



## **Federal Laws and Policies Impacting Adoption Placement**

- ◆ Title VI of the Civil Rights Act of 1964
- ◆ Indian Child Welfare Act of 1978
- ◆ Multiethnic Placement Act of 1994, as amended by the Interethnic Adoption Provisions of 1996
- ◆ Adoption and Safe Families Act of 1997
- ◆ Child and Family Services Reviews, Standards and Concurrent Planning
- ◆ Federal Laws and Administrative Processes
- ◆ Child and Family Services Improvement Act of 2006
- ◆ Deficit Reduction Act of 2006
- ◆ Fostering Connections to Success
- ◆ Increasing Adoptions Act of 2008
- ◆ SAFE and Timely Interstate Placement Act of 2006





# **Federal Laws and Policies Impacting Adoption Placement**

## **Trainer's Preparation**

### **Module Contents and Training Process**

This module addresses:

- Title VI of the Civil Rights Act of 1964
- Multiethnic Placement Act (MEPA) of 1994 as amended by the Interethnic Adoption Provisions (IEP) of 1996
- Indian Child Welfare Act (ICWA) of 1978
- Adoption and Safe Families Act (ASFA) of 1997
- Safe and Timely Interstate Placement Act of 2006
- Adam Walsh Child Protection and Safety Act of 2006
- Child and Family Services Improvement Act of 2006
- Deficit Reduction Act of 2006
- Fostering Connections to Success and Increasing Adoptions Act of 2008
- A discussion of concurrent planning in the context of the Child and Family Services Reviews process.

### **Preparing to Train**

Before beginning this module, trainers should:

- Gather most recent AFCARS data.
- Gather the State's current policies implementing the Federal laws discussed in this module and include in Participants' Handouts.
- Gather State-specific data on children in foster care and adoption and include in Participants' Handouts.
- Be familiar with MEPA/IEP and ICWA implementation programs, including:
  - Current training or information being provided.
  - Position and role of staff delivering that information.
  - State's view of current gaps in MEPA/IEP and ICWA implementation.
  - Review and be totally comfortable with the content and delivery methods required for this module.
  - Review additional resource and reference materials in the Trainer's Guide.



- Review current Child and Family Services Reviews for standards.
- Be familiar with concurrent planning policies and practices in the State.
- Determine the amount of time allotted to the module. It is designed to be trained in 8 hours. This time can be shortened or lengthened based on the depth of coverage.

### **Required materials/equipment and room setup for this module:**

The basic materials needed for the training session irrespective of the modules to be trained are:

- Trainer's Guide
- Participant's Handouts
- Handouts
- Pre-test and post test
- Evaluation forms
- Wall Screen/laptop and LCD projector
- PowerPoint presentation
- Easel and easel paper
- DVD/TV monitor, videos
- Pens/pencils, markers, erasers
- Extension cords
- Name tents
- Post-it pads/index cards
- Parking Lot poster/easel paper labeled "Parking Lot"
- Masking tape
- Sign-in sheets
- Paper clips
- Paper or Styrofoam cups

An ideal size for a session is 20—25 participants. Round tables for five participants per table help to set the informal, interactive tone for the training. Additionally, since much of the curriculum involves Team Activities, this seating arrangement reduces the time required for participants to get into teams and be visible to one another as they complete activities. It is helpful for the trainers to move around the room while speaking and not stand behind a podium or table.



## General Training Tips

In addition, the following pointers are applicable to all trainings:

### **Before the Training Day**

- Talk with co-trainers about how to train as a team. Set ground rules for working together, and delineate roles.
- Arrange for the training room and room setup.
- Arrange for the needed equipment and training supplies.
- Ensure that there are copies of the participant handouts for each participant.

### **Read and Review the Trainer's Guide**

- The **Introduction: Objectives, Competencies, and Content** for each module and provide specific preparation instructions for the module.

### **Review the Content for Each Training Session**

- Trainers should use the white space in the **Trainer's Guide** for summary bullets that will keep them on track and ensure that the content is covered in the time allotted.
- Trainers may find it helpful to underscore or highlight concepts and key points to emphasize, adding personal comments and anecdotes as appropriate.
- Watch the video.

### **Practice with the DVD Equipment to be Used**

- **Prior to each session, test the equipment.** Check the monitor or laptop/LCD to be sure you know how to connect and operate the equipment. Ensure that electrical outlets and power cords are packaged along with 2 extension cords. Play portions of the actual DVD that will be used, to make sure it is in good working order. If possible, walk around the training room to view and hear the video from several of the positions that the participants will occupy. Adjust the picture (color, contrast, brightness, etc.) and volume accordingly.
- After checking the DVD, be sure to reset it to the beginning or to cue it to the appropriate place.



- Immediately prior to the session, play the beginning of the DVD again to double check that it is the correct one. Be sure to reset.
- If you are using a PowerPoint Presentation, make sure you know how to work the laptop and LCD and that you have an appropriate screen or projection surface in the training room. Test to ensure that everything is in working order before the training starts.

### **During the training**

- Validate participants responses by rephrasing, reinforcing or repeating later in training, by smiling, making eye contact, nodding, gesturing in a nonjudgmental way. **Never say, “Yes but . . .”**
- Take some risks in sharing information about your relevant personal experiences and feelings. Model that it is all right to do this. Make the group more comfortable and willing to take risks.
- Keep the training experiences lively. Do not read from the curriculum!
- Make clear transitions between segments of each session by bringing each segment to closure and introducing new segments by tying in concepts and ideas from previous materials. Use participants’ comments as transitions whenever possible.
- Be conscious of time. **Each subject need not be exhausted before you move on.** Move the group along without making participants feel rushed.
- Start and end each session on time. **Never keep participants for more than the time allotted for each module.**

### **After the training**

- Send the pre-tests and post tests to Public Research and Evaluation Services (PRES).
- Review participant evaluations, note where you succeeded and where you did not do so well. Modify your future preparations and presentations based on this feed-back.
- Debrief with your co-trainer.
- Provide information to National Child Welfare Resource Center for Adoption on areas/issues that need further research or refinement.



# Agenda

Welcome and Overview

Review of Health & Human Services - AFCARS Data

Personal Biases: Values and Assumptions Exercise

Race and Culture: Laws and Practices Before 1994

Title VI of the 1964 Civil Rights Act

Indian Child Welfare Act (ICWA)

History of the Multiethnic Placement Act of 1994 as Amended by the  
Interethnic Placement Provisions of 1996 (MEPA/IEP)

MEPA and Diligent Recruitment

Lunch

Adoption and Safe Families Act (ASFA) of 1997, PL 105-89

What is Concurrent Planning?

Core Concurrent Planning Components

Why Talk About Concurrent Planning in an Adoption Curriculum?

What are the Legal Requirements for Concurrent Planning?

- Federal Laws and Administrative Processes
- State Laws and Policies

Organizational Requirements to Support Concurrent Planning

Closure and Post Test







# Federal Laws and Policies Impacting Adoption Placement

## **Objectives:**

- *To explore values and assumptions regarding race, color and national origin (RCNO) in foster care and adoptive placements.*
- *To explore the requirements of the Multiethnic Placement Act of 1994 as amended by the Interethnic Adoption Provisions of 1996 (MEPA).*
- *To explore the requirements of title VI of the Civil Rights Act of 1964, and how they are linked to MEPA.*
- *To learn the requirements of the Indian Child Welfare Act, the Adoption and Safe Families Act (ASFA), Safe and Timely Interstate Placement Act, Adam Walsh Child Protection and Safety Act, Child and Family Services Improvement Act, Deficit Reduction Act of 2006, Fostering Connections to Success and Increasing Adoptions Act of 2008, and the Child and Family Services Reviews (CFSR).*
- *To define concurrent planning.*
- *To identify and discuss the legal, policy and organizational requirements.*
- *To identify the processes for implementing it in participants' practices.*

## **Competencies: Participants will be able to:**

- *Articulate changes in adoption legislation over history.*
- *Identify their own personal values and how they impact their professional practice.*
- *Identify the impact on MEPA and title VI on recruitment and adoptive placements.*
- *Identify the best practice issues related to impact of MEPA/IEP and ICWA on family services.*
- *Apply concurrent planning to a specific case scenario.*
- *Identify organizational/structural barriers to implementing concurrent planning in their agency.*
- *Define and implement action strategies to address the organizational/structural barriers to implementing concurrent planning in the agency.*



## Content Outline

- Welcome and Overview
- Personal Biases: Values and Assumption Exercise
- Discussion of federal legislation of MEPA/IEP
- Title VI of the Civil Rights Act
- Indian Child Welfare Act
- History of Multiethnic Placement Act of 1994 as Amended by the Interethnic Placement Provisions of 1996 (MEPA/IEP)
- Adoption and Safe Families Act (ASFA)
- Lunch
- Definition of concurrent planning
- Why talk about concurrent planning in an adoption curriculum?
- Federal and state laws and policies regarding concurrent planning
- Concurrent planning core practice components
- Organizational requirements to support concurrent planning



## Welcome and Overview

### **Purpose:**

- Welcome participants to the training site
- Share any necessary “housekeeping” details such as break times, bathroom facility locations, lunch arrangements, cell phone usage, etc.

### **Trainer’s Points**

- ☐ Welcome to the Federal Laws and Policies Impacting Adoption Placement Training. My name is . . . *(introduce self and give some background information).*
- ☐ Before we begin, let’s take care of a few housekeeping details. The rest rooms are located . . .
- ☐ Please turn off all cell phones or put them on vibrate. Take emergency calls outside the training room so as not to disrupt others.
- ☐ Your questions will be answered when asked or deferred to a later point in the training. If deferred, they will be written in the Parking Lot posted on the wall here to ensure that they are answered. If, during the course of the training, you have a question that you do not choose to ask aloud, feel free to write it on a post-it note and place it in the Parking Lot. If the trainer or someone in the group cannot respond to a question, the trainer will try to obtain an answer by the end of the training day or will forward the answer to all attendees after the training.
- ☐ Each of you has a packet of Participant’s Handouts. These Handouts contain information to be discussed today as well as additional information for your review after the training.
- ☐ This module addresses the title VI of the Civil Rights Act of 1964, Multiethnic Placement Act (MEPA) of 1994 as amended by the Interethnic Adoption Provisions (IEP) of 1996; the Indian Child Welfare Act (ICWA) of 1978; the Adoption and Safe Families Act (ASFA) of 1997; and a discussion of concurrent planning in the context of the Child and Family Services Reviews process; the Safe and Timely Interstate Placement of Foster Children Act; the Adam Walsh Child Protection and Safety Act; the Child and Family Services Improvement Act of 2006; the Deficit Reduction Act of 2006, and Fostering Connections to Success and Increasing Adoptions Act of 2008, as related to safe, timely placements for children in foster care and adoption.

