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Children of Color in the  
Child Welfare System:

**PERSPECTIVES  
FROM THE  
CHILD  
WELFARE  
COMMUNITY**

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December 2003



Department of Health and Human Services  
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Administration for Children and Families

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Mary Bruce Webb  
*Administration for Children and Families*

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To all the dedicated individuals who do this important work every day; we give you special thanks.



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# Executive Summary

Responding to concerns about the over-representation of minority children in the child welfare system, particularly African-American children, the Children’s Bureau sponsored an exploratory qualitative study of the child welfare system’s response to children of color. The project was intended to meet the following goals:

- To gain insight into the issue of over-representation (or racial disproportionality) from the perspective of the child welfare community, including agency administrators, supervisors, and direct service workers
- To describe the strategies child welfare and child-welfare serving agencies use to meet the needs of children and families of color in the child welfare system.

The findings from the study are important for several reasons. First, very few studies have considered the child welfare community’s perception on over-representation. Second, few studies have looked at the manner in which agencies are responding to over-representation. As such, this study provides a unique perspective on the issue and potential solutions to it. Third, the information presented here can be used to inform policy makers about over-representation and potentially promising practices, strategies, and programs that are being implemented to reduce it. Finally, the information can educate and inform the child welfare community, by increasing awareness of over-representation, and providing examples of programs, practices, and strategies that they can implement

in their own agencies to better serve children and families of color.

## METHODOLOGY

As an exploratory study and one of the first major efforts in the child welfare field to explore the attitudes and perceptions of the child welfare community concerning racial disproportionality, a qualitative approach was chosen as the primary method of inquiry. In new fields of study such as this one, where little work has been done, few definitive hypotheses exist, and little is known about the nature of the phenomenon (e.g., the field’s perception on over-representation), qualitative inquiry is a reasonable beginning point for the research.

To meet the goals of the study, the project team conducted site visits to nine child welfare agencies to talk with agency administrators, supervisors, and workers, among others, regarding the issue of over-representation, and to find out more about the types of programs, practices, and strategies that are being implemented to meet the needs of children and families of color, particularly African-American children and families.

Sites were selected with input from several key Federal stakeholders as well as a team of nationally recognized experts in the field of disproportionality. While the selection criteria varied somewhat across sites, at the minimum, sites were known to be implementing initiatives,

reform efforts, or programs, activities, and projects that were aligned with the study's goals (e.g., to reduce disproportionality and meet the needs of children and families of color.) In addition, the sites were thought to have data available regarding disproportionality and program outcomes, and a willingness to participate in the study.

In the end, nine sites were selected for participation, including: one agency each in Georgia, Illinois, Michigan, California, North Carolina, Virginia, and Texas, and two agencies in Minnesota.

## FINDINGS

**General Perceptions.** First, participants were encouraged to describe their own general perceptions of the issue of overrepresentation, that is, why they thought children of color were overrepresented in the child welfare system. The following themes emerged:

- *&Poverty*—Across all sites, an overwhelming majority of participants at all levels cited poverty, and poverty-related circumstances, as primary reasons for the over-representation of minority children in the child welfare system.
  - *&Need for services and lack of resources*—Participants noted that, despite their need for services, poor families were more likely to be living in resource-poor communities, many of which also were geographically isolated from other communities that might offer support and services. As a result, families living in poverty were the least likely to have resources available to them.
  - *&Visibility of impoverished and minority families to other systems*—Participants reported that because minority families are more likely to be poor and to lack access to resources, they are also more likely to use public services, including public health care (e.g., hospitals and clinics), and to receive public assistance, including TANF and Medicaid. Participants felt that having more frequent contact with these systems made African-American families more “visible” in terms of the problems they might be experiencing, including child abuse and neglect.
- *&Lack of resources available to minority families to negotiate the child welfare system*—According to participants, African-American parents frequently lack important information about how the child welfare system works, the financial resources to navigate the system, including hiring an attorney, and the confidence to advocate for themselves and their children.
  - *&Vulnerability of African-American communities*—Participants talked about the effects of oppression on the African-American community, including under-education and unemployment. They felt that as African-Americans experienced fewer and fewer opportunities, the community found itself disempowered. Over time, African-American communities became more vulnerable to such social ills as drugs and violence and, as communities became more vulnerable, so too did the families that lived in them, eventually finding themselves more vulnerable to involvement in social service systems, including child welfare.
  - *&Over-reporting of minority parents for child abuse and neglect*—Some theorists and researchers argue that disproportionality is a result of discriminatory practices within the larger society against minority, particularly African-American groups (e.g., differential treatment by race). According to participants in this study, in relation to the child welfare system, this differential treatment manifests itself most often in the over-reporting of minority parents for child abuse and neglect. The systems most frequently involved, at least as reported in this study, are the medical and school systems.

