

## From the Advocate's Desk

# Latino Population Trends and Child Welfare Services: Reflections on Policy, Practice, and Research from the Latino Consortium Roundtable Discussions

Luis Barrios, M.S.W.

Layla Suleiman, Ph.D.

Maria Vidal de Haymes, Ph.D.

### Abstract

*This paper presents findings from the Illinois Hispanic Family Profile and from Latino Consortium Round Table discussions regarding the unique linguistic, cultural and transnational issues present in child welfare practice with Latino families. To provide a knowledge base for program planning and casework with Latino families, this paper describes the Latino population as a whole, the characteristics of Latino children and families involved with the child welfare system, and innovative Latino child welfare initiatives in Illinois. Policy, practice, and research implications and recommendations are presented.*

### Introduction

On June 18, 2003, the U.S. Census Bureau released its latest population estimates for the United States. These projections for July 1, 2002 indicated that of a total population of 288.4 million, 38.8 million (or 13.4%) were Hispanic. In just over two years following Census Day (April 1, 2000), the Latino population had grown by an additional 9.8%. The news release quoted Louis Kincannon, director of the Census Bureau, as saying, "The official population estimates now indicate that the Hispanic community is the nation's largest minority community." To say that the recent growth of the Latino population has been dramatic is an understatement. In 1970 a total of 9.1 million Hispanics were counted in the decennial census. By the year 2000 the count was at 35.3 million. Over that 30 year period the population increase amounted to 26.2 million people, a growth rate of 288%. Furthermore, current population projections indicate continued growth, with some predicting that by 2050 one out of every four Americans will be Hispanic (Bonilla, 2001).

The fast pace of growth is also mirrored in Illinois, as the Latino population is the fastest growing population in the state, increasing by

69.2% over the last decade. Census 2000 data indicated that the Latino population for the state of Illinois had increased to 1,530,262, making up 12.3% of the total state population estimated at 12,419, 293. The City of Chicago is home to 753,644 Latino residents, representing 26% of the city's population (U.S. Census Bureau, 2000). Latinos in the Chicago Metropolitan Area now exceed 1.4 million, and are rapidly approaching the African American population of 1.55 million, a watershed demographers had long predicted but presumed would not occur for several more years. The Chicago metropolitan area is home to the nation's second largest Mexican community and the second largest Puerto Rican community. While the largest Latino population resides in Cook County, where about 1 in every 5 individuals is Latino, there are substantial percentages of Latinos throughout the surrounding counties (Puente & Kemper, 2001).

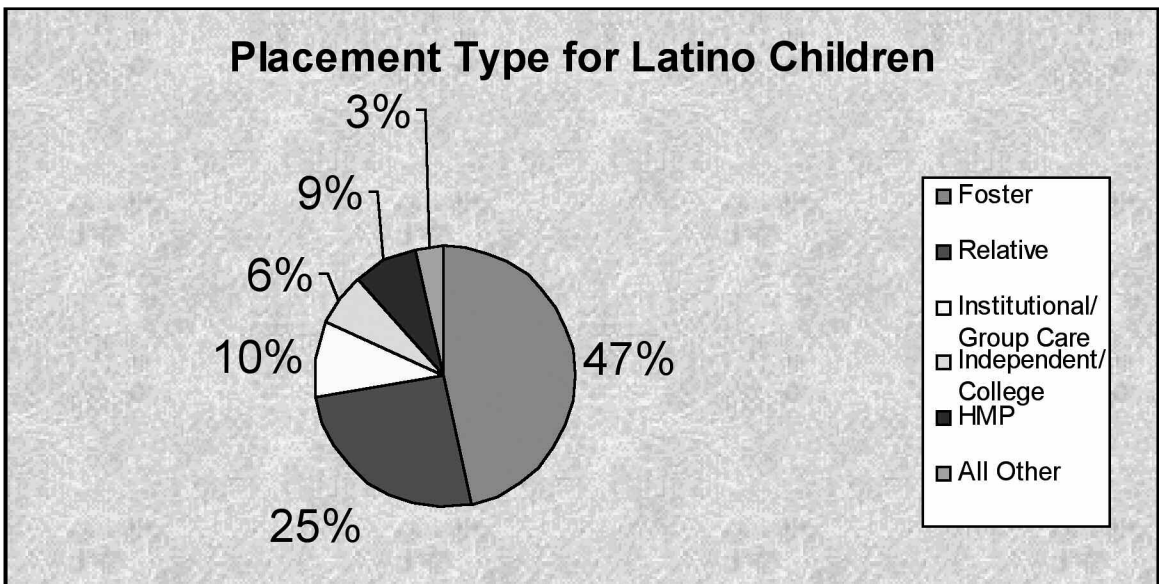
### Latino Children and Families and Child Welfare Services

