

POSSIBLE ADOPTION ACTIONS
September 12, 1996

GOAL 1: Increase the adoption placement rate for hard-to-place children. Set numerical targets ~~so that~~ ^{for} the number of children with special needs who are adopted over the next three years ~~would be doubled.~~ ^{to} This would eliminate the backlog of waiting children.

ACTIONS:

*Not special
needs*

1. Goal-oriented Planning and Technical Assistance. Work with states that commit to meet numerical targets by providing technical assistance on the development of outcome measures and automated data systems to help reach these goals. Estimated cost: \$10 million/year.
2. Non-financial Incentives for Improved Performance. Recognize successful states through special commendations or White House events and foster competition by issuing an annual state-by-state report card.
3. Financial Incentives. Increase reimbursement for adoption subsidies for special needs adoptions by \$1,000 in states that reach or come within 5% of reaching of the annual target. Estimated cost: \$50 to \$75 million over 3 years.

Mandatory Raise federal match to states for recruiting adoptive families from 50% to 75%. Estimated cost: \$150 million over 3 years, assuming states continue to spend at current levels for recruitment.

GOAL 2: Find permanent homes for waiting children within one year of entering the child welfare system.

ACTIONS:

1. Statutory Changes. Under current law, states are required to hold a dispositional hearing 18 months after a child has been placed in foster care. Develop legislation to shorten that period to 12 months.
2. Regulatory Changes. Currently, the federal government requires that "reasonable efforts" be made to prevent placement and reunify families before a parent's rights can be legally terminated. Clarify and expand definition of reasonable efforts so that it allows arrangement for a permanent home for a child in a timely manner.

Change "dispositional hearings" to "permanency planning" hearings by clarifying that planning can include referrals for termination of parental rights or to legal guardianship or other permanent placement.

3. Financial Assistance. Make funds available through the Adoption Opportunities Act to states for a "Removing Barriers to Permanency Project" to identify barriers, propose and implement solutions, and target funds to place children who have been waiting particularly long times and to implement the Multi-Ethnic Placement Act. Estimated cost: \$30 million *over 3 yrs.*

GOAL 3: Increase public awareness of the benefits of adoption.

Undertake a high visibility education and awareness campaign and promote "adoption-friendly" policies in the public and private sectors.

ACTIONS:

1. Direct the Secretary of Health and Human Services to lead a public awareness effort, including public service announcements, use of the internet, and the appointment of a high-profile advisory council with members chosen for their ability to represent and work with various "sectors" of the community (e.g., faith community, business, entertainment industry, etc.).
2. Direct the Secretary of the Treasury to disseminate information about tax benefits and other adoption benefits.
3. Direct the Director of the Office of Personnel Management to promote adoption among Federal employees and make the Federal government a model of adoption-friendly policies.

This would include: (1) developing legislation to create a new category of leave benefits for Federal employees to provide 5 days of paid leave for adoptive parents and an additional 5 days for parents who adopt children with special needs (in addition to current leave benefits); (2) developing legislation to reimburse Federal employees if they adopt a child (proposed during the Bush Administration but not passed); and (3) directing all agencies to provide information and support (e.g., a bank of federal employees who have adopted to act as mentors for prospective adoptive parents).

4. Direct the Secretaries of Labor and Commerce to identify and recognize model adoption-friendly policies in the private sector.

OMB ISSUES

- Overall issues of spending in light of welfare fixes necessary.
- On Goal 1:
 - Shouldn't be limited to special needs adoptions
 - Outcome measures underway. Ready in next few weeks.
 - Commendations, events, report card okay. Could extend commendation to individual families.
 - Don't like \$1,000 extra to states for reaching target. First, target should be set as how many more adoptions rather than number of kids so states with larger numbers don't suffer. Second, not clear what the \$1,000 per child will be used for. Instead, should give bonuses to states that improve in the following areas.
 - Don't like match. States simply shift money rather than spending more. Instead give a fixed amount to states who promise to do the following things to increase recruitment. Also, without financial incentive, could require states by regulation to do certain recruiting activities.
- On Goal 2:
 - Really like administrative actions. Would go farther and require administrative hearings every 6 months.
 - Removing Barriers program needs definition.
- Other idea: shorten time for abandoned babies from 12 to 6 mos.

Asked Wendy
→ Expand

FMLA - before adoption

→ Registry - database of kids who
need - Nat. Adopt. Info. Exchange System -
not mandated, but encouraged
- Fed gov't 2,200 registered
- Consortium of foundations

Reprogramming from HHS



FACSIMILE TRANSMISSION

**ADMINISTRATION FOR CHILDREN AND FAMILIES
OFFICE OF THE ASSISTANT SECRETARY
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TO: *Len Klein*

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Number of Pages (excluding cover): *3*

FROM:

**Wendy Jacobson
Special Assistant to the
Deputy Assistant Secretary**

Telephone: (202) 260-1853

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MESSAGE:

1.06 Operation of a National Adoption Information Exchange System

Eligible Applicants: State or local governments, public or private non-profit agencies, organizations or universities with expertise in adoption and the ability to maintain a National Adoption Information Exchange System.

Purpose: To maintain a National Adoption Information Exchange System to bring together children who would benefit from adoption and qualified prospective adoptive parents who are seeking such children, and conduct national recruitment efforts in order to reach prospective parents for children waiting to be adopted.

Background information: The Adoption Opportunities statute spells out the intent of the Congress to facilitate the elimination of barriers to adoption and to provide permanent and loving home environments for children who would benefit from adoption, particularly children with special needs, including disabled infants with life threatening conditions.

The statute requires the Administration on Children, Youth and Families (ACYF) to conduct directly or by grant or contract with public or private non-profit agencies or organizations, ongoing, extensive recruitment efforts on a national level, to develop national public awareness efforts to unite children in need of adoption with appropriate adoptive parents, and to establish a coordinated referral system of recruited families with appropriate State or Regional adoption resources to ensure that families are served in a timely fashion.

In 1979, the North American Center on Adoption, a unit of the Child Welfare League of America, Inc. was awarded a three year contract by the Children Bureau for the National Adoption Information Exchange System project. This project focused on three areas: designing, developing and operating a National Adoption Exchange system; providing and coordinating training and technical assistance to the State and Regional exchanges to enhance their ability to participate in the national exchange system; and publishing a significant quantity of materials needed to facilitate the adoption of waiting children. The contract was replaced with a competitive grant awarded to the Adoption Center of Delaware Valley in 1983, to operate the National Adoption Information Exchange System for two years. The grant was to provide six major services: information and referral, computerized listing of children and families, match/referral, recruitment and public education, training and technical consultation and development of the national adoption network. During the second year of the grant, there was an increased emphasis on telecommunications as a result of input provided by members of the Corporate Advisory Board and Child Welfare Advisory Board.

In September 1986 ACYF funded 44 States, including Puerto Rico and the District of Columbia, with small grants so that they could purchase hardware and software to join the national adoption telecommunications network, and to communicate with each other around concerns in the field of adoption. In 1985, the National Adoption Center (NAC), formerly the Adoption Center of

Delaware Valley, received a grant to continue the development and implementation of the national adoption telecommunication network and to provide coordination and support services to manage the network and to provide technical consultation to States to continue building and implementing the network. The membership of the network includes public and private agencies, and other child welfare organizations, parent groups, independent or non-affiliated social workers and researchers.

In 1990, a new five year grant was competitively awarded to the NAC to continue the National Adoption Information Exchange System. The NAC increased usage of the system by providing training and technical assistance to its members and by providing national outreach and public education to recruit adoptive families for children who wait. In September 1995 an additional short-term grant was awarded to the National Adoption Center.

During its years of operation under various auspices, the National Adoption Information Exchange System, also known as the NAE has increased the visibility of waiting children and enabled approved families to register and gain maximum access to children waiting for adoptive families. The new computer system put into effect in July 1992 has considerably improved the ability of NAE members to access and utilize the information on the exchange. NAE members use the exchange to list children in the child database and to search for adoptive parents for the children whom they list.

However, there continues to be an insufficient number of families listed on the NAE to meet the needs of these children. State and local agencies are reluctant to list families on the NAE whom they believe are potential resources for children in their own States. The agency's preference to find families for children within the State or within close proximity to the State has prompted the development of State and Regional exchanges.

We have reached a critical point in the development of the National Adoption Information Exchange System. Previously, the NAE focused on the following areas: (1) registration of waiting children and waiting families; (2) the development of a computer database which made this information available to members of the exchange electronically; (3) the number of matches made on behalf of listed waiting children; and (4) the development of national recruitment activities aimed at finding potential adoptive families interested in adoption of special needs children.

In order to remain effective, the NAE must refocus its priorities to emphasize assisting States and localities to build the capacity within their own jurisdictions to meet the needs of waiting children. This priority is based on the premise that only in unusual circumstances should a national search for an adoptive family be undertaken and that the activity is most effective when carried out at the local, State and regional levels. The NAE should be viewed as an extension of State and Regional exchanges, not as their competitor.

The NAE should be able to develop linkages with a variety of national media organizations in order to educate large segments of the population about the needs of waiting children and on how to access the adoption system. The NAE should be in the position

to: (1) provide training and technical assistance in the development and management of State and Regional exchanges and to provide consultation to exchanges on recruitment strategies for potential adoptive families; (2) facilitate the development of a network of exchanges that connect urban, rural, small and large child welfare service providers in their efforts to bring families and children together; (3) serve as the central receiver of all adoption inquiries generated during national and other recruitment campaigns and disseminate these resources to the Regional and State exchanges; (4) collaborate with organizations such as the Interstate Compact for the Placement of Children (ICPC), the Interstate Compact on Adoption and Medical Assistance (ICAMA), and other relevant agencies to assist with the identification of, and the possible removal of barriers that prevent "necessary" interstate placements which serve the best interest of the child.

The Federal government is in the process of redefining its relationship with States and other child welfare agencies. A new partnership is being forged based upon a vision wherein all concerned agencies will collaborate and cooperate to provide a continuum of services to meet the needs of children. In light of the current opportunity to revitalize child welfare, the role and responsibilities of NAE must be focused on assisting States to improve their ability to meet the needs of the rising numbers of children waiting for permanent families.

To: Jen Klein

From: Jeremy Ben-Ami
Lyn Hogan

Date: September 13, 1996

Re: Framework To Reform the Child Welfare System

Attached is a framework for child welfare reform that reflects the principles we have discussed and the conclusions of some of the meetings we have recently held on the topic.

In considering possible announcements for the First Lady, one approach might be to announce that

"In a second term, the Clinton/Gore administration will propose reforms of the child welfare system. Reform will be based on the following six principles, and the administration will either:

(a) be proposing legislation early in the second term that embodies these principles, or

(b) be appointing a bipartisan blue ribbon commission to develop a legislative proposal and to build consensus around these principles."

In addition to the outline of principles, we have also attached a couple of simple, immediate announcements that could be made. The majority of the recommendations HHS has made require either additional money or legislation and therefore seem inappropriate for announcement in the short term.

Let us know what you think. Please note that we are going to share the outline with Carol as a reflection of our in

POTENTIAL CHILD WELFARE REFORM PRINCIPLES

Establish a New Goal for Child Welfare: Permanency

Challenge: The system's present focus on family preservation/reunification leads too many children to remain in foster care even though reunification may be neither appropriate nor possible.

Principle #1: Rapid, appropriate placement in permanent healthy and safe arrangements should be a central goal of child welfare. Options for permanency should include: family preservation/ reunification; alternative guardianship with a focus on kinship care; termination of parental rights followed by adoption.

Improve the Court Process

Challenge: The judicial system is not adequately equipped or organized to deal with the flow of foster care and adoption cases, although model systems do exist in places like Grand Rapids, Mi. and Cincinnati.

Principle #2: True reform requires a systematic look at court practices around the country, and development of a consensus on court improvements, and court evaluation.

Restructure Federal Funding of the Child Welfare System

Challenge: Current funding structures create the wrong incentives and result in misdirected funds, for example, rewarding foster care over adoption.

Principle #3: Financial incentives should encourage rapid movement to permanent placement rather than lengthy stayd in foster care. Other financing strategies including the appropriate application of managed care principles should also be explored.

Create New Options For Permanency

Challenge: Inflexible guardianship laws offer few options for permanency beyond foster care or adoption, though some states are exploring creative new arrangements.

Principle #4: We need new guardianship laws that provide alternatives to foster care and adoption such as joint guardianship; standby guardianship; subsidized guardianship; or shared custody.

Remove Barriers to Adoption

Challenge: Barriers to adoption are leaving adoptable children in foster care too long and driving adoptive parents away.

Principle #5: Reform should include a comprehensive evaluation of the adoption process and ways to encourage and ease adoption in appropriate cases.

Improve and Expand Prevention Efforts

Challenge: The child welfare system continues to spend too much on addressing abuse once it occurs rather than on prevention before it occurs.

Principle #6: A reformed child welfare system must support coordinated, community-based prevention efforts. Changes in the structure of funding incentives may help encourage prevention, and coordination and simplification of federal support for community based efforts in other disciplines must be part of the reform agenda.

Immediate Actions

For purposes of any immediate announcements in the short-term, we have only listed ideas that do not require either new spending or new legislation. This list could be expanded if we wanted to commit to supporting particular legislation or spending initiatives, but building consensus for these in the immediate term would be difficult.

Symbolic/Administrative Actions to Support Adoption

- Create the First Family Adoption Award

Announce the creation of a new citation that would be sent by the First Family to any family adopting a child in recognition of their contribution to a child's well-being

- Create Annual State-by-state Report Cards on Adoption

Announce that the First Lady will annually issue report cards on how states are doing in supporting and encouraging adoption. Potentially release the first such report card if it can be quickly compiled.

Regulatory Changes to Support Goal of Permanency in the Child Welfare System

We could announce that HHS will make two regulatory changes to support the notion that permanency should be an objective of the child welfare system:

- Clarify that "reasonable efforts" applies to finding a permanent home for a child in a timely manner, not just to efforts to reunify families.
- Reorient/rename dispositional hearings -- making them "permanency planning" hearings -- to emphasize that broader options for permanency should be considered.

