



Child Well-Being in Minnesota:

Legislative Responses
to Reduce Racial and Ethnic
Disparities in Child Welfare.

A briefing on racial
and ethnic disparities
in Minnesota's Child
Protection, Foster Care and
Adoption service systems.

Center for Advanced Studies
in **Child Welfare**

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What is the Field of Child Welfare?

The child welfare field includes human services in the areas of child protection, foster care, and adoption. This work is carried out in a state supervised, county administered system by government as well as non-profit agencies, and is supported by research and evaluation from government, academic institutions and non-profit organizations. The collective goal of child welfare is to promote the safety, permanency, and well-being of children, youth, and families.

Minnesota's Racial and Ethnic Disparities in the Child Welfare System

Research consistently shows that all races and ethnic groups in the United States are equally as likely to experience child maltreatment^{1,2,3}, yet

Disproportionality:

The overrepresentation of a racial or ethnic group in the child welfare system in comparison to its presence in the general population^{9,10}.

children of color are disproportionately represented at every decision point in the child welfare system, indicating that the child welfare system is not functioning

equitably⁴. For example, in the United States in 2008, children of color account for 42% of the total U.S. child population, yet make up 57% of all children in foster care (see Table 1)⁵.

Over the past decade, the state of Minnesota has worked to reduce racial and ethnic disparities in its child welfare system; however, outcomes for children of color still remain poor and the data continues to reveal disproportionality (see Table 2)¹¹.

Specifically, compared to white children, children of color and American Indian children:

- Become involved with Child Protection more frequently¹³;
- Spend more months in foster care¹⁴;
- Are less likely to be adopted before aging out of care¹⁵.

According to a disparities report published by the MN Department of Human Services¹⁶, American Indian children were placed in out-of-home care in 2008 at a rate **more than twice that of any other group**, and were **12 times more likely** than a white child to spend time in placement. African American children experienced **5.3 times the rate of placement** (see Figure 1).

Table 1. Race-Ethnicity of Children in Total Population vs. in Foster Care in 2008⁸

Race/Ethnicity	Percentage of Total Child Population in U.S. ⁶	Percentage of Children in Foster Care in U.S. ⁷
African-American/Black	14%	31%
American Indian	1%	2%
Asian/Pacific Islander	4%	1%
White, non-Hispanic	56%	40%
Hispanic	22%	20%

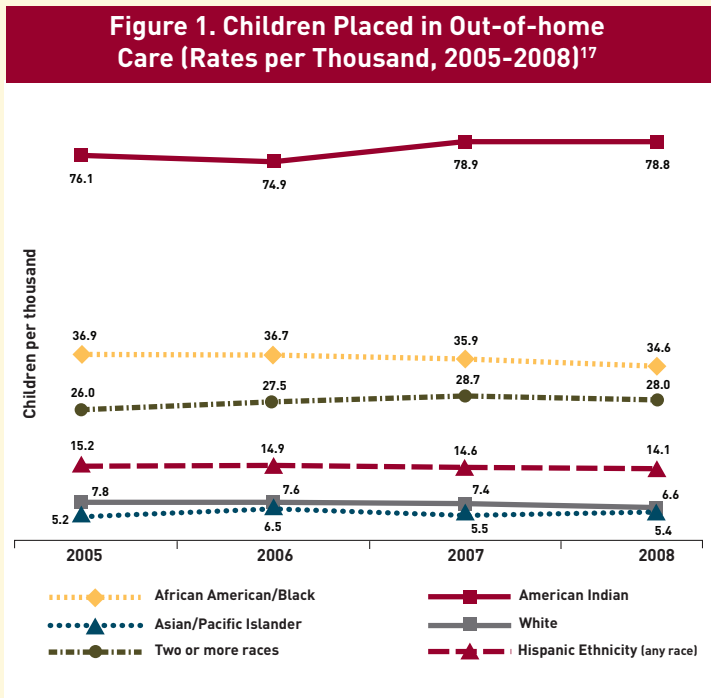
Table 2. Race-Ethnicity of Children in Total Child Population in MN vs. Referred for Child Protective/Child Welfare Services in 2008¹²

Race/Ethnicity	Percentage of Total Child Population in MN	Percentage of Referrals to Child Protective or Child Welfare in MN
African-American/Black	6.80%	21.07%
American Indian	1.82%	10.31%
Asian/Pacific Islander	4.91%	2.21%
Two or more races	3.47%	9.60%
White	83.01%	50.29%
Hispanic Ethnicity (any race)	7.04%	11.83%

Another concerning fact is that American Indian children were least likely to receive a federally required monthly visit from their social worker¹⁸. In a 2010 letter addressing the crisis of disparities, Tribal leaders called for concrete actions to improve disparate treatment and outcomes in the child welfare system, including ways to support the protective factors of families' social networks and traditional mechanisms for stabilization and well-being¹⁹.

