EVAN B. DONALDSON ADOPTION INSTITUTE

FINDING FAMILIES FOR
AFRICAN AMERICAN CHILDREN:
The Role of Race & Law in Adoption from Foster Care

Policy & Practice Perspective

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EXECUTIVE SUMMARY

M any children adopted in this country come from social, economic, racial and cultural backgrounds that differ from those of their new parents. Transracial adoption – defined as occurring when a child's race/ethnicity is different from that of both parents when a couple adopts, or from that of a single parent when only one adopts – adds an additional layer of complexity to the issues faced by many adoptive families. While transracial adoptions can provide much-needed homes for boys and girls who may not otherwise have them, it is important to address the potential challenges in this growing practice in order to best serve everyone involved, especially the children.

Practices and policies impacting the transracial placement of children in the United States vary according to the type of adoption. At the federal level, three laws apply:

International adoptions into the U.S. are governed by an international treaty, the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, and the U.S. legislation to implement the Hague Convention, the Intercountry Adoption Act of 2000. The State Department issued implementing regulations that address children's racial and ethnic needs, requiring that prospective parents receive training related to transracial adoption, as well as counseling related to the child's cultural, racial, religious, ethnic, and linguistic background. The Convention took effect in the U.S. in April 2008.

Adoption of Native American children is governed by the Indian Child Welfare Act of 1978 (ICWA), which was enacted after decades of child-welfare practices that included removing large numbers of children from reservations and sending them to institutions or non-Indian homes. ICWA sought to protect the best interests of Indian children and to promote the stability and security of Indian tribes and families by keeping children with families of their own ethnic heritage and through continued involvement with their tribes.

Adoption of children from foster care (other than Native Americans) is subject to the Multiethnic Placement Act of 1994 (MEPA), which: 1) prohibits the delay or denial of a child's foster or adoptive placement *solely* on the basis of race, color, or national origin; and 2) requires that state agencies make diligent efforts to recruit foster and adoptive parents who represent the racial and ethnic backgrounds of children in foster care. In 1996, MEPA was amended by the Removal of Barriers to Interethnic Adoption Provisions (IEP), which deleted the word "solely" from MEPA's prohibition against delaying or denying an adoptive placement on the basis of race. IEP prohibits agencies receiving federal funding from considering race in decisions on foster or adoptive placements, except in exceptional circumstances. Noncompliance is a violation of Title VI of the Civil Rights Act, subject to a large fine; individuals claiming discrimination under the Act may file suits in U.S. district courts.

This paper by the Evan B. Donaldson Adoption Institute focuses on domestic transracial adoption and assesses its use as a policy and practice approach in meeting the needs of African American children in foster care who cannot be safely reunited with their parents or placed with kin. The content of this paper – including its findings and recommendations – is being endorsed by the North American Council on Adoptable Children, the Child Welfare League of America, the Dave Thomas Foundation for Adoption, the Adoption Exchange Association, the National Association of Black

Social Workers, Voice for Adoption,[1] and the Foster Care Alumni of America. In addition, the National Association of Social Workers, which has no policy for supporting research papers per se, endorses its recommendations.

The current federal law and policy governing consideration of race in foster and adoptive placements (MEPA/IEP) is being evaluated, as indicated by a September 2007 hearing convened by the U.S. Civil Rights Commission. The Commission posed five questions regarding whether federal laws and policies governing the transracial adoption of children from foster care have accomplished the purposes for which they were created; those questions are examined in this paper.

> Issues of race and adoption are highly sensitive, and statements relating to them are often subject to misinterpretation. The Adoption Institute wants to be clear about its underlying philosophy and purpose in writing this paper: to bring law and policy in line with sound adoption practice that addresses the relevant issues in selecting families for children and in preparing parents to successfully care for them. The purpose of this paper is *not* to impede or prevent transracial adoptions or to promote racial matching; rather, it seeks to apply relevant knowledge to the practice of child welfare adoptions in order to best serve children and families.

PRINCIPAL FINDINGS

African American children who come into contact with the child welfare system are disproportionately represented in foster care, and are less likely than children of other racial and ethnic groups to move to permanency in a timely way. These children account for 15 percent of the U.S. child population but, in FY2006, they represented 32 percent of the 510,000 children in foster care. Black children, as well as Native American children, also have lower rates of adoption than those of other races and ethnicities (U.S. DHHS, 2008a; U.S. GAO, 2007). The explicit purpose for the policy embodied in MEPA-IEP regarding the role of race was to address these inequities for Black children. This analysis highlights the context surrounding race and adoption in the U.S. and reviews the research related to transracial adoption, which provides a basis for assessing current policy and needed directions. It also examines the outcomes of MEPA and IEP for African American children in foster care.

Researchers in the fields of sociology, psychology, and social work began to focus on transracial adoption in the 1970s and 1980s, examining children's overall adjustment, including self-esteem, achievement, and level of adjustment problems. Most used very small sample sizes and evaluated children at one point in time and at young ages; and some did not have comparison groups of children placed in same-race families. Also, almost all of these studies have been conducted on children adopted as infants or from other countries, rather than on children adopted from foster care. Generally, these studies found that children adopted transracially in the U.S. or from other countries had overall adjustment outcomes similar to children placed in same-race families (Grow & Shapiro, 1974; Kim, 1977; McRoy, Zurcher, Lauderdale, & Anderson, 1982, 1984; McRoy & Zurcher, 1983; Simon & Alstein, 1987; Feigelman & Silverman, 1983; Shireman & Johnson, 1986).

Research on transracial adoption has progressed over the past 35 years in methodological rigor and complexity. Overall, the current body of research on this issue supports three key conclusions:

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[1] The Voice for Adoption is a coalition whose Board is composed of Adoption Advocacy, Adopt America Network, Adoption Exchange Association, the Adoption Exchange Inc., Casey Family Services, Child Welfare League of America, Children Awaiting Parents, Family Builders Network, Kinship Center, Lilliput Children's Services, National Adoption Center, New York Council on Adoptable Children, North American Council on Adoptable Children, Spaulding for Children, and Michigan Three Rivers Adoption Council.

1. Transracial adoption in itself does not produce psychological or social maladjustment problems in children.
2. Transracially adopted children and their families face a range of challenges, and the manner in which parents handle them facilitates or hinders children's development.
3. Children in foster care come to adoption with many risk factors that pose challenges for healthy development. For these children, research points to the importance of adoptive placements with families who can address their individual issues and maximize their opportunity to develop to their fullest potential.

Little research has examined transracial adoption of children from foster care, but the studies that do exist have found that while parents are equally satisfied, there is a higher rate of problems in minority foster children adopted transracially than in-race. Also, when children have issues, there is evidence that they have a stronger association with problematic parent-child relationships among transracial adoptions than in same-race adoptions (Rosenthal & Groze, 1992; Howard & Smith, 2003).

An underlying assumption of past research was that transracial adoption was not a challenge for adoptees if there were no significant differences on overall adjustment measures between groups of transracial and in-race adoptees. However, recent studies – using more rigorous methods to directly measure the racial and ethnic experiences of adoptees and how these experiences may contribute to psychological adjustment – have found parents' attitudes and behaviors related to racial socialization affect their transracially adopted children's outcomes on a range of variables (Lee, 2003).

Recent research has focused on parents' approaches to cultural and racial socialization and examined how different approaches affect aspects of their children's ethno-racial identity and psychological adjustment, finding that when parents facilitate their children's understanding of and comfort with their own ethnicities, the children show more positive adjustment in terms of higher levels of self-esteem, lower feelings of marginality, greater ethnic pride, less distress, and better psychological adjustment (DeBerry, et al.,1996; Yoon, 2001; Lee & Quintana, 2005; Mohanty, Keokse, & Sales, 2006; Johnston, Swim, Saltsman, Deater-Deckard, & Petrill, 2007). Some of the challenges confronting transracially adopted children are summarized below:

- **Transracially adopted children face challenges in coping with being "different."** Many transracially adopted children of color, particularly those with dark skin, express the wish to be White (Juffer, 2006). Several studies have found that transracially adopted children struggle more with acceptance and comfort with their physical appearance than do children placed in-race (Andujo, 1988; Kim, 1995). Appearance discomfort has been linked to higher levels of adjustment difficulties in transracially adopted children and young adults, and one study found that those raised in heavily White communities were twice as likely as adoptees living in racially mixed communities to feel discomfort with their racial appearance (Juffer, 2006; Feigelman, 2000).

- **Transracially adopted children may struggle to develop a positive racial/ethnic identity**. Several studies have found that these children scored lower on racial identity measures than their in-race adoptive counterparts (McRoy, Zurcher, Lauderdale, & Anderson, 1982; Andujo, 1988; Baden, 2002). The importance of these issues is further highlighted by research indicating that transracial adoptees' confusion over ethnic identity is associated with behavior problems and psychological distress (Cederblad, Hook, Irhammar, & Mercke, 1999) and that their ethnic pride is related to higher well-being and less distress (Yoon, 2001).

- **A key life skill for transracially adopted children is the ability to cope with discrimination.** Learning to deal with prejudice is particularly important when adoptees belong to racial groups that experience significant discrimination. Brooks and Barth (1999), in a study of different racial/ethnic groups of transracial adoptees, found that African Americans – particularly males – experienced the highest level of discrimination. Studies of transracially adopted adolescents and young adults have found that perceived discrimination is significantly associated with behavior problems and psychological distress (Cederblad, et al., 1999; Feigelman, 2000).

The body of research supports the conclusion that transracial adoption brings additional challenges to adopted children and their families – challenges that need to be addressed in matching children with families and in preparing families to meet their children's needs.

This paper examines the impact of MEPA-IEP on the adoption outcomes of African American children from the child welfare system by addressing the five questions posed by the U.S. Civil Rights Commission at its hearing in September 2007. While some of these questions can be answered succinctly, others are much more complex and nuanced. The questions were:

1. Has the enactment of MEPA removed barriers to permanency facing children involved in the child welfare system? (addressed in this paper on page 33-34)
2. Has the enactment of MEPA reduced the amount of time minority children spend in foster care or wait to be adopted? (addressed on pages 34-35)
3. How effectively is the U.S. Department of Health and Human Services enforcing MEPA/IEPA? What impact has enforcement had on best practices in adoption? (addressed on pages 35-40)
4. What is the impact of DHHS' enforcement of MEPA-IEP on the efforts of prospective parents to adopt or provide foster care for minority children? (addressed on page 40)
5. Does transracial adoption serve children's best interest or does it have negative consequences for minority children, families, and communities? (addressed on page 40 and throughout this paper.)

Major findings based on consideration of these questions include the following:

- **The enactment of MEPA-IEP has not resulted in equity in achieving permanency for African American children awaiting adoption.** The adoption rates of Black children (as well as Native Americans) have remained consistently lower than those of other racial/ethnic groups (U.S. GAO, 2007). Data indicate there have been small increases in transracial adoptions of Black children from foster care – rising from 17.2 percent in 1996 to 20.1 percent in 2003; however, this growth in transracial adoptions has not resulted in Black children being equally represented among children adopted from foster care relative to their proportion of children awaiting adoption. (Hansen & Pollack, 2007; USDHHS, 2007a; U.S. GAO, 2007).

- While the time that all children remain in foster care has declined due to the reforms legislated by the Adoption and Safe Families Act, **African American children still stay in foster care an average of nine months longer than do White children** (U.S. GAO, 2007).

- **The interpretations of MEPA-IEP that have served as the basis for its enforcement run counter to widely accepted best practices in adoption.** The manner in which MEPA-IEP is enforced mandates an unyielding color-blindness that is counter to the best interest of children and sound adoption practice. It prohibits agencies from employing such practices as assessing families' readiness to adopt a child of another race/ethnicity, preparing families for transracial

adoption in any way that is not provided to those who adopt within race, and considering families' existing or planned connections with the child's racial/ethnic group – practices that are considered to be sound and are standard in international adoptions.

- **The diligent recruitment provision of MEPA-IEP has not been well implemented and is not being enforced.** Implementation of this requirement would expand the pool of potential adoptive parents for Black children, and would do so in communities that are most likely to adopt them – and in which some of the issues relating to transracial adoption would be least likely to occur.

RECOMMENDATIONS

While the passage of MEPA served a positive purpose in addressing discriminatory practices, more than a decade of experience illustrates that many of the assumptions underlying the development of this law and its subsequent amendment were not accurate and, consequently, the hoped-for outcomes have not been realized. The goals of decreasing the racial disparity in the length of time African American children remain in foster care, their waiting time for adoptive families, and their opportunities for adoption must be met through different policies and practices. Two principles provide a solid framework for meeting the needs of Black children and youth in foster care: that adoption is a service for children, and that acknowledgement of race-related realities – not "color blindness" – must help to shape the development of sound adoption practices. Although color does not influence acceptance and opportunity in an ideal world, the reality of our society is still far from this ideal. Failure to address these social realities in practice is a disservice to children and their adoptive parents, and does not provide the best prospects for successful adoptions.

When children in foster care cannot be safely reunited with their parents or members of their extended families, they need the security, stability and love of adoptive parents. To ensure that children of color are placed with families who can meet their long-term needs, this report makes the following recommendations:

- **Reinforce in all adoption-related laws, policies and practices that a child's best interests must be paramount in placement decisions.**

- **Amend IEP to allow consideration of race/ethnicity in permanency planning and in the preparation of families adopting transracially. The original MEPA standard – which provided that race is *one factor, but not the sole factor,* to be considered in selecting a foster or adoptive parent for a child in foster care – should be reinstated.**

- **Enforce the MEPA requirement to recruit families who represent the racial and ethnic backgrounds of children in foster care and provide sufficient resources, including funding, to support such recruitment.**

- **Address existing barriers to fully engaging minority families in fostering and adopting by developing alliances with faith communities, minority placement agencies, and other minority recruitment programs.**

- **Provide support for adoption by relatives and, when that is not the best option for a particular child, provide federal funding for subsidized guardianship.**

- **To help families address their transracially adopted children's needs, provide post-adoption support services from time of placement through children's adolescence.**

CONCLUSION

In order for children of color to be placed with families who can meet their long-term needs, consideration must be given to needs arising from racial/ethnic differences. Consequently, when workers choose permanent families for children, and when they seek to prepare and support them in addressing the children's needs, race must be one consideration – such as promoting connection of the child to adults and children from their own racial/ethnic group, developing a positive racial/ethnic identity, and learning to deal with discrimination they may experience. Sound social work practice to accomplish these goals is severely impeded under current federal law and policy.

Attention to the well-being of African American children in the child welfare system needs to become a top priority for the future development of laws, policies, practice, and research. For decades, we have documented and discussed the reasons for inequities, and it is essential for these children that promising solutions, such as those recommended above, be implemented thoughtfully and expeditiously.

INTRODUCTION

When children cannot grow up in their families of origin, adoption can provide new parents who can love and guide them through childhood and into adulthood. The benefits of adoption are well recognized; at the same time, it also can present complexities for children and their adoptive families that are not typically found in families of origin – issues related to separation and loss, belonging, and identity. Children may come to adoption from social, economic, and racial and cultural backgrounds that differ from those of their new parents. For many children who are adopted from a different racial or ethnic background and/or from countries other than the United States, these differences can be visibly evident.

Transracial adoption is generally defined as occurring when a child's race/ethnicity is different than that of both parents when a couple adopts, or that of a single parent when only one adopts. Transracial adoption – which primarily involves White parents adopting children of color – has been the subject of discourse and debate for decades. In books, articles, and professional discussions for much of the past 50 years, it frequently has been portrayed in a polarizing manner, as either "good" or "bad" for children. The most intense discussion has centered on the placement of African American children with White parents. All sides lay claim to the "best interest of the child," with very different concepts of what that means.

In practice, transracial adoption is not inherently good or bad but, rather, is a practice that benefits some children who may not otherwise have families to raise them. At the same time, this practice clearly adds an additional layer of complexity to the issues dealt with by adoptive families. White parents adopting children of other racial or ethnic groups can provide excellent nurturance, but they need to address their sons' and daughters' racial/ethnic identity issues to fully meet their needs as they develop. Children's racial and ethnic needs and issues include the implications of the physical difference between children and parents, especially in relation to handling the reactions of others; the children's gaining understanding of and comfort with their own race/ethnicity; learning social skills to

interact comfortably with peers; and learning coping skills to deal with discrimination. Adoption practitioners and policymakers therefore need to address some difficult questions relating to transracial adoption in order to best serve children and families.

