

The History of the Multiethnic Placement Act, as Amended

- In 1994, Congress Passed the Multiethnic Placement Act (MEPA).
- The purposes of MEPA are to:
 - Decrease the length of time that children wait to be adopted.
 - Facilitate identification and recruitment of families that can meet the child/youth's needs.
 - Prevent discrimination on the basis of race, color, and national origin (RCNO).
- MEPA was amended in 1996 by the Interethnic Adoption Provisions (IEP) to affirm and strengthen the prohibition against discrimination by:
 - Removing potentially misleading language regarding the consideration of RCNO.
 - Strengthening compliance and enforcement procedures by, among other things, requiring assessment of a penalty against a State or agency that violates MEPA.
 - The 1994 version of MEPA required agencies not to “categorically deny” any person the opportunity to foster or adopt on the basis of RCNO. That language allowed room for non-categorical denials of opportunity, which is inconsistent with Title VI. So the 1996 amendments removed the “categorically deny” language.
- MEPA also supplemented existing legal standards prohibiting discrimination on the basis of RCNO:
 - The Equal Protection Clause of the 14th Amendment to the U.S. Constitution
 - Title VI of the Civil Rights Act of 1964 (Title VI)



- We mentioned that Title VI prohibited discrimination in the child welfare context before MEPA was passed. But MEPA specifically applied the civil rights laws to child welfare, and made it clear that discrimination would not be tolerated when making foster care and adoption placement decisions.
- Following the 1996 amendments emphasized that agencies may not consider race, color or national origin on a routine basis when making placement decisions.
- Agencies must ensure that its laws, policies and practices are consistent with the current Federal law.