Possible Adoption Actions

GOAL #1: Increase the number of children who are adopted. In 2000, 40,000 special needs children will be adopted -- about twice as many children as were adopted in 1994 (most recent year for which data are available). By the end of 1998, 25,000 children will be adopted, an increase of 25%; by the end of 1999, 30,000 children will be adopted, an increase of 50% and by the end of 2000, 40,000 children will be adopted, an increase of 100% over the three years.

OMO
Focus on
adoptions
from public
system; not
just special
needs.

ACTIONS. Direct HHS to: 1) develop legislation to provide financial incentives to States to meet established targets and 2) work with States through intensive planning and technical assistance to help them meet specified targets.

1) Financial incentives (would require legislative action)

- Modify IV-E reimbursement for adoption subsidies. Currently, the Federal government reimburses States for a portion of the cost of providing adoption subsidies to families that adopt special needs children. As States achieve, or come within 5% of the annual target for special needs adoptions, they would receive an extra \$1000 per child, for every special needs child adopted that year. These funds should be used for increased subsidies for adoptive families or other adoption-related activities.

ESTIMATED COST: Between \$50 million and \$75 million over three years, depending on how many States reach the annual targets.

- Provide an enhanced match for recruiting of adoptive families. To more substantially reimburse States for their efforts to recruit adoptive families, the federal match rate could be raised from 50 percent to 75 percent.

ESTIMATED COST: \$150 million over 3 years, assuming States double what they currently spend on recruitment.

2) Planning and technical assistance

- Move to an outcome orientation. Engage in planning with States that commit to meeting specific numerical targets, and provide technical assistance on the development and utilization of outcome measures, and on the use of automated data systems to track progress toward these goals.

Propose legislation which would make 0.25% of the Title IV-E foster care and adoption budget available to provide significantly enhanced technical assistance to the States in the areas of foster care and adoption assistance.

ESTIMATED COST: \$10 million/year.

GOAL #2: Expedite permanency for waiting children. Make "establishing permanency for children within a year" a reality.

ACTIONS. Through a series of statutory and regulatory changes, as well as financial assistance, help States focus effectively on establishing permanency for children.

1) Statutory change

- Expedite hearings. Under current law, States are required to ensure a dispositional hearing 18 months after a child has been placed in foster care, and every 12 months thereafter. Develop legislation to shorten the time frame for the initial dispositional hearing to 12 months.

Estimated Cost: \$0

- Modify child support enforcement provisions to allow the use of parent locator service to find non-custodial parents. By engaging non-custodial parents early in the process, they can assist in planning and deciding on the permanency option for their children.

*New
proposal*

ESTIMATED COST: \$0

2) Regulatory changes

- Expand "Reasonable Efforts". The federal government currently requires that "reasonable efforts" be made to prevent placement and to reunify families before a parent's rights can be legally terminated. Amend current "reasonable efforts" policy so that it also applies to arranging for a permanent home for a child in a timely manner.

Clarify the fact that current law does not require "infinite" efforts to reunify families, or presume that reunification must be the initial goal in every case. Provide States with guidance and information on State statutes that specify time limits or contain "not at all" provisions for reunification for certain children/family situations.

Estimated Cost: \$0

- Reorient "Dispositional Hearings" Make permanency planning the central focus of these hearings by changing "dispositional hearings" to "permanency planning" hearings. Currently these hearings seek to determine the future status of the child through three options: a) return to parent; b) place for adoption; or c) due to special circumstances, continue in foster care on a permanent basis. Clarify these options such that b) includes referring for termination of parental rights, and c) includes referral to legal guardianship or other permanent placement.

Estimated Cost: \$0

3) Financial assistance

- Modify Adoption Opportunities Program. Create a three year grant to improve adoption outcomes by removing barriers to permanency. Grants would focus on placing those children who have been waiting a particularly long time. Grants would also provide funds to carry out the recruitment provisions specified in the Multiethnic Place Act.

] Why
Just
recruitment

Estimated Cost: \$30 million over three years.

Adoption Actions

⑧
GOAL #1: Increase the number of children who are adopted. In 1999, 40,000 special needs children from the public child welfare system will be adopted -- about twice as many children as were adopted in 1994 (most recent year for which data are available). By the end of 1997, 25,000 children will be adopted, an increase of 25%; by the end of 1998, 30,000 children will be adopted, an increase of 50% and by the end of 1999, 40,000 children will be adopted, an increase of 100% over the three years.

ACTIONS. Direct HHS to: 1) work with states through intensive planning and technical assistance to help them meet specified targets; 2) create non-financial incentives for improved performance by states; and 3) develop legislation to provide financial incentives to states to meet established targets.

1) Planning and technical assistance

- Priorities*
- Move to an outcome orientation. Engage in planning with states that commit to meeting specific numerical targets, and provide technical assistance on the development and utilization of outcome measures, and on the use of automated data systems and programmatic strategies to achieve these goals.

Propose legislation which would make 0.25% of the Title IV-E foster care and adoption budget available to provide significantly enhanced technical assistance to the states in the areas of foster care and adoption assistance. ESTIMATED COST: \$10 million/year.

2) Non-financial incentives for improved performance

- Provide for recognition. Recognize successful states through special certificates or White House events.
- Foster positive competition. Issue an annual state-by-state report card, which may encourage states to improve their status.

① 3) Financial incentives (would require legislative action)

- Increase reimbursement for adoption subsidies. Currently, the Federal government reimburses states for a portion of the cost of providing adoption subsidies to families that adopt special needs children. As states achieve, or come within 5% of the annual target for special needs adoptions, they would receive an extra \$1000 per child (where there's been a longstanding goal of adoption), for every special needs child adopted that year. These funds should be used for increased subsidies for adoptive families or other

adoption-related activities.

\$ 75 million
ESTIMATED COST: Between \$50 million and \$100 million over three years, depending on how many states reach the annual targets.

② • Provide an enhanced match for recruiting of adoptive families. To more substantially reimburse states for their efforts to recruit adoptive families, the federal match rate could be raised from 50 percent to 75 percent. **ESTIMATED COST:** ~~\$375 million over 5 years~~, assuming states continue to spend what they currently spend on recruitment.

\$ 150 million over 3 years
GOAL #2: Expedite permanency for waiting children. Make "establishing permanency for children within a year" a reality.

ACTIONS. Through a series of statutory and regulatory changes, as well as financial assistance, help states focus effectively on establishing permanency for children.

1) Statutory change

- ② • Expedite hearings. Under current law, states are required to ensure a dispositional hearing 18 months after a child has been placed in foster care, and every 12 months thereafter. Develop legislation to shorten the time frame for the initial dispositional hearing to 12 months.

① 2) Regulatory changes to articulate safety permanency and well being as the essential goals of the child welfare system

- Expand "Reasonable Efforts". The federal government currently requires that "reasonable efforts" be made to prevent placement and to reunify families before a parent's rights can be legally terminated. Amend current "reasonable efforts" policy so that it also applies to arranging for a permanent home for a child in a timely manner.

Requires states to make statutory change.
Clarify the fact that current law does not require "infinite" efforts to reunify families, or presume that reunification must be the initial goal in every case. Provide states with guidance and information on state statutes that specify time limits or contain "not at all" provisions for reunification for certain children/family situations.

- Reorient "Dispositional Hearings" Make permanency planning the central focus of these hearings by changing "dispositional hearings" to "permanency planning" hearings. Currently these hearings seek to determine the future status of the child through three options: a) return to parent; b) place for adoption; or c) due to special circumstances, continue in foster care on a permanent basis. Clarify these options such that b) includes referring for termination of

parental rights, and c) includes referral to legal guardianship or other permanent placement.

3) Financial assistance

- Make funds available to states to undertake a "Removing Barriers to Permanency Project" through which they would assess the average delays, identify barriers and propose and implement solutions. This would be the agency-related counterpart to the court-improvement project, through which the Administration is working with state courts in 49 states to improve the timeliness and quality of decision-making that leads to adoption. ESTIMATED COST: \$10 million.
- Based on assessments completed through the "Removing Barriers to Permanency Project," make funds available to states to focus on placing those children who have been waiting a particularly long time -- provide funds to do additional recruitment, homestudies or whatever is needed. ESTIMATED COST: \$20 million.
- Make funds available to help states carry out the recruitment provisions specified in the Multiethnic Placement Act. ESTIMATED COST: This activity could be undertaken as part of the recruiting incentives identified in the second bullet under Goal #1 (3) above.

(3) Modify Adoption Opp. Act -- removing barriers and expediting placement of waiting children
\$150,000 - 200,000 per state over 3 years =
\$35M

Provision to ease adoption -- currently a 1 yr program so states don't use it.



FACSIMILE TRANSMISSION

**ADMINISTRATION FOR CHILDREN AND FAMILIES
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Number of Pages (excluding cover): *1*

FROM:

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MESSAGE:

"Special Needs" definition.

SOCIAL SECURITY ACT—§474(a)

389

CT—§ 473(b)

a maintenance payment which would be made if the child with respect to whom the payment is made had been in a foster care institution.

Paragraph, (A) no payment may be made for any child who has attained the age of 18 if the State determines that the child has a physical or mental condition which warrants the continuation of such care. (B) no payment may be made for any child if the State determines that the child is no longer receiving any services from the State who have been receiving adoption assistance under this section or any other law. (C) no payment may be made for any child pursuant to this subsection, make payments, or eligible for assistance.

Individuals with whom a child (who is being placed for adoption pursuant to subsection (c)), to be eligible for adoption in accordance with this section shall be eligible for such payments, on the same terms and subject to the same conditions as individuals who have adopted such child. (1)(B)(i), the term "nonrecurring expenses" means the reasonable and necessary adoption fees, other expenses which are directly related to the adoption of a child with special needs and which are not covered by Federal law.

Adoption expenses under an adoption assistance agreement shall be treated as an expenditure of the State plan for the fiscal year in which the adoption is completed.

Under section XX, any child—
(1) who is placed in accordance with subsection (a)(2), and
(2) in an adoption assistance agreement is made, whether or not adoption assistance is provided under the agreement or are being made for any such child who has been placed in accordance with applicable State and local law or by a court order or other judicial decree of a court of competent jurisdiction.

Foster care maintenance payments shall be made for any child who is in foster care under section 472.

Any child as defined in section 406 and who is eligible for aid to families with dependent children under title in the State where such child is placed. In the preceding sentence, a child whose costs of care in a foster care institution are covered by the State shall not be eligible for such payments.

(3)(B) and substituted "474(a)(3)(C)", effective as if such amendment related at the time the provision was enacted.

(4) and substituted "474(a)(3)(E)", effective as if the amendment related to the amendment relates, at the time the provision was enacted.

foster care maintenance payments being made with respect to his or her minor parent, as provided in section 475(4)(B), shall be considered a child with respect to whom foster care maintenance payments are being made under section 472.

(c) For purposes of this section, a child shall not be considered a child with special needs unless—

(1) the State has determined that the child cannot or should not be returned to the home of his parents; and

(2) the State had first determined (A) that there exists with respect to the child a specific factor or condition (such as his ethnic background, age, or membership in a minority or sibling group, or the presence of factors such as medical conditions or physical, mental, or emotional handicaps) because of which it is reasonable to conclude that such child cannot be placed with adoptive parents without providing adoption assistance under this section or medical assistance under title XIX, and (B) that, except where it would be against the best interests of the child because of such factors as the existence of significant emotional ties with prospective adoptive parents while in the care of such parents as a foster child, a reasonable, but unsuccessful, effort has been made to place the child with appropriate adoptive parents without providing adoption assistance under this section or medical assistance under title XIX.

PAYMENTS TO STATES; ALLOTMENTS TO STATES¹⁵⁴

SEC. 474. [42 U.S.C. 674] (a) For each quarter beginning after September 30, 1980, each State which has a plan approved under this part (subject to the limitations imposed by subsection (b)) shall be entitled to a payment equal to the sum of—

(1) an amount equal to the Federal medical assistance percentage (as defined in section 1905(b) of this Act) of the total amount expended during such quarter as foster care maintenance payments under section 472 for children in foster family homes or child-care institutions; plus

(2) an amount equal to the Federal medical assistance percentage (as defined in section 1905(b) of this Act) of the total amount expended during such quarter as adoption assistance payments under section 473 pursuant to adoption assistance agreements; plus

(3) an amount equal to the sum of the following proportions of the total amounts expended during such quarter as found necessary by the Secretary for the provision of child placement services and for the proper and efficient administration of the State plan—

(A) 75 per centum of so much of such expenditures as are for the training (including both short and long-term training at educational institutions through grants to such institutions or by direct financial assistance to students enrolled in such institutions) of personnel employed or preparing for employment by the State agency or by the local agency administering the plan in the political subdivision,

¹⁵⁴See Vol. II, P.L. 99-177, §256, with respect to treatment of foster care and adoption assistance programs.

MEMORANDUM

To: Jeremy Ben-Ami
Jen Klein

From: Lyn Hogan

Date: September 9, 1996

Re: Draft Summary, Child Welfare System Reform

The following draft document describes the need for reform, outlines critical problem areas in the child welfare system, and offers starting points for reform.

The attached analysis is drawn from our child welfare discussion sessions, the First Lady's foundation meeting, telephone conversations, and reading.

I look forward to your comments.

The State of the Child Welfare System

Since 1976, reports of child abuse have risen fourfold. Now, over 3 million child abuse cases are reported annually, with roughly one million cases confirmed. About 1,300 of those cases end with a child's death. Further, about half-a-million children are in foster care on any given day, a number that is also growing rapidly. And of those children free for adoption, XXX remain in limbo, hoping for adoptive parents.

This country's child welfare system is failing the children it is designed to serve. The system has been in a downward spiral for more than a decade and there are few indications it will improve.

To date, there have been two major responses to the system's failure: the family preservation movement and the court takeover of state systems.

First, in the 1980s, academics and practitioners alike forced a paradigm shift, stressing family preservation and reunification as a cure. However, family preservation offers only a treatment model when more than a treatment model is needed. Family preservation does not work for those whom no amount of family preservation will help.

To date, there is no definitive study on the success of family preservation, though an evaluation is underway. However, increasing abuse and neglect reports and rising foster care rolls indicate growing problems.

