

Child Welfare Policy Manual

Questions & Answers

4.1 MEPA/IEAP, Diligent Recruitment

1. Question: Can you give us some guidance with respect to satisfying the diligent recruitment requirements of the Multiethnic Placement Act (MEPA)?

Answer: As recognized in the MEPA, in order to achieve timely and appropriate placement of all children, placement agencies need an adequate pool of families capable of promoting each child's development and case goals. This requires that each agency's recruitment process focuses on developing a pool of potential foster and adoptive parents willing and able to foster or adopt the children needing placement. The failure to conduct recruitment in a manner that seeks to provide all children with the opportunity for placement, and all qualified members of the community an opportunity to adopt is inconsistent with the goals of MEPA and could create circumstances which would constitute a violation of Title VI of the Civil Rights Act of 1964 and section 471(a)(18) of the Social Security Act.

An adequate recruitment process has a number of features. Recruitment efforts should be designed to provide to potential foster and adoptive parents throughout the community information about the characteristics and needs of the available children, the nature of the foster care and adoption processes, and the supports available to foster and adoptive families.

Both general and targeted recruiting are important. Reaching all members of the community requires use of general media--radio, television, and print. In addition, information should be disseminated to targeted communities through community organizations, such as religious institutions and neighborhood centers. The dissemination of information is strengthened when agencies develop partnerships with groups from the communities from which children come, to help identify and support potential foster and adoptive families and to conduct activities which made the waiting children more visible.

To meet MEPA's diligent efforts requirements, an agency should have a comprehensive recruitment plan that includes:

- 1) a description of the characteristics of waiting children;
- 2) specific strategies to reach all parts of the community;
- 3) diverse methods of disseminating both general and child specific information;
- 4) strategies for assuring that all prospective parents have access to the home study process, including location and hours of services that facilitate access by all members of the community;
- 5) strategies for training staff to work with diverse cultural, racial, and

economic communities; 6) strategies for dealing with linguistic barriers; 7) non-discriminatory fee structures, and 8) procedures for a timely search for prospective parents for a waiting child, including the use of exchanges and other interagency efforts, provided that such procedures must insure that placement of a child in an appropriate household is not delayed by the search for a same race or ethnic placement.

Agencies receiving Federal funds may not use standards related to income, age, education, family structure, and size or ownership of housing, which include groups of prospective parents on the basis of race, color, or national origin, where those standards are arbitrary or unnecessary or where less exclusionary standards are available.

- **Source/Date:**
- **Legal and Related References:** Social Security Act - Section 471(a)(18); The Multiethnic Placement Act (MEPA) of 1994 (PL 103-382); Title VI of the Civil Rights Act of 1964; The Small Business Job Protection Act of 1996 (Public Law 104-188).

2. Question: Is it permissible under the Multiethnic Placement Act (MEPA) to target minority families that are representative of the children in foster care in our recruitment of potential foster and adoptive parents?

Answer: To comply with the "diligent recruitment" provision, MEPA allows for targeted recruitment to increase the number of minority families in the pool of families available to provide adoptive or foster family homes. A title IV-E agency may conduct targeted recruitment activities for a special population itself and/or it may utilize the services of a private recruitment agency based on that agency's understanding of the needs of a specific community. However, targeted recruitment activities cannot be the only vehicle used by a title IV-E agency for identifying families for minority children. The overall recruitment program of the title IV-E agency must be open to all qualified families regardless of race, color, or national origin.

- **Source/Date:** ACYF-CB-PI-95-23 (10/11/95) (revised 07/14/10)
- **Legal and Related References:** Social Security Act - section 422(b)(9); The Multiethnic Placement Act (MEPA) of 1994 (PL 103-382); The Small Business Job Protection Act of 1996 (PL104-188)