



FOSTER YOUTH
INTERNSHIP PROGRAM®

POWERFUL VOICES

SHARING OUR STORIES TO
REFORM CHILD WELFARE

Congressional Coalition on Adoption Institute
2016 Foster Youth Internship Program® Report



History

The Congressional Coalition on Adoption Institute (CCAI) is a nonprofit, bipartisan organization that works to raise awareness about the needs of children without families and to remove policy barriers that hinder them from knowing the love and support a family provides. CCAI is unique in that each of our programs brings together policymakers and individuals with direct foster care or adoption experience. We have found that when policymakers hear direct experiences of those affected by child welfare policy, they become engaged in this issue and work to bring about legislative improvements in an effort to ensure each child has their right to a family realized.

CCAI was founded in 2001 by advocates of the world's orphaned and foster youth. In founding CCAI, these advocates sought to match the commitment of members of Congress' Adoption Caucus, the Congressional Coalition on Adoption, with the information and resources needed to make the dream of a family a reality for every child.

Mission Statement

The Congressional Coalition on Adoption Institute is a non-profit, non-partisan organization dedicated to raising awareness about the millions of children around the world in need of permanent, safe, and loving homes and to eliminating the barriers that hinder them from realizing their basic right of a family.

Foster Youth Internship Program®

CCAI's Foster Youth Internship (FYI) Program® is a highly esteemed congressional internship for young adults who spent time in the U.S. foster care system. The FYI Program began in 2003 as an effort to raise awareness to federal policymakers about the needs and unique perspectives of those who spent time in foster care. As part of the program, CCAI organizes retreats, advocacy trainings and various networking opportunities with experts in the child welfare field. Throughout the summer, the interns spend time researching about policy issues affecting foster children and youth across the country. These experiences allow them to create a policy report that is presented at a congressional briefing and released to child welfare advocates across the country.

As a result of the FYI Program, federal policymakers are shown firsthand the experiences of youth in foster care, and use their new knowledge to inspire legislative change. Interns participating in this program benefit both personally and professionally, gaining experience and skills that will bolster their careers for years to come and developing the foundation to be lifelong advocates for improving the foster care system.

FOREWORD



It is my great pleasure to introduce you to the twelve authors of this policy report. LilCrystal, Princess, Jason, Erica, Precious, Vaneshia, Jennifer, David, Kristopher, Ivy-Marie, Victoria and Demetrius have worked diligently—throughout one of the most rigorous summer congressional internships in existence—to study, research and write about federal child welfare policy and present the results of their analysis and hard work. These extraordinary young professionals, by combining their childhood experiences in foster care with their own creative solutions to barriers in U.S. policy, inspire federal policymakers and advocates to reform the U.S. child welfare system as these twelve young people knew it. CCAI's Foster Youth Interns take on this important task to ensure the over 415,000 children currently in foster care across the nation face less hurdles than they themselves did, and rather, reap improved life outcomes.

The Board of Directors and staff at the Congressional Coalition on Adoption Institute (CCAI) are very proud of each of these young people. This summer, the Foster Youth Interns embraced the tension of reflecting on the challenges they overcame to offer positive ideas for champions in Congress and the Administration to consider and incorporate when crafting improvements to current child welfare policy.

In our 15th anniversary year, CCAI is also pleased to debut the official logo of CCAI's Foster Youth Internship Program®. Selected by the Program's 180 alumni, the U.S. Capitol Dome in the logo signifies both the program's location and the impact CCAI's Foster Youth Interns have on the United States Congress through their presence in congressional offices and on committees of jurisdiction over foster care. Twelve stars represent the twelve brilliant and talented young leaders comprising the Foster Youth Intern cohort each summer. And the logo's regal overall design symbolizes the future positions of influence the alumni of this program will hold.

Finally, I want sincerely thank those who invested in CCAI's mission and these inspiring young leaders. The Foster Youth Internship Program® would simply not be possible without the significant investment of time, talent and treasure in each of the twelve interns, from our Board of Directors and Advisory Council members, to our volunteer report advisors and selection committee, to CCAI's partners and sponsors. I invite you to take a moment to read our Acknowledgements and Partners pages at the end of this report. We are extremely grateful for the robust support the CCAI staff and Foster Youth Interns receive to make this program successful year after year. And now, it is my honor to introduce the Congressional Coalition on Adoption Institute's 2016 Foster Youth Internship Program® Report, *Powerful Voices: Sharing Our Stories to Reform Child Welfare*.

Becky Weichhand
Executive Director



The Foster Youth Internship Program® is a signature program of the Congressional Coalition on Adoption Institute.

ABOUT THE PROGRAM AND REPORT

The Congressional Coalition on Adoption Institute (CCAI) is a nonprofit, bipartisan organization dedicated to raising awareness about the millions of children in the U.S. and around the world in need of permanent, safe and loving homes, and to eliminating the barriers that hinder these children from realizing their basic right to a family. CCAI's Foster Youth Internship Program® is a highly esteemed congressional internship for young adults who spent their formative years in the U.S. foster care system. CCAI's Foster Youth Interns are selected to participate in the program because they display both the interest and skill necessary to serve as effective advocates for change. The opinions expressed in the Foster Youth Internship Program® Report are the authors' own and do not necessarily reflect the view of CCAI.

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Overcriminalized and Underlicensed: Addressing Barriers to Kinship Care

Vaneshia Reed

Executive Summary

There is a national shortage of foster homes in the United States; however, kinship (or relative) care is still vastly underutilized and many foster youth miss out on its documented benefits (Miller, 2011). Many states have established stringent and arbitrary barrier crime laws that exceed federal foster home licensing guidelines outlined in Title IV-E of the *Social Security Act* (SSA). These laws immediately disqualify otherwise eligible kin from becoming caregivers because they lack an all-inclusive assessment of applicants. Studies show states with higher barrier crime laws have lower rates of kinship care (Miller, 2011). To reduce the number of kin disqualified from foster home licensure due to a criminal record, Congress should establish clear and holistic guidelines on criminal history records.

Policy Recommendations Summary

To elevate kinship care as an option in an overwhelmed child welfare system and to reduce the number of kin immediately disqualified from the licensure process due to a criminal record, Congress should amend Section 471(a)(20)(A) of SSA's Title IV-E to:

- **Require states to adopt the Criminal History Records Check Standards of the *National Model Family Foster Home Licensing Standards*;**
- **Include a reporting mechanism to ensure accountability.**

Personal Reflection

On May 4, 2010, at the age of 15, my six-month battle to remove my sister and myself from my mother's abuse finally ended. That night, I slept next to a stranger in a foster home, but was reassured by my grandmother and aunts that I would only be there for two days. Two days turned into months as we came to the hard realization that my grandmother could not be my caregiver because of a crime she had committed over fifteen years prior. Despite her flawless completion of parole, outstanding citizenship in the ensuing years, financial stability and demonstrated ability to provide a safe and permanent home for me, my grandmother's perceived status as an ex-felon prevented me from experiencing the benefits I would have received living with her. As a result, I lived in the foster home for over a year and a half, with so many other girls passing through I eventually lost count of them and was unable to create meaningful bonds with my caregivers and peers. Although my foster

parents met the requirements to become licensed, I was subject to emotional and psychological damage from living with strangers and numerous traumatized foster youth.

Beyond reducing the trauma that may result from placement with strangers, kinship care enables youth to live with known and trusted individuals, and is also more likely to help maintain ties to siblings, family and community (Mallon, n.d.; Child Welfare Information Gateway, 2012; CWIG, 2012). Being allowed to live with kin would have provided me these benefits and prevented the separation from my younger sister, which has had a long-lasting impact on our relationship.

