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PLANNING FOR THE 80'S

Bi-Annual Report

1982-1983

PREPARED BY: STATE OF MINNESOTA
Council On Black Minnesotans
January, 1984

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1982/83

Pursuant to Mn Stat 3.9225
1980 Laws, ch 614, sec 187, sd 7)

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OVERVIEW: 1980-1983

The Council on Black Minnesotans was created by statute on July 1, 1980 in the progressive traditions of Minnesota to ensure that cultural and racial minorities needs, issues and access to benefits and services are addressed within the state government. Participatory democracy has always been an important value in the progressive political history of Minnesotans and the creation of the "minority" Councils is a continuation of that proud history.

The Council on Black Minnesotans' Enabling Statute (§187.- (3.9225) set out ten (10) mandates. They are as follows:

1. Advise the governor and legislature on the nature of issues confronting Black people in this State.
2. Advise the Governor and Legislature on statutes or rules necessary to insure Black people access to benefits and services provided to people in this State.
3. Recommend to the Governor and the Legislature any revisions in the State's Affirmative Action Program and any other steps that are necessary to eliminate underutilization of Blacks in the State's workforce.
4. Recommend to the Governor and the Legislature legislation designed to improve the economic and social condition of Black people in this State.

5. Serve as a conduit to State government for organizations of Black people in the State.
6. Serve as a referral agency to assist Black people in securing access to State agencies and programs.
7. Serve as a liaison with the Federal government, local government units and private organizations on matters relating to the Black people in this State.
8. Perform or contract for the performance of studies designed to suggest solutions to problems of Black people in the areas of education, employment, human rights, health, housing, social welfare and other related areas.
9. Implement programs designed to solve problems of Black people when so authorized by other statute, rule or order.
10. Publicize the accomplishments of Black people and contributions made by them to this State.

The Council's initial budget beginning July 1, 1980 was \$40,000 at which time the Governor selected the Council members. The Executive Director was selected in November, 1980, and the Council began its first year of operation.

The first year's activities were highlighted by five (5) public hearings (Duluth, Minneapolis, Rochester and (2) in St. Paul) and several substantial amendments to the Human Rights Act. As a result of these activities the State Legislature increased the staff complement to three (3), Executive Director, 1/2 Research Analyst and 1/2 Administrative Secretary.

Fiscal year 1981-1982 (July 1, 1981 - June 30, 1982) our program operations increased substantially. The Council held four (4) more public hearings including a five-hour hearing in January, 1982 concerning adoption and foster care of Black children. The Council's report on Adoption of Black Children in Minnesota was a result of that hearing, as well as, extensive staff research.

During fiscal year 1981-1982 the Council developed its first comprehensive legislative agenda and the formation of its first legislative task force; the Black Women's Legislative Issues Task Force. This task force issued a report in November, 1981. Many of these recommendations were incorporated into the legislative agenda.

The Council began coalition-building and co-sponsored its first public Legislative Orientation Workshop in November, 1981 with the Minnesota Spanish-Speaking Affairs Council.

During the 1982 legislative session, the Council successfully lobbied passage of a South African divestiture bill to prohibit future State investment in U.S. banks doing business in South Africa. Although Governor Quie vetoed the bill, the debate and lobbying of this bill forced Minnesota legislators to consider a very human political issue.

Fiscal year 1982-1983 (July 1, 1982 - June 30, 1983) program operation continued to increase as the year before and the State Legislature once again increased the Council's staff complement with a full-time Research Analyst and full-time Administrative Secretary.

The staff of Executive Director, Research Analyst, part-time Research Analyst and Administrative Secretary began developing the 1983 legislative agenda. The Council and its friends, successfully lobbied the first State law in the nation to establish a criteria for the adoption and foster home placement of Black children. This legislation, a direct result of the Black Women's Legislative Issues Task Force, is a milestone in the nation.

The Council also successfully lobbied amendments to the State's "Set-Aside" Act that governs the State's contracting process with small and minority-owned businesses. The Council participated with a "Rainbow" Coalition of women and minority business entrepreneurs, the Minnesota Business League and the Lieutenant Governor's Office in this successful effort.

As the Council approaches the end of 1983 and begins to prepare its legislative and program objectives for 1984, it is clear that the Council has reached a plateau. In September, 1983 the initial Executive Director (Steven Belton) passed his charge to new leadership (Victor Propes), when he accepted the appointment as President of the Urban Coalition of Minneapolis.

The Council, comprised of four (4) ex-officio members from the Minnesota Senate and House, and seven (7) public members, have also experienced a change in membership. Six (6) of the seven (7) public member seats on the Council were open for re-appointment in January, 1984. The Governor appointed the current 1984 Council members on January 3, 1984 and they will serve terms ending in 1987 or 1988.

It is obvious that in order to develop state-wide issues, solutions and programs, the four (4) areas of primary Black populations (North and South Minneapolis, St. Paul, Rochester and Duluth) must have community representation. The current members meet that need.

The Council is currently facilitating two (2) Legislative task forces which are: Black Women's Legislative Issues Task Force and Economic Development Legislative Issues Task Force. The reports from these task forces will be incorporated into a final report to be presented to the Council during the 1st quarter of 1984 including staff recommendations and a legislative agenda. The staff is also recommending to the new Council the establishment of additional task forces to address the following areas of concern to the Minnesota Black communities:

- Education
- Health
- Welfare
- Criminal Justice
- Housing
- Affirmative Action/Civil Rights Enforcement

As a result of annual increased program activities and limited resources, the staff is in the process of developing a demonstration internship project for two years, to establish the importance of research data regarding the minority-culture populations and the development of legislation to best serve the needs of these communities.

If the Minnesota Legislature is expected to maintain its historical progressive traditions, it is vital that it has the best information possible to ensure the survivability of minority families and individuals.

The responsibility of the Council will be to voice issues and needs of the Black communities of Minnesota to the State Legislature and Administration in a clear, responsible and responsive manner. We accept that charge and ask for the continued support from old and new Friends of Freedom, Justice and Equality for ALL people.

Respectfully submitted,

Victor L. Propes
Executive Director

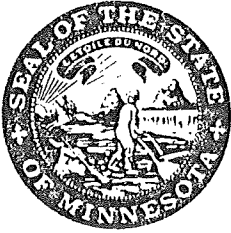
COUNCIL ON BLACK MINNESOTANS

ENABLING LEGISLATION

AND

COUNCIL MEMBERS

1982 - 1984



STATE OF MINNESOTA
COUNCIL ON BLACK MINNESOTANS
504 Rice St. • St. Paul, MN. 55103 • (612) 297-3708

CBM ENABLING STATUTE

Sec. 187. [3.9225] COUNCIL ON BLACK MINNESOTANS.

Subdivision 1. CREATION. There is created a state council on Black Minnesotans to consist of seven members appointed by the governor. The members of the council shall be broadly representative of the Black community of the state and shall include at least three males and at least three females. Membership terms, compensation, removal of members and filling of vacancies for non-legislative members shall be as provided in Minnesota Statutes, Section 15.059. In addition, two members of the house of representatives appointed by the speaker and two members of the senate appointed by the subcommittee on committees of the committee on rules and administration shall serve as ex-officio, non-voting members of the council. The council shall annually elect from its membership a chairperson and other officers it deems necessary.

Subd. 2. DEFINITIONS. For the purpose of this section, the term "Black" means a person who considers himself or herself as having origin in any of the black racial groups of Africa.

Subd. 3. DUTIES The council shall:

(a) Advise the governor and the legislature on the nature of the issues confronting Black people in this state;

(b) Advise the governor and the legislature on statutes or rules necessary to insure Black people access to benefits and services provided to people in this state;

(c) Recommend to the governor and the legislature any revisions in the state's affirmative action program and any other steps that are necessary to eliminate underutilization of Blacks in the state's work force;

(d) Recommend to the governor and the legislature legislation designed to improve the economic and social condition of Black people in this state;

(e) Serve as a conduit to state government for organizations of Black people in the state;

(f) Serve as a referral agency to assist Black people in securing access to state agencies and programs;

(g) Serve as a liaison with the federal government, local government units and private organizations on matters relating to the Black people of this state;

(h) Perform or contract for the performance of studies designed to suggest solutions to problems of Black people in the areas of education, employment, human rights, health, housing, social welfare, and other related areas;

(i) Implement programs designed to solve problems of Black people when authorized by other statute, rule or order and;

(j) Publicize the accomplishments of Black people and the contributions made by them to this state.

Subd. 4. REVIEW OF GRANT APPLICATIONS. All applications by a state department or agency for the receipt of federal funds which will have their primary effect on Black Minnesotans shall be submitted to the council for review and recommendation at least 30 days prior to submission to a federal agency.

Subd. 5. POWERS The council shall have power to contract in its own name, provided that no money shall be accepted or received as a loan nor shall any indebtedness be incurred except as otherwise provided by law. Contracts shall be approved by a majority of the members of the council and executed by the chairperson and the executive director. The council may apply for, receive, and expend in its own name grants and gifts of money consistent with the power and duties specified in subdivisions 1 to 7.

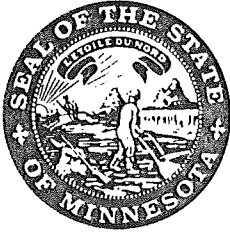
The council shall appoint an executive director who shall be experienced in administrative activities and familiar with the problems and needs of Black people. The council may delegate to the executive director any powers and duties under subdivisions 1 to 7 which do not require council approval. The executive director shall serve in the unclassified service and may be removed at any time by the council. The executive director shall recommend to the council the appropriate staffing necessary to carry out its duties. The commissioner of administration shall provide the council with necessary additional staff and administrative services, and the council shall reimburse the commissioner for the cost of these services.

Subd. 6. STATE AGENCY ASSISTANCE. Other state agencies shall supply the council upon request with advisory staff services on matters relating to the jurisdiction of the council and the council shall cooperate and coordinate its activities with other state agencies to the highest possible degree.

Subd. 7. REPORT. The council shall prepare and distribute a report to the governor and legislature by November 15 of each even numbered year. The report shall summarize the activities of the council since its prior report, list receipts and expenditures, identify the major problems and issues confronting Black people, and list the specific objectives which the council seeks to attain during the next biennium.

Sec. 188. REPORT; COORDINATION. On or before December 15, 1981, the commissioner of administration shall submit to the chairman of the house appropriations committee and the chairman

of the senate finance committee a report describing the process whereby the efforts of the council for black Minnesotans, the council on spanish-speaking people, the council on the economic status of women, the council on the handicapped, and the Indian affairs intertribal board may be coordinated and may share facilities and staff.



STATE OF MINNESOTA
COUNCIL ON BLACK MINNESOTANS
504 Rice St. • St. Paul, MN. 55103 • (612) 297-3708

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1982 - 1983

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STATE OF MINNESOTA
COUNCIL ON BLACK MINNESOTANS
504 Rice St. • St. Paul, MN. 55103 • (612) 297-3708

January, 1984

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COUNCIL ON BLACK MINNESOTANS

BUDGETS

FISCAL YEARS

1982 - 1983

STATE OF MINNESOTA COUNCIL ON BLACK MINNESOTANS
 BUDGET 1982/1983 (7/1/82-6/30/83)
 FISCAL YEAR 3

	<u>PROJECTED ORIGINAL BUDGET</u>	<u>ACTUAL EXPENDITURES</u>
<u>PERSONNEL SERVICES COST</u>		
SALARIES (complement: Executive Director, Research Analyst 1.5, Admin. Secretary, MEED clerical)	\$68,194.00	\$67,039
personnel severance	1,232.00	1,232
council per diem for meetings	2,030.00	1,330
fringe benefits	9,491.11	9,414
Sub total	<u>\$80,941.11</u>	<u>\$79,015</u>
 <u>OTHER THAN PERSONNEL SERVICES COSTS</u>		
rent/lease office space	2,621.00	2,871
repair services	500.00	409
printing & binding	1,500.00	2,187
prof./tech. services contracts	1,000.00	100
purchased services	0	154
telephone/teligraph	2,211.00	2,917
travel/in-state	1,325.00	1,058
travel/out-state	2,850.00	3,368
tuition & class fees	0	225
office supplies	601.00	1,116
equipment	5,500.00	5,500
Sub total	<u>\$18,108.00</u>	<u>\$19,905</u>
 <u>TOTAL</u>	 <u>\$99,055.11</u>	 <u>\$98,920</u>

STATE OF MINNESOTA COUNCIL ON BLACK MINNESOTANS
 BUDGET 1983-84 (7/1/83-6/30/84)
 FISCAL YEAR 4

	PROJECTED ORIGINAL BUDGET	PROJECTED EXPENDITURES
<u>PERSONNEL SERVICE COST</u>	\$ 86,100	\$ 81,713.98
Salaries (complement: Executive Director, Research Analyst 1.5, Admin. Secretary, MEED clerical)		
personnel severance	2,000	2,805.00
council per diem for meetings	2,000	2,000.00
fringe benefits	10,523	14,061.89
Sub total	<u>\$100,623</u>	<u>\$100,579.89</u>
 <u>OTHER-THAN PERSONNEL SERVICE COST</u>		
rent/lease office space	\$ 2,800	\$ 5,087.00
repair services	500	500.00
printing/bindry	1,600	1,600.00
prof./tech. services contracts	1,100	1,100.00
telephone keligraph	3,400	3,400.00
travel/in-state	1,400	1,400.00
travel/out-state	4,700	4,700.00
office supplies	600	600.00
equipment	200	200.00
Sub total	<u>\$ 16,300</u>	<u>\$ 18,587.00</u>
 <u>TOTAL</u>	 <u>\$116,923</u>	 <u>\$119,166.87</u>

COUNCIL ON BLACK MINNESOTANS

Work Program

1983-1984

Council on Black Minnesotans

Work Program - 1984

Duties/Functions

The Council on Black Minnesotans has ten (10) mandates from the State Legislature. They are:

- 1) Advise the Governor and Legislature on the nature of issues confronting Black people in this State.
- 2) Advise the Governor and Legislature on statutes or rules necessary to insure Black people access to benefits and services provided to people in this State.
- 3) Recommend to the Governor and the Legislature any revisions in the State's Affirmative Action Program and other steps that are necessary to eliminate underutilization of Blacks in the State's work force.
- 4) Recommend to the Governor and the Legislature legislation designed to improve the economic and social condition of Black people in this State.
- 5) Serve as conduit to State government for organizations of Black people in the State.
- 6) Serve as a referral agency to assist Black people in securing access to State agencies and programs.
- 7) Serve as a liaison with the federal/local government units and private organizations on matters relating to the Black people in this State.
- 8) Perform or contract for the performance of studies designed to suggest solutions to problems of Black people in the areas of education, employment, human rights, health, housing, social welfare and other related areas.
- 9) Implement programs designed to solve problems of Black people when so authorized by other statute, rule or order and;
- 10) Publicize the accomplishments of Black people and contributions made by them to this State.

In order to address these mandates the following recommended break-out of these mandates and corresponding functions are listed below.

¶1. Advise the Governor and Legislature on the nature of issues confronting Black people in this State.

2. Advise the Governor and Legislature on statutes or rules necessary to insure Black people access to benefits and services provided to people in this State.

3. Recommend to the Governor and the Legislature any revisions in the State's Affirmative Action Program and other steps that are necessary to eliminate underutilization of Blacks in the State's work force.

4. Recommend to the Governor and the Legislature, legislation designed to improve the economic and social condition of Black people in this State.¶

Development of CBM's Legislative Issues Task Force:

These task forces will be composed of community representatives chaired by Council Board members and provided with staff liaison support. The recommended task forces are:

- (1) Black Women's Issues
- (2) Economic Development and Employment
- (3) Housing
- (4) Affirmative Action/Civil Rights Enforcement
- (5) Health
- (6) Education
- (7) Criminal Justice
- (8) Black Adoption

It is felt that these task forces should meet a minimum of six times per year with their activities culminating in a report with legislative recommendations to be presented to the Council in November of each year. These recommendations will be evaluated by the full Council and be incorporated into the Council's annual legislative initiatives for the upcoming legislative session each spring.

Staff Liaison

The Executive Director will serve as liaison to these task forces with the exception of the Black Women's Legislative Issues Task Force. Paula Baker, Research Analyst will serve as liaison to this particular task force.

Staff support and liaison to these task forces is calculated at:

Meeting Attendance

7 task forces x 3 hours per meeting x 7 meetings = 147 staff
hours

Support and Research

7 task forces x 8 hours per meeting x 7 meetings...392 hours

Report Preparation

7 task force reports x 40 hours per report.....280 hours

Preparation of final legislative initiatives and recommended legislation by Council and Legislative task forces.....160 hours

Estimated Staff Hours = 979 hours

Legislative Session Activities

Lobbying, testimony and monitoring legislation during sessions, (January thru May) 20 weeks at an average commitment of 20 hours per week/session.....

Estimated Staff Hours = 400 hours

Serve as a conduit to State government for organization of Black people in the State.