Trainer's  
Points



- ☐ We will address values and assumptions related to ICWA, ASFA legal requirements, and tools and techniques to prepare and support families.
- ☐ This training is designed to engage you in the training process through the use of team activities, large group discussions and individual exercises.
- ☐ Share one question about ICWA or ASFA that you want to be sure is answered during the training. These questions and other questions that come up during the training will be recorded on the “Parking Lot.” This is intended to help us stay on schedule and cover all the material in this module.
- ☐ During the training, your questions will be checked off the list as they are addressed to the satisfaction of the group. Any unanswered questions will be researched by the trainers and information provided after the training.

## Pre-Test

### Trainer's Points

- ☐ The agency requires a pre- and post test.
- ☐ You will have 10 minutes to complete the test. We will collect them at your table.
- ☐ Thank you in advance for your cooperation.
- ☐ Pre-tests and post tests are to be sent to Public Research and Evaluation Services (PRES), the national evaluator for the National Child Welfare Resource Center for Adoption. PRES will compile and return the results to you and the designated State official.

## Participant Introductions

*(Select one of the options.)*

### Trainer's Points

- ☐ Now let's take time to get to know one another. *(Select one of the options.)*

### **Option 1: Walkabout**

- ✓ Write the following questions on easel paper:
  - **What strengths do you bring to this training?**
  - **What do you want to learn in this training?**
  - **What is the greatest challenge in placing children from the child welfare system with adoptive families?**
- ✓ As participants arrive, ask each to walk about and answer the questions.
- ✓ After answering the questions, participants find a space and complete the nameplate.
- ✓ When you get to this section, ask participants to share their names and places of employment.
- ✓ Review the answers to the Walkabout. Summarize and comment on the similarities and differences in the answers, how the strengths of the participants support the training and if the challenges will be addressed.

### **Option 2: Group Introductions**

- ☐ Please share with us your responses to these five questions:
  - Who are you?
  - Where do you work?
  - What tasks do you perform?
  - What are your expectations for the training?
  - One thing we couldn't tell by looking at you?
- ☐ I will write the expectations for the training on easel paper and post them. If there are expectations outside the scope of what we can accomplish today, I will tell you. We will check back during the course of the day to determine if we are meeting your expectations.

### **Option 3: Personal Introductions**

- ☐ Find someone you don't know.
- ☐ You have 1 minute to identify two things not apparent that you have in common besides your job or workplace.
- ☐ Identify an adoption success you had in the last year.



- ✓ Ask volunteers to share some commonalities and successes.
- ✓ Summarize responses.

### AFCARS Data

*Note to Trainer: AFCARS data must be updated on a yearly basis in order to give an accurate picture. Trainers should be aware of the current racial breakdown of children/youth that were adopted from the child welfare system, both nationally and in the state. This information should be obtained prior to the training. Nationally, this data can be obtained from AFCARS data located on the Children's Bureau's web site. The trainer can either request data directly from the state or gather the information from the Children's Bureau's web site.*

### Trainer's Points

- ☐ Turn to **Participant's Handout 1, AFCARS National Data.**

#### National Data

- Approximately 255,000 children entered foster care in FY 2009.
- 424,000 children/youth were in out-of-home care at the end of fiscal year 2009. Estimates are that 40% were Caucasian, 30% were African American, 20% Hispanic, 5% multiracial, 2% American Indian/Alaskan Native, 2% were race unknown, and 1% Asian, less than 1% were Hawaiian/other Pacific Islander.
- Nearly 115,000 children/youth in out-of-home care at the end of fiscal year 2009 were waiting to be adopted.
- Of these children/youth, 38% were Caucasian, 30% were African American, 22% were Hispanic, 6% were Multiracial; 2% were Indian/Alaskan, and 2% were race unknown.
- 43% were under 6 years of age; 58% were age 6 and older.
- The annual number of finalized adoptions from the public child welfare system was 57,466 adoptions in fiscal year 2009.
- Approximately 29,471 young adults "aged out" of foster care during fiscal year 2009.

(AFCARS Report, July 2010)

- ☐ Child welfare adoption practice in the 1970s through the 1990s generally favored placing children in racially- or ethnically-matched families.
- ☐ Transracial placements were considered as a "last resort."



- ☐ Some States required that children/youth be placed with families of the same racial, ethnic, or cultural background.
- ☐ Several States prescribed the time period within which agencies had to search for a matched family before widening the search for an unmatched family.
- ☐ As early as 1964, the Civil Rights Act prohibited discrimination based on race, color or national origin. However, actual practice continued to discourage transracial placements in child welfare adoptions.
- ☐ The majority of non-child welfare adoptions were and, continue to be, transracial and transcultural: Asian children adopted by Caucasian parents. (U.S. Department of State, 2006)
- ☐ The increasing number of African American children awaiting adoption, even after significant efforts by African American agencies to effect their adoptive placement and the advocacy of foster parent/adoptive parent organizations in the 1980s, led to the passage of the Multiethnic Placement Act in 1994.

## National Data

- Approximately 255,000 children enter foster care each year.
- 424,000 children/youth were in out-of-home care at the end of fiscal year 2009.
- Estimates are that more than:
  - 40% were Caucasian
  - 30% were African American
  - 20% were Hispanic
  - 5% were Multiracial
  - 2% were American Indian/Alaskan Native
  - 2% were race unknown
  - 1% were Asian
  - Less than 1% were Hawaiian/Other Pacific Islander
- Nearly 115,000 children/youth in out-of-home care at the end of fiscal year 2009 were waiting to be adopted.
- Of these children/youth:
  - 38% were Caucasian
  - 30% were African American
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  - 6% were Multiracial
  - 2% were Indian/Alaskan Native
  - 2% were race unknown
- 43% were under 6 years of age; 58% were age 6 and older.
- The annual number of finalized adoptions from the public child welfare system was 57,466 adoptions in fiscal year 2009.
- Approximately 29,471 young adults “aged out” of foster care during fiscal year 2009.

(AFCARS, July 2010)





- Turn to **Participants' Handout 2, *State Data***.

### **State Data**

- ✓ Trainer will need to gather this data to be handed out that mirrors the National data.
- ✓ To get data, review the Child Welfare Outcomes Report Data site at ([www.cwoutcomes.acf.hhs.gov/data](http://www.cwoutcomes.acf.hhs.gov/data)) which provides state-specific data.

### **Directions**

- ✓ Discuss the national and state data and highlight the trends and implications by introducing the following questions to participants. The purpose of this discussion is to help participants understand the dynamics of adoption from a statistical perspective.



## State Data

- Characteristics of children placed for adoption.
- Characteristics of adoptive parents.
- Characteristics of children awaiting placement.



## Large Group Discussion

- **Is this information different than you expected?**
- **If so, what is different than you expected?**
  - age and race of children
  - sibling group placement rates
  - characteristics of adoptive parents
- **What are the implications for adoption practice in your state based on this data?**





## Trainer's Points

- ☐ AFCARS data has implications for practice in terms of recruitment and training of families that respect the needs of the children/youth in care including either linguistic barriers and cultures.

## Transition

- ◆ Are there any questions or comments on anything we have discussed so far?
- ◆ In this segment, we discussed the current status of adoption in your state. Next, we will explore our personal views of transcultural and transracial adoption.

# Personal Biases: Values and Assumptions Exercise

## Trainer's Points

- ☐ Past experiences shape current behavior and lead to values and biases that affect our work. It is a constant challenge to keep our personal biases and values from influencing our professional responsibilities. However, the first step in managing the influence of personal biases is to recognize that they exist and to actively monitor our conversations and actions with our clients to ensure that we provide accurate information; then complete objective, professional assessments, and make placement decisions that do not reflect our own personal biases.
- ☐ Turn to the Participant's **Handout 3, *Values and Assumptions Exercise***.

## Individual Activity

- ☐ This exercise gives you an opportunity to explore your own opinions regarding cross cultural and cross racial placements.
- ☐ Read each statement and indicate whether you agree or disagree.
- ☐ You will have 10 minutes to complete the exercise.
- ☐ At the end of the 10 minutes, participants will be solicited to volunteer comment on the statements provided and their opinions.

## Large Group Discussion

- ☐ Ask for two or three volunteers to share their thoughts and opinions on the exercise and the statements provided.
- ☐ Have each volunteer talk about how his/her values can possibly influence placement decisions.

Trainer's  
Points



Handout

Handout 3



Individual Activity



Large Group  
Discussion



## Values and Assumptions Exercise

Please indicate whether you agree (A) or disagree (D) with the following statements:

1. \_\_\_\_ There is a right and a wrong motivation for adopting/fostering children transracially.
2. \_\_\_\_ Most people who adopt children from racial backgrounds different from their own do so because they cannot find a child of like race.
3. \_\_\_\_ Placing children outside of their race amounts to cultural genocide.
4. \_\_\_\_ For the most part, child welfare staff understand the implications for foster and adoptive families who parent children from racial backgrounds that differ from their own.
5. \_\_\_\_ Families who *adopt* children of a race, color, national origin, or ethnic background that differs from their own have an obligation to expose the children to their race of origin.
6. \_\_\_\_ Bi-racial children should be placed in minority race families whenever possible.
7. \_\_\_\_ There are negative implications for the psychological development of children who are placed in cross-racial homes.
8. \_\_\_\_ Children who are raised in foster/adoptive families who are of a different race, color, national origin, or ethnic background, are less well adjusted as adults than children were raised in same race foster/adoptive families.
9. \_\_\_\_ Families who *foster* children of a race, color, national origin, or ethnic background that differs from their own have an obligation to expose them to their race of origin.
10. \_\_\_\_ Most families who foster children transracially do not fully understand all of the ramifications to themselves and the children.
11. \_\_\_\_ A child should never be placed into a family where he/she will be the only member of the family who is of a different race.
12. \_\_\_\_ Most families who adopt children transracially think that love will conquer any obstacles they may encounter.
13. \_\_\_\_ Families who adopt children whose language is different than their own should make efforts to support the child's original language.
14. \_\_\_\_ It is more acceptable to adopt a child from a different country than it is to adopt a child transracially in the United States.



