

Multiethnic Placement Act (MEPA) & the Civil Rights Act of 1964 (Title VI)

There is a need for families interested in adopting and/or fostering to learn about the laws and regulations that govern foster care and adoption services. This information sheet concerns two of those laws: the Multiethnic Placement Act (MEPA) and the Civil Rights Act of 1964 (Title VI).

Purpose of the laws:

- To decrease the length of time that children wait to be adopted.
- To prevent discrimination in the placement of children on the basis of race, color or national origin.
- To facilitate the identification and recruitment of foster and adoptive families who can meet children's needs.

Basic requirements of the laws:

- Prohibits federally funded foster care and adoption agencies from delaying or denying the placement of a child for adoption or into foster care based on the race, color or national origin of the adoptive or foster parent or of the child involved.
- Prohibits federally funded agencies from denying any person the opportunity to become an adoptive or foster parent on the basis of race, color or national origin of the person or the child involved.
- Prohibits discrimination based on race, color or national origin in the administration of programs receiving federal funds.

Practices that are prohibited under the laws include the following:

Agencies may not:

- Use race, color or national origin to differentiate between otherwise acceptable foster or adoptive placements.
- Honor the request of a birth parent to place a child with a family of a specific race, color or national origin.
- Require a family to prepare a transracial adoption or foster care plan.
- Require any additional or special assessment of a prospective family who expresses an interest in becoming a foster or adoptive caregiver for a child of a particular race, color or national origin.
- Use "culture" or "ethnicity" as a proxy for race, color or national origin.
- Delay or deny a placement using geographical location as a proxy for race.
- Require extra training for parents who wish to adopt or foster transracially.
- Rely on general assumptions about the needs of children of a particular race, color or national origin.
- Rely upon general assumptions about the ability of parents of a particular race, color or national origin to care for or nurture the sense of identity of a child of another race, color or national origin.
- "Steer" prospective parents away from parenting a child of another race, color or national origin.
- Retaliate against any individual or family who files a complaint about a possible MEPA or Title VI violation.
- Treat individuals differently on the basis of race, color or national origin.

Practices that are permitted under the laws:

Agencies may:

- Ask prospective foster and adoptive parents what race, color or national origin of child they will accept.
- Provide information and resources about adopting or fostering a child of another race, color or national origin to prospective adoptive and foster parents who request such information and make it known to all families that such information and resources are available.
- Consider the request of a birth parent to place the child with an identified relative or nonrelative.
- Discuss the special cultural and physical needs of children of different races, colors and national origins as part of the training which is required of all parents who seek to become adoptive or foster parents.

As a consumer, you have the right to make a complaint if you feel there has been a violation of these laws. You have the right to make your complaint to any one or more of the agencies or persons listed below. If you feel that your rights have been violated, please contact any of the following entities:

HCJFS Plan Monitor

Michelle Riske-Morris, Ph.D., J.D.
Justice & Research Advocacy, Inc.
849 Cleveland Ave
Amherst, OH 44001
(404) 213-7391

Hamilton County Department of Job and Family Services

MEPA Monitor
222 E. Central Parkway
Cincinnati, Ohio 45202
(513) 946-1488

Ohio Department of Job and Family Services

Office of the Chief Inspector
Bureau of Civil Rights
150 East Gay Street, 18th Floor
Columbus, Ohio 43215
(614) 995-9956
Toll free 1-866-227-6353

U. S. Department of Health and Human Services

Office of the Chief Counsel, Region V
Office for Civil Rights
233 North Michigan Avenue, Suite 700
Chicago, Illinois 60601
(312) 353-1640

If your complaint is related to MEPA (you believe you have been denied a foster or adoptive placement or approval as a foster or adoptive parent based on the race, color or national origin of yourself or the child), see the MEPA Complaint Procedure (HCJFS 3291) for information on how to file a formal MEPA complaint with the Bureau of Civil Rights of the Ohio Department of Job and Family Services.