Second, in response to the continually worsening system, the courts began to intervene. Currently, there are pending class action suits or judicial consent decrees in XXX states.

Family preservation and litigation have forced states to think about aggressive and creative system reforms and to act on those ideas. But the approach and results have been unsystematic. Consent decrees are structured to satisfy the judge. A state must meet *the letter of the law* for every provision in a consent decree. Instead of promoting system change, consent decrees are creating compliance mechanisms that stifle meaningful change. There is no collective definition of problems and solutions for states to follow, so there has been only a piecemeal approach to reform to date.

Some small states are making some progress: Vermont, North Dakota, Delaware, and Idaho. Michigan is also progressing with its Families First program. However, most states are struggling to address the problems but don't know where to begin.

To truly reform the country's child welfare system, we need a vision, a broad framework for change, and a roadmap for getting there. But to be successful, we need to target all areas for reform and move ahead on several paths at the same time.

The following document outlines critical problem areas in the child welfare system and starting points for reform.

- **Issue 1:** *No consensus on goals of the child welfare system.* There is no accepted definition of what a good child welfare system should look like or what its end goals should be.

Solution: We need to create a tight national definition of the mission of the child welfare system. Once that mission is drawn up, we must require states to adhere to it.

- **Issue 2:** *An inadequate definition of "reasonable efforts."* P.L. 96-272 requires that reasonable efforts be taken to prevent placement of a child in foster care and make it possible for that child to eventually return home. Determining reasonable efforts is left up to the states and varies substantially from state to state. The result is an exaggerated focus on family preservation/reunification in cases where it is not appropriate or possible, extended lengths of stay in foster care.

Solution: Make permanency planning, not family preservation, the goal of reasonable efforts. This distinction puts the child first, not the parent. Within permanency are three options: family reunification; alternative guardianship with a focus on kinship care; termination of parental rights and adoption.

- **Issue 3:** *No nationally accepted measures of success.* Despite a decades-old child welfare system, there exist no defined, agreed upon measures of success. Measures of success should be driven by the system goal(s).

Solution: We need a federal definition of the broad goals of the child welfare system and a consensus on definitive measures of those goals.

- **Issue 4:** *A judicial system not adequately equipped or organized to deal with flow of foster care and adoption cases.*

Solution: We need a systematic look at court practices around the country, a consensus on court improvements, and court evaluation. Court reform might include reduced caseloads for judges, community-based caseloads so the same judge sees a case through, child welfare-specific training for judges, and a reorganization of court operations. Good working models include Grand Rapids, MI court and the Cincinnati court. The federal government has made grants for court improvement. Feds could increase the number of federal grants for court improvement.

- **Issue 5:** *Rising caseloads and an increasing population of special needs children, especially "crack babies," at the same time dollars are shrinking.*

Solution: In a political climate where new funds are difficult if not impossible to come by, we need to seriously review the feasibility of applying managed care to the child welfare system. Forty-one states are currently considering forms of managed care for child welfare, but few have moved forward and there are no federal guidelines or suggestions for doing so. Instead of comprehensive managed care, we might consider independent management changes such as encouraging public/private partnerships; introducing performance-based contracts for the private sector; or pinpointing creative ways to use title IV-E funds.

- **Issue 6:** *Incongruent system goals and misdirected funds driven by the structure of titles IV-E and IV-B.* For example, there is a reverse incentive funding structure that rewards foster care over adoption. Also, dollars often flow to populations and programs that don't need them while other populations and programs remain underfunded.

Solution: Once an overall vision, goals, and outcome measures are set, we need to review and reshape the funding structures of title IV-E and IV-B. We might shift financial incentives so adoption is rewarded over foster care. We might also target funds to localities with the highest rates of poverty and largest foster care rolls.

- **Issue 7:** *Not enough good data to accurately evaluate the system.* We have point in time data (a snapshot of a typical day), but no full year data to let us know what the problems are and how to fix the system

Solution: We need more and better data collection and evaluation; we need demonstration programs with evaluations, starting with the HHS child welfare waivers; we need to escalate/encourage creative waivers; and we need a clearinghouse for child welfare information.

- **Issue 8:** *Inflexible guardianship laws offer few options outside of foster care or adoption.*

Solution: We need new guardianship laws that provide alternatives to foster care and adoption; e.g. temporary adoption, kinship care, joint guardianship; standby guardianship; subsidized guardianship; shared custody.

- **Issue 9:** *Barriers to adoption that frequently leave adoptable children in foster care, and drive parents overseas to adopt.*

Solution: Jen--please add info. here if you have it.
Foster parenting should be viewed as a pre-adoption phase, rather than an end in itself.

- **Issue 10:** *No supports for families once they adopt.*

Solution: For a period of time after a family adopts, the child welfare system should continue to offer supports to that family and the adopted child or children. This is a particularly poignant problem for grandparents who adopt their grandchildren.

- **Issue 11:** *Failure to address prevention of abuse and neglect well before the abuse occurs. Right now the system addresses it too little and too late.*

Solution: Community-based efforts can best address stressors in a family that might cause abuse or neglect. A coordinated, community-based effort can target problems and help families before they are overcome by a crisis. This might mean re-evaluating where family preservation funds flow and reallocating them to early intervention.

- **Issue 12:** *Lack of professionalism in the child welfare field.*

Solution: We need to institute national standards for social workers; need to create incentives for training and professionalism; and need an accreditation and certification process for the profession.

- **Issue 13:** *Insufficient public education on child welfare issues. Public attention is drawn to child welfare issues primarily when a child dies. Communities need to become more knowledgeable about child welfare issues so they can help solve the problems.*

Solution: We can pursue an aggressive campaign to educate the public about child welfare issues.

- **Issue 14:** *Failure of transition to independence programs for children who age out of the foster care system. Once foster children turn 18 they "age-out" of the system and are transitioned into independent or adult living. Federal funds for independent living are available, but funds are insufficient and programs inadequate. Often foster kids transitioning into independent living end up on welfare and/or homeless.*

Solution: A system shift to permanency planning should reduce the number of children who age-out of the system. However, for those who do age-out, new and better support for independent living must be available.

TO: Hillary Rodham Clinton
FROM: Melanne Verveer
Jennifer Klein
Nicole Rabner
DATE: 8/8/96
RE: Adoption Ideas

This memo presents options for actions the Administration can take to break down barriers to adoption and increase the number of children who are adopted. The announcement of these actions could take place in 1997 as part of a "Year of the Waiting Child." The goal of the year would be to: (1) increase the number of children who are adopted; (2) raise public awareness about the joys and challenges of adoption; and (3) make the adoption system work for children and families. This memo also outlines problems with two other ideas that have been suggested.

I. Increasing the number of children with special needs who are adopted

GOAL: Double the number of children with special needs who are adopted over the next three years. This would eliminate the backlog of waiting children.

ACTIONS:

1. Propose legislation to amend the Title IV-E Adoption Assistance Program to include financial incentives for states that meet numerical goals.

Currently, the Federal government reimburses states for a portion of the cost of providing adoption subsidies to families that adopt special needs children. The amount of the reimbursement could be raised as states near or reach the targets or as they increase recruitment of adoptive families. This proposal would increase Federal costs.

2. Work with states that commit to meet numerical targets by providing technical assistance on the development of outcome measures and automated data systems to track progress towards these goals.
3. Issue an annual state-by-state report card to encourage states to improve their status. Recognize successful states through certificates or White House events.
4. Propose legislation to create a new "legal guardianship" status and provide subsidies for qualified long-term guardians.

II. Increasing public awareness and the willingness to adopt

GOAL: Undertake a high visibility education and awareness campaign. Increase the use of "adoption-friendly" policies in the public and private sectors.

ACTIONS:

1. Direct the Secretary of Health and Human Services to lead a public awareness effort, including public service announcements, use of the internet, and the appointment of a high-profile advisory council with members chosen for their ability to represent and work with various "sectors" of the community (e.g., faith community, business, entertainment industry, etc.).
2. Direct the Secretary of the Treasury to disseminate information about tax benefits and other adoption benefits.
3. Direct the Director of the Office of Personnel Management to promote adoption among Federal employees and make the Federal government a model of adoption-friendly policies.

This would include: (1) developing legislation to create a new category of leave benefits for Federal employees to provide 5 days of paid leave for adoptive parents and an additional 5 days for parents who adopt children with special needs (in addition to current leave benefits); (2) developing legislation to reimburse Federal employees if they adopt a child (proposed during the Bush Administration but not passed); and (3) directing all agencies to provide information and support (e.g., a bank of federal employees who have adopted to act as mentors for prospective adoptive parents).

4. Direct the Secretaries of Labor and Commerce to identify and recognize model adoption-friendly policies in the private sector.

III. Making the adoption system work for children and families

GOAL: Develop and disseminate models to make the child welfare system more responsive to the needs of waiting children and families.

ACTIONS:

1. Direct the Secretary of Health and Human Services to: (1) work with foundations to replicate model projects to reduce waiting times (e.g., Kellogg Foundation project in 19 communities to limit waiting times to one year); (2) work with states and advocates to develop and disseminate model legislation on termination of parental rights and model processes for family preparation

and assessment; and (3) urge the 20 states not currently participating to join the Interstate Compact on Adoption and Medical Assistance to decrease delays in adoptions across state lines.

2. Direct the Attorney General to work with the National Council of Juvenile and Family Court Judges to examine the issue of judicial training and rotation and make recommendations for improvements.

Two other ideas have been suggested that raise serious concerns. One suggestion is to require states to terminate parental rights after one year (with an exception if it is not in the best interests of the child). As you know, this touches on one of the most difficult issues in child welfare and would cause great alarm in the children's advocacy community (at time when, because of the welfare bill, they are sensitive to begin with). In addition, without a big infusion of additional Federal money, it is an unfunded mandate on states and would be impractical given delays and limited capacity in the courts and social services agencies. Finally, the exception for situations that are not in the best interests of the child would create delays as courts tried to reach this determination, effectively eliminating any chance that this rule would speed adoptions. A second suggestion is to penalize states that are placing low numbers of children in families of different races under the Multi-Ethnic Placement Act. Again, this would cause an uproar in the children's community and would harm waiting children in those states where the most help is needed. We believe that the incentives listed in Section I would do far more to eliminate the backlog of children waiting for permanent homes.

POSSIBLE ADOPTION ACTIONS

September 9, 1996

GOAL 1: Increase the number of children who are adopted. Set numerical targets so that the number of children with special needs who are adopted over the next three years would be doubled. This would eliminate the backlog of waiting children.

ACTIONS:

1. Planning and Technical Assistance. Work with states that commit to meet numerical targets by providing technical assistance on the development of outcome measures and automated data systems to help reach these goals. Estimated cost: \$10 million/year.
2. Non-financial Incentives for Improved Performance. Recognize successful states through special certificates or White House events and foster competition by issuing an annual state-by-state report card.
3. Financial Incentives. Increase reimbursement for adoption subsidies for special needs adoptions by \$1,000 in states that reach or come within 5% of reaching of the annual target. Estimated cost: \$50 to \$100 million over 3 years.

Raise federal match to states for recruiting adoptive families from 50% to 75%. Estimated cost: \$375 million over 5 years, assuming states continue to spend at current levels for recruitment.

GOAL 2: Find permanent homes for waiting children within one year.

ACTIONS:

1. Statutory Changes. Under current law, states are required to hold a dispositional hearing 18 months after a child has been placed in foster care. Develop legislation to shorten that period to 12 months.
2. Regulatory Changes. Currently, the federal government requires that "reasonable efforts" be made to prevent placement and reunify families before a parent's rights can be legally terminated. Clarify and expand definition of reasonable efforts so that it allows arrangement for a permanent home for a child in a timely manner.

Change "dispositional hearings" to "permanency planning" hearings by clarifying that planning can include referrals for termination of parental rights or to legal guardianship or other permanent placement.

3. Financial Assistance. Make funds available to states for a "Removing Barriers to Permanency Project" to identify barriers, propose and implement solutions, and target funds to place children who have been waiting particularly long times and to implement the Multi-Ethnic Placement Act. Estimated cost: \$30 million.

E X E C U T I V E O F F I C E O F T H E P R E S I D E N T

20-Aug-1996 09:45am

TO: klein_j
FROM: Wendy Jacobson

SUBJECT: second document

ADOPTION: HELPING CHILDREN AND PARENTS

Promoting adoption is one of the most important things we can do to strengthen

American families and give more children what every child in America deserves -- loving parents and a healthy home.

--President Clinton

For many children in the United States, adoption is their only opportunity to become part of a permanent and loving family. Adoption assistance programs help thousands of children and parents each year to form new and happy families.

Adoption enriches the lives of adults by enabling them to become parents and share their love with children who desperately need the support that can only be provided by nurturing parents. Because strong, loving families are the cornerstones of stable and caring communities, adoption also strengthens our nation.

Today, there are tens of thousands children in the nation's foster care system who can not return safely to their homes, who need permanent placement in new families and for whom adoption is a goal. Almost one third of these children are legally free and are waiting to be adopted. Almost half of these waiting children had been waiting for more than two years. More than half of waiting children have special medical, developmental, behavioral or psychological needs; they are minority children, older children and/or sibling groups.

President Clinton has taken key steps to encourage and increase adoptions of special needs children and to support the families that choose to open their hearts and their homes to these children. He has championed programs that find and assist adopting families, and is committed to breaking down barriers, including high adoption costs and complex regulations.

Removing Barriers to Adoption

The Administration supports Titles I and II of the Adoption Promotion and Stability Act of 1996. Title I provides an adoption tax credit for

families who want to adopt and Title II is consistent with current law, the Multiethnic Placement Act of 1995 (MEPA), and with Title VI of the Civil Rights Act which prohibits discrimination based on race, color or national origin in all federally funded programs. This policy will alleviate a significant barrier to adoption and allow middle class families, for whom adoption may be prohibitively expensive, to adopt children to love and nurture. It will put parents seeking to build a family through adoption on a more equal footing with other families. In October 1994, President Clinton signed the Multiethnic Placement Act, which helps increase the number of adoptions by prohibiting discrimination based on race or ethnicity, and by increasing recruitment of parents. Forty-seven states and the District of Columbia are now in compliance.