Public Hearings

4 hearings per year x 10 hours per hearing..... 40 hours

Legislative Orientation Workshops

2 workshops per year x 56 hours per workshop.....112 hours

Estimated Staff Hours = 152 hours

Serve as a referral agency to assist Black people in securing access to State agencies and programs.

Information and Referral

Estimated 1,040 contacts per year (1,040 contacts x 10 min. avg.)

Est. Annual Staff Hrs. = 173 hours

Serve as liaison with the Federal and local government units and private organizations on matters:

Liaison with State, county, city and private agencies necessary to address mandates 1, 2, 3, 4.

- State Demographers Office
- Department of Economic Security
- Department of Public Welfare
- University of Minnesota
- Minnesota MEED Program
- Job Training Partnership Act
- State Legislators

Mpls./St. Paul Urban League
Urban Coalition of Minneapolis
CHART
Minority Women's Employment Network
U.S. Bureau of Labor - Women's Division
Mpls. Community Business Employment Alliance
Upper Midwest Congressional Coalition
TEE, Inc., Boston, Mass.
Hennepin County-Dept. of Public Welfare
Ramsey County-Dept. of Public Welfare
Dept. of Health & Human Services, Region V
Child and Youth Resource Center
MN. Senate Health and Welfare Committee
MN. Council for Children
Mpls. Family and Child Services
St. Paul Family and Child Services
MN. Association of Black Social Workers
Institute of Black Child Development
Hallie Q. Brown Community Center
Phyllis Wheatley Community Center
Hope International Family Services
North American Council on Adoptable Children
Citizens Coalition on Permanence for Children
Crossroads International
Childrens Home Society of MN.
MN. Business League
Spanish-Speaking Affairs Council
Commission on the Economic Status of Women
Hispanic Business Chamber of Commerce
MN. House/Senate Government Operations Committee
MN. Dept. of Administration, Procurement Division
Nat'l Association of Women Business Owners
Dept. of Employee Relations
Dept. of Human Rights
MN. Affirmative Action Association
Lieutenant Governor's Office
Governor's Office
MN. State Planning Agency
Statewide Affirmative Action Council
Legislative Coalition Against Apartheid
Citizen's League
State Investments Board Office
MN. Emerging Leadership Project
MN. House/Senate Page Program
Black Men's Support Network
Black Women's Support Network

Staff Liaison

Estimated staff liaison man hours are computed based on an annual average estimate of 15 hours per agency x 55 agencies.....

Est. Annual Staff Hrs. = 825 hours

Perform or contract for the performance of studies designed to suggest solutions to problems of Black people in the areas of education, employment, human rights, health, housing, social welfare and other related areas.

Develop the administration of an Internship Research and Leadership Program to perform studies designed to assess the state of Black Minnesotans and develop/provide leadership opportunities for high potential Black men and women.

Develop a demonstration project for the Internship Research/Leadership Programs.

Development of projects (8).....80 staff hours

Administration of project(s).....1,040 staff hours
(20 hours per week)

Research and Reports.....5,000 staff
(5 interns x 20 hours x 50 weeks)

Est. Annual Staff Hrs. = 6,120 hours
(Staff & Interns) TOTAL

Implement programs designed to solve problems of Black people when so authorized by other statute, rule or order.....

- Coalition on Black Child Adoption
Established by CBM Task Force in conjunction with the Minnesota Minority Heritage Child Protection Act (CH. 278, Laws of MN., 1983).

This task force of the CBM is active in the recruitment of qualified Black families for the adoption of Black children to include:

- a. pre-placement counseling
- b. post-placement counseling
- c. other supportive activities to insure successful placement of Black children

- Internship Research and Leadership Program (see Work Program - 1984, #8).

- Legislative Task Force(s) (see Work Program - 1984, #'s 1-4).
- Supported Work Program A - Supplemental Demonstration Project of the Minnesota Emergency Employment Development Act of 1983. Objective of this demonstration project is to place AFDC and other welfare recipients into private sector mainstream employment. The project is tentatively scheduled to begin July 1, 1984.

Development of proposal.....

Coalition on Black Adoption.....140 hours
Supported Work Program.....140 hours

Administration of project(s).....2,000 hours

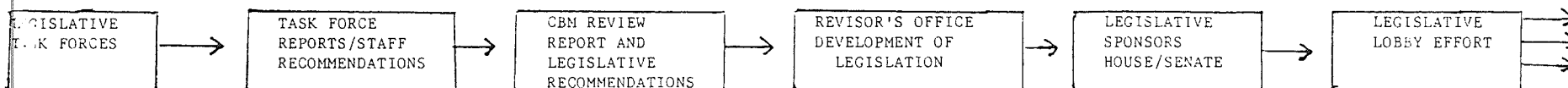
Est. Annual Staff Hrs. = 2,280 hours
TOTAL

Publicize the accomplishments of Black people and contributions made by them to this State.

- Weekly media articles on historical contributions of Black Minnesotans - 26 articles x 4 hours.
Estimated Staff Hours.....104 hours
- Annual Recognition Dinner (May of each year).
Estimated Staff Hours.....48 hours
- Annual Set-Aside Breakfast/Program.
Estimated Staff Hours.....10 hours
- Monthly CBM Leadership Breakfasts - 12 breakfasts x 4 hours per breakfast. Estimated Staff Hours.....48 hours

Est. Annual Staff Hrs. = 210 hours
TOTAL

Legislative Task Force Flow Chart and Time Line Activities Model



- Health
- Welfare
- Education
- Housing
- Black Women's Issues
- Economic Development
- Affirmative Action/Civil Rights Enforcement
- Criminal Justice

Activities:

<p>Identification of issues</p> <p>Proposed solutions to include <u>legislation</u> (new and old) and programmatic recommendations.</p> <p>Report to Council (prepared by staff)</p>	<p>Compilation of Task Force recommendation(s) and staff review and recommendations; prepared and presented to the Council.</p>	<p>Review to be conducted by Council and final report to legislature, governor's office and department.</p>	<p>Development of actual legislation.</p>	<p>Lobbying search for legislative sponsors.</p>	<p>Legislative Session. Lobby legislative package (legislature/governor's office and department).</p>
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Time Line for Activities:

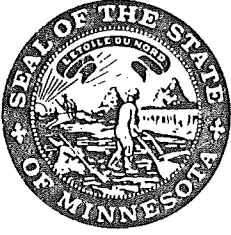
October	January	February	March	April
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COUNCIL ON BLACK MINNESOTANS

STAFF FUNCTIONS/TASKS

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OFFICE FLOOR PLAN LAYOUT



STATE OF MINNESOTA
COUNCIL ON BLACK MINNESOTANS
504 Rice St. • St. Paul, MN. 55103 • (612) 297-3708

January, 1984

CBM STAFF

VICTOR L. PROPES, EXECUTIVE DIRECTOR

297-3707

PAULA S. BAKER, RESEARCH ANALYST

297-4214

MARILYN J. ROBINSON, ADMINISTRATIVE SECRETARY

297-3708

NADINE R. JACKSON, CLERICAL AIDE

297-3708

Functional Role: EXECUTIVE DIRECTOR

General Area of Responsibility

The Executive Director is the chief operating officer of the Council functioning under the direction of the Chairman and the Council.

Administration

Assists the Council in setting objectives, scope and timetables for Council activities.

Assists Council in the identification of areas of study and suggests methods for the implementation of policies.

Acts at the direction of the Council to advise the Governor and Legislature on issues that confront Black people in Minnesota.

Conducts studies, surveys and/or other research which will facilitate the work of the Council.

May recommend programs and actions designed to fulfill the duties of the Council.

Will seek out and utilize all resources of existing public and private agencies and may recommend applying for grants or financial gifts to develop and conduct operations and information for the Council and the Black community.

Attends all meetings of the Council on Black Minnesotans.

Responsible for planning, analyzing, controlling and the presentation of budgetary matters to the Council.

Plans for the purchase of equipment, supplies and the maintenance of property owned or borrowed by the Council.

Supervision

Supervises all staff retained by the Council: Interview, screen and appoint staff in accordance with Council policy; responsible for training of staff, assigns and delegates job duties and responsibilities.

Functional Role: RESEARCH ANALYST

General Area of Responsibility

The Research Analysts provide research analysis, data collection, constituent and government liaison, general back-up assistance and support to the Executive Director.

Principal Responsibilities/Tasks

Prepare statistical data necessary for Council research projects and general functioning:

- A. Gather, analyze, and interpret demographic population and other management information and report on such data gathering as needed or requested by the Executive Director.
- B. Prepare special reports (e.g. reports on special censuses, migration data or school enrollment, etc.).
- C. Analyze and report on 1970 and 1980 census data.
- D. Answer questions relating to 1970 and 1980 census.
- E. Compile existing data on Blacks in Minnesota and the United States.

Complete special projects which will be described and assigned by the Executive Director so the Council on Black Minnesotans can make optimum use of its resources. Special projects may include: (1) Evaluation Research-Example: Devise research techniques, procedures, forms, data gathering, and/or supervise and monitor data gathering, interpretation of results and preparation of narratives and statistical reports. (2) Program Planning-Example: Chair ad hoc Task Force to study the feasibility of a specific program change or a new program. (3) Project Oversight-Example: Prepare research proposal or grant application for funding and development of a specific project, development of a project sponsor and liaison to sponsoring organization, development and implementation of reporting and evaluation mechanisms.

Assist Executive Director in drafting new legislation or modification of existing laws or regulations.

- A. Prepare supporting documentation; and
- B. Originate data through research.

The Research Analyst may be called upon to present evaluation research findings orally to the Legislature, the Governor, classes and groups of constituents, or to prepare such oral or written presentations for others.

Functional Role: ADMINISTRATIVE SECRETARY

General Area of Responsibility

To provide highly efficient secretarial and administrative assistance to the Executive Director and/or Council on Black Minnesotans; back-up support in the Director's absence; reception, information and referral services to clients.

Principal Responsibilities, Tasks

To provide administrative and secretarial assistance to the Director and/or Council on Black Minnesotans.

To produce high quality typewritten correspondence from handwritten drafts or dictation so that finished product is able to be presented in final form.

Administer payroll for the office.

Serve as a referral source and provide answers regarding State services and benefits to persons contacting office.

Provide miscellaneous duties necessary to facilitate efficient operation of office.

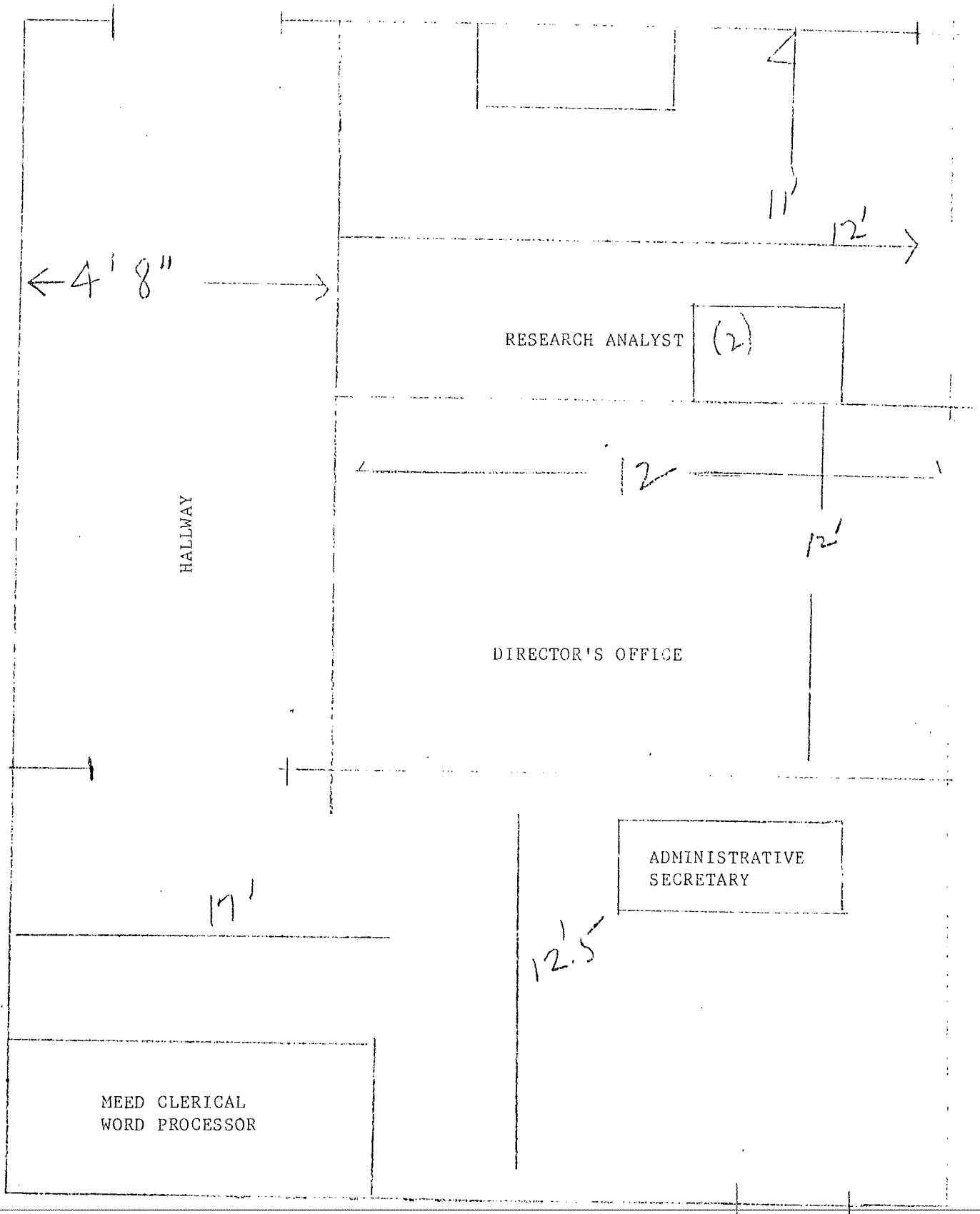
Act as an assistant to the Executive Director so that the office functions efficiently.

Receive incoming and prepare outgoing mail.

Schedule task force and Council meetings, hearings and conferences.

OFFICE FLOOR PLAN

LAYOUT



COUNCIL ON BLACK MINNESOTANS

LEGISLATIVE AGENDAS

1982 - 1983

Bill Introductions - 1982

BUSINESS

S.F. 831/H.F. 1538

Authors: Senator Tennessen (DFL, Minneapolis, 59)
Representative Berkelman (DFL, Duluth, 8B)

Would allow retail stores (i.e., furniture, appliance, and clothing) to set interest rates on credit purchases. Since many commercial creditors will not lend money to the Black poor, many prospective buyers will be forced to pay extremely high interest rates.

Withdrawn by the authors.

CIVIL RIGHTS

S.F. 1637/H.F. 1811

Authors: Senator Spear (DFL, Minneapolis, 57)
Representative Staten (DFL, Minneapolis, 56A)

Would prohibit the State Investment Board which invests state pensions from investing in banks that lend money to South Africa.

Vetoed by Governor Al Quie.

COMMUNITY DEVELOPMENT

S.F. 2097/H.F. 2260

Authors: Senator Solon (DFL, Duluth, 7)
Representative Berkelman (DFL, Duluth, 8)

Would designate as enterprise zones areas of poverty, unemployment, and distress; outlines benefits for business located in enterprise zones.

Nullified in committee.

S.F. 2070/H.F. 1539

Authors: Senator Sieloff (IR, St. Paul, 63)
Representative Peterson (IR, Bloomington, 36B)

Would authorize the Department of Energy, Planning and Development to administer an enterprise zone act. The act would provide tax incentives for enterprise zone businesses and allow exemptions on price and wage controls, building codes and zoning requirements.

Nullified in committee.

S.F. 2049/H.F. 2114

Authors: Senator Pillsbury (IR, Wayzata, 42)
Representative Heinitz (IR, Plymouth, 43A)

Would grant a state tax credit to businesses that make financial contributions to neighborhood agencies and organizations in low income areas.

Nullified in session.

ECONOMIC DEVELOPMENT

H.F. 1575

Author: Representative Lemen (IR, Grand Rapids, 3B)

Would allow the commissioner of Energy, Planning and Development to provide income tax credits, licensing requirements assistance, and reduced corporate income tax for businesses that create new jobs.

No Senate author.

S.F. 1815/H.F. 2080

Authors: Senator Kroening (DFL, Minneapolis, 57)
Representative I. Anderson (DFL, International Falls, 3A)

Representatives from labor, industry, community organizations and government would converge at a Minnesota conference on jobs formation. The purpose of the conference would be to outline the development of jobs and training programs in Minnesota.

Vetoed by Governor Al Quie.

HOUSING

S.F. 1988/H.F. 2174

Author: Senator Dicklich (DFL, Hibbing, 5)

Would authorize the commissioner of Energy, Planning and Development to secure funds from the small cities community development block grant program. Low and moderate income residents would benefit from grants used to provide housing and expand economic opportunities in urban communities.