The Problem

States' stringent and arbitrary "barrier" (or "disqualifying") crime laws prevent a comprehensive assessment of kinship applicants and immediately disqualify otherwise eligible kin from caring for their own family members. Title IV-E of the *Social Security Act* and the *Adam Walsh Child Protection and Safety Act of 2006* are federal laws requiring prospective kinship caregivers to undergo criminal background checks before they can be licensed. Section 471(a)(20)(A) of Title IV-E disqualifies kinship applicants from the licensing process if they were ever convicted "for child abuse or neglect, for spousal abuse, for a crime against children (including child pornography), or for a crime involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery" (Office of Human Development Services, 2016). Applicants are also disqualified if they have had "a felony conviction for physical assault, battery, or a drug-related offense" within the past five years (Office of Human Development Services, 2016). The *Adam Walsh Act* amended Section 471(a)(20)(A) to require fingerprint-based criminal background checks (FBI, 2006).

However, the eligibility of kinship applicants with a criminal record not covered in the SSA is left to state discretion. Twenty-two states follow federal law exactly, while "at least 21 states disqualify for crimes beyond Adam Walsh crimes" (Child Welfare Information Gateway, 2011; Beltran & Epstein, 2013). Many states ban kinship applicants for crimes that are minor, happened long ago, or are unrelated to child safety. Virginia, the nation's lowest ranking state for kinship care (4.6 percent in 2010), had 80 cases in 2010 of ineligible kinship applicants because of barrier crimes (Virginia State Crime Commission, 2014). The majority of these were minor crimes, such as minor drug possession, that occurred twenty years prior (Miller, 2011). Other states ban applicants for driving violations, defrauding creditors, issuing bad checks or catching too many fish on a fishing license (Beltran & Epstein, 2013; Foster Family-Based Treatment Association, 2015). Ultimately, low rates of kinship care placements may be due to states' enforcement of inflexible barrier crime laws, demonstrating that frivolous differences between state laws have real and potentially detrimental implications for kinship care placement (Miller, 2011).

Current Law

Although kinship care currently "saves society more than \$6.5 billion each year in former foster care costs," national rates of kinship care have remained low over the past fifteen years (NSCAW,



2007; Children’s Bureau, 2015). Current federal law encourages kinship care through the *Fostering Connections to Success and Increasing Adoptions Act of 2008*, but it does not address barriers to the kinship licensing process (H.R. 6893, 2008).

One example of a state’s effort to eliminate superfluous barrier laws from the kinship licensing process is California’s *Expanding Foster Care Placements* (SB 1201). This bill would “address needless impediments to appropriate relative and foster care placements by...eliminat[ing] the complex exemption process and...align[ing] the list of non-exemptible crimes with those required by federal law” (The Step UP Coalition, 2016). California may make inroads for kinship caregivers by passing this bill, but to increase the number of children who can live with kin nationwide, federal policy is needed to remove barriers from the kinship licensing process. The U.S. House of Representatives recently passed the *Family First Prevention Services Act of 2016* (FFPSA), which would “help relative caregivers avoid bureaucracy by promoting best practices for states by providing model foster care licensing standards” (Human Resources Subcommittee Staff, 2016).

10. CRIMINAL HISTORY RECORDS CHECK STANDARDS	
A.	Applicants and any other household members who are adults age 18 or older must submit to fingerprint-based checks of national and state crime information databases and checks of state or local crime information databases before the applicants may be approved for placement of a child.
B.	The agency must also check sexual offender registries for mention of the applicants and any other household members who are adults age 18 or older.
C.	If a record check reveals a felony conviction for child abuse or neglect, for spousal abuse, for a crime against children (including child pornography), or for a crime involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery, and a state finds that a court of competent jurisdiction has determined that the felony was committed at any time, approval for placement of a child must not be granted.
D.	If a record check reveals a felony conviction for physical assault, battery, or a drug-related offense, and a state finds that a court of competent jurisdiction has determined that the felony was committed within the past 5 years, approval for placement of a child must not be granted.
E.	If an applicant was convicted for a crime other than those included in C. and D., the applicant will not be automatically rejected as a foster parent. The agency must consider the following:
	1. the type of crime;
	2. the number of crimes;
	3. the nature of the offenses;
	4. the age of the individual at the time of conviction;
	5. the length of time that has elapsed since the last conviction;
	6. the relationship of the crime and the capacity to care for children;
	7. evidence of rehabilitation; and
	8. opinions of community members concerning the individual in question.
F.	Applicants and all household members have an ongoing duty to report any juvenile offenses committed by any member of the household. The existence of a household member with a juvenile offense does not automatically exclude the applicants. The agency must consider the suitability of the home based on the criteria used to assess crimes set forth in C.-E. of this standard and standard 11. B. and C.

Outlined in red are the eight criteria identified by the National Model Family Foster Home Licensing Standards that child welfare agencies should evaluate when assessing kinship applicants with a crime record not covered by the Adam Walsh Act.

FFPSA is heading in the right direction, and its promotion of model licensing standards can simply be strengthened by requiring states to utilize the *National Model Family Foster Home Licensing Standards*, which was developed by child welfare stakeholders in 2014. The model includes criminal history records check standards that outline eight specific criteria agencies should consider when assessing applicants with a criminal record not covered by the *Adam Walsh Act* (National Association for Regulatory Administration (NARA) et al., 2014).

Policy Recommendations

Congress should amend Section 471(a)(20)(A) of SSA's Title IV-E to:

- **Require states to adopt the Criminal History Records Check Standards of the *National Model Family Foster Home Licensing Standards*.**

Rather than a blanket disqualification for any criminal offense, this model weighs several important factors, including eight specific criteria to holistically assess applicants.

- **Include a reporting mechanism to ensure accountability.**

States should “creat[e] a state task force...to compare the state’s existing family foster care licensing standards against the [Criminal History Records Check Standards] and report to the Department of Health and Human Services (HHS) within one year from enactment of this legislation on any barriers created by their existing standards in licensing [kinship caregivers and] plans to align their existing standards with the [model] standards” (NARA, personal communication, June 21, 2016).



Preserving Families Afflicted by Substance Abuse Through a Recovery-Focused Approach

Jason Morin

Executive Summary

Substance abuse is a factor underlying the vast majority of child maltreatment cases (Lucero, 2011). In an effort to preserve biological families, child welfare systems need guidance to develop policies to help improve outcomes for children. A recovery-focused approach should be utilized nationwide for these families, which is comprised of in-home, evidence-based prevention programs and up to one year of Family Drug Court (FDC) if the child is removed from custody. Federal law should incentivize and encourage usage of a recovery-focused approach. Cost savings could also result from the streamlined efforts.

Policy Recommendations Summary

- Congress should require states to establish FDC standards as a prerequisite for the receipt of Title IV-E funding;
- Congress should concurrently incentivize states to utilize a recovery-focused approach.

Personal Reflection

I was first removed by child protective services when I was 11 years old due to the multiple substance use disorders (SUDs) of multiple family members. I personally witnessed addiction to tobacco, alcohol, cocaine and pain medications in my biological parents and other family members. These issues lead to the rapid dissolution of my biological family. The SUDs could have been addressed by rehabilitation services; however, the high cost and lack of health insurance coverage made rehabilitation services cost-prohibitive to my biological family. Conversations with my foster care peers revealed similar parental addiction issues in their families, as well. In light of the recent opioid epidemic, child welfare systems have become increasingly aware of the need for programs that effectively address substance abuse. Prevention services and/or FDC may have prevented my biological family's destruction at the hands of addiction. Instead, I aged out of foster care.