Issues such as immigration, poverty, and education have dominated the Latino policy agenda, while there has been very limited discussion concerning child welfare. The proportion of Latino children in care has doubled in the past decade (DHHS, 2003). In 2001, 89,795 or 17 percent of all children in foster care nationwide were Latino, with much higher concentrations in states with large Latino populations. Data from the Illinois State Central register show that a total of 97,417 children were reported as abused or neglected for fiscal year 2003. Of those, 7,492 or 7.6% were Latino children. Thus, Illinois Latino children are reported as being abused in a proportionally smaller amount than their percentage in the overall Illinois population, and notice the proportion in Illinois is significantly smaller than in

the US and other states. It is unclear why this occurs – whether it means there is less abuse and neglect in Illinois Latino families than in other populations in Illinois and than in Latino populations in other states, or more obstacles to reporting abuse and neglect of Latino children in Illinois. About 27,228 (28%) of all alleged reports were indicated cases. Latino children represented 7.9% or 2,159 of indicated cases. In that same year there were 1,367 open Latino child cases in Illinois, excluding adoption assistance and subsidized guardianship cases. Latino

cases make up about 6% of all open child cases in Illinois. About 72% of all Latino open child cases are in foster care settings, which underscores the need for foster parents who speak the children's language and understand their culture. Another 10% are in institutional and group care facilities, and the remaining children are placed in other living arrangements. Furthermore, while Latino children make up about 6% of open child cases, they comprise 16% of the total open family cases in the State of Illinois (Latino Consortium, 2003)

**Figure 1. Placement Type for Latino Children (Open Cases) August 2003**



Source: Latino Consortium, 2003

There is very limited information available regarding Latino children in the child welfare system, but what we do know is cause for concern. Once in the child welfare system, Latino children and families, more often than not, receive linguistically and culturally inappropriate services. The scarcity of bilingual foster care and residential placements increases the likelihood that Latino children will be placed in settings that are not culturally or linguistically consistent with their family of origin (Hollingsworth, 1998). This situation is compounded by the lack of bilingual rehabilitative services for parents, making

reunification more difficult. The lack of linguistically appropriate resources for families often inhibits families from fulfilling court mandates within ASFA time frames, placing Latino families at higher risk for the termination of services (Committee for Hispanic Children and Families, 2003).

Despite the substantial number of Latino children and families with child welfare involvement, there is a general disregard of Latinos in the child welfare professional literature and research. That said, it is not surprising that the National Council of Latino Child Welfare Executives, an advisory group to the Child

Welfare League of America, and other observers of the U.S. child welfare system, have noted its failure to consistently respond to Latino families with assessments, services, and placements that are appropriate with respect to language and culture (The Committee for Hispanic Children, 2003).

### **Innovative Illinois Child Welfare System Responses to the Unique Needs of Latino Children and Families**

While the aforementioned language, cultural, and status issues present tremendous service challenges for the Latino population, they are also matters that can be addressed within the child welfare and public policy arenas. Illinois has been at the forefront of addressing those challenges. The state has instituted three innovative and unique policy and system reforms to address the complex linguistic, legal, cultural and often transnational issues presented by Latino immigrant and mixed-status families involved with the state's child welfare system. Together, these vehicles, which are briefly described here, present tremendous opportunities to enhance permanency, safety, and well being of Latino children and families in Illinois and can serve as a model for system reform across the nation.

#### *The Memorandum of Understanding (MOU)*

In 2000 IDCFS entered into an agreement with the Consulate General of Mexico in Chicago to develop some procedures to be used in the notification of the Consulate when their nationals or children of a Mexican national are taken into protective custody. In June of 2004, the MOU was strengthened to protect Mexican minors and their families by ensuring that all protections afforded by the Vienna Convention, the Bilateral Convention, and all other applicable treaties and laws are followed. Through the MOU, the Consulate assists IDCFS with a range of services, such as:

- obtaining necessary documentation from Mexico for the completion of Special Immigration Juvenile Status applications;
- appropriate home studies of potential families from Mexico from local child welfare authorities; and
- locating individuals who reside in Mexico, but who must appear in an Illinois court regarding the case of a minor.

