

## Implement Full Disclosure as a Process, not an Event

Effective disclosure of background information is important for adopted persons, adoptive families, and child welfare agencies. Listed below are three key benefits that have been identified as reasons why full disclosure is critical with adoptions ([Child Welfare Information Gateway 2012, pp. 1-2](#)):

1. It helps prospective adoptive families make an informed decision about proceeding with adoption.
2. It provides adopted persons with knowledge that is as full and accurate as possible regarding their families, medical conditions, and genetic histories.
3. It helps protect agencies from “wrongful adoption” lawsuits alleging that information was not properly shared with the adoptive families.

Ensuring that adoptive parents/guardians have necessary information about their children’s background and needs should be ingrained in practice. Critical information must be obtained when birth families first come to the attention of child protection agencies, and continuously added to and updated throughout the time children are in care. In order to do this well, agencies must have systems in place that trigger when and what information should be collected. Additionally, child welfare agencies must have systems developed that allow workers to easily store information in one place. This requires intentional planning and practice strategies to be implemented that continuously stress the importance of collecting and documenting information.

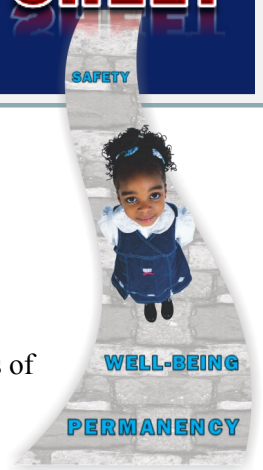
One of the complaints heard from adoptive parents/guardians is that the “system” did not fully inform them of the needs of their children. Although this issue cannot be totally avoided, systems can ensure that they have designated points throughout the life of the case to have direct conversations with the prospective adoptive parents/guardians. Systems need to be clear about the information that they know and the information that they do not know. For example, the child welfare system may not have infor-

mation about the mental health status of the parents or may not have clear documentation on all the risk factors that were present when the child protective staff removed the child from the home. Likewise, the system may be aware of risk factors that are present but cannot predict if or how these issues may become escalated throughout developmental stages. Key components of an effective approach to adoption disclosure are summarized below:

### Ensure Systems are Able to Work with Families Around the Known, Knowable and the Unknowable

The ability to effectively collect, assess, document, and disclose background information in adoption/guardianship is dependent on several domains of system capacity. While not an exhaustive list, the elements listed below will help ensure that information is collected, used, and shared in the most effective manner:

- Emphasize strong family engagement and inclusive decision-making practices to promote sharing and dialogue between staff, birth families, caregivers, and potential adoptive families. To learn more, review [Child Welfare Information Gateway materials on \*Family Engagement\* and \*Family Group Decision Making\*](#).
- Ensure that managers and supervisors stay current on applicable laws and that agency policies and training are updated to keep staff apprised on information collection and disclosure requirements.
- Establish staff selection and development policies and procedures to ensure that child welfare staff responsible for finalizing permanencies have the education and skills to identify and record actual and potential health and mental-health factors. Child welfare staff must be able to walk families



through the reports and refer them to the appropriate professionals (medical, mental health, etc.) who either prepared the reports or can offer guidance on the meaning of these assessment reports within their scope of practice.

- Ensure staff talk to families not only about the known issues but also about the fact that the system does not always know all of the traumatic events that children endured prior to coming into care. As a result, staff need to prepare all families on how and where to access help post permanency, if needed.
- Conduct specialized training on adoption disclosure is critical for staff responsible for finalizing permanencies, but it is also important that the entire child welfare workforce is aware of the background information that should be collected throughout the life of a case and the importance of documenting it regardless of the permanency goal obtained. One example is a module on Gathering and Documenting Background Information that Ohio offers as part of their state's *Foster and Adoption Assessor Training* series. The training is a requirement for professionals who provide adoption or foster family services; however, some Ohio counties encourage all of their child welfare staff to attend the training to build awareness across service units.
- Offer ongoing coaching and education so that child welfare staff know not only what information should be disclosed but how to share the information with prospective adoptive parents/guardians. *Providing Background Information to Adoptive Parents* (Child Welfare Information Gateway, 2012) is an excellent resource for practitioners.
- Provide resources and tools to assist direct service workers in conducting full disclosure throughout the life of the case. Practice tips and coaching strategies for supervisors can be found in a *Tip Sheet* created by the National Resource Center.
- Create policy and accountability structures to ensure that information is being shared on a regular basis. It is critical that relative caregivers receive the same type of background information that is shared with non-related caregivers.