Children of color face inordinate obstacles as they strive toward successful adulthood. This holds back the progress of communities and our state²⁰.

Just as the Educational Achievement Gap has future economic costs in lost opportunity for economic success and unmet national workforce needs, disparate outcomes in Child Welfare Services have long-term consequences as well, including increased involvement in the juvenile justice system²¹ and rates of teen pregnancy²². As our state becomes more racially and ethnically diverse²³, moral and economic imperatives for action become more urgent. Minnesota must find ways to better serve its children and families of color through Child Welfare Services.



Promising Models for Policy Responses to Reduce Disparities

This complex problem requires a response spanning policy across Minnesota’s child welfare service providers, local governments, research and advocacy efforts, state agencies and the legislature. The interventions discussed here are but a few of the numerous

STRATEGIES FOR ADDRESSING DISPROPORTIONALITY ARE OFTEN THE SAME STRATEGIES USED TO IMPROVE CHILD WELFARE FOR ALL CHILDREN AND FAMILIES²⁴.

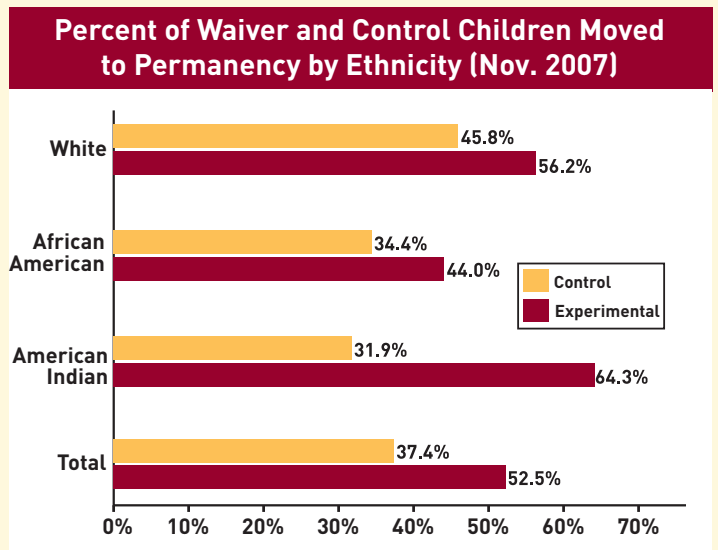
programs prudent for Minnesota to consider and implement. In light of the state budgetary crisis, special consideration is given to programs that draw down federal funds and/or create savings at the state and local levels.

Title IV-E Waiver:

Title IV-E waivers allow greater flexibility in the use of federal Title IV-E dollars to fund innovative demonstration projects with required accountability through rigorous evaluation²⁵. IV-E waivers must be cost-neutral, with additional services paid for with savings realized by states and counties from reductions in expensive out-of-home care. Minnesota’s Title IV-E waiver, which expired in November 2010, was small in scale relative to other state programs but brought positive results for reducing disparities in child placement permanency. Larger Title IV-E waiver demonstrations in Oregon, Florida and California have achieved “dramatic positive results across Child Welfare demographic groups in a cost-effective manner.²⁶” Oregon focused on culturally focused tribal programs and practices, such as court monitoring and family group decision making. The result was a 22% decline in the number of children in foster care in 2005.

Promising Practices:
Includes practices that were developed based on theory or research, but for which an insufficient amount of original data have been collected to determine the effectiveness of the practice.

Minnesota’s waiver, called the Minnesota Permanency Demonstration Project, was implemented in five counties and targeted American Indian and African American children in long-term foster care²⁷. Positive results were attained amongst all racial and ethnic groups. Especially noteworthy was the fact that the number of American Indian children moved to permanency more than doubled for those using the Waiver compared to those in the control group *[see figure below]*²⁸.



Other Promising Practices for Reducing Disparities:

- **Indian Child Welfare Court Monitor and Compliance Programs:** Both Ain Dah Yung²⁹ and Minneapolis American Indian Center³⁰ utilize court monitors to advocate for the judicial system's adherence to the Indian Child Welfare Act (ICWA) and the MN Indian Family Preservation Act. In addition, Minneapolis American Indian Center has developed QUICWA as a means to facilitate communication among entities working on ICWA cases and ensure ICWA compliance³¹. Both of these services are unique to Minnesota.
- **Customary Adoption:** Minnesota was the first state to officially recognize customary adoptions; California and Washington recently enacted similar legislation^{32, 33, 34}. This practice recognizes the importance of family connections among tribes, as well as the cultural aversion to TPRs, by allowing adoptions to occur without a termination of parental rights³⁵. New adoptive families are thus an addition to the already-existing biological family, rather than a replacement.
- **Bridging our understanding: American Indian Family Preservation:** This is the only curriculum from the Department of Human Services that is offered in the cultural community with input from those communities. It is designed to help child welfare professionals gain awareness, understanding, and improved practice skills for working with American Indian children and families. It also addresses the disproportionate representation of American Indian children in the child welfare system.³⁶
- **Indian Child Welfare Act (ICWA) Active Efforts Best Practices:** The Minnesota Department of Human Services, with assistance from tribal representatives, developed this guide in order to increase compliance of active efforts and reduce the disproportionality of American Indian children in foster care. It is intended to provide guidance to counties on best practices for working with American Indian children and families.³⁷
- **African American Family Practice Guide:** This guide is used by Minnesota counties and other states to address the overrepresentation of African American children in the child welfare system. Its purpose is to create practice and systemic change at the caseworker level, resulting in better outcomes for African American children and families.³⁸
- **African American Disparities Advisory Committee:** Since 2001, this 38-member committee of community partners has worked to reduce and eliminate racial disparities in the African American community in Minnesota. It provides leadership on ways to improve county practices, increase monitoring and evaluation, develop service and training strategies, partner with the African American Community, and identify needed resources.³⁹