The past three decades have seen substantial changes in transracial and intercountry adoption, and in the U.S. policies that govern these practices. Efforts have been made to address the widespread removal in the past of Native American children from their families and tribes; the number of international adoptions by American citizens has grown dramatically; and child welfare laws have been enacted that both promote children's foster and adoptive placements with families of their own racial and cultural heritage *and* that forbid the denial or delay of placements of children from state custody due to racial considerations.

Transracial adoption policy in this country varies according to the type of adoption. With the implementation this year of the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, the U.S. now has three federal policies relating to transracial adoption. Under the Indian Child Welfare Act of 1978 (ICWA), preference for foster and adoptive placements is given to members of Indian children's own and other tribes. The Hague Convention, along with the implementing Intercountry Adoption Act of 2000 (IAA) and related regulations, requires that adoption agencies carefully attend to how parents will meet the needs of children adopted from another race, ethnicity, or culture. Unlike ICWA and the Hague, the Multiethnic Placement Act of 1994 (MEPA) and its subsequent amendment – the Interethnic Adoption Provisions (IEP), enacted in 1996 – prohibit child welfare agencies that receive federal funding from considering race, color or national origin in the foster and adoptive placement of "waiting" children, except in extraordinary circumstances.[2]

This paper by the Evan B. Donaldson Adoption Institute focuses on domestic transracial adoption and assesses its use as a policy and practice approach in meeting the needs of African American children in foster care who cannot be safely reunited with their parents or placed with kin.[3] The current law (MEPA-IEP) is being evaluated, as indicated by a September 21, 2007, hearing held by the U.S. Civil Rights Commission entitled "The Multiethnic Placement Act: Minority Children in State Foster Care and Adoption." The hearing posed five questions regarding the outcomes of MEPA-IEP that are examined in this paper. The contents of this paper – including its findings and recommendations – are being endorsed by the North American Council on Adoptable Children, the Child Welfare League of America, the Dave Thomas Foundation for Adoption, the Adoption Exchange Association, the National Association of Black Social Workers, Voice for Adoption, and the Foster Care Alumni of America. In addition, the National Association of Social Workers, which has no policy for supporting research papers per se, endorses its recommendations.

While discussion of policy and practice involving the transracial adoption of children from foster care is fraught with competing assumptions and arguments, limited attention has been paid to the actual outcomes being achieved for these boys and girls. Research demonstrates inequitable outcomes for African American children: They remain in the child welfare system for extended periods of time, and the rate at which they are adopted is lower than for other racial and ethnic groups. MEPA-IEP, by taking a very different approach to the role of race in adoption decision-making from what was legislated earlier in ICWA and from what would later be legislated in the IAA, was asserted to be a

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[2] The Introduction of Hollinger's (1998) Guide to MEPA-IEP on the U.S. Children's Bureau's website specifies that "to be consistent with constitutional 'strict scrutiny' standards for any racial or ethnic classifications, as well as with MEPA-IEP, a child's race, color, or national origin cannot be routinely considered as a relevant factor in assessing the child's best interests. Only in narrow and exceptional circumstances arising out of the specific needs of an individual child can these factors lawfully be taken into account."

[3] The terms "African American" and "Black" are used interchangeably in this report.

necessary step for improving the adoption outcomes for African American children. But have the federal laws and policies governing the adoption of African American children accomplished the objectives for which they were created? This report examines the question in five sections.

Section I provides data on the disproportionate representation of Black children in foster care and the disparate adoption outcomes for this group.

Section II describes the historical context of race and adoption in the U.S., with an emphasis on African American children; current law on the adoption of Black children in foster care, children adopted internationally, and American Indian/Alaskan Native children; and the social constructs related to color blindness and color consciousness on transracial adoption policy.

Section III provides an overview of the research on the outcomes for children adopted transracially and within race, the experiences of transracial adoptive families, and the outcomes for children adopted transracially from foster care. This research is synthesized to provide a basis for assessing current policy and needed directions.

Section IV assesses the impact of MEPA and IEP on the adoption of Black children in foster care. It examines whether the law's intent – to expedite permanency through adoption for these children of color – has been realized.

Section V offers conclusions and recommendations for policies and practices that will support timely adoptions for African American children waiting in foster care, consistent with their best interests.

I. AFRICAN AMERICAN CHILDREN IN FOSTER CARE

Black children who come into contact with the child welfare system are disproportionately represented in foster care, and are less likely than children of other racial and ethnic groups to move to permanency in a timely manner. According to the National Incidence Studies, a series of congressionally mandated assessments of the incidence of child abuse, there is no significant difference in overall maltreatment rates between Black and White families,[4] but African American children are removed from their families and placed in foster care at a rate more than two times greater than the proportion they represent of the total U.S. child population (Hill, 2006; U.S. General Accountability Office, 2007). These children account for 15 percent of the U.S. child population but, in FY2006, they represented 32 percent of the 510,000 children in foster care (USDHHS, 2008a). While the proportion of African American children entering care has declined somewhat since 2000, the racial gap in the likelihood of discharge between White and Black children has remained stable (Wulczyn, Chen, & Hislop, 2007).

African American children in foster care, compared to other groups, take longer to achieve permanency, particularly through adoption, than those in other racial/ethnic groups. In FY 2006, 129,000 children were awaiting adoption, and almost one-third (32 percent) of them were Black. Once legally freed for adoption, these children have lower rates of adoption (U.S. GAO, 2007). Data

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[4] Some scholars dispute the findings of the National Incidence Studies, stating that the rates of child maltreatment are closely linked with poverty and higher among minority groups with higher rates of poverty (Ards, Chung, & Myers, 1999; Barth & Miller, 2001).

from the U.S. Department of Health and Human Services show that "over the last five years, African American children as well as Native American children have consistently experienced lower rates of adoption than children of other races and ethnicities" (U.S. GAO, 2007, p. 56). A 1997 study by Barth quantified the lower adoption rates for Black children, finding that White children had a five times greater chance of being adopted than any child from a minority group and that the adoption process proceeded more slowly for Black than for White children. Table 1 provides the percentages of children in various racial/ethnic groups who were waiting in foster care to be adopted and who were adopted in FY 2006. African Americans represented 32 percent of waiting children but only 27 percent of the adopted children.

Table 1. Racial/Ethnic Backgrounds of Children in U.S. Population, Children in Foster Care Awaiting Adoption, and Children Adopted from the Foster Care System (FY 2006)			
Race/Ethnicity	% in population	Waiting children	Adopted children
White (non-Hispanic)	58%	38%	45%
Black (non-Hispanic)	15%	32%	27%
Hispanic	19%	20%	19%
American Indian/ Alaskan Native	1%	2%	1%
Source: US Department of Health and Human Services, 2008a; U.S. Census Bureau, 2008.			

II. HISTORICAL CONTEXT, CURRENT LAW AND SOCIAL ENVIRONMENT:
The Role of Race in the Adoption of African American Children

HISTORICAL CONTEXT

Throughout most of the 19th century and beyond, transracial adoption in the United States rarely occurred and, as a result of racism institutionalized in law, it was illegal in many states. During this time, adoption was largely arranged informally and, to the extent that efforts were made to "match" children with adoptive families, religion was the most important criterion. By the mid-20th Century, adoption had become the province of professional social workers, who assumed the responsibility for placing children. They utilized a wide range of criteria that were considered vital to a proper "match" in a social environment that required children and adoptive parents to share as many traits as possible, from physical appearance (including race) to religious and cultural background to potential talents. Within the context of the country's highly segregated social environment during the 1950s and 1960s – including anti-miscegenation laws that prohibited interracial marriage – transracial adoption was rare (Freundlich, 2000).

Although there were a few transracial placements as early as the 1940s, the practice began in earnest in the 1960s as a result of two significant developments. First, the civil rights movement significantly altered societal views of racial relationships; as integration was embraced as an ideal in the 1960s, interest in transracial adoption began to grow. At the same time, changes occurred in the

demographic profile of children available for adoption; that is, the number of healthy Caucasian infants relinquished for adoption began to decline as a result of changing attitudes about single parenting, the legalization of abortion, and the increased use of contraceptives. White couples continued to want to adopt, so a growing number began to seek biracial or minority infants. Adoption agencies, including some private ones that had previously discouraged the relinquishment of children of color, began to accept them for adoptive placement planning (Day, 1979), and they started being placed with White families.

From a historical perspective, racial matching has been the predominant practice. In 1958, the Adoption Standards of the Child Welfare League of America (CWLA), a national association of public and private child welfare agencies, suggested that in most cases, children with the same racial characteristics as their new parents would more easily be incorporated into the family. In the 1950s and into the 1960s, formal adoptions primarily involved the placement of White infants with White families. Stringent criteria were used to qualify parents seeking to adopt a healthy White infant, considered the "ideal adoptable child." If White couples did not qualify for such an infant (often as a result of parental age or number of children already in the home), some agencies considered the family for a "child with special needs," typically one who was Black, of mixed race, older, or with emotional, behavioral, or health issues (McRoy, 1989).

In 1968, the CWLA revised its Adoption Standards and incorporated transracial adoptions. The new standards stated that "in most communities, there are families who have the capacity to adopt a child whose racial background is different from their own. Such couples should be encouraged to consider such a child" (CWLA, 1968, p. 34). With greater acceptance of transracial adoptions, their numbers began to grow. By 1971, the number of transracially adopted Black children reportedly reached 2,574 (Simon & Altstein, 1987).

In 1972, as a result of concerns about the growing number of Black children being placed with White families, the National Association of Black Social Workers issued a position statement opposing transracial adoption. The NABSW stated that Black children "belong physically and psychologically and culturally in Black families where they receive the total sense of themselves and develop a sound projection of their future" (NABSW, 1972, pp. 2-3). African American leaders also expressed concern about limited efforts to recruit Black families to adopt these children. Despite the fact that Black children historically had been cared for within their families and communities and informally adopted at significant rates, agencies – which were primarily and often exclusively staffed by White caseworkers – seldom recruited from African American communities (Duncan, 2005). Concerns grew that many White workers "knew little about stable African American families or their potential as resources for the children" (Duncan, 2005, p. 2), and they assumed such families were either not available or were not interested in adopting (Sullivan, 1994). NABSW's stance led others to express concerns about transracial placement; the Child Welfare League of America, the North American Council on Adoptable Children, and a significant number of White social workers came to agree with the NABSW's position (Brooks, under review).

During the 1970s, adoption and foster care agencies modified their placement practices and policies to emphasize same-race adoption. This realignment is believed to have resulted in an immediate and significant decrease in the number of children who were placed transracially (Brooks, under review). At the same time, new agencies with minority leadership and specializing in minority family recruitment were established, including Homes for Black Children in Detroit and the Black Adoption Program and Services in Kansas City, Kansas. These programs recruited larger numbers of African American families, but were limited to a few geographic areas.

Beginning in the 1970s, the number of children in foster care began to grow. By the 1980s and early 1990s, this population included an escalating number of boys and girls waiting to be adopted; disproportionately high numbers of these children were African American (McRoy, 2004). Against this backdrop, issues related to in-racial and transracial adoption began to shift – from focusing almost solely on infant adoption, as historically had been the case, to the role of race in the adoption of children from foster care. In 1994, the National Association of Black Social Workers modified its 1972 position on transracial adoption, continuing its emphasis on adoption within race as the optimal outcome for African American children but acknowledging that, in some cases, transracial adoption would provide Black children with the families they needed.

By 1994, there were nearly a half-million children in foster care. Those who were awaiting adoption had been in care a median of two years and eight months, and African American children, on average, had waited the longest (Brooks, Barth, Bussiere, & Patterson, 1999). At the policy level, concerns grew about the number of these children lingering in foster care, but the focus was not on the factors that led to the growing number of children being removed from Black birth families and placed in foster care or the need to overcome barriers to adoption by African American families. Instead, opinion leaders focused on the policies in many states that gave preference to same-race foster and adoptive placements and on a limited number of cases in which states had implemented these placement policies to the detriment of the children involved. They pointed to instances in which caseworkers moved Black children to new families after they had lived for years with White foster parents who wished to adopt them. As these children were uprooted from stable, loving families, they experienced new trauma and loss; and, in some cases, White and Hispanic foster parents brought lawsuits, seeking the right to adopt the African American children in their care.

These often highly publicized cases led to the perception that a preference for same-race families had become a major barrier to adoption for waiting Black children. Some scholars, such as Harvard Law School professors Elizabeth Bartholet (1991, 1993) and Randall Kennedy (1995) decried "race matching" policies and championed the removal of all barriers to transracial adoption as a means of moving Black children from foster care to adoption more quickly. Bartholet and Banks (1998) contended that matching children with adoptive families on the basis of race was unconstitutional; however, they disagreed on whether prospective adoptive parents could express race-based preferences. Bartholet, on the one hand, maintained that prospective adoptive parents were entitled to express racial preferences regarding the child they would adopt, and to create a multiracial family only if they so chose; Banks argued that allowing prospective adoptive parents to state racial preferences for a child and accommodating their preferences amounted to "facilitative accommodation" and promoted racism (Bartholet, 1991, 1993; Banks, 1998). They argued that "race matching" policies represented race-based state action, were discriminatory and, consequently, violated the Fourteenth Amendment equal protection guarantee and antidiscrimination legislation such as Title VI of the Civil Rights Act of 1964 (Bartholet, 1991, 1993; Banks, 1998).

Critics of MEPA and its subsequent amendment – including legal scholars Twila Perry, a professor at Rutgers School of Law, and Ruth-Arlene Howe, a professor at Boston College Law School – contended that the implicit purpose of this legislation was not to promote the best interests of minority children but rather to benefit White prospective adoptive parents by expanding their access to Black and biracial children. They asserted that racism in American society has a profound influence in the lives of Black children and that the children therefore need affiliations with other people like themselves in order to learn coping skills (Howe, 1995, 1999; Perry, 1993-94).

THE MULTIETHNIC PLACEMENT ACT & INTERETHNIC ADOPTION PROVISIONS AMENDMENT

In 1994, Congress passed the Multiethnic Placement Act (MEPA, PL 103-382). Introduced by Senators Howard Metzenbaum and Carol Moseley-Braun, MEPA was designed to address concerns related to Black children's long stays in foster care. MEPA prohibited the delay or denial of a child's foster care or adoptive placement *solely* on the basis of race, color, or national origin; and it required that state agencies make diligent efforts to recruit foster and adoptive parents who represented the racial and ethnic backgrounds of children in foster care. The law's provisions apply to any agency that receives federal funds from any source and is involved in some aspect of foster or adoptive placement. Congress believed that through the implementation of these approaches, barriers would be removed to the timely placement of children of color with foster and adoptive families.

The enactment of MEPA was strongly influenced by two factors. First, a much-publicized *60 Minutes* program aired shortly before the bill was introduced decrying "race matching" policies and linking them to the overrepresentation of Black children in foster care. Second, during hearings on MEPA, White families seeking to adopt children in their care passionately argued that race-matching policies discriminated against them by limiting their ability to adopt African American children. The hearings did not address the reality that White children were invariably placed with Caucasian adoptive families, a practice that had resulted in no claims of discrimination, nor to the policy of the Indian Child Welfare Act that gave preference to tribal families in the adoption of American Indian children from foster care (McRoy, Mica, Freundlich, & Kroll, 2007).

Soon after the enactment of MEPA, criticism arose that the Act did not go far enough in removing barriers to transracial adoption. Regulations to implement MEPA were still pending with the U.S. Department of Health and Human Services when, in the course of debates that were taking place on the floor of the House of Representatives on Title IV-E – part of the Social Security Act dealing with children in foster care – it was asserted that MEPA had failed and was not being appropriately implemented (Congressional Record, March 25, 1995). The following month, two very different opinions about MEPA were published in the *American Bar Association Journal* (p. 44):

- Senator Carol Moseley-Braun, a co-sponsor of MEPA, wrote that "race, culture and heritage of the child and the family are considerations in an adoption" but should never be the determining factor. She stated that changing the law to incorporate language that would eliminate any consideration of race in determining the best interests of a child "will only further frustrate efforts to increase adoption by ethnic or minority families" and "would have the effect of reinforcing the status quo."