On June 14th, 2004, the MOU was renewed by the Director of IDCFS and the Consulate General of Mexico in Chicago. The new document strengthens

the original agreement and improves the level of communication between the two parties. The MOU provides a very powerful tool to support appropriate services for Mexican children or mixed-status Mexican families involved with the child welfare system.

#### *The Latino Consortium*

In the mid 1990s a group of eight Chicago private agencies under contract with DCFS to provide child welfare services to Latino children and their families came together to develop a consortium whose primary interest was to improve services for Latino families in Cook County. The founding charter members consisted of the following child welfare agencies: Association House, Casa Central, Catholic Charities of Chicago, Chicago Commons, ChildServ, Latino Youth Services, Lifelink/Bensenville Home Society, the Mexican Community Center of South Chicago, and Youth Outreach Services. All eight Consortium member agencies are not-for-profit, hold a child welfare license issued by IDCFS, and are accredited by the Council on Accreditation for Children and Family Services, Inc.

The mission of the Latino Consortium is to provide a holistic array of community-based bilingual and culturally competent social services to Latino children and families, through agencies that have demonstrated mission-based planning in service delivery to Latino children and families, as well as dedicated substantial resources to serving Latino families. In addition, the Consortium seeks to build the capacity of other organizations to provide culturally competent services.

In December of 1996, IDCFS proposed a broad framework for a finalized Latino Consortium model. This model recognized the Latino Consortium as the care manager for Latino children needing substitute care services, with the expectation that the Latino Consortium will eventually play this role for all Latino children in private agency care. While substitute care formed the core of the Latino Consortium's services in this model, its ultimate goal is to provide a complete array of intact family, post-reunification and basic services for Latino families in their respective communities.

#### *Burgos Consent Decree*

In 1977 IDCFS entered into a consent decree under the supervision of the U.S. District Court in response to the Burgos class action lawsuit, which was filed by

community leaders and parents in response to a pattern of language discrimination in the state's child welfare system. Spanish-speaking children and their families were being denied services in their primary language. As a result of the federal litigation, the Consent decree provides numerous protections to Latino families, including assurances that services, case workers, and written communications must all be made available in Spanish. Also, all Spanish-speaking children of Latino parents who are placed with foster parents must be placed in Spanish-speaking homes.

The Decree, and subsequent Agreed Orders, had many consequences. First, it created a new category of workers who are certified as bilingual, thereby removing from the shoulders of Latino children the burden of translating for their parents. Secondly, it created internal and external policies for monitoring services.

However, the Decree's promise has not been fulfilled, as Illinois has remained inconsistent in complying with several requirements, such as foster care development and bilingual recruitment of staff in the downstate regions. A root cause of this problem is that throughout the years the position of the Burgos Coordinator responsible for monitoring the Consent Decree was transferred from the Director's Office to other divisions within IDCFS. Multiple transfers have created layers of administrative oversight limiting the access of this Coordinator to the deputies and senior managers responsible for service delivery. This has created an environment in which communication and access to the people responsible for service development and delivery are severely hampered. In addition, there is insufficient and inconsistent staff training focused on the requirements of the Consent Decree, contributing to unnecessary mistakes in achieving identification of the families' communication requirements essential to achieve compliance.

### **Promoting Reflection and Planning**

#### *The Hispanic Family Profile and the Latino Consortium Roundtable*

Since its inception, the Latino Consortium has been able to deliver, in collaboration with IDCFS, a holistic array of community based, linguistically and culturally competent social services for Latino children and families. Among its many vital functions, the Consortium also provides a forum for Latino child welfare needs and concerns to be discussed and addressed. Towards this end, the Consortium authored the 2003 Hispanic Family Profile and con-

vened a meeting of child welfare professionals and advocates to discuss its findings and implications in a roundtable discussion with the purpose of addressing service gaps and barriers.

