

## **ISSUE**

Parenting supports are vital to ensure safe and stable homes for families in which a parent has a cognitive disability.

Without specialized programs and advocacy, parents with cognitive disabilities may not have access to needed supports, or opportunities to exercise their inherent human right to have children. Additionally, addressing the over-representation of parents with cognitive disabilities in the child welfare system requires strong advocacy.

## **HISTORY**

The federal Office of Civil Rights (OCR) recently reached a settlement with the Oregon Department of Human Services (ODHS) Child Welfare Program (CWP) after a young couple sued for being discriminated against because of their cognitive disabilities. The OCR “identified systemic deficiencies regarding ODHS CWP’s implementation of its disability rights policies, practices, and procedures to prevent discrimination against parents with disabilities in Oregon’s child welfare system.” (U.S. Department of Health and Human Services, 2019)

The ADA requires the Department of Health and Human Services to make reasonable modifications to its policies and practices, and to the services they provide in accommodating persons with disabilities. For Child Welfare programs, these services should include appropriate individual assessments and reunification programs designed to evaluate and assist persons in developing their parenting skills when their children are removed or at risk of removal from their custody.

Studies have shown that there is a high degree of pathologizing and a lack of disability expertise in child protection practice. Among parents with disabilities, those with intellectual or psychiatric face the most discrimination based on stereotypes, lack of individualized assessments, and failure to provide needed services.

As demonstrated by the OCR settlement, parents with cognitive disabilities experience high rates of child welfare involvement and child removal, while specialized preventative supports are almost universally unavailable.

## **POSITION**

Parents with significant cognitive disabilities have been shown to be able to parent safely when provided adequate supports. These include: home visiting; parenting education; personal assistance; adaptive parenting; and help to access information and community supports, and to maintain a personal support system.

Each parent with a cognitive disability in Oregon should have the right to parental supports that balance their family's varying needs. Cognitive disabilities (e.g., developmental disabilities, traumatic brain injuries, autism spectrum disorders, debilitating mental health disorders) encompass a wide variety of strengths and deficits. Some parents struggle with memory, others with problem-solving, generalizing information or executive function. Some have the ability to bond with their babies, while others struggle to make deep connections. The variability and degree of need makes developing and evaluating evidence-based practices for this population a challenge.

Our contracted work with Lane County Child Welfare has allowed us to support individual families in keeping or reunifying with their children. It also has provided us with years of successful experience providing adaptive supports to this unique population. Through this, and our prevention program for families with children zero to six, we have developed adapted parenting curricula and a responsive home visiting program that meets the needs of individual parents and families.

An estimated 3.1% of Oregon's families have a parent with a cognitive disability. Our prevention program costs an average of \$6,000 per child per year. Compare this to the \$27,000 it costs for a child to be in foster care, and the high numbers of children from these families in foster care, and it is clear that both prevention and reunification services for these families are vital in ensuring that all of Oregon's children and families have equal opportunities to stay together and thrive.

## Bibliography

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