- Randall Kennedy wrote that racial matching "undoubtedly prevents a substantial number of children from ever reaching adoptive homes." He stated that there was no justification for racial matching and that, at best, those who advocate for the consideration of race in any way in adoption decisions "resort to vague, unsubstantiated intuitions such as the dubious notion that, all things equal, adults of the same race as a child will be better able to raise that child than adults of a different race," a claim that he argued was no more valid than "a hunch."

In 1996, consistent with the Kennedy argument, MEPA was amended by the Removal of Barriers to Interethnic Adoption Provisions (IEP) (as attached to PL 104-88). IEP removed the word "solely" from MEPA's prohibition against delaying or denying an adoptive placement "solely on the basis of race…"

It substituted language of other civil rights statutes through its prohibition of "any" consideration of race as a factor in decision-making except in exceedingly rare situations (Bartholet, 1999).

IEP retained the requirement that states diligently recruit potential foster and adoptive families that reflected the ethnic and racial diversity of children within their borders for whom foster and adoptive homes were needed, but it added provisions addressing the rights of prospective adoptive parents. IEP prohibits states from denying to any individual the opportunity to become a foster or adoptive parent on the basis of the race of the parent or child. IEP provides that neither a state nor any entity in the state that receives federal funds and is involved in adoption or foster care placements may:

- deny to any person the opportunity to become an adoptive or a foster parent, on the basis of the race, color, or national origin of the person, or of the child, involved; or

- delay or deny the placement of a child for adoption or into foster care, on the basis of the race, color, or national origin of the adoptive or foster parent, or the child, involved.

In addition, noncompliance with MEPA-IEP became a violation of Title VI of the Civil Rights Act of 1964. Agencies found out of compliance are subject to large financial penalties, and individuals seeking to adopt who believe that these proscriptions have been violated in their case may seek relief from any U.S. district court (Howe, 1999).

A subsequent federal guidance made clear that agencies were not to consider race or ethnicity except when a "compelling government interest" was at stake (Hollinger, 1997; 2007-2008). The guidance stated that the "best interest of the child" allowed consideration of race in narrow and exceptional circumstances, such as when an older child who had the right to consent to adoption refused to be placed with a family of a particular race (Hollinger, 1998).

MEPA-IEP AND THE ROLE OF RACE IN INTERNATIONAL ADOPTION AND THE ADOPTION OF AMERICAN INDIAN AND ALASKAN NATIVE CHILDREN

The policy embodied in MEPA-IEP regarding the role of race in the adoption of African American children from foster care contrasts significantly with the policies that govern international adoption and the adoption of American Indian and Alaskan Native children.

International adoptions. International adoption by American families began as part of a humanitarian response to wars, political upheavals, and social conditions that left large numbers of children without families able to care for them. A small number of children were adopted internationally in the 1940s after World War II, and the number grew following the Korean and Vietnam wars. The 1980s and 1990s saw significant increases in the number of children adopted internationally as more countries opened their doors to this practice. The Office of Immigration Statistics reports a sharp rise in such adoptions over the last two decades: from 7,000 in 1990 to more than 20,000 per year in 2002 through 2006. In 2006, over 40 percent of children adopted internationally by U.S. families were from Asian countries, 23 percent from Eastern Europe, and 22 percent from Central and South America. The vast majority were transracial/transethnic adoptions, and virtually all were transcultural (U.S. Department of State, 2007).

Two international treaties established the rights of children whose families could not care for them, and the government's responsibilities for these children. The first, the Convention on the Rights of the Child, was approved by the United Nations in 1989 and ratified by more than 175 countries; only the United States and Somalia have not ratified this treaty (Canadian Children's Rights Council,

2007). Among the rights of children recognized by CRC is the right to "identity." Article 20 sets forth governmental obligations in protecting a child's identity and continuity of cultural background:

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.
2. [While] such care could include … foster placement or adoption or, if necessary, placement in suitable institutions for the care of children, when considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

Some opponents of international adoption use the CRC to argue against children leaving their home countries for adoption; however, research and humanitarian perspectives invariably support the position that it is better for children to be raised in permanent families than to grow up in institutions or foster care.

The second treaty, the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, was adopted in 1993 in the 17th convening of the Hague Conference, with over 65 countries represented; and it has been ratified by 75 countries to date. The Hague Convention regulates international adoption practice and is designed to protect the rights of children, birthparents, and adoptive parents. Like the CRC, it recognizes the importance of a child's identity. Article 16 states that a child's country of origin must "give due consideration to the child's upbringing and to his or her ethnic, religious and cultural background" and "determine, on the basis in particular of the reports relating to the child and the prospective adoptive parents, whether the envisaged placement is in the best interests of the child."

After the U.S. signed the Hague Convention, Congress enacted the Intercountry Adoption Act of 2000, which brings this country into compliance with Hague Convention requirements. The Department of State, now the designated U.S. Central Authority for international adoption, has issued implementing regulations. These address, among a number of other issues, children's racial and ethnic needs. First, they require that prospective adoptive parents receive 10 hours of pre-adoption training which, among other topics, must address the "long-term implications for families who become multi-cultural through intercountry adoption" (Section 96.48). Second, adoption service providers are to counsel parents about the child's history, including a focus on "cultural, racial, religious, ethnic, and linguistic background" (Section 96.48). The U.S. has ratified the Hague Convention, and it took effect in this country in April 2008.

It is apparent that, around the world, a child's right to "identity" is recognized as being of high importance and that the U.S. government's regulations for intercountry adoption require that attention be paid to children's racial and ethnic identity needs.

Adoption of American Indian children. The adoption of American Indian children in this country is reported to have begun as early as 1492, when Christopher Columbus kidnapped and "adopted" an Indian child whom he used as an interpreter. The separation of Indian children from their families began in earnest in the late 1800s, when the federal Bureau of Indian Affairs sought to assimilate American Indian youth by sending them to boarding schools far from their reservations. Thousands were sent or forcibly taken to schools where they learned English and Christianity, were required to leave all vestiges of native culture behind, and were allowed little or no contact with their families (Earle & Cross, 2001). In the 1950s, state child welfare agencies increasingly placed these children into foster care. From the 1950s to the late 1970s, between 25 and 35 percent of all American Indian

children were removed from their families, and many were placed in non-tribal homes or institutions (House Report No. 95-1386, 1978).

Illustrative of the thinking at the time was the federally funded Indian Adoption Project, which the Bureau of Indian Affairs and the Child Welfare League of America implemented between 1958 and 1967. The Indian Adoption Project placed 395 Indian children with White adoptive families across the country. Initiated in response to a study which reported that many of these children were living in destitute conditions on reservations, the project was touted as an enlightened adoption practice made possible by greater racial tolerance. Although the affected children represented a small portion of the Indian boys and girls removed from their homes, the League's involvement – for which it formally apologized in 2001 – added sanction to this effort (Kreisher, 2002).

In response to deepening concerns from tribal communities, Congress in 1974 initiated a series of hearings to examine the treatment of American Indian children and subsequently passed the Indian Child Welfare Act of 1978 (PL 95-608) (ICWA). The Act sought to "protect the best interests of Indian children and to promote the stability and security of Indian tribes and families." ICWA applies to any child eligible for tribal membership, as determined by the tribe. It gives tribal courts exclusive jurisdiction over placement decisions for children on reservations and concurrent jurisdiction over child welfare decisions for Indian children residing elsewhere. The law establishes a hierarchy of placement priorities for children who must be removed from their families, with the goal of placing them with Indian families and maintaining their connections to their tribes and cultural heritage. ICWA is grounded in the belief that it is in children's best interest to sustain their cultural identity and heritage by keeping them with families of their own ethnic heritage and through continued involvement with their tribes.

THE SOCIAL ENVIRONMENT: THE ROLE OF COLOR BLINDNESS & RACE CONSCIOUSNESS IN SHAPING TRANSRACIAL ADOPTION POLICY

The policy debates regarding transracial adoption, particularly with respect to African American children, have been shaped by differing perspectives on the role of race in society and the appropriate legal approach to considerations of race in decision-making. The very concept of "race" defies clear definition. The term generally is used to refer to populations or groups distinguished by various sets of characteristics and beliefs about common ancestry. Racial identification most often relies on visible traits, such as skin color, facial features and hair texture, and self-identification (American Association of Physical Anthropologists, 1996). Conceptions of race, however, have varied by culture and over time, and have been controversial for scientific as well as social and political reasons. The controversy ultimately revolves around whether the socially constructed concept of race should be a factor in law or policy. The systematic use of race as a basis for discrimination makes race-based decisions suspect for many. It is not surprising, in this context, that societal views of racism, color blindness, and color consciousness have been central issues in the policy and practice debates relating to transracial adoption.

Racial identity and racism in contemporary U.S. society. In the post-civil rights era in the United States, the old system of legalized segregation, blatant racism, and legal discrimination has been dismantled, but the societal goal of full acceptance and equal treatment for all has not been realized. Sociologists who study race-based prejudice struggle with the dynamics at play. They agree that the nature of racial prejudice has dramatically changed while, at the same time, racial inequality persists. Although most individuals in the U.S. espouse a belief in racial equality, substantial racial inequality persists in employment, housing, income, health, and criminal justice. As an example, in 1945, in response to a question on a standardized measure of racism, more than half of Whites (55 percent)

answered that White people should be given the first chance at any job. By 1972, 97 percent answered that Blacks should have an equal chance. Despite these stated attitudes, audit reports of employment and housing practices continue to show racial inequity (Quillian, 2006; Winant, 2006).

Contemporary race relations often confound those who study the subject and make up a "contradictory combination of progress and stasis" (Winant, 2006, p. 988). Although race remains a major component of individual and group identities, racial identity is more flexible than in the past. Nonetheless, sociological studies suggest that individuals of different racial/ethnic backgrounds continue to maintain distance from one another, often out of a sense of unfamiliarity and discomfort but also because of perceived threat (Hello, Scheepers, & Sleegers, 2006). Sociologists and social psychologists describe a new form of prejudice that is implicit and often operates on an unconscious level. New terms have been coined to describe this new form of prejudice: symbolic racism, modern racism, ideological refinement, and laissez-faire racism (Quillian, 2006).

Race consciousness and color blindness*.* Members of racial minorities who experience discrimination view race consciousness from a very different perspective than majority or dominant groups. The color consciousness of minorities often stands in contrast to many Whites' universalistic or non-racialist perspective that de-emphasizes race. A study of attitudes of Black and White social workers illustrates the difference. When asked how identified they were with their own ethnic group, 63 percent of Black social workers – compared to 17.5 percent of White workers – responded that they were "extremely identified" (Fenster, 2002). For members of minority racial/ethnic groups, race typically is a salient aspect of identity, and race consciousness plays a role in many interpersonal interactions and affects perspectives on many issues.

Studies indicate most Whites who consider themselves non-racist are often uncomfortable when race is strongly emphasized, espousing a "color blind" ideal in which it is a non-issue (Omi & Winant, 1994). The vast majority of Whites in a 1996 survey (92 percent of men and 87 percent of women), for example, opposed preferential treatment for minorities in education and employment (Wilson, 2006). Conversely, a 2001 survey by the National Urban League found 87 percent of Blacks believed affirmative action in these areas was necessary (Paul, 2003).

The impact of race consciousness and color blindness on transracial adoption*.* Differing views of race consciousness and color blindness help to shape the debate on transracial adoption (Perry, 1993-94). Opponents of concerted efforts to place children within their racial/ethnic groups tend to evoke principles of color blindness, both from legal and societal perspectives. They argue that race should not play a role in placement decisions and that policies and practices promoting the adoption of children of color by families of color fail to serve the children's best interests and discriminate against qualified White families. They often see efforts to find minority parents for minority children as racist, contending that racial bias underlies assumptions that minority parents can provide better homes for these children (Bartholet, 1999; Kennedy, 1995; Banks, 1998). Another concern is that considering race slows the path to adoption and places children at risk of negative effects from long-term foster care and from exiting the system without a permanent family (Barth, 1997).

Others maintain that race is and should be an important factor in foster and adoption decisions. They emphasize the salience of racial identity to Black children, focus on research showing low levels of racial identity for transracially adopted African American children, and point to the association between low racial identity levels and low scores on self-evaluation measures (discussed more fully in Section III). They stress the importance of racial socialization for minority children – that is, the teaching of knowledge and skills to facilitate their successful navigation of a society in which they will face stigma and discrimination – whatever the race or ethnicity of their parents. This argument

asserts that socialization is not only carried out by parents, but also by the community. They point to the importance of this collective consciousness to the healthy development of Black children – a consciousness that may not be available to transracially adopted children who have little or no meaningful access to the African American community (Perry, 1993-94; Raible, 1990; NABSW, 1992; Harrison, 1996; Lovett-Tisdale & Purnell, 1996; Taylor & Thornton, 1996).

Between these two positions are arguments that race-based placement can be accomplished without delaying or denying the opportunity for African American children to be adopted. Some have proposed that when a Black adoptive family is available to meet the needs of the child and the child's adoptive placement is not delayed, race can – and should – be considered (Brooks, et al., 1999).

Although all sides in this debate base their arguments on the best interests of children, they define those interests from quite different views about the role of race in adoption decision-making. As observed by one commentator:

> *Different determinations regarding the significance of race in adoptive placement reflect divergent ideological visions of the 'proper' role of racial identity in socialization. As long as ideological differences remain significant, so will varied interpretations of the best-interests-of-the-child standard* (Banks, 1998).

Because this standard is not clearly defined or universally understood, it is not surprising that it is subject to value-based assumptions, including assumptions about the appropriate role of race in meeting children's needs for foster and/or adoptive parents (Babb, 1999).

III. WHAT DO WE KNOW ABOUT THE IMPACT OF TRANSRACIAL ADOPTION ON CHILDREN OF COLOR?

Although he was not adopted, Barack Obama's struggle to come to terms with racial identity issues without close relationships with Black caring adults mirrors the emotional struggles of many transracially adopted individuals – though these experiences obviously vary. In describing his experience, he wrote:

> *Away from my mother, away from my grandparents, I was engaged in a fitful interior struggle. I was trying to raise myself to be a black man in America, and beyond the given of my appearance, no one around me seemed to know exactly what that meant* (Obama, 2004, p. 76).

Many transracially adopted individuals become highly competent in matters of race and successfully negotiate challenges regarding their racial identity and their place in the cultures of both their adoptive and birth families. Others deal with moderate difficulties that they are able to resolve as they achieve the developmental tasks of adolescence and adulthood. Yet others experience strong feelings of marginality and difficulties in self-acceptance that persist through childhood and into their later lives.

STUDIES ON TRANSRACIAL ADOPTION: AN OVERVIEW

Researchers in the fields of sociology, psychology, and social work began to focus on transracial adoption in the 1970s and 1980s, studying children placed at infancy or at very young ages. These studies focused on children's overall adjustment, including self-esteem, achievement, and level of adjustment problems. Most used very small sample sizes and assessed children at young ages, and some did not have comparison groups of children placed in same-race families. Overall, these studies found that children adopted transracially, either domestically or from other countries, had overall adjustment outcomes similar to children placed in same-race families, particularly when they were adopted early in life (Grow & Shapiro, 1974; Kim, 1977; McRoy, Zurcher, Lauderdale, & Anderson, 1982, 1984; McRoy & Zurcher, 1983; Simon & Alstein, 1987; Feigelman & Silverman, 1983; Shireman & Johnson, 1986). Recent studies have used more rigorous research methods, such as multivariate analyses, to determine the contribution of various factors in child outcomes. They have refined the specific constructs that are measured (such as racial/ethnic identity, reference group orientation, and aspects of cultural socialization) and have tested hypotheses about the relationships among these variables. As with the earlier outcome studies, more recent ones examine these issues primarily for children adopted in infancy or at young ages.

Transracial adoption research falls into three categories: outcome studies, racial/ethnic identity studies, and cultural socialization outcome studies. In reviewing outcome studies of transracial adoption research, Lee (2003) noted an underlying assumption of past research: that transracial adoption is not a challenge for adoptees if there are no significant group differences on psychological adjustment. Because they were based on this assumption, most studies did not directly measure the racial and ethnic experiences of adoptees and how these experiences may have contributed to psychological adjustment. Similarly, most studies that have examined racial/ethnic identity in transracial adoptees have not addressed the relationship between their racial/ethnic experiences and their adjustment. Recent cultural socialization outcome studies serve as a bridge between outcome studies and racial/ethnic identity studies. Lee (2003) reviewed these studies and their findings on how adoptees and families address the challenges of transracial adoption and how these differences are associated with different adjustment outcomes.