## Interweave Full Disclosure throughout Case Practice

Helping prospective adoptive parents/guardians access background information, process their reactions, and incorporate the information to meet the needs of children in their homes should not be viewed as a one-time event. Instead, it should be viewed as a process that is interwoven into practice from when children first enter care until they exit care. With a little over half of the adoptions from the public child welfare system in 2012 taking place with the existing foster parents (AFCARS Report 2012), it becomes even more critical that full disclosure is conducted throughout the time children are in care.

Child welfare staff are responsible for collecting and documenting important information about children and families throughout the life of the case, and the staff must ensure that the information is shared and processed, as appropriate, with current caregivers. To ensure this is taking place, child welfare systems need to develop set times within the case process where information is shared with prospective adoptive parents/guardians. These meetings should include information from key staff (clinician, educational liaison, case manager, etc.) that can provide different perspectives on the needs and strengths of the children. Examples of components that can be put in place to build this continuum of information sharing are highlighted below:

- Once children enter care, provide opportunities for birth parents and caregivers (kin or foster parents) to meet directly to share information about children and their needs. The *Icebreaker Meeting* materials, available from The Annie E. Casey Foundation, can be used to train staff to facilitate such meetings shortly after children enter care.
- Develop forms and protocols to share information with kin caregivers and foster parents at the time of first placement and to ensure this information is updated at regular intervals. Teach caregivers how to maintain the privacy of information about children and their families and hold them accountable to do so. As an example, see *Confidentiality and the Foster Parent's Need to Know*, which appears in North Carolina's *Fostering Perspectives* newsletter.
- Adhere to the requirements of the *Indian Child Welfare Act* (ICWA) to ensure that Native American heritage is identified at the point a child welfare case is opened and the provisions of the law are followed. To learn more about ICWA, visit the National Indian Child Welfare Association

website at: [http://www.nicwa.org/Indian\\_Child\\_Welfare\\_Act/](http://www.nicwa.org/Indian_Child_Welfare_Act/). Tribal, state and local practice examples can be found at [Child Welfare Information Gateway](#).

### Provide Information in a Manner that Families can Comprehend

At the point of adoptive placement, formal pre-adoptive disclosure must occur, even in cases where the prospective families are already involved in a caregiving role. In addition to following the legal requirements of the jurisdiction regarding what must be disclosed, how the information is shared will have a great bearing on the degree to which adoptive families can process what is presented and feel confident that they have the information needed to make an informed decision about proceeding with adoption. Strategies to strengthen this part of the process include:

- Share information on the adoption disclosure process in pre-service training. Since a considerable amount of time may elapse between pre-service training and adoptive placement, provide opportunities for foster parents to refresh this knowledge prior to adoption. *Obtaining Background Information on Your Prospective Adopted Child* from Child Welfare Information Gateway is a practical resource for families and includes a thoughtful list of questions that families should ask their adoption agencies.
- Discuss with families the likelihood that there is information about the children and their birth families that is not known to the agency and, therefore, is not available to be disclosed. Point out to families the known gaps in the available information that is available. Make families aware that children with trauma histories may not disclose aspects of their abuse until they feel secure and safe in a family environment, which may be after permanency is obtained.
- Unless prohibited by statute, provide families with copies of reports, assessments and other documents, rather than only summarizing the material for them. Provide parents with opportunities to speak directly with professionals who have treated or served the children. Encourage parents to take non-identifying copies of reports for independent evaluation by professionals they chose.

Helpful guidelines for sharing information can be found in the AdoptUSKids publication, *Finding a Fit That Will Last a Lifetime* (Gerstenzang and Freundlich, 2006, pp. 36-38).

See the National Resource Center for Adoption's *Adoption Competency Curriculum - Decision Making and Placement Selection Module*, for a list of information to share with adoptive parents (Handout #5) along with other practice guidance.

### Ensure that the Information has been Addressed through Service Provision

An additional way that prospective adoptive/guardianship families come to understand the needs of children in their home is by exposure to the services and supports children receive prior to adoption/guardianship. This starts with a comprehensive family assessment that is linked to service planning and service provision. Systems can consult *Comprehensive Family Assessment Guidelines for Child Welfare*, available from Child Welfare Information Gateway for additional information and guidance on comprehensive assessments. Before permanency is obtained, services should be in place that respond to the children's identified needs. There should be no needs disclosed that have not already been addressed or are not currently being addressed. A clear plan should be in place that identifies how needed services will continue after permanency is obtained. Arrange for adoption subsidies and the availability of post-adoption services to ensure that children and families continue to have access to needed services after adoption. See the *Negotiating Title IV-E Adoption Assistance Module* of the NRC for Adoption's *Adoption Competency Curriculum* for more information.

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*National Resource Center for Adoption Permanency Support and Preservation Model, 2014.*  
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