- 2 -

Increasing Special Needs Adoptions

During this Administration, the number of children with special needs who have been adopted with Federal adoption assistance has increased by over 60 percent.

Improving Court Operations

The Administration is working with state courts in 49 states to improve the timeliness and quality of decision-making that leads to adoption. More timely decisions will ensure children do not languish in foster care and can more quickly be placed in permanent, stable families that can nurture and protect them.

Preserving Critical Supports

The President has also stood firm throughout the budget debate to protect funds for key supports such as Medicaid benefits for special needs adopted children, SSI for children, and adoption assistance -- these services are critical for many adoptive families and children. The President vetoed the Congress's welfare reform legislation because it did not provide enough incentives and support to help parents move from welfare to work and the bill would hurt children. The bill dissolved the guarantee to states for open-ended funding for foster care and adoption assistance which might have been put the most vulnerable children at risk of danger and harm.

Supporting Parents

This Administration has championed the Family and Medical Leave Act, the first bill signed into law by the President, which enables parents to take time off to adopt a child without losing their jobs or health insurance.

Strengthening Families

The Family Preservation and Support Act, passed in 1993, provided almost \$1 billion over five years for the development of community-based preventive and supportive services for families with children. States can use these funds to support and alleviate the crisis in adoptive families.

Increasing Public Awareness

Both President and Mrs. Clinton have made it a priority to increase the public's awareness about the importance and benefits of adoption. Through speeches, radio addresses, public service announcements and special events, the First Family has spoken out about adoption. The First Lady dedicated two of her nationally syndicated columns to adoption and included the importance of adoption in her recently published book.

National Adoption Month

In November 1995, the First Lady held a moving and memorable event at the White House to promote adoption during National Adoption Month. The event featured Dave Thomas of Wendy's, HHS Secretary Donna E. Shalala, adoptive parents, a community organization recruiting adoptive parents and children awaiting adoption. A public service announcement featuring Mrs. Clinton was aired in over 50 major cities across the country. In addition, the First Lady celebrated motherhood through adoption on Mother's Day by inviting adoptive moms and their children to the White House.

- 3 -

Focusing on Outcomes and Accountability

The Administration is shifting the Federal government's role from a focus on how well forms are filled out to a focus on how well children are doing. Permanent placement is a critical outcome. States have been given increased flexibility and technical assistance so that they can reform their child welfare systems. We are working with 48 states to automate their child welfare systems and reduce the paperwork burden on caseworkers.

Working Women Count Honor Roll

The Women's Bureau of the Department of Labor enlisted honor roll pledges from corporations and state and local governments to encourage and recruit parents to adopt and make adoption easier for workers and their families.

Expediting Adoptions from Foster Care

The Clinton Administration has provided every state with technical assistance to speed the adoption of children in foster care. This help comes through the National Resource Center on Special Needs Adoption and regional adoption conferences. In April, HHS brought together state foster care and adoption managers and court officials to work in partnership to designing systems that work better for children and families.

Statistics

During 1993 (most current data available,) an estimated 18,000 children who had been in foster care had their adoptions finalized. Another 17,000 were placed in adoptive families and are awaiting legalization. Another 86,000 children in the foster care system had the goal of adoption, 21,000 of whom were legally free (i.e. parental rights had been terminated.)

In 1996, about 120,000 children are expected to receive adoption

assistance which is the federal subsidy to encourage and support the adoption of children with special needs. Eighty percent of waiting children in the foster care system have special needs including physical or mental disabilities, older children and sibling groups.

For more information

To get more information on how to become an adoptive parent, interested persons and the general public can call the National Adoption Center at 1-800-TO-ADOPT.

TO: Hillary Rodham Clinton
FROM: Melanne Verveer
Jennifer Klein
Nicole Rabner
DATE: 8/8/96
RE: Adoption Ideas

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I. Increasing the number of children with special needs who are adopted

GOAL: Double the number of children with special needs who are adopted over the next three years. This would eliminate the backlog of waiting children.

ACTIONS:

1. Propose legislation to amend the Title IV-E Adoption Assistance Program to include financial incentives for states that meet numerical goals.

Currently, the Federal government reimburses states for a portion of the cost of providing adoption subsidies to families that adopt special needs children. The amount of the reimbursement could be raised as states near or reach the targets or as they increase recruitment of adoptive families. This proposal would increase Federal costs.

2. Work with states that commit to meet numerical targets by providing technical assistance on the development of outcome measures and automated data systems to track progress towards these goals.
3. Issue an annual state-by-state report card to encourage states to improve their status. Recognize successful states through certificates or White House events.
4. Propose legislation to create a new "legal guardianship" status and provide subsidies for qualified long-term guardians.

II. Increasing public awareness and the willingness to adopt

GOAL: Undertake a high visibility education and awareness campaign. Increase the use of "adoption-friendly" policies in the public and private sectors.

ACTIONS:

1. Direct the Secretary of Health and Human Services to lead a public awareness effort, including public service announcements, use of the internet, and the appointment of a high-profile advisory council with members chosen for their ability to represent and work with various "sectors" of the community (e.g., faith community, business, entertainment industry, etc.).
2. Direct the Secretary of the Treasury to disseminate information about tax benefits and other adoption benefits.
3. Direct the Director of the Office of Personnel Management to promote adoption among Federal employees and make the Federal government a model of adoption-friendly policies.

This would include: (1) developing legislation to create a new category of leave benefits for Federal employees to provide 5 days of paid leave for adoptive parents and an additional 5 days for parents who adopt children with special needs (in addition to current leave benefits); (2) developing legislation to reimburse Federal employees if they adopt a child (proposed during the Bush Administration but not passed); and (3) directing all agencies to provide information and support (e.g., a bank of federal employees who have adopted to act as mentors for prospective adoptive parents).

4. Direct the Secretaries of Labor and Commerce to identify and recognize model adoption-friendly policies in the private sector.

III. Making the adoption system work for children and families

GOAL: Develop and disseminate models to make the child welfare system more responsive to the needs of waiting children and families.

ACTIONS:

1. Direct the Secretary of Health and Human Services to: (1) work with foundations to replicate model projects to reduce waiting times (e.g., Kellogg Foundation project in 19 communities to limit waiting times to one year); (2) work with states and advocates to develop and disseminate model legislation on termination of parental rights and model processes for family preparation

and assessment; and (3) urge the 20 states not currently participating to join the Interstate Compact on Adoption and Medical Assistance to decrease delays in adoptions across state lines.

2. Direct the Attorney General to work with the National Council of Juvenile and Family Court Judges to examine the issue of judicial training and rotation and make recommendations for improvements.

Two other ideas have been suggested that raise serious concerns. One suggestion is to require states to terminate parental rights after one year (with an exception if it is not in the best interests of the child). As you know, this touches on one of the most difficult issues in child welfare and would cause great alarm in the children's advocacy community (at time when, because of the welfare bill, they are sensitive to begin with). In addition, without a big infusion of additional Federal money, it is an unfunded mandate on states and would be impractical given delays and limited capacity in the courts and social services agencies. Finally, the exception for situations that are not in the best interests of the child would create delays as courts tried to reach this determination, effectively eliminating any chance that this rule would speed adoptions. A second suggestion is to penalize states that are placing low numbers of children in families of different races under the Multi-Ethnic Placement Act. Again, this would cause an uproar in the children's community and would harm waiting children in those states where the most help is needed. We believe that the incentives listed in Section I would do far more to eliminate the backlog of children waiting for permanent homes.



FACSIMILE TRANSMISSION

ADMINISTRATION FOR CHILDREN AND FAMILIES
OFFICE OF THE ASSISTANT SECRETARY
370 L'ENFANT PROMENADE, S.W.
WASHINGTON, D.C. 20447

TO: ~~Sen~~ Sen Klein / Nicole Rabner

Telephone: 456 - 2878
Fax:
Number of Pages (excluding cover): 6

FROM:

Wendy Jacobson
Special Assistant to the
Deputy Assistant Secretary

Telephone: (202) 260-1853
Fax: (202) 205-3848

MESSAGE:

As discussed.

Tam to Melanne
and Nicole.

DEPARTMENT OF HEALTH & HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES
Office of the Assistant Secretary, Suite 600
370 L'Enfant Promenade, S.W.
Washington, D.C. 20447

August 6, 1996

TO: Melanne Verveer, Deputy Chief of Staff to the First Lady

FROM: *AR* Ann Rosewater, Deputy Assistant Secretary for Policy and External Affairs, Administration for Children and Families

SUBJECT: Proposal for an Executive Action on Adoption

As you requested, I am forwarding a draft set of options for an Executive Action on adoption. These options, taken together or separately have the potential to significantly advance efforts to achieve permanent homes for thousands of children. In addition to suggesting several new initiatives, these strategies build on, strengthen, and make more visible the current federal activities undertaken within the Adoption Assistance and Adoption Opportunities programs and the Multiethnic Placement Act.

We would like to see 1997 established as the "Year of the Waiting Child" -- a "thematic umbrella" for this series of activities. Different elements of an Executive Action could then be undertaken in anticipation and development of this theme year, and other pieces could be elements of its implementation. You'll note that some of the options are feasible by executive action and some would require legislation; some could be implemented relatively quickly, while others would be longer-term.

While the goal of a "Year of the Waiting Child" would clearly be to implement a range of strategies for eliminating the backlog of children waiting for a permanent family, it is our strong hope that it would also be a significant opportunity to more explicitly connect adoption issues to the broader child welfare system -- foster care, child abuse and neglect and family preservation and support. The continuing dialogue on child welfare spearheaded by the Domestic Policy Council offers another vehicle for making these linkages.

I look forward to discussing this with you at your earliest convenience.

cc. Kevin Thurm
Mary Jo Bane

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PROPOSAL FOR AN EXECUTIVE ACTION ON ADOPTION

As a framework for launching a series of activities related to adoption, 1997 should be designated as the "Year of the Waiting Child." The goal of this theme year would be:

To remove barriers to adoption, and increase the number of special needs children who are adopted by:

1. Raising public awareness about adoption: the joys, sorrows, facts and myths;
2. Making it easier for prospective adopters to get accurate information and financial support;
3. Stimulating reform of the adoption system through advancing best practices and creating new or strengthened public-private partnerships.

The action options that follow can be undertaken under the umbrella of the "Year of the Waiting Child" -- either in preparation for the "Year," or as part of its implementation.

There is an urgent need to work simultaneously to meet the immediate needs of children awaiting placement, and to launch longer-term system reform. In keeping with this vision, the action options are organized in three categories: 1) Increasing the Number of Special Needs Children Who are Adopted, 2) Increasing Public Awareness and Willingness to Adopt, and 3) Making the Adoption System Work for Children and Families.

Proposed Actions:*Not just special needs*

- I. Increasing the number of special needs children who are adopted

GOAL: Double the number of children adopted over the next three years by increasing the number of children in pre-adoptive placements and the number of finalized adoptions nationally by 33% for each of the next three years. This would eliminate the backlog of waiting children.

There are tens of thousands of children in the nation's foster care system who cannot return safely to their homes, who need permanent placement in new families and for whom adoption is a goal. Almost one third of these children are legally free and are waiting to be adopted. Almost half have been waiting for more than two years. While dramatic social and systemic improvements are needed to decrease the number of children

entering foster care, it is equally critical to eliminate the backlog of children currently waiting for a permanent family.

ACTION: Direct HHS to work in partnership with States to double the number of special needs children who are adopted over three years, and to provide incentives for states to meet their targets.

What # --
how does
this mesh
w/ goal?

No-cost Strategies:

- o Engage in strategic planning with states that commit to meeting specific numerical targets, and provide technical assistance on the development and utilization of outcome measures, and on the use of automated data systems to track progress toward these goals. Publish proposed rule to implement this new approach.

This would add a key dimension to the historical practice of evaluating state child welfare systems only on the numbers of children entering and exiting the system and the number of casework visits or services provided. The new measures would focus state efforts on establishing safety, permanency, and child well-being. Ten states (MS, OH, WV, NE, WA, NJ, ND, IL, SC and CT) have been piloting ways to shift accountability to these outcomes.

- * o Propose legislation to create a new "legal guardianship" status, which would provide subsidies for qualified long-term guardians.
- o Issue an annual state-by-state report card, which may encourage states to improve their status.
- o Recognize successful states through special certificates or White House events.

These strategies would not require legislation.

Possible Financial Incentives:

- * o Propose legislation to modify the Title IV-E Adoption Assistance program to include a financial incentive for states that meet their numerical goals for a given year. Currently, the Federal government reimburses states for a portion of the cost of providing adoption subsidies to families that adopt special needs children. That portion could be increased by 5 percent as states near or achieve their targets. Alternatively, the federal match rate could be raised from 50 percent to 75 percent to reimburse states for their efforts to recruit adoptive families.

These financial incentives have the advantage that states

automatically receive the incentive as their adoptive placements increase. However, all of these options would increase Federal expenditures, and would require legislation.

II. Increasing Public Awareness and Willingness to Adopt

GOAL: Undertake a high visibility education and awareness campaign within the Federal Government, the private business sector and among the public at large. Increase the availability and use of "adoption-friendly" policies and practices in the public and private sectors.

ACTION: Direct the Secretary of HHS to lead a cross-government public awareness effort to promote adoption, including:

- o Appointing a high-profile advisory council on adoption, (modeled after the successful HHS/DOJ-led Advisory Council on Violence Against Women) with members chosen for their ability and willingness to work with "their" group/field (e.g., religious community, entertainment industry, higher education, corporate sector) on increasing adoptions;
- o Working with the Advertising Council to develop a national PSA campaign;
- o Encouraging broadcast and print media to incorporate adoption themes into their programming, including information about transracial adoption and state efforts under the Multiethnic Placement Act;
- o Working with the National Association of Talk Show Hosts to encourage discussion of adoption;
- o Working with intergovernmental organizations (governors, mayors, county commissioners) and national public interest groups (Child Welfare League, North American Council on Adoptable Children, others) to amplify messages and support state and local efforts to increase adoptions.
- o Establishing an internet "homepage" (including all state homepages) to make information on adoptable children, adoption processes, and resources available on the internet;

* **ACTION:** Direct the Department of the Treasury (Internal Revenue Service) to increase targeted dissemination of information about tax benefits, and the implications of subsidies and related adoption benefits.