Vetoed by Governor Al Quie.

WELFARE

H.F. 2149

Author: Representative Lemen (IR, Grand Rapids, 3B)

Would establish a mandatory community work experience program for recipients of AFDC.

No Senate author.

S.F. 2113/H.F. 2231

Authors: Senator Berglin (DFL, Minneapolis, 59)
Representative Greenfield (DFL, Minneapolis, 57B)

Would establish a state foster care advisory council to monitor and review foster care placements. The council operating under the jurisdiction of the juvenile court would inform interested parties of their rights and responsibilities as foster parents.

Nullified in session.

S.F. 2140/H.F. 1227

Authors: Senator Solon (DFL, Duluth, 7)
Representative Sviggu (IR, Kenyon, 25A)

Would allow a private insurance firm to underwrite a group medical insurance contracts for persons receiving state medical assistance benefits.

Nullified in committee.

S.F. 2044/H.F. 2123

Authors: Senator Lindgren (IR, Richefield, 37)
Representative Brandl (DFL, Minneapolis, 61)

Would require the spouse or parent of a medical assistance recipient under the age of 18 to contribute partial or complete repayment for medical assistance fees, except in cases of undue hardship. If payment were not made, the parent or spouse would be subject to court action.

Chapter 607 (S.F. 18081/H.F. 1712)

Authors: Senator Frederickson (IR, Morgan, 28)
Representative Kaley (IR, Rochester, 33A)

Authorizes the commissioner of public welfare to administer the alcohol, drug abuse and mental health services block grant funds. Changes the qualifications for community mental health centers to receive federal block grants.

Chapter 40 (S.F. 1771/H.F. 2188)

Authors: Senator Berglin (DFL, Minneapolis, 59)
Representative Brandl (DFL, Minneapolis, 61A)

Increase the income level for AFDC eligibility to maintain work incentives for AFDC parents.

See Chapter 640 for effective dates.

New Law - 1982

CIVIL RIGHTS

Chapter 489 (S.F. 1666/H.F. 1826)

Authors: Senator Hanson (DFL, Hallock, 1)
Representative Wynia (DFL, St. Paul, 62A)

Attaches a surcharge on district, county and municipal civil court filing fees. Receipts from the surcharge will be distributed to legal service programs which would provide legal counsel to persons unable to afford private counsel in civil law matters.

Effective July 1, 1982.

ECONOMIC DEVELOPMENT

Chapter 626 (S.F. 2042/H.F. 1902)

Authors: Senator Lantry (DFL, St. Paul, 67)
Representative F. Rodriguez (DFL, St. Paul, 67A)

Creates a small business set-aside program in Ramsey County. Small or economically disadvantaged business owners will be ensured a percentage of construction and vendor service contracts awarded by Ramsey County.

Effective upon approval by Ramsey County.

Chapter 632 (S.F. 1930/H.F. 1994)

Author: Senator Solon (DFL, Duluth, 7)
Representative Wynia (DFL, St. Paul, 62A)

Authorizes banks and trust companies to invest 2 percent of their assets into community welfare projects, includes rehabilitation or development of economically depressed residential, commercial or industrial areas.

Effective day following final enactment.

HOUSING

Chapter 380 (S.F./2174/H.F. 2249)

Authors: Senator Knoll (DFL, Minneapolis, 61)

Representative Kostohryz (DFL, North St. Paul, 50B)

Appropriates \$200,000 to the state housing development fund for the purpose of making loans available to individuals eligible according to Section 8 income guidelines.

Effective day following enactment.

HOUSE ADVISORY

An advisory bill is a proposal for the initiation, termination, or change of a law or program. Advisory bills are referred to a standing legislative committee for consideration and or study.

H.A. 49

Author: Representative Byrne (DFL, Minneapolis, 64B)

A proposal to study the extent of out-of-home placements of Minnesota juveniles. The study would consider:

- (1) placement made out-of-state and the reasons they occur;
- (2) length of placement;
- (3) cost and financing of placement facilities;
- (4) reasons for placement;
- (5) categories of juvenile placement

Referred to Health and Welfare Committee.

H.A. 53

Author: Representative Greenfield (DFL, Minneapolis, 57B)

A proposal to study the impact of 1981 and 1982 budget cuts in general assistance and general assistance medical care. Case load comparisons and dollar expenditures before and after the reductions would be analyzed, along with effects of budget reductions on providers and consumers.

Referred to Health and Welfare Committee.

H.A. 59

Author: Representative Samuelson (DFL, Brainerd, 13A)

A proposal to establish a committee which would study employment and job creation for recipients of general assistance and AFDC.

Referred to Labor-Management Relations Committee.

WELFARE

Chapter 557 (S.F. 1650/H.F. 1690)

Authors: Senator Knutson (IR, Burnsville, 53)

Representative Forsythe (IR, Edina, 39A)

Reduces the number of children in residential foster care facilities for periods of more than 24 months. Also allows foster children and adopted children to receive medical assistance payments.

Effective March 22, 1982.

CBM 1983 Legislative Agenda

1. Adoption

- a. Racial Preservation - Bill creating clear and compelling standards for the use of race as a factor in determining the placement of a child who is considered for foster care or adoption.
- b. Recruitment - Bill directing DPW to require local welfare agencies to affirmatively recruit Black adoption and foster care parents and to retain expert consultants to advise them on recruitment of Black parents.
- c. Recruitment - Bill creating a pilot project for recruitment - the legislature should appropriate and earmark funds to the DPW to establish a pilot project for recruitment of Black adoptive and foster parents. This project should take the form of a technical/professional services contract to be granted and administered by the department and should be housed in or part of an existing Black community based organization (e.g. Hallie Q. Brown Community Center; Phyllis Wheatley Community Center; Sabathani Community Center or the Minneapolis or St. Paul Urban Leagues.
- d. Advisory Task Force - Bill creating a Black foster Care and Adoption Advisory Task Force to render advice and counsel to the commissioner on all matters relating to law, rules or practice affecting the adoption or foster care of Black children.
- e. Recordkeeping - Bill requiring DPW to compile an annual report on foster care with statistical data for each county and statewide. Such data should include the legal status, race, location, length of stay in foster care and other demographic information for all children in foster care. The report should also include cross-tabulations of variables by race.
- f. Monitoring - Legislation should be enacted creating local foster care review boards to review the placement and care of children after a specific period in foster care.

2. **CBM continued funding -**
Support of CBM budget requests for FY 1983-85.
3. **CBM Permanence**
A bill creating a permanent CBM (or simply eliminating statutory sunset clause).
4. **Economic Recovery**
Economic recovery measures designed to ease Black and urban unemployment. A bill which would seek funding of an effective mechanism to create jobs and employment opportunities, i.e., state support of organizations which foster and provide Black economic development and employment. (As of January 31, 1983 two bills, which would create jobs and stimulate state economic activity, have been introduced in the 1983 Legislative session).
5. **Martin Luther King**
Bill to make Martin Luther King Jr.'s birthday (January 15) a state holiday. (Introduced in the 1983 Senate by Linda Berglin, Mpls.- D).
6. **Set-Aside -**
Bill to:
 - a. Create a program whereby all prime contractors receiving construction or professional/technical contract awards over 200K would be required to subcontract 10 percent of the contract to SED contractors or vendors. Prime contractors would also be required to name each SED subcontractor or vendor and the dollar amount of each contract.
 - b. Limit the percentage of subcontracting to non-SED vendors by SED recipients of a set-aside award.
 - c. Provide for an increased set-aside staff complement.
 - d. Provide for an increase in the small business Set-Aside program for all small businesses and in the SED program component. Require set-aside program administrators to record participant rates for members of the SED classes, i.e., women, Blacks, other minorities, and the handicapped, etc.
 - e. Provide for establishment of a Small Business Procurement Advisory Council to advise the commissioner of administration on all matters relating to the administration and operation of the small business set-aside program. The Advisory Council would also hear complaints or review appeals from small business owners regarding bids or awards of state contract.
 - f. Provide for expanded application of set-aside program to include contracts for technical and professional services.

- g. Provide for elimination of the self-certification process of SED vendors and the establishment of a certification process similar to that utilized by the City of Minneapolis.
7. State Board of Investment -
Bill to prohibit the SBI from investing in U.S. banks or corporations with substantial business activity (e.g., more than 100 employees or \$10 million) in South Africa.
8. State Recognition of Roy Wilkins
Bill to recognize the achievements of Roy Wilkins with a memorial.

Bill Introductions - 1983

CIVIL RIGHTS

S.F. 119/H.F. 89

Authors: Senator Berglin (DFL, Mpls., 60)
Representative Greenfield (DFL, Mpls., 61A)

Would establish terroristic threats as a crime. Punishable by up to five years imprisonment or a fine not to exceed \$5,000 or both.

*Progressed.

H.F. 1281

Author: Representative Staten (DFL, Mpls., 57B)

Would require the State of Minnesota to sell all stocks with banks and corporations that have financial investment in South Africa or Namibia.

No Senate Author.

H.F. 1105

Author: Representative Staten (DFL, Mpls., 57B)

A bill prohibiting the use of finger and/or thumbprinting as a condition for acceptance of negotiable instruments, e.g., checks.

No Senate author.

*Progressed means a bill has been passed by the necessary standing committee, however, the bill does not carry enough votes to pass the full House or Senate.

HOUSING

S.F. 497/H.F. 288

Authors: Senator D.C. Peterson (DFL, Mpls., 61)
Representative Staten (DFL, Mpls., 57B)

Would require that rental property owners weatherize their building. Would require installation of storm windows, storm doors, shut-offs for fireplaces and stoves, as well as, caulking and weatherstripping. Rental property owners would be required to file a certificate of compliance to this law.

*Progressed.

MEMORIAL

S.F. 9/H.F.49

Authors: Senator Linda Berglin (DFL, Mpls., 60)
Representative Staten (DFL, Mpls., 57B)

Would establish Martin Luther King Jr.'s birthday, January 15, as an optional holiday for state employees.

Nullified in session.

S.F. 1176/H.F. 1251

Authors: Senator D. Moe (DFL, St. Paul, 65A)
Representative Norton (DFL, St. Paul, 65A)

Would designate highway I-94 within St. Paul as the "Wilkins Memorial Expressway" in tribute to Roy Wilkins, civil rights spokesman and former St. Paul resident.

Nullified in session.

BLACK MINNESOTANS

Chapter 260 (S.F. 428/H.F. 488)

Authors: Senator Pogelmiller (DFL, Minneapolis, 58)
Representative Knuth (DFL, New Brighton, 52B)

Removes the June 30, 1983 expiration date for the Council on Black Minnesotans; extends the Council until June 30, 1986.

Effective July 1, 1983.

*Progressed means a bill has been passed by the necessary standing committee, however, the bill does not carry enough votes to pass the full House or Senate.

CIVIL RIGHTS

Chapter 30 (S.F. 476/H.F.298)

Authors: Senator Lantry (DFL, St. Paul, 67)
Representative Vellenga (DFL, St. Paul, 64A)

Requires all human rights and complainants in St. Paul to have their case heard before the 11-member human rights commission. The commission's decision will be considered conclusive if there is sufficient evidence on the record. Cases affected include all areas covered by the State Human Rights Act.

Effective upon local approval.

ECONOMIC DEVELOPMENT

Chapter 355 (S.F. 607/H.F. 642)

Authors: Senator Spear (DFL, Minneapolis, 59)
Representative Clawson (DFL, Lindstrom, 19B)

Allows registered charitable organizations to participate in state employee payroll deductions. Previously the United Way was the exclusive organization allowed to participate in the payroll deduction process. This legislation will allow registered organizations that collect donations to support several organizations access to the payroll deduction system.

Effective August 1, 1983.

Chapter 301 (S.F. 820/H.F. 955)

Authors: Senator D. Peterson (DFL, Mpls., 61)
Representative Staten (DFL, Mpls., 57B)

Amends Small Business Procurement Act by increasing small business set-aside from 20 percent to 25 percent/increases set-aside for socially and economically disadvantaged SED businesses from 3 to 6 percent; creates a board member small business procurement advisory council; provides for limitation on the variety of contracts which may be set aside; limits the dollar participation and length of time an SED vendor may participate in the program; and expands the small business set-aside to include Minnesota Correctional Industries.

Effective August 1, 1983.

ELECTION

Chapter 168 (S.F. 281/H.F. 254)

Authors: Senator Pogemiller (DFL, Mpls., 58)

Representative Osthoff (DFL, St. Paul, 66A)

Changes precinct caucus dates from the fourth Tuesday in February to the third Tuesday in March.

Effective August 1, 1983.

EMPLOYMENT

Chapter 334 (S.F. 584/H.F. 857)

Authors: Senator R. Moe (DFL, Ada, 2)

Representative Brandl (DFL, Mpls., 62B)

The Minnesota Job Skills Partnership is reasonable for coordinating this program which will train and place workers. The partnership will also assist education and non-profit institutions in developing training programs. Participating businesses must match the grant made by Minnesota Job Skills Partnership.

Effective October, 1983.

Chapter 307 (S.F. 541/H.F. 661)

Authors: Senator Kroening (DFL, Mpls., 57)

Representative Sarna (DFL, Mpls., 58A)

Authorizes counties with chronic high unemployment to establish emergency job training or public work programs for economically disadvantaged and unemployed residents.

Effective August 1, 1983

Chapter 249 (S.F. 572/H.F. 375)

Authors: Senator Samuelson (DFL, Brainerd, 13)

Representative Blatz (IR, Bloomington, 41B)

Allows the Commissioner of Public Welfare to establish pilot work experience programs to help AFDC recipients develop job seeking and employment skills by helping counties design jobs creation programs.

Effective August 1, 1983.

Chapter 316 (S.F. 183/H.F. 242)

Authors: Senator Dicklich (DFL, Hibbing, 5)
Representative K. Clark (DFL, Mpls., 60A)

Requires employers to inform employees of hazardous and toxic chemicals in the surrounding work environment. Gives workers the right to refuse to work under conditions which the employer believes present an imminent danger, death, or physical harm.

Effective July 1, 1984

Chapter 299 (S.F. 415/H.F. 422)

Authors: Senator D. Moe (DFL, St. Paul, 65)
Representative Simoneau (DFL, Fridley, 51B)

Requires an increase in the percentage of women in the state Career Executive Service. CES classifications include managers, professional, supervisory, and high-level scientific employees.

Effective July 1, 1983.

WELFARE

Chapter 308 (S.F. 545/H.F. 762)

Authors: Senator Berglin (DFL, Minneapolis, 60)
Representative Brandl (DFL, Mpls., 62B)

Establishes guidelines for setting child support payments. Allows temporary child support from a person when there is 92 percent certainty of paternity. Provides automatic cost of living adjustment to support payment amounts.

Various effective dates.

Chapter 52 (S.F. 249/H.F. 287)

Authors: Senator Reichgott (DFL, Robbinsdale, 46)
Representative J. Clark (DFL, Mpls., 60B)

Amends Minnesota criminal statutes to include intrafamilial sexual abuse in the definition of domestic abuse. Allows persons who live or have lived with or had a child with a spouse to receive a court order for protection against domestic abuse. Allows police officers to arrest without a warrant anyone who violates the court order.

Effective August 1, 1983.

Chapter 278 (S.F. 723/H.F. 776)
Authors: Senator Berglin (DFL, Mpls., 60)
Representative Staten (DFL, Mpls., 57B)

Establishes guidelines for adoption and foster care based on race, ethnic heritage, and religion. Creates a foster care and adoption advisory task force to advise the Commissioner of Public Welfare on policy for minority children.

August 1, 1983.

HOUSE ADVISORY

An advisory bill is a proposal for the initiation, termination, or change of a law or program. Advisory bills are referred to a standing legislative committee for consideration and/or study.

H.A. 5

Author: Representative Janet Clark (DFL, Mpls., 60B)

A proposal to study child welfare statutes and issues.

Referred to Health and Welfare committee.

H.A. 14

Author: Representative Rick Krueger (DFL, Staples, 12B)

A proposal to study cutbacks in federal funds for milk and dairy programs in schools.

Referred to Agriculture committee.

STATE OF MINNESOTA

WORKFORCE PROFILE - LEGISLATIVE BRANCH

1982

REPORT PREPARED BY: Council on Black Minnesotans.