The Problem

A recovery-focused approach is not employed for child maltreatment cases involving a SUD. Studies report comorbidity rates between a SUD and child removals as high as 80 percent, with a SUD being

the documented primary reason for 31 percent of removals in 2012 (NDACAN, 2014). Unfortunately, preventative measures for families at risk of child welfare system involvement currently receive little support from states. These services could prevent large numbers of children from being removed from their home. For example, Mississippi's Children's Home Services—a nonprofit provider of children's behavioral health, educational and social services—has prevented 96 percent of identified at risk cases from resulting in removal (Young, 2016). However, when maltreatment prompts removal, child welfare systems are ill-prepared to address the needs of parents to support reunification with the child. Courts, treatment providers and child welfare agencies lack necessary levels of cooperation and data-sharing to develop the comprehensive, trauma-informed treatment for SUD-affected families, which is critical to end the cycle of child maltreatment.

Current Law

There has been little federal emphasis on funding for prevention services. However, in June of 2016, the U.S. House of Representatives passed the *Family First Prevention Services Act*, sponsored by my Representative, Vern Buchanan (R-FL). The bill would amend Title IV-E of the *Social Security Act* to allow funding for evidence-based mental health and substance abuse prevention and treatment services, and in-home, skill-based parenting programs (Family First Prevention Services Act of 2016). Enacting this into law would represent meaningful progress for family preservation.

Reunification is usually the goal after removal; however, this often necessitates working with multiple agencies that neither share data nor effectively collaborate. The FDC model is successful due to its intrinsically high levels of communication and collaboration.



FDCs operate as an integrated entity comprised of the court, child welfare agency, treatment providers and, ideally, community partners and faith-based organizations. The primary goal is the safety and permanency of the child. Available data on FDCs nationwide demonstrates: higher treatment completion rates (20-30 percent), higher reunification rates (20-40 percent), low re-entry rates into care (7 percent) and net cost savings averaging \$5,000-\$13,000 per family (Marlow, 2012).

FDCs have three primary costs: treatment services, an administrator and possibly a part-time judge, depending on her caseload. Public and/or private grant funding may cover these costs; nevertheless, some FDCs



are able to cover their costs without grants. For example, Judge Nolan Dawkins' FDC in Virginia established a partnership with local treatment providers to offer subsidized treatment for FDC participants. The treatment providers and social services, that benefitted mutually, pooled resources to create an FDC administrator. However, most systems would potentially need funding for all three costs. In 2008, Judge William Owens's FDC in Iowa covered costs through a Regional Partnership Grant sponsored by the State of Iowa Judicial Branch, which also supported the establishment of a 501(c)3 for additional funding opportunities.

Decreases in foster care re-entry could result in state and federal cost savings for child welfare and criminal budgets. Of note, criminal drug charges are not dismissed en lieu of FDC participation. However, the court may consider FDC participation as an alternative to criminal charges when the parent demonstrates the prioritization of their child's welfare. Many think tanks laud the prospect of a civil citation for a low-level narcotics offense because incarceration is expensive (\$44,000/year per inmate) compared to treatment services (\$8,000/year out-patient; \$25,000/year residential) (Legal Action Center, 2007). A recovery-focused approach could help address SUDs, reduce recidivism and keep more families together.

Policy Recommendations

- **Congress should require states to establish FDC standards as a prerequisite for the receipt of Title IV-E funding.**

Child welfare agencies need standards to develop, implement and evaluate their FDC programs. FDCs should utilize evidence-based practices that have been proven to yield superior outcomes, such as those described in *Guidance to States: Recommendations for Developing Family Drug Court Guidelines* by Dr. Nancy Young et al. (2015).

- **Congress should concurrently incentivize states to utilize a recovery-focused approach.**

When concerns of child abuse or neglect arise as a result of substance abuse, a recovery-focused approach should be applied in a timely manner through in-home, evidence-based prevention programs. Federal legislation should authorize Title IV-E funds to be used for these services, as *Family First* would allow. If child maltreatment prompts the child's removal from the home, parents should also have the option to participate in a robust FDC program for up to one year where the court should determine the child's permanency plan. This would give the parent the opportunity to participate in a structured program providing treatment services, parent training, employment programs and access to relapse prevention sponsors through community and/or faith-based organizations. If the court determines the parent is unable to provide safe permanency for their child after full FDC participation, the court would move toward termination of parental rights, and a safe permanency plan would be arranged for the child in a timely manner.

Subsidy Fraud: Exposing Adoption Subsidy Abuse

Demetrius Johnson

Executive Summary

Federal adoption subsidies are monthly payments made to an adoptive parent to strengthen and incentivize adoption and help encourage the adoption of “hard-to-place” children from the U.S. foster care system with loving and caring families. The adoption subsidy is meant to provide financial resources to enable the parent to care for the child until the age of 18 or 21, depending on the state. Subsidy fraud derives from a dissolved, or broken, adoption—meaning a situation in which the adopted child no longer lives with the adoptive parent. Adoption subsidy fraud occurs when the adoptive parent continues to receive a monthly stipend when the child is neither in their care nor is the parent providing any form of support.

Policy Recommendations Summary

To prevent federal adoption subsidy fraud, Congress should:

- Provide clarity in the law or guidance to states to require the termination of adoption subsidies where the adoptive parent is no longer providing support to an adopted child;
- Require states to annually track dissolutions to determine subsidy eligibility and investigate all suspected fraud cases.

Personal Reflection

I was adopted at age six and, unfortunately, my adoption dissolved at age 13. I then re-entered foster care as a troubled, heavily medicated black teen—the least likely among foster youth to be alive and not incarcerated today. Despite having relinquished her parental rights, my adoptive mother continued to garner thousands of dollars in adoption subsidies for my brother and me. Finding out my adoptive mother continued to receive money for me for the eight years I was not in her care devastated me. I had tried several times until the age of 21 to reconcile with my adoptive mother. She called me a failure and told me I would not amount to anything. All along she was receiving a check meant for my care, but ultimately, she was one of the primary reasons for the trauma I sustained.

The experience of my broken adoption even left me homeless at one point in my life; yet, the federal and state government continued paying my former adoptive mother. After finding out approximately

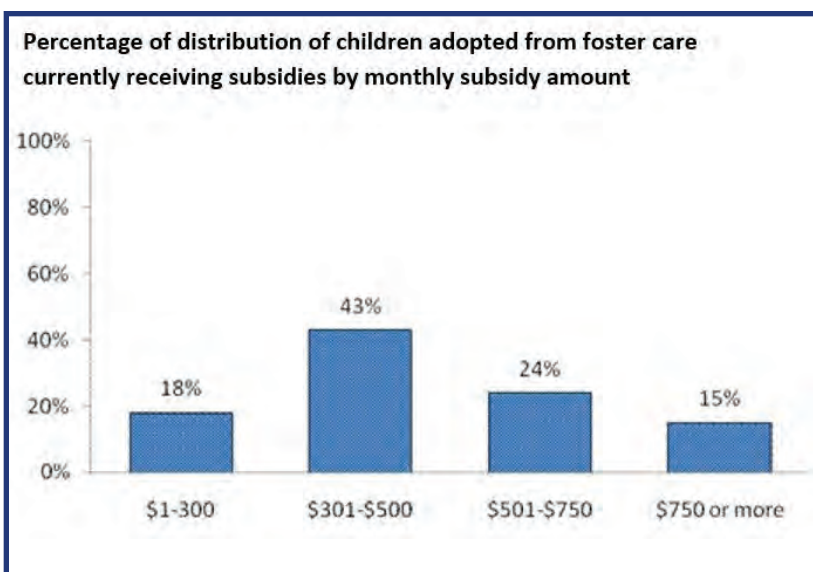


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how much money she may have received, I was depressed, but more so perplexed. I questioned what had I done to deserve to be treated so poorly and used like this. The same woman who promised my biological mother on her deathbed she would care for and protect me, gave up her parental rights and placed me back in the foster care system while accepting a monthly adoption subsidy. My friend, Jaquan Melton, also experienced a broken adoption that forced him to find shelter in church basements and on friends' couches for four years. All along, his former adoptive mother continued to receive \$700 a month in adoption subsidies. Jaquan's lawyer said his former adoptive mother garnered around \$34,000 in subsidy checks; money he never benefited from or saw (Pang, 2016). Even now, with the support of foster care legal advocates, Jaquan continues to fight in court for reimbursement of these payments from his former adoptive mother. I know from speaking with my friend Jaquan, we are both haunted by our former adoptive mothers taking advantage of us and the system.