Since 1987, IDCFS has hosted an annual Hispanic Family Conference to provide a forum for topics relevant to child welfare and the Latino population in the State of Illinois. The Hispanic Family Profile, a document that presents descriptive population characteristics of Illinois' Latino families, including those involved in the child welfare system, was created as a companion resource to the conference. In the past IDCFS produced the Profile, but in 2003 the Latino Consortium assumed responsibility for its production. Each year, the Profile has reflected the conference theme, and the 2003 Hispanic Family Profile begins the discussion of planning and allocation of resources by examining data from the 2000 Census and the current Comprehensive Youth and Child Information System (CYSIS) data.

In February 2004, the Consortium hosted a roundtable forum to reflect on the findings and recommendations advanced in the 2003 Hispanic Family Profile. Forum participants included child welfare advocates, professionals, administrators, and researchers, representing broad organizational expertise from IDCFS, the Mexican Consulate in Chicago, Consortium member agencies, and three major local universities. Care was taken to include individuals who could address issues from various vantage points (e.g. public and private sector; administrative, research, practice, legal, clinical and personnel functions). Participants were sent a copy of the Profile for review prior to the roundtable discussions. The meeting began with a brief overview presentation of the census and CYSIS data. Participants were asked to reflect on the data found in the profile for the purpose of identifying policy, practice, and research implications. The session was three hours in duration and was audio-taped. The roundtable session was hosted at a Latino Consortium agency and the discussion was facilitated by the three authors of this paper. The results of the discussion are summarized in the following section.

#### *Findings from the Hispanic Family Profile and Recommendations from the Latino Consortium Roundtable*

Several major issue areas were identified by the Hispanic Family Profile and the Consortium Roundtable discussions. The following summary is organized around the major themes identified by

participants as critical with respect to improving services for Latino children and families.

### **Language, Settlement Patterns and Personnel Implications**

It is estimated that anywhere from 60% to 80% of all Latino families involved with IDCFS will need bilingual services at some point during the lifetime of the case (Latino Consortium, 2003). Confronting language barriers by many of these families remains a significant obstacle when attempting to access services. Language-appropriate services have long been identified as crucial to culturally competent service delivery. Effective communication between workers and families is imperative if services are to be meaningful and helpful (Latino Consortium, 2003). The rapid growth of the Latino population throughout the State, particularly in the Cook and Northern regions, suggests that IDCFS build its capacity to deal adequately with an increasing Latino presence. While the dramatic growth of the population alone suggests the need to increase bilingual services capacity, the settlement pattern points to the need to think strategically about the deployment of such resources. In particular, IDCFS needs to give closer attention to the rapid growth of the Latino population in the downstate regions. For example, the Census 2000 data indicates that in the Central Region, the size of the Latino population more than doubled during the last two fiscal years. Yet, the Central Region bilingual workforce is limited to two bilingual staff responsible for both child protection and follow-up services. Due to the large geographical area, the agency needs to hire additional staff or require private agencies to fill the gap in order to improve bilingual service. In addition, bilingual staff in the areas of licensing and resource development are critical for this region and the remaining three IDCFS regions.

Several further recommendations for IDCFS were advanced by participants:

- Develop additional residential placement resources appropriate for the unique needs of the older population of Latino children;
- Respond to growth in the Latino population and changes in settlement patterns through the deployment of staff and program resources. Assess current bilingual resources and target hiring where gaps exist;
- Increase recruitment and retention efforts for bilingual staff by adding incentives such as

enhanced pay and work conditions;

- Develop a campaign to attract more Latinos into the child welfare field. Make careers in child welfare more visible in the Latino community as a professional option;
- Increase diligent search for relatives to augment linguistically and culturally appropriate placement resources;
- Increase the number of professional foster parent placements for Latino children through an active recruitment and licensing campaign;
- Increase collaboration and consultation with Latino community-based service providers to augment culturally and linguistically appropriate service options for clients.