* **ACTION:** Direct the Office of Personnel Management to promote adoption and to make the Federal Government a model of adoption-friendly policies and practices.

- o Develop legislation to create a new category of leave

benefits for federal employees who are prospective or newly adoptive parents. In addition to current leave benefits, these employees would be offered 5 days of paid leave for purposes relating to the adoption of a child, and an additional five days paid leave for adoption of a special needs child.

- o Develop legislation through which federal employees receive a reimbursement if they adopt a child. This option was proposed during the previous Administration but Congress did not act on it.
- o Direct all heads of departments and agencies to assure that Employee Assistance Programs have comprehensive services and information relating to adoption, with an emphasis on special needs adoptions. Agencies can also be directed to develop innovative campaigns to increase employee awareness about adoption of special needs children, including posting notices of available children; identifying federal employee adoptive parents who would be willing to "mentor" others; and bringing local child welfare staff to federal agencies for agency-wide information sessions.

These actions would build on steps this Administration has already taken to make the federal government an adoption-friendly workplace, including signing the Family and Medical Leave Act, through which employees adopting a child are guaranteed up to 12 weeks of unpaid leave; and signing legislation which allows federal employees unlimited use of sick leave specifically for purposes relating to the adoption of a child.

* **ACTION:** Direct the Departments of Labor and Commerce to work with businesses in the private sector to identify model "adoption-friendly" policies and practices and widely disseminate them.

III. Making the Adoption System Work for Children and Families

GOAL: Make the child welfare system more responsive to the needs of waiting children and families.

The adoption process is often hampered by substantial delays in terminating parental rights, attrition of families during the home study period, judges and attorneys inadequately trained or inexperienced in child development and family issues, and by a lack of communication and coordination across states.

ACTION: Direct the Secretary of HHS to:

- o Work with foundations to replicate model court projects which have resulted in more timely placement of children.
- o Work with state and advocate partners to develop and disseminate model legislation on termination of parental

rights, and model processes for family preparation and assessment.

- o Strongly urge the 20 states not currently participating in the Interstate Compact on Adoption and Medical Assistance to join this effort to decrease procedural delays when adoptions cross state lines. Subsidize the first of a three-year membership for those states.

ACTION: Direct the Attorney General to work with the National Council of Juvenile and Family Court Judges to examine the issue of judicial training and rotation and make recommendations for improvements.

DATE: 8/6

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
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OFFICE OF THE ASSISTANT SECRETARY FOR LEGISLATION
HUMAN SERVICES LEGISLATION
ROOM 413 H HUMPHREY BUILDING

Jon Klein x6-2878

FROM:

TO : *Chris Ellutson*

[] MARY M. BOURDETTE

OFFICE : *OMB*

[X] BARBARA P. CLARK

ROOM NO : _____

[] MARION ROBINSON

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[] ANNELEISE HAFFER

TOTAL PAGES
INCLUDING COVER): *8*

[] GREG JONES

[] LULA BARNES

REMARKS: *Please call -*

Adoption Fact Sheet

- o 127,441 children of all races and nationalities were adopted in the United States in 1992 (the last year for which statistics are available).¹
- o 53,525 (42%) of the total adoptions were stepparent or relative adoptions.
- o 19,753 (15.5%) of the total adoptions were conducted by public agencies, that is, they were adoptions of children from the foster system.
- o 6,536 (5%) children from other countries were adopted by U.S. families in 1992.² The largest numbers of children from other countries came from Korea (1,767), Columbia (403), and Chile (403). [In 1993, 7,348 children were adopted by U.S. families. The largest numbers came from Korea (1,765) and Russia (695). A final total from the Immigration and Naturalisation Service (INS) is not yet available for 1994. INS does say that the number is slightly more than 8,000.]
- o The remainder of 1992 adoptions, 47,627 (37.5%), were either private agency or independent adoptions of U.S. children.
- o In fiscal year 1990, the last year for which statistics are available, an estimated 69,000 children in foster care had a permanency plan of adoption. Of these, about 20,000 were legally free to be adopted and were awaiting adoptive placement.³ Of the 20,000, 44.3% were Caucasian, 42.8% were African-American, 7.0% were Hispanic, and 3.7% were of other racial/ethnic groups (e.g., Asian, Pacific Islander, American Indian, or Alaskan Native).
- o At the close of FY 90 an estimated 18,000 children had been placed in adoptive homes during the year and were simply waiting for finalization of their adoptions. In addition to these 18,000 children, approximately 17,000 were adopted from public agencies during the same period. Of these, 50.8% were Caucasian, 29.2% were African-American, 13.3% were Hispanic, and 4.5% were from other racial/ethnic groups.⁴

¹ The Flow of Adoption Information from the States, National Center for State Courts, Victor E. Flango and Carol R. Flango, Williamsburg, VA, 1994..

² U.S. Immigration and Naturalisation Service, 1994.

³ Characteristics of Children in Substitute and Adoptive Care, The Voluntary Cooperative Information System, American Public Welfare Association, Washington, DC, 1993.

⁴ Ibid.

ADOPTION BACKGROUND INFORMATION

How does the public adoption system work?

- ▶ Under state and federal laws, before exploring adoption possibilities, state child welfare agencies are required to try to reunite children with their parents when a child's safety can be assured. States are required to make a determination regarding reunification or adoption within one year.
- ▶ Approximately 30% - 50% of all children initially placed in foster care need permanent placement
- ▶ When reunification is not possible, state and federal laws require efforts to find a permanent home for a child, preferably through adoption. All state laws require that, before an adoption can take place, the legal rights of the biological parents be severed through a state court proceeding.

Who are the children who need adoptive homes?

- ▶ One group consists of children, primarily infants, whose parents voluntarily relinquish them for adoption; little is known about these children or the nature of their adoptive placements because their parents generally deal with private adoption agencies or make private placements with adoptive families.
- ▶ A second group of children are those who have been placed in foster care based on court determination that they were abused or neglected, and for whom reunification efforts have been unsuccessful.

In December 1990, there were approximately 69,000 foster children in the country for whom state agencies had determined that adoption was the appropriate goal. Approximately 20,000 of these children were legally free to be adopted (their parents' legal rights to ever regain custody had been terminated) and were waiting to be adopted.

Forty-four percent of the children awaiting adoption were white, 43% African American, 7% Hispanic. Only four percent of these children were under age 1; 36% were between the ages of 1 and 5; 43% were 6 - 12 years of age; and 17% were over the age of 12. The median age was 7.4 years.

Two out of three waiting children have special needs: medical, developmental, behavioral or psychological.

Of the children awaiting adoption at the end of 1990, approximately 46% had already waited two years.

It takes substantially longer to find homes for minority children. Older children and sibling groups irrespective of race also have longer waits.

Many children are never adopted, even though their biological parents' parental rights have been terminated.

Why does it take so long and why do so many children go unadopted?

- ▶ Finding adoptive homes for older children and those with emotional or physical problems requires aggressive action by agencies, and most of the children waiting for adoption fall into these categories.
- ▶ In 1990, 43% of the children waiting for adoption were 6 to 12 years old; only 4% were infants. Two out of three children -- a doubling since 1982 -- had some special need: they were disabled, older, had siblings, or were minority.
- ▶ Lengthy processes to terminate parental rights, lack of financial resources for adoption, excessive caseloads and difficulty in recruiting foster and adoptive families contribute to the slow adoption of many of these children.

Adoption Fact Sheet

Waiting Children

- * In December 1990, there were approximately 69,000 foster children in the country for whom state agencies had determined that adoption was the appropriate goal. Approximately 20,000 of these children were legally free to be adopted (their parents' legal rights to ever regain custody had been terminated) and were waiting to be adopted.
- * There are an equal number of white and African-American children, these children are primarily school age. Two out of three waiting children have special needs: medical, developmental, behavioral or psychological.
- * Of the children awaiting adoption at the end of 1990, approximately 46% had already waited two years. Minority children, older children and sibling groups wait longer.

Why More Federal Help Is Needed for the Adoption of Children with Special Needs?

1. What is the federal Adoption Assistance program?

The Adoption Assistance and Child Welfare Act of 1980 mandated, as a condition for receiving federal foster care funds, that each state establish an adoption assistance program to help ensure permanent placements for children with special needs and to ensure that their needs are met appropriately. To be eligible for adoption assistance payments, a child must be eligible for the Title IV-E Foster Care program or SSI and also be a child with special needs. The number of children eligible for federal adoption assistance varies significantly depending on states' procedures for determining IV-E eligibility and defining "special needs". All states also provide some adoption assistance for non-federally eligible children.

2. What is the definition of "special needs"? Is it a federal or state definition?

Federal law defines a child with special needs as a child in foster care whom the state has determined cannot or should not be returned to the home of his parents and for whom the state determines that there exists a specific factor or condition (such as ethnic background, age, or membership in a minority or sibling group, or the presence of factors such as medical conditions or physical, mental or emotional handicaps) because of which it is reasonable to conclude that such child cannot be placed with adoptive parents without providing adoption assistance. It is up to individual states to develop state specific "special needs" definitions. A recent study of the implementation of the Adoption Assistance program undertaken by Rosemary Avery at Cornell University found that characteristics such as membership in a sibling group and physical, mental and emotional handicaps were used in all states to qualify children as special needs and eligible for adoption subsidies. However, eligibility for subsidy based on a child's age, race or membership in an ethnic group varied significantly among states. All of these factors have historically presented barriers to adoption. (The attached Table describes the factors considered in each state.)

3. What is the average maintenance payment for a child with special needs?

According to federal law, the amount of an adoption assistance payment may not exceed the amount that would have been paid if that same child had been in a foster family home. In many cases, however, adoption subsidy payments are less than foster care payments. States' monthly assistance payments vary widely. For example, as of 1993, the average per-child monthly federal adoption assistance payment was \$292.39, and the range was from \$100.23 in Washington State to \$733.17 in Rhode Island. Children who receive federal adoption assistance payments also are eligible for Medicaid.

4. Why do we need a tax credit for special needs adoptions when families who adopt children with special needs already receive adoption assistance payments?

Adoption assistance payments cover room and board and specialized services to meet the needs of individual children, but they are only available once the adoption is finalized. Adoption assistance payments generally cannot be used to cover pre-adoption costs.

5. What are the average up-front expenses for a family adopting a child with special needs?

Families adopting children with special needs, like other adoptive families, may have agency fees, legal fees, and court costs related to the adoption. There also may be independent health or psychological examinations of the prospective adoptee. They also may have expenses related to changes in their home necessary to accommodate a child with special needs, for example, a ramp for a child in a wheel chair or renovation of a bathroom to accommodate a child in a wheelchair. In some cases the adoption of a child with special needs also may necessitate expenses related to travel to a distant state, or to a distant location within a state, where the child is located, for pre-adoptive visits, court proceedings, and to actually move the child to the child's new home. Overnight travel will involve lodging costs and possibly child care costs for other children who may be left at home. Data on the average amount for such front end expenses are not available.

6. How many children with special needs currently are awaiting adoption? How long do these children wait?

The Department of Health and Human Services estimates that approximately 21,000 children are legally free for adoption and awaiting permanent families, and that about 4 out of 5 of these children have special needs. Another 65,000 children have adoption as their plan but are not yet legally free for adoption. At least one quarter of these children are estimated to have special needs, and in fact the proportion might be much higher given the increases in the number of children with special needs entering foster care these past several years. Generally children for whom adoption is the plan wait in care between 3.5 and 5.5 years before adoption.

A 1994 survey by the Child Welfare League of America revealed that, among the 22 states reporting that year, the percent of adoptive placements by public agencies that involved children with special needs ranged from 39 percent in Wyoming to 100 percent in several states.

7. What is the general profile of a family adopting a child with special needs?

Many children with special needs are adopted by families caring for them as foster children. Generally these parents are moderate income working class families with prior parenting experience. In two parent families, one parent is often at home.

Richard Barth reported in the 1993 Summer issue of Public Welfare that a study of California children found that in 1987 nearly 60 percent of families receiving adoption assistance in the state had incomes less than \$30,000 and 80 percent had incomes less than \$40,000.

A "composite profile" of adoptive families of special needs children compiled from data in 20 states by the North American Council on Adoptable Children and reported in 1995 revealed that three quarters were married; one third had a birth child at home and over half had other adopted children; and more than half had less than a college degree. Forty one percent of the adoptive families had annual household incomes of \$35,000 or less, and an additional 32 percent had incomes between \$35,000 and \$50,000; only 7 percent had an income of more than \$75,000.

Families who adopt special needs children with the help of a subsidy often could not have adopted without that help. Interviews conducted in 1990 as part of the California Long-Range Adoption Study with 450 California families who received subsidies revealed that nearly one in three of the families would not have adopted without a subsidy. There is also evidence that the availability of a subsidy helps to ensure the stability of the adoptive placement, especially in the case of higher-risk placements.

8. Are up-front expenses a barrier to families who want to adopt special needs children?

Yes, since many of the families who adopt children with special needs are working class families, up-front costs can present a significant barrier to adoption. Public agencies must reimburse families who adopt special needs children for non-recurring costs related to adoption; about half the states provide reimbursements up to \$2,000 per adoption, but in other states reimbursements are much lower. In fact, a 1995 study by the North American Council on Adoptable Children reported that 28 percent of the families that adopted special needs children in the 20 states studied had no idea that such reimbursement was possible.

9. Does a family receive IV-E adoption assistance payments regardless of their income? Is the payment based solely on the child's economic status?

In the IV-E Adoption Assistance program the financial circumstances of the prospective adoptive parents cannot be considered in determining eligibility for adoption assistance, but can be considered to determine the payment amount. The amount is

determined on a case-by-case basis through agreement between the adoptive parents and the state or local adoption agency. The amount, which must take into consideration the circumstances of the adoptive parents and the needs of the child, may be readjusted periodically with the concurrence of the adoptive parents as circumstances change. A means test cannot be used to deny a subsidy for a special needs child.

10. What are the average expenses for a family adopting through other than a public agency? For a family adopting a child from overseas?