The Problem

Adoption subsidies were created in 1980 through the *Adoption Assistance and Child Welfare Act* (42 U.S.C §1305, 1980). In FY 2014, 91 percent of children adopted from foster care received an adoption subsidy (U.S. Department of Health and Human Services, Administration on Children, Youth and Families, Children's Bureau [AFCARS], 2015). Monthly adoption payments vary by state, the child's needs and other circumstances. The parents of approximately 61 percent of children adopted from foster care receive \$500 a month or less, another 25 percent receive between \$500 and \$750,



and the remaining 15 percent receive \$750 or more (Office of the Assistant Secretary for Planning and Evaluation, 2011). In 2008, a national study found that 10 to 15 percent of adoptions dissolve after they are finalized and those children may be returned to foster care, live on the streets or be incarcerated (Lansner & Kubitschek, 2012). Subsidy fraud is a critical problem because taxpayers are paying twice for the same child, once

in the form of an adoption subsidy to a parent no longer providing care, and once again through foster care expenses when the child re-enters care (Post, 2013). In 2010, the federal government paid \$2.5 billion to states in adoption subsidies, and a large sum of that may have been fraudulently collected by former adoptive parents who no longer provide any form of support to their former adoptive children (Lansner & Kubitschek, 2012).

In 2015, Gladys Carrión, the Commissioner of the New York City Administration for Children Services (ACS), wrote a letter to the federal government explaining how in February 2014, NYC ACS made adoption subsidy payments to 143 adoptive parents, although they were aware that the children were returned to the foster care system (Carrión, 2015). When this issue was previously identified by NYC ACS in 2007, the Children’s Bureau responded stating,

the adoption assistance program is an entitlement, and as such, the State may not impose additional criteria beyond the Federal requirements. . . . It is incumbent upon adoptive parents to keep the State informed of material changes that might impact the parent’s support, but a State cannot terminate or suspend adoption assistance if the adoptive parents fail to reply to the State’s request for information Neither federal law nor policy provides that States may establish what amount of money constitutes “any support” for the purpose of continuing adoption assistance payments. (Scott, 2007, p. 29)

This is just *one* state’s example of taxpayers paying for 143 children twice. Unfortunately, states’ limited authority to terminate adoption subsidies allows for some adoptive parents to continue to exploit the payment system.

Current Law

The Federal law addressing adoption subsidies prohibits states from terminating an adoption subsidy except “if the State determines that the parents are no longer legally responsible for the support of the child or if the State determines that the child is no longer receiving any support from such parents” (U.S.C. § 1305, 1980). Some states have tried to remedy the broad term “any support” by narrowing their definition of “support.” Nebraska, for example, defines support as child support payments, clothing purchases, transportation, meals and participating in family therapy (The Children’s Law Center, 2015). Vermont defines support as visitation with the child, child support payments, clothing, special activities or payments to the child (The Children’s Law Center, 2015). On the contrary, states such as California, Colorado, Connecticut, Hawaii, Idaho, Nevada, New Mexico, South Dakota and Texas have yet to establish minimum requirements by defining “any support” (The Children’s Law Center, 2015).

While some states have tried to define “any support” with a minimum acceptable standard, the federal law currently prohibits states from imposing additional criteria, such as a minimum dollar amount, beyond federal requirements. Additionally, states are prohibited from investigating suspected fraud or terminating subsidies when adoptive parents fail to respond to inquiries to determine continued eligibility to receive the subsidy (Lansner & Kubitschek, 2012). The current law is too broad and does not give states the authority they need to hold individuals accountable, thus leading to the exploitation of the adoption subsidy.



Policy Recommendations

To prevent federal adoption subsidy fraud, Congress should:

- Provide clarity in the law or guidance to states to require the termination of adoption subsidies where the adoptive parent is no longer providing support to an adopted child;
- Require states to annually track dissolutions to determine subsidy eligibility and investigate all suspected fraud cases.

Updating an Outdated Foster Care Reimbursement Rate

Princess Harmon

Executive Summary

State reimbursement rates provided to foster and kinship caregivers for the care of their foster children and kin is insufficient to provide for the child's needs in the majority of states. Many caregivers simply cannot meet the needs of children in their care. Congress should require states to provide a foster care reimbursement rate equal to the cost of raising a child from a middle-income family in that particular state to ensure families have the financial resources to adequately provide for the children in their care.

Policy Recommendation Summary

- **Congress should require states to set foster care reimbursement rates that are equal to the cost of raising a child in that state for a middle-income family, as well as reevaluate the rate annually to keep up with inflation and the cost of living.**

This requirement should include an enforcement clause so states would be more likely to increase their foster care reimbursement rate or risk losing current or future federal child welfare funding.

Personal Reflection

I witnessed the many sacrifices my foster mother—my great aunt—made to provide for my two brothers and myself. She worked two jobs and completely changed her lifestyle to ensure we had what we needed. My aunt had an increasingly difficult time providing for us as our reimbursement rates decreased as my brothers and I got older.

During my time in foster care, I heard many people say they were unable to foster a child because they did not have the financial resources. It was heartbreaking to hear adults commend my aunt for taking care of my brothers and me, and say they would have fostered “but for the cost.” My aunt is not rich or even remotely well off, and she rarely received help from our family members. But, she sacrificed her wants and needs for ours to ensure my brothers and I had as normal a childhood as possible. For example, today I attribute my leadership skills, ability to develop friendships with foster youth *and* non-foster youth peers, and environmental awareness to my summer camp experiences, which would not have been possible without my aunt's sacrifices.



All children in foster care have experienced the trauma of entering into care, and activities that “normalize” their childhood can be particularly beneficial. Unfortunately, not all foster children have caregivers who are able to make significant financial sacrifices in an effort to promote normalcy. Removing additional financial burdens on foster parents would better ensure each foster child’s financial needs are met. Increasing state foster care reimbursement rates to a “middle class” standard could encourage more families to open their home to love and care for a foster child.

The Problem

There is no federal minimum rate or standard for determining the cost of care for a child in foster care. The most recent national evaluation of the Minimum Adequate Rate for Children (MARC) set the recommended national average rate per month in 2007 at \$629 for two-year-olds, \$721 for nine-year-olds and \$790 for 16-year-olds (Children's Rights et al., 2007). More recently, the Family Foster Care Reimbursement Rates Report analyzed basic foster care reimbursement rates in 2012 based on estimated annual household costs for two-parent, middle-income homes; age group; and geographic area, but did not recommend a monthly rate (Child Trends, DeVooght, & Blazey, 2013). Similarly, the following factors have been used to calculate the MARC: family configuration, family income level, age cohort, type of community and region of the country (Children’s Rights et al., 2007). Most state foster care reimbursement rates do not take into account the “middle class” income level and cost of living, and most states do not revise their rates annually or have set timelines for rate revisions (Child Trends, DeVooght, & Blazey, 2013).