WORKFORCE PROFILE-LEGISLATIVE BRANCH

Within the legislative branch of Minnesota government the House and Senate are two separate houses which are completely autonomous within themselves. In regard to job classifications, salaries and compliments the Senate reports to the Rules Committee and the House to its Rules and Legislative Administration Committee. Within the Senate there is a resolution passed every year on the opening day of each legislative session which includes employee names, salaries and positions to be held for that particular session. Each respective Rules Committee gives the final authorization for all positions on the basis of resolutions submitted to the committee by office, division and committee heads. There is a Legislative Coordinating Commission which passes on joint rules of the House and Senate when they are in joint session. This commission does not rule the House or the Senate but determines how the legislature is handled between the two houses. For example: This commission passes legislation - appropriations, etc. - which effects the Legislative Library and the Revisor Statutes office because both of these serve the House and Senate. The House is composed of 17 offices. The Chief Clerk's Office, the Index Department, House Research, House Administration, the Finance and Personnel Office, the Information Office, Educational Services, the Property and Space Department, the Appropriations Committee Staff, the Sergeant at Arms Department, the DFL Caucus - Leadership, Committee Administrators, DFL Research, DFL stenographic Department, IR Caucus - Leadership, IR Caucus Research, and the IR Caucus Stenographic Department.

The hiring process for the House and Senate varies. The House is less centralized through personnel than the Senate, therefore, Dave Kienitz the House personnel officer plays a much smaller part in the hiring process in terms of who is hired within the House than does the Senate personnel officer.

The hiring process most frequently used by the House and Senate is as follows:

House (most frequently)

- 1) Member recommends someone by talking to office/department supervisor telling them who he recommends for a particular position.
- 2) Application is filled out and kept on file by Dave Kienitz along with applicant's resume.
- 3) Dave Kienitz's office makes copies of application and resumes and distributes them to interested supervisors.
- 4) If interested, supervisor sets up interview with the applicant.
- 5) If supervisor decides he wants to hire applicant, she/he makes recommendation to the Rules and Legislative Administration Committee.
- 6) If recommendation passes a written okay, it is sent from Rules Committee.

*Before the applicant is hired he/she is informed of the length of his/her employment.

Senate

- 1) Generally, the applicant will fill out an application, then Janine Mattson will look over application and resume.
- *Ms. Mattson tries to match personalities of the Senators with the employee. Sometimes the Senators want someone from their own district.
- 2) Ms. Mattson sets up an interview, makes recommendations to the Senators, and Committee chairman.
- *If Senator/Committee chairman wants to hire applicant and Ms. Mattson doesn't recommend it, Ms. Mattson suggests an alternative. If there is no other alternative the Senator/chairman could over-rule, or follow her recommendations.
- 3) Janine prepares resolution that goes to the Rules Committee.

least meet the states minimum requirements which are 80 words per minute (wpm) shorthand, and 55 wpm typing. Ms. Eickhoff looks for applicants with speed slightly above minimum requirements because of the nature of the work done within the caucus which requires someone with above average speed in the areas of shorthand, and typing.

Diane Rumley also administers typing and shorthand test. For the typing test Ms. Rumley gives the applicant a copy of any proposed bill/law from the files in her office and asks the applicant to type it. She has no set test for shorthand. The test she does give involves a letter randomly selected from Ms Rumley's files. Ms. Rumley also follows state requirements of 80 wpm shorthand, and 55 typing speed.

When interviewing Diane Rumley relies heavily on references; she is concerned with the applicants past work history and their ability to work quickly and competently because of the large work load the applicant would be faced with if hired.

One concern expressed by Diane Rumley was that it is hard to find applicants with the ability to take shorthand; she says that many schools no longer train their students to take shorthand.

Carolyn Eickhoff stressed the importance of finding secretaries with both great speed and maturity because these secretarial/ clerical positions are not entry level jobs and because there is a large amount of work done by these stenographers. Ms. Eickhoff also pointed out that it takes approximately two (2) years to train a new stenographer.

Promotions are also a means utilized by the House in filling positions.

Affirmative Action

There is no one employed by either the House or the Senate whose job is specifically that of affirmative action officer. Dave Dienitz is in charge of filling out personnel reports which indicate how many minorities are employed within the House at the end of each session. Janine Mattson performs the functions of an AA officer within the Senate.

An overall look at how the legislature attempts to comply with AA standards is as follows:

- 1) When those testing and hiring within the legislature attempt to contact minority applicants through members representing Black districts this is seen as a type of AA effort.
- 2) The legislature tries to adopt the spirit of the executive branch AA plan (through efforts like the one stated above).

It Should Be Noted That:

- 1) There is no set or written legislation for compliance with AA standards.
- 2) There are not enough Blacks being hired for either secretarial, or professional positions.
- 3) Advertising of positions is not done consistently or regularly in newspapers, particularly not in minority newspapers.

Additional Facts

The House is required to meet unemployment compensation dollar for dollar.

Positions within House Research are non-partisan, precinct work meaning that an applicant will not be hired if he has had anything to do with politics.

The Revisor of Statutes Office is mainly a specialty division that serves both houses of the legislature. Attorneys, typists, and computer people are employed by this office.

House Research has no connection with the Attorney General's Office.

The Senate has a performance rating which is to be filled out by supervisors after the employee leaves the position. This rating was just officially adopted by the Senate Rules Committee during the 1982 legislative session (see attachments).

CONCLUSION/RECOMMENDATIONS

In conclusion, it is obvious that not enough Blacks are being hired by the legislature, especially in professional positions. The lack of minority response to the ads for secretarial/clerical positions may be because of lack of required skills (i.e. high standards for typing and shorthand skills). The frequency and consistency of advertising in minority papers is also inadequate. This could be another reason why there aren't more Black typists, secretaries, stenographers, and professionals in permanent positions in the legislature.

Based on these facts I make the following recommendations:

- 1) That more information be found on how many Black women enter and graduate from business and law/graduate schools with the ability to successfully hold high level secretarial/clerical and professional positions.
- 2) That a formal AA plan be adopted by the House and Senate and that the Council on Black Minnesotans play a major role in the drafting of this plan.
- 3) That the Senate and House send lists of job openings and detailed job descriptions to the Council, as well as, other Black community agencies and organizations, regularly, whenever positions are available so that minorities will be aware of these positions.

Introduction

This is a profile of the legislative workforce of Minnesota state government. This profile has been prepared in order to determine whether Blacks are effectively and proportionately utilized in the legislative branch workforce and what, if any, rules or practice operate to enhance or obstruct the employment of Blacks in that branch of state government. The information and data reported herein details hiring policies and practices, applicant flow work force demographics, recruitment policies and practices, and other personnel data of the Senate and House support staffs.

The material contained in this report was gathered through telephone and personal interviews with David N. Kienitz, House Finance Director; Janine Mattson, Personnel officer and First Assistant Secretary of the Senate; Peter B. Levine, Director House Research; Carolyn Eickhoff, Supervisor, Secretarial Staff - IR Caucus Research and Diane Rumley, Supervisor, Secretarial Staff - DFL Caucus Research. These individuals also supplied written records which were utilized extensively in compiling this report.

Summary of Findings

At the beginning of the 1982 legislative session (January, 1982), there were 236 people employed by the Senate; 223 employed by the House of Representatives; 61 by the Revisor of Statutes, and 14 by the Legislative Reference Library. The combined legislative workforce included 11 minorities, none of whom were Black.

The Senate workforce included seven Blacks, six males and one female, and one Hispanic male as of January 1982. The House

workforce included one Black female and one Hispanic male, and the Revisor of Statutes Office employs one Black.

The majority of Blacks employed by the legislature were temporary, untenured employees. In the Senate, only two of eight positions occupied by minorities were permanent, and in the House both positions occupied by minorities were permanent.

Job Classes

Blacks occupied three positions in the Senate that can be considered "political"--although temporary, where two Black males and one Black female were pages.

While there was one Hispanic male employed in a professional capacity by the House as an administrative aid with permanent status, the Senate employed the only Black professional with permanent status.

One Black male served in the capacity of an officer of the Senate as Assistant Sergeant-at-arms; another Black male served on the Sergeant's staff, and both positions are temporary.

Blacks in clerical positions consisted of one Black male secretary in the Senate, a Black female who was an accounts payable clerk in the House, and a Black editorial assistant in the office of the Revisor of Statutes.

There were no Black or Hispanic research assistants or analysts on either a full or part-time basis. Nor were any Blacks employed in Committee staff positions, as administrative aides or assistants, or as other support staff, i.e., financial analyst, writers, photographers, or computer services personnel.

Major Conclusions Drawn From Findings:

1. Blacks are not effectively or proportionately utilized in the

- legislative branch workforce;
2. The Senate employs most Blacks overall, and is the only place where a Black is employed in a professional or political capacity;
 3. There is no formalized Affirmative Action plan or test validation procedure for the recruitment, hiring, and promotion of Blacks or other minorities: this function is a part of the job description of an administrator who carries out the personnel function in the Senate, but not in the House.
 4. Most Blacks employed by the legislature are in untenured, temporary positions.

Inherent in these conclusions is the implication that a close examination of the hiring processes employed by both houses of the legislature is needed. A description of these processes along with an overview of the personnel function in the House and the Senate, comprise the body of this report.

Major Practices Obstructing Black Hiring:

The description of the processes employed by both houses of the legislature to carry out the personnel function, reveals personnel practices that are much less formalized than those that exist in the executive branch of state government. Nearly all personnel decisions are subject to the personal discretion of a few individuals who carry out the personnel function for each house of the legislature.

While the lack of written personnel rules and procedures can further such positive legislative goals as assuring a workforce that is in tune with the views of elected officials, the same lack of formality coupled with a great deal of personal discretion exercised by a few administrators can decrease the opportunity for affirmative action and increase the likelihood that personal and societal biases are introduced into personnel

decisions.

Inasmuch as affirmative action considerations should and must be free of subjective personal judgments on the part of employment decision makers and since such considerations are more adequately addressed by policies that are formalized and uniformly applied, the lack of formality in carrying out personnel function of the legislature can be assumed to be a major practice operating to obstruct the employment of Blacks in that branch of State government. Moreover, there are serious questions as to whether the interest of lawmakers individually and as a whole is best served by the broad reliance on unwritten policies and the delegation of hiring authority to a few administrators.

BLACKS IN THE LEGISLATURE SUMMARIZED:

	<u>SENATE</u>	<u>HOUSE</u>	<u>LEG. REF. LIB.</u>	<u>REVISOR'S OFFICE</u>
Total #EE's	236	223	14	61
Total #Blacks	7	1	0	1
Other Minor- ities	1	1	0	0
Total #Minor- ities in permanent positions	2	1	0	1
Total # Black Pro- fessionals	1	0	0	0
Black Po- litical Appts.	3	0	0	0

	<u>SENATE</u>	<u>HOUSE</u>	<u>LEG. REF. LIB.</u>	<u>REVISOR'S OFFICE</u>
Black Of- ficers	1	0	0	0
Black Cler- ical EE's	1	1	0	1
Other (service)	1	1	0	0

The Senate is composed of 10 offices and 15 committees. Majority Offices, President of the Senate's Office, DFL Caucus Research, Minority Offices, IR Caucus Research, Secretary of Senate's Office, Senate Counsel (Attorneys Division), Senate Research, Public Information Office, Sergeants Department, Page Department, Agriculture and Natural Resources Committee, Energy and Housing Committee, Governmental Operations Committee, Taxes and Tax Laws Committee, Education Committee, Health, Welfare and Corrections Committee, Public Employees and Pensions Committee, Local Government and Urban Affairs Committee, General Legislation and Administrative Rules Committee, Employment Committee, Finance Committee, Veteran's Affairs Committee, Elections and Reappointment Committee, Commerce Committee, Transportation Committee, and the Judiciary Committee. Some legislative assistants, stenographers, and clerk typists work for individual senators, and there are chaplains who are employed by the Senate for one day during which they say the opening prayer of the Legislative Session for that day.

Recruitment

The Senate normally begins hiring in December after elections; the period for hiring varies within the House according to the department and the position being filled.

Both Houses accept resumes year-round; the House keeps resumes on file in both the Personnel Office and House Research for approximately six (6) months. The Senate Personnel Officer keeps applicants resumes on file for at least on year. All positions within the House and Senate are unclassified* civil service positions.

The total number of employees of the House and Senate fluctuates throughout the Legislative Session which generally runs from the second week in January thru April or May. The majority of temporary employees are employed during the legislative session only, but there are some exceptions within the House currently. Within the House there is some temporary staff working in the Legislative Auditor's Office. Normally, once the session is over the permanent staff takes over.

Only the permanent employees of each house receive fringe/employee benefits. Temporary or session employees are eligible to file for unemployment compensation following each Legislative

*Unclassified: untenured position, which may be terminated at anytime; tends to be a temporary, political position vulnerable to changes in administration. Session provided that they have a claim (the Legislature follows state requirements - i.e. whether individual has worked enough hours to receive unemployment compensation). Each house of the Legislature has its own system for giving raises to its employees each session.

Advertising

When advertising is used as a means for filling a position it is done in the fall preparatory for the upcoming session. Secretarial positions are most frequently advertised. Each house of the legislature has its own means for advertising.

Advertising has been done in the Minneapolis Tribune and the St. Paul Dispatch only according to Carolyn Eickhoff of the IR Caucus of the House. Ms. Eickhoff decides along with the Executive Director of her department where advertising will be placed. Diane

Rumley of the DFL Caucus in the House stated that she does not advertise in local newspapers as a means of reaching and getting minority applicants to apply. She calls various minority agencies to notify them that a position is available. Ms Rumley relies on those members who have access to the Black community such as Representative Randy Staten to bring in applicants. Ms. Eickhoff said that the various times at which advertising is done depends upon how many secretaries are needed in relation to the number of legislative members elected; the current ratio is one (1) secretary for every three (3) members. The advertising done by Diane Rumley (DFL Caucus), and Carolyn Eickoff (IR Caucus), is separate from the advertising done by House Research. House Research rarely advertises in newspapers as a means of filling positions, but when advertising is done it is under the direction of the Director of House Research, Peter Levine is in charge of recruiting and hiring legislative analysts which are full-time positions. (House Research hires and recruits people to be legislative analysts, research assistants, participants in a research assistant program, and secretaries) According to Mr. Levine he has utilized the Minneapolis Tribune (Sunday edition), the St. Paul Dispatch, and "ethnic" papers - none of which he was able to name. Mr. Levine could only remember specifically one instance three years ago when they advertised for someone for with a labor background. The procedure they followed then was to discuss as a department what type of qualifications would be needed by the applicant, write a synopsis one paragraph long, and then develop this into a one page flyer. The list of law schools and minority offices which have received notice of available po-

sistions in the past either from Mr. Levine or Karin Johnson (a legislative assistant in House Research in charge of recruiting applicants for research assistants, those on the research assistant program, and secretaries all of which are part-time positions) is as follows:

Hamline University Law School	Centro Cultural Chicano
William Mitchell College of Law	Mpls., Regional Native -
University of Minnesota Law School	American Center
	CURA
Minneapolis Urban Coalition	
Minneapolis Urban League	Citizens League
	Legal Assistance of -
Ramsey County Attorney's Office	Ramsey County, Inc.
St. Paul City Attorney's Office	
	MN State Bar Association
Hennepin County Attorney's Office	Ramsey County Public -
Minneapolis City Attorney's	Defender's Office
	Hennepin County Public
Federal Defender's Office	Defender's Office

Like the House, the Senate does not normally use advertising in newspapers and job services as a means for filling any of its available positions. For the most part the Senate personnel officer (Janine Mattson) relies on the recommendations of senators (i.e. Senators that represent Black districts can bring in applicants. Currently the Senators representing Black districts are Senators Linda Berglin and Donald Moe), the initiative of applicants (this includes those who go into the office on their own initiative to fill out an application), and word of mouth (i.e. employees, members will see if anyone they know needs a job). It is estimated that one-third of the Senate positions are filled through references from the leadership, one-third through applicants own initiative, and one-third through word of mouth.

In the past Ms. Mattson has had available positions placed on

record at the State Department of Employee Relations, and she also placed two (2) ads for secretarial positions beginning in the November 26, 1981 issues of both the Minneapolis Spokesman and the Twin Cities Courier.

Karin Johnson, Deane Rumley, and Jaine Mattson all seemed to express concern over the fact they receive very little response to their efforts at recruiting minorities. Janine Mattson stated that she received only 2 or 3 responses to the ads which she placed in the Minneapolis Spokesman and the Twin Cities Courier.

Hiring

When it comes to hiring applicants the recommendation of representatives and senators is important. Generally there is an unwritten rule within the House that no member can have more than one page* that he/she has recommended on staff during a session. (*page positions, which are political positions are usually filled on the basis of recommendations from the members through word of mouth.)

Recommendations from legislative members are given priority according to seniority, and generally the Sergeant-at-Arms tries to satisfy members first in his acceptance of recommendations. For example, Dave Kienitz (House Finance Director and Personnel officer) could recommend someone to the Chief Sergeant-at-Arms, but his recommendation would probably be given lower priority than the members recommendation.

Members from the Senate can also make recommendations to someone in the House (and vice versa) but as stated above their recommendations would be given low priority.

COUNCIL ON BLACK MINNESOTANS

State of Minnesota

GENERAL SOCIAL AND ECONOMIC CHARACTERISTICS OF BLACK
MINNESOTANS*

*Source: 1980 Department of Commerce, Bureau of Census.