This report does not attempt to present a review of all the empirical research on transracial adoption. Several authors have conducted such reviews (Lee, 2003; Frasch & Brooks, 2003). This paper, instead, highlights the empirical research that provides guidance for the development of policy in this area studies that have examined the adjustment, racial identity, and socialization of transracially adopted children and the relationship between parental attitudes and approaches to race and socialization and children's development, adjustment, and coping abilities. The body of research examining African American transracial adoptees is very limited and consists primarily of studies conducted over 20 years ago. This paper, as a consequence, incorporates research on domestic transracial adoptions and, to some extent, on transracial intercountry adoptions, to understand the impact and outcomes for children. It also reviews existing research on transracial adoption of children from the child welfare system. The Appendix reports significant findings from many of the studies addressing transracial adoption over the past 12 years.

CHALLENGES: RESEARCH FINDINGS & REPORTS FROM TRANSRACIAL ADOPTEES

Just like their counterparts in birth families, children in adoptive families have their own unique combinations of potential and risk; likewise, parents of all sorts bring to the formation of families their own constellations of strengths and limitations. Adoption itself infuses issues into family life for

everyone involved, such as loss and identity. And transracial adoption adds yet another layer of complexity. The current body of research supports three key conclusions:

1. Transracial adoption in itself does not produce psychological or social maladjustment problems in children.
2. Transracially adopted children and their families face a range of challenges, and the manner in which parents handle them facilitates or hinders children's development.
3. Children in foster care come to adoption with many risk factors that pose challenges for healthy development. For these children, research points to the importance of adoptive placements with families who can address their individual issues and maximize their opportunity to develop to their fullest potential.

Specifically, research suggests that children in transracial adoptions can confront important challenges – and these are important issues to consider and address in the adoption of African American children from foster care. Parents can support children in successfully addressing these challenges, but they often need preparation and education to understand the issues and strategies for facilitating a positive racial identity.

Transracially adopted children face challenges in coping with being "different." Coming to terms with a sense of difference is challenging for many adopted children in various areas of their lives, and is compounded by transracial adoption. Research has not specifically addressed issues of color differences for Black children adopted from foster care, but the recent findings of a study of intercountry transracially adopted children (Juffer, 2006) shed light on transracially adopted children's perceptions. For example, based on parent reports, many of these children – particularly those with dark skin color – expressed the wish to be White. The researcher reported:

> *For many children (boys and girls) a white skin color was so desirable that they rubbed themselves with white body lotion, cream or white chalk, or, alternatively, tried to "wipe off" the brown color. One boy wrote a white skin color at the top of his list of gifts wanted from Sinterklaas (comparable with Santa Claus) during several years* (p. 11).

The study further found that children adopted from Sri Lanka and Colombia who expressed the wish to be White or to have been born into the family had more behavior problems, as reported by teachers and parents. This relationship was not found among Korean children, whose skin color tended to be lighter than that of Sri Lankan and Colombian children.

Some studies have found transracially adopted children struggle more with acceptance and comfort with their physical appearance than do children placed in-race (Andujo, 1988; Kim, 1995). Although some children leave this feeling behind, many transracial adoptees continue to have a sense of difference into adulthood. Brooks and Barth (1999) studied 25-year-old adoptees and reported that about half of African American and Asian transracial adoptees expressed discomfort about their ethno-racial appearance. Feigelman (2000) found that appearance discomfort was linked with higher levels of adjustment difficulties in transracially adopted young adults.

Research and reports from transracially adopted adults indicate that the sense of physical difference is more intense for children of color growing up in homogeneous White communities. One Black man who grew up with White parents in a small Minnesota town described his pervasive feelings of difference while growing up: "I always felt like I had this 'A' on my forehead, this adoptee, that people could see from a far distance that I was different" (Clemetson & Nixon, 2006, p.A18). Feigelman (2000) found transracial adoptees – adopted in the early 1970s – who were raised in heavily White

communities were twice as likely as adoptees living in racially mixed areas to feel discomfort with their appearance (51 percent versus 25 percent). Feigelman summarized his findings as follows:

> *One of the study's most striking findings showed that transracial adoptive parents' decisions on where to live had a substantial impact upon their children's adjustments. Transracial adoptive parents residing in predominately White communities tended to have adoptees who experienced more discomfort about their appearance than those who lived in integrated settings. Adoptees feeling more discomfort, in turn, were more likely to have adjustment difficulties* (p. 180).

Transracially adopted children often struggle to fit in – within their own families, their social environments, and their cultures of origin. Studies that include qualitative methods find that many transracial adoptees report a struggle to fit in with peers, the community in general and, sometimes, their own families (John, 2002; Trenka, Oparah, & Shin, 2006; Simon & Alstein, 2002; Brooks, 2001; Freundlich & Lieberthal, 2000). In a study by de Haymes and Simon (2003), transracially adopted youth described their struggles to "fit in" and their beliefs about the importance of addressing this issue:

> *If we lived in a different neighborhood, I'd feel more comfortable. People wouldn't ask so many questions or call me names. I feel a little more comfortable around people who are my color because I know they won't call me names* (p. 261).

> *I don't think that there should ever be just one transracially adopted child in the family. Children need to know that there is support at home and to be able to look at another brown kid. It's not enough for the parents to love the child. They need to be able to look at others of the same race in the family. It's unfair to the child if there isn't* (p. 264).

The social worlds of very young children are centered largely in their families, but they become increasingly influenced by outside experiences as they age. A child may have a strong sense of belonging within the family but struggle significantly to fit in outside of it. When family members are not able to understand a child's outside experiences or to offer adequate support in addressing racial issues, feelings of competing allegiances, isolation, and alienation can result. One study, for example, found that when transracially adopted adults received support from their parents for cultural socialization to their birth culture, they perceived their parents as warmer and more affectionate and had greater feelings of belonging than did adoptees whose parents did not offer such support (Mohanty, Keokse, & Sales, 2006).

Reports from transracial adoptees at times describe struggles to feel a sense of belonging within their cultures of origin. A transracially adopted African American man interviewed for a *New York Times* story said he always felt awkward around other Blacks because he did not understand their culture, trends in fashion or music, activities (such as playing the dozens), or the Black oral tradition of dueling insults (Clemetson & Nixon, 2006). Having grown up in a small town in Minnesota, few people around him could help him develop an understanding of Black culture. Others who grew up in similar situations have reported that it was not until they went to college that they began to cultivate relationships with persons of their own race. John Raible (1990), a transracial adoptee, described his struggle:

> *I got to know other middle class black students as real people who were not that different from me. I began to appreciate the variety of ways of being black. … Yet all was not smooth sailing, by any means. I felt nervous and anxious around my new black friends and peers. I*

was self-conscious about sounding or acting 'too white.' I felt scrutinized for having white girlfriends, and continued to fret over being rejected and not being taken seriously as an equal. … When my parents would come to visit, I was self-conscious about being seen with them. I worried about being seen too often, or in the 'wrong' places, with my white friends. I was very aware of feeling caught between two cultures, of having to tread the line between two worlds.

Raible's experience illustrates the marginal man phenomenon experienced by those who are, to a large extent, caught between two cultures.

There has been very limited research on transracial adoptees' feelings of marginality in society and lack of belongingness in the family. One recent study, however, found that their feelings of marginality were related to lower self-esteem (Mohanty, et al., 2006). When the adoptive parents provided cultural socialization to the adoptees' birth cultures, their sense of marginality decreased and self-esteem increased. These researchers found that a feeling of belongingness with adoptive families was significantly associated with increased self-esteem. DeBerry and colleagues' study of 88 Black transracial adoptees found those low in identification with both Black and White reference group orientations demonstrated more adjustment problems (DeBerry, et al., 1996).

Transracially adopted children may be at risk for adjustment problems. Some studies have found that African American children who are adopted transracially, particularly males, have more adjustment problems than other groups of transracially adopted children. Feigelman (2000) found that Black transracially adopted young adults were twice as likely to exhibit three or more adjustment problems than were other transracially adopted persons. In their study of young adult adoptees, Brooks and Barth (1999) reported that both in-racially adopted White males and transracially adopted Black males were more likely than other groups of adoptees to have adjustment problems. Of the transracially adopted groups, Black males had the most adjustment problems, leading the authors to conclude:

> *The analyses also suggest that African-American transracially adopted males are more prone than other groups to adjustment problems. It is not clear, though, whether these problems are due to being adopted, male, placed transracially, or all three; or, indeed, to some other characteristic of child and family selection or matching. It is important to note, however, that of all children in the study, inracially adopted Caucasian males appeared to have had the most problematic adjustment…* (p. 96).

The Minnesota Transracial Adoption Study (Weinberg, Waldman, van Dulmen, & Scarr, 2004) found Black transracial adoptees had the highest rate of behavior problems (67 percent), compared with White adoptees (33 percent), biracial adoptees (45 percent), Asian/American Indian transracial adoptees (44 percent), and the biological children of the adoptive parents (20 percent). Statistically significant differences were found between Black transracial adoptees and White adoptees and birth offspring. The Black children in this study were placed at an older age (mean=32 months) than the White children (mean=17 months), although the Asian/Indian adoptees were by far the oldest group at placement (mean=61 months).

Transracially adopted children may struggle to develop a positive racial/ethnic identity. Racial/ethnic identity, a component of personal identity, develops over the course of childhood, adolescence, and early adulthood. It is linked to some extent with a child's cognitive abilities and developmental stage. Generally, by age 4, children are aware of physical racial differences and, by age 9, they can see themselves through the eyes of others and understand the consequences of a

particular racial group membership, including prejudice (Lee & Quintana, 2005). This process has particularly important implications for African American children for whom racial/ethnic identity is salient and closely tied to self-esteem (Phinney, 1991).

Research has focused on various constructs related to the ethnic/racial identity of transracially adopted persons, including self-identification, attitudes toward one's own group, sense of belonging to a given group, reference group orientation, and racial preferences. McRoy and colleagues conducted one of the few early studies that included measures of both self-esteem and racial identity for same-race and transracially adopted children (McRoy, et al., 1982). Although the researchers found no significant differences between transracially and in-racially adopted children on self-esteem, they found transracially adopted children scored lower on racial identity measures than their in-race counterparts. They further found that the manner in which White parents addressed race was linked with the extent to which their children acknowledged racial differences. Black children had a greater sense of racial pride when their parents acknowledged racial identity, moved to integrated neighborhoods, and provided African American role models. Black children whose White parents minimized the importance of racial identity were reluctant to identity themselves racially. Eighty percent of the transracially adopted Black children had been told that "they were not like other Blacks" (McRoy et al., 1984, p. 38). Andujo (1988) found similar results in her study of 60 Mexican American children placed with Hispanic and White families.

Over the past 15 years, researchers have begun to examine racial/ethnic identity issues in more sophisticated ways and to explore the relationship between different adaptations to racial/ethnic identity and aspects of overall adjustment. Research indicates transracial adoptees demonstrate considerable differences in how they incorporate race/ethnicity into identity, throughout childhood and into adulthood. In one study of Korean adoptees, most reported identifying with their parents' race while growing up but, as adults, 78 percent identified as Korean/Asian (Freundlich & Lieberthal, 2000). Similarly, a Canadian study found most adolescent and young adult transracial adoptees self-identified as minority (Westhues & Cohen, 1998). A third study, by contrast, found most adolescent and young adult transracial adoptees identified with their parents' race/ethnicity, an identification that was associated with less distress for adoptees (Baden, 2002). Although this research has primarily focused on internationally adopted children, the findings have relevance to the experiences of African American children adopted from U.S. foster care.

Most models of racial identity development describe progressive stages of understanding and mastery. Individuals move from a stage of simplistic identification, in which racial issues have not been explored; to a period of intense exploration and introspection in searching for the meaning of race/ethnicity, usually in adolescence; and ultimately, to achieving an ethnic identity that incorporates the reality of the individual's race and ethnicity in an integrated manner (Cross, 1987; Phinney, 1989). Most models of African American identity formation assume a strong Black-focused identity is the most desired outcome (Cross, 1978; Phinney, 1989). A more recent model (Cross, Strauss, & Fhagen-Smith, 1999), however, asserts that for some African Americans, race may have lower salience in their consolidation of multiple identities.

These models have relevance when considering Black children's exploration of race when they grow up in White families and primarily White communities. Racial exploration and progressive development of ethno-racial identity may be challenging, as there may be limited opportunities to develop comfortable relationships with others of the child's own race. The importance of these issues is further highlighted by research indicating transracial adoptees' confusion over ethnic identity is associated with behavior problems and psychological distress (Cederblad, et al., 1999) and transracial adoptees' ethnic pride is related to higher well-being and less distress (Yoon, 2001).

A key life skill for transracially adopted children: ability to cope with discrimination.

> *It was painful because while I perceived racism all around me, I didn't have people around me to talk to who had experienced what I was experiencing, and who could therefore validate and share my perceptions. … I sensed it at school, in the Eurocentric curriculum that excluded a multicultural perspective. I sensed it among my peers. I felt it from the fathers of the white girls I was interested in. I sensed it from prospective employers when I was job hunting, and from security guards in shopping mall stores, and from police who watched me and sometimes stopped me on the streets. I detected it in the comments and jokes that went unchallenged among friends, and even among members of my family* (Raible, 1990).

John Raible's account of his struggles illustrates an additional challenge for transracially adopted persons that research also has identified – learning to cope with prejudice and discrimination. When adoptees are members of a racial group that experiences significant discrimination, such as African Americans, this challenge can be particularly great. Brooks and Barth (1999), in their study of different racial/ethnic groups of transracial adoptees, found that African Americans, particularly males, experienced the highest level of discrimination. Other studies have found Black transracial adoptees experienced more discrimination than Black same-race adoptees or transracial adoptees of other racial/ethnic groups (Vroegh, 1997; Feigelman, 2000). Studies of transracially adopted adolescents and young adults have found perceived discrimination is significantly associated with behavior problems and psychological distress (Cederblad, et al., 1999; Feigelman, 2000).

Although many minority children experience racial bias, those who grow up in minority families generally are prepared and assisted by their relatives in developing coping skills. Studies of biracial (Black-White) young adults growing up in their birth families identified several important contributors to their ability to cope with discrimination, including physical appearance, messages from family or friends, acceptance by Blacks in their social networks, and exposure to both cultures (Brown, 1995). Minority children raised in transracial adoptive families may not have the benefit of these factors associated with the development of coping skills. Furthermore, minority children who do not experience significant discrimination often confront it once they leave their families and communities. In a study of Vietnamese adoptees, some reported that they felt well adjusted during childhood but, upon confronting prejudice and discrimination as adults, they experienced increased feelings of marginality (Saetersdal & Dalen, 1991).

Reports from transracially adopted persons emphasize the need for family support and understanding in learning to cope with discrimination. When parents minimize its impact or are unable to support their children in developing coping skills, children must manage these experiences on their own, and the parent-child relationship may suffer. Raible (1990), for example, described how he stopped talking with his parents about discrimination because they told him he was being too sensitive. He resigned himself to expectations of little parental support and understanding, while also struggling with feelings of guilt and disloyalty as he sought knowledge about his Black heritage.

Children's success in addressing racial issues is affected by their parents' attitudes and behaviors. Early studies, as well as more recent ones, found parents adopting transracially were more likely than not to minimize racial differences and emphasize a color-blind approach (McRoy & Zurcher, 1983; Andujo, 1988; DeBerry et al., 1996; Lee, 2003). Families tended to acculturate their children into the majority culture and often did not help them integrate their own race into their identities. Children were reluctant to identify with individuals of their own racial group or avoided Black peers (McRoy et al., 1982, 1984).