There was a marked increase in children entering the foster care system and a decrease in the number of children exiting the foster care system in 2014 (AFCARS, 2015). Many states are also seeing an all-time high in foster home shortages leading to congregate care placements and frequent moves for children in care (Children’s Rights, 2015). Regrettably, this puts pressure on current caregivers to take in additional children and increases the number of children in congregate care placements (Kids Count, 2015). Congregate care placements cost 7 to 10 times more than placing a child in a foster home (AECF, 2015), and congregate care should not be used as a substitute for foster homes.

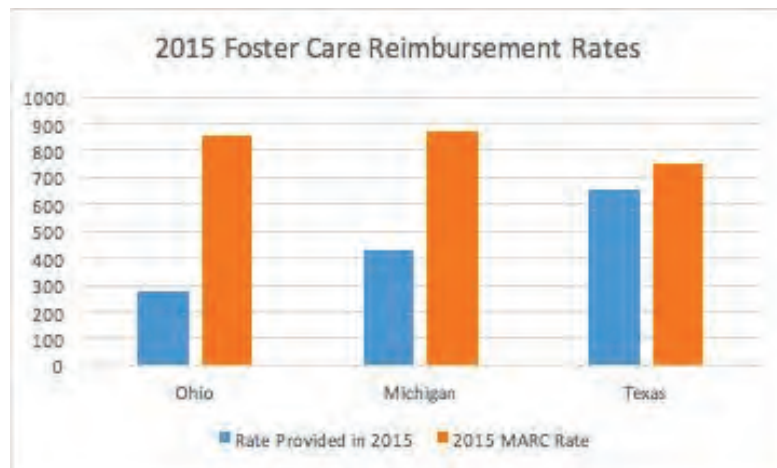
Children are more likely to find their permanent families through foster and kinship care than from congregate care or group homes; in fact, 84 percent of adopted children found permanent homes with their foster parent or in kinship care (AFCARS, 2015). Thus, by increasing the foster care reimbursement rates, states would have another tool to help with foster parent recruitment and retention, which may lead to more available foster homes and a decrease in the number of children in congregate care placements (Dills, 2011).

Current Law

The federal government dedicated over \$8 billion to child welfare services under the *Consolidated Appropriations Act of 2016* (U.S. Department of Health and Human Services et al., 2015). This funding is divided among two primary funding streams for child welfare, Title IV-B and IV-E. Title IV-E

is responsible for state reimbursements for the costs of providing foster care, adoption and kinship guardian assistance, and funding for children who “age out” of the system. Approximately \$7 billion of the Title IV-E funding is meant to help states pay for the costs of those programs, including foster care reimbursements (U.S. Department of Health and Human Services et al., 2015).

Each state currently determines their own foster care reimbursement rate based on the state’s geography and needs; however, the majority of the rates have not been updated to reflect the current cost of living and inflation rates (Child Trends, DeVoght, & Blazey, 2013). To illustrate, Dr. Haksoon



Ahn, University of Maryland Associate Professor, calculated rates for Texas, Michigan, Ohio and Maryland in 2015, which influenced Maryland’s current reimbursement rate to exceed the MARC (Ahn, 2016). Texas would need a 15 percent increase in their current reimbursement rates to achieve the MARC for nine to 15-year-olds. Michigan would need a 102 percent increase, and Ohio would need a 212 percent increase (Ahn, 2016).

It is important to note, however, not all states currently provide less than the cost of caring for a child from a middle-income family.

Policy Recommendation

- Congress should require states to set foster care reimbursement rates that are equal to the cost of raising a child in that state for a middle-income family, as well as reevaluate the rate annually to keep up with inflation and the cost of living.

This requirement should include an enforcement clause so states would be more likely to increase their foster care reimbursement rate or risk losing current or future federal child welfare funding.

Increasing the foster care reimbursement rate would help alleviate the financial burden on prospective foster parents, and could lead to an increase in foster care recruitment and retention to address the nation wide shortage of foster homes. Increasing the foster care reimbursement rate would help ensure states are providing enough financial resources for foster parents to adequately provide for the children in their care.

One barrier to states increasing the foster care reimbursement rate is the lack of additional federal funding to help cover the cost. However, it is unnecessary for Congress to find new money to cover



the increase in reimbursement. Rather, the savings from reducing the use of significantly more expensive congregate care should be reallocated to federal reimbursements for caregivers.

Normalcy for children in foster care is vital to their development and successful transition to adult life (Mordecai, Pokempner, Rosado, & Subrahmanyam, 2015). Increasing state foster care reimbursement rates to middle-income levels would allow a more normal childhood for foster children by ensuring they have the resources to participate in childhood activities such as sports and other extracurricular activities. If Congress requires states to provide a foster care reimbursement rate equal to each state's cost of raising a child from a middle-income family, it would help ensure families have the financial resources to adequately provide for the children in their care.

Extended Foster Care and Re Entry: Increasing Success for Older Foster Youth

Kristopher Wannquist

Executive Summary

Congress needs to require states offering Extended Foster Care (EFC) to allow re-entry for foster youth who age out and meet the EFC requirements. The *Fostering Connections to Success and Increasing Adoptions Act of 2008* (*Fostering Connections Act*) allows states to access federal reimbursement to extend foster care beyond the age of 18 (P.L. 110-351, 2008). Foster youth who age out of foster care do not have a permanent family or support network to successfully transition to adulthood. Studies show foster youth benefit from EFC in education, housing and other areas. A foster youth should have the option to re-enter foster care at any time before the youth reaches their state's maximum age requirement, particularly if the youth meets the federal requirements of EFC.

Policy Recommendations Summary

- Congress should amend Title IV-E of the *Social Security Act* (42 U.S.C. § 622, 1980) to require states extending foster care from age 18 to 21 to allow re-entry of youth into EFC, up to the age of 21;
- Congress should require states who receive Title IV-E reimbursements for EFC to educate all foster youth on their eligibility for EFC, as well as their eligibility for re-entry until the state's maximum age requirement. This education should occur during the youth's transition planning required by law or no later than six months prior to their 18th birthday.

Personal Reflection

I entered the foster care system at the age of 15 due to abuse, neglect and psychological maltreatment, and I remained in foster care until aging out at 18. Luckily for me, Washington is one of 21 states (including Washington, D.C. and the Eastern Band of Cherokee Tribe, North Carolina) offering EFC (HHS, 2016). EFC changed my life. It gave me the opportunity to leave a city that had scarred me and access higher education, as well as time to discover who I wanted to become.

While I was fortunate enough to benefit from EFC, my older foster brother was ineligible to receive EFC. He entered foster care at age four and aged out at 18, because he was not notified by the state or his caseworker about EFC. Sadly, my foster brother only learned of EFC when I applied and was accepted into the Washington EFC program. At that point, he could not re-enter foster care because of the state's age limitation. Since then, my foster brother has experienced homelessness and has



not received support for education or a stable job. I believe if he was given the opportunity to re-enter foster care, my foster brother would be on a path to success.