GENERAL SOCIAL AND ECONOMIC CHARACTERISTICS OF
BLACK MINNESOTANS

FAMILY CHARACTERISTICS/DEMOGRAPHICS

<u>CATEGORIES</u>	<u>TOTAL #</u>	<u>STATE %</u>
<u>TOTAL FAMILIES</u>	11,548	1.1%
 FAMILIES WITH CHILDREN UNDER 18 YRS. This represents <u>71%</u> of total black families; and <u>.8%</u> of total Minnesota families.	8,201	1.4%
 FAMILIES WITHOUT CHILDREN This represents <u>28.7%</u> of total black families; and <u>.3%</u> of total Minnesota families.	3,347	.7%
 MARRIED COUPLES This represents <u>51.8%</u> of total black families; and <u>.5%</u> of total Minnesota families.	5,980	.6%
 MARRIED COUPLES WITH CHILDREN UNDER 18 yrs. This represents <u>32.8%</u> of total black families; <u>.36%</u> of total Minnesota families; <u>63%</u> of total black married couples; and <u>46.2%</u> of total families with children.	3,789	.8%
 MARRIED COUPLES WITHOUT CHILDREN This represents <u>19%</u> of total black families; <u> %</u> of total Minnesota families; <u>37%</u> of total black married couples.	2,191	.2%

	<u>TOTAL #</u>	<u>STATE %</u>
<p>SINGLE-PARENT FAMILIES This represents <u>48.2%</u> of total black families; and <u>.2%</u> of total Minnesota families.</p>	5,568	.5 %
<p>SINGLE-PARENT/FEMALE-HEADED/FAMILIES This represents <u>41.3%</u> of total black families; <u>.45%</u> of total Minnesota families, and <u>86%</u> of total black single-parent families.</p>	4,772	4.6 %
<p>SINGLE-PARENT/FEMALE-HEADED FAMILIES WITH CHILDREN This represents <u>41.3%</u> of total black families; <u>.4%</u> of total Minnesota families; <u>71%</u> of total black single-parent families; and <u>83%</u> of total black female-headed families; and <u>48.2%</u> of black families with children.</p>	3,961	.4 %
<p>SINGLE-PARENT/FEMALE-HEADED FAMILIES WITHOUT CHILDREN This represents <u>7%</u> of total black families; <u>15%</u> of total black single-parent families; <u>17%</u> of total black female-headed families; and <u>24.2%</u> of total black families without children.</p>	811	.08 %
<p>SINGLE PARENT/MALE-HEADED FAMILIES This represents <u>6.8%</u> of total black families; <u>14.3%</u> of black single-parent families; and <u>.076%</u> of total Minnesota families.</p>	796	.007%
<p>SINGLE-PARENT/MALE-HEADED FAMILIES WITH CHILDREN This represents <u>3.9%</u> of total black families; <u>.043%</u> of total Minnesota families; <u>8%</u> of total black single-parent families; <u>5.4%</u> of total black families with children, <u>56.6%</u> of single-parent/male headed families.</p>	451	.004%

	<u>TOTAL #</u>	<u>STATE %</u>
SINGLE-PARENT/MALE-HEADED FAMILIES WITHOUT CHILDREN	345	.003%

This represents 3% of total black families;
.03% of total Minnesota families; 6% of
total black single-parent families; 10.3%
of black families without children; 43.3% of
single-parent/male-headed families.

SIGNATURE: _____
Executive Director

Report prepared by the COUNCIL ON BLACK MINNESOTANS
Source: U.S. Department of Commerce, Bureau of Census,
Census of Population and Housing, 1980--Summary Tape File 3A.

INCOME STATUS OF BLACK MINNESOTANS

FAMILIES

	<u>TOTAL #</u>	<u>BLACK FAMILIES</u>	<u>STATE %</u>
<u>Total Black Families</u>	\$11,548	100%	1.1%
 <u>Income</u>			
Less than \$5,000	1,962	16.9%	
\$5,000 to \$9,999	2,190	18.9%	
\$10,000 to \$14,999	1,788	15.5%	
\$15,000 to \$19,999	1,440	12.6%	
\$20,000 to \$24,999	1,223	10.6%	
\$25,000 to \$34,999	1,720	14.9%	
\$35,000 to \$49,999	961	8.3%	
\$50,000 or more	264	2.3%	

Median Dollars \$14,512 = 68% of white families

Mean Dollars \$17,571 = 73% of white families

Persons poverty status determined 3,831,754 - MN. Total

50,016 - Black MN. Total

Income in 1979 below poverty level 340,102 - MN. Total
8.9% of State Population

13,325 - Black MN. Total
3.9% of State Population

27% of Black Families

LABOR FORCE DATA (Black Persons 16 Yrs. & Over)

	<u>TOTAL #</u>	<u>TOTAL BLACK POPUL.</u>	<u>TOTAL BLACK WORK- FORCE</u>	<u>% STATE CATEGORY</u>
Total Black Persons	33,917	63.6%	100%	1.4 %
Labor Force	21,867	41 %	100%	1.09%
Employed	19,640	36.8%	90%	10.4 %
Unemployed	2,069	3.9%	10%	1.9 %
Total Black Females	16,554	31 %	48.8%	1 %
Labor Force	9,611	18 %	44%	.5 %
Female Labor Force	9,611			1 %
MN. Total Female Labor Force	859,687			27 %
Employed	8,837	16.6%	26%	1 %
Unemployed	758	1.4%	3.4%	2 %
% of Black Female Labor Force			8%	
MN. Total Labor Force				.04%
Total Black Males	17,363	32.6%	51.2%	.6 %
Labor Force	12,256	23 %	56%	.6 %
Male Labor Force	12,256			1 %
MN. Total Male Labor Force	1,144,415			57 %
Employed	10,803	20.3%	55%	.6 %
Unemployed				
% of Black Male Labor Force	1,311	2.5%	.6%	3.5 %
MN. Total Labor Force	2,004,102			.07%

GENERAL SOCIAL AND ECONOMIC CHARACTERISTICS OF
BLACK MINNESOTANS

Population

<u>Categories</u>	<u>TOTAL #</u>	<u>% OF STATE TOTAL</u>	<u>% OF BLACK POPUL.</u>	<u>% OF CATEGORY</u>
<u>Total Minnesota Population</u>	53,325	1.3 %	100%	
Black Hispanics	744	.02%	1.4%	
Adjusted total Black Population	54,069	1.32%		

Population - Age/Sex Demographics

<u>Total Black Population</u>	53,325	1.3 %	100%	
Under 5 yrs.	5,757	.14%	11%	
5 yrs. to 14 yrs.	11,477	.3 %	22%	
15 yrs. to 59 yrs.	31,444	.77%	60%	
60 yrs. to 64 yrs.	1,142	.03%	2%	
65 yrs. and over	2,505	.06%	5%	
<u>Total Black Female Population</u>	25,370	.64%	47.6%	100 %
Under 5 yrs.	2,666		5 %	11 %
5 yrs. to 14 yrs.	5,546		10.4%	22 %
15 yrs. to 59 yrs.	15,140		28.4%	59.5%
60 yrs. to 64 yrs.	622		1.2%	2 %
65 yrs. and over	1,396		2.6%	5.5%

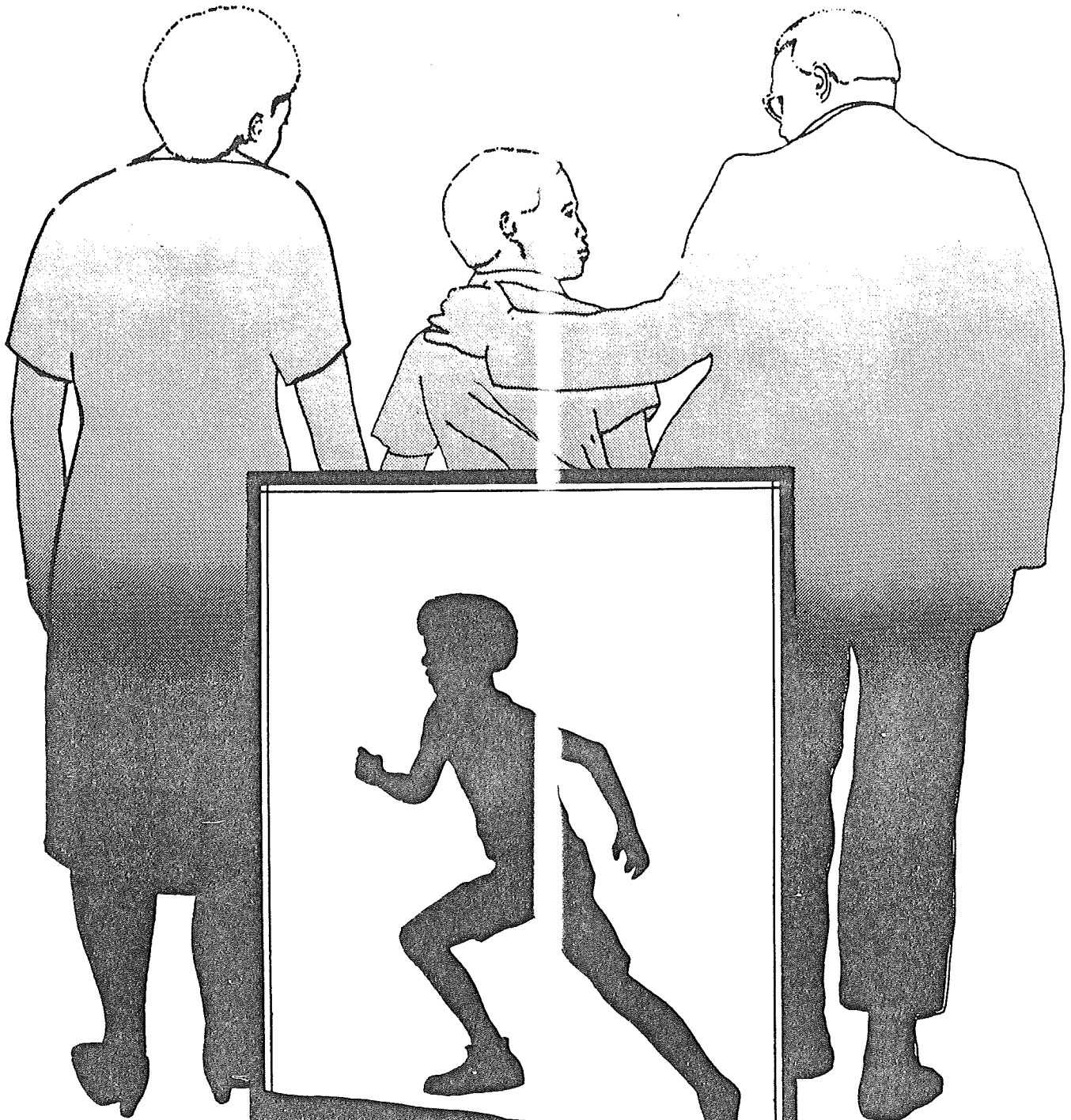
	<u>TOTAL #</u>	<u>% OF STATE TOTAL</u>	<u>% OF BLACK POPUL.</u>	<u>% OF CATEGORY</u>
<u>Total Black Male Population</u>	27,955	.66 %	52 %	
Under 5 yrs.	3,091	.076 %	7 %	11 %
5 yrs. to 14 yrs.	5,931	.145 %	11 %	21 %
15 yrs. to 59 yrs.	16,304	.4 %	31 %	58 %
60 yrs. to 64 yrs.	520	.013 %	1 %	2 %
65 yrs. and over	1,109	.03 %	2 %	4 %

Years of School Completed (Black persons 25 yrs. and over)

	<u>TOTAL #</u>	<u>% OF BLACK ENROLLMENT</u>	<u>% OF STATE TOTAL</u>	<u>% OF BLACK POPUL.</u>
Elementary School (0-8 yrs.)	2,778	11.6%	.71%	5 %
High School (1-3 yrs.)	4,245	17.8%	1.8 %	8 %
(4 yrs.)	<u>7,744</u>	<u>32.5%</u>	<u>.85%</u>	<u>14.5%</u>
Total	11,989	50.3%	2.65%	22.5%
College (1-3 yrs.)	5,053	21.2%	1.3 %	9.5%
(4 yrs. or more)	<u>4,029</u>	<u>16.9%</u>	<u>1 %</u>	<u>7.5%</u>
Total	9,082	38 %	2.3 %	17 %
<u>TOTAL</u>	23,849	1 %	5.7 %	45 %

Report prepared by the COUNCIL ON BLACK MINNESOTANS
Source: U.S. Department of Commerce, Bureau of Census,
Census of Population and Housing, 1980--Summary Tape
File 3A.

Adoption and foster care placement of Black children in Minnesota:



Report by the State
Council on Black Minnesotans

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I. INTRODUCTION

In January 1982 the Council on Black Minnesotans held a public hearing on the adoption and foster care of Black children in Minnesota. The hearing was held in response to a recommendation of the Council's Black Women's Legislative Task Force and others who were concerned about the relatively high incidence of transracial adoption of Black children in Minnesota. Our objective was to gather data for the purpose of developing and advocating public policy on this issue.

The hearing lasted four hours and was open to testimony from all interested persons. In addition, the hearing record remained open to written submissions for two weeks following the date of the hearing. In all, nineteen people testified and five submitted letters and other forms of written material after the hearing.

The testimonies and written submissions are summarized in the addendum to this report. These data represent a broad cross-section of the adoption and foster care system, and are the impetus for many of our recommendations. Our evaluation of the testimony and other available research and data on adoption and foster care of Black children is reported here.

Most adoption and foster care professionals agree that the guiding principal and perhaps overall objective of an adoption or foster care placement should be to serve the child in his or her best interest; a sometimes nebulous goal which inherently calls for application of subjective, personal judgment. But, if the overall objective seems unclear, the considerations which frequently compete to serve the overall objective are more precise. They may include a desire to provide:

- (1) racial or ethnic preservation;
- (2) religious preservation;
- (3) a permanent home;
- (4) the least restrictive placement alternative;
- (5) close proximity to relatives, or
- (6) a particular school or community; and
- (7) substitute care (foster care or group homes) least costly to the public.

Clearly the priority applied to each consideration would largely depend on the unique circumstances of the child and may also be affected by whether the child is to be affected by whether the child is to be adopted or placed in foster care. Still, there is disagreement among knowledgeable persons from case to case as to which among the competing considerations most legitimately serves the best interest of the child.

Concerning adoption, we found that there is a considerable disparity between the numbers of transracially adopted Black children and white children in Minnesota. Ninety-eight percent (98%) of white children are adopted by white parents while only twenty percent (20%) of Black children are adopted by Black parents.

This situation is alarming, particularly in view of the state's Department of Public Welfare responsibility to set standards and rules and coordinate adoptions. But it also gives rise to several important questions:

- (1) Is transracial adoption in the best interest of the Black child?
- (2) What factors contribute to the disparity between the incidence of transracial adoptions of Black and white children?
- (3) Are there policies or practices employed by private or public adoption agencies which encourage intraracial adoption of white children and transracial adoption of Black children or conversely, which discourage transracial adoption of white children and intraracial adoption of Black children?
- (4) Assuming intraracial adoption is the preferred practice, what can be done to stimulate increased adoption of Black children by Blacks?

Concerning foster care placement we found there was considerably less data collected and reported on this subject than adoption. Until recently, the Minnesota Department of

Public Welfare (DPW) did not compile an annual report on foster children containing such information as the children's legal status, demographic characteristics, location and length of stay in foster care.

Foster care data is collected for each "fiscal account" (a local unit of government which pays for substitute care, in most cases a county) and is not compiled and reported to show state-wide figures. Also relevant is the fact that applicants for state or county social services are not required to identify their race, sex or religion, or that of their children.

The question of data collection and reporting is not superficial to our examination of foster care and adoption. A recent report of the National Urban League stated that "our concern is that (the) unavailability and non-uniformity of data on adoption and foster care ha(s) profound implications for placement of the black youngster because this lack of knowledge impede(s) adequate planning procedures for the placement of black children in permanent homes".¹

We have concluded that the best interest of Black children may be best served by the initiation of several changes in adoption and foster care law, policy and practice.

II. STATISTICAL OVERVIEW²

2,186 adoption decrees were granted in Minnesota including 100 adoptions of Black children during the 1981 fiscal year (the period beginning July 1, 1980 thru June 30, 1981). During that same period, 1,573 children were "placed"³ in adoptive homes for the mandatory minimum period of three months. 96 of the 1,573 "placements" were Black children.

71 of 100 Black children adopted in fiscal 1981 were adopted by white mothers; 20 by Black mothers; one by an Asian mother; and six were adopted by mothers of unreported racial identity.

1,284 of 1,305 (98 percent) white children adopted in fiscal 1981 were adopted by white mothers; one was adopted by an Indian mother; eighteen were adopted by mothers of unreported racial identity (1.4 percent); and no white child was reported adopted by a Black mother.