- *Pressure from the media*—According to participants, the media also play a role in the over-representation of minority children in the child welfare system. In recent years, increased media attention nationwide to extreme cases of abuse and neglect has left supervisors and workers alike feeling vulnerable and under increased scrutiny from the agency administration and the community. Unfortunately, participants in several agencies reported that these feelings of uncertainty often manifest in their substantiating more cases and, as a result, bringing more children into care.
- *Lack of experience with other cultures*—In many cases, participants felt that their colleagues, across racial and ethnic groups and job categories, brought preconceived ideas or biases against minority groups, most often African Americans, to their position within the agency. Participants, most often African-American participants, identified racial bias as a common problem that frequently interfered with good decision making. They felt that many staff, but Caucasian staff in particular, lacked exposure to cultures other than their own and had no context for understanding the cultural norms and practices of minority populations.
- *Defining abusive behavior*—One frequently cited example of worker bias was the difference in perception between white and black workers regarding what constitutes abuse and discipline, particularly discipline within the African-American culture. Many African-American workers gave examples of situations where physical discipline might be confused with abuse if the individual making the determination had no previous exposure to the African-American community and its disciplinary practices.

**Influences of Federal policy.** In discussions about how Federal policies, such as the Multi-ethnic Placement Act (MEPA) and the Adoption and Safe

Families Act (ASFA) have influenced the way in which the agencies serve children and families, the following issues were common across sites:

- *Familiarity and confusion with MEPA*—In this study, participants' familiarity with MEPA varied based on their position within the agency. While agency administrators were generally familiar with and knowledgeable about MEPA, many direct service workers and supervisors were not. Placement workers were more familiar with MEPA than were investigators or in-home workers, but this is not surprising given that placement workers are responsible for finding and approving adoptive homes for children, a responsibility that requires them to be informed of adoption policies. In addition, supervisors and direct service workers alike reported confusion about what MEPA was designed to do and, subsequently, raised concerns regarding how to implement it.
- *Concerns regarding transracial placements*—The literature regarding MEPA suggests that some individuals who oppose it do so because they are concerned about the detrimental effects of transracial placements on a child's overall well-being. Specifically, some in the child welfare community believe that transracial placements are detrimental to children's overall well-being, including children's adjustment to adoption, their self-esteem, and their ethnic or racial identity. Participants in several sites expressed this viewpoint, reporting that MEPA was contrary to the "best interests" of African-American children.
- *Broadening the role of extended families*—Participants reported that MEPA had helped their agencies broaden the role of the extended family in placement decisions, a positive outcome. They reported that when MEPA was first passed, some of their agencies were desperate to find placement resources for

African-American children. In many cases, without a lot of alternatives and little to no additional funding, agencies had no choice but to turn to the extended family network for help. Participants were not sure they would have considered these options if MEPA had not pushed them to consider alternatives. They also reported being pleased with the outcomes related to involving kin.

- *&Shortened timelines under ASFA*—The primary concern expressed by participants regarding ASFA was that its shortened timelines were too restrictive for families dealing with multiple issues. Across sites and at all levels, participants voiced concerns about whether parents experiencing substance abuse, mental health or other serious problems would be able to manage and change their situations effectively within ASFA timelines. Their biggest fear was that the agency would be forced to move toward termination of parental rights before parents had sufficient time to receive appropriate services or become engaged in treatment in a therapeutic manner.
- *&Limited resources*—Participants talked about the challenges of implementing ASFA without additional financial resources to support mental health and substance abuse treatment for parents working toward reunification and also for potential adoptive families. With the emphasis on permanency, agencies felt pressure to find large pools of adoptive families, while the emphasis on shortened timelines required quick access to quality services, something that is not always available.
- *&Increased permanency options for children*—Participants felt that ASFA had resulted in positive change by increasing permanency options for children. While there were concerns regarding the timelines, participants perceived that the timelines also provided both workers and parents with the motivation

to respond more quickly, assessing a family's needs and finding appropriate services in a timely manner.

