

Technical Assistance Request

In December 2006, the Oregon Department of Human Services requested technical assistance from the National Child Welfare Resource Center for Adoption through routine regional office channels to evaluate the adoptive placement selection process. Recently the state reported that some community stakeholders felt that the process was a secret process in some respects. They have also experienced an unusually high number of reviews being requested. Oregon specifically requested a review of the committee adoption selection process and how this might be improved.

Technical Assistance Plan

A comprehensive plan of action was developed by the NCWRC/Adoption in partnership with the OR DHS and ACF Region X. The plan included consultants, John Levesque and Sarah Webster, from the NCWRC/Adoption reviewing pertinent policy, forms, rules, training material, statutes, meeting with key agency leadership, sitting in on a local committee in Portland and a central office committee in Salem, reviewing a sample of past decisions of the various committees and conducting staff & stakeholders focus groups. The two consultants were on site March 6-8, 2007. Key central office staff met with the consultants during the visit to provide the broader picture of the adoption selection process.

Acknowledgements

Anytime technical assistance is requested by a state, it adds to the workload within the state. This is especially true with a project of this type. We wish to thank the following individuals who helped make this technical assistance possible:

From the Oregon Department of Human Services:

Ramona Foley, Nancy Keeling, Angela Cause, Francine Florendo, Pat Norman, Gail Schelle, Pam Stanley and Bonnie Klohs for their role in providing support, consultation, logistical help and guidance throughout this project.

The OR DHS staff was most cooperative and open to answering questions of the NRC consultants related to specifics and the overall adoption system.

We would also like to recognize the work done by all committee members who volunteer above and beyond their normal jobs to participate in the committee process—especially those at the local level who receive no additional compensation or workload reduction for their participation.

We also wish to express our gratitude to the many community stakeholders who gave of their time and energy to help inform this process. This includes the private agency staff, children's attorneys, therapist and CASA staff & volunteers.

Methodology

Three processes were used to gather information: review of pertinent policy, statutes, rules and other miscellaneous material, focus groups with internal and community stakeholders and sitting in on selection committees to gain first hand experience.

Review of Pertinent Policy, Statues and Rules

The consultants reviewed applicable adoption policy, Oregon law and rules related to adoption, caseworker committee training material and other material as requested and provided by staff such as a flow chart of the committee organization. These materials all helped to inform the issues and recommendations made in this report.

Focus Groups

Focus groups were conducted in Portland and Salem which included Multnomah, Washington, Marion and Clackamas counties. Hood River, Hermiston, Coos, Land, Douglas, Jackson and Umatilla also participated via video conference.

Approximately 35 persons participated in the two focus groups. The make up of the groups consisted of both staff and community stakeholders and included representatives from Court Appointed Special Advocates (CASA), Special Needs Adoption Coalition (SNAC), the Oregon Citizen's Review Board, private adoption agencies, adoptive parents, Portland State University, adoptee, adoption workers, Consultant Educator Trainers (CET), adoption supervisors and direct delivery staff.

Committees

The consultants observed a local committee conduct its work in Portland which was composed of all internal DHS staff and a central office committee in Salem composed of a combination of staff and community stakeholders.

Areas of Strengths

A number of strengths were identified by the consultants. These included:

- Committee process that included community stakeholders—while most states follow a committee process the inclusion of community stakeholders is rather unique and demonstrates a willingness to gather input from stakeholders from outside the agency who possess adoption expertise.
- Quality of foster parents as evidenced by child-focused knowledge and sensitivity they contributed in the committee process.
- Staffs who volunteer to serve on committees, out of a dedication to the children and a commitment to the process, without any credit even though it takes time from their work loads.
- Committee process discussed the “transition needs” of the child during the Adoption Placement Selection (APS) committee meeting.
- Staffs in central office and the field demonstrate a solid overall knowledge of good adoption practice.
- Effective public and private agency partnership as evidenced by Special Needs Adoption Coalition (SNAC).
- Community stakeholders convey an investment in good permanency outcomes for children and generously donate their time to the committee process.
- Only 8% of the state’s children in out of home care are in group care or institutional settings, indicating a strong foster home component.

