption services on behalf of HCJFS, these enforcement requirements shall include discipline in accordance with the contractor/provider's personnel policy and may include contract termination. Enforcement requirements for contractor/provider subcontractors shall include corrective action in accordance with the contractor/provider's contract with the subcontractor and may include contract termination.

These enforcement requirements are applied in accordance with applicable employment law and union contracts.

### **Corrective Action Plan:**

HCJFS shall provide for the submission of a corrective action plan whenever an investigation conducted by ODJFS, pursuant to rule 5101:2-33-03 of the Administrative Code, results in a finding that an agency employee or contractor/provider engaged in discriminatory acts, policies, or practices. If the finding involves a discriminatory act, policy or practice by a contractor/provider or subcontractor, HCJFS shall develop the corrective action plan in collaboration with the contractor/provider or in collaboration with the contractor/provider and subcontractor

The corrective action plan shall:

- Address how HCJFS will prevent future violations by that employee or contractor/provider or
- Subcontractor, and Be submitted to ODJFS within thirty days of notification of the findings of the investigation.

HCJFS shall provide a copy of these Standards of Conduct to each employee or contractor/provider who is:

- Engaged in the placement of children into foster care or for adoption, or
- Engaged in the recruitment, assessment, approval, or selection of foster or adoptive families.

Employees or contractors/providers shall receive a copy of the written Standards of Conduct no later than March 3, 2005. If these Standards of Conduct are revised, employees and contractors/providers shall receive a copy of the revised Standards of Conduct within 30 days of the completion of any revisions. New employees or contractors/providers shall receive a copy of the written Standards of Conduct within thirty days of their hire date or the effective date of their contract. HCJFS and contractors/providers shall ensure that these Standards of Conduct are provided to their employees and subcontractors.

## RESOURCE GUIDE

### References for Curriculum

(Listed in order of appearance in the curriculum)

Kardiner, A. and Ovessey, L. (1951). *The Mark of Oppression*. New York: Norton.

Cross, W. E. (1971). "The Negro to Black Conversion Experience: Towards the Psychology of Black Liberation," *Black World*, 20, 13-27.

Thomas, C. (1971). *Boys No More*. Beverly Hills: Glencoe Press.

Jackson, B. (1976). "Black Identity Development," In L. Gloubshick and B. Persky (eds.) *Urban Social and Educational Issues*. Dubuque: Kendall-Hall, 158-164.

Nobles, W. (1976). "Extended-Self: Rethinking the So-Called Negro Self-Concept," *Journal of Black Psychology*, 11(2).

Nobles, W. (1986). *African Psychology: Towards Its Reclamation and Revitalization*. Oakland: Black Family Institute.

Williams, R. L. (1981). *Collective Black Mind: An Afrocentric Theory of Black Personality*. St Louis: Williams & Associates, Inc.

Akbar, N. (1981). "Mental Disorders Among African Americans," *Black Books Bulletin*, 7(2), 18-25.

Baldwin, J. (1963). *The Fire Next Time*. New York: Dial Press.

White, J.L. (1972). "Toward a Black Psychology," In R.L. Jones (ed.) *Black Psychology*. New York.

Helms, J. E. (1984). "Toward a Theoretical Explanation of the Effects of Race on Counseling: A Black and White Model," *Counseling Psychologists*, 12(4), 153-165.

Parham, T. A., (1989). "Cycles of Psychological Nigrescence," *The Counseling Psychologist*, 17(2), 187-226.

Cross, W. E. (1978). "The Thomas and Cross Models of Psychological Nigrescence: A Review," *Journal of Black Psychology*, 5, 13-31.

Parham, T. A., (1993). *Psychological Storms: The African American Struggle for Identity*. Chicago: African American Images.

## **Resources**



### **Books for Children**

(ISBN numbers can be used to easily order books from local bookstores.)

Angel, Ann. (1988). *Real For Sure Sister*. ISBN: 0-9609504-7-8. Ft. Wayne, Indiana: Perspective Press.

Banish, Roslyn. (1992). *A Forever Family*. ISBN: 0—6-446116-5 (pbk). Harper Trophy.

Bunin, Catherine and Sherry. *Is That Your Sister? A True Story of Adoption*. 1992. Six-year-old tells what is like to be adopted in a multiracial family.

Girard Walvoord, Linda. (1989). *We Adopted You Benjamin Koo* ISBN 0-8075-8695-1. Illinois Albert Whitman and Co.

Halpert Kraus, Joanna. (1992). *Tall Boy's Journey*. ISBN: 0-87614-616-7 (pbk). New York: Holiday House.

Krementz, Jill. (1982) *How It Feels to Be Adopted*. ISBN: 0-394-75853-6 (pbk). New York: Alfred Knopf.

Mandlebaum, Pili. *You Be Me, I'll Be You*. A bi-cultural child decides she dislikes her brown skin. Her father devises a creative alternative.

Pellegrini, Nina. (1991). *Families Are Different*. ISBN: 0-8234-0887-6 (hbk). New York: Holiday House.

Simon, Norma. (1976). *All Kinds of Families*. ISBN: 0-0875-0282-0 (hbk). Illinois: Albert Whitman and Co.

Turner, Ann. (1990). *Through Moon and Stars and Night Skies*. ISBN: 0-06-443308-0 (pbk.). New York: Harper-Collins.



## Workbooks and Activity Books for Children

Milord, Susan. *Hands Around the World*, Williamson Publishing, Charlotte, Vt. Plants, stories, crafts, cooking, songs, and dances to build cultural awareness.

Terzian, Alexandra. *The Kids Multicultural Art Book*.. Williamson Publishing, Charlotte, Vt. Roots, rhythms, and traditions found in art in a hands-on experience (ages 3-9).

Sevaly, Karen. *International Children*., Teacher's Friend Pub., Riverside, Calif. Customs, costumes, and flags of 22 nations.

Warren, Jean & McKinnon, Elizabeth. *Small World Celebrations*, & Warren Publishing, Everett, Wash. Art, games, songs, and snacks to introduce children to holidays and festivals around the world.

## Books for Parents



(ISBN numbers can be used to easily order books from local bookstores.)

These books contain chapters that discuss transracial/transcultural parenting issues.

Beauvis-Godwin, L. and Godwin, R. (1997). *The Complete Adoption Book*. ISBN: 1-55850-644-6. Holbrook, Mass.: Adams Media Corp.

Comer and Puissant, *Raising Black Children* (1992). Plume Co., NY. ISBN: 2268397.

Hopson & Hopson, *Raising the Rainbow Generation* (1993). Fireside Books, Great Britain. ISBN 0671798065.

Keefer, Betsy & Schooler, Jayne, (2000). *Telling the Truth to Your Adopted or Foster Child: Making Sense of the Past*. Bergin & Garvey, Westport, CT. ISBN: 0-89789-691-2.

Komar, M. *Communicating with The Adopted Child* (1991). Walker & Co., NY. ISBN 0802711243.

Steinberg, Gail and Hall, Beth, *An Insider's Guide to Transracial Adoption*, 1998. Pact Press.