



Fostering families

PHOTO COURTESY OF EMILY SISK

Advocates are hoping a bill in Salem will change DHS policies to give foster parents an equal voice in the future of foster children

BY EMILY GREEN
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Caleb was only an infant when he was sent to live with Emily and Greg Sisk in 2009. He had seven broken bones and shaken baby syndrome – injuries sustained from abuse during his first three months of life.

He wasn't a typical baby boy, explains Emily Sisk. "He could never have shoes on; he didn't like to be held or touched or looked at. We didn't know if that was due to neglect or abuse or something else."

He was the fifth child the Sisks had cared for as foster parents in Washington County. The high school sweethearts married at 18 and knew early on in their relationship they wanted to dedicate their lives to fostering children. At age 20 they attended foster parenting classes even though they were too young to be certified.

"We wanted to help, and we knew there was a big need," says Emily Sisk, now in her early 30s. To date, she and her husband have fostered more than 30 kids. While most are returned to their biological families, the Sisks continued to raise those who are not, adopting three and becoming the permanent guardians of two others.

When Caleb was about 1 year old, the state asked the Sisks if they were interested in adopting him. They said yes. During the following year, the parental rights of Caleb's biological mother were terminated as she faced incarceration, and a DHS adoption committee gave the Sisks a green light.

The couple was overjoyed with the

prospect of making the little boy a permanent member of their household. Now a toddler who'd spent all but his first three months in their home, Caleb had become emotionally attached to the Sisks, and they to him.

They had come to understand the antisocial behaviors he exhibited when he came into their care as an infant were likely related to autism spectrum disorder. They took special care to nurture Caleb and provide the structured routine and predictability that children with his needs require to feel safe. Caleb adjusted and was thriving in the couple's home.

The situation seemed ideal for Caleb in a family sense, but not according to the government.

Emily Sisk says when she and her husband were approached for adoption, Oregon's Department of Human Resources (DHS) had excluded all but one of Caleb's biological relatives: an aunt living overseas on a military base with her husband. While she had declined to take Caleb multiple times in the past, DHS told the couple she had to be asked one last time.

This time, she said yes.

Her answer devastated the Sisks. She had moved back to the U.S., and her husband wanted another son. They were going to take Caleb. He was just shy of 3 years old.

"It was like, why now? Over two years

later? After no contact, no interest in his life whatsoever, and then all of a sudden she wanted him as a part of her family. It was really hard for us to swallow," says Emily Sisk. "We're the only family he's ever known."

"I don't want to discredit the importance of family for these kids" she says, noting that she encourages relationships between children she's adopted and their biological families. "It's extremely important, but there's a reasonable amount of time to limit the amount of damage that's done from a removal from us."

The Sisks were concerned the upheaval from their home and placement with a military family he'd never met would traumatize Caleb and be detrimental to his need for stability and routine.

But as foster parents, they had no say in the matter: Caleb was a ward of the state, and it would be entirely up to DHS.

Under rules governing DHS's adoption practices, relatives almost always trump foster parents – regardless of how distant the relation or whether or not they have ever met the child, and no matter how long the child's been in a foster family's care.

DHS embraced this policy in 2010. The rule was the agency's interpretation of Oregon legislation passed in 2007 and the federal Fostering Connection Act passed in 2008. Both required that DHS place more emphasis on finding and considering relatives for a child's placement.

Before the 2010 rule change, there were cases where foster parents were trumping

out-of-state relatives who'd been interested in adoption since the first day a child was placed in foster care. The legislation in 2007 was the result of advocacy efforts by individuals who had tried to adopt from within their extended family, but lost out to foster parents, explains Kathy Prouty, permanency director at DHS.

"In the late 2000s, most of the stories we heard were of relatives being trumped by foster parents in placement decisions," she says.

Prouty explains that if there aren't any relatives within Oregon who are willing to take a child after removal from a parent, the child is placed with local foster parents in order to be in close proximity to the biological parents while the department attempts to reunify the family, which is usually the ultimate goal. When a termination of parental rights does take place, it can take years, and during that time, she says, "A child may bond with a foster parent, even though an out-of-state relative wants to adopt."

This, she says, "leads to a difficult decision around the long-term best interests of the child."

But foster parents, foster child advocates and some legislators say DHS's rule change was an overreaction to legislation that never intended for foster parents to be left out of the selection process entirely.

A bill moving through Oregon Legislature aims to bring balance back to DHS adoption placement policies. Senate Bill 741 would direct DHS to adopt rules giving equal consideration to both relatives and foster parents in adoption placement hearings. The bill passed its initial senate committee and is awaiting a hearing in the Joint Committee on Ways and Means.

Rep. Duane Stark (R-Central Point) has signed on as one of the bill's sponsors. A foster parent himself, he's seen the pendulum swing from one extreme to the other, and hopes the bill will bring balance to the decision-making process.

Before the rule change in 2010, Stark remembers how quickly his family adopted a baby girl in their care after her parents' rights were terminated.

"We were able to go to adoption committee at 5.5 months without any of the relatives even being considered," says Stark.

Later, when his family sought out a relationship with the child's biological mother, he says he was shocked to discover how many family members the child had locally. "It was just amazing, and I still scratch my head going, 'Did all of them say no, or were they not asked?'"

After the rule change, his family experienced the other extreme. Stark says in his case, the biological mother of two boys in his care asked him and his wife if they'd be willing to adopt her children. "We said, 'well absolutely.' When we commit to children it's for four hours or forever – that's our little saying – but DHS is required to do an extended family search, and they located an uncle in one of the southern states," he says. The uncle was in his late 50s and had been out of contact with the boys' family for more than a decade, but agreed to take the boys.

Stark and his wife had fostered the boys for the majority of the youngsters' lives. He

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