**Directions for change.** Participants also described the types of policies, procedures or practices they thought would enable their agency to better serve children and families of color. Their comments are summarized below:

- *&Emphasizing prevention*—The overwhelming emphasis among participants was for agencies to focus on prevention and provide more front-end or prevention programs and services to families.
- *&Building public and private agency partnerships*—In recent years, public agencies have come to recognize the opportunities and resources that are available through new relationships with private agencies. All of the agencies represented in this study currently have relationships with private child welfare agencies, including community-based and ethnic-oriented agencies. These relationships include both formal contractual relationships and informal referral-based ones. One of the advantages of having relationships with private agencies is that they can be located within the community, especially the ethnic agencies.
- *&Additional resources*—Overwhelmingly, participants across sites reported that they simply needed more resources to serve clients, including more time to spend with families, and more resources to support families to stay together, including such basic necessities as food, housing, employment, and child care options.
- *Culturally diverse and competent staff*—Participants agreed that staff should be culturally competent, which in this context means having a diverse workforce that is representative of the population being served and that, regardless of race, can understand and appreciate cultural differences and similarities within and among groups.

- *&More workers and smaller caseloads*—Across all sites workers reported that hiring more workers and reducing caseloads would improve the delivery of services not only to families of color but to all families. Across the board, workers talked about feeling pressured for time to spend with families, make good decisions and complete paperwork in a timely and efficient manner. In fact, some participants felt that they spend more time engaged in administrative tasks than they do working with families or that they feel pressure to trade administrative tasks for practice or practice for administrative tasks, but always lack sufficient time for both.
  - *&Administrative support*—Participants talked about the importance of an agency infrastructure that includes experienced workers, proper supervision and oversight, strong peer relationships, and manageable caseloads in reducing disproportionality. They felt that a strong agency infrastructure could reduce disproportionality by allowing supervisors and workers alike to do their jobs more effectively. If supervisors are able to supervise properly, then workers will be able to do their jobs more effectively, leading to better outcomes for children and families, including fewer children coming into the system in the first place.
  - *&External resources to serve families*—Participants referred to the importance of having access to resources external to the agency to help support families to stay together, including adequate housing, educational and employment opportunities, quality child-care services, and financial support. They also discussed the importance of ancillary services, including community-based drug treatment and mental health services, in keeping families stable and children out of the system. While tangible resources are important, many participants also talked about the importance of addressing larger, more systemic issues such as the lack of information, advocacy and power they often see in their African-American clients. According to some workers, if every family had equal access to these resources, over-representation would take care of itself because fewer children would come into the system in the first place.
  - *&Agency resources to serve families*—Participants talked about needing additional client resources within the child welfare agency, especially monetary resources, as critical to addressing over-representation. One of the issues most frequently discussed by participants was the need for financial incentives and resources for foster and adoptive families, particularly for kinship care providers. In addition to incentives to foster and adopt, families also need post-adoption support services.
  - *&Community connections*—Participants in all sites felt that developing relationships with communities and partnerships with community-based systems and agencies was another important mechanism for reducing over-representation, re-emphasizing the need to establish collaborative and contractual relationships with ethnic and community-based agencies to provide services to minority families.
- Current efforts to serve children of color.**
- Participants described their own agencies' ongoing programs and policies that address the needs of children and families of color. Some of these activities include:
- *&Prevention programs*—including alternative response systems designed to identify and engage at-risk families before they come to the attention of the formal child welfare system. Another prevention program, Schools First, assigns culturally appropriate caseworkers to families who then work with them in their homes to identify needs and negotiate services.

- *Recruitment strategies for minority foster care and adoptive families*—Several agencies are implementing programs targeted toward creating and supporting adoption options for minority families, including recruitment efforts, and strategies to provide financial support to kinship care providers who have assumed guardianship for a relative’s child.
- *Systems change efforts*—Two sites have implemented system reform strategies that have resulted in the provision of financial support to kinship care providers. Through a Federal government waiver, local child welfare agencies now have the option of transitioning relatives who are caring for children to legal guardian status, and to provide them with higher payments than they would receive from child-only TANF payments.
- *Collaboration and contracted services*—To better serve minority clients and reduce over-representation, agencies also are increasing the frequency with which they collaborate and contract with community-based agencies for services, another form of system reform. While most of the nine agencies had formal contracts with outside service providers, some also had contracts with ethnic-based and other child-welfare serving agencies to provide foster care, adoption, and support services to minority clients as a major resource to them.
- *Councils on over-representation*—Some agencies have responded to the issue of over-representation by developing and implementing coalitions, councils or other collaborative boards to examine the issue of over-representation, and problem-solve ways to reduce it.
- *Agency practices*—Agencies also have responded to improving the delivery of services to minority families by focusing on agency practices, including implementing practices related to training and supervision of staff, as

well as implementing hiring practices designed to diversify the staff to better represent the client population.