No reliable information is available on the average costs of private adoptions. In some cases these are adoptions through private agencies; in others they are adoptions from private individuals, with or without an intermediary, depending on state laws and regulations. These may be domestic or foreign adoptions. The figure of \$8,000 to \$10,000 is frequently cited for domestic adoptions, and the number can reach an average cost of \$20,000 when travel abroad is required. It is also important to remember that adoption costs can vary significantly across states and regions, and also may differ within a state.

11. What are the other major barriers to the adoption of children with special needs?

- 1) The current linkage between Title IV-E adoption assistance eligibility and AFDC eligibility.
- 2) The lack of comprehensive adoption assistance training for staff of public and private agencies.
- 3) Problems in the transferability of adoption assistance across state lines.
- 4) The loss of essential supportive services (such as mental health services, respite care, therapeutic day care and residential treatment services) at the time of finalization and after adoption.
- 5) The inadequacy of adoption subsidies: the Avery study mentioned earlier found, on average, that subsidies were contributing only about 73 percent of the financial needs of the child, and that the shortfall varied dramatically among states.
- 6) The lack of post adoption services: two-thirds of the states reported offering no post adoption support services in the Avery study.
- 7) The uncertainty of continued financial assistance. Recent threats to the federal adoption assistance program, such as those proposed in the context of welfare reform, have a chilling effect on families' willingness to adopt children with special needs.

ADOPTION: HELPING CHILDREN AND PARENTS

Promoting adoption is one of the most important things we can do to strengthen American families and give more children what every child in America deserves -- loving parents and a healthy home.

--President Clinton

For many children in the United States, adoption is their only opportunity to become part of a permanent and loving family. Adoption assistance programs help thousands of children and parents each year to form new and happy families.

Adoption enriches the lives of adults by enabling them to become parents and share their love with children who desperately need the support that can only be provided by nurturing parents. Because strong, loving families are the cornerstones of stable and caring communities, adoption also strengthens our nation.

Today, there are tens of thousands children in the nation's foster care system who can not return safely to their homes, who need permanent placement in new families and for whom adoption is a goal. Almost one third of these children are legally free and are waiting to be adopted. Almost half of these waiting children had been waiting for more than two years. More than half of waiting children have special medical, developmental, behavioral or psychological needs; they are minority children, older children and/or sibling groups.

President Clinton has taken key steps to encourage and increase adoptions of special-needs children and to support the families that choose to open their hearts and their homes to these children. He has championed programs that find and assist adopting families, and is committed to breaking down barriers, including high adoption costs and complex regulations.

Removing Barriers to Adoption

The Administration supports Titles I and II of the Adoption Promotion and Stability Act of 1996. Title I provides an adoption tax credit for families who want to adopt and Title II is consistent with current law, the Multiethnic Placement Act of 1995 (MEPA), and with Title VI of the Civil Rights Act which prohibits discrimination based on race, color or national origin in all federally funded programs. This policy will alleviate a significant barrier to adoption and allow middle class families, for whom adoption may be prohibitively expensive, to adopt children to love and nurture. It will put parents seeking to build a family through adoption on a more equal footing with other families. In October 1994, President Clinton signed the Multiethnic Placement Act, which helps increase the number of adoptions by prohibiting discrimination based on race or ethnicity, and by increasing recruitment of parents. Forty-seven states and the District of Columbia are now in compliance.



Department of Health and Human Services
Administration for Children and Families
370 L'Enfant Promenade, S.W., Washington, D.C. 20447
Phone: (202) 401-9215 // May 1996

- 2 -

Increasing Special Needs Adoptions

During this Administration, the number of children with special needs who have been adopted with Federal adoption assistance has increased by over 50 percent.

Improving Court Operations

The Administration is working with state courts in 49 states to improve the timeliness and quality of decision-making that leads to adoption. More timely decisions will ensure children do not languish in foster care and can more quickly be placed in permanent, stable families that can nurture and protect them.

Preserving Critical Supports

The President has also stood firm throughout the budget debate to protect funds for key supports such as Medicaid benefits for special needs adopted children, SSI for children, and adoption assistance -- these services are critical for many adoptive families and children. The President vetoed the Congress's welfare reform legislation because it did not provide enough incentives and support to help parents move from welfare to work and the bill would hurt children. The bill dissolved the guarantee to states for open-ended funding for foster care and adoption assistance which might have been put the most vulnerable children at risk of danger and harm.

Supporting Parents

This Administration has championed the Family and Medical Leave Act, the first bill signed into law by the President, which enables parents to take time off to adopt a child without losing their jobs or health insurance.

Strengthening Families

The Family Preservation and Support Act, passed in 1993, provided almost \$1 billion over five years for the development of community-based preventive and supportive services for families with children. States can use these funds to support and alleviate the crisis in adopting for families.

Increasing Public Awareness

Both President and Mrs. Clinton have made it a priority to increase the public's awareness about the importance and benefits of adoption. Through speeches, radio addresses, public service announcements and special events, the First Family has spoken out about adoption. The First Lady dedicated two of her nationally syndicated columns to adoption and included the importance of adoption in her recently published book.

National Adoption Month

In November 1995, the First Lady held a moving and memorable event at the White House to promote adoption during National Adoption Month. The event featured Dave Thomas of Wendy's, HHS Secretary Donna E. Shalala, adoptive parents, a community organization recruiting adoptive parents and children awaiting adoption. A public service announcement featuring Mrs. Clinton was aired in over 50 major cities across the country.

Focusing on Outcomes and Accountability

The Administration is shifting the Federal government's role from a focus on how well forms are filled out to a focus on how well children are doing. Permanent placement is a critical outcome. States have been given increased flexibility and technical assistance so that they can reform their child welfare systems. We are working with 48 states to automate their child welfare systems and reduce the paperwork burden on caseworkers.

Working Women Count Honor Roll

The Women's Bureau of the Department of Labor enlisted honor roll pledges from corporations and state and local governments to encourage and recruit parents to adopt and make adoption easier for workers and their families.

Expediting Adoptions from Foster Care

The Clinton Administration has provided every state with technical assistance to speed the adoption of children in foster care. This help comes through the National Resource Center on Special Needs Adoption and regional adoption conferences. In April, HHS brought together state foster care and adoption managers and court officials to work in partnership to designing systems that work better for children and families.

Statistics

During 1993 (most current data available,) an estimated 18,000 children who had been in foster care had their adoptions finalized. Another 86,000 children in the foster care system had the goal of adoption. 21,000 of whom were legally free (i.e. parental rights had been terminated.)

In 1996, about 120,000 children are expected to receive adoption assistance which is the federal subsidy to encourage and support the adoption of children with special needs. Eighty percent of children in the foster care system have special needs including physical or mental disabilities, older children and sibling groups.

For more information

To get more information on how to become an adoptive parent, interested persons and the general public can call the National Adoption Center at 1-800-TO ADOPT.



DEPARTMENT OF HEALTH & HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES
Administration on Children, Youth and Families
330 C Street, S.W.
Washington, D.C. 20201

MEMORANDUM

TO: Adoption Program Network Members

FROM: *EW*
Ellen W. Carey, Children's Bureau
VD Karen Dorsey, Children's Bureau

SUBJECT: The National Adoption Strategic Plan

DATE: June 26, 1996

It gives us great pleasure to provide you, *finally*, with a proposed working draft of the "National Adoption Strategic Plan" (the Plan*). As you may know, our efforts to proceed in disseminating and implementing the Plan have suffered several setbacks. We did manage to unveil the Plan to State adoption specialists at the Permanency Partnership Forum sponsored by the Children's Bureau in March. It was very well received.

We are happy to announce that we are back on course. In December we were all very excited about the Plan and improving adoption outcomes for America's waiting children. It is our hope to regain this excitement and move forward with dissemination and implementation of the Plan with your help.

In this memorandum we will: (1) review accomplishments and commitments discussed in December; (2) provide a status report on commitments; and (3) inform you of upcoming events.

1. A Review of Accomplishments and Commitments

Accomplishments

In December 1995 the Adoption Program Network was formed to develop a rough draft of the Plan and to serve as the steering committee which would oversee the Plan's dissemination and implementation. The Plan has eight adoption goals and twenty performance measures. It is intended to be a living, changing document that agencies can use to improve the outcomes for waiting children.

The Network's goal is to have the Plan adopted by and operating in all 50 States and the District of Columbia; private, non-profit adoption agencies; and other organizations involved with the adoption of children with special needs in the next five years.

Commitments

- I. Administration for Children and Families (ACF) staff (both in Washington, DC and the regions) committed to:
 - A. Making final technical edits and changes to the rough draft of the Plan (creating a proposed working draft of the Plan)
 - B. Sharing proposed working draft of the Plan with Network partners
 - C. Scheduling a conference call to "finalize" the working draft of the Plan
- II. Once the working draft was "finalized" the Program Network members would:
 - A. Share the working draft of the Plan with other Adoption Network partners
 - B. Begin developing strategies for implementation (at State, local and national levels)
 - C. Form a performance measures workgroup

2. Status Report on Commitments

- I-A & B. Making final technical edits and changes to the rough draft of the Plan and sharing with Network Program Partners

Attached please find the proposed working draft of the Plan (attachment No. 1). The majority of the edits and changes served to clarify and condense the original document. Please see enclosure No. 2, "Explanation of Edits," which details changes made.

Please read the Plan carefully. We are asking that you focus on the goals and performance measures. If there are any inconsistencies with what we discussed as a group, please contact us with these items before July 12th.

- I-C. Scheduling conference call to reach consensus on goals and performance measures -- finalizing the working draft

We have scheduled the conference call for July 19th. Due to the number of Network members and geographical locations, we will have a morning and afternoon call. Please see the conference call schedule (attachment No. 3) for the time we would like for you to participate.

Children's Bureau staff will incorporate changes from the call and disseminate the "finalized" working draft.

- II-A. Sharing the working draft of the Plan with other adoption partners

The intention was to have an orderly, sequential process of rolling out the Plan to the world. We were to begin with "finalizing" the Plan (reaching consensus on the goals and measures) and then sharing the Plan with others. However, the lengthy furlough, budget uncertainty, and various other responsibilities intervened. Concerned with losing the interest and curiosity ignited before, during, and after the December meeting, we took the opportunity of the Partnership Permanency Forum in March to share the Plan with the State adoption specialists. Given the interest of some States in the Plan, we urged our ACF regional office staff to begin partnering with those States immediately.

While there remains a tremendous amount of work that needs to occur before implementation, some Regions are moving successfully. For example, Veronica Melendez (ACF Region I - Boston) has already begun to discuss the Plan with States in her region and they are moving toward implementation.

Now we all can start sharing and implementing the Plan. Please feel free to share this proposed working draft with your organization and other adoption network partners in newsletters, conferences, coalitions, etc. (inform Plan recipients that a finalized working draft is in process and will be shared at a later date).

II-B. Developing strategies for implementation (at State, local and national levels)

We will discuss strategies for implementation during the July conference call and at the ACF Partnerships for Results Forum (see section on "Upcoming Events" for more information about.)

II-C. Forming a performance measures workgroup

Not all of the Plan's goals have accompanying performance measures. We agreed in December not to delay the Plan for this reason. Instead we would form a workgroup to identify possible data sources and develop needed performance measures. We will continue this discussion during the July conference call.

3. Upcoming Events

Getting it Out!

To focus attention on the Plan:

- Ellen and other Network Program members will be discussing the Plan and State implementation in a workshop at NACAC in August and at the One Church, One Child conference in September.
- Liz Oppenheim will include an article on the Plan in her next newsletter to members of the Association of Administrators of the Interstate Compact on Adoption and Medical Assistance.
- Planning for a dissemination and implementation campaign, which will include Network members and federal regional partners, will begin at the ACF Partnerships for Results Forum in Washington in July (see below for details).

Administration on Children and Families (ACF) Activity.

In July ACF will be sponsoring a Partnerships for Results Forum. The purpose of the Forum is to provide ACF staff with a better understanding of strategic planning (GPRA), performance measures and performance partnerships.

The Children's Bureau will be adding a day and a half to this meeting to work with our regional staff on their role in implementing the Plan, i.e. developing partnership agreements with States and supporting State's efforts to actualize the Plan. We hope to include some other network members in this meeting. As always travel costs are a major barrier. If you will be in town during the meeting (July 17-18th) and can attend please let us know.

ATTACHMENTS

Adoption Program Network Partnership Conference Call.

Mark your calendar for July 19th. Please check the conference call schedule (attachment No. 3) for designated time of participation and phone number. If this is not the correct phone number for you please contact us. The conference call operator will begin calling participants 10-15 minutes prior to the scheduled start time.

We are also enclosing a draft agenda (attachment No. 4).

If you have any questions about the information in this memorandum please contact us - Ellen W. Carey (202) 205-8652 or Karen Dorsey (202) 205-8419.

Attachments: 1 - National Adoption Strategic Plan -- a proposed working draft
2 - Explanation of Edits
3 - Conference Call Schedules
4 - Conference Call Agenda

*If you would like a copy of the Plan on disk please contact Charlotte Hicks of the Children's Bureau at 202-205-9814.

A National Adoption Strategic Plan

by

The Adoption Program Network

December 1995
DRAFT

NATIONAL ADOPTION STRATEGIC PLAN

PREAMBLE

This Adoption Strategic Plan highlights key results that successful programs must achieve to provide homes for the thousands of waiting children in the child welfare system. Many of the **waiting children*** have special needs. These children are older; children of color; physical, developmental or emotionally challenged, and/or mentally disabled; or belong to a sibling group. However, these results can only be accomplished within broader goals that address permanency for all **children**.

Adoption services are an integral part of the public child welfare system. Successful adoptions depend in part on effective service delivery from the time a child and family have initial contact with the system. For appropriate and timely targeting of adoptive placements, the system must provide:

- preventive and early intervention services to avoid placement;
- time limited, goal oriented, permanency focused services to resolve problems of families whose children are in placement;
- timely casework, judicial and administrative decisions to assure permanency;
- a range of permanency options including placement with relatives, adoption and guardianship;
- concurrent planning (reunification, placement with extended family, and adoption planning occurs at the same time); and
- prospective adoptive families who reflect the population of children served or have the capacity to parent a child of a different race/ethnicity.

In the absence of a well functioning child welfare system, children drift, opportunities for reunification with families are lost, and children are damaged in ways that make adoption difficult to achieve.