<http://kidsarewaiting.org/reports/factsheets/?StateID=OR>

Common Themes

There were several common themes that emerged from the process.

Lack of standardized policy and inconsistent practice and procedure

- While policy and training materials support the philosophy that the needs of the child are paramount in the decision the practice does not always

support that e.g. the families are discussed extensively in the committee but less time is devoted to how they can meet the individual needs of the specific child.

- Who gets a review - e.g. relatives only qualify for a review if they are being considered along with other families. If they are being considered alone and are not approved they do not qualify for a review but almost any other family is eligible for a review.
- Who composes the committee - in some places at the local level all committee members are agency staff and some places a mix of staff and community stakeholders. On the other hand, the central office committee is a set committee with a mix of staff and community stakeholders.
- Inconsistent information is provided to some of the committee participants, e.g. some CASAs see family pictures while others do not
- Time frames for feedback to parties [this can include current caretakers, therapist, GALs, CASA persons and the non-selected adoptive families], to whom is it given, what is provided, how is it delivered, etc. are inconsistent. While there is a time frame for these parties to request a review there is no time frame for the notification to the parties eligible for a review to receive word of the selection. There is nothing to say exactly what information is to be shared with the non selected families or if this should be done in a written format or simply by a phone call.
- Who is responsible for sending out notices of committees, how far in advance, etc. again is inconsistent. While staff indicated sending notices was the responsibility of the case worker for the child there was no indication how far ahead of the date of the committee this should be done. It was reported in some situations that this did not occur in a timely manner to support attendance.

The committees

- The sheer number of different committee names—while they seem to fall under either a local/sda/metro committee or a central office committee it becomes confusing due to the function of each and the reality is that they end up with a multitude of names such as relative placement committee, current caretaker committee, sibling placement committee, permanency/adoption committee as examples of some of those that seem to fall under the local/sda/metro committee.

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- Role and function of Regional Adoption Council—there is a relatively new structure in place but this council still tries to partially embrace the former structure for this but it is not consistent and its purpose is not fully understood nor is its perceived benefits fully maximized. The former regional structure encompassed a small number of regions while the district structure is made up of a far larger number of districts with boundaries that do not coincide easily with the previous regional structure layout.
- Feedback to those a party [this can include current caretakers, therapist, GALs, CASA persons and the non-selected adoptive families] to the committee, but not present, seems inadequate and supports the perception of a secret process—there is a lack of consistency as to what is provided and information seems to vary from a simple verbal notification to a more in depth discussion.
- More time may be spent in the presentation of families than in discussion/deliberation—the committees seem to spend an inordinate amount of time reviewing the three families and a far more limited amount of time discussing how the individual families could best meet the needs of the specific child. The majority of what is provided in the oral presentation has already been read in the study provided the committee member prior to the meeting. This leads one to think the process is more focused on the needs “of the family” rather than the needs of “the child”. The process becomes a “selling” of the respective families to the committee.
- Membership of committees is composed of members with no tie to the child at all and there is pride that this aids in objectivity without taking into account that staff who should best know the needs of the child—the child’s worker or their supervisor—have no decision making authority.
- Staff may be reviewing too many studies before narrowing the applicant pool down—while the consultants heard that the caseworker does not have to pare it down to 3 families and that staff don’t have to start with the oldest approved family first many staff don’t seem to understand this and it may not be clear in the training material for caseworkers. This becomes very time consuming and unnecessary and may hold up permanency for a child while 3 families are being sought.
- Central office committees are not always geographically situated to the parties [this can include current caretakers, therapist, GALs, CASA

persons and the non-selected adoptive families] involved and handling them via phone is not as effective.