## ISSUES FOR POLICY AND PRACTICE

- *Administrative support*—In order for child welfare staff to feel confident and effective and, one might argue, perform accordingly, they require support from within the agency. This support takes several forms, including administrative support and encouragement, supervision and oversight, strong peer relationships, and manageable caseloads. In agencies in which one or more of these factors was reported absent, participants (usually direct service workers) talked about feeling overwhelmed and unsure of their ability to make good decisions.
- *Staff training and experience*—Similar to employees in any agency or organization, child welfare agency staff are most effective when they are well educated and well trained. Increasingly, however, to be effective in dealing with increasingly more diverse and troubled families, child welfare staff require greater breadth and depth of education and training than in previous years, before the influx of immigrant groups and the proliferation of drugs into society. As one of the only means for workers to stay abreast of new policies and procedures and strategies for dealing with such client-specific issues as mental illness, addiction, and different and varied cultures, it was important to participants that ongoing, agency-sponsored training remain a priority.
- *Training in cultural competence*—Participants reported needing more training in cultural awareness and sensitivity, especially in light of the number of participants who reported having observed worker bias toward children and families of color. Participants believed that workers sometimes made decisions based on the

race or socio-economic background of a family rather than on the specifics of the case, and that this differential decision making often results in African-American and impoverished families being more likely to have children removed from the home or parental rights terminated. While most agencies have some training focused on cultural issues, the training sessions are frequently short-term or one-time events that may be insufficient to address such difficult and complex issues as racial or class bias.

- *Resources*—Participants reported needing access to resources both internal and external to the agency. With regard to internal resources, participants reported needing more resources to support foster and adoptive families, including kin. With regard to external resources, participants reported that they simply need more resources to serve clients, including financial resources to pay for, and agencies to provide, mental health and substance abuse services. They also reported needing additional resources to keep families together, including relationships with agencies that could provide such necessities as food, housing, employment opportunities, and child care options.
- *Emphasis on prevention*—Participants felt strongly that shifting the philosophy of the child welfare system from one that intervenes after the fact to one that focuses on keeping children out of the system would have profound implications for the numbers of children coming into care, and especially for children of color.
- *Relating policy more closely to practice*—Another issue that emerged is the manner by which policies are created. Because policy often is driven by public perception, and because

public perception is influenced by the media's portrayal of events, child welfare policies are often developed in response to a perceived problem or crisis. Creating policies this way sometimes results in policies that are removed from the practices they were designed to guide.

- *Improving services through support of contractual relationships*—Participants emphasized improving services to children and families by contracting out more services to community-based and private child welfare agencies. Participants in this study talked about the value of having access to these services, especially community-based services. Community-based services are invaluable because they can meet the needs of children and families right in their own neighborhood, reducing the amount of time and burden on families to travel long distances to receive services; provide child welfare agency staff with viable options for quality service delivery; and are more likely to have an ethnic focus, allowing for service delivery within a culturally appropriate and sensitive context.
- *Improving the reporting system*—Participants across sites talked about a variety of factors influencing who gets reported and for what. In general, there is a lack of consistency across child welfare agencies regarding standards for what constitutes abuse or neglect. To reduce worker bias and uncertainty when making judgments regarding cases, definitions of abuse and neglect could be standardized and mandated by policy. Standard definitions also might reduce the fear and concern workers have when they are forced to make decisions in the eye of the media.

## RECOMMENDATIONS FOR FUTURE RESEARCH

Three global themes emerged from this qualitative study that can guide future research in this area. These are:

- *Research on racial disproportionality must move beyond the examination of administrative data.* The results of this small qualitative study provided a richness that has not existed in this area of research to date. Other qualitative studies, in combination with exploratory and hypothesis-driven quantitative studies, would provide an increased understanding of this complex issue.
- *It is essential that the research in this area inform practice.* Many participants expressed a desire to address the issue of racial disproportionality head-on, but felt uncertain about effective strategies that a child welfare system could undertake. In addition, in those agencies

where research was being conducted around the issue of disproportionality, staff were generally unaware that these efforts were underway and had no knowledge of findings. Empirical evaluations of practice strategies would provide guidance in this area as would an overall dissemination plan for findings that would better target the field itself.