Although founded on the belief that every child has the right to a **permanent family**, nationally within the child welfare system adoption services fail to meet the needs of thousands of children who wait! This failure is characterized by: a lack of shared values regarding who is adoptable; a lack of early and appropriate identification, preparation, and assessment of children's needs; lengthy, cumbersome legal and clinical processes; inadequate public awareness and efforts to recruit, prepare, and retain families who reflect the ethnic and racial diversity of children in care or families who have the capacity to parent a child of a different race/ethnicity; jurisdictional barriers to placement and matching; limited ongoing supports, funding, and other resources; and inadequate staff training. As a result, efforts are not coordinated, effective, or sustained for many children. Adoption services must be improved to achieve better outcomes.

To accommodate both broad system goals for permanency and specific goals for adoption services, this Plan reflects a two tiered planning approach. First, broad goals are articulated that impact on children in need of permanent families. Second, adoption specific goals are articulate. For each adoption goal, indicators are presented that should be used to measure success. This those working throughout the child welfare system an opportunity to identify how they can help achieve our mission to assure permanent families for all children.

This is not a typical strategic plan. It addresses what the **Adoption Program Network** envision as fundamental achievements needed to accomplish permanency for children. We describe what should be accomplished, not how to do it. By concentrating on results, States and communities have a clear idea of the outcomes sought for children and maximum flexibility to choose the strategies best suited to them.

*Bold items defined in Appendix 1.

PROGRAM

This Strategic Plan is the result of a collaborative process and applies to the entire Adoption network partnership. This partnership includes anyone who contribute to identifying, assessing, and preparing children for adoption as well as finding and sustaining adoptive families. It includes State, federal, private and other community organizations. It recognizes that some children face special barriers to gaining adoptive families, especially those who are older, have physical, developmental or emotional challenges, and/or mental disabilities, children of color, and sibling groups. We will achieve the broad strategic goals in this Plan through the commitment and involvement of all network partners who formulated and committed themselves to this plan.

MISSION

The mission of the Adoption network partners is to secure an adoptive family for every child for whom adoption is appropriate. Children can be assured a permanent adoptive family through early identification, assessment and child preparation; aggressive recruitment and preparation of prospective adoptive parents; the elimination of legal and other barriers to adoption; and the adequate provision of supportive services.

VISION

No child will wait for a permanent family. Adoption of older children, children of color, physically, developmentally or emotionally challenged, and/or mentally disabled, and sibling groups will become one normative way of forming families. Through partnerships among communities, State, local and federal agencies, we will identify and support families willing to adopt these children. This Plan is founded on "*Basic Values*" (see Appendix 2) shared by the Adoption Program Network (see Appendix 3).

STRATEGIC GOALS

Our system goals describe the context in which adoption goals must be achieved. The adoption goals represent specific achievements the Adoption Program can contribute toward overall system reform over the next 5 years.

Each adoption goal is accompanied by measures of success. These measures focus on the outcomes that directly measure goal achievement or which will inevitably lead to successful accomplishment of goals. The Plan assumes the use of existing data systems such as the Adoption and Foster Care Analysis and Reporting System (AFCARS) and Statewide Automated Child Welfare Information Systems (SACWIS) to produce data for success measures. There are some performance measures for which no national data system exists or for which existing data does not accurately measure the goal. For these goals, State and localities will have to develop innovative measurements; use data sources/elements currently not required by AFCARS; or develop proxies for measures.

We include national strategies (see Appendix 4) for accomplishing adoption goals. These strategies represent our best thinking about how to achieve these goals. Many additional strategies will be required for the Program to be successful. They will require local, community-based efforts that will be formulated, adopted and executed at the local level.

GOAL I

System Goal: Reduce the number of all children needing permanency by finding permanent families and decreasing the number of children entering the child welfare system.

Adoption Goal: Increase the number of adoptions including children with physical, developmental, mental and emotional disabilities, children of color, sibling groups, older children, and other waiting populations (unique demographic characteristics of children that may vary geographically and over time -- e.g. HIV+ children, children exposed to drugs, children orphaned by AIDS).

Two out of three waiting children have special needs. It takes substantially longer to find homes for minority children. Older children and sibling groups, irrespective of race, also have longer waits.

Measures of Success:

1. Total number of adoptions and the total number of adoptions of children identified with special needs - Adoption Data Element (ADE)¹
2. Number and percent of inter/intra State adoptions - ADE
3. Median time to achieve inter/intra State adoptions - ADE
4. Percent of children adopted per number of children waiting ADE and Foster Care Data Element (FCDE)

GOAL II

System Goal: Minimize loss by decreasing the number of moves prior to achieving permanency and maintaining the continuity of children's relationships with family, significant others, community and culture.

Adoption Goal: Minimize loss and maintain the continuity of children's relationships with family, significant others, community and culture, before and after adoption.

Children spend an average of 3.5 years waiting for adoption after termination of parental rights. There is a need to minimize trauma and improve healthy development through continued ties with their community, culture, extended family and other significant relationships.

Measure of Success

1. Frequency distribution of placement moves experienced by those children discharged from foster care due to adoption - FCDE
2. Frequency distribution of the length waiting children are in the system (not discharged from foster care) and frequency distribution by special population - FCDE¹
3. Percent of total adoptions for placements with: stepparent, other relative (related by birth or marriage) or foster parent²

¹AFCARS data is limited in capturing information on children with special needs.

²AFCARS only provides information on the relationship of adoptive parent to the child which can serve as a temporary proxy measure for continuity of family and significant relationships.

GOAL III

System Goal: Services to children and families are provided by culturally competent staff in community settings.

Adoption Goal: Decision-making in adoption includes regard for the child's background and need for cultural continuity.

Children have a right to maintain cultural, racial, and ethnic continuity. Agencies do not always have sufficient prospective adoptive families who reflect the ethnic and racial diversity of children in their community or have the capacity to parent a child of a different race/ethnicity. Agencies should reach out to find those adoptive families.

Measures of Success

1. Number and percent of adoptive families prepared by community-based adoption programs - No national data source available³
2. Number and percent of adoptive placements with families prepared by community based programs - No national data source available

GOAL IV

System Goal: Every child will be in a permanent family within one year of initial entry into out-of-home care.

Adoption Goal: When adoption is appropriate, a child will be placed in an adoptive family within one year of entry into out-of-home care.

Children are in care too long without the permanency of adoption. To accomplish this goal many systemic changes must be made in all systems that impact upon the child. Early permanency planning and timely decision-making by the judiciary would assist those children needing adoptive homes.

Measures of Success

1. Frequency distribution of the length of time children were in out-of-home care before adoption - FCDE
2. Frequency distribution of the length of time children (those not adopted) have been in out-of-home care without adoptive placement - FCDE
3. Total number of disruptions for the year compared to the total number of adoptive placements for the year - No national data source exists

³Area for Adoption Program Network workgroup to develop.

GOAL V

System Goal: Increase the number and accessibility of approved families who reflect the diversity and meet the needs of waiting children.

Adoption Goal: Increase the number and accessibility of approved families who reflect the diversity and meet the needs of waiting children.

An insufficient number of prospective adoptive families are recruited to meet the needs of waiting children. Often interested families who reflect their diversity and can meet their needs are denied access to or drop out of the system. The system has also been unable to connect many waiting children with approved families who can meet their needs.

Measures of Success

1. Percent of approved families compared to those approved families who reflect the ethnic and racial diversity and/or can meet the needs of waiting children - No national data elements exists
2. Median number of days in care for those children discharged due to adoption (both inter and intra state) - FCDE
3. Total number of potential adoptive families compared to potential adoptive parents who begin the adoption process and remain until adoptive placement occurs - No national data source available

GOAL VI

System Goal: Provide holistic, culturally, and linguistically relevant services and resources that will achieve and sustain permanency for all children.

Adoption Goal: Provide holistic, culturally, and linguistically relevant services and resources that will achieve and sustain adoptions

Achieving and sustaining adoptions for children is impacted by the accessibility and availability of appropriate adoption sensitive services and resources for all affected persons.

Measures of Success

1. Total number of services/resources that are accessible, appropriate, and culturally and linguistically responsive - No national data source available
2. Percentage of adoption disruption, dissolution, and displacement rates - No national data source available
3. Percent of children discharged not due to adoption -FCDE

GOAL VII

System Goal: Children, families, and network partners have access to all information pertinent to meeting the needs of the child.

Adoptive Goal: Children, families, and network partners have access to all information pertinent to meeting the needs of the adopted child.

Successful adoptions depend, in part, on effective service delivery beginning when the child and family have initial contact with the system. Effective service delivery is based on information. Children, families, substitute caretakers and service providers must have access to needed information (e.g., social, health, educational, etc.) throughout life.

Measure of Success

1. Perception of accessibility of information among partners, families, adult adoptees and waiting children - No national data source available

GOAL VIII

System Goal: Increase the public awareness and support for the adoption of waiting children.

Adoptive Goal: Increase the public awareness and support for the adoption of waiting children.

The American people must be **educated** to overcome the myths and inaccurate information about the adoption of waiting children. They must first know who the children are. Also, they must be encouraged to support and celebrate these adoptions.

Measure of Success

1. Level of public awareness and support of adoption of waiting children - No national data source available

APPENDIXES

APPENDIX 1 - GLOSSARY

access = all information on children is routinely provided to the adoptive families, records are open, information is integrated

Accessibility = removing jurisdictional/geographical barriers

[an] adoption is appropriate = birth parents are unwilling and/or unable to care for the child; an adoption by relatives, foster parents or other unrelated individuals will provide permanency

Adoption Network Partners = parties who contribute to identifying, assessing, and preparing children for adoption and who find and sustain adoptive families

Adoption Program Network = cross cutting group of those involved in adoption services and attended the Adoption Strategic Plan Meeting in Washington, DC in December 1995 (see Appendix 3 for list)

Adoption Sensitive Services/Resources = Respite, culture/identity support, medical subsidy, post adoptive fiscal/financial resources, empowerment, mental health, advocacy, information/anticipatory guidance, training, education, medical/treatment, case consultation, concrete services (e.g., ramps, room additions, beds, etc.), crisis intervention, transition to adulthood, case management, and all other necessary services to support adoptions.

All pertinent information = includes health, education, mental health, mental retardation, developmental disabilities, substance abuse, juvenile justice, social history, etc.

approved families = families who have completed home study and requirements (as defined by the jurisdiction)

child/children = 0 to 18 years old and in the child welfare system

continuity = maintaining connections for children to earlier life relationships and experiences (i.e. culture, ethnicity, etc.)

disruption = removal from the adoptive home prior to finalization of adoption.

Educating (and reeducating) - overcoming negative portrayals; describing the kinds of children in care; the number and location of those children; dispelling myths; explaining the scope of adoption and the process

Loss = deprivation which may affect self-esteem, development and the ability to form healthy relationships

Permanent family = parenting rights and responsibilities belong to the family and the family has made a life-time commitment to the child

Public = communities, public officials, policy makers, corporate sector and the media

Support = financial resources (dollars), advocating, encouraging, celebrating, affirming, normalizing, and providing emotional support

waiting children = those children who is consider legally free for adoption but has not yet been placed with a permanent adoptive family; includes older children, children of color, children with physical, developmental or emotionally challenges, and/or mentally disabled; and children belonging to a sibling group — also those unique demographic characteristics of children that may vary geographically and change over time (e.g., children with HIV, infants and young children exposed to drugs, children orphaned by AIDS)

APPENDIX 2 - BASIC VALUES

Basic values shared by the members of the network:

1. Every child has a right to a permanent family.
2. For most children, the family of choice is the birth family.
3. Risk to children is minimized when families have access to services, including adoption, which will help them resolve the problems they face.
4. Permanency planning for children is enhanced when birth families have rights to counseling and participation in the process is assured.
5. Planning for a child's permanence must begin when the child enters the system.
6. In an adoption program the child's needs are primary and the goal is to find an appropriate family for each waiting child.
7. Casework, legal and administrative decisions about children must be timely, reflecting a child's sense of time.
8. Decision making for children must be guided by the child's best interest and an understanding of his/her needs.
9. Adoptive parents have a right to full disclosure of information.
10. Children have a right to understand their status and to work through the losses inherent in the placement process.
11. Permanency efforts must include culturally competent adoption services.
12. Successful adoption outcomes require collaboration among child serving agencies and courts.
13. As adults, adoptees have the right to full disclosure of information about their lives.
14. Adoption is a lifelong and intergenerational process.

APPENDIX 3 - ADOPTION PROGRAM NETWORK

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APPENDIX 4: SUGGESTED* NATIONAL ADOPTION STRATEGIES

*These suggested national strategies were developed during brainstorming sessions as activities which could be conducted on a national level (they should not be interpreted as planned federal activity) to support the achievement of state and community adoption plan goals. While these are only suggestions, states and local communities are encouraged to adapt these strategies for their own use.

GOAL I: Increase the number of adoptions including children with physical, developmental, mental and emotional disabilities, children of color, sibling groups, older children, and other waiting populations.

- ◆ Tracking System
- ◆ Support implementation of AFCARS and SACWIS and expand to private agencies and tribes.
- ◆ Identify alternative, creative funding strategies that provide incentives to obtain permanent families for children (e.g., purchase of service, managed care models, outcome-based funding, IRS check-off).
- ◆ Remove jurisdictional barriers by linking national, regional and State exchanges so that all waiting children are visible and all families seeking to adopt are accessible.
- ◆ Support changes recommended by court improvement projects.
- ◆ Institutionalize collaboration between courts and public and private agencies.
- ◆ Support, encourage State membership in, and streamline the Interstate Compact on the Placement of Children and the Interstate Compact for Adoption and Medical Assistance.

Goal II: Minimize loss and maintain the continuity of children's relationships with family, significant others, community and culture, before and after adoption.

- ◆ Encourage openness in adoption (information, records and visits with past relationships).
- ◆ Encourage community ownership in what happens to children.
- ◆ Through community partnerships, develop agreements for and understanding of criteria for adoptive families.
- ◆ Expand the definition of family.

Goal III: Decision-making in adoption includes regard for the child's background and need for cultural continuity.