## Transition

- ◆ Are there any further questions or comments on anything we have discussed thus far?
- ◆ Next, we are going to look at race, the laws, and child welfare placement practices prior to the passage of Multiethnic Placement Act in 1994.





## Handout Handout 4

# Race and Culture: Laws and Practices Before 1994

## Trainer's Points

- ☐ Turn to your **Participant's Handout 4, *Race, Color, and National Origin* (RCNO) Definitions:**
- ☐ Let's review the definitions now.
  - **Race** – Asian, Black or African American, White, Native Hawaiian or other Pacific Islander, and American Indian or Alaska Native
  - **Color** – skin tone or complexion
  - **National Origin** – a child/youth's or parent's ancestry; for example, Hispanic, Ukrainian, Filipino
  - Discrimination on the basis of ethnicity is encompassed by title VI's prohibitions against national origin discrimination.
  - MEPA and title VI do not address discrimination on the basis of religion, age, gender, culture, sexual orientation or any other characteristic.

*NOTE TO TRAINER: Race categories have been established by the Office of Management and Budget. These are the categories that ACF and OCR use to assess compliance with the law. National origin refers to a child's or a parent's ancestry, not necessarily the child or parent's country of origin. For ethnicity, ACF often talks about ethnicity in the context of people of Hispanic ethnicity. Although the word "ethnicity" does not appear in MEPA or title VI, discrimination on the basis of ethnicity is prohibited, if it is being used to describe RCNO. There are other Federal and sometimes State statutes that may cover discrimination on the basis of other characteristics.*



## Race, Color and National Origin Definitions

**Race** – Asian, Black or African American, White, Native Hawaiian or other Pacific Islander, and American Indian or Alaska Native

**Color** – skin tone or complexion

**National Origin** – a child/youth's or parent's ancestry; for example, Hispanic, Ukrainian, Filipino

Discrimination on the basis of ethnicity is encompassed by title VI's prohibitions against national origin discrimination.

MEPA and title VI do not address discrimination on the basis of religion, age, gender, culture, sexual orientation or any other characteristic.





Handout 5

## Title VI of the 1964 Civil Rights Act

### Trainer's Points

- ☐ Turn to your **Participant's Handout 5**, *title VI of the 1964 Civil Rights Act, Section 601-605*.
- ☐ Let's review the Handout now.

## Title VI of the 1964 Civil Rights Act

Title VI prohibits discrimination on the basis of Race, Color, National Origin (RCNO) by recipients of Federal financial assistance. Below are examples of discrimination prohibited by title VI:

- Denying a service or benefit based on RCNO.
- Providing services in a different manner based on RCNO.
- Restricting the enjoyment of an advantage based on RCNO.
- Treating an individual differently on the basis of RCNO in determining whether he or she satisfies a requirement to be provided a service or benefit.
- Affording an opportunity to participate in a program that is different based on RCNO.
- Using methods or criteria that have the effect of discriminating on the basis of RCNO.

Consideration of RCNO under title VI is assessed under a strict scrutiny standard.

- Under the strict scrutiny standard, consideration of RCNO must be narrowly tailored (i.e., justified as necessary) to achieve a compelling interest.
- Advancing the best interests of a child/youth is the only compelling interest that satisfies the strict scrutiny standard.
- Consideration of RCNO must be on an individualized basis.
- A child welfare agency may consider RCNO only if it has made an individualized determination that the facts and circumstances of the specific case require the consideration of RCNO in order to advance the best interests of the specific child/youth. Any placement policy or action that takes RCNO into account is subject to strict scrutiny.



- Let me now explain a little bit about title VI:
  - Title VI is a broad Federal civil rights statute that was enacted as part of the Civil Rights Act of 1964.
  - It prohibits discrimination on the basis of race, color, and national origin (RCNO) in programs and activities receiving federal financial assistance.
- In addition to Title IV-B/IV-E child welfare agencies, some of the institutions or programs that may be covered by title VI are:
  - extended care facilities, public assistance programs, nursing homes, adoption agencies, hospitals, day care centers, mental health centers, senior citizen centers, Medicaid and Medicare, family health centers and clinics, alcohol and drug treatment centers (from OCR's web site)
- Even before MEPA was enacted in 1994, title VI prohibited Title IV-B and IV-E agencies from discriminating against children and parents on the basis of RCNO.
- Title VI prohibits discrimination on the basis of RCNO by recipients of Federal financial assistance. Below are examples of discrimination prohibited by title VI:
  - Denying a service or benefit based on RCNO.
  - Providing services in a different manner based on RCNO.
  - Restricting the enjoyment of an advantage based on RCNO.
  - Treating an individual differently on the basis of RCNO in determining whether he or she satisfies a requirement to be provided a service or benefit.
  - Affording an opportunity to participate in a program that is different based on RCNO.

## Transition

- ◆ We have discussed Race and Culture and laws and practices before 1994. Are there any questions?
- ◆ Now let's discuss the history of the Indian Child Welfare Act, as amended.



# Indian Child Welfare Act (ICWA)

## Trainer's Points

- ☐ Turn to **Participant's Handout 6, *A Summary of the Indian Child Welfare Act.***
- ☐ Let's review handout now.
- ☐ An "Indian child" is defined under Indian Child Welfare Act (ICWA) as "any unmarried person under 18 and is either (a) a member of a federally recognized Indian Tribe or (b) is eligible for membership in a federally recognized Indian Tribe and is the biological child of a member of an Indian Tribe. [25 USC § 1903 (iv)(4)]
- ☐ ICWA establishes standards and procedures for four custody proceedings that affect Indian children/youth, including:
  - voluntary and involuntary terminations of parental rights
  - foster care placements
  - pre-adoptive placements
  - adoptive placements
- ☐ The purpose of the ICWA is to protect the best interests of Indian children/youth and to promote the stability and security of Indian Tribes and families by establishing minimum federal standards for the removal of Indian children from their parents or Indian custodians.
- ☐ ICWA sets the priority for the placement of such children in foster or adoptive homes that reflect the unique values of Indian culture. ICWA provides some financial assistance to Indian Tribes in the operation of child and family service programs.
- ☐ The intent of ICWA is to:
  - prevent unwanted breakup of American Indian families.
  - recognize Tribal jurisdiction to make custody decisions involving the removal of Indian children/youth from their homes.
  - establish minimum federal standards that county/state courts must follow when Indian children/youth are removed from their homes and placed in foster care or adoptive homes.



**Handout 6**



- ☐ ICWA grants Tribal courts exclusive jurisdiction to decide child welfare cases involving an Indian child/youth who:
  - lives on a reservation.
  - is domiciled or resides on a reservation, but temporarily lives elsewhere.
  - is a ward of the Tribal court.
- ☐ MEPA/IEP does not apply to cases covered by ICWA.  
[42 USC § 5115 (f)]
- ☐ What is your State's policy and procedure to ensure compliance with ICWA?

## A Summary of the Indian Child Welfare Act

An Indian child is defined as:

- any unmarried person under 18.
- a member of a federally recognized Indian Tribe.
- eligible for membership in an Indian Tribe and is the biological child of a member of a federally recognized Indian Tribe.

ICWA establishes standards and procedures for four custody proceedings that affect Indian children/youth, including:

- voluntary and involuntary terminations of parental rights
- foster care placements
- pre-adoptive placements
- adoptive placements

The purpose of the Indian Child Welfare Act (ICWA) is to protect the best interests of Indian children/youth and promote stability and security of Indian Tribes and families by establishing federal standards for the removal of Indian children from their parents or Indian custodians.

ICWA also sets the priority for the placement of such children in foster or adoptive homes that reflect the unique values of Indian culture. ICWA also provides some financial assistance to Indian Tribes in the operation of child and family service programs.

The intent of ICWA is to:

- prevent unwanted breakup of American Indian families.
- recognize Tribal jurisdiction to make custody decisions involving the removal of Indian children/youth from their homes.
- establish minimum federal standards that county/state courts must follow when Indian children/youth are removed from their homes and placed in foster care or adoptive homes.

ICWA grants Tribal courts exclusive jurisdiction to decide child welfare cases involving an Indian child/youth who:

- lives on a reservation.
- is domiciled or resides on a reservation, but temporarily lives elsewhere.
- is a ward of the Tribal court.

MEPA/IEP does not apply to cases covered by ICWA.





## Transition

- ◆ We have now reviewed national and state data, personal biases, title VI and ICWA.
- ◆ Are there any questions?
- ◆ We will now move on to discuss History of the Multiethnic Placement Act as amended.





# History of the Multiethnic Placement Act (MEPA)

## Trainer's Points

- ☐ Turn to **Participant's Handout 7, *History of the Multiethnic Placement Act***.
- ✓ Review the following points from the handout with participants:
  - In 1994, Congress passed the MEPA.
  - The purposes of MEPA are to:
    - decrease the length of time that children/youth wait to be adopted.
    - facilitate identification and recruitment of families that can meet the child/youth's needs.
    - prevent discrimination on the basis of RCNO.
  - MEPA was amended in 1996 by the Interethnic Adoption Provisions (IEP) to affirm and strengthen the prohibition against discrimination, by:
    - removing potentially misleading language regarding the consideration of RCNO.
    - strengthening compliance and enforcement procedures by, among other things, requiring assessment of a penalty against a State or agency that violates MEPA.
  - The 1994 version of MEPA required agencies not to “categorically deny” any person the opportunity to foster or adopt on the basis of RCNO.
  - Some interpreted that language allowed room for non-categorical denials of opportunity. The 1996 amendments removed the “categorically deny” language.
  - MEPA supplemented existing legal standards prohibiting discrimination on the basis of RCNO:
    - The Equal Protection Clause of the 14th Amendment to the U.S. Constitution
    - Title VI



**Handout  
Handout 7**



- It was mentioned previously that title VI prohibited discrimination in the child welfare context before MEPA was passed. MEPA specifically applied the civil rights laws to child welfare, and made it clear that discrimination would not be tolerated when making foster care and adoption placement decisions.
- Agencies may not consider race, color or national origin on a routine basis when making placement decisions.
- ☐ The amendment in 1996 made clear that RCNO could not be routinely considered in making placement decisions.
- ☐ Agencies must ensure that their state laws, agency regulations, policies, and practices are consistent with the current Federal law.