- The question in the committee related to "do you think anyone will request a review" has the potential to drive the decision as an unintended consequence.

The child welfare system

- Committees may be inappropriately used to address errors in practice earlier in the case such as the lack of timely & diligent searches resulting in early placements with relatives or when initial placement separates siblings and efforts are not made quickly to place siblings together when the opportunity exist. Another example is the different standard used when making foster care placements versus adoptive placements - this does not support good concurrent planning process where the first *out of home* placement should be able to convert to the adoptive family dependant on the needs of the specific child.
- There is not a consistent expectation that families will be studied as a combined foster/adopt resource family.
- A significantly high number of children seem to be placed in other states
- Some staff may not fully understand MEPA/IEPA, ADA as it relates to placement decisions.

Recommendations

Policy, Practice and Procedure

- Ensure policy and procedures embrace the philosophical premise of child-focused practice and clarify that the primary purpose of the committee selection process is to find "a family for a child" that best meets the child's needs and not to find "a child for a family".
- Define more clearly what constitutes a "pool" of prospective adoptive families. While caseworker training material says it isn't necessary to bring 3 families for consideration in other areas of the same document it uses this as the example.
- Revisit current policy in place for opportunities to enhance the APS committee process. Considerations might include specific expectations as to who attends what part of the which committee process, who does what, how the process is carried out (such as in verbal feedback or

written feedback), what information is shared with whom and when, and what time frames are adhered to. Include in policy what is included in the feedback such as providing feedback to each of the prospective adoptive families with specific information related to them—not a comparison to another prospective adoptive family that may or may not have been selected. Whenever DHS can de-mystify the process and community stakeholders know the facts and understand the placement decision process - they can more easily accept the decision.

- Offer an opportunity to the non-selected family to have a face-to-face meeting with the worker prior to a request for a "review" being initiated *or* consider making this a two tiered process where the family requests a face-to-face meeting prior to the formal request for a review. There is a need for a defined time frame for the worker to provide feedback to the family, to request a face to face meeting and to request a formal review. Any of these steps have the potential to decrease the number of formal reviews requested.
- Eliminate the requirement that the "longest studied" family is read first - this decision should be based on the "best interest" of the child.

Committee

- Review and analyze the data contained in the central office statistical notebook to glean an historical perspective of the APS process over time.
- Provide timely feedback to child's therapists, CASAs and attorneys as to the reason the family chosen was selected *or* let them sit through the deliberation and decision making process recognizing they do not have a vote.
- Consider allowing input as to the choice of the family from the current caretaker, CASA and/or children's attorney, as they know the child well. Some may have had several hours of conversation with the potential adoptive parent/s prior to the committee. They do not have voting power but their input could be invaluable. This would not be appropriate if they are a party [current caretaker who wished to adopt] to the case.
- Eliminate committees for obvious selections such as young children where there are an ample number of suitable homes or a current caretaker where there is no opposition. According to Oregon Department of Human Services—*Status of Children in Oregon's Child Protection System, 2005*, 39% of the children in foster care are 0-5 years of age. This would

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indicate that there may be a fair number that would fall into this category and could speed the process up for some while reducing staff workload. The placement decision could be made by a child's worker and supervisor who should be well positioned to make these decisions.

