

# Child Welfare Policy

## Session 7

# Class Assignments

- Refer to the Syllabi for details on these two assignments
- Assignment #1 Letter to the Editor or Op Ed  
Due **March 26<sup>th</sup>**, please review the topic with me via email
- Assignment #2 will be a three minute "testimony" in class **May 7 & 14**; later in the semester you will sign up for a 3 minute time slot in one class or the other

# **Next Class Session 7: Overview of Policies Related to Permanency Planning Reunification**

## **Required Reading:**

### **Understanding Permanency**

<https://www.youtube.com/watch?v=S5KH1CWhjOo>

### **Reunification: What the Evidence Shows?**

[https://www.mncourts.gov/mncourtsgov/media/scao\\_library/CJI/family\\_reunification.pdf](https://www.mncourts.gov/mncourtsgov/media/scao_library/CJI/family_reunification.pdf)

### **Achieving Timely Reunification**

<https://www.contracosta.ca.gov/DocumentCenter/View/31229/TOC-CW-C3?bidId=>

### **Meaningful Parent Engagement in Child Welfare**

<https://www.risemagazine.org/2016/08/partners-in-planning-2/>

# Session 7

## Permanency

### Policies and Practices Related to Permanency

- History and Purpose of Permanency
- Definitions of Permanency
- Why is Permanency so challenging to obtain
- Focus on Reunification Policies

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## Permanency

### ➤ **History**

- The **Adoption and Safe Families Act (ASFA, Public Law 105–89)** was signed into law by President Clinton on November 19, 1997, after having been approved by the Us Congress earlier in the month.

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## Permanency

### ➤ Purpose

- ASFA was enacted in a bipartisan manner to correct problems inherent within the foster care system that deterred adoption and led to foster care drift. Many of these problems had stemmed from an earlier bill, the Adoption Assistance and Child Welfare Act of 1980 although they had not been anticipated when that law was passed, as states decided to interpret that law as requiring biological families be kept together no matter what.

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## Permanency

### Definition

Permanency, in child welfare, means a permanent, stable, and secure home and family for a child, offering love, unconditional commitment, and lifelong support.

Permanency is crucial for children's well-being, as it provides a sense of belonging, emotional security, and a foundation for healthy development.

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## Permanency

### **Relational Permanency:**

Beyond legal permanency, it's important to foster relational permanency, which means maintaining connections with significant people in a child's life, including siblings, family members, and other important adults.

### **Engaging Children and Families:**

Engaging children, youth, and families in permanency planning and placement decisions is important to promote the safety, permanency, and well-being of children and youth in foster care



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## Permanency

### Possible Permanency Pathways for Children

1. Return to parent or parents - Reunification;
2. Placement for adoption with the local social services official filing a petition for termination of parental rights - Adoption;
3. Legal guardianship- Guardianship;
4. Permanent placement with a fit and willing relative - Kinship

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## Permanency

### Possible Permanency Pathways for Children

5. Placement in another planned permanent living arrangement that includes a significant connection to an adult who is willing to be a permanency resource for the youth, including documentation of the compelling reason for determining that it would not be in the best interests of the child to be returned home, placed for adoption, placed with a legal guardian, or placed with a fit and willing relative (but only if there is a compelling reason why none of the other ASFA permanency plans is in the child's best interests) - APPLA

# Why is Permanency So Challenging to Obtain?

## Barriers to Permanency

What is keeping children from returning home in a timely fashion? From the simple and easy scapegoat of bureaucracy to the ever-plentiful fiscal limitations – the barriers to permanency are multi-faceted and abundant. Some more problematic barriers are based on antiquated methodologies, while others are rooted in unintended bias and inequity.

# Why is Permanency So Challenging to Obtain?

## Financial Duress

While the Family First Preservation Act of 2018 created opportunities for prevention care for vulnerable families, the Child Support Enforcement Amendments of 1984 still hold precedent in that States may levy fees upon biological parents to cover the expense of foster care services while a child is in care. Intended to recoup costs for this welfare program, the government raised little money upon implementation and, in some cases, lost money. These child support fees are charged to families already among the poorest, many of whom are in care due to economic deficiencies. Families receive bills that increase their debt, which lengthens the time children are in care, making it much more difficult to achieve permanency (Shapiro, Wiltz, & Piper, 2021).