## The History of the Multiethnic Placement Act, as Amended

- In 1994, Congress Passed the Multiethnic Placement Act (MEPA).
- The purposes of MEPA are to:
  - Decrease the length of time that children wait to be adopted.
  - Facilitate identification and recruitment of families that can meet the child/youth's needs.
  - Prevent discrimination on the basis of race, color, and national origin (RCNO).
- MEPA was amended in 1996 by the Interethnic Adoption Provisions (IEP) to affirm and strengthen the prohibition against discrimination by:
  - Removing potentially misleading language regarding the consideration of RCNO.
  - Strengthening compliance and enforcement procedures by, among other things, requiring assessment of a penalty against a State or agency that violates MEPA.
  - The 1994 version of MEPA required agencies not to “categorically deny” any person the opportunity to foster or adopt on the basis of RCNO.
  - That language allowed room for non-categorical denials of opportunity, which is inconsistent with title VI. So the 1996 amendments removed the “categorically deny” language.
- MEPA also supplemented existing legal standards prohibiting discrimination on the basis of RCNO:
  - The Equal Protection Clause of the 14th Amendment to the U.S. Constitution
  - Title VI of the Civil Rights Act of 1964 (title VI)
  - We mentioned that title VI prohibited discrimination in the child welfare context before MEPA was passed. But MEPA specifically applied the civil rights laws to child welfare, and made it clear that discrimination would not be tolerated when making foster care and adoption placement decisions.
- Following the 1996 amendments emphasized that agencies may not consider race, color or national origin on a routine basis when making placement decisions.
- Agencies must ensure that its laws, policies and practices are consistent with the current Federal law.





## Transition

- ◆ We have discussed the history of MEPA. Are there any questions?
- ◆ Now let's discuss titles IV- B and IV-E of the Social Security Act and the concept of Diligent Recruitment.

# MEPA and Diligent Recruitment

## Trainer's Points

### ***MEPA: Diligent Recruitment (Title IV-B of the Social Security Act)***

- ☐ As part of its Title IV-B State plan, each State **must** provide for the **diligent recruitment** of prospective foster/adoptive parents who reflect the race and ethnicity of children/youth currently in the State foster care system for whom homes are needed.

### ***Diligent Recruitment***

- ☐ The State **may**:
  - Conduct recruitment activities for the purpose of recruiting parents who reflect the racial and ethnic diversity of the children/youth in care who need homes.
  - Develop its own diligent recruitment plan or utilize the services of a private recruitment agency that specializes in understanding a specific community or identifying families for specific groups of children/youth.
- ☐ The diligent recruitment provision does not require an agency to recruit prospective parents for the purpose of increasing the number of transracial placements.
- ☐ In conducting diligent recruitment activities, the State:
  - **Must allow** prospective parents to participate in general recruitment activities irrespective of RCNO.
  - **Must accept** applications from prospective parents who are not from one of the communities on which the agency currently is focusing its efforts and must include them in general recruitment activities.
  - **Must accept** applications from prospective parents who express interest in providing care to a child/youth whose race or ethnicity does not match their own.
- ☐ Turn to **Participant's Handout 8, *Components for a Diligent Recruitment Plan.***
- ✓ Review the following points from the handout with participants.

Trainer's  
Points



- Components of a diligent recruitment plan may include:
  - A description of the characteristics of the children/youth for whom homes are needed.
  - Specific strategies to reach the individuals and communities that reflect the children/youth in care who need homes.
  - Diverse methods of disseminating general and child-specific information.
  - Strategies for ensuring that all prospective parents have access to the home study process.
  - Strategies for training staff to work with diverse communities and for dealing with linguistic barriers.

## Components of a Diligent Recruitment Plan

- A description of the characteristics of the children/youth for whom homes are needed.
- Specific strategies to reach the individuals and communities that reflect the children/youth in care who need homes.
- Diverse methods of disseminating general and child-specific information.
- Strategies for ensuring that all prospective parents have access to the home study process.
- Strategies for training staff to work with diverse communities and for dealing with linguistic barriers.





## Team Activity

- ☐ This activity is designed to allow participants the opportunity to apply the information learned during the training to specific case scenarios.
- ☐ Turn to **Participant's Handout 9, *Diligent Recruitment Case Scenario***.
- ☐ We will assign each team the case scenario. Each team has 10 minutes to:
  - Did this case comply with MEPA/title VI?
  - Why or why not?
  - If not, how should the agency have handled the family's request?



## Diligent Recruitment Case Scenario

Agency B found that they had a large increase in Asian children coming into care from the northern section of the county. The agency decided to specifically recruit for foster/adoptive parents in this area. A Caucasian family from a neighboring/contiguous area that is predominately Caucasian attended an orientation session and were told they would not be considered because they did not live in the targeted area.

- Did this case comply with MEPA/title VI?
- Why or why not?
- If not, how should the agency have handled the family's request?





## Transition

- ◆ We have discussed the History of the Multiethnic Placement Act and now we will discuss the Adoption and Safe Families Act of 1997.
- ◆ Does anyone have questions?



## Adoption and Safe Families Act (ASFA) of 1997, PL 105-89

### Individual Activity

- ☐ Turn to **Participant's Handout 10, *Adoption and Safe Families Act of 1997 (ASFA): Key Elements, Provisions, and Timeline.***



## **Adoption and Safe Families Act of 1997 (ASFA): Key Elements, Provisions and Timeline**

ASFA marked the culmination of more than two decades of reforms in the child welfare field. Enacted as an amendment to titles IV-B and IV-E of the Social Security Act, ASFA has two overarching goals which are:

1. to move children/youth who are in the child welfare system into permanent placements.
2. to change the experience of children/youth who are entering the system today.

The philosophy that guides ASFA can be summarized as follows:

- The health and safety of children/youth is the paramount concern that must guide all child welfare services. [42 USC 671 (a) (15)]

To emphasize the importance of safety, ASFA:

- states explicitly that child safety is the paramount consideration in decision making regarding service provision, placement, and permanency planning for children/youth.
- clarifies the reasonable efforts requirements related to preserving and reunifying families by reaffirming the importance of reasonable efforts, yet identifying those circumstances in which states are not required to make such efforts to keep the child/youth with the parents.

Specifically, the reasonable efforts requirement does not apply if a court of competent jurisdiction determines that:

- the parent has subjected the child/youth to “aggravated circumstances,” as defined in state law (including but not limited to abandonment, torture, chronic abuse, and sexual abuse).
- the parent has been convicted of murder or voluntary manslaughter or aided or abetted, attempted, conspired, or solicited to commit such a murder or voluntary manslaughter of another child/youth of the parent.
- the parent has been convicted of a felony assault that resulted in serious bodily injury to the child/youth or another child/youth of the parent.
- the parental rights of the parent to a sibling have been involuntarily terminated.

The regulations state that conviction is necessary unless the case is in the criminal justice system and the judge decides not to wait for conviction based on the child/youth’s needs at the time.

Foster care is a temporary setting and not a place for children/youth to grow up.

*(continued on next page)*



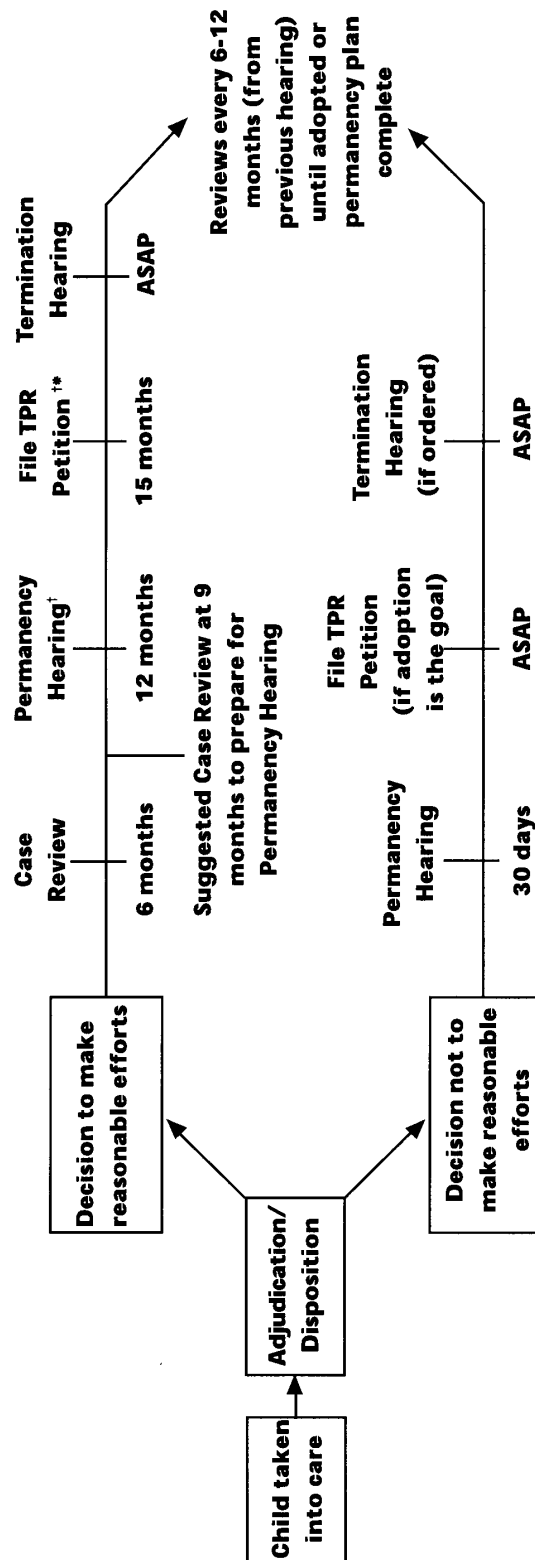
ASFA seeks to ensure that the child welfare system respects the developmental needs of children/youth, including the need for a permanent place to call home. To ensure that children/youth move out of foster care and grow up in safe, permanent homes, the Act:

- radically changes the time frames for making decisions regarding permanent placement. The law requires that states hold the child/youth's first permanency hearing within 12 months (rather than 18 months) and that States initiate or join termination of parental rights (TPR) proceedings for parents of children/youth who have been in care for 15 of the last 22 months (except in situations in which the child/youth is placed safely with relatives and this placement is expected to be permanent, there is a compelling reason why TPR is not in the child/youth's best interest, or the family has not received the services that were part of the case service plan).
- reaffirms reunification as the preferred option for children/youth whose families can provide them with a safe, nurturing environment.
- promotes the timely adoption of children/youth who cannot return safely to their own homes.