Public and private agencies placed Black children with adoptive families living in 82 of 87 Minnesota counties in fiscal 1981. And, although statistics are unavailable, we know that Black children are placed in foster homes all over the state.⁴

III. STATE AND FEDERAL LAW PROVIDING FOR PRESERVATION OF RACE

Minnesota Law and Rules

Minnesota law governing juvenile court dispositions of petitions requesting foster care placement or termination of parental rights provides that the court should attempt to place a child with a family that has the same ethnic origin as the child:

Minnesota Statutes 1980, Section 260.181,

Subd. 3. [PROTECTION OF RELIGIOUS AND ETHNIC AFFILIATION.] The Court, in transferring legal custody of any child or appointing a guardian for him under the laws relating to juvenile courts, shall place him so far as it deems practicable in the legal custody or guardianship of some individual holding the same religious belief and the same ethnic origin as the parents of the child, or with some association which is controlled by persons of like religious faith and ethnic origin as the parents. The court may require the county welfare agency to continue efforts to find a guardian of like religious faith or ethnic origin when such a guardian is not immediately available.

It is important to note that this statutory provision governs foster care placements and not adoptive placements. Existing Minnesota law does not establish criteria or standards for the use of ethnic origin or race as a factor in determining an adoptive placement.

Regarding foster care placements, the law provides that children should be placed with a foster parent or guardian that has the same race and religion--unless the court deems consideration of these factors impracticable.

This provision does not provide direction as to which placement factor--race or religion, should be the predominant consideration if both cannot equally be accommodated. Similarly, the law does not define when or under what circumstances a court may determine a same race placement to be impracticable.

The DPW rules on adoption and foster care establish guidelines for "protecting the child's heritage". The adoption rule provides that:

- (a) The local social service agency shall, without undue delay, seek an adoptive home which will meet the child's special needs. Special needs include sibling ties, racial or religious heritage, and health, social, and educational needs.
- (b) The local social service agency shall make reasonable efforts to provide and preserve the child's heritage by placing the child:
 - (1) In an adoptive home of similar background;
 - (2) In an adoptive home which is knowledgeable and appreciative of the child's heritage.⁵

The foster care rule states that:

The local social service agency shall provide for the preservation of the child's religious, racial, cultural, and ethnic heritage through:

- (1) Placement if possible and indicated in a foster home of similar background;
- (2) Education of the foster parents as to the importance of the heritage of the child;
- (3) Education of the foster parents as to customs and values of that particular group.⁶

These rules do not establish an ordered process by which to evaluate various placement factors, nor do they establish the weight or gravity to be attached each individual and competing consideration. And though both rules provide that race or ethnic background should be considered in placing a child, it is not compulsory or dispositive.

Unfortunately, the rules are so broad and vague that they do little more than establish a standard of good faith practice. However, absent good faith, there is nothing in the law or rules to encourage or require compliance and certainly no penalty for violation.

This weakness in the law is especially disturbing given the fact that adopted white children are afforded a type of de-facto protection of their heritage. White children in Minnesota are almost exclusively adopted by white parents. Conversely, Black children are disproportionately adopted by whites and other non-Black parents.

The DPW adoption rule simply requires the adoption agency to provide for the "special needs" of a child (of which racial preservation is but one) and that the agency "preserve the child's heritage" by making "reasonable efforts" to place a child in a home of similar background or one that is knowledgeable of the child's heritage. The "special needs" requirement is vague in that it does not distinguish between or prioritize special needs. Apparently, any or none of the "special needs" may be

complied with in making a placement. The rule also requires that agencies only "seek" (but not necessarily find) a home to meet a child's special needs.

The heritage preservation requirement of the adoption rule is too broad to have specific impact on Black children because it fails to specify or prioritize the type of heritage (e.g., racial, religious, cultural, educational, etc.) that is to be protected. It also requires only "reasonable" efforts (when special efforts may be necessary) to protect the child's heritage.

The DPW foster care rule is equally broad and vague providing that the foster care agency shall preserve the child's religious, racial, cultural, and ethnic heritage through placement "if possible" in a foster home of similar background. Absent such a match, the social service agency could place the child with foster parents whom they would educate as to the child's cultural values and racial heritage and customs.

This provision obviously does not compel intraracial placement. Racial preservation is ranked equally with other considerations, all of which may be nullified by compliance with any one of them. In short, the rule can be satisfied by simply placing a child with a foster family having a "similar" background or by educating the foster family about the child's race, religion, culture, or ethnicity.

Federal Law

Two federal laws directly impact state involvement in adoption and foster care placement of certain children. The federal Indian Child Welfare Act establishes "minimum federal standards for the removal of Indian children from their families and placement of such children in foster or adoptive homes which will reflect the unique values of Indian culture..."⁷ The Adoption Assistance and Child Welfare Act of 1980⁸ appropriates funds to enable each state to provide foster care and adoption assistance for children eligible for assistance under the state's guidelines.

The Indian Child Welfare Act provides that "(i)n any adoptive placement of an Indian child under state law, a preference shall be given, in the absence of good cause to the contrary, to a placement with (1) a member of the child's extended family; (2) other members of the Indian child's tribe; or (3) other Indian families".⁹ A similar pattern is established for the foster care placement of an Indian child under state law.

In addition, the Indian Act allows under certain conditions Indian tribes to monitor the adoption and foster care placement of Indian children and to employ their own order of placement preferences. The Act also provides that any adoption of an Indian child within ten days of birth is automatically nullified.

The Adoption Assistance and Child Welfare Act appropriates several hundred millions of dollars to state agencies to provide adoption and foster care assistance to children and families. State agencies receiving dollars under this Act are required to comply with detailed reporting procedures and develop plans in accordance with numerous and specific guidelines. A state must have an approved plan which among other requirements:

- (1) provides that the plan is in effect and mandatory in all political subdivisions of the state;
- (2) provides that in the administration of its programs it will establish and apply personnel standards on a merit basis;
- (3) provides that the state will monitor and conduct periodic evaluations of its adoption and foster care activities carried out under federal law;
- (4) provides opportunity for any state agency to challenge the placement of any child receiving federal assistance on the basis of neglect, abuse, or exploitation; and
- (5) provides specific goals (and a specific plan to achieve the goals) as to the maximum number of children who at any time during the fiscal year beginning October 1, 1983 will remain in foster care.

The Child Welfare Act also requires each state to submit statistical reports with respect to the legal status, demographic characteristics, location and length of stay in foster care of each child in foster care for whom federal dollars are paid.

Other State Law

The California State Assembly is currently considering a bill which seeks to protect the ethnic heritage of Black children placed for adoption or foster care in California. The proposed California Black Child Welfare Act would provide that in determining the proper adoptive or foster placement of a Black child, first priority would be given to placing the child with relatives; if placement with relatives could not be made or would be detrimental to the child, placement would be made with a family of the same racial or ethnic identification as the child's; and if that were not possible placement would be made with a family of a different race, ethnicity or culture. ¹⁰

We are unaware of other federal or state laws providing similar direction for adoption and foster care of Black children or children of other races or ethnicities.

IV. WAITING BLACK CHILDREN

The National Urban League estimates "(t)here are nearly 50,000 blacks in foster care who are potentially available for adoption".¹¹ Witnesses at our hearing testified that 40 percent of the nation's minority children waiting for permanent homes are Black and that a disproportionate number of Minnesota's several hundred waiting children are Black. ¹²

While these estimates are useful in determining the magnitude of the problem, most figures are believed to under-

estimate severely the number of adoptable or potentially adoptable Black children. Official estimates of the numbers of children waiting to be adopted "...do not, of course, take account of independent actions (i.e. informal or unofficial adoptions) or of the children for whom adoption might be sought if mothers were not discouraged because of the dearth of adoptive homes".¹³

The dilemma presented by the large number of Black children legally freed for adoption and waiting for a permanent home is further complicated by the fact that Black children are adopted at a rate much slower than other children, which means they remain in substitute care for longer periods of time. Moreover, Black children are less likely than other youngsters to be adopted.¹⁴

The most common explanation for the large pool of waiting Black children is that there is strong resistance or opposition to adoption and foster care from the Black community, rather than any negligent or intentional failure on the part of the system. This explanation includes the suggestion that most Blacks fundamentally oppose the concept of adoption and that the Black community is largely unaware of the need for adoptive and foster homes for their children.

But some experts argue, and we agree, that the Black community has a rich heritage of providing adoption and foster care services to its children. Indeed, some argue that "the myth

of 'no Black homes available' is a social agency cop-out for not devising innovative and creative ways of facing up to the problem--a perfect example of 'benign neglect'".¹⁵

Consider the following:

In a recent study of two-parent black families, Herzog (1965) found that when black families were compared with white families of the same education, income and social status, the proportion of black families that adopted was as high as that of white families. This study proved that attitudes about adoption are more related to income and family composition rather than apathy toward adoption; that blacks are equally as interested in adopting as whites who are in a position to adopt; and blacks are equally as informed about adoption.¹⁶

Another author argues that "...non-whites, when financially able, adopt at a higher rate than whites".¹⁷

Obviously, the question of why there are so many waiting Black children is significant in developing insight or direction into possible solutions. What is clear is that more homes are needed for waiting Black children and that the Black community is the natural and logical place to recruit.

V. RECRUITMENT

The strongest point of agreement among the many people who testified at our hearing is that there is a compelling need for improved and expanded recruitment on the part of private and public agencies to find Blacks to adopt or provide foster care for Black children.¹⁸ The problem is that there is a large pool of waiting Black children in Minnesota (and in the U.S.) and that existing methods of finding an ample number of homes for these children have failed.

Inadequate and ineffective recruitment in Black communities on the part of adoption agencies is often cited as a major reason for the disproportionately high percentage of Black waiting children. Dr. Anita Brooks, Associate Professor, Department of Afro-American Studies, University of Minnesota testified that "it is the general concensus of most agencies that Blacks do not adopt and thus Black children are placed in white homes without proper or legitimate attempts to recruit a Black family".¹⁹ Dr. Brooks stated further that there are Black homes available for Black children, but that a vehicle is needed for adoption agencies to gain access to the supply.

There are numerous explanations for why traditional or standard recruitment is ineffective in attracting Black applicants. One of the most important, albeit basic reasons is that:

(In moving from white to (Black) adoptions we are moving from what economists would call a 'seller's market', where demand exceeds supply, to a 'buyer's market', where supply exceeds demand. In a seller's market the seller has little to do but choose between buyers, but under reverse circumstances a great deal of affirmative effort is required. Without a doubt, certain procedures have developed in agency adoption practice which have primary usefulness in deciding between a large number of applicants, which have little or no meaning when the number of children to be placed exceeds the number of applicants.²⁰

To our knowledge, Hennepin County Community Services is the only public agency in Minnesota that has a recruitment program or plan designed specifically to attract prospective Black adoptive or foster parents. Public and private agencies alike appear to do little in the way of specialized recruitment of Blacks. Rather, they tend to rely almost exclusively on their traditional referral sources, namely word of mouth and general media advertisements. This practice clearly has not worked.

Everyone concerned seems to agree that extraordinary recruitment efforts (meaning, recruitment specifically targeted to Blacks) are necessary to effectively increase the pool of prospective Black adoptive and foster parents. And yet, ordinary efforts are still being employed by public and private agencies. We believe that "(t)he ultimate solution to the provision of homes for Black youngsters is a constant recruitment effort within the Black community on several fronts: public relations, use of the news media, use of professional groups, use of church and fraternal groups, and use of group meetings and professional contacts of successful Black adoptive parents".²¹

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VI. RECORD KEEPING AND DATA RESOURCES

There is a paucity of data available from state and county social service agencies regarding children placed in substitute care (group and foster homes) in Minnesota. In addition, there is little uniformity in the data from county to county.

We had hoped and expected to find a wide range of information concerning foster children and their families compiled by county and statewide, including such data as children and family demographic profiles (e.g., race, religion, age, parents' occupations and employment status, number and age of other children, etc.), length of stay in substitute care, number and location of previous placements, and whether care had been parent initiated or court ordered.

We found that, until recently, each county set its own rules regarding the specific information it required of social service applicants (within parameters set by law) and that the state (DPW) did not compile and report statewide data on children in substitute care and their families.

State implementation of the federal Adoption and Assistance Child Welfare Act of 1980 will do much to alleviate our concerns. Under this federal law and the Minnesota counterpart county social service agencies will submit to the state a range

of statistical reports on children in foster care including legal status, demographic characteristics and location and length of each stay in foster care. DPW expects its first report to be completed and available in June 1982. However, the report will not include cross-tabulations of variables by race.

We believe the absence of race specific data in the DPW foster care report is a mistake which should be remedied immediately. Our concern is that Black children "in foster care are deprived of . . . rational service delivery, because of the woefully inadequate information base that underpins practice".²²

While the lack of data affects all children placed in substitute care, we believe Black children are impacted worse because they are disproportionately represented among Minnesota's waiting children and they are less likely to be adopted. Since Black children will likely remain in foster care longer than other children, it is especially important that the state require of each county race specific tabulations and that the DPW compile such data in a statewide report. This will allow social service planners to develop adequate procedures for the placement of Black youngsters in permanent homes.²³

VII. RECOMMENDATIONS

Racial Preservation

1. Legislation should be enacted establishing clear and compelling standards for the use of race or ethnic background as factor in determining the placement of a child who is being considered for foster care or adoption. We advise that such legislation should be modeled after the California Assembly Bill and the Indian Child Welfare Act (both discussed in this report).
2. The Minnesota Department of Public Welfare should promulgate and adopt new rules consistent with the above recommendation.

Recruitment

1. The governor and legislature should direct the Department of Public Welfare to require local welfare agencies to affirmatively recruit Black adoptive and foster parents. DPW should also be directed to hire or retain expert consultants to advise them on recruitment of Black parents.
2. The legislature should appropriate and earmark funds to the Department of Public Welfare to establish a pilot project for recruitment of Black adoptive and foster parents. This project should take the form of a technical/professional services contract to be granted and administered by the department and should be housed in or part of an existing Black community based organization (e.g., Hallie Q. Brown Community Center; Phyllis Wheatley Community Center; Sabathani Community Center or the

Minneapolis or St. Paul Urban Leagues.

General

The Commissioner of Public Welfare should create a Black Foster Care and Adoption Advisory Task Force to render advice and counsel to the commissioner on all matters relating to law, rules or practice affecting the adoption or foster care of Black children.

Record Keeping

The governor and legislature should direct DPW to compile an annual report on foster care with statistical data for each county and statewide. Such data should include the legal status, race, location, length of stay in foster care and other demographic information for all children in foster care. The report should also include cross-tabulations of variables by race.

Monitoring

Legislation should be enacted creating local foster care review boards to review the placement and care of children after a specified period in foster care.

Footnotes

1

(Facilitating Black Adoptions, National Urban League, Inc., 1979).

2

Data Source: Minnesota Department of Public Welfare, "Adoption Annual Report Year Ending June 30, 1981".

3

Minnesota Law requires that a child reside (i. e. be "placed") with a prospective adoptive family a minimum of three months before an adoption decree may be granted.

4

Council on Black Minnesotans, "Public Hearing on Adoption and Foster Care Placement of Black Children in Minnesota"; January 27, 1982. Hereinafter: "Public Hearing on Adoption". Testimony of J. Whitner, page five and B. Doan, page ten.

5

12 MCAR Section 2.200

6

12 MCAR Section 2.204

7

Public Law 95-608

8

P.L. 96-272 [H.R. 3434; June 17, 1980].

9

P.L. 95-608 Sec. 105 (a) (b).

10

California Legislature, 1981-82 Regular Session, Assembly Bill No. 2384.

11

Facilitating Black Adoptions, op. cit. See testimony of J. Anderson, page ten and G. Weissam, page seven.

12

"Public Hearing on Adoption", op. cit. See testimony of J. Anderson, page ten and G. Weissam, page seven.

13

Edwin Riday, "Supply and Demand in Adoptions", Child Welfare, XLVIII, No. 8 (1969), p. 490. See also Robert B. Hill, Informal Adoption Among Black Families, National Urban League (1977).

14

Edwin Riday, op. cit.

15

Edmond D. Jones, "On Transracial Adoption of Black Children", Child Welfare, Vol. LI No. 3 (1972) p. 158.

16

Facilitating Black Adoptions, op. cit.

17

Edwin Riday, op. cit.

18

"Public Hearing on Adoption", op. cit. See testimony of Weidell, Regan, Whitner, Caesar, Gustafson, Kramer, Thompson, Taddiken, and Glapion.

19

Ibid, page five.

20

Child Welfare, February, 1959.

21

Edmond D. Jones, op. cit.

22

Facilitating Black Adoptions, op. cit.

23

Facilitating Black Adoptions, op. cit.

IX. BIBLIOGRAPHY

Adoption in America Help Directory, North American Council on Adoptable Children, 1980.

Burns, Crawford E., "White Staff, Black Children: Is There a Problem?" Child Welfare, February 1971.