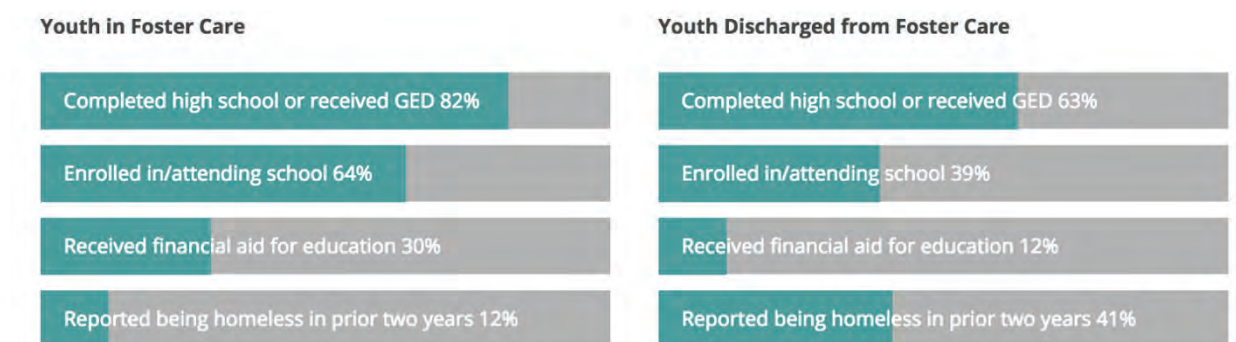
The Problem

Currently, there is no safety net for youth who age out of the foster care system if states choose not to provide EFC or re-entry into foster care. “The approximately 26,000 youth who *age out* of foster care at age 18 each face significant challenges in meeting their needs for health care, education, employment, housing and emotional support” (National Conference of State Legislators (NCSL), 2016, p. 1). If Congress wants better life outcomes for the nation’s foster youth, they need to invest in the youth who age out of care without finding permanent families.

Through the *Fostering Connections Act*, federal policy recognizes foster youth do not immediately transition from adolescence to adulthood at the age of 18. “There is a transitioning period called emerging adulthood” (Courtney et al., 2010, p.6). Emerging adulthood is vital for youth development, identifying and shaping who they want to become as an adult. “Young people who leave the child welfare system without a permanent family enter the mental health, substance abuse, homeless services, employment services and criminal justice systems in disproportionate numbers and at great cost” (Jim Casey Youth Opportunities Initiative, 2013, p 1.). If the government fails to provide permanency for foster youth, it is critical to help guide this vulnerable population through emerging adulthood by extending care and allowing re-entry to EFC.

The Midwest Evaluation of the Adult Functioning of Former Foster Youth is an ongoing study following youth in Iowa, Wisconsin and Illinois after they transition out of foster care (Courtney et al., 2011). This study showed foster youth had better outcomes while staying in EFC than aging out at 18. These outcomes are a true testament for foster youth who successfully transition into adulthood with support from EFC and re-entry.

The table below shows outcomes for foster youth from Minnesota who chose to remain in Extended Foster Care after the age of 18 compared to youth who aged out of care in the same state.



Source: Center for Advanced Studies in Child Welfare, 2014

“None of these outcomes for foster youth are irreversible and many states have recognized the benefit of targeted services and supports for older youth leaving care” (NCSL, 2016, p. 2). From my assessment, states that do not offer EFC may do so because of the expense. Instead, they should take into account the futures of their foster youth.

The results of these disparities in outcomes are increased welfare and Medicaid expenditures, higher costs of incarceration, lost wages due to unplanned pregnancies and incarceration and other costs, not just to the foster youth, but also to society at large. It is estimated that these poor outcomes cost the general population nearly \$8 billion for each annual cohort of youth leaving foster care. (NCSL, 2016, p. 2)

These figures show the federal government would benefit financially by investing in foster youth at 18 rather than paying later for the cost of these poor outcomes.

Current Law

The *Fostering Connections Act* allows states to become eligible for Title IV-E funds to extend services until the age of 21 (Social Security Act Title IV-E, 1980). A Congressional Research Service summary of the bill states that to access these funds, states must ensure the youth is:

- (1) completing high school or a program leading to an equivalent credential;
- (2) enrolled in an institution that provides postsecondary or vocational education or;
- (3) participating in a program or activity designed to promote, or remove barriers to, employment and or
- (4) employed at least 80 hours per month. (Stoltzfus, Fernandes-Alcantara, & Solomon-Fears, 2014)

Currently 21 states, Washington, D.C. and the Eastern Band of Cherokee Tribe, North Carolina seek Title IV-E reimbursement for EFC. The U.S. Department of Health and Human Services (HHS) has advised that “states can extend care to youth age 18 to 21 even if they were not in foster care prior to 18; and that young people can leave care and later return before they reach the maximum age of eligibility in the state” (Fernandes-Alcantara, 2012, p.7). While HHS guidance allows states to provide re-entry, it is important to require states to offer this re-entry until age 21 to provide foster youth the opportunity to succeed.

In June of 2016, the U.S. House of Representatives passed the *Family First Prevention Services Act*, which would allow states to expand the John H. Chafee Foster Care Independence Program to foster youth up to age 23 for educational assistance, vocational training, mentoring and preventive health activities (H.R. 5456, 2016). This shows one area where Congress has already recognized the need for extended support for older foster youth. Investing in re-entry for foster youth who are eligible for EFC is another area where extended support for foster youth can have a big impact.



Policy Recommendations

As an EFC recipient, I believe all foster youth should be educated about EFC, if their state offers it, during the youth's transition planning. They should also have the option of voluntary re-entry if they can meet EFC requirements. It is critical for Congress to point states in the direction that will provide the best outcomes for foster youth who age out without permanent families and support.

- Congress should amend Title IV-E of the *Social Security Act* (42 U.S.C. § 622, 1980) to require states extending foster care from age 18 to 21 to allow re-entry of youth into EFC, up to the age of 21;
- Congress should require states who receive Title IV-E reimbursements for EFC to educate all foster youth on their eligibility for EFC, as well as their eligibility for re-entry until the state's maximum age requirement. This education should occur during the youth's transition planning required by law or no later than six months prior to their 18th birthday.

Crossing System Lines: Collaborating to Improve Outcomes for Dual Involved Youth

Erica Ontiveros

Executive Summary

Foster youth are known to face poor life outcomes; one of the most severe life experiences are elevated rates of juvenile delinquency and criminal justice involvement. These higher rates make foster youth more susceptible to becoming dual involved youth: youth who come into contact with both the child welfare system and juvenile justice system. Dual involved youth are significantly more vulnerable than non-dual involved foster youth for higher detention rates, recidivism and substantial behavioral health needs (Siegel, n.d.). These negative life outcomes can be prevented by improved system collaboration and enhanced data tracking.

Policy Recommendations Summary

- Congress should establish a “Federal Data Gathering Unit for Dual Involved Youth” in the Department of Justice’s Office of Juvenile Justice and Delinquency Prevention (OJJDP) and require each state to report data on dual involved youth for tracking to the new database;
- Congress should set a federal minimum standard that state courts, juvenile delinquency agencies and child welfare agencies must identify dual involved youth within the first 14 days of a juvenile delinquency charge and cross-report to a designated office within the other entity.

Personal Reflection

During my time in foster care, at the age of 15, I was placed in a temporary group home for three months. While there, I witnessed many youth with behavioral problems moving between the group home and juvenile hall, a secure jail for minors under the age of 18, which was conveniently located right next door. Many of these youth acted out with frustration, anger or fear. They ran away from the home only to be caught and sent to juvenile hall. Later, I learned that many of these same youth had spiraled down after their first encounter with delinquency and committed actions ultimately leading to incarceration and a criminal record.

I experienced similar feelings and, at times, viewed running away or acting out as my only way to cope. I easily could have been a foster youth who ended up as a delinquent. I often think about my younger brother who is still in care, hoping he too can avoid this outcome. Adolescence is a volatile life phase; in foster care, the combination of instability and uncertainty may lead to serious



consequences. When foster youth first encounter the juvenile justice system, they need timely identification and access to services that help avoid negative outcomes.

