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De-emphasis on Race in Adoption Is Criticized

By [RON NIXON](#)

WASHINGTON — Minority children in foster care are being ill-served by a federal law that plays down race and culture in adoptions, a report released on Tuesday said.

The report, based on an examination of the law's impact over a decade, said that minority children adopted into white households face special challenges and that white parents need preparation and training for what might lie ahead.

But it found that social workers and state agencies fear litigation and stiff penalties under the law for even discussing race with adopting couples. As a result, families often do not get the counseling they need. It also found that states have ignored an aspect of the law that requires diligent recruitment of black parents.

The report recommends that the law — the Multiethnic Placement Act, which covers agencies receiving federal dollars and promotes a color-blind approach — be amended to permit agencies to consider race and culture as one of many factors when selecting parents for children from foster care.

The report was issued by the Evan B. Donaldson Adoption Institute, a nonprofit adoption advocacy and research organization based in New York. Several child welfare organizations — including the Child Welfare League of America, the Adoption Exchange Association, the National Association of Black Social Workers, Voice for Adoption and the Foster Care Alumni of America — have endorsed the report.

The report points out that transracial adoption itself does not produce psychological or other social problems in children, but that these children often face major challenges as the only person of color in an all-white environment, trying to cope with being different.

“The idea of being color-blind is great, and we’d all like to get there,” said Adam Pertman, executive director of the Adoption Institute. “But the reality is that we live in a very race-conscious society, and that needs to be addressed. We can’t simply pretend that the problem doesn’t exist and leave it up to the child to cope.”

Many transracial adoptees say they struggle to fit in among their own family members. Shannon Gibney, 33, a writer in Minneapolis who describes herself as biracial, was adopted by a white couple who tried their best by providing things like books by black authors.

“But having books and other things about blacks is no substitute for actual experience,” Ms. Gibney said. “When I had questions about even little things like how to wear my hair, there was no one around to help me with my questions.”

“This validates my experience,” Ms. Gibney added, when informed of the study. “I’m glad they recognize the fact that you just can’t say we’re all human or love will be enough.”

The report comes as the current federal law and policies governing consideration of race in adoption are being examined by the United States Commission on Civil Rights. It seems certain to add to the often heated debate among social workers and the public about the proper role of race in adoption, which has gone on since white couples began adopting minority children in larger numbers in the 1970s.

Christine M. Calpin, associate commissioner at the Administration for Children and Families at the [Department of Health and Human Services](#), had not seen the report, but she said the law had helped minority children in foster care find permanent homes.

“I have not seen any research which suggests that federal law has not been beneficial to minority children,” Ms. Calpin said. “We have seen what happens when race is allowed to be a consideration. Children are waiting longer in foster care to be adopted.”

Congress passed the Multiethnic Placement Act in 1994 after several white couples said they had not been provided the opportunity to adopt minority children. The law prohibits delaying or denying a child’s foster care or adoptive placement on the basis of race or nationality.

The original law did allow race to be used as one of many criteria for evaluating parents for adoption. But two years later, after white couples said they were still being denied the opportunity to adopt minority children, Congress passed an amendment that said race could not be used as a criterion.

Supporters of the current law say it has led to an increase in transracial adoptions and a decrease in the amount of time minority children spend in foster care before being adopted.

An examination by The New York Times of the 2000 census — the first in which information on adoptions was collected — showed that just over 16,000 white households included adopted black children. Data from the Department of Health and Human Services shows that the adoption of black children by white couples has gone up each year since 1998, to 26 percent in 2004 from 14 percent.

Those who support transracial adoptions counter that race-matching or trying to find parents from the child’s ethnic group can delay adoptions of minority children and that the practice should not be resurrected.

“The research simply argues against the broad notion that transracial adoption doesn’t work out for children,” said Rita Simon, a sociologist at American University who has written several books on transracial adoption and helped get the Multiethnic Placement Act passed.

Ms. Simon said her 20 years of research did not show that white parents lack the ability to properly prepare children to deal with discrimination.

The new report takes issue with research that says the Multiethnic Placement Act is responsible for the increased number of minority children adopted from foster care. Minority children are still disproportionately represented in foster care. Black children, for example, make up 15 percent of all children, but they represent almost a third of children in foster care.

The report also points out that although the time a child spends in foster care has declined, black children still wait an average of nine months longer than white children before they are adopted. The report also cites one study that found that only 5 percent of white parents who express some willingness to adopt a black child in foster care actually did so.

According to the report, some of the delay could be related to relatives' deciding to adopt, and some to the lack of enforcement of a part of the law that requires states to vigorously recruit black adoptive parents. But states are not penalized if they fail to do so.

But states can and do face stiff penalties for violating federal law by using race to deny white parents the right to adopt nonwhite children.

In 2003, social workers in Ohio were accused of discriminating against a white couple by requiring them to prepare a plan to address the child's cultural needs and to evaluate the racial demographics of their neighborhood. The state paid \$1.8 million in fines.

In 2005, a social service agency in South Carolina was fined \$107,000 after workers used a database to match children to prospective adoptive parents, which the federal government said overemphasized race. These two examples have led litigation-jittery agencies to ignore race completely in placements, the report said.

Jae Ran Kim, a social worker in Minnesota and a transracial adoptee herself, said social service agencies felt damned if they do and damned if they don't.

"If you talk to parents about racial and cultural issues they are likely to face," Ms. Kim said, "you risk violating the law, and if you try to recruit families through minority organizations, even that can look like you are using race."

She added: "The law does need to reflect that fact that race is an issue in our society, and prospective white parents need to realize that this goes beyond whether you can love your child or even whether you live in a diverse neighborhood. This is about what is in the best interest of the child, not the parent."