U.S. Department of Health and Human Services. *Rethinking Child Welfare Practice under the Adoption and Safe Families Act of 1997: A Resource Guide*. Washington, DC: U.S. Government Printing Office, 2000.



# Timeline for ASFA Compliance



† When calculating when to have the permanency hearing or the 15 of 22 months, use the earlier date of adjudication OR 60 days after the child is removed from the home.

\* Unless child is being cared for by a relative or compelling reason not to TPR exists.

**Laver, M. (1998).** "Advice for Agency Attorneys: Implementing ASFA: A Challenge for Agency Attorneys," *Child Law Practice: Helping Lawyers Help Kids*. Washington, DC: American Bar Association Center on Children and the Law.

## Trainer's Points



- ☐ ASFA was enacted in 1997 to clearly focus the child welfare system on the safety, permanency, and well-being of children/youth served.
- ☐ Safety provisions include:
  - health and safety are paramount in every decision made about children/youth.
  - reasonable efforts to preserve or reunify families are still maintained by ASFA but States may define “aggravated circumstances” in which reasonable efforts may not be required. These include:
    - abandonment
    - murder of another child
    - voluntary manslaughter of another child
    - aided, abetted, attempted or conspired to commit such a murder or voluntary manslaughter
    - committed a felony assault that resulted in serious bodily injury to the child/youth or another child/youth.  
[42 USC 675 (5) (E)]
  - criminal record checks are required for approval of foster and adoptive parents. Approval cannot be granted to applicants who have committed specific crimes against children/youth or other violent crimes.
- ☐ Permanency provisions include:
  - Permanency hearings must be held within 12 months of the child/youth entering foster care. If reasonable efforts to reunify the child/youth with his/her birth parents are not required, this time frame is reduced to 30 days.
  - Termination of parental rights (TPR) proceedings, except under certain conditions, must be initiated for children/youth who have been in foster care for 15 of the past 22 months. States have the option not to pursue the TPR under three conditions. They are:
    1. A child/youth is being cared for by a relative and the placement is expected to be permanent.
    2. A compelling reason can be shown for why it would not be in the best interest of the child/youth.



3. The State has not provided necessary/timely services to the child/youth's family that may enable the child/youth to return home safely. [42 USC 675 (5) (E)]

- ☐ Encourage concurrent planning, where appropriate, as a tool to expedite permanency. Concurrent planning gives States the option to work on an alternative permanent plan while concurrently working on reunification.
- ☐ Promoting adoption and other permanent options include:
  - ASFA provides adoptive incentive payments to States per child/youth for any increase in the number of children/youth in foster care who are adopted over the number adopted in a base year. The payment is increased for each child/youth with special needs who is eligible for the federally supported adoption assistance program.
  - health insurance coverage is required for children/youth with special needs who cannot be adopted without coverage and for whom there is an adoption assistance agreement in effect.
  - ASFA removes geographic barriers to adoption. States are not permitted to deny or delay the placement of a child/youth for adoption when an approved family is available outside of the jurisdiction that has responsibility for the child/youth.
- ☐ Ways to enhance state and federal capacity and accountability include:
  - Funding for the Department of Health Human Services (DHHS) to provide technical assistance to States, Territories, Tribes, and courts.
  - DHHS is required to report to Congress on States' annual performance, kinship care, substance abuse and child/youth protection issues, and the development of performance-based financial incentives for States.
  - States are required to comply with Department of Health and Human Services' standards in the Child and Family Services Reviews to ensure children/youth in foster care are provided quality services that protect their safety and health, provide permanency, and promote their well-being.



## Transition

- ◆ Are there any questions or comments on anything we have discussed so far?
- ◆ In the next segment, we will discuss Concurrent Planning.





## What is Concurrent Planning?

### Trainer's Points

- Concurrent planning, as used in the child welfare system, means that the agency charged with planning for the child/youth pursues family reunification at the same time he/she is pursuing an alternative permanency plan should family reunification not be achieved. (Katz, 1994)
- Active efforts to affect both plans occur simultaneously *with the knowledge of the parent, child/youth and foster parent/relative*.
- The concurrent approach is a deviation from the traditional child welfare case planning approach which followed what has been termed a “straight line” or “sequential” approach; that is, work first for family reunification and, after a period of time if that is not achieved, then begin to pursue alternative permanency plans.
- The concept of concurrent planning, though not the label, was first formulated in the late 1960s and early 1970s by Irmgard Heymann and her colleagues in Chicago. (Weinberg and Katz, 1998)
- Heymann and her colleagues advocated an early, specific, honest discussion with the parent of the requirements for returning the child/youth to their home and the consequences if those requirements were not met.
- Child development professionals have long argued and proven that a child/youth’s positive growth and development rests on the child/youth having a stable environment with continuity of caregivers who value the child/youth and whom the child/youth can rely on without question.
- The concurrent planning approach for children/youth who have been removed from their parent(s) is an attempt to restore stability and caregiver permanency for these children/youth as soon as possible.
- The concurrent planning term and approach was adopted in 1983. It was further developed and demonstrated by Lutheran Social Services (LSS) of Washington.
- LSS has shown during the past 20 years that concurrent planning can ensure safety and permanency for the child/youth in a shorter period of time while respecting the rights of parents. (Cahn, June 2003)

# Core Concurrent Planning Components

## Trainer's Points

- ☐ The National Resource Center for Family-Centered Practice and Permanency Planning adapted the concurrent planning concepts of Lutheran Social Services of Washington and Idaho and developed nine core components of concurrent planning practice.
- ☐ We will use their formulation in this training since it is the one being used nationally to train foster care staff.
- ☐ The nine core concurrent planning components are:
  1. Success Redefined
  2. Differential Assessment and Prognostic Case Review
  3. Full Disclosure
  4. Crises and Time limits as Opportunities
  5. Motivating Parents to Change
  6. Frequent Parent-Child Visitation
  7. Plan A and Plan B: Permanency Planning Resource Families
  8. Written Agreements, Scrupulous Documentation and Timely Case Review
  9. Legal/Social Work Collaboration

(Source: NRCFCPP *Concurrent Planning Curriculum*, February 2003)

- ☐ Turn to **Participant's Handout 11, *Core Components of Concurrent Planning***. Let's review each of the nine components from a practice perspective.
- ✓ Ask participants how their current practice is similar and different from these definitions.

## Large Group Discussion

- ☐ As you review these components, encourage reaction and questions from the group. Engage in sharing examples from your own practice or ask if other participants have had experiences with these components that they would like to share.

Trainer's  
Points



Handout 11



## Core Components of Concurrent Planning

*(Adapted from Concurrent Planning materials of  
Lutheran Social Services of Washington and Idaho)*

### Success Redefined

- Early permanency for children/youth is the goal.

### Differential Assessment and Prognostic Case Review

- Culturally respectful family and child assessments: strengths, needs, core issues.
- Tentative, reasoned hypothesis about the probability of the child/youth's returning home as well as the family's capacity to benefit from reunification services and the need *for an alternative plan*.

### Full Disclosure

- Respectful, candid discussion *early on* about the impact of foster care on children/youth, clarity about birth parents' rights and responsibilities, and supports the agency will provide, permanency options, and consequences of not following through with the case plan.
- Open, honest discussions with all parties: biological families, relatives, foster/adoptive families, attorneys, other service providers.
- Use of family group decision-making/conferencing strategies to involve families in early planning.

### Crises and Time Limits as Opportunities

- Placement and clarity about time limits designated by law can create crises *for families*.
- Using time limits and the "crisis" of the placement as an opportunity to make change.
- Time limits based on children/youth's urgent need for a stable, caring and permanent family.

### Motivating Parents to Change

- The role of the social worker is to engage families in planning, to motivate them to change, and support the process of change.
- The role of the parent and/or family is to change.

*(continued on next page)*



## **Frequent Parent-Child Visitation**

- Parents who visit regularly have the best chance of reunification with their children/youth.
- The more structured the visitation plan, the more likely parents will participate.
- Involving foster parents and relatives in parent-child visits promotes more supportive relationships.

## **Plan A and Plan B: Permanency Planning Resource Families**

- Having a back-up contingency plan.
- Early search for and involvement of absent fathers as well as immediate and extended family (maternal and paternal).
- Early Indian heritage identification and work with the child's Tribe, if indicated.
- Foster parents as permanency resources if reunification doesn't occur.
- Completion of an early home study for resource family.
- Partnerships between biological parents, agency workers, and foster parents.

## **Written Agreements, Scrupulous Documentation and Timely Case Review**

- Short-term immediate goals and long-term permanency goals: who will do what, when, and how?
- Service linkages are key: drug treatment, domestic violence, mental health, and family support.
- Writing down goals, tasks, and time frames helps motivate parents to follow through.
- Documentation of services provided and actual case progress—behavior, not promises, is the only evidence that can be reported on in court.
- Early and ongoing case review to assess progress, review continuing needs, plan for the future.

