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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 4217

1.1 A bill for an act  
1.2 relating to child welfare; modifying requirements related to foster and adoptive  
1.3 family recruitment, engagement, and support; establishing a grant program for  
1.4 foster and adoptive family recruitment, engagement, and support; appropriating  
1.5 money; amending Minnesota Statutes 2020, section 260C.215, subdivisions 3, 6.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2020, section 260C.215, subdivision 3, is amended to read:

1.8 Subd. 3. **Recruitment specialist.** The commissioner shall designate a permanent  
1.9 professional staff position for recruitment of foster and adoptive families. The recruitment  
1.10 specialist shall provide or arrange for the provision of services to child-placing agencies  
1.11 seeking to recruit adoptive and foster care families and qualified professional staff. The  
1.12 recruitment specialist shall:

1.13 (1) develop materials for use by the agencies in training staff;

1.14 (2) conduct in-service workshops for agency personnel;

1.15 (3) provide workshops, consultation, technical assistance, and other appropriate services  
1.16 to agencies to strengthen and improve service delivery to diverse populations efforts to  
1.17 identify, engage, and support relatives and fictive kin who are potential placement resources;

1.18 ~~and~~

1.19 (4) conduct workshops for foster care and adoption recruiters to evaluate the effectiveness  
1.20 of techniques for recruiting foster and adoptive families; ~~and~~

1.21 (5) provide consultation, technical assistance, and other appropriate services to  
1.22 child-placing agencies to strengthen and improve successful identification, engagement,

2.1 and support of foster and adoptive families that reflect the racial and ethnic diversity of  
 2.2 children in need of foster and adoptive families; and

2.3 ~~(5)~~ (6) perform other duties as assigned by the commissioner to implement the Minnesota  
 2.4 Indian Family Preservation Act, sections 260.751 to 260.835.

2.5 The commissioner may contract for portions of these services.

2.6 Sec. 2. Minnesota Statutes 2020, section 260C.215, subdivision 6, is amended to read:

2.7 **Subd. 6. Duties of child-placing agencies.** (a) Each authorized child-placing agency  
 2.8 must:

2.9 (1) develop and follow procedures for implementing the requirements of section  
 2.10 260C.212, subdivision 2, and the Indian Child Welfare Act, United States Code, title 25,  
 2.11 sections 1901 to 1923;

2.12 (2) have a written plan for recruiting adoptive and foster families that reflect the ethnic  
 2.13 and racial diversity of children who are in need of foster and adoptive homes. The plan must  
 2.14 include:

2.15 (i) strategies for using existing resources in diverse communities;

2.16 (ii) use of diverse outreach staff wherever possible;

2.17 (iii) use of diverse foster homes for placements after birth and before adoption; ~~and~~

2.18 (iv) strategies for finding, engaging, and supporting relatives and fictive kin for individual  
 2.19 children in need of foster and adoptive homes;

2.20 (v) specific targeted recruitment strategies for each individual racial and ethnic community  
 2.21 reflecting the racial and ethnic population of children in need of foster and adoptive homes;

2.22 (vi) data on the racial and ethnic diversity of the foster and adoptive families that the  
 2.23 agency serves and how the data compares to the racial and ethnic makeup of children in  
 2.24 need of foster and adoptive homes; and

2.25 ~~(iv)~~ (vii) other techniques as appropriate;

2.26 (3) have a written plan for training and supporting adoptive and foster families;

2.27 (4) have a written plan for employing staff in adoption and foster care who have the  
 2.28 capacity to assess the foster and adoptive parents' ability to understand and validate a child's  
 2.29 cultural and meet the child's individual needs, and to advance the best interests of the child,  
 2.30 as required in section 260C.212, subdivision 2. The plan must include staffing goals and  
 2.31 objectives;

3.1 (5) ensure that adoption and foster care workers attend training offered or approved by  
 3.2 the Department of Human Services regarding cultural diversity and the needs of special  
 3.3 needs children;

3.4 (6) develop and implement procedures for implementing the requirements of the Indian  
 3.5 Child Welfare Act and the Minnesota Indian Family Preservation Act; and

3.6 (7) ensure that children in foster care are protected from the effects of secondhand smoke  
 3.7 and that licensed foster homes maintain a smoke-free environment in compliance with  
 3.8 subdivision 9.

3.9 (b) In determining the suitability of a proposed placement of an Indian child, the standards  
 3.10 to be applied must be the prevailing social and cultural standards of the Indian child's  
 3.11 community, and the agency shall defer to tribal judgment as to suitability of a particular  
 3.12 home when the tribe has intervened pursuant to the Indian Child Welfare Act.

3.13 **Sec. 3. APPROPRIATION; FOSTER AND ADOPTIVE FAMILY RECRUITMENT**  
 3.14 **AND SUPPORT GRANTS.**

3.15 \$500,000 in fiscal year 2023 is appropriated from the general fund to the commissioner  
 3.16 of human services for a grant program to expand the pool of foster and adoptive families  
 3.17 that reflect the racial and ethnic backgrounds of children in need of foster and adoptive  
 3.18 homes throughout the state. The commissioner shall design, implement, and administer the  
 3.19 grant program and award grants to community-based organizations with relevant expertise  
 3.20 that are capable of recruiting and supporting families to become foster and adoptive families.  
 3.21 Grant recipients shall perform the following services:

3.22 (1) conducting efforts through partnerships between public and private child-placing  
 3.23 agencies, community-based agencies, Tribes, and other entities serving communities of  
 3.24 color to recruit, engage, and support foster and adoptive families that reflect the racial and  
 3.25 ethnic backgrounds of children in need of foster and adoptive families statewide;

3.26 (2) gathering data and reporting on the racial and ethnic backgrounds of the pool of  
 3.27 licensed and other current foster and adoptive families in the state, including identifying  
 3.28 families that have had foster placements and families that have not had foster placements;  
 3.29 and

3.30 (3) periodically evaluating the recruitment, engagement, and supportive services in  
 3.31 clause (1) to ensure that those efforts succeed in expanding the pool of foster and adoptive  
 3.32 families of color that reflect the racial and ethnic backgrounds of children in need of foster  
 3.33 and adoptive homes throughout the state.