



ASSOCIATION OF UNIVERSITY CENTERS ON DISABILITIES  
THE LEADERSHIP, EDUCATION, ADVOCACY & RESEARCH NETWORK

## FOR IMMEDIATE RELEASE

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### AUCD Hopeful in Result of Child Welfare Case of Intellectual Disabilities

SILVER SPRING, MD, December 9, 2019 – Last week the Office of Civil Rights (OCR) at the U.S. Department of Health and Human Services (HHS) [announced](#) that it has entered into a [voluntary resolution agreement](#) (VRA) with the Oregon Department of Human Services (ODHS) concerning the rights of parents with disabilities in ODHS Child Welfare Programs (CWP). The devastating separation of two infant children from their mother and father with intellectual disabilities has been seen and remains a violation of the parents' civil rights, despite the new VRA.

ODHS CWP removed the two children shortly after their births from their parents based solely on their disability. This is a violation of under Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act. We are grateful that this family has been reunited but know that this is not an isolated incident. In fact, 1 in 10 children have a parent with a disability. Parents with disabilities are overrepresented in the child welfare system. While they make up only 6.2% of parents, 19% of children in foster care have a parent with a disability.

Kara Ayers, Associate Director of the University of Cincinnati UCEDD and Co-chair of AUCD's Policy Committee, said, "While this voluntary resolution agreement is an important step to lessening the discrimination faced by parents with disabilities in Oregon, it should also be viewed as the start of a much-needed process to address this pattern of injustice at a national level. More than 2/3 of states have current laws that allow for the removal of custody of children on the basis of their parent's or parents' disabilities alone. Families should not have to wait for a state-by-state solution or hope that they reside in a state that does not directly condone or practice discrimination on the basis of disability. The separation of families does lasting harm and an immediate and comprehensive approach to reuniting and keeping families led by disabled parents together is needed to uphold the promises of civil rights in our country."

AUCD is encouraged that HHS OCR and ODHS CWP have entered an agreement to make actionable statewide change including training, compliance monitoring, revision of ODHS CWP policies, notice of nondiscrimination policy to service providers, and a coordinator for complaints. "This is an opportunity at the national level to work on protecting the rights of parents with disabilities. We must shine a light on this problem, and we can and should do better for families with disabilities." said Rylin Rodgers, Director of Public Policy at AUCD. We support future efforts to educate offices at all levels or their responsibilities related to the civil rights of people with

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disabilities. For now, individuals and families can seek support, guidance, and counsel on their rights through various state-based organizations. Find your local [Parent Center](#), or [Protection and Advocacy Center](#).

The membership of AUCD includes a national network –serving every state and territory – of 67 University Centers for Excellence (UCEDD), 52 Leadership Education in Neurodevelopmental and Related Disabilities (LEND) programs, and 14 Intellectual and Developmental Disabilities Research Centers (IDDRC). Together, these programs provide a direct national impact through direct services, the development of new professionals, and the use of new knowledge generated from our research.

AUCD is available for contact, resources. Contact Rylin Rogers, Director of Public Policy at [rrodgers@aucd.org](mailto:rrodgers@aucd.org) or 240-821-9381.

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