Scholarship on racial adaptations indicates that the most poorly adjusted individuals have great difficulty navigating conflicts between two racial memberships and may never develop a strong identity with either group (Phinney, 1991 &1992). By contrast, assimilated individuals who identify strongly with the majority group can fare well when the social environment is supportive; however, when the environment is more hostile, they may not be prepared to handle discrimination. Scholars who have studied racial adaptations of minority children have found that those with a bicultural or multicultural identification are the most highly adjusted (Phinney, 1991 & 1992, DeBerry, et al, 1996).

Recent research has focused on parents' approaches to cultural and racial socialization, and has examined how different approaches affect aspects of their children's ethno-racial identity and psychological adjustment. These studies have assessed the extent to which transracial adoptive parents oriented their internationally adopted children to their cultures of origin and the impact of these efforts on adoptees' identity and adjustment. Although these studies have focused on these issues in international adoption, they offer important insights into parenting approaches on the cultural and racial socialization of transracially adopted Black children. For example, a longitudinal study by Thomas and Tessler (2007) found that parental attitudes toward bicultural socialization of Chinese adoptees, having social networks with Chinese adults, and the racial composition of the community all affect children's level of Chinese cultural competence.

The international adoption studies also have found that when parents facilitate their children's understanding of and comfort with their own ethnicities, the children show more positive adjustment in terms of higher levels of self-esteem, lower feelings of marginality, greater ethnic pride, less distress, and better psychological adjustment (Yoon, 2001; Lee & Quintana, 2005; Mohanty, et al., 2006). For example, a very recent study of 193 White mothers of 262 children adopted from China and Korea found that mothers who felt more connected to Asian Americans provided more frequent cultural socialization experiences and that more cultural socialization was related to fewer externalizing behavior problems in their children (Johnston, Swim, Saltsman, Deater-Deckard, & Petrill, 2007). Studies also show, however, that most adoptive parents provide relatively low levels of cultural socialization opportunities when their children are young (primarily through books or cultural events) and that the levels of cultural socialization decline further as their children grow into adolescence (Mohanty, et al., 2006; DeBerry, et al., 1996).

Kimberly DeBerry and colleagues (1996) conducted the most sophisticated and extensive research on patterns of family racial socialization and identity in Black children adopted transracially. The researchers assessed 88 such children who were adopted as infants. Assessment took place when the children were ages 7 and 17. They found that the level of family racial socialization provided by parents predicted the adoptees' racial orientation, which in turn, affected their adjustment outcomes.

The researchers examined three issues. First, they looked at families' racial socialization approaches. They were classified according to five forms of racial socialization at the two measurement times: denial/de-emphasis, ambivalent, bicultural, multicultural, and over-enthused/overzealous. At Time 1 (when the child was 7), 42 percent of families emphasized bicultural socialization, compared to only 20 percent at Time 2 (at age 17). At Time 2, adoptees reported that 55 percent of their parents emphasized denial and 30 percent emphasized ambivalence. Second, the researchers examined the adoptees' Africentric and Eurocentric orientation. At Time 2, adoptees' Africentric reference group orientation decreased (from a scale mean of 3.4 to 1.8) and Eurocentric orientation increased (from a mean of 4.3 to 5.4). Third, the researchers examined adoptees' psychological adjustment over the 10 years between Times 1 and 2. The percentage of youth determined to be "maladjusted" rose from one quarter (25 percent) at Time 1 to 66 percent at Time 2. (Psychological adjustment was measured by a combined rating on

functioning across all areas, with problematic adjustment reflected by academic problems, pervasive social/interpersonal problems, depression, substance abuse, delinquency, and other behaviors.) Youth who experienced more transracial adoptive stressors (a combined rating including variables such as perceived transracial adoptive stress and lack of family belongingness) were found to be more maladjusted.

DeBerry and colleagues suggested five possible explanations for their findings that relatively few adoptees had both high Eurocentric and Africentric reference group orientations and were well adjusted: these youth experienced multiple forms of loss and grief; they experienced acculturation stress; unresolved belongingness issues affected reference group orientation and adjustment; they had difficulty emotionally regulating and cognitively negotiating shifts between Africentric and Eurocentric reference group orientations; and/or youth had difficulty developing trust for both Blacks and Whites.

Adoptive parents who are committed to addressing racial differences and identity issues of transracially adopted children can raise them to be emotionally well-adjusted and culturally competent individuals, but this requires an awareness of the importance of race/ethnicity and the realities of racism, and a commitment to addressing the complexities of these issues with their children throughout their development. Responsible and ethical adoption practice requires preparing parents to understand these issues and to be able to address them with their children. While some adoptive parents will educate themselves, many others will lack sufficient awareness of these issues unless they are prepared by professionals.

TRANSRACIAL ADOPTION OF CHILDREN IN FOSTER CARE

There is a growing body of research on the long-term adjustment of children adopted from foster care. These studies indicate that almost all such children are well-integrated in their new families but, at the same time, are at greater risk of behavior problems than children in the general population or those adopted in infancy who were not in foster care. Studies consistently have found about 40 percent of children adopted from foster care score in the clinical range on standardized measures of behavioral/emotional problems; that is, at the level of children receiving mental health services. Despite these challenges, more than 90 percent of the parents of children adopted from foster care are satisfied with their adoption experience (Howard & Smith, 2003; Rosenthal & Groze, 1992; Rosenthal & Groze, 1994).

Although this body of work provides important information on emotional and behavioral risks for children adopted from foster care in general, little research attention has been given to transracial adoption for this group, making it difficult to reach definitive conclusions. Three studies conducted 15 or more years ago compared outcomes for children transracially and in-racially adopted from foster care. Two focused on disruption, with one finding a higher rate for transracial placements (Groze, 1986) and the other finding no greater disruption risk for such placements (Barth & Berry, 1988).

A study of over 750 families adopting children from the child welfare system by Rosenthal and Groze (1992) found a similar rate of satisfaction among transracial adoptive parents, although outcomes for minority in-racial adoptions were more positive than those in transracial adoptions on many measures. Minority in-racial families reported closer relationships on a standardized parent-child relationship scale than transracial families, and perceptions of support from family and friends were lower among transracial than minority in-racial adoptive families. This study also found that six factors were associated with problematic parent-child relationships among transracial adoptions: adoption by a new family (not foster or kin), older age of child, high family income, behavioral

problems, learning disabilities, and the child's dislike of school. The strength of these associations, however, was weaker in White, same-race adoptions and weaker still in minority, same-race adoptions. The authors concluded:

> *Stated differently, these factors seem to generate serious problems in transracial placements, moderate problems in white, inracial placements, but only minor problems in minority, inracial placements. … Minority, inracial placements were distinguished from the other subgroups by the fact that problems with behavior and in school appear less damaging to the quality of parent-child relationship. … In minority, inracial placements, parent-child relationships remain as close with teens as with younger children. This same pattern was not observed in the other subgroups. The close relationships between teens and adoptive parents in minority, inracial homes suggest that inracial placement may offer distinct advantages for older children … it is not negative outcomes for transracial placements but instead positive ones for minority, inracial placements that argue convincingly for enhanced recruitment of minority families* (Rosenthal & Groze, 1992, pp. 141-145).

More recently, an Illinois study assessed the adjustment of 1,340 children, ages 6 to 18, adopted from foster care. The study compared transracial and same-race adoptions on several variables (Howard & Smith, 2003). As a measure of overall adjustment, the study used the Behavior Problem Index (BPI), a standardized behavior problem measure listing 28 behavioral problems that is utilized in the National Longitudinal Survey of Youth. The National Survey studied more than 11,500 children and found a mean number of behavior problems of 6.4. In the Illinois study, the mean number of behavior problems for children adopted from foster care was 11.9. African American children had the lowest rates of behavior problems (mean of 10.4 problem behaviors) of all racial/ethnic groups. Important differences were noted, however, between Black children adopted transracially and those adopted by same-race families. The 73 adopted transracially had significantly higher behavior problem scores – a mean of 14.4, compared to 9.9 for the 407 adopted by same-race families. On most other outcomes, such as the parents' closeness to their children or their satisfaction with the adoption, transracially placed children were not significantly different from those adopted in-racially – but transracial adoptive parents were more likely to rate their children as more difficult to raise than were the parents of same-race children.

As previously noted, these findings do not provide sufficient basis for reaching conclusions about the level of problems experienced by Black children in foster care who are adopted transracially compared to those adopted by Black families. The findings, however, indicate the need for further research. Most children adopted from foster care have experienced a constellation of circumstances that pose challenges to their development. The Howard and Smith study (2003) found Illinois children adopted from foster care had experienced serious neglect (63 percent), prenatal alcohol or drug exposure (60 percent), physical abuse (33 percent), sexual abuse (17 percent), and two or more foster care placements (37 percent). Most had experienced more than one of these risk factors.

The multiple risk factors present in the histories of children in foster care can exponentially complicate their adjustment in new adoptive families. Garbarino's (1992) studies of the impact of high-risk environments on children and the factors associated with resiliency are relevant to these issues. Garabarino uses the term "compounded developmental risk" to capture the cumulative effect of developmental and socio-cultural risk factors in the lives of children in high-risk environments. Although environmental conditions can intensify or mitigate the impact of risk factors, they "often act synergistically, with each compounding the other's effects" (p. 123). Children in foster care who have experienced assaults on their development and well-being require environments that mitigate rather than heighten their vulnerability. They need opportunities to develop nurturing attachments to parents

and siblings, succeed in school, establish friendships with other children, and find acceptance and support in all areas of their lives. Garbarino further writes that all children have a "self-righting" tendency by which they strive to overcome past adversities and move on.

Because children adopted from foster care face compounded developmental risk, it is especially important that they achieve permanency with families able to address their needs and maximize their development potential. The negative effects of long-term foster care and aging out of the system have been well documented (Triseliotis, 2002; Courtney & Heuring, 2005), further emphasizing the importance of permanent families. When a child's adoptive family is of a different race, it adds another layer of development and adjustment challenges, requiring that families be prepared and supported to meet the child's needs. This is not to say a White family may not offer the best chance for success to a child of color; rather, it underscores the importance of finding a family who can address the child's needs in an optimal manner.

IV. MEPA-IEP′S IMPACT ON THE ADOPTION OF AFRICAN AMERICAN CHILDREN

H ave MEPA and IEP achieved the goals for which they were enacted? This section assesses their impact in relation to the rates of adoption of Black children from foster care, the impact of their enforcement provisions on adoption outcomes, and the extent to which they have promoted the best interests of children of color in foster care.

ASSUMPTIONS UNDERLYING THE PASSAGE OF MEPA-IEP

MEPA and IEP were based on three primary assumptions:

- There is a substantial number of White families seeking to adopt minority children from foster care;
- There is an insufficient number of African American families able to or interested in adopting these children; and
- Children of color will achieve permanency in larger numbers by prohibiting race-matching policies and by broadly facilitating transracial adoption.

Proponents of MEPA predicted that once race-matching policies were banned and transracial adoption was broadly promoted, thousands of African American children waiting in foster care would be adopted (Simon, Alstein, & Melli, 1994). Bartholet (1993, p. 99) stated that "very large numbers of Black children in need of homes are spending significant amounts of their childhoods in foster and institutional care rather than permanent adoptive homes because of policies against transracial placement." These assumptions were not based on evidence that showed minority children's longer stays in foster care were caused by policies that promoted same-race adoptive placements, or on evidence that showed transracial adoption would shorten their stays in care.

Assumption #1: Large numbers of Whites seek to adopt minority children in foster care.

The assumption that a substantial number of White adults seek to adopt children of color from foster care (and are turned away) is contradicted by existing data. Surveys showing a significant group of

adults have "considered" adopting are often used in an effort to demonstrate a high demand for adoption, yet research has demonstrated that "interest in adopting" is a poor measure of the actual potential to adopt, according to the National Survey of Family Growth (NSFG), which provides the best data on adoption-seeking in the U.S. (Bachrach, London, & Maza, 1991; Bachrach, 1991; Chandra, Abma, Maza, & Bachrach, 1999; Chandra, Martinez, Mosher, Abma, & Jones, 2005). These studies indicate the following:

- Few women of child-bearing age (18 to 44) have adopted. The percentage of these women who adopt declined from 1973 to 1995, and then increased slightly in the 2002 study. The rate is now 1.6 percent of currently married women and 0.7 percent of never-married women, age 18 to 44, have adopted. The rate is highest among women in their 40s, of whom 2.9 percent have adopted.
- Black women are more likely than White women to seek to adopt children.
- Fifty-six percent who have adopted already had a relationship with the child.
- Although the percentage of women who express an interest in adoption is relatively high (approximately one-third), very few actually go on to adopt, state that they plan to adopt, or take concrete steps to adopt.
- Age and race of a child are the two most common preferences.

The 1995 NSFG conducted in-home interviews with 10,847 women nationally; it was the first time the survey explored the child preferences of women who, at the time of the interviews, said they were seeking to adopt or had adopted. Fifty-nine percent of White women said they would (or would have) accepted a Black child, but only 2 percent preferred to adopt a Black child. With respect to age, 58 percent preferred a child under 2; 28 percent preferred a child 2 to 5; and only 7 percent preferred a child 6 or older. Only 0.5 percent preferred an adolescent (Chandra, et al., 1999).

The small percentages of women expressing an interest in adopting older children and adolescents are particularly noteworthy given the ages of children in foster care who are awaiting adoption – a mean age of 8.2 years in FY 2006. Using the percentages from the NSFG, for all ever-married women of child-bearing age, only 3 in 100,000 expressed an interest in adopting an adolescent. When this finding is taken together with women's racial preferences for the children they would adopt, the level of interest in adopting Black older children and youth becomes extremely low.

A more in-depth qualitative investigation of White infertile women's perceptions of adoption found that most adopting transracially did so after exhausting efforts to adopt a healthy White infant; i.e., their decisions were motivated mainly by availability. Interestingly, most embraced a color-blind approach, ignoring the issue of racism. The researcher (Jennings, 2006, p. 559) concluded: "In situating the transracial adoption debate in a discourse of reverse discrimination, advocates advance a simplistic picture of race and adoption – an understanding that is based on faulty assumptions."

Another empirical examination of interest in transracial adoption in relation to outcomes is the California Long-Range Adoption Study (Brooks, James, & Barth, 2002; Brooks & James, 2003). This study examined the preferences of White families who had adopted privately or from public agencies prior to 1994, and the factors associated with their openness to adopt a Black child from foster care. Among 625 White parents, most reported some willingness to adopt a minority child. African American children, however, had the lowest rate of acceptance when compared to other racial and cultural groups (Latino, Asian, Native American, and biracial). The authors concluded (p. 585):

> *Unlike reported willingness to adopt children of other racial backgrounds, however, the majority of parents who claim to be willing to adopt African American children indicate that*

> *they are only slightly willing to adopt [an African American child] (28 percent of the entire sample), as opposed to fairly or extremely willing to adopt. ... In contrast, the frequency distributions for reported level of willingness to adopt Caucasian, biracial, Latino, Native American, and Asian children reveal that the largest percentages are those who say they are extremely willing to adopt, as opposed to fairly or slightly willing to adopt.*

Of the White parents who stated an interest in adopting from foster care, 63 percent did so. However, only 5 percent of the White parents who reported some willingness to adopt a Black child actually did so. Based on their findings, Brooks and James (2003) expressed concerns that prohibitions on an open consideration of race-based factors in adoption worked against the best interests of children:

> *It remains puzzling … that the notion of raising a maltreated child who has spent time in foster care seems to be less daunting to White parents than the notion of raising a Black child irrespective of the child's maltreatment and placement history. Black prospective adopters, who presumably will not share the same concerns about the adoption of Black children, should therefore be aggressively recruited and prepared for adoption* (pp.485-6).

Assumption #2: There are an insufficient number of African American families able to or interested in adopting these children.

Data also fail to support assumptions about the lack of interest and ability of Black families to adopt. Research consistently shows they adopt at a higher rate than White families (Chandra, et al., 1999; Chandra, et al., 2005). A recent study by the Dave Thomas Foundation for Adoption (2007) showed that Black respondents were more likely than White ones to have considered adoption. Among those who had very seriously considered adoption, Blacks were most likely to have considered foster care adoption, while Whites were most likely to have considered private infant adoption.