- *It is essential that the research on racial disproportionality examine more than just black and white differences in the trajectories of children in the child welfare system.* The sites in this study served children and families of many ethnic and racial groups that are not represented in the empirical literature on racial disproportionality. For example, the evidence on the newly arrived Southeast Asian immigrants is basically non-existent in the current empirical literature. Additionally, it is important to unpack the larger ethnic groupings to conduct sub-group analyses (e.g., children with Mexican ancestry versus Puerto Rican ancestry).

# CHAPTER 1

## Introduction

In response to concerns about the over-representation of minority children in the child welfare system, the Children’s Bureau sponsored an exploratory, qualitative study of the child welfare system’s response to children of color, specifically, African-american children. Conducted under a contract with Caliber Associates, in collaboration with the Howard University School of Social Work, the project was intended to meet the following goals:

- &To gain insight into the issue of over-representation (or racial disproportionality) from the perspective of the child welfare community, including agency administrators, supervisors, and direct service workers
- &To describe the strategies child welfare and child-welfare serving agencies use to meet the needs of children and families of color in the child welfare system.

To meet these goals, the project team developed a multi-level and comprehensive qualitative information gathering plan for implementation with a number of child welfare agencies. Specifically, the project team conducted site visits to nine child welfare agencies to talk with agency administrators, supervisors, and workers, among others, regarding the issue of over-representation, and to find out more about the types of programs, practices and strategies that are being implemented to meet the needs of children and

families of color, particularly African-American children and families. While the team also was interested in gathering information regarding programs, practices, and strategies that were being implemented with minority populations other than African-Americans, because African-American children are the most over-represented minority population in the child welfare system currently, they are the primary focus of the study.

The findings from the study are important for several reasons. First, there are very few studies that have considered the child welfare community’s perception on over-representation. Second, there have been few studies that have looked at the manner in which agencies are responding to over-representation. As such, this study provides a unique perspective on the issue and potential solutions to it. Third, in its commitment to reducing over-representation, the Federal government needs information it can consider in future funding, policy, and research decisions related to this issue. The information presented here can be used to inform the Federal government regarding over-representation and potentially promising practices, strategies, and programs that are being implemented to reduce it. Finally, the information can educate and inform the child welfare community, by increasing their awareness of over-representation, and providing them with examples of programs, practices, and strategies that they can implement in their own agencies to better serve children and families of color.



## CHAPTER 2

# Literature Review

One of the most challenging and controversial issues facing the child welfare system is the disproportionate representation of ethnic minority children and families, particularly African-American children. Specifically, the percentage of African-American children who enter the system and remain in out-of-home care is greater than their proportion of the country's population (Anderson, 1997). Although African-Americans account for 15% percent of all children in the United States, they account for 25% of substantiated maltreatment victims. Conversely, Caucasian children (79% of the child population versus 51% of all substantiated victims) and Asian and Pacific Islander children (4% of the population versus 1% of substantiated victims) are underrepresented among victims of child maltreatment. Hispanic children account for an equal share of the population and substantiated victims (NCANDS, 2002). Racial disparities are even more pronounced in out-of-home care. African-American children comprise 45% of the total number of children in foster care (U.S. DHHS, 1999).

Researchers, policy-makers, and practitioners have divergent views on the causes of minority over-representation. This phenomenon may be the result of a disproportionate need for services or of systematic racial influences on decision making at any number of points along the continuum of child welfare services, including reporting, investigation, substantiation, and placement. Researchers have attempted to explore levels of need and to examine how race affects children's experiences at each of

these points, but findings have been inconsistent. Where racial differences have been found, the reasons for these differences remain unclear.

One critical shortcoming of the research conducted to date is the lack of studies designed to explore child welfare professionals' perceptions of the issue of minority over-representation in the child welfare system. Child welfare workers and managers, who are involved in day-to-day decision-making for children of all races at all points on the child welfare service continuum, are an important and untapped source of information about this phenomenon. Their position affords them a unique perspective on the issue that should be included in any discussion of the child welfare system's response to children of color.

The current study seeks to address this gap in the literature by exploring child welfare professionals' perceptions of the issue of over-representation. The study provides critical information on the extent to which the perceptions of child welfare professionals are consistent with the literature on this issue. The qualitative methods employed in this study have facilitated a collection of rich, detailed information not only about the overlap between the literature and practitioners' perspectives, but also about how and why the phenomenon occurs and what child welfare agencies are doing to address the issue.

Because of the exploratory nature of this study, which also involves a small sample, and is intended to refine research questions and generate hypotheses for future research studies on the topic

































































































































