## **Legal/Social Work Collaboration**

- Consideration of due process and parental rights when children/youth are first placed in care.
- Early determination of paternity and search for maternal and paternal relatives, absent parents.
- Consultation and support from legal staff assures legally sound case work and case planning.
- A good social work plan is a good legal plan.
- Use of non-adversarial child welfare mediation strategies to resolve conflicts.





Handout 12

## Individual Activity

- ☐ Turn to **Participant's Handout 12, *My Concerns in Implementing Concurrent Planning***. Take 3 minutes to list all your concerns about implementing concurrent planning in your work/practice. We will ask for volunteers to share some of their concerns with all of us after you have finished.



## My Concerns in Implementing Concurrent Planning

*List all your concerns about implementing concurrent planning in your work/practice.*

- *Birth parents might feel they are going to lose their child/youth permanently without being given a chance.*
- *Courts and attorneys might view adoption negatively.*
- *Children/youth might be confused.*
- *Foster parent/relative caregivers might not support reunification.*
- *Concurrent planning might not be the most appropriate long-term solution.*
- *Differences between temporary and permanent foster care placement.*
- *All members of the team need to know the children/youth and families.*
- *Team approach requiring agreement on goals; steps to attain them; and frequent, objective review of progress.*





## Large Group Discussion

- ☐ Debrief the exercise:
  - Would someone share one of his/her concerns?
  - Get 6-8 responses.
  - Ask for a show of hands from others who had similar concerns.
  - Summarize the discussion of concerns and indicate how these concerns will be addressed further in this module or other modules in the curriculum.



# Why Talk About Concurrent Planning in an Adoption Curriculum?

## Trainer's Points



- ☐ Child welfare system tasks include:
  - investigating referrals alleging child abuse and neglect.
  - providing services to children and parents while the child remains safely in the home.
  - providing placement of children with relatives or other alternative caregivers.
  - providing family reunification services.
  - ensuring that children receive specific medical, educational, mental health, and other supportive services necessary for their functioning at capacity in all domains.
    - recruiting; licensing/certifying; and training of foster, relative, and adoptive parents.
    - providing support services to foster, relative, and adoptive parents to ensure that they are capable of providing a supportive, stable, and permanent environment for the child/youth.
    - providing “adoption competent” mental health treatment and support services as well as services for children/youth with attachment issues and/or who have been exposed to trauma.
- ☐ States and counties have different approaches about how they organize the child welfare service delivery system.
- ☐ Some have generalist workers who complete all the tasks. Others have specialist workers who complete only one of the tasks; for example, child protective services workers, foster care workers, relative care workers, and adoption workers. Still others have hybrids—caseworkers who complete a combination of tasks but not all of the tasks.



- ☐ Irrespective of the agency's organizational approach to staffing child welfare services, concurrent planning must permeate all aspects of the child welfare system if the State expects to achieve the timeliness to permanence standards expected in the Child and Family Services Reviews (CFSR) process.
- ☐ Specific to adoption, one component of the CFSR process relates to timeliness of adoptions and measures the percentage of children who were discharged from foster care to a finalized adoption in less than 24 months from the time of latest removal from the home. All parts of the child welfare agency, not just the "end" or adoption section, must be attuned to permanency issues from the onset of the case. States that do not meet the National Standards may incur financial penalties. (Federal Register, June 2, 2006)



### Team Activity: Barriers to Timely Adoptions

- ☐ Turn to **Participant's Handout 13, *Barriers to Timely Adoptions***.
- ☐ Teams will have 10 minutes to complete this activity.
  - What are some of the barriers that you have encountered in completing a finalized adoption placement within 24 months from the latest removal of the child/youth from the home?
  - What can *you* do to eliminate these barriers?
  - What do others need to do to eliminate these barriers?
  - How might concurrent planning help facilitate finalized adoption placements within the expected timeframe?

## Barriers to Timely Adoptions

What are some of the barriers that you have encountered in completing a finalized adoption placement within 24 months from the latest removal of the child/youth from the home?

- *Adoptive family not returning needed information.*
- *Competing parties.*
- *Obtaining consents.*
- *Kids in foster care for two years before TPR.*
- *Child/youth initially states that he/she doesn't want to be adopted.*

What can you do to eliminate these barriers?

- *Provide clear directions and frequent follow up with families on materials needed.*
- *Complete thorough family assessments on all interested parties and use a team approach in assessing and decision making.*
- *Be informed on how to talk to child/youth about adoption and understand why they may say "no" to adoption.*
- *Understand it is hard to say yes to the concept of adoption without person to be adopted by.*
- *Understand level of rejection already experienced by child/youth.*

What do others need to do to eliminate these barriers?

- *Provide more information on the availability of adoption subsidy.*
- *Provide documentation for subsidy paperwork.*
- *Simplify paperwork without negatively impacting the quality of services.*
- *Provide trainings on core issues of adoption, how to talk to youth about it.*

How might concurrent planning help facilitate finalized adoption placements within the expected timeframe?

- *Information on potential adoptive families available at time of termination.*
- *Child assessment completed.*



## Trainer's Points

- ☐ Concurrent planning was defined earlier as the agency or child welfare system pursuing family reunification at the same time it is pursuing an alternative permanency plan should family reunification not be achieved. (Katz, 1994)
- ☐ Since implementation of the Adoption and Safe Families Act in 1997, the child welfare system has seen significant increase in the number of children/youth legally freed for adoption, for whom adoption is the plan and either no adoptive placement is finalized or the adoptive placement is finalized in excess of two years after the termination of parental rights. (Maza, 2003)
- ☐ Perhaps another application of the concurrent planning philosophy and process could be the adoption placement task itself. Children are legally freed for adoption and the process of “post-termination concurrent planning” (PTCP).
- ☐ The basic framework for PTCP is developed. While the adoption worker attempts to finalize a relative or foster parent adoption and works hard to remove any and all barriers to that plan, the worker also explores alternative plans, such as identifying and recruiting other potential adoptive parents who could potentially meet the child/youth’s needs should the relative/foster parent choose not to adopt.
- ☐ In fact, 86% of all child welfare adoptions nationally are by foster parents (54%) and other relatives (32%).  
[www.acf.hhs.gov/programs/cb/stats\\_research/afcars/tar/report17.htm](http://www.acf.hhs.gov/programs/cb/stats_research/afcars/tar/report17.htm)
- ☐ However, more than 50,000 children/youth are languishing in the child welfare system as permanent foster children; even though foster care is designed to be a temporary, and not a permanent placement. Foster care is designed to be temporary, not a permanent placement. Many are with caregivers that choose not to adopt them; but will commit to “keeping them” until they are adults. (Maza, 2003)
- ☐ Adoption workers must ask on each individual case: Is this plan in the best interest of the child/youth and should we sanction it?
- ☐ Many children/youth remain in foster care post-termination because there is no family available who chooses to parent them long-term. These children/youth need recruited adoptive families. Expediting adoptive placement for these children/youth necessitates that we change our perspective on how and when to begin the adoptive family recruitment process.

- ☐ An Integrated Concurrent Planning Model (ICP) provides that recruitment of adoptive families, while targeted to the unique needs of an individual child/youth, is not delayed until after the termination of parental rights.
- ☐ In an ICP model, active communication of the needs of children/youth served by the local child welfare system to all members of the system and community is routine, so that each member of the local child welfare team can effectively pursue the tasks assigned to her/him efficiently and effectively.
- ☐ This means workers engaged in recruiting families, either for foster care placement or adoptive placement, know the characteristics of children/youth needing homes. This knowledge focuses and maximizes recruitment efforts so that the agency can match the child/youth's needs with substitute caregiver capabilities at the time the child/youth requires placement.
- ☐ Ideally, recruitment of foster and adoptive families should follow the same guidelines, if not done jointly, to provide for stability of relationships for the child/youth during placement, after reunification or after termination
- ☐ n of parental rights.

## Large Group Discussion

- ☐ Turn to **Participant's Handout 13, *Pre- and Post-termination Concurrent Planning Practice Worksheet***.
- ☐ The concurrent planning core components were developed for pre-termination interventions.
  - **How would practice differ in these core components in the context of post-termination concurrent planning?**
- ✓ Secure at least two comments on each of the nine core components. Some might not require practice changes but rather a shift in the person who is the focus; for example, interventions switch from birth parent to foster parent or relative but the basic concept still applies. For example, full disclosure requires open, honest discussions with all parties.
- ✓ Summarize the discussion by comparing the similarities and differences in pre- and post-termination concurrent planning practices.
- ☐ In essence, at all stages in the permanency process, the responsible caseworker must develop contingency plans based on a differential assessment of the situation providing continuous full disclosure to all the parties involved in the success of the plan.



Large Group  
Discussion



Handout  
Handout 13

## Pre- and Post-termination Concurrent Planning Practice Worksheet

*How would practice differ in these core components in the context of post-termination concurrent planning?*

	Pre-termination	Post-termination
1.	Success Redefined	<ul style="list-style-type: none"> <li>• Goal is adoption.</li> <li>• Decision for planned permanent foster care.</li> </ul>
2.	Differential Assessment and Prognostic Case Review	<ul style="list-style-type: none"> <li>• Current caregivers' desires and ability to provide permanent home.</li> <li>• Child/youth's desires or needs.</li> <li>• Recruited family planning.</li> </ul>
3.	Full Disclosure	<ul style="list-style-type: none"> <li>• Child/youth: Discussion of hopes, desires, and options.</li> <li>• Adoptive family: Examine true feelings about adoption. Share child/youth's full history.</li> </ul>
4.	Crises and Time Limits as Opportunities	<ul style="list-style-type: none"> <li>• Need to finalize decision for child/youth as soon as possible.</li> </ul>
5.	Motivating Parents to Change	<ul style="list-style-type: none"> <li>• Getting potential adoptive families, especially current foster parents or relatives, to provide required information.</li> <li>• Understanding child/youth's needs now and in the future and an honest assessment of their ability and commitment to meeting those needs.</li> </ul>
6.	Frequent Parent – Child Visitation	<ul style="list-style-type: none"> <li>• A plan for continued contact by the child/youth with siblings and birth family.</li> <li>• Visits with newly-recruited families.</li> </ul>
7.	Plan A & Plan B: Permanency Planning Resource Families	<ul style="list-style-type: none"> <li>• Identifying other potential adoptive families should current caregiver be unable, unwilling or determined to be unacceptable for adoption.</li> </ul>
8.	Written Agreements, Scrupulous Documentation, and Timely Case Review	<ul style="list-style-type: none"> <li>• Completing comprehensive assessments within short timeframe.</li> <li>• Decision making.</li> </ul>
9.	Legal/Social Work Collaboration	<ul style="list-style-type: none"> <li>• Educating potential families and child/youth on process.</li> <li>• Preparing documents.</li> </ul>



## Transition

- ◆ Next, let's look at the federal and state requirements for concurrent planning.
- ◆ First, we will review the applicable federal statutes and then we will review (*name of state*) laws, policies and practices.