# Why is Permanency So Challenging to Obtain?

## Complicated and Unfair Court Systems

There are no juries in family court, just a judge. While judges are appointed to be impartial arbiters over the law – biases in judgment styles, criticisms, penalties, and mercies are far-reaching and diverse. As Stephens et al (2021) indicate, “Trauma, race, and class are salient factors in Family Court proceedings. The interaction of these three factors holds the potential to multiply the often negative and anti-therapeutic effects of the adversarial court system.” The findings of this research show that due to biases and lack of effective support for families, there is an inherent deviation from the goal of family court – to rehabilitate and support families (DiFiore, 2019).

# Why is Permanency So Challenging to Obtain?

## Inability to Access Behavioral Health Services

Waiting lists for services (therapy, counseling, in-home care, etc.) may be up to a 12-month wait in some parts of the country due to a lack of providers who accept Medicaid or offer low-cost services. An additional subset to this issue attributes a lack of providers to the long wait lists incurred for training in evidence based Title VI-E therapies. As such, licensed counselors cannot provide high-quality services that would be reimbursable by federal dollars due to long waiting lists and high costs involved with certification (Amaya-Jackson et al, 2018). The services that will help stabilize placements and or help meet case plan goals for bio-families are unavailable due to the high demand and low supply (Shapiro, Wiltz, & Piper, 2021).

# Why is Permanency So Challenging to Obtain?

## Inequity and Inherent Biases

Overt and covert incidents of racism and class bias within the child welfare system are unfortunately all too common. Due to inadequate representation for people of color within the courtroom and a lack of cultural understanding and awareness by predominately male, Caucasian judges, there are disproportionate rulings and unequal responses to families of diverse backgrounds (Stephens et al, 2021). The facts remain that children who are placed in kinship care, spend longer time in care, experience a higher number of placements, are African American, have any kind of health challenge (physical, mental, or behavioral), are from a single-parent family, and or experience congregant care are less likely to be reunified with their parents (U.S. DHHS, 2017).

## Let's Look at Reunification

Reunification is the most common goal for children in foster care. When children are separated from their families, the first goal is to reunify them when it is safe enough to do so.

To support the reunification process, child welfare agencies should implement trauma-informed, family-centered approaches that build on family strengths and actively engage parents, youth, and kin—including maternal and paternal relatives and fictive kin—as experts on their own lives.



# Let's Look at Reunification

Identifying the safety issue that brought the family to the attention of the child welfare system, assessing family strengths and needs, and bringing together a team of partners to include the family, caregivers, and legal and community providers are all strategies that can positively impact reunification and support long-term family stability.

Reunification services should be strengths based, culturally responsive, trauma informed, and accessible to parents.

<https://www.childwelfare.gov/topics/permanency/reunifying-families/?top=117>

# Services to Promote Reunification

## Examples of Services:

- ❖ Parenting classes
- ❖ Substance abuse treatment
- ❖ Mental health counseling
- ❖ Referrals to other support services
- ❖ Visiting between children and parents
- ❖ Case management
- ❖ Legal services

# Challenges to Achieving Reunification

The bar keeps moving

47% of children who enter foster care are reunified with their biological families

Let's watch:

**Understanding Permanency**

<https://www.youtube.com/watch?v=S5KH1CWhj0o>

# Next Session 8: Adoption Policies

***Film: Adoption Then and Now***

**Required Reading:**

**Overview of Adoption Issues**

[https://www.americanadoptions.com/adoption/adoption\\_overview](https://www.americanadoptions.com/adoption/adoption_overview)

**Seven Core Issues with Adoption**

<https://www.youtube.com/watch?v=Xq7EGOKAh5s>

**Transracial Adoption Issues**

<https://www.youtube.com/watch?v=xs0V23NDhHU>

**Should White People Be Allowed To Adopt Transracially?**

<https://www.youtube.com/watch?v=6y80sbAetoM>