Cady, Ernest and Cady, Frances, 1956. How to Adopt a Child, New York: Whiteside, Inc. and William Morrow and Company.

"Campers Await Chance to Adopt White Child", St. Paul Pioneer Press, May 24, 1982.

Daniels, Bernice J., "Significant Considerations in Placing Negro Infants for Adoption", Child Welfare, January 1950.

Dearsy, Leila C., and Quinn, Olive W., "The Urban Negro and Adoption of Children", Child Welfare, (date unknown).

Dunn, Linda, "The California Urban League Black Adoption Project", Adoptalk, November 1980.

Eggleston, Evelyn, 1979. Facilitating Black Adoptions, The Final Report of the Inter-Agency Adoption Project. The Inter-Agency Adoption Project, New York: National Urban League, Inc.

Eggleston, Evelyn and Shipp, Sigmund C., 1981. Sources Relevant to Black Adoption: A Bibliography. New York: National Urban League, Inc.

Fisher, Clarence D., "Homes for Black Children ", Child Welfare, February 1971.

Grow, Lucille J., and Shapiro, Deborah, 1974. Black Children-White Parents, A Study of Transracial Adoption. New York: Research Center, Child Welfare League of America, Inc.

Hill, Robert B., 1977. Informal Adoption Among Black Families. New York: National Urban League.

Jones, Edmond D., "On Transracial Adoption of Black Children." Child Welfare, March 1972.

Latimer, Ruth, "Adoptive Homes for Negro Children", Child Welfare, January 1952.

"Adoption Annual Report Year Ending June 30, 1981", Minnesota Department of Public Welfare.

Minnesota Code of Agency Rules, Volume 12, Sections 2.200 and 2.204.

Morgenstern, Joseph, "The New Face of Adoption", Newsweek, September 1971.

Proch, Kathleen, "Foster Parents as Preferred Adoptive Parents: Practice Implications", Child Welfare, February 1969.

Riday, Edwin, "Supply and Demand in Adoption", Child Welfare, October 1969.

Sellers, Martha G., "Transracial Adoptions", Child Welfare, June 1969.

Sharrar, Mary Lou, "Attitudes of Black Natural Parents Regarding Adoptions", Child Welfare, May 1969.

"A Study of Negro Adoptions," Child Welfare, February 1959.

"Synopsis of Public Hearing on Adoption and Foster Care Placement of Black Children in Minnesota", Council on Black Minnesotans. January 27, 1982.

Taylor, Joseph L., "Attitudes on Foster Family Care in Contrasting Neighborhoods", Child Welfare May 1969.

BACKGROUND ON CBM

The Council on Black Minnesotans is a state agency created in July 1980 to research the broad spectrum of issues affecting 53,000 Black citizens throughout the state and report to the governor and legislature with recommendations for legislation or other initiatives which may benefit Black people.

The CBM is comprised of seven public members appointed by the governor and four ex-officio legislative members appointed by the Minnesota Senate and House. The agency staff complement consists of an executive director, research analyst, government/community liaison, and administrative secretary.

The Council is essentially a research and lobbying agency and does not engage in individual advocacy assistance except in instances where such cases have broad systemic impact.

The Council is supported by four task forces (Black Women's Legislative Issues; Economic Development; Housing and Affirmative Action; Criminal Justice; and Health, Education and Welfare) and provides research and public policy development in these and other areas.

Black Women's Legislative Task Force of the CBM

In June of 1981 the CBM began developing a task force to address Black Women's issues. The impetus for the task force was the Council's desire to provide direct involvement of Black women in identifying issues and shaping objectives for legislative consideration. Further, the Council realized that Black women are generally hardest hit by societal ills such as inflation, recession, crimes against the person, unemployment and racism and thus issues that are specific to the needs of Minnesota's Black women should be given prominence in the formulation of an overall Black legislative agenda.

Several women were invited to attend a meeting on June 2, 1981 to discuss the Council's presumption that a Black Women's Task Force would be a valuable instrument in developing Black public policy. Upon validation of that presumption, invitations were extended to over 100 individuals and organizations of Black women to participate in developing legislative issues which would reflect their concerns.

The BWLTF, comprised of approximately 40 women, emerged from the individuals who responded to our invitation. The task force established two primary objectives for itself: (1) to identify and prioritize legislative objectives and (2) to develop a list of issues and tasks which require further research on development by the CBM.

Minnesota Code of Agency Rules, Volume 12, Sections 2.200 and 2.204.

Morgenstern, Joseph, "The New Face of Adoption", Newsweek, September 1971.

Proch, Kathleen, "Foster Parents as Preferred Adoptive Parents: Practice Implications", Child Welfare, February 1969.

Riday, Edwin, "Supply and Demand in Adoption", Child Welfare, October 1969.

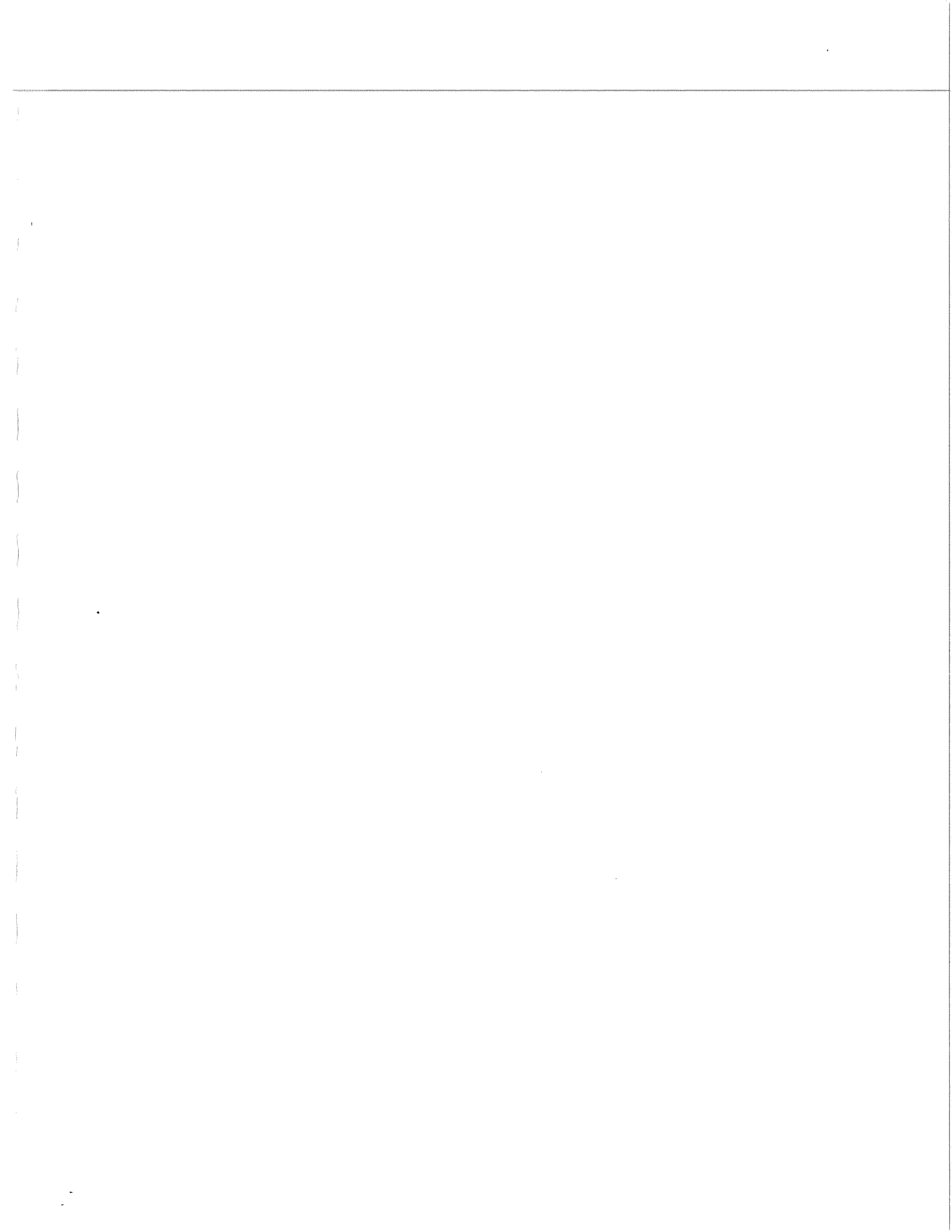
Sellers, Martha G., "Transracial Adoptions", Child Welfare, June 1969.

Sharrar, Mary Lou, "Attitudes of Black Natural Parents Regarding Adoptions", Child Welfare, May 1969.

"A Study of Negro Adoptions," Child Welfare, February 1959.

"Synopsis of Public Hearing on Adoption and Foster Care Placement of Black Children in Minnesota", Council on Black Minnesotans. January 27, 1982.

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ADDENDUM:
Synopsis of
PUBLIC HEARING ON ADOPTION AND FOSTER CARE PLACEMENT
OF BLACK CHILDREN IN MINNESOTA

January 27, 1982

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Minnesota Code of Agency Rules, Volume 12, Sections 2.200 and 2.204.

Morgenstern, Joseph, "The New Face of Adoption", Newsweek, September 1971.

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"Synopsis of Public Hearing on Adoption and Foster Care Placement of Black Children in Minnesota", Council on Black Minnesotans. January 27, 1982.

Taylor, Joseph L., "Attitudes on Foster Family Care in Contrasting Neighborhoods", Child Welfare May 1969.

The Council on Black Minnesotans public hearing on foster care placement and adoption of Black children in Minnesota was called to order by Steven L. Belton, Executive Director of the Council at 1:00 p.m., January 27, 1982 in room 118 of the State Capitol Building.

Council members and staff present were: Mr. Belton; Senator Linda Berglin; Leilani Gibbs; Katherine Harp; Clarence Harris, Chair, CBM; Robert Hickman; Reginald Kent; Patricia McBride; Representative Ken Nelson; and Representative Randy Staten.

OPENING STATEMENT

Mr. Belton opened by stating that the objective of the hearing was to gather information and data for the purpose of developing a position and recommending policy or legislation on the adoption and foster care placement of Black children in Minnesota. Mr. Belton stated that the Council's Black Women's Legislative Task Force had listed this subject matter as one of its chief concerns and had urged the Council to conduct hearings on this matter. Mr. Belton read into the record a resolution of the task force. The resolution cited the large number of Black children being placed in white foster and adoptive homes and stated that this practice was detrimental to Black children, Black families, and the Black community.

Mr. Belton stated that the hearing would be open to testimony from any interested party, a large number of whom had contacted the Council prior to the hearing and requested time to testify. He stated further that it was the intention of the the Council to hear each person who wished to testify and thus he would request that witnesses limit their remarks to a time limit of ten minutes or less. In addition, the executive director stated that the official record of testimony would be kept open for two weeks following the date of the hearing and that anyone interested in submitting written testimony or supplementing their oral testimony in writing would have until February 10, 1982 to make submissions. Following these remarks Mr. Belton called the first witness:

KATHERINE HARP, Research Analyst, Council on Black Minnesotans
Ms. Harp reported that at the direction of the Council on Black Minnesotans she researched the question of whether Minnesota or any other state had a law or bill addressing the issue of adoption and foster placement of Black children in that state. Ms. Harp reported that there is a bill currently in the California Assembly which seeks to protect the ethnic heritage of Black children placed for adoption or foster care in California. Ms. Harp reported that existing California law does not establish criterion for the use of ethnic background as a factor in determining placement of a child under consideration for adoption or foster placement. On the federal level, the Indian Child Welfare Act, a 1978 law, provides uniform standards for adoption and foster care placement of Indian children.

The California bill would provide that in determining the proper foster placement of a child, priority shall first be given to placing them with relatives; and if placement with relatives cannot be made or is detrimental to the child, placement shall if possible be made with a foster parent of the same racial or ethnic identification as the child; and if that is not possible placement shall be made with a family of a different racial background or ethnic identification where there is evidence of sensitivity to the child's race, ethnicity, and culture.

This bill would also establish preferences in determining the adoptive placement of a Black child. First it would require that a Black child be adopted with a relative; if a relative is unavailable or such placement is detrimental to the child, the child should be adopted by a family with the same racial background or ethnic identification; if the child cannot be adopted pursuant to these requirements within ninety days, the child should be adopted by a family with a different racial background or ethnic identification where there is evidence of sensitivity to the child's race, ethnicity, and culture.

Under the California bill a preference expressed by the parents for maintaining a child in a similar religious background would be given priority over the preference of placing the child in a similar racial background.

The federal Indian Child Welfare Act was passed, according to Ms. Harp, at the insistence of the Indian community because 25 percent of the adoptions and foster care placements of Indian children were in non-Indian foster and adoptive homes and in many instances those children had been judicially removed from an Indian home.

The Indian Act provides placement criteria for Indian children similar to the criteria of the California bill and additionally provides that the Indian tribe may monitor the adoption and foster care placement of the child.

Ms. Harp also reported that a unique feature of the Indian Act is that any adoption of an Indian child within ten days of birth is automatically nullified. This provision is to provide a period of time for the Indian mother to consider the gravity of relinquishing her parental right to her child.

RUTH WEIDELL, Supervisor, Adoption Unit, Minnesota Department of Public Welfare

The role of the Department of Public Welfare Adoption Unit (hereinafter DPW) according to Ms. Weidell, is to set standards and rules for adoption in Minnesota and to coordinate adoptions between agencies and the court system. DPW's standards for adoption are outlined in rule 12 MCAR 2.200, Section C. The standards include provisions for both court termination of parental rights and parental relinquishment of such rights. The Commissioner of Public Welfare is statutorily assigned as the child's guardian where parental rights have been terminated or relinquished. The Commissioner then places the child with a county service agency which attempts to find an adoptive home to meet the child's needs.

Under the DPW's guidance the local social service agency will try to provide an adoptive home with an ethnic background similar to the child's or, they may place the child with a family that is knowledgeable and appreciative of the child's heritage.

Ms. Weidell stated that foster parents of a child may also be considered to adopt the child if the foster home is able to meet the special needs of the child and the foster child has become an integrated member of the family. If a foster child is older than an infant, it is required to have lived in the foster home for twelve consecutive months to be eligible for adoption by the foster parents. Further, the foster home must be the best suited home or comparable to any other home available to the child.

According to the DPW's annual report on adoption, 71 out of 100 Black children adopted in Minnesota were adopted by white parent(s), 20 by Black parent(s), two by Indian parent(s), one by Asian parent(s), and six were adopted by parent(s) of unknown racial identity.

DICK BURTIS, Adoption Supervisor, Hennepin County Community Services

Mr. Burtis stated that Hennepin County pioneered the move toward transracial adoptions in Minnesota. The push for transracial adoptions was brought about by the apparent lack of availability of Black families for Black children waiting to be adopted.

Hennepin County has traditionally handled a very small number of Black adoptions. In 1981, only three Black children were adopted through Hennepin County Community Services. Two of the three children were adopted by Black families and one was adopted by a white family.

According to Mr. Burtis, Hennepin County Community Services now feels that same race adoption is preferable to transracial adoption. The agency also feels that bi-racial children should be adopted by bi-racial parents. Mr. Burtis noted the difficulty of getting statistics of the success ratio of white families adopting bi-racial children as opposed to Black families adopting Black children. He cited the reticence of adoptive families to discuss their experiences, noting that many adoptive families feel threatened by such questioning or view it as an invasion of privacy.

All children that come to Hennepin County Community Services for adoption are placed on the state register ("the Blue Book") of waiting Children. This provides state wide exposure and enhances the possibility of early adoption.

There are currently six Black families in Hennepin County waiting for home study to be completed. The "Thursday's Child" program on a local television station is largely responsible for the relatively large number of Black families waiting for home study, according to Mr. Burtis.

MARETTA SPENCER, Program Director of Post-Legal Adoption Services, Children's Home Society (CHS)

Ms. Spencer submitted written testimony which she read to the Council. Ms. Spencer began by stating that the objective of adoption is to serve children in their own best interest. It is to provide family membership and permanence for those whose birth givers are unable or unwilling to provide parenting for these children. Ms. Spencer stated her belief that our society respects individuals regardless of race or color and that marriage between persons of unlike racial identity is socially permissible. Ms. Spencer described a new spirit of welcoming the preservation of ethnic diversity which she attributed to the rise of Black consciousness. New directions for planning permanency for Black children have emerged from this social change, according to Ms. Spencer, and are followed by CHS.

Ms. Spencer reported that her agency has arranged for support and counseling services to be made available to white families who have adopted Black or mixed race children. This was accomplished by hiring five Black social workers to work with the families who adopted transracially, by referral to other agencies that provide similar services and by cooperation in several studies. CHS has also purchased appropriate library materials.

Ms. Spencer concluded that the positive quest for racial identity is more problematic for transracially adopted children than for intraracially adopted children. However, several factors influence the shaping of a positive racial identity including parental attention to the Black child's heritage, the residential and school location of the adopted child, and the child's access to role models and peers of the same race. Ms. Spencer also noted a great variation in the ability of individual families to handle Black identity. Most families have welcomed the assistance of Black social workers, according to Ms. Spencer.