More importantly, studies also show that African American families who apply to adopt are disproportionately screened out of the process in high numbers (Hill, 1993; Mason & Williams, 1985; Rodriguez and Meyer, 1991). One study (Rodriguez & Myer, 1991) found that agency policies and the absence of minority and trained staff members were significant barriers to successful recruitment of Black families for children in foster care. In 1991, the North American Council on Adoptable Children similarly reported a number of barriers to adoption by Black families: agency fees, inflexible family assessment standards, institutional/systemic racism, and a lack of minority staff. Despite findings that Black-administered organizations have been quite successful in recruiting African American families (Hill, 2004), many state agencies do not contract with them. Concerns about enforcement actions under MEPA-IEP have created additional barriers to such contracting (as discussed later). The data make clear that Black families seek to adopt and, when permitted, adopt at higher rates than Whites.

Assumption #3: Minority children will achieve permanency in large numbers by prohibiting race-matching policies and broadly facilitating transracial adoption.

As the framework for assessing this assumption, this paper uses questions posed by the U.S. Commission on Civil Rights at its September 2007 hearing examining the impact of MEPA-IEP. Two contributors to this paper, Dr. Ruth McRoy (a Senior Research Fellow at the Evan B. Donaldson Adoption Institute) and Joe Kroll (Executive Director of NACAC) were among those who presented testimony at the hearing.

Question 1:   Has the enactment of MEPA removed barriers to permanency facing children involved in the child welfare system?

MEPA-IEP's promotion of transracial adoption has not removed barriers to permanency for African American children.

Adoptions of African American children from foster care. As discussed early in this paper and depicted in Table 1, African American children as well as Native American children have lower rates of adoption[5] than children of other races and ethnicities, a pattern that has persisted for many years (U.S. GAO, 2007). The GAO report analyzed the adoption rates for five racial/ethnic groups over a five-year period (2001-2005), indicating that Black and Native American children consistently had adoption rates around 30 percent, while all other groups' rates ranged between 40 and 50+ percent.

Data from the U.S. Department of Health and Human Services indicate the percentage that Black children comprise of those adopted from foster care each year is consistently lower than their percentage of foster children waiting to be adopted. In FY2006, for example, Black children represented 32 percent of waiting children, but they represented only 27 percent of adopted children. That same year, White children represented 38 percent of waiting children and 45 percent of adopted children (USDHHS, 2008a).

Recent studies by Chapin Hall researchers indicate that understanding the likelihood of adoption of African American children from foster care may be more complex. A smaller percentage of Black children are discharged from foster care than are White children. Also, fewer Black children are reunified with their families of origin than are children in other groups (Wulczyn, Chen, & Hislop, 2007). However, a sophisticated study (Wulczyn, et al., 2006) using 13 entry cohorts of children admitted to foster care in six states from 1990 to 2002 found that while it takes Black children longer to be discharged, a higher percentage of those being discharged are being adopted (24 percent) than for other groups of children (17 percent for Whites).

Transracial adoptions of African American children. Data indicate there have been small increases in the number of transracial adoptions of African American children from foster care, but approximately 41,600 are still waiting for permanent families (USDHHS, 2008a). Hansen and Pollack (2007) found that between 1996 and 2003, the proportion of Black children who were adopted transracially from foster care rose from 17.2 percent in 1996 to 20.1 percent in 2003. (Transracial adoption was defined in this study as the child being of a different race from either parent.) This percentage fluctuated annually, from a low of 11.2 percent in 1999 to a high of 20.1 percent in 2003, averaging 16 percent. By contrast, children of Hispanic ethnicity experienced the highest rate of transracial/ethnic adoption – 38 percent in 2001 (Hansen & Simon, 2004).

The small increase in the national percentage of transracial adoptions of Black children must be considered in relation to state trends. In a number of states, there has been a significant increase in the number of adoptions of African American children from foster care, but only a very small percentage have been transracial. A number of states with substantial African American populations (such as IL, CA, GA, KY, NC, PA, DC, and CO) experienced the largest increases in the number of adoptions of Black children from foster care during years when the number of transracial adoptions of these children was low. In FY2000, for example, California had the highest number of adoptions of

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[5] The adoption rate is calculated as the number of adoptions finalized during the year divided by the number of children waiting to be adopted on the last day of the prior year. Waiting children have a goal of adoption and parental rights terminated (U.S. GAO, 2007).

Black children from foster care, but only 9 percent were transracial; in other years, when California's total number of adoptions of African American children from foster care was lower, the percentage for those adopted transracially was higher (from 13 to 15 percent). In 1999, Illinois finalized adoptions for 5,408 Black children from foster care, but only 4 percent were transracial (Hansen & Simon, 2004). Conversely, six states increased both the number of adoptions of African American children from foster care and the numbers of transracial adoptions (IA, MN, NJ, OH, OK, and TN). Ohio was one of the states that increased both the number of adoptions of Black children and of transracial adoptions, yet it was assessed the most severe financial penalty for violation of MEPA-IEP (Hansen & Simon, 2004) (discussed more fully later).

Another source of information about the impact of MEPA-IEP is the Local Agency Survey (LAS), an extension of the National Study of Child and Adolescent Well-being. The LAS, conducted in 1998-99, sought to assess the impact of MEPA-IEP and the Adoption and Safe Families Act (ASFA) on child welfare practices and outcomes. Most agencies (77 percent) reported that they had seen no increases in the proportion of foster or adoptive placements that were transracial following the enactment of MEPA-IEP. Fifteen states reported that encouraging race-neutral adoptions was helping to reduce the number of waiting Black children; 18 responded that the policy had no effect; and 12 indicated that they were unable to tell. This survey and other studies document lingering confusion about MEPA-IEP among caseworkers (Mitchell, Barth, Green, Wall, Biemer, Berrick, Webb, and NSCAW workgroup, 2005; USDHHS, 2003).

African American children who are adopted transracially are generally very young. Transracial adoption has not generally removed barriers to permanency for older African American children in foster care. To the extent that children in foster care are adopted transracially, they are usually young. In FY02, the majority of Black children who were adopted transracially were age 4 and younger, while the majority of Black children who were waiting were age 8 and older (Maza, 2004). Hansen and Pollack (2007) reported that children adopted transracially were, on average, one year younger than those adopted by same-race families. They found that the proportion of infants and toddlers adopted transracially doubled between 1996 and 2003, and that transracial adoptions were only half as likely to occur for teenagers. Federal data show that older Black children and teens are more likely to be adopted by same-race single women, especially those age 50 or older. According to Maza (2002), older Black children are more than three times as likely to be adopted by a single female than are older White children (61 percent versus 18 percent), and half of the mothers adopting Black children are age 50 or older. These statistics belie the expectations that transracial adoption would significantly increase adoption opportunities for older Black children.

Question 2: Has the enactment of MEPA reduced the amount of time minority children spend in foster care or wait to be adopted?

The time that African American children remain in foster care has declined, but this trend is attributable to ASFA, not MEPA-IEP.

Since the passage of ASFA, the mean length of time children adopted from foster care spent in the system has declined – from 48 months in FY1998 to 38 months in FY2005 (Maza, 2007). Most of this decrease is attributable to more timely efforts to terminate parental rights (TPR), as required by ASFA. A more modest picture emerges when considering the time spent in foster care by waiting children, i.e., those who are legally free for adoption but are not yet placed with adoptive families. Between FY1998 and FY2005, the average time children awaiting adoption had been in continuous care declined from 45 months to 42 months. Overall, Black children stayed in foster care 9 months longer than White children, according to 2004 statistics (U.S. GAO, 2007).

One study (Hansen & Pollack, 2007) found African American children who were adopted transracially, compared to those adopted within race, spent one less month in foster care between TPR and adoption finalization (14.3 months compared to 15.6 months). The reasons for this small difference are most likely due to the greater use of kinship care for Black children. The slightly longer waiting time for children adopted by same-race families may be explained by the higher percentage adopted by relatives (Wulczyn, Chen, & Hislop, 2007); by ASFA's exemption of children in stable placements with kin from the time requirements for moving to TPR; and, potentially, by caseworkers' lower sense of urgency to change the legal status of children in kinship care.

African American children in foster care are adopted in large numbers by relatives. An Illinois study, for example, found 60 percent of the Black children adopted from foster care were adopted by relatives, compared to 16 percent of White children (Howard, 2006). Although studies show that children adopted by relatives generally wait longer for the process to be finalized, they also show important benefits: The children are placed with permanent families more quickly than those adopted by unrelated families (Howard, 2006; Rosenthal & Groze, 1992); they experience fewer moves while in care (Howard, 2006; Rosenthal & Groze, 1992); and they have fewer school problems, fewer behavior problems, greater closeness in the parent-child relationship, and a higher rate of satisfaction with their adoption experience (USGAO, 2007; Howard, 2006).

Due to the generally positive outcomes for permanency arrangements with kin and the prevalence of kinship care for Black children, one proposal that would likely have considerable positive impact is the acceptance of subsidized guardianship as a permanency outcome for these children and the passage of legislation allowing federal reimbursement for legal guardianships. This was the top recommendation of a recent report on reducing the disproportionality of Black children in foster care (USGAO, 2007).

THE IMPACT OF MEPA-IEP ENFORCEMENT ON ADOPTION OUTCOMES

This paper's assessment of the impact of MEPA-IEP enforcement on adoption outcomes for African American children in foster care is guided by additional questions posed by the U.S. Commission on Civil Rights at its September 2007 hearing.

Question 3: How effectively is the U.S. Department of Health and Human Services enforcing MEPA/IEPA? What impact has enforcement had on best practices in adoption?

Enforcement efforts to date. The Department of Health and Human Services (DHHS) Office for Civil Rights (OCR) is charged with enforcing MEPA-IEP. DHHS' enforcement has focused on only one of the law's two requirements – the removal of barriers to transracial adoptions. The law's requirement of diligent recruitment of families who reflect the racial and ethnic backgrounds of children currently in foster care is not being enforced. DHHS has conducted over 130 investigations across the country, and in the majority, either no violation was found or the agency voluntarily agreed to make the recommended changes. In 2003, after documenting a violation of MEPA-IEP by Hamilton County, Ohio, and the State of Ohio, DHHS assessed a fine of $1.8 million, the first such action. Subsequently, in 2005, DHHS found the South Carolina Department of Social Services to be in violation of MEPA-IEP and assessed a fine of $107,000. DHHS findings of MEPA-IEP violations have been based on both individual cases and systemic practices deemed to be in conflict with MEPA-IEP (USDHHS, 2005; Bartholet, 2006). Some of the violations cited included the following:

Hamilton County, Ohio

- Required parents who adopted transracially to prepare a plan for addressing the child's cultural identity. OCR concluded that this practice discriminated against parents by requiring them to undertake efforts not required of other adoptive families not seeking to adopt transracially. (OCR deemed this practice a violation of Title VI of the Civil Rights Act, which prohibits providing services to an individual in a different manner on the basis of race.)
- Required families who sought to adopt transracially to evaluate the racial composition of the neighborhood in which they lived. (OCR also deemed this practice a violation of Title VI, which prohibits treating an individual differently on the basis of race in order to qualify for the receipt of a service.)
- Made "generalized assumptions," as evidenced by the above activities, that families interested in adopting transracially must take additional steps to ensure that they can appropriately parent a child of color.
- Made placement matches that appeared to consider race. In one case, the agency had chosen a single White parent over a White couple because she lived in an "integrated neighborhood and had bi-racial brothers." OCR stated:

HCDHS sought out information about how much contact the Lamms had with the African American community and whether there were African American teachers or students in the local school system. In this context, HCDHS' concerns and statements about the Lamms' ability to meet Leah's 'cultural' needs were, in actuality, concerns and statements based on HCDHS' view that Leah, as an African American child, had needs, based on her race, that the Lamms could not meet, simply because they were Caucasian (USDHHS, 2003, Hamilton City. Letter of Findings, p. 20).

South Carolina

- Some workers considered the racial preferences of children in foster care who were below the legal age required to give consent to the adoption.
- Used a computerized matching system based on the prospective adoptive parents' preferences and the child's characteristics in a way found to "overemphasize" race. The state's use of its matching system was found to violate the law because, in seeking to alter search parameters to identify an appropriately sized pool of prospective parents, the agency would sometimes change certain characteristics of the child, such as age, but had never altered the parameter of the child's race (USDHHS, 2005, SCDSS Letter of Findings).

DHHS' findings above rely heavily not only on MEPA/IEP, but also on the broader prohibition against discriminatory conduct found in Title VI of the Civil Rights Act, which is referenced in MEPA/IEP. In its interpretation of these statutes, OCR has provided families seeking to adopt transracially with rights that previously were considered secondary to the "best interests of the child." The manner in which MEPA-IEP is enforced mandates an unyielding color-blindness that is counter to the best interest of children and sound adoption practice.

What are accepted practice standards regarding transracial/ethnic adoptions? In order to address MEPA-IEP's impact on best practices, the question must be posed as to what entails good practice in transracial adoption. The body of research linking parental socialization related to race/ethnicity and child outcomes supports standards of professional practice that focus on preparing parents to assist the children they adopt transracially in positively integrating their heritage into their sense of self. For example, CWLA's *Standards of Excellence for Adoption Services* (2000) state:

> *Adoption services should be based on a recognition that children's identity and self-esteem are integrally related to their cultural, ethnic, tribal, religious, and racial experiences. This belief should be reflected in the delivery of adoption and postadoption services …* (p. 16).

Such practice standards are based on the understanding that children fare better when their parents acknowledge racial differences, communicate openly about race and culture, and offer opportunities for children to gain knowledge and experience related to their birth groups (Vonk & Angaran, 2003).

Three critical areas of cultural competence for transracial adoptive parenting have been identified in professional literature: racial awareness, multicultural planning, and survival skills (Vonk, 2001). The following summary discusses each area and draws on comments from transracial adoptive parents and children asked about their service needs (deHaymes & Simon, 2003):

- **Racial awareness**: This is defined as self-awareness of one's own experiences and attitudes regarding race and difference; awareness of the roles that race, ethnicity, and culture play in children's development; and understanding of the importance of these issues in fostering a child's positive identity development.

   Transracial adoption will change your life forever. … You are not the same person you were when you adopted a child transracially. I'm not just a white, middle-class mother anymore, but the mother of two Black children. I've changed (p. 262).

   Racism is subtle and not always overt. White families need to be tuned into the pressures that a Black child experiences. The agencies need to have classes by people who are knowledgeable in this area. They need to know about racism and how it manifests itself. It can be subtle exclusion. We had to take our son out of the preschool because he was always the one assumed to be the cause of trouble (p. 268).

- **Multicultural planning**: Through this process, families create ways for children to learn about their racial/ethnic groups and access relationships and experiences that afford children opportunities for positive identity development.

   Some of the biggest challenges have involved getting access to her culture, her heritage, and her people (p. 260).

   I would advise a family who wanted to adopt transracially to find out what the neighborhood is like where they are going to live and to see what kinds of kids are there. Talk to the neighbors about racial issues first. Make sure that people will not treat the kids as outcasts, but like normal children, which is what we are (p. 260).

- **Survival skills**: Recognizing that children of color need specific skills in a society in which racism continues to exist, professionals prepare parents to help their children and themselves cope successfully with racial prejudice and discrimination. ("Survival skills" is a term used in the literature to refer to coping skills for overcoming discrimination.)

   As far as transracial, it is a huge responsibility, because America is extremely racist. Some parents say, 'I'm not out to change the world.' That is so naïve. You are out to change the world for your child. It's not just going to be nice. You don't want to pass it over when your child gets called a racist name, and give a sugar coating to it by saying something like 'All children get called names.' Some people [who adopted transracially] say things like 'Some

children get called names because they wear glasses.' That's a whole different issue than racism (p. 263).