### **Services for Older Wards**

The new IDCFS administration is committed to the development of better services for its older ward population. It is critical that new initiatives to address the needs of the older population take Latinos into consideration. This is particularly important because 51 % of Latino children placed in substitute care are between the ages of 10 to 21. Because of their ages, these older wards have the tendency to experience difficult adjustments to educational skills remediation, life skills and health services and require more services than younger children in the areas of healthy peer relationships and stable connections to school (Massinga & Pecora, 2004). Compounding this problem is the reluctance by many foster parents to take older children in their homes. Clearly, there is a need for Illinois child welfare providers to become more focused in the recruitment of bilingual foster homes that would take hard-to-place children as well as larger sibling groups. In response to these concerns, participants recommended:

- Additional training of foster parents to work with Latino children who have more complex needs.
- Services to support the maintenance of culture and language for Latino youth. This is particularly important for positive identity development and the ability to reconnect with family and community as young adults.

### Services for Undocumented Families

For many families, legal status issues make navigating through any system of care a challenging proposition. This is particularly true in mental health or court-mandated services such as child protection, substance abuse treatment, or counseling. Once in the system, undocumented status may compromise eligibility for required services, and limited access to public benefits could jeopardize compliance with a prescribed service plan (National Council for Latino Executives, 2002). Treatment and service requirements for families who are undocumented (and sometimes ineligible for health and some social services) require they navigate a system of care that could have detrimental consequences if they cannot comply with prescribed treatment plans. Without a stronger commitment by child welfare providers to identify and solve the barriers these families encounter, the families face very serious risks. For many families, if adequate services are not readily available, the consequences can be devastating, ranging from the loss of parental custody and adjudication of parental fitness by the court, to untreated serious health problems, to criminal victimization. Families with undocumented status pose other additional service challenges, which may include their need for additional support to navigate the systems of care, and difficulty in establishing relative placements with family members who are undocumented or living abroad.

The Latino Consortium recommends that IDCFS develop clear guidelines for field staff to better understand and respond to the needs of families with undocumented status. One of the most important recommendations is to conduct further research on the needs of undocumented Latino families. As is the case throughout the United States, in Illinois statistics about the number of families and children affected by their undocumented status remain elusive. Moreover, research about the specific needs of families with undocumented status is inadequate. Additional study of the case histories of undocumented children and youth is needed to identify pathways into, through, and out of care. This type of investigation would support the enhancement of services for this population. Other specific recommendations include:

- Workers should be trained to identify legal issues concerning documentation and immigration status of Latino families.
- Implications of data privacy issues and data sharing situations, such as the Memorandum of Understanding with the Mexican Consulate

need to be reassessed in the context of post-911 heightened security and policy changes, such as the Patriot Act.

- Protocols for better transnational relative searches and background checks for undocumented relatives need to be developed.
- Services for the non-adjudicated population should be expanded. This is a major concern, as these children are returned to their biological parents who may have limited access to services due to their undocumented status, and little hope of addressing the issues that brought the children in contact with the child welfare system. For example, a child who was sexually abused by an older minor may no longer live with the perpetrator, but also may not have access to a treatment program after the case is unfounded.

### Kinship Care Placements

The number of Latino children in unlicensed relative placements is quite significant. According to the IDCFS data, over two thirds ( $n = 268$ ) of the children placed with relatives ( $n = 347$ ) are placed in unlicensed homes. A literature review on this topic indicates that unlicensed kinship caregivers have fewer opportunities to access foster care training, and many are not aware of the availability of advocacy, casework, and auxiliary services such as supervision from state and county agencies (Scannapieco, Hegar & McAlpine, 1997; Berrick, Barth & Needell, 1994). Unlicensed kinship caregivers are regularly excluded from receiving additional compensation for the care of a child with special needs. There are a number of reasons to explain the high number of unlicensed relative homes: 1) language barriers prevent these families from seeking and filing a foster care license; 2) lack of access to required foster care training in the Spanish language, especially for downstate residents; 3) a history of past criminal activity for any household member; and 4) undocumented status of relatives that could inhibit child welfare staff from facilitating the licensing process. Without specific data, it is quite difficult to determine which of these reasons is more prevalent. The Latino Consortium recommends that IDCFS as well as child welfare providers identify and address the barriers that prevent their licensure. Clearly, improving data collection can help identify barriers to licensure and point to solutions. Several recommendations were advanced to address perceived barriers to licensure:

- Training opportunities for unlicensed homes need to be expanded. This includes augmenting training opportunities offered in Spanish.
- The licensing process needs to be expedited to prevent loss of homes due to delays.
- Worker training should address criminal background investigations for individuals who do not have a social security number.
- Worker training should address the use of undocumented relatives for placement purposes. Training should include discussion of alternative documentation and dispelling workers' misunderstandings in this area.
- To examine how population characteristics such as poverty and educational attainment influence child welfare outcomes.
- For information regarding unusual incident reports involving Latino wards and their disposition.
- To integrate and better utilize existing data for resource deployment planning for Latino services.