TOM REGAN, Director, Children's Home Society (CHS)

Mr. Regan opened by reiterating Ms. Spencer's point that the guiding principle used by CHS is that adoption exists to meet the needs of children.

Mr. Regan stated that CHS follows placement guidelines set by the state of Minnesota. CHS also has its own placement policies including the following: (1) Healthy Black and bi-racial infants are placed in families of the same race except where a white mother requests that her bi-racial child be placed in a white home. (2) If a family of the same race is not registered with the agency or is otherwise unavailable, an effort is made to find a family outside the agency within the state of Minnesota. (3) Minnesota's waiting children, which typically are older Black, Hispanic and mixed race children with special physical or emotional needs will be placed in white homes if families of the same race are not available. Single parents can also make application for adoption of these older children.

Mr. Regan stated his belief and CHS's position that as a child grows older and if it has special needs, the issues of race, religion or geographic location are secondary to whether the child has a caring family--of any color.

CHS receives its healthy infant referrals largely through their pregnancy counseling department. Mr. Regan observed that most Black mothers choose to parent their children which is reflected in the relatively small number of Black infants available for adoption. In 1980, CHS had seven Black or bi-racial children available for adoption of which four were healthy infants and two were older with emotional problems.

Children's Home Society employs a waiting period before a family

can start receiving referrals for adoption. The waiting period includes a period of application and registration followed by evaluation and home study. Usually a family must wait at least a year and a half before receiving a child referral. Economics is not a criteria for family selection. Fees are charged to the adopting family on a sliding scale. The average cost for adopting a healthy infant through CHS is \$1,200 with the maximum cost \$1,700. For Minnesota's waiting children the maximum fee is \$300. Subsidy for adoption costs is also available.

Children's Home Society is a non-profit, sectarian agency which provides many child welfare programs--one of which is adoption services.

Mr. Regan stated that Children's Home Society's objective is to have five prepared Black families waiting to receive a healthy Black referral at any one time. This would be ideal because it would allow the birth mother (who participates in the selection of an adoptive family) as well as the agency to have a choice of two families.

Mr. Regan also stated that it was important for the Black community to assist in providing homes for older Black children with special needs, most of whom are now being placed in white homes.

DR. ANITA BROOKS, University of Minnesota, Department of Afro-American Studies

Dr. Brooks stated that she had several concerns to be discussed and only a few recommendations. They are as follows: (1) Ethnocentric personal values on the part of whites are typically manifested in agency adoption policies to the detriment of Black children. For example, Black people historically care for their out-of-wedlock births through their extended family or network kinship. Dr. Brooks stated that it has been documented that 90 percent of the out-of-wedlock births of Black infants are adopted whether formally or informally, in their existing homes. Yet it is the general consensus of most agencies that Blacks do not adopt and thus, Black children are placed in white homes without proper or legitimate attempts to recruit a Black family. There are homes available for our Black children, Dr. Brooks stated, but what is needed is a vehicle by which agencies can gain entrance in the Black community and into the supply of available Black homes. Also of significance is the fact that until 1940 public agencies did not even deal with the adoption of Black children. When public agencies finally started placing Black children it was bi-racial children (part white and part Black) that were placed, not "Black-Black" children. (2) Dr. Brooks expressed concern with the lack of training and cognitive flexibility by agency social workers and personnel which is reflected in their inability to apply a cultural mode different from their own to their judgments and actions. (3) Dr. Brooks noted a problem finding homes for older Black children, children

with special needs, and Black children with especially dark complexions. The majority of "Black" children that are adopted are in fact bi-racial and are presumably fair in complexion or at least more fair than what she described as "Black-Black" children. The preference for adopting bi-racial or lighter skinned Blacks is motivated by racism, according to Dr. Brooks. (4) Dr. Brooks stated that white adoptive parents must face the consequences of adopting a Black child or a child with mixed racial heritage. Literature shows that the primary relationships with these children's families are sacrificed. Another consequence is the loss of status and community recognition for the adoptive child and the family. Inter-family conflicts grow, according to Dr. Brooks, as the family and child grow older. Stereotypes, conflict in values and assumptions are responsible for the increase in family conflict. Sexual stereotypes begin to emerge in the family and child when the child begins to grow out of adolescence. A mixed child should not have to choose one culture over the other; there should be no cultural loyalty. (5) Supportive services are needed for whites who adopt Black children. Unfortunately, longitudinal studies are not available to offer insight into what has happened to these children after adoption. It is vital that the adopted Black or mixed race child have support outside the home from someone of the same culture.

JACKIE WHITNER, foster parent; State Board of Foster Care; Foster Parent Association

Ms. Whitner opened by stating she and her husband have been foster parents for the past ten years and that many Black children have been placed in her home subsequent to placement in white foster homes. Ms. Whitner stated that in all instances where Black children were placed in her home after previous placement in a white foster home, the children had suffered numerous emotional and behavioral problems, many of which they have carried on into adulthood.

Ms. Whitner discussed three specific cases where Black children were placed in her home for foster care after previous placement in white foster homes. In all three cases the children had been placed in a rural setting where they felt isolated from other Blacks and were treated poorly--even alienated by their white foster families. The Black children were required to stay at home during family social outings, and if the foster family received white visitors the Black children were required to stay out of sight. The children were constantly reminded of their "nappy" hair and "alligator" skin and in one case a young Black girl was sexually abused by the foster family's sixteen year-old-son. Ms. Whitner described one young lady as now having psychosomatic illness and being a chronic pill taker. She looks for attention but is unable to make friends, has no contact with peers, and has no hobbies or interests.

Ms. Whitner recommended that a thorough search be made by private and public agencies to find Black foster care and adoptive homes.

Ms. Whitner stated her preference that Black children be placed in adoptive or foster care homes which have at least one Black parent as opposed to placing a Black child in a home with no Black parent.

DARA CAESAR, adoptive and foster parent; Minnesota Black Child Development Institute

Ms. Caesar testified about her (and her family's) recent experience in attempting to adopt a young Black child. Ms. Caesar stated that the experience had been quite painful for her entire family. Ms. Caesar testified that her family was approached by Hennepin County Welfare to determine if they were interested in adopting a Black infant. The Caesars were excited about the prospect of adopting a Black child and began the lengthy home study process. Prior to completion of the home study another eligible Black couple adopted the same child. Ms. Caesar and her family were quite hurt by the "loss" of the child. Shortly after this time, another Black infant became legally free for adoption and with the Caesars' home study completed they were again asked by the county if they wished to adopt a Black child.

A legal battle ensued because the white foster family that had cared for this Black child since its infancy decided that they too wished to adopt the child. The white family had been told by Hennepin County that because they were white they were ineligible to adopt a Black child. The court decided that it was in the best interest of the child to be adopted by the foster family and not the Caesars. The court decided that a socio-psychological process known as infant bonding, whereby an infant may attach itself to parents and family members without regard to consanguinity, had occurred between the child and the white family and that the infant bonding took precedence over the value of placing the child with a family of the same race.

Ms. Caesar was concerned that the long range psychological implications of a child raised in a white environment far outweigh the bonding issue. A Black family has the necessary support mechanism to help a child cope with racism, Ms. Caesar stated.

Ms. Caesar also stated that the home study conducted by county adoption agencies is irrelevant to Black women and Black parents, and does not accurately gauge the parenting capability of Blacks.

Ms. Caesar recommended that a check and balance system be implemented into state law which would provide clear direction and standards for placement of Black children in adoptive or foster settings similar to the Indian Child Welfare Act (see testimony of K. Harp; page two). Ms. Caesar also suggested that an all out effort to recruit more Black families and Black social workers be instituted immediately.

EARL GUSTAFSON, adoptive parent; Judge, Minnesota Tax Court

Mr. Gustafson testified that eighteen years ago there was a recruitment effort in Minnesota by the Department of Public Welfare to get homes for Black children because there was a substantial number of Black children waiting to be adopted. The Gustafsons, who are white, adopted a Black child. After adopting the child, the Gustafsons began to feel that it was unfair to the child to be living in an all-white community. The Gustafsons felt strongly that the needs of their children came first. So they adopted another Black child and then a third which provided each child with Black (sibling) peers. Finally, they moved from the white community where they were then living and moved to their present home in a racially mixed community.

Judge Gustafson made the following recommendations: The first priority in placing a Black child in an adoptive home should be to find a member of the child's nuclear or extended family. If a family member is unavailable, the child should be adopted by a qualified family of the same race. Judge Gustafson stated that white adoptive parents should not be considered unless they recognize that they alone cannot provide all of the child's needs without the assistance and input of individuals who share the child's cultural and ethnic background.

GARY WEISSAM, Council of OURS - a national organization of adoptive parents; Attorney

Mr. Weissam stated that several hundred children in Minnesota are presently waiting for permanent homes. A disproportionate number of these children are Black, according to Mr. Weissam and they reside in Hennepin and Ramsey Counties. Most of these children are older (than infants), bi-racial, and have physical and emotional handicaps.

The issue of whether Blacks should be placed in the homes of white families is the wrong question, according to Mr. Weissam. Mr. Weissam stated that the single most important standard for placement of a child in an adoptive or foster home is "the best interest of the child". Mr. Weissam believes that it is implicit in this standard that every child should have a permanent home. Therefore, the race or religion of the prospective adoptive or foster parents is a secondary consideration to the availability of a permanent home for the child.

Mr. Weissam stated that public foster care and adoption units are two separate bureaucratic entities and the adoption worker does not take the initiative to refer families to a foster care unit where there may be a waiting child, or vice-versa. Mr. Weissam recommended that measures be taken to unify the adoption and foster care units so that child referrals can flow between them. Also, there is a need for training and sensitizing of white social workers to Black needs and a need for greater employment of Black social workers in private and public agencies.

MARENA KRAMMER: adoptive parent; member of FAMILY

The Krammers have adopted two bi-racial children. Ms. Kramer stated that they have experienced no alienation or racism toward their family from the public or from their close friends. Conversely, they feel their family and community have been very supportive. The Krammers live in a racially mixed community, comprised largely of Blacks and whites, and their children are exposed to both Black and white role models.

Ms. Kramer feels that the disproportionate placement of Black children in white homes results from a lack of the available Black adoptive homes. Ms. Kramer stated that she has taken some positive steps in helping to recruit Black families, but the support of the Black community is needed. Ms. Kramer recommended an all out effort to recruit Black families utilizing churches and community organizations.

CAROL SAUNDERS, foster parent

Ms. Saunders has been a licensed foster parent since June, 1981. She is also waiting to be approved as an adoptive mother. Ms. Saunders is Black and to date has not had a child placed in her home for foster care. She has contacted the county agency which licensed her at least once a month and has consented to have older Black children referred to her home. She was informed by the Department of Public Welfare that one of the reasons for the lag in placement was the economy. Ms. Saunders was told that older children with special needs are sometimes placed in group homes which is less expensive to the county than foster care.

Ms. Caesar also stated that the home study conducted by county adoption agencies is irrelevant to Black women and Black parents, and does not accurately gauge the parenting capability of Blacks.

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Ms. Saunders stated that the home study process for licensing the home for foster care was extremely tedious and involves a tremendous amount of personal questioning. Ms. Saunders cited this type of extreme personal scrutiny as a reason that many Blacks may be reluctant to become foster or adoptive parents.

Ms. Saunders recommended that older Black children who have been termed "special need cases" and are currently being placed in group homes be referred to foster homes when foster care is available.

MARY PRICE, board member, Survival Skills Institute; board member, Minnesota Black Child Development Institute

Ms. Price testified that the Survival Skills Institute grew out of several Black social workers' need to work directly with young Black mothers in view of the poor success of Hennepin County (white social workers) in working with this group. Ms. Price offered the example of a young Black mother who while hospitalized was approached by a county social worker and urged to give up her child for adoption. The young woman was warned of many unpleasant social and possible legal consequences that might occur if she did not give up her child. After the social worker left, the young mother was depressed to the point that she could not make any decisions in her own best interest or in the best interest of her child. The quality of the relationship between Hennepin County and a Black client is often determined by the racial identity and personal disposition of the social worker, Ms. Price stated. She also spoke of a conflict between Black and white social workers in dealing with the issue of placing Black children.

Ms. Price urged the development of state guidelines which would require public and private agencies to seek out Black adoptive and foster homes for Black children before placing them in white homes. Such standards are needed to act as a check and balance against personal racism on the part of social workers.

PATRICIA HICKMAN, day care provider

Ms. Hickman stated that members of the Black community should be allowed to participate in reviewing the foster and adoptive placement of Black children by public agencies.

JACQUI THOMPSON, former foster parent; Minnesota Black Social Workers Association; member, Black Women's Legislative Task Force of the CBM

Ms. Thompson was concerned that it is difficult and sometimes impossible to get statistics on where Black children are being placed in foster or adoptive settings. She stated that many Black children are "lost" in the system and thus a revision of the Department of Public Welfare's reporting regulations is in order to provide for more accurate data on the foster placement and adoption of Black children in this state.

Ms. Thompson stated that greater publicity is needed in the Black community so that they can become aware of the need for Black foster and adoptive parents. Ms. Thompson also described a lack of sensitivity in white social workers and suggested that training is required to teach them the cultural values and survival skills that a Black child needs.

Ms. Thompson commented that infant-bonding (see testimony of Dara Caesar) can take place at any age, if the family is substantial enough whereby a child or even a teenager will accept the family as their own. Ms. Thompson stated that bonding is not a circumstance peculiar to infants. It may occur at any age.

JOHN TADDIKEN, adoptive parent

Mr. Taddiken testified that he and his wife chose to adopt a bi-racial child from Austin, Texas over eight years ago after three unsuccessful pregnancies. Mr. Taddiken reported that he had experienced no alienation toward the child from his immediate family or community and that there was no loss of support of friends. He stated that his Black friends had been especially supportive. The Taddikens' adopted son attends a day care center where he has Black and white peers. However, Mr. Taddiken stated that it is much easier for a child to grow up in a family of the same race.

Mr. Taddiken suggested there is a need to recruit Black families for adoption and to provide long-range educational programs to inform the Black community of the adoption process and how they may successfully apply to adopt. Mr. Taddiken recommended that any economic incentive to an adoption agency to place a Black child with a white family should be eliminated. Such incentives may exist where a larger fee may be obtained by placing a Black child with a white family which may presumably have a higher income than a competing Black family.

JUDITH ANDERSON, North American Council on Adoptable Children (NACAC)

NACAC is a coalition of adoptive parents who work very closely with the Foster Parent Association. Based in Washington D.C., NACAC does not place children, rather, they work with the organizations and agencies that are involved with the placement of children. Ms. Anderson stated that many thousands of children are "lost" in bureaucratic red tape. There are no available statistics that indicate where are children once they have been placed in foster care or indicate how long they have been placed in their foster homes.

Also, there is a paucity of information on the racial and ethnic background of foster and adoptive children. Ms. Anderson recommended that the legislature create local Foster Care Review Boards to review the placement and care of children after six months of foster care. Forty states are now considering or have passed bills encompassing this recommendation, according to Ms. Anderson.

Ms. Anderson reported that there are 450 adoptive parent organizations and that many of them are Black support groups. 10 percent of NACAC is Black. Also 60 percent of waiting children nationally are minorities of which 40 percent are Black.

Ms. Anderson recommended creation of an adoption agency in the Black community preferably in an existing Black organization such as the Urban League. The advantage of this would be that a Black family wishing to adopt would not have to contact a county agency which may be perceived by the Black community as a white program.

MICHAEL GLAPION, adoptive parent; board member, Children's Home Society

Mr. Glapion stated that the Black community needs to stop blaming white agencies for the problems inherent in placing Black children. The issue, according to Mr. Glapion, is what has the Black community done to aggravate or alleviate this problem.

Mr. Glapion stated that he and his wife had experienced a positive and rewarding experience when they adopted their first child. He reported that while he had initially resented the home study it eventually put he and his wife in better touch with their feelings concerning family relationships, parenting, personal values and children.

Mr. Glapion stated that the Black community needs to reach out to private agencies for adoption referrals as opposed to seeking referrals from county agencies. Mr. Glapion also stated that the Black community should assume some responsibility for sensitizing white social workers to the needs of Blacks.

BOB DOAN, foster parent

Mr. Doan, a resident of Wyoming, Minnesota, has been a foster parent since 1970. He stated that he has two "colored" (Black) foster children which he loves just like his own. There have been incidents of bigotry and racism experienced by Mr. Doan's family in their rural Minnesota community. The Doans have not adopted their two foster children but have changed their surname to Doan.

Mr. Doan reported that he has "colored" friends in the Twin Cities which he visits with his family and that his children have contact with other Blacks.

Mr. Doan recommended that the Council not condemn all whites for the racism of a few. He stated that he hoped white people would continue to support the adoption of Black children.