In summary, a recent Evan B. Donaldson Adoption Institute publication on preparation of adoptive parents (Brodzinsky, 2008) identifies the need for additional education for those adopting transracially in the following areas (Baden, 2007; Baden & Steward, 2000 & 2007; PACT, An Adoption Alliance, 2000; Register, 1991; Roorda, 2007; Simon & Roorda, 2000):

- fostering self-assessment regarding their perceptions, attitudes, beliefs and stereotypes of race, ethnicity, and culture in society
- fostering self-assessment of how adopting children across racial lines will affect their understanding of themselves, their children, and their families
- assessing family, friend and community support for transracial adoption
- knowledge about their children's race, ethnicity and cultural heritage
- strategies for coping with racism
- awareness and respect for children's views about having parents of a different race
- parenting a child of a different race
- ways of supporting positive racial identity development
- ways of making connections with positive racial, ethnic and cultural models in the community

Current federal law and policy conflicts with best practice. The interpretations of MEPA-IEP that have served as the basis for its enforcement run directly counter to widely accepted best practices in adoption. Of greatest concern are interpretations of MEPA-IEP that prohibit agencies from: assessing families' readiness to adopt a child of another race/ethnicity; preparing families for transracial adoption in any way that is not provided to those who adopt in-race; considering families' existing or planned connections with the child's racial/ethnic group; and considering children's expressed preferences related to the race of their adoptive parents unless the children have the legal right to consent to their adoptions. The practice of considering children's preferences is obviously counterbalanced by workers' assessments of the child's maturity, desires, and the range of available options. However, attempts to honor a child's desires and goals to the extent possible are considered to be sound practice.

Understandable fears of enforcement actions and financial penalties have led states to step away from practices many acknowledge would best serve children's and families' interests and would be more consistent with social work ethics. Overall, MEPA-IEP has led to considerable confusion among supervisors and caseworkers, as well as to fear of committing inadvertent violations and jeopardizing their jobs (US DHHS, 2003).

When exploring transracial adoption, the feelings and beliefs of prospective parents and children need to be honestly addressed. Making it illegal for a caseworker to address a child's racial/ethnic identity needs can result in poor practice and can undermine the child's best interests. As an example, a caseworker who participated in a training attended by one of this report's authors reported her current struggle with a case involving a Black toddler placed with a White foster family who had expressed interest in adopting him. She was concerned because the foster parents had stated that they did not allow their birth son to have African American friends. The caseworker's supervisor, however, had told her that addressing these issues with the family would violate MEPA-IEP and, therefore, she was to ignore race in her work with this family.

MEPA-IEP's prohibitions on addressing racial issues also run directly counter to other policies in the U.S. that recognize the role of race, ethnicity, and culture in adoption. ICWA and MEPA-IEP represent almost polar opposites in their treatment of race/ethnicity as a factor in decision-making on foster and adoptive placements – that is, ICWA puts high value on racial/ethnic heritage. Similarly, the Hague Convention and the IAA require that attention be paid to children's cultural, racial, religious, ethnic, and linguistic background needs and to the preparation of parents to meet those needs. In sharp contrast, MEPA-IEP prohibits agencies receiving federal funding from considering race and ethnicity in foster or adoptive placements except when a compelling government interest is at stake, as interpreted by DHHS. MEPA-IEP has created a different status for African American children adopted from foster care with regard to racial/ethnic/cultural identity – a status that diverges significantly from that recognized in law for American Indian/Alaskan Native children, children adopted internationally, and children who are adopted through private adoption agencies that do not receive federal funds.

The very different federal approaches about race and adoption constitute a disturbing inconsistency that undermines children, families, and the agencies charged with serving them. For some children (internationally adopted and Native American), the law holds that race and culture matter, and it protects their racial and cultural interests; for African American children in foster care, however, the law minimizes the importance of race and culture, even to the point of punishing those who work to respect and protect racial and cultural interests consistent with best practice in adoption. This schism in federal policy appears to be more a function of happenstance than a considered decision to treat different children in different ways. There appears to be no principled or historic reason for giving less respect to the racial/ethnic/cultural identity needs of African American children in foster care than to those adopted internationally or from Native American communities.

The divergent legal mandates also create unrealistic demands on adoption agencies that are committed to serving children of color and their adoptive families in accordance with recognized standards of best practice. A private agency, for example, may have both an international adoption program and a program that provides adoption services for children in foster care through a contract with the state public child welfare agency (partially funded with federal dollars). That agency could be found to have violated MEPA-IEP and be fined because in its international adoption program, it uses a home study format that addresses race/culture issues in a way that complies with the Hague Convention but yet appears to violate MEPA-IEP for adoptions of children in foster care. For instance, in the home study and preparation work with a family adopting from China, a worker would routinely discuss with prospective parents how they would plan to provide their child with experiences to interact with adults and children of her own race/ethnicity and would discuss the diversity of the family's neighborhood and community. At the same time, however, these practices have been cited as legal violations for families adopting transracially from foster care.

An agency may require educational training for prospective adoptive parents to learn about the racial, ethnic, and cultural identity needs of a child and to explore their plans for meeting those needs – a practice consistent with the Hague Convention. But, if prospective transracial adoptive parents of children in foster care were asked to attend such training, it could be found to violate MEPA-IEP.

The current interpretation of MEPA-IEP allows preparation and training only if the services are offered to all families, irrespective of whether they plan to adopt transracially. Agencies are presented with two options: mandate that all families participate in training regarding transracial adoption regardless of their adoption plans, or provide no families with this preparation and support. If agencies opt for the former, they create additional demands that are irrelevant to some families' interests or plans. If agencies opt for the latter, they fail to provide the very families who need this

preparation with what best practice demands. To "legally" provide education regarding transracial parenting, agencies often attempt to design programs that generally appeal to all families, inevitably "watering down" training and preparation for those who need specific guidance and resources.

The options available to agencies under MEPA-IEP with regard to education on racial issues contrast sharply with the best practices they readily implement in other areas. For example, agencies provide parents who adopt children with specific concerns (HIV, sexual abuse issues, prenatal drug exposure, etc.) with special training and preparation to address these issues; other families would not be expected to require or desire these services. Similarly, parents who adopt transracially need training and support to meet their children's racial identity and socialization needs, but those who adopt in-racially are not likely to want or need such services.

Question 4: What is the impact of DHHS' enforcement of MEPA-IEP on the efforts of prospective parents to adopt or provide foster care for minority children?

DHHS' enforcement of MEPA-IEP has focused on practices believed to negatively impact White parents' ability to adopt minority children from foster care. Its actions appear designed to maximize the opportunities of White families who express interest in adopting these children. However, OCR enforcement has not attended to the second key requirement of MEPA-IEP: the diligent recruitment of families who represent the racial/ethnic backgrounds of children in foster care. The absence of attention to this provision is noteworthy given DHHS guidance on MEPA which made clear that states are required to develop comprehensive recruitment plans, including strategies for reaching all parts of the community in recruitment efforts and the removal of barriers to the home study process (Hollinger, 1998).

Though data are limited, assessments indicate that the diligent recruitment provision of the law has not been well implemented. In the Local Agency Survey (Mitchell, et al, 2005), only 8 percent of the 97 responding agencies, most in large urban areas, reported that they had developed new recruitment efforts to reach families who represent children's racial and ethnic backgrounds after enactment of MEPA-IEP. The researchers considered possible reasons for the limited investment in "diligent recruitment" and hypothesized that agencies' lingering confusion about allowable actions under MEPA-IEP, including the permissible scope of adoptive family recruitment efforts, may have stifled diligent recruitment efforts. Similar findings emerged from the Child and Family Service Reviews, which found only 38 percent of states received a rating of "strength" for the indicator on diligent recruitment of diverse foster and adoptive families (USDHHS, 2007b). The Department of Health and Human Services recently issued a funding announcement related to diligent recruitment programs in which it reported the majority of states had no process for analyzing the characteristics of children in foster care and developing a diligent recruitment plan (USDHHS, 2008b).

MEPA-IEP AND THE BEST INTERESTS OF CHILDREN

A final consideration regarding the impact of MEPA-IEP is captured in the last question posed by the US Commission on Civil Rights at its September 2007 hearing:

Question 5: Does transracial adoption serve children's best interest or does it have negative consequences for minority children, families, and communities?

The body of research reviewed in this paper (see Section III) clearly indicates that children adopted transracially, along with their families, face a range of challenges. While these challenges may not be as great as those experienced by children who remain in foster care, we have an obligation to

support the success of these adoptions. Some studies have found that African American children placed transracially, especially males, experience greater stress related to racial issues and have more adjustment difficulties than transracial adoptees from other racial/ethnic backgrounds or African American children placed with same-race families (Rosenthal & Groze, 1992; Feigelman, 2000; Howard & Smith, 2003; Weinberg, et al., 2004); although other studies have not found this effect (Shireman & Johnson, 1986; Simon, Altstein, & Melli, 1994; Vroegh, 1997).

Most empirical studies on the transracial adoption of Black children, however, have examined those adopted at a young age, without special needs. Very little is empirically known about the impact of transracial adoption on older children, who are at greater risk for developmental and adjustment issues, particularly those who had been in foster care and who lived in African American families and communities prior to being transracially adopted. The one recent study on the adoptions of African American children in foster care placed with transracial and same-race adoptive families found that children placed transracially experienced considerably more behavior problems (Howard & Smith, 2003). Further research needs to address the needs of African American children adopted transracially from foster care.

Of particular relevance to the issue of children's best interest is the research on transracial adoption that has focused on racial/ethnic identity, aspects of family socialization, and adjustment outcomes. Many studies indicate that how families address racial issues, even where they choose to live, is linked to adjustment outcomes for transracial adoptees (Feigelman, 2000; Mohanty, et al., 2006; DeBerry, et al., 1996; Huh & Reid, 2000; Yoon, 2001; Lee & Quintana, 2005; Johnston, et al., 2007). These studies strongly support the importance of attending to racial issues when transracial adoption is the best permanency plan for a Black child, as well as the importance of preparing and supporting adoptive families – particularly White parents – in understanding and meeting their minority children's racial identity and socialization needs. MEPA-IEP's constraints on addressing these issues are not in the best interest of children of color or their adoptive families.

When families who adopt transracially do not receive preparation and training that promote racial awareness and competence, they and their children are not well-served. Families lose critical opportunities to assess their own preparedness to adopt transracially and to develop the awareness and skills that are essential to meeting their children's racial/ethnic identity and socialization needs. Failing to provide families with this preparation is contrary to sound and ethical social work practice and is not in the best interest of the child.

V. WHERE DO WE GO FROM HERE?

With the benefit of more than a decade of experience since the passage of MEPA-IEP, it now appears many of the assumptions underlying these laws' development were inaccurate, and the major anticipated outcome – expediting the adoption of children of color from foster care by promoting transracial adoption – has not been realized. Relatively small numbers of White families express an interest in adopting older children and youth of color, and MEPA-IEP's "color-blind" approach to foster and adoptive placement decisions has not reduced the inequities in the disproportionate number of African American children awaiting adoption. Removal of barriers to transracial adoption, requiring that race be seen as irrelevant to foster care and adoption decision-making, and levying significant penalties for MEPA-IEP violations have not, as had been hoped, substantially increased the rate of adoptions for African American children in care. Young Black children, as was the case prior to MEPA-IEP, continue to be adopted by White families.

But relatively few older Black children and youth, for whom adoption has long been recognized as more challenging, have been placed with White families.

The goals of reducing the time African American children remain in foster care, reducing their waiting time for adoption, and increasing their opportunities for adoption must be met through better policies and practices. New approaches are needed to effectively address these children's needs, starting with dedicated fiscal resources for the diligent recruitment of families who reflect the racial and ethnic backgrounds of children in foster care, because these are the families most likely to adopt older Black children.

At the same time, it is critical that policymakers assess and address the unintended, negative consequences of MEPA-IEP that are working against achieving the very goals they sought to achieve. These consequences include the paralyzing effects of interpreting the law as prohibiting the use of established best practices in recruiting, preparing and supporting prospective parents, and the use of punitive measures in the form of significant financial penalties that have forced agencies to retreat from what they know children and families need. The interpretations of MEPA-IEP that have served as the principal bases for its enforcement, in many respects, run counter to proven best practice in adoption.

Two principles provide a sound framework for the development of policies to meet the needs of Black children and youth in foster care: Adoption is a service for children, and color consciousness – not "color blindness" – should help to shape policy development.

ADOPTION IS A SERVICE FOR CHILDREN

Adoption from foster care is about recruiting, preparing and supporting families for children, not vice versa. Adults have the right to be served equitably when they seek to adopt, but they do not have the "right" to require agencies to match them with a specific child. In defining best practice standards for adoption, the CWLA (2000) states that, "in any adoption plan, the best interests of the child should be paramount. All decisions should be based on the needs of the individual child." For any child in foster care, the goal is to find a family who can offer the greatest opportunity for healthy growth and development, and presents the least risk in parenting given the child's unique needs. The "best interest" standard requires that there be an honest exploration with prospective parents regarding their ability to raise the child. This exploration is the essence of the matching process and must include, for children of color, racial identity and socialization needs. Absent attention to these issues, agencies cannot assure themselves, the court, children's birth families, or children's communities of origin that they are being placed with nurturing and committed families who are well prepared to meet their children's comprehensive needs.

In a child-centered approach, family selection is not the social or legal equivalent of selling a house to the first qualified buyer. The child-family match must be based on "goodness of fit" after caseworkers and prospective parents have an opportunity to discuss the child's history and needs (current and future), the implications for the child's development and well-being, the family's assessment of its ability to meet the child's needs, and the caseworker's assessment of family strengths and challenges. This process blends discussion with assessment and preparation of the prospective parents.

In some cases, both Black and White parents may express interest in adopting a specific African American child. In selecting the most appropriate family, it is essential to assess each one's strengths and abilities to meet the child's needs. Just as the assessment must address the family's

ability to address any specific physical health, emotional, behavioral or developmental issues, it must also address the family's ability to meet the child's racial/ethnic identity and socialization needs. The assessment also must take into consideration how the child will fit in with other children in the family, the parents' preferences and expectations, and their willingness to support the child in maintaining appropriate relationships with birth siblings and other family members.

COLOR CONSCIOUSNESS – NOT "COLOR BLINDNESS" – SHOULD HELP TO SHAPE THE DEVELOPMENT OF ADOPTION POLICY

Race is a factor in adoption decisions. Although it should definitely not be the primary or sole basis for choosing an adoptive family, it cannot be dismissed as irrelevant to a child's healthy development and adjustment. Whether adopted by Black or White parents, children's best interests are served by ongoing connections to their racial heritage. The CWLA Standards of Excellence for Adoption (2000) state that all children deserve to be raised in families that respect their cultural heritage: "Assessing and preparing a child for a transracial/transcultural adoption should recognize the importance of culture and race to the child and his or her experiences and identification. The adoptive family selected should demonstrate an awareness of and sensitivity to the cultural resources that may be needed after placement."

The standards used in enforcing MEPA-IEP promote a "color blind" approach to the adoption of Black children from foster care. However, when parents adopt transracially, they and their children are not well served when they do not receive preparation and training that promote racial awareness and assist them with multicultural planning and the development of survival and coping skills. Families lose critical opportunities to gauge their own preparedness to adopt transracially and to develop the awareness and skills essential to meeting their children's racial/ethnic identity and socialization needs. Failing to provide families with this preparation and training is contrary to sound and ethical social work practice and contrary to the best interest of children.

Other illustrations of the impact of "color blind" policies are provided below:

Agencies seeking to increase the pool of Black families sometimes want to contract with minority-led organizations with proven records of recruiting these parents. However, some agencies are concerned that working with a program that specializes in such recruitment (for example, if it ran an advertisement explicitly looking for "African American families to adopt") might be considered a violation of MEPA. To avoid the risk of violating the law and incurring penalties, many recruitment programs have opted to instead use this statement: "We are seeking families for African American children."

Similarly, in some states, questions have been raised about whether prospective parents can be allowed to specify the type of child they would like to foster or adopt. Some agencies have interpreted the law to mean that allowing a prospective foster or adoptive parent to specify that they are not willing to consider a child of any race is a violation of MEPA. Also, to comply with the law, workers have sometimes taken Black children to foster homes without mentioning race, only to have a White foster parent say, in the children's presence, that they would not be accepted because of their race. Such practices create barriers to family recruitment and placement of African American children, and may contribute to disparate permanency outcomes for them.

CONCLUSION AND RECOMMENDATIONS

When children in foster care cannot be safely reunited with their parents or members of their extended families, they need the security, stability and love of adoptive families. To ensure that children of color are placed with families who can meet their comprehensive and long-term needs, we make the following recommendations:

- **Reinforce in all adoption-related laws, policies and practices that a child's best interests must be paramount in placement decisions.** The choice of a foster or adoptive family should be based on an assessment of who can best meet the child's specific needs, including those relating to racial/ethnic identity, cultural issues, and linguistic requirements. This choice must be driven by centering on the child, not on prospective parents' preferences or presumed "rights." By focusing on Title VI (civil rights legislation) and protections for the prospective parents, DHHS has placed too little emphasis on the "best interest of the child." There is broad practice and legal support for assessments of prospective adoptive families to ensure the safety and well-being of children. Just as these assessments take into account families' abilities to meet children's physical, emotional, social, and developmental needs, they must take into account families' abilities to meet children's racial/ethnic identity needs.