## What are the Legal Requirements for Concurrent Planning?

### Trainer's Points

- ☐ The Adoption and Safe Families Act of 1997 (P.L. 105-89) (ASFA) mandated shorter timelines for achieving permanency for children/youth in foster care.
- ☐ While ASFA does not directly require concurrent planning at placement in foster care, it requires it in the section on termination of parental rights: “shall file a petition to terminate parental rights . . . and, concurrently to identify, recruit, process, and approve a qualified family for an adoption.” [42 USC 675 (5) (E)]
- ☐ Many states have enacted legislation addressing the issue of concurrent planning as a way to achieve the ASFA timelines for achieving permanency.
- ☐ The language in the state statutes range from general statements authorizing concurrent planning to specific statements that provide detailed elements that must be included for concurrent permanency planning. (Child Welfare Information Gateway, *State Statutes Series: Permanency Planning: Concurrent Planning*, September 2003)
- ☐ We will discuss the specific requirements of (*our state*) after we briefly discuss some additional federal statutes and program requirements which impact the concurrent planning approach.

## Federal Laws and Administrative Processes

### Trainer's Points

- ☐ There are nine federal statutes or administrative processes that are relevant to the discussion of concurrent planning. They are:
  1. Adoption and Safe Families Act of 1997 (P.L. 105-89)
  2. Foster Care Independence Act of 1999 (P.L. 106-169)
  3. Title IV-E of the Social Security Act
  4. Howard M. Metzenbaum Multiethnic Placement Act of 1994, (P.L. 103-382) as amended by the Interethnic Placement provisions of 1996 (P.L. 104-188, Section 1808)
  5. Child and Family Services Reviews.
  6. Safe and Timely Interstate Placement of Foster Children Act of 2006 (P.L. 109-239)





7. Child and Family Services Improvement Act of 2006 (P.L. 109-288)
8. Adam Walsh Child Protection and Safety Act (P.L. 109-248)
9. Deficit Reduction Act of 2006 (P.L. 109-171)
10. Fostering Connections to Success and Increasing Adoptions Act of 2008

- ☐ While none of these statutes or administrative processes specifically requires “concurrent planning” prior to the petition for termination of parental rights, the potential financial sanctions for not meeting the requirements of these statutes or administrative processes support concurrent planning methodologies.
- ☐ The Adoption and Safe Families Act does not specifically require a state to implement concurrent planning at placement. It does require the following:
  - Case reviews every six months.
  - Permanency planning hearings every 12 months.
  - Initiating termination of parental rights proceedings for children/youth who have been in foster care for 15 of the last 22 months or documentation that the case facts fit within one of the exceptions for a petition; that is, child/youth is placed safely with a relative, there is a compelling reason why termination is not in the child/youth’s best interest, or the family has not received the services that were part of the case plan due to no fault of their own.
- ☐ The Adoption and Safe Families Act does require concurrent planning to begin at the filing of the petition for termination of parental rights. [42 USC 675 (5) (E)]
- ☐ The Foster Care Independence Act of 1999 established the John H. Chaffee Independence Program, replacing the Title IV-E Independent Living Program that existed from 1987 through 1999. It states that “Enrollment in Independent Living programs can occur concurrent with continued efforts to locate and achieve placement in adoptive families for older children in foster care.” [Sec. 101 (a) (2)]
- ☐ Title IV-E is the major source of federal funding for foster care (relative and non-relative) placements. States are audited to ensure that they meet the federal regulations with respect to appropriate eligibility and expenditure of funds. A strong requirement of Title IV-E eligibility is the determination of reasonable efforts to prevent removal, efforts to remove the conditions which required the

removal and timely reunification, or other permanent placement for the child/youth should reunification be impossible or not in the best interests of the child/youth.

- ☐ The Multiethnic Placement Act of 1994, as amended by the Interethnic Adoption Provisions of 1996, prohibits that states or any agency receiving funding from the federal government that is involved in adoption and foster care placement from “delay or deny the placement of a child/youth for adoption or into foster care, on the basis of the race, color, or national origin of the adoptive or foster parent, or the child/youth involved.”
- ☐ The Child and Family Services Review (CFSR) is an administrative process to comprehensively review each state’s child welfare system. The Final Rule implemented the federal review requirements for Title IV-E foster care maintenance payments, Title IV-B and IV-E state plan requirements, Multiethnic Placement Act of 1994 as amended, and the Adoption and Safe Families Act of 1997.
- ☐ The CFSR, begun in 2000, is designed to improve outcomes of services to children and families. It focuses on safety, permanency, and child/youth and family well-being. Specific to the issue of concurrent planning are the two Permanency Outcome Indicators listed below:
  1. Outcome P1: Children/youth have permanency and stability in their living arrangements.
  2. Outcome P2: The continuity of family relationships and connections is preserved for children/youth.
- ☐ In the first round of the CFSR, the federal government established standards of expected performance for each outcome. The standards are:

*(Note to Trainer: These standards may be changed. Check before training.)*

- Outcome. The State is determined to be in “substantial conformity” if it meets those standards in its aggregate data **and** in 90% of the cases reviewed during the initial review and 95% of the cases reviewed in subsequent reviews.
- The indicator specific to adoption states, “Of the children who exited the foster care system to finalized adoption, 32% exited in less than 24 months from the latest removal from the home.”

- ☐ In the second round of CFSRs which began in March 2007, the standards were changed to data composites. “Data composites will provide a more holistic view of State performance in a particular domain than a single data measure can achieve.” (*Federal Register*, 71, #109, June 7, 2006, p. 32970)
- ☐ The new Permanency Composites include:

### **Composite 2: Timeliness of Adoptions:**

#### **Component A: Timeliness of adoptions of children discharged from foster care**

- Of all children who were discharged from foster care to a finalized adoption in FY 2004, what percent was discharged in less than 24 months from the time of the latest removal from the home?
- Of all children who were discharged from foster care to a finalized adoption in FY 2004, what was the median length of stay in foster care (in months from the time of removal from the home to the time of discharge from foster care?)

#### **Component B: Progress Toward Adoption for Children Who Meet ASFA Time-in-Care Requirements**

- Of all children in foster care on the first day of FY 2004 who were in foster care for 17 continuous months or longer, what percent were adopted before the end of the fiscal year?
- Of all children in foster care on the first day of FY 2004 who were in foster care for 17 continuous months or longer, what percent became legally free for adoption (i.e., a TPR was granted for each living parent) within six months of the beginning of the fiscal year?

#### **Component C: Progress Toward Adoption of Children Who are Legally Free for Adoption**

- Of all children who became legally free for adoption during FY 2004, what percent were discharged from foster care to a finalized adoption in less than 12 months?

### **Permanency Composite 3: Achieving Permanency for Children in Foster Care**

#### **Component A: Achieving Permanency for Children in Foster Care for Extended Periods of Time**

- Of all children who were discharged from foster care and were legally free for adoption (i.e., there was a TPR for each living parent), what percent exited to a permanent home defined as adoption, guardianship, or reunification prior to their 18th birthday?
- Of all children in foster care for 24 months or longer at the start of the fiscal year, what percent were discharged to permanency in less than 12 months and prior to their 18th birthday?

#### **Component B: Children “Growing Up” in Foster Care**

- Of all children emancipated from foster care (or reaching age 18 while in foster care), what percent were in foster care three years or longer?
- ☐ It is almost impossible to achieve the adoption composites if concurrent planning is not practiced.
- ☐ In 2006, four other federal statutes were passed that have provisions that reinforce ASFA’s provisions for timely, safe, and permanent placements for children in the child welfare system. These statutes were:
- the Deficit Reduction Act of 2005, P.L. 109-171.
  - the Safe and Timely Interstate Placement of Foster Children Act of 2006, P.L. 109-239.
  - the Adam Walsh Child Protection and Safety Act of 2006, P.L. 109-248.
  - the Child and Family Services Improvement Act of 2006, P.L. 109-288.
- ☐ The Deficit Reduction Act provides for training of judges, attorneys, and other legal personnel in child welfare cases as well as cross-training with child welfare agency staff and contractors. The Act also provides for collaboration with the courts; public access to court proceedings provided that the safety and well-being of the child, parents, and family is ensured; administrative costs for an otherwise Title IV-E eligible child when placed with an unlicensed/unapproved relative or facility; and adoption assistance eligibility for a child who was AFDC eligible at the time of removal from a specified relative.