The Problem

While the exact numbers of dual involved youth vary across states, the known numbers reveal dual involved youth make up a substantial portion of the incarcerated youth population (Altschuler, Stangler, Berkley, & Burton, 2009). The Shubert Center for Child Studies reported 30 percent of those placed in foster care for the first time after age nine received a juvenile delinquency filing after placement (Coulton, Crampton, Lalach, & Lee, 2013). Moreover, abuse or neglect increased a person's likelihood of arrest as a juvenile by 59 percent and as an adult by 28 percent (Widom, & Maxfield, 2001).

State statistics on the number of dual involved youth varies significantly. For example, in California, the State Auditor to the Governor and Legislative Leaders reported that five out of six California counties neither identify dual involved youth nor monitor their outcomes. This lack of reporting limits the ability of the state to accurately compare dual involved and non-dual involved youth and the effectiveness of their programs (California State Auditor, 2015).

The problem of dual involved youth is important to policymakers because of both the long-term cost of the youth's negative life outcomes and associated financial costs to the federal government. A New York study found dual involved youth used cash assistance, SNAP, Medicaid and homeless shelters more often in the six years following release from detention than those who were not dual involved. They were more likely to have jail stays compared to youth only involved in a single system (NYC Office of the Mayor, 2015).



(NYC Office of the Mayor, 2015) The figure shows that dual involved youth used government programs at a higher rate.

The overall costs after release were also higher for dual involved youth (\$65,424) than youth solely in the juvenile justice system (\$47,854) or the foster care system (\$46,670) (Shubert Brief, 2015).

State Model

Dual involved youth need a high degree of collaboration from child welfare and juvenile justice systems to transition into adulthood with self-sufficiency. The Reasonable and Equitable Community and Local Alternatives to the Incarceration of Minors (RECLAIM), an Ohio program, focuses on keeping juvenile delinquents close to home to ensure their progress by using community-based programs instead of incarceration to rehabilitate. Key to RECLAIM's 80 percent reduction of youth in the prison population was embracing new strategies that incorporated current research and best practices. Designed to keep youth from further penetrating into the juvenile system, the program reduced youth incarceration and improved outcomes for youth at risk by 42 percent. Plus, for every dollar spent on RECLAIM, Ohio saved between \$11 and \$45 per youth (Juvenile Justice Coalition, 2015). While this program targets youth in general, this collaboration between government, state agencies and community-based organizations serves as a model of how positive outcomes for youth are improved with collaboration. To ensure the two systems charged with youth's care are making the best decisions possible, they must collaborate for better outcomes in the future.

Current Law

Currently, 51 separate systems for juvenile justice and child welfare exist, varying significantly in their approach for dual involved youth (Juvenile Justice Geography, Policy, Practice, & Statistics, n.d.). More often than not, within each state, the juvenile justice system and the child welfare system operate with little collaboration regarding dual involvement. Due to a lack of federal reporting, smaller sample studies have wildly varying percentages of dual involvement, ranging from 9 percent to 29 percent of those in the child welfare system (Goldstein, 2012). This lack of data and communication leaves a large gap which must be addressed by the federal government.

In April 2015, U.S. Senators Grassley and Sheldon introduced the *Juvenile Justice and Delinquency Prevention Reauthorization Act* (S. 1169, 2015). It would require states to use evidence-based programs to address the challenges faced by youth involved in the juvenile justice system and to improve outcomes for them (S. 1169, 2015). Though the Act defines the foster youth population as "high-risk" for involvement in the juvenile justice system, it does not explicitly offer solutions for foster care youth in the juvenile justice system (S. 1169, 2015). Additionally, although the Act encourages the states to share records relating to abused and neglected children, Congress should mandate specific language addressing the challenges of dual involved youth and create a tracking system to identify what resources are required for positive outcomes of dual involved youth. Congress should also explicitly mandate collaboration between the child welfare and juvenile justice systems.



Policy Recommendations

- Congress should establish a “Federal Data Gathering Unit for Dual Involved Youth” in the Department of Justice’s Office of Juvenile Justice and Delinquency Prevention (OJJDP) and require each state to report data on dual involved youth for tracking in a new database.

This unit and database will establish a centralized federal hub of information on dual involved youth. The purpose of this unit and database is to address concerns about confidentiality; house technical expertise; and collect, evaluate and issue annual reports to Congress on the data and evidence-based practices to be shared with the public for improvement of programs serving dual involved youth.

- Congress should set a federal minimum standard that state courts, juvenile delinquency agencies and child welfare agencies must identify dual involved youth within the first 14 days of a juvenile delinquency charge and cross-report to a designated office within the other entity.

This timeline will allow courts and agencies to identify and effectively render services to these youth, addressing barriers in their case and target services from both the child welfare and juvenile justice systems to give them optimal opportunity to reverse trajectory.

Improving Foster Youth Relationships through Secure Attachment Training: A New Way Forward for Caregivers

LilCrystal J. Dernier

Executive Summary

Unfortunately, the ideal outcome of every foster youth being adopted or reunified with their biological family before “aging out” of the child welfare system is not the current reality. A greater emphasis should be placed on caregiver retention and placement stability in order for foster youth to have a more positive life experience. Congress should create a pilot program to encourage the development of a “Secure Attachment Training” (SAT) curriculum. The curriculum would complement existing foster care training programs in an effort to assist youth and caregivers in building meaningful connections and to help ensure that foster youth have the skills to form positive relationships. SAT may increase the likelihood foster youth can form and stay in positive, healthy and meaningful relationships in their adult lives. Outcomes such as poor physical health, attachment disorders, compromised brain functioning and inadequate social skills may also be less likely with proper training and skill development (Harden, 2004). Such training would aim to foster meaningful connections between caregiver and adolescents in an effort to prevent placement disruptions that lead to future poor social, intimate and professional relationships (Collins & Van Dulmen, 2006; Storer et al., 2012).

Policy Recommendations Summary

- Congress should create a pilot program to encourage the development of a “Secure Attachment Training” (SAT) curriculum by adapting existing evidence-based foster care training programs;
- Congress should amend the *Foster Care Independence Act of 1999* to require foster parent training programs to include an evidence-based attachment curriculum.

Personal Reflection

My life has been filled with instability since infancy. My mother was HIV positive when I was born, and she tragically passed away when I was only two years old. Regrettably, my journey in foster care was unstable due to unloving caregivers. I had difficulty forming positive relationships with my caregivers, as well as my peers. As a result, I became involved in unhealthy relationships because I wanted to be loved. I think I would have benefited from a foster care training program with an evidence-based attachment component like SAT.

Thankfully, I overcame the challenges and escaped unhappiness by immersing myself in academic



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endeavors. At school, I received support, love, kindness and sympathy from my assistant principal, higher education advisor, guidance counselors and teachers. God empowered me with strength, perseverance and positive decision-making for my life, and fortunately, I chose a different path. I wanted to break the familial cycle of lack of achievement and substance abuse and I did so.

The needs of foster youth are not difficult. They are quite simple. Like all youth they want love, support and a meaningful connection to someone who shows a genuine interest in their lives.

The Problem

Forming and maintaining attachments and secure trusting relationships is a key developmental task in the beginning of a child's life (Muellner, 2012). When a caregiver is responsive to a child's needs, the child begins to trust the caregiver, thus developing expectations that the caregiver is available to meet their needs (Dozier et al., 2009). However, a child who experiences continuous placement disruptions can find it difficult to form attachments with others (Dozier et al., 2012; Muellner, 2012). Research illustrates foster youth who endure disruptive early life experiences and frequent placement disruptions are at a higher risk of substance abuse, early pregnancies, poor academic performance and involvement in the criminal justice system (Storer et al., 2012). Building better connections between foster youth and their caregivers has the potential to positively impact other outcomes, such as better academic performance, consistent employment, pregnancy prevention, college completion and the ability to establish positive future relationships (Furman & Shaffer, 2003; Harden, 2004).