## Conclusion

Several distinct population, policy, and professional trends have influenced the contemporary landscape of child welfare practice in the United States. Among these trends are the growing ethnic, linguistic, and racial diversity in the United States, a striking overrepresentation of children and families of color in the child welfare system, and an increasing emphasis on cultural competence and strengths-based practice among child welfare professionals. In her reflections on permanency planning and cultural competencies, Carol Williams, Former Associate Commissioner for the Children's Bureau, Administration on Children, Youth, and Families at HHS notes that:

To deal effectively with the issue of permanence, a systemic perspective must encompass the ways in which children enter care, the availability of family support and family preservation services, the accessibility of reunification services, and the need for additional permanency options (1997, pp. 9-10).

She goes on to assert that,

If we care about families and children, we have an ethical imperative to make culture and cultural competence central to everything that we do. Cultural competence is the ability to deliver services in a way that is not only respectful of a different culture, but builds on the strengths of the culture and is consistent with the culture (1997, pp. 14).

This perspective is one that is shared by the Latino Consortium and many community and child welfare advocates in Illinois who have engaged in efforts to reform the Illinois Child welfare system to make it more culturally responsive to Latino children and families. Thus far, significant strides have been made in Illinois to address the demographic and professional trends regarding diversity. The Burgos Consent Decree, the Memorandum of Understanding with the Mexican Consulate of Chicago, and the development

## Data Limitations

IDCFS and its providers need to develop a comprehensive database that can facilitate collection of data regarding relevant service resources for Latino children and families. Currently, much of this information is not automated, and therefore is not readily accessible and integrated across systems. A clear example of the need for an integrated electronic data base is revealed by the attempts of the Latino Consortium to assess the bilingual foster care capacity and foster parents' preferences with regard to age and gender. Since the process is not automated and the information needs to be collected from the licensing records maintained by licensing and resource staff, data collection was cumbersome and time consuming for most agencies. Developing new foster homes will be simplified by having access to information related to availability and targeting recruitment. While this is one example of data deficiencies, participants raised many more, including the need:

- To examine the accuracy of the count of Latinos in the general population as well as the child welfare population (e.g. undercount, identification, conflation between Latinos on the mainland and in Puerto Rico).
- For data that allows for comparisons to be drawn between Latino and non-Latino child welfare populations.
- To disaggregate Latino data by age groups to better understand population dynamics and service needs.
- For additional information regarding the number and characteristics of bilingual staff and their deployment.
- For additional safety, well-being and permanency indicators for Latino children in care.

of the Latino Consortium are all significant achievements, and no other state has comparable tools to promote the goal of culturally relevant and competent service provision for Latino families. However, the findings from the Hispanic Family Profile and the Latino Consortium Roundtable reveal that there is still quite a bit of work to be done to reach the ideal of culturally and linguistically responsive child welfare services for Illinois Latino children and families. Heeding the recommendations that they offer would do much to realize this service ideal.

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**Layla Suleiman** is an Assistant Professor in the School of Education at DePaul University, where she teaches research methods and human development courses. Dr. Suleiman conducts research and consultation in the areas of child welfare and youth development. Her work in this area includes service as the Burgos Consultant for the Illinois Department of Children and Family Services.

**Luis Barrios** is the former Coordinator for the Illinois Latino Consortium, a multi-agency collaboration that provides a holistic array of community-based, linguistically and culturally competent social services for Illinois children and families involved with the child welfare system. Before assuming this role, Mr. Barrios served as the Chief of Latino Services for the Illinois Department of Children and Family Services. Mr. Barrios presently holds the position of co-coordinator for the Loyola University School of Social Work Latino Child Welfare Field Training Initiative.

**Maria Vidal de Haymes** is a Professor at Loyola University School of Social Work. Dr. Vidal's primary teaching area is social welfare policy. Her areas of research and consultation include child welfare and immigrant economic and political incorporation. Dr. Vidal is the Project PI for the Loyola University School of Social Work Latino Child Welfare Field Training Initiative.