- ☐ The Safe and Timely Interstate Placement of Foster Children Act provides that effective October 1, 2006, States have policies and procedures in effect that will ensure that interstate homestudies are completed within 60 days unless the delay is due to circumstances beyond the State's control. In that case, an additional 15 days is permitted. To eliminate barriers and delays in interstate foster care or adoptive placements, courts are to inquire about the availability of both in- state and out-of-state placements when conducting permanency planning hearings and provide mechanisms so that parents, children, caregivers, and witnesses do not have to travel to give testimony. Further, it requires that the agency provide a copy of the child's health and education records to the caregiver at the time of placement and to the child at the time of emancipation from foster care.
- ☐ The Adam Walsh Child Protection and Safety Act provides that effective October 1, 2006, unless State legislation is required and/or extension is granted, the State must have procedures for conducting fingerprint-based checks of the National Crime Information Databases (NCID) for all prospective foster and adoptive parents and free from specific felonies, etc. The State must also check the child abuse and neglect registry in each State in which the prospective foster or adoptive parent or any adult member of the household resided in the preceding five years.
- ☐ The Child and Family Services Improvement Act (CFSA) provides that caseworkers make monthly visits to all children in foster care and provides federal funds to support these visits. The CFSA also provides for regional partnerships to address methamphetamine or other substance abuse.
- ☐ The Fostering Connections to Success and Increasing Adoptions Act was signed into law on October 7, 2008. Generally, the law amends the Social Security Act to extend and expand adoption incentives through FY2013; creates an option to extend eligibility for Title IV-E foster care, adoption assistance and kinship guardianship payments to age 21; de-links adoption assistance from Aid to Families with Dependent Children (AFDC) eligibility; and provides federally-recognized Indian Tribes or consortia with the option to operate a Title IV-E program, among many other provisions. (USDHHS 2008)
- ☐ Now, let's focus on our State's laws, policies, and practices that promote "concurrent planning."



## Handout 14



## State Laws and Policies

### Trainer's Points

- ☐ Turn to **Participant's Handout 14, *Applicable State Statutes and Policy Manual Materials***.
- ☐ These materials are current through the dates indicated on each page. As you know, statutes and policy materials change. You should periodically go to these web sites to ensure that you have the most current law and policy:

*(Trainer inserts appropriate web sites.)*

Our State statute requires:

*(Trainer inserts the requirements.)*

Our State policies require:

*(Trainer inserts the requirements.)*

- ☐ Let's apply these statutes to specific case facts presented through a video.
- ☐ Each table will function as a team in completing this exercise.

### Video Description

#### **"The Day Everything Changes" (7:00 min.)**

- ☐ In this video, we witness the events that led up to 15-year-old Isaiah and 9-year-old Michael Harris entering foster care. When Michael accidentally starts a kitchen fire while cooking, police authorities are unable to locate the boys' mother. After a visit to the hospital to treat Michael's burn, the boys are placed in two separate foster homes, despite their protests. The video introduces the boys' paternal grandmother, Ernestine Harris, their younger sister, Elizabeth Harris, and the Harris family's closest friends, "Auntie" Lorita Webster and her son Jesse.

## **Applicable State Statutes and Policy Manual Materials**

*Include statutes and policy manual materials specifically related to the issue of concurrent planning.*





## Team Activity

- ☐ Turn to **Participant's Handout 15, *Harris Children Enter Foster Care***. This is a summary of the known information about Isaiah and Michael and the circumstances that resulted in their placement into foster care. This information supplements the video.
- ☐ Your assignment is to take the given facts and develop a concurrent planning approach, to this case, consistent with the requirements of state laws and policies previously discussed. As a reminder, these laws and policies are also in your **Participant's Handout 14, *Applicable State Statutes and Policy Manual Materials***.
- ✓ Have participants break into teams of 4 to 6 people.
- ☐ You will have 30 minutes to develop the concurrent planning approach. Then each group will report out. After all reports are received, we will compare each and develop a model concurrent planning approach to the facts presented.



## Harris Children Enter Foster Care

Isaiah, age 15, Michael, age 10, and Elizabeth, age 7, are biological siblings who are in foster care. The children have lived in two different homes. The boys currently live with their foster parents, Mr. and Mrs. Williams. Elizabeth has been living with her grandmother, Ernestine Harris, since she was 4 years old.

The birth parents, Malcolm and Christine H., are married. Malcolm was incarcerated at the time of Elizabeth's birth and has been since that time. He will be eligible for parole in 10 years. According to the mother she was able to take care of Isaiah and Michael, while controlling her bi-polar disease. After the birth of Elizabeth, she found it increasingly difficult to care for three children without the help of her husband. It was at that time that Christine began self-medicating with drugs and alcohol. Many times the children were left in the care of a family friend who lives nearby or with the grandmother.

The family's first incident with Protective Services occurred when Elizabeth, at that time age 4, was found wandering the streets trying to buy food. The mother was found passed out on the bathroom floor. Isaiah and Michael were at school. Elizabeth was placed in the care of the paternal grandmother, while Isaiah and Michael remained with their mother.

Three years later Isaiah and Michael were home alone when a kitchen fire started as Michael attempted to make macaroni and cheese. Michael received third-degree burns on his arm. The mother could not be contacted. The paternal grandmother was having a medical procedure and could not take the boys that evening. Lorita Webster, a friend of the family, expressed interest in caring for them, however, the protective services worker refused to allow that placement because she was not a relative, had no foster care license, and had insufficient space. Isaiah and Michael were placed into two different foster homes.





## Large Group Discussion

- ✓ Reconvene and debrief the exercise by having each team summarize its concurrent planning approach. Note significant Interventions/points on easel paper.
- ✓ Conclude with a summary of any inconsistencies in the approaches taken, discussion for rationales for approaches taken, and attempt to reach consensus on model approach such as, the most comprehensive view.
- ✓ If the discussion does not bring out placement with Ernestine Harris or Lorita Webster, make sure to highlight the opportunities for placement with Ernestine Harris, the paternal grandmother, who is the preferred placement, if suitable, under Federal law. If Ernestine Harris chooses not to have the boys placed with her or is found “not suitable,” then Lorita Harris should be considered because of her long-term connection to the boys (Aunt Lorita) and their mother.



## Handout 16

### Trainer's Point

- Turn to the **Participant's Handout 16, *Comparison of the Sequential Planning Approach to the Concurrent Planning Approach***. Remind them that this chart provides a comparison of the “sequential planning approach” to the “concurrent planning approach.”
- Using this chart to refresh your memory. How would your interventions be different if you were using a sequential planning approach rather than a concurrent planning approach?

## Comparison of the Sequential Planning Approach to the Concurrent Planning Approach

### Case Facts

Isaiah, age 15, Michael, age 10, and Elizabeth, age 7, are biological siblings who are in foster care. The children have live in two different homes. The boys currently live with their foster parents, Mr. and Mrs. Williams. Elizabeth has been living with her grandmother, Ernestine Harris, since she was 4 years old.

The birth parents, Malcolm and Christine H., are married. Malcolm was incarcerated at the time of Elizabeth's birth and has been since that time. He will be eligible for parole in 10 years. According to the mother she was able to take care of Isaiah and Michael, while controlling her bi-polar disease. After the birth of Elizabeth, she found it increasingly difficult to care for three children without the help of her husband. It was at that time that Christine began self-medicating with drugs and alcohol. Many times the children were left in the care of a family friend who lives nearby or with the grandmother.

The family's first incident with Protective Services occurred when Elizabeth, at that time age 4, was found wandering the streets trying to buy food. The mother was found passed out on the bathroom floor. Isaiah and Michael were at school. Elizabeth was placed in the care of the paternal grandmother, while Isaiah and Michael remained with their mother.

Three years later Isaiah and Michael were home alone when a kitchen fire started as Michael attempted to make macaroni and cheese. Michael received third-degree burns on his arm. The mother could not be contacted. The paternal grandmother was having a medical procedure and could not take the boys that evening. Lorita Webster, a friend of the family, expressed interest in caring for them, however, the protective services worker refused to allow that placement because she was not a relative, had no foster care license, and had insufficient space. Isaiah and Michael were placed into two different foster homes.

*(continued on next page)*



### **Sequential Planning Approach**

1. Develop intervention plan with Christine Harris for her mental illness, drug use and parenting challenges.
2. Assist and support Christine Harris' access to necessary services.
3. Monitor compliance.
4. Modify interventions and case plan/goal.
5. Develop and implement new case plan/goal.

### **Concurrent Planning Approach**

1. Develop plan for reunification and plan for other permanent living arrangement should reunification not be accomplished.
2. Identify possible permanent caregivers—Elizabeth Harris and Lorita Webster.
3. Discuss alternative plans with Christine, Malcolm Harris, and other possible caregivers, Ernestine Harris and Lorita Webster.
4. Develop capacity to implement either plan—return to mother or permanent placement with alternative caregiver:
  - Certifying/licensing Lorita Webster and/or Ernestine Harris, for foster care/adoption.
  - Immediate placement of Isaiah and Michael with Webster or paternal grandmother, Ernestine Harris.



## Transition

- ◆ Now that you understand the positive impact concurrent planning has for children, their parents and substitute caregivers, what are the possibilities of incorporating the core components of concurrent planning into your practice?





## Organizational Requirements to Support Concurrent Planning

### Trainer's Points

- ☐ Earlier, we talked about the different ways agencies distribute the workload in their child welfare service delivery systems.
- ☐ These approaches to workload distribution affect how concurrent planning can be implemented within the agency.
- ☐ Further, we have talked about applying the core components of concurrent planning practice to post-termination concurrent planning—a new concept to child welfare practice.



Handout 17

### Individual Activity

- ☐ Turn to **Participant's Handout 17, *Concurrent Planning in My Agency***. Take about 10 minutes to answer these questions. Then I will ask for volunteers to share their responses with the larger group.
    1. **If your agency has a concurrent planning approach, describe when and how you are engaged in the concurrent planning process. How does this engagement help you effect timely adoptions?**
- OR**
2. **Describe the changes or agency policy and practice that would be necessary for you to implement a post-termination concurrent planning approach.**

## Concurrent Planning In My Agency

If your agency has a concurrent planning approach, describe when and how you are engaged in the concurrent planning process. How does this engagement help you effect timely adoptions?

OR

Describe the changes or agency policy and practice that would be necessary for you to implement a post-termination concurrent planning approach?





## Large Group Discussion

- ✓ Have volunteers share their responses to question 1. Get all responses to Question 1 before proceeding to #2.
- ✓ Summarize responses. Pay particular attention to differences.
- ✓ Note: If all participants are from the same agency or same county within a state system, you might not have great variation in responses. However, different perspectives and responses might emerge. Capitalize on those different perspectives in your summary.



## Transition

### *Wrap-up and Post Test*

- ◆ Are there any questions or comments?
- ◆ This concludes the Federal Laws and Policies Impacting Adoption Placement Module.
- ◆ Ask participants to complete the post test.