- ◆ Involve citizens in designing services for community-based adoption programs which assure that children's need for cultural continuity is met.

Goal IV: When adoption is appropriate, a child will be placed in an adoptive family within one year of entry into out-of-home care.

- ◆ For Concurrent Planning: Increase concurrent planning for children as they enter care (simultaneous consideration of reunification, placement with extended family and adoption) so permanent placement may be achieved within one year. Enhance this process and improve the quality of services for children through joint preparation and development of foster and adoptive parents.
- ◆ For the Courts: In many cases, children are without families because termination of parental rights (TPR) and adoption decisions are delayed or deferred by the courts.
- ◆ Within one year, courts must:
 - Determine whether child welfare agencies have made reasonable efforts to prevent placement of each foster child;
 - Determine whether agencies are making reasonable efforts to reunify the families of children in foster care;
 - Review case plans;
 - Docket and hear TPR and adoption actions when appropriate; and
 - Finalize TPR decisions that are appealed.
- ◆ Increase the training of judges, attorneys, and foster care review boards, CASAs and guardians ad litem to enhance their ability to make quality and timely decisions on permanent plans for children.
- ◆ Focused Technical Assistance to Policy Makers
- ◆ Establish or enhance technical assistance for state legislators, other state policy makers and advocates for adoption of special needs children on state legislation and policies that will achieve and sustain appropriate adoptions.

Goal V: Increase the number and accessibility of approved families who reflect the diversity and meet the needs of waiting children.

- ◆ Encourage national, state, local and private adoption service providers to examine systems and address barriers that impact recruitment, preparation and retention such as inflexible policies and practices, insufficient staff and other resources and agency values and biases.
- ◆ Develop models for effective response, preparation and retention of people interested in adopting waiting children.
- ◆ Enhance and expand the use of existing resources, e.g., adoption exchanges, clearinghouses and resource centers, community and religious organizations.

Goal V: Increase the number and accessibility of approved families who reflect the diversity and meet the needs of waiting children - continued

- ◆ Encourage members of the adoption community to expand the use of technological resources, e.g., internet, etc.
- ◆ Form public/private partnerships at State, local and national levels to support adoption (include businesses, community, government and private agencies, religious organizations etc.)

Goal VI: Provide holistic, culturally, and linguistically relevant services and resources that will achieve and sustain adoptions

- ◆ Standardized interstate/intrastate procedures and instruments
- ◆ Contractual adoption home studies
- ◆ National collection of foster care and adoption data
- ◆ National, local and regional matching processes for children and families
- ◆ Use of electronic communication to transfer information and expedite adoptive placement
- ◆ All children legally free for adoption be declared a family of one and therefore eligible for Title IV-E Adoption Assistance
- ◆ Maintain the portability of adoption, medical and nonrecurring cost assistance
- ◆ Screen adoptive families in, not out and provide support throughout the process
- ◆ Expedite judicial procedures related to adoption
- ◆ Include birth parents in the adoption planning process
- ◆ Provide birth parents with permanency options which can assist their efforts to make permanency decisions in their child's best interests
- ◆ Empower and prepare adoptive parents throughout the adoption process and involve them in advocating for services that sustain adoption
- ◆ Increase in the accessibility and appropriateness of services that are culturally and linguistically responsive (determined by conducting a survey).
- ◆ Provide training and technical assistance to all persons who impact adoption.
- ◆ Provide need based post legalization services

Goal VI: Provide holistic, culturally, and linguistically relevant services and resources that will achieve and sustain adoptions - continued

- ◆ Expand service delivery network
- ◆ Ensure availability of culturally and linguistically responsive staff and services
- ◆ Create a national standardized adoptive placement agreement
- ◆ Increase in data on adoption disruption, dissolution, and displacement rates
- ◆ Maintain AFCARS
- ◆ Require/maintain national reporting on disruption, dissolution, and displacement rates
- ◆ Ensure information is retained on State and national data bases
- ◆ Provide Family Preservation and Support services to adoptive families
- ◆ Decrease in the number of children/youths with appropriate plan for adoption who are discharged without being adopted
- ◆ National standard that no child is unadoptable
- ◆ Children are granted a participatory voice in the process
- ◆ All child caregivers work toward permanency for children
- ◆ Appropriate permanency assessments are conducted at the initial contact
- ◆ Agencies place children in appropriate settings the first time

Goal VII: Children, families, and network partners have access to all information pertinent to meeting the needs of the adopted child.

- ◆ Models for Information Flow - Create new models for increasing the information flow to families and service partners. Use demonstration projects to identify and remove barriers. Develop model legislation and regulations on gathering and providing full information.
- ◆ Disclosure - States will fully implement disclosure provisions of Federal law. Foster and adoptive families will receive complete information. States will implement "active - registry" systems to allow adult adoptees, birth parents and adoptive parents to easily exchange medical, social, educational, etc. histories.
- ◆ SACWIS Implementation - States will fully implement SACWIS to track the progress and development of all children who enter the child welfare system. Data from the system will be used to improve practice and formulate policy to enhance the quality of life of the children in care.

Goal VIII: Increase the public awareness and support for the adoption of waiting children.

- ◆ Partner with a national polling firm to design, conduct and analyze the level of and increase in the public's awareness and support of the adoption of waiting children.
- ◆ Invite governors to join the adoption community to promote and support the adoption of waiting children.
- ◆ Develop an ongoing national public awareness campaign with a common theme (multi-media, national spokespersons that mirror the waiting children, lead by governors at the State level and the President at the national level).
- ◆ Work with network partners and others yearly to celebrate national adoption month.

ATTACHMENT NO. 2

EXPLANATION OF EDITS

The majority of the edits and changes served to clarify and condense the original document. A few other changes were made for the following reasons:

- * title page - we use "Adoption Program Network" to refer to meeting participants; "Adoption Network Partnership" to refer to all others involved in adoptions
- * page 1, first paragraph - we added narrative on waiting children, we thought it was important to highlight that this plan was designed for waiting children at the beginning of the Plan
- * page 1, left column of listed items, the last item - we included "or have the capacity to parent a child of a different race/ethnicity" to be consistent with MEPA (this language was added throughout the Plan whenever reference was made to families who reflect the population of children served)
- * page 2, Vision section - we turned "Basic Values" into an appendix and moved it to the back of the Plan
- * "GOALS" section - we changed a few success measures to reflect AFCARS data elements
- * page 3, paragraph before the measure of success - we changed this to a "fact" statement explaining why the goal is necessary, this is consistent with the other statements that precede the measure of success
- * "Appendix 1" - we added definitions for clarity

ATTACHMENT NO. 3

**ADOPTION PROGRAM NETWORK
CONFERENCE CALL SCHEDULE
FOR
JULY 19, 1996 AT 10:00 AM
Conference I.D. - R58715***

Carolyn Baker - 212-264-3629

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Ann Burds - 304-558-9137

Denise E. Carver - 202-619-3376

Susan Davis - 412-244-3063

Diane Dodson - 301-593-7018

Brenda Gadson - 617-542-2366

Wilfred Hamm

Carolyn Johnson - 215-735-9988

Drenda Lakin - 810-443-7080

Forrest Lewis - 312-353-6503

Robert Lewis - 800-592-3678

Ernesto Loperena - 212-475-0222

Veronica Melendez - 617-565-0383

Toni Oliver - 404-907-0615

Laura Pleasants - 312-346-1516

Delores Smith - 215-596-0383

Carole Thompson

Carol Williams

Pat O'Neal Williams - 904-488-8251

*problems getting connected - call 700-288-2000 and give I.D. number

ATTACHMENT NO. 3

ADOPTION PROGRAM NETWORK PARTNER
CONFERENCE CALL SCHEDULE
FOR
JULY 19, 1996 AT 3:00 PM
Conference call I.D. - R05445*

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Gail Evans - 202-690-6590

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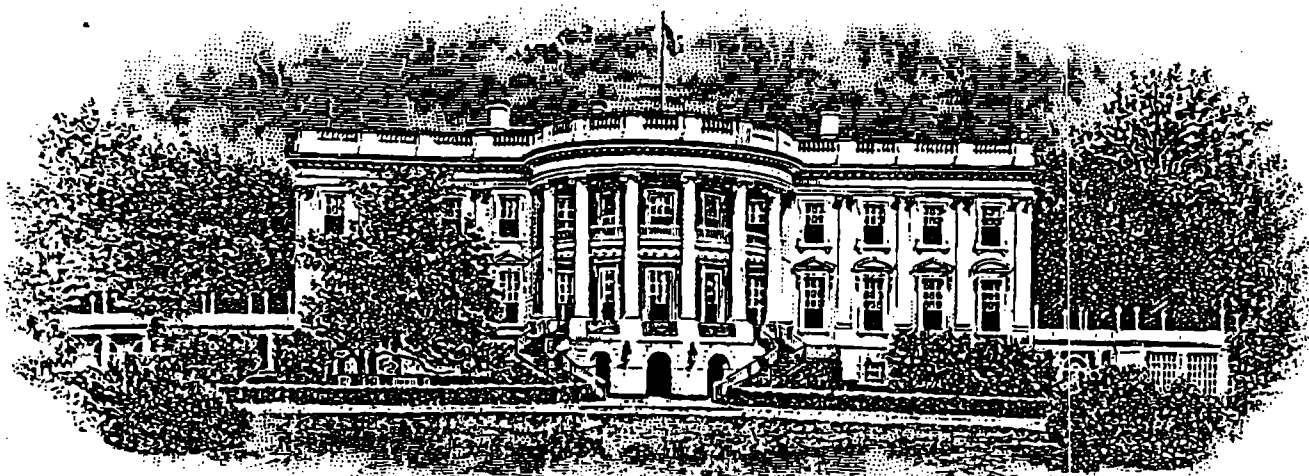
*problems getting connected - call 700-288-2000 and give I.D. number

ATTACHMENT NO. 4

**July 19, 1996
National Adoption Strategic Plan Meeting
AGENDA**

- I. Reaching Consensus on Goals and Performance Measures**
- II. Disseminating the Plan to other Adoption Action Network Partners**
- III. Framing Implementation Strategies**
 - A. Outcomes from ACF July Partnerships for Results Forum**
 - 1. Role of Children's Bureau**
 - 2. Role of ACF Regional Staff**
 - 3. Role of non-Federal Network members**
 - B. Brainstorming**
- IV. Creating Performance Measures Workgroup**

The White House



DOMESTIC POLICY

FACSIMILE TRANSMISSION COVER SHEET

TO: ~~Ben Klein~~ Ben Klein

FAX NUMBER: 628781

TELEPHONE NUMBER: 65253

FROM: Jeremy Ben-Ami

TELEPHONE NUMBER:

PAGES (INCLUDING COVER): 3

COMMENTS: need for 3:00 meeting

DEPARTMENT OF HEALTH & HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES
Office of the Assistant Secretary, Suite 600
370 L'Enfant Promenade, S.W.
Washington, D.C. 20447

July 18, 1996

TO: Jeremy Ben Ami, Deputy Assistant to the President
for Domestic Policy

FROM: Carol Williams, Associate Commissioner, Children's
Bureau, Administration for Children and Families,
DHHS

SUBJECT: Update on the Development of the National Adoption
Strategic Plan

In our continuing conversation with you and Carol about child welfare issues, we would like to apologize if we have not adequately kept you up to date with our efforts to develop a National Adoption Strategic Plan, which we have undertaken to further the Department's efforts under the Government Performance and Results Act (GPRA). Because this is an evolving process that involves a range of external partners, it may come up with the discussion group you are bringing together today.

As the number of children awaiting adoption continues to grow, we must enhance our efforts to identify and develop all potential adoptive families by reaching across ethnic lines and within ethnic communities. We must also more actively engage non-federal partners in the adoption process (recruitment and placement). To accomplish this, we conducted a number of preliminary focus groups and in December embarked on a collaborative effort with a wide range of non-federal partners to develop a National Adoption Strategic Plan (NASP).

To further support the tools the federal government has at its disposal to promote special needs adoption (the Adoption Assistance and Adoption Opportunities programs and the Multiethnic Placement Act), the NASP's goal statements and performance measures can be used by states and local and community adoption programs to advance adoption services for special needs children. By meeting the goals and performance measures of the Plan, adoption programs will increase the number of children placed in adoptive families.

Developing the National Adoption Strategic Plan

Working with DHHS staff from the Office of the Assistant Secretary for Management and Budget, Administration for Children and Families (central and regional office) staff utilized a two-

tiered strategy to allow for broad participation. First, we conducted a number of focus groups on the barriers to the adoption of children with special needs. Second, we hosted a three day meeting in Washington, DC to draft the NASP using the input from the focus groups and from the meeting participants. Meeting participants included State adoption managers; representatives from national advocacy organizations, the courts and legal field, and private non-profit organizations; adoptive parents; and ACF staff.

During the meeting, participants focused on results-oriented goals that would advance the adoption of children with special needs and drafted a preliminary plan. Participants were given two guidelines: (1) goals should describe what should be accomplished, not how it should be accomplished; and (2) to accomplish goals, no additional requirements should be placed on States or adoption agencies -- activities should facilitate Federal-State-Community collaboration.

Current Status

Currently, the National Adoption Strategic Plan is under review by the groups who participated in its initial development. In keeping with the principles of GPRA, it is expected that this will be an on-going review process and that the Plan will undergo continuous modification. The NASP is a working draft document. Early comments indicate that GPRA and the NASP have been well received from the States and adoption stakeholders. Next steps include continuing to refine the NASP based on comments received from the Office of General Counsel, the Office for Civil Rights and members of the adoption community.

Simultaneously, meeting participants will begin to discuss how to share the NASP with the entire adoption network and begin to facilitate implementation in States and communities. ACF is actively working with its regional staff on how to use the NASP as a framework to develop partnership agreements with States.

ACF has embraced the collaborative process under GPRA. It provides a powerful opportunity for the Administration to increase adoption outcomes for children with special needs as well as opportunity to begin needed changes in the child welfare system. We anticipate developing performance measures, using the GPRA process, for other components of the child welfare systems.

We look forward to working closely with you on these issues.

cc. Melanne Verveer
Kevin Thurm
Mary Jo Bane
Ann Rosewater
Olivia Golden