Biological and foster family relationships form the foundation for future adult social skills and relationships (Collins & Van Dulmen, 2006). Furthermore, placement instability is an on-going challenge for youth between the ages of 14 and 18 who are likely to experience three placements before aging out of the child welfare system (Storer et al., 2014). As a vulnerable population, it is imperative foster youth receive appropriate services that effectively address their needs.

The most common foster parent recruitment training programs are the Model Approach to Partnerships in Parenting Group Preparation and Selection of Foster and/or Adoptive Families (MAPP) and the Foster Parent Resources for Information, Development, and Education (PRIDE). Though they are the national standard for recruitment, they do not provide ongoing training on how to parent foster youth (Dorsey et al., 2008; Gerstenzang 2009). These programs have been criticized for their substantial attention to policies and procedures instead of training content to better meet the needs of troubled youth, particularly their scant focus on managing difficult behaviors (Festinger & Baker, 2013). Though some MAPP programs may incorporate attachment training, it is not required; training may consist of only one workshop for a caregiver and youth to try to build meaningful connections beyond the pre-service training hours and the annual requirements (National Resource of Diligent Recruitment, AdoptUsKids, 2015).

Current Law

The *Foster Care Independence Act of 1999* states before a child in foster care “is placed with prospective foster parents, the prospective foster parents will be prepared *adequately* . . . and preparation *will be continued, as necessary*, after the placement of the child” (P.L. 106-169, emphasis added). Since Congress requires foster parent preparation to be ongoing and continuous, the law should additionally require foster parent training programs to include an evidence-based attachment curriculum. With regard to cost, Title IV-E of the *Social Security Act* gives states the discretion to allocate funding among its foster parent training programs (P.L. 96-272).

One program that incorporates attachment with foster youth includes the *Staying Connected with Your Teen* (SCT), which is nationally recognized by foster care and juvenile advocacy groups. SCT can be implemented as a formal parenting workshop in five two-hour sessions or as a seven-unit, self-paced home-study program to promote meaningful connections between caregiver and youth. Its components include the importance of risk and protective factors, the power of communication and family management (Bankan et. al, 2014; Storer et al., 2012). SCT was rigorously evaluated to promote meaningful connections between the caregiver and foster youth; however, it is unclear whether states use this attachment training model as a part of their state child welfare training programs, as they do with MAPP and PRIDE.

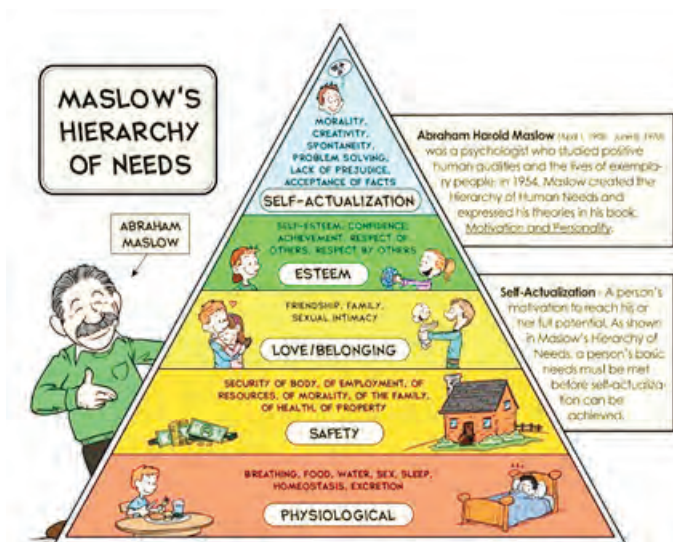


Figure 1 Maslow's Hierarchy of Needs (Dutch Renaissance Press, LLC (2013). Dr. Mary Dozier's research identified attachment as being more important than any other need (Dozier et al., 2009). As love and belonging is the third stage in Maslow's Hierarchy, attachment training would help a caregiver learn how to make a foster youth feel love and acceptance within appropriate boundaries.



Policy Recommendations

- Congress should create a pilot program to encourage the development of a “Secure Attachment Training” (SAT) curriculum by adapting existing evidence-based foster care training programs.

Such a pilot program would help build meaningful connections between the caregiver and foster youth. As Storer illustrated, programs promoting meaningful connections between the caregiver and foster youth must provide tools to address behavioral issues (Storer et al., 2012). Additionally, SAT would include a “Teen Relational Permanency” assessment to help foster youth communicate their concerns with regard to placement stability. Within the first 90 days of placement, the assessment should be conducted by a credentialed child development expert in attachment training who would work jointly with the foster youth, caseworker and caregiver.

- Congress should amend the *Foster Care Independence Act of 1999* to require foster parent training programs to include an evidence-based attachment curriculum.

Amending the *Foster Care Independence Act of 1999* to include evidence-based attachment training may help prevent placement disruptions, improve meaningful connections between foster youth and their caregiver, and promote the future development of positive social, intimate and professional relationships.

Running from the System: Improving Foster Youth Placement Stability and Runaway Prevention

Ivy-Marie Washington

Executive Summary

In 2015, over 4,500 foster youth were reported by the U.S. Department of Health and Human Services to have a current runaway status (HHS, 2014). Many foster youth feel compelled to run away from their foster home placement for safety concerns and maltreatment. It is imperative that Congress address these issues through foster home licensing policies to better prevent foster youth from running away and improve placement stability nationwide.

Policy Recommendation Summary

- Congress should amend the *Preventing Sex Trafficking and Strengthening Families Act of 2014* to restrict the renewal of a foster home license when multiple foster youth in the same home have been displaced due to alleged safety concerns and maltreatment by a foster parent.

Personal Reflection

When I was seven years old, my brother and I were placed into foster care with a loving family. Several years after our arrival, my brother began associating with the wrong crowd and was removed from our home. Eventually, my brother moved through multiple juvenile detention placements and foster homes, and became ineligible for family foster care placements with other children. As a result, he also spent time in shelters.

After being placed in so many foster care placements, my brother understood that his experience as a foster child was not the “norm.” So, at the age of 16, he decided to run away from his foster home. Just three months before his 17th birthday, my brother ran away for the third time. The state could no longer force him back into foster care because, in the state of Texas, foster youth are considered an “adult” at the age of 17. My brother lost all benefits and opportunities granted to foster youth, including his health insurance, free in-state college tuition, and aftercare room and board. Since his first runaway episode and discharge from care, I have not seen much of my brother. I believe that if someone cared enough to give him another chance before his 17th birthday, it could have changed his life.



This photo was taken when I was 8 and my brother was 12.



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It has been two years since I have seen or even heard from my brother. I wonder constantly whether he is alive. Not a day goes by that I do not miss my brother and wish someone could have done more to help prevent him from running away from his foster care placements. I am asking Congress to help other runaway foster youth who, like my brother, are in danger of experiencing homelessness and are in need of supportive services that could change their lives for the better.

The Problem

For the 4,500 foster youth who run away from their foster home placement, they are at an increased risk of being trafficked, experiencing mental health problems and using illegal substances (N.C. Division of Social Services and the Family and Children's Resource Program, 2012). Research suggests the following factors play a major role in the likelihood that a youth in foster care may run away: negative experiences in a foster care placement, placement