

POLICY I-B: CHILD WELFARE FAMILY SERVICE DELIVERY SYSTEM

06/200401/2013

The Division of Children and Family Services is in compliance with titles VI and VII of the Civil Rights Act and operates, manages, and delivers services without regard to race, color, religion, sex, age, national origin, mental or physical disability, veteran status, political affiliation or belief. DCFS is the designated state agency to administer and supervise all Child Welfare and Family Services (titles IV-B and IV-E of the Social Security Act).

The Division of Children and Family Services purchases services from private and public agencies, universities and individuals, using state and federal funds. Programs and services of other Divisions within the Department of Human Services (DHS) are may also be available to clients of DCFS. Delivery of services is coordinated with other Divisions administering TEA/TANF Medicaid, SNAP (Supplemental Nutrition Assistance Program), Social Services Block Grant, and other federal entitlement programs.

The services are authorized and funded in conjunction with various state and federal laws which govern the operation of the Division. The major federal laws governing service delivery, as amended, are:

- Civil Rights Act: Titles 6, 7, 9
- Rehabilitation Act: Sections 503, 504
- Americans With Disabilities Act: Title II
- Social Security Act titles:

- IV-A Block Grants to States for Temporary Assistance for Needy Families (TANF)
- IV-B Child Welfare and Family Services
- IV-E Federal Payments for Foster Care and Adoptions Assistance
- XIX Grants to States for Medical Services Assistance Programs
- XX Block Grants to States for Social Services Block Grant

• Public Laws

- 93-207 Child Abuse and Neglect
- 94-142 Handicapped Children Act
- 95-608 Indian Child Welfare Act (ICWA) of 1978
- 96-272 Adoption Assistance and Child Welfare Act of 1980
- 103-382 Multiethnic Placement Act (MEPA) of 1994/interethnic Adoption Provisions of 1996
- 105-89 Adoption and Safe Families Act of 1997
- 106-169 Foster Care Independence Act of 1999
- 93-207/108-36 Child Abuse and Neglect Keeping Children and Families Safe Act of 2003
- 94-142/101-476 Handicapped Children's Act/Individuals with Disabilities Education Act (IDEA) of 2004
- 96-272 Adoption Assistance and Child Welfare Act of 1980
- 105-89 Adoption and Safe Families Act of 1997
- 110-351 Fostering Connections to Success and Increasing Adoptions Act of 2008

COMPLIANCE WITH CIVIL RIGHTS ACT

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COMPLIANCE WITH MULTIETHNIC PLACEMENT ACT

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The Division also complies with the Multiethnic Placement Act (MEPA) in making foster care and adoptive placements. The act provides for assessment of individual liability to staff for knowingly violating MEPA requirements.

The Multiethnic Placement Act prohibits delaying or denying the placement of a child for adoption or foster care on the basis of race, color, or national origin of the adoptive or foster parent or the child involved; and prohibits denying any individual the opportunity to become a foster or adoptive parent on the basis of the prospective parent's or the child's race, color, or national origin.

MEPA also requires that to remain eligible for federal assistance for their child welfare programs states must diligently recruit foster and adoptive parents who reflect the racial and ethnic diversity of the children in the state who need foster and adoptive homes.

Consideration of race, color, or national origin is permissible only when an individual determination is made that the facts and circumstances of a particular case require the consideration of race, color, or national origin in order to advance the best interests of the child in need of placement. The Division's compliance with the Indian Child Welfare Act of 1978 (P.L. 95-608) does not violate MEPA.

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