See page 6 for promising practices nationwide.

Evaluation and Accountability

The severity of racial and ethnic disparities has been identified and researched extensively. Successful programs have been piloted, though many are small in scale and have not been accompanied by rigorous evaluation. This leaves a vacuum of evidence upon which to base policy solutions. Policy solutions should be informed by measures of effectiveness, efficiency and accountability. In the absence of the most rigorous evaluation, policy makers should consider

innovative and promising practices, in particular those that share common characteristics with effective interventions. The National Alliance of Children's Trust and Prevention Fund's definition of evidence-based practice is "a decision-making process that integrates the best available research evidence with family and professional wisdom, along with cultural values and other values to choose from among available research-tested models, [to determine] the course of action that is best for a given family."⁴⁰

Building the Evidence Base

CASCW urges the continuation and expansion of programs aimed at improving outcomes for children of color in the Child Welfare System along with the inclusion of rigorous evaluation components enhancing accountability, identifying best practices and allowing policy makers and practitioners to isolate areas for improvement.

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- ⁵ Ibid.
- ⁶ U.S. Census Bureau's 2008 *American Community Survey*, which provides statistics on children and youth under 18 as 1-year estimates.
- ⁷ U.S. Department of Health and Human Services' (2009) AFCARS data for FY 2008, which provides statistics on children and youth in the child welfare system up to age 20 (although only 5% are 18+ years) on September 30, 2008. The two columns of percentages show the disparity between each race's representation in the general population vs. its representation in the foster care population. Note that this does not show each group's representation in the child welfare system as a whole, just representation in out-of-home care.
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- ²⁶ Ibid.
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For more in-depth information on this topic

Indian Child Welfare webpage from Minnesota Department of Human Services: http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=id_000165

Reducing disparities in the African American community webpage from Minnesota Department of Human Services: http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=dhs16_146704

Child Welfare Information Gateway's racial disproportionality webpage: <http://www.childwelfare.gov/systemwide/cultural/disporp/>

National Resource Center for Permanency and Family Connections and Child Welfare Information Gateway's 2009-2010 bibliography of resources: http://www.hunter.cuny.edu/socwork/nrcfcpp/info_services/Disproportionality%20bibliography.final.pdf (PDF)

Promising practices in the United States on addressing racial disproportionality in child welfare: http://www.childwelfare.gov/pubs/issue_briefs/racial_disproportionality/racial_disproportionality.pdf (PDF)

Racial Disproportionality in Child Welfare information packet from July 2009: http://www.hunter.cuny.edu/socwork/nrcfcpp/info_services/Sudol_Info%20pack_Disproportionality_July%202009.pdf (PDF)

Casey Family Programs' Breakthrough Series Collaborative on Disproportionality: http://www.casey.org/resources/publications/BreakthroughSeries_ReducingDisproportionality.htm (PDF)

Webinar from National Governors' Association Center for Best Practices: Addressing Disproportionality in the Child Welfare System: What State Policymakers Should Know (September 2007): <http://media.nga.org/2007/070919WebcastDisproportionality.wmv> (audio file)

Resources for further information and continued education

For papers and reports generated by CASCW-supported affiliates, follow this link: <http://z.umn.edu/cwpubs>

For more general resources on diverse communities, disparities, and child welfare, follow this link: <http://z.umn.edu/cwdiversity>

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National Promising Practices

Washington State – Professional Development & Improvement: <http://www.antiracistalliance.com/Article-ImpactURWinChildWelfare.pdf>

Maryland – Helping Families Prevent Neglect: http://www.family.umaryland.edu/ryc_research_and_evaluation/community_school_based_research_files/hfnp10-07.htm

Colorado – Denver Indian Family Resource Center: <http://www.difrc.org>

North Carolina – Intensive Family Preservation Services Program: <http://info.dhhs.state.nc.us/olm/manuals/dss/csm-90/man/ifps.htm>



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