- **Amend IEP to allow consideration of race/ethnicity in permanency planning and in the preparation of families adopting transracially. Sound, ethical adoption practice requires attention to racial and ethnic issues, so that the original MEPA standard – which provided that race is *one factor, but not the sole factor,* to be considered in selecting a foster or adoptive parent for a child in foster care – should be reinstated.** Race should not be a barrier to the timely adoptive placement of children from foster care. However, policy and law should be consistent with established best practices and should explicitly provide that the racial/ethnic identity needs of children be addressed before, during, and after placement. Federal law must strike an appropriate balance between the prevention of discriminatory conduct and the rational consideration of a child's racial/ethnic identity needs. Law should be congruent with practice, directing that the matching process address the ability of a family to meet all of a child's needs, including racial/ethnic identity and socialization. Law and policy also should be consistent with practice directing that all foster and adoptive families receive some level of training in parenting children of culturally diverse backgrounds and with practice requiring that families who adopt transracially or transculturally receive additional training and other supportive services to help them meet their children's racial, ethnic, cultural, and linguistic needs.

- **Enforce the MEPA requirement to recruit families who represent the racial and ethnic backgrounds of children in foster care and provide funding to support such recruitment.** The majority of children in foster care are not White. MEPA-IEP explicitly requires diligent recruitment of families that reflect the ethnic and racial diversity of these children. A bigger pool of minority foster parents would contribute to ensuring that more children have the benefit of adoptive families who can meet their needs as soon as adoption becomes the permanency plan. Most children in foster care are adopted by their foster parents (about 60 percent) or relatives (about 25 percent). It is in the best interest of children of color for there to be broad recruitment of minority foster parents, who can provide temporary care as needed and who can be adoption resources for those children who are not able to return home.

The full implementation of MEPA's "diligent recruitment" requirement will expand the pool of foster and adoptive parents to include more families generally, and larger numbers of minority families specifically. Foster parents who are members of children's racial and ethnic communities are among the most likely to adopt African American children, particularly older youth. Recruiting families of color therefore offers the greatest opportunity for reducing the time that waiting Black children remain in foster care – the very goal of MEPA-IEP. The "diligent recruitment" requirement would be enhanced by federal funding that provides states with the resources they need to develop and implement recruitment programs. The recent federal grant announcement related to diligent recruitment pilot programs is a step in the right direction, but will fund a maximum of nine programs for five years.

- **Address barriers to fully engaging minority families in fostering and adopting.** As research documents, minority families adopt minority children at a higher rate than do White families, and they are far more likely to adopt older minority children. A number of studies have documented that Black families confront barriers, and these must be reduced. Casey Family Programs (2005, p. 17), reporting on a project involving 22 public child welfare agencies, found that a "history of negative interactions between communities of color and child welfare agencies" contributed to a lack of success in finding adoptive families from these communities. As the participating agencies in this project developed and implemented new strategies, including partnerships with faith-based organizations in African American communities, they achieved significant increases in the number of families of color applying to adopt. In addition to the strategies identified by Casey, other approaches need to be implemented, including providing agencies that recruit minority families with additional resources to expand their efforts, and engaging agencies that are not minority-run in the development and implementation of recruitment efforts for Black families. To maximize the prospects of success, agencies should work closely with specialized organizations that have been successful in recruiting and retaining minority foster and adoptive families.

- **Provide supports for adoption by relatives and provide federal funding for subsidized guardianship for children for whom adoption is not the best option.** Relatives adopt about one-quarter of the children in foster care freed for adoption, and this ratio is even higher for Black children. When adoption is the best option for a child and a qualified relative steps forward, the family may well need services and supports. Research shows kin who care for their relative children tend to have lower incomes and fewer supports than non-relative caregivers (Berrick, Barth, & Needell, 1994; Dubowitz, Feigelman, & Zuravin, 1993). Relatives often need a range of help beyond federal or state adoption subsidies to meet children's needs.

  In some cases, adoption is not the best option because it requires the termination of parental rights, something the relative may not wish to support. So, for many African American children in foster care who are placed with relatives, the optimal permanency option may be guardianship. As with those who adopt, many relatives who become guardians lack the resources to meet their needs. Although federal law provides adoption assistance for eligible children with special needs, it does not provide financial support for guardianships. Amending federal law to provide reimbursement for subsidized guardianship, similar to subsidies provided for adoption, would expand the permanency options available for Black children in foster care. States that have implemented subsidized guardianship programs, under federal waivers or as state-funded programs, have found that this option can provide legal permanency for children who otherwise would have remained in foster care. States also have found that offering subsidized guardianship reduces the number of African American children in foster care and is cost effective (Testa, 2004; U.S. GAO, 2007). The Government Accountability Office (2007), in its recent report on the disproportionate representation of African American children in foster care, recommended federal

support for subsidized guardianship as a key strategy for reducing the inequitable permanency outcomes for these children.

- **Provide post-adoption services for families through their children's adolescence.** Many of the issues related to children's racial identity and socialization emerge most fully long after the adoption is finalized. As transracially adopted children enter adolescence, these issues are likely to have particular salience, and children and their families may need services and supports specifically designed to help them navigate their challenges. It is essential that both the federal and state governments invest in post-adoption services for families. Providing states with greater flexibility in the way they can use federal child welfare dollars would allow them to develop a broad range of post-adoption services and supports. A combination of federal, state, and local dollars would make it possible to provide such services and supports to families when they most need them.

The current implementation of the Hague Convention brings into stark relief the fact that federal laws are inconsistent in regard to the consideration of race/ethnicity in addressing the best interests of children. Greater consistency is important in order to provide the same attention to the rights and interests of African American children in foster care as is given in law to children adopted internationally or from Native American tribes. Attention to the well-being of Black children in the child welfare system needs to become a top priority in the development of laws, policies, practices, and research. For decades, the reasons for inequities have been documented and discussed; now – for the sake of these children – it is essential that promising solutions, such as those recommended above, be implemented thoughtfully and expeditiously.

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APPENDIX

**Research Findings Related to Transracial Adoption Identity Issues & Outcomes
(1995 – 2007)**

Study	**Relevant Findings**
Baden (2002) 51 TRA adult adoptees (59% Asian; 12% AA); average age at adoption=22 mo.	Identified more with parents' culture than ethnic culture; identification with parents' culture correlated with less distress
Brooks & Barth (1999) 224 parents of TR & same-race adoptees Compared by racial/gender groups Mean age of adoptees=25 yrs. Mean age at adoption=unknown	About 70% of all TRAs classified as having good adjustment. White & Black males experienced more difficulties than other racial/gender groups. 47% of Black males and 62% of White males rated as having "problem" or "poor" adjustments, but there were no group differences on Global Assessment Scale. About 50% of Asian and Black adoptees reported discomfort over racial appearance (exception was Black females). Black adoptees reported more racist comments than Asian adoptees. All TRAs classified as having secure ethnic identities.
Burrow & Finley (2004) Data from national study of adolescent health with 609 adoptees broken down into 4 child-parent racial groups: White-White, Black-Black, Black TRAs and Asian TRAs. Age at adoption unknown.	Groups were compared on measures of academics, family relationships, depression, & self-worth. Some groups were very small (8 Black TRAs). TRAs, particularly Asians, had higher school grades and higher academic expectations than same-race adoptees. Black adoptees of both White and Black parents had higher perceptions of self-worth than did the White & Asian adoptees. Asian TRAs had more psychosomatic conditions. TRA Asian & Black adolescents reported marginally lower levels of perceived father closeness than same-race adoptees.
Cederblad, Hook, Irhammer, Mercke (1999) Representative sample drawn from main adoption agency in Sweden, including 147 parents of 211 international adoptees primarily from India, Thailand, & Chile Adoption age=70% by 1 year Compared with 647 nonadopted adolescents Adoptees=13-27 years old	Adoptees did not have more problem behaviors than non adoptees except on obsessive-compulsive symptoms; Ethnic identity confusion, perceived discrimination, & family dysfunction significantly affected behavior problems and psychological distress.

DeBerry, Scarr, & Weinberg (1996)
130 AA TRAs
Average age at adoption=14 months
Age at Time 1=7; Time =17 years
77% adopted by age 1

Five forms of racial socialization: denial/deemphasis, ambivalent, bicultural, multicultural, & overenthused/ overzealous. At Time 1, 42% of families emphasized bicultural as compared with only 20% at Time 2. At Time 2, adoptees reported that 55% of parents emphasized denial and 30% emphasized ambivalence. At Time 2, adoptees' Africentric orientation decreased and Eurocentric orientation increased. Psychological adjustment declined over the 10 years between Times 1 & 2. At Time 2, 2/3 of TRAs were maladjusted according to parents. Racial socialization predicted racial orientation, which in turn predicted adjustment. TRAs experienced difficulty becoming ecologically competent in both Africentric and Eurocentric orientations. Those experiencing Transracial Adoptive Stressors were more maladjusted.

Feigelman (2000)
240 TRA and same race adoptees
Mean age=23 years; adopted as infants
Race=63% Asian, 14% Black

For TRAs, discrimination and other negative racial experiences was significantly related to problem behaviors and adjustment problems. TRAs who lived in White only communities were more likely than adoptees living in racially mixed communities to have discomfort with their racial appearance (51% vs. 25%).
When TRAs are compared to same-race, not higher rate of problems. When TRA subgroups are compared to one another, Black TRAs exhibit 3 or more adjustment problems at twice the rate of other TRAs.

Freundlich & Lieberthal (2000)
167 Korean adult adoptees
Mean age=31 years;
median age at adoption= 2 years old

Descriptive study. TRAs more likely to identify as Korean/Asian as adults (78%) than White growing up (42%). Reported discrimination experienced was based more on race (70%) than on adoption (28%). Only 33% reported parents helped them establish a positive ethnic identity.

Hjern, Lindblad,& Vinnerljung (2002)
Swedish study comparing 6,984 international adoptees between ages 16 & 25 to 2,343 nonadopted siblings, 4,006 non-European immigrants, & 853,419 native-born Swedes. TRAs came primarily from Korea, India, & Colombia; 74% adopted by age 1

TRAs had 2 to 4 times higher rate of psychiatric & social problems than nonadopted sibs and natives but similar rates as immigrants except suicide (3.6 times higher among TRAs). Among TRAs, adopt at ages 4-6 and coming from Latin America was associated with almost 2 times higher rates of mental health disorders & social maladjustment when compared with other TRAs.
TRAs were 3-4 times more likely to have serious mental health problems, 5 times more likely to be addicted to drugs than those in general population. TRAs in White-collar families had higher risk for maladjustment than those in blue-collar families.

Hollingsworth (1997)
157 TRAs between 3 & 17 years old;
Races included Asian, Black, Mexican, &
mixed race. Age at adoption unknown.
Comparison group of 121 same-race
adoptees & 28 nonadopted siblings.

TRAs had lower combined racial identity/self-esteem
scores than same-race adoptees. Effect size was
larger when racial identity was examined separately from
self-esteem.

Howard & Smith (2003)
1,343 children adopted from foster care:
10% transracial; mean age at adoption=6.8

TRAs had higher scores on the Behavior Problem Index;
differences for TRAs and those placed in-race were greatest
for African American children: 73 AA TRAs had BPI score of
14.4 as compared to 9.9 for 407 AA children placed in race.

Huh & Reid (2000)
40 Korean TRAs with 30 families
Adopted before 15 months
Median age= 10 yrs.

Participation in cultural activities and communication
about adoption experience strongly related to ethnic
identity. Children recognize racial differences at age 4-6
years, ethnic identification at ages 7-8, ethnic dissonance or
acceptance at ages 9-11, and integration of cultures by ages
12-14 years.

**Johnson, Swim, Saltsman, Deater-
 Deckard, & Petrill (2007)**
262 Chinese & Korean children adopted into
U.S. (wave 2 of longitudinal study)
Mean age at adoption=11 months
Current age=8.9 years

Cultural socialization/pluralism was related to fewer
externalizing problems but not to internalizing problems.
Mothers' connection to Asian Americans was associated
with more frequent cultural socialization/pluralism and
preparation for bias.. Mean frequency of cultural social-
zation=several times a year. Mean frequency of preparation
for bias=1 or 2 times/year.

Juffer (2006)
176 Dutch TRAs, age 7
All adopted in infancy

Evaluated by mothers and teachers; many children
expressed the wish to be white (59% from Sri Lanka, 32%
from Columbia, & 23% from Korea). 27% expressed wish to
be born into family. The wish not to be or look different
predicted mother and teacher-reported behavior problems in
children from Sri Lanka and Columbia but not those from
Korea.

Lee & Quintana (2005)
50 TRA Korean children, mean age=12
Compared to native Korean children in U.S.
Age at adoption unknown

Assessed perspective-taking ability (PTA), a model of
understanding ethnic identity development and found
Korean TRAs followed the same pattern in the develop-
ment of PTA as native Korean children but at a slower pace.
Cultural exposure was more important than race in predicting
the level of PTA achieved.

Lindblad, Hjern, & Vinnerljung (2003)
5,942 international adoptees, ages 23-30
Compared with nonadopted sibs, immigrants,
& native-born Swedes.

Adoptees were 2-3 times more likely to have health
problems. Adoptees from outside Asia had 2 times
higher risk for psychiatric problems than those from Asia. Most
adopted by age 1, all by age 7   Those adopted between 4 &
6 had 2 times higher risk for psychiatric problems.

MAY 2008

Mohanty, Keokse, & Sales (2006)

82 adult international adoptees from Asian countries.
Median age at adoption= 10 mos.

Parental support for cultural socialization correlated significantly with self-esteem and lower feelings of marginality. Feelings of marginality related to lower self-esteem. Findings suggest that adult adoptees who received support for cultural socialization perceived parents as more warm and affectionate and had greater feelings of belongingness. Overall parents provided few opportunities for adoptees to be socialized within their birth culture.

Thomas & Tessler (2007)

327 families adopting from China
Mean age at adoption=8.5 months
Age at study=7 years

Parents' attitudes toward bicultural socialization at Wave 1, parental social networks of Chinese adults, and the racial composition of the community affect children's level of Chinese cultural competence at Wave 2

Vroegh (1997)

34 Black or bi-racial TRAs compared with 18 Black same-race adoptees
68% adopted before 4 months;
Average age=17 years

No significant group differences between TRAs & same-race adoptees on adjustment. Same-race adoptees were more likely to identify solely as Black as compared with TRAs -- 83% vs. 33%. Racial identification was affected by skin color complexion. TRAs reported greater frequency of racial incidents. All same-race adoptees had Black friends, but 25% of TRAs did not.

Weinberg, Waldman, van Dulmen, & Scarr (2004)

240 children in 91 adoptive families:
Transracial adoptees, Caucasian adoptees, & non-adopted siblings
Average age= 19 years
Mean age at placement=23 months

Assessed adjustment in 4 areas: school problems behavior problems, health, & delinquency
All groups of transracial adoptees and White adoptees had a much higher rate of problems than biological offspring. Black transracial adoptees had the highest level of behavior problems (67%) which was significantly greater than White adoptees (20%). The rate among biracial adoptees (45%) and Asian/Indian adoptees (44%) was not significantly less than Black adoptees. Differences were attributed to the older age at placement of Black adoptees.

Westhues & Cohen (1998)

155 adolescent & young adult international adoptees; average age=17.3
Korea, Bangladesh, Vietnam, Haiti, India= most common countries;
54% adopted at age 1 or younger

79% of men and 73% of women racially self-identified as minority. 83% of men and 71% of women were comfortable with their ethnicities. Experiencing discrimination not found to be related to ethnic identity or ethnic comfort.

Yoon (2001)

241 Korean adolescent TRAs
Age at adoption unknown

Parent support of ethnicity correlated with ethnic pride and well-being. Ethnic pride correlated with well-being and distress.

Adapted from Lee (2003)