- According to the staff the number of adoptions in Oregon has tripled since 1996 and this needs to be taken into account with the scheduling and staffing of the APS committees.
- Streamline the number of committee names by referencing them as only Local Committee and Central Committee with the definitions of what type of situation is brought to each committee rather than calling each kind of situation by a new committee name e.g. Central Office Committee and Sensitive Issues Committee could be streamlined by having only the one committee (Central Committee) and define that sensitive issue situations come to this committee.
- Consider allowing one person on the committee voting power who does know the specific child and their needs e.g. the case worker or their supervisor. This would mean allowing one person on the committee to be a party to the case.
- Review policy as to who is and who is not eligible for a review [i.e. relative considered alone], consider any changes you may want and then consistently reinforce the policy.
- Review and provide consistent initial & "as needed" training for *all* committee members regardless of their being central or local committees or whether they are staff or community stakeholders. Combining the training to include all the participants in the various committees could provide for more consistent placement decisions across the State. Track and monitor the attendees at training.
- Consider including the child's therapist, attorney and CASA volunteer to be at least a part of the training to learn more about how child-focused placement decisions are made.
- Ensure the make-up of the committees (both local and central committees) always include at least one member that is a community stakeholder.
- Consider modifying the committee report to delete the question related to *who might request a review* to a question that asks something related to "do the committee members feel that the decision reached can be fully supported by the information available to them for consideration" and add more structure to the decision-making process [i.e. appendix a].

- Consider modifying the committee report to focus more on the needs of the specific child and the capacities of the families to meet those present and future needs. (see appendix a)
- The work of the DHS staff who participates in the APS committee process should not be considered "volunteered time" but should be factored into their overall workload. This placement decision-making process is a key function of the child welfare agency and should be viewed as highly valuable.
- Assess the training capacity of the state adoption program for local and central committees - as the number of staff to deliver this training has been reduced from 2 FTEs to the current 1 FTE and delivering the training would be difficult.

Child Welfare System

- Consider training for new staff and re-refresher training for tenured staff on the American with Disabilities Act and the Multiethnic Placement Act as amended by the Interethnic Adoption Provision and how these impact placement decisions.
- Less tenured DHS staff need to gain the knowledge, skill and abilities to make placement decisions and could benefit from the mentoring that does take place thru the APS committee process.
- Support the work being done to address equalizing the payment system for out of state studies and in state studies so that there is not an advantage for agencies providing adoption studies that may be from out of state over Oregon's public & private agency adoptive family studies.
- Fully embrace certifying all prospective families [adoptive, current-caretaker, foster and relatives] as foster/adopt to support concurrent planning and reduce the time for children to be legally adopted. There is a perception that the study of the current-caretakers is delaying the study of general applicants. This could be remediated by using a "one study model" of certifying or approving resource families.
- Reinforce the need for early, diligent recruitment and timely assessment of relatives to enable earlier placement of children requiring out of home care.

Conclusion

Overall the APS committee structure appears to be a strong and effective model to ensure an unbiased decision making process in adoptive placements of children and youth. It is generally staffed by experienced and adoption-competent professionals. However, there are challenges. These can fall under the following categories which are:

- The inconsistent implementation of State Policy and Practice
- The lack of a clear definition of the Role of Community Stakeholders in the APS process and the responsibility of DHS to those stakeholders.

We applaud the leadership of the agency for its proactive stance in seeking to improve the current process for selecting a family for children and youth awaiting their permanent family through adoption and trust these recommendations will be of benefit as you move forward.

Appendix A / Example of Placement Decision-Making Matrix

1] What *Needs* of the child are considered in the placement decision of this specific child with this specific family?

- Developmental: physical, cognitive, emotional and social
- Educational
- Medical
- Psychological
- Family Continuity
- Cultural Continuity

2] What *Strengths* does this family have to meet the needs of this specific child?

- Developmental: physical, cognitive, emotional and social
- Educational
- Medical
- Psychological
- Family Continuity
- Cultural Continuity

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3] What *Resources* does this family have to meet the needs of this specific child'?

- Developmental: physical, cognitive, emotional and social
- Educational
- Medical
- Psychological
- Family Continuity
- Cultural Continuity

4] What is this *Family's Plan* for meeting this specific child's needs over time?

- Developmental: physical, cognitive, emotional and social
- Educational
- Medical
- Psychological
- Family Continuity
- Cultural Continuity

5] What *Resources* were shared with this family for meeting this specific child's needs over time?

- Developmental: physical, cognitive, emotional and social
- Educational
- Medical
- Psychological
- Family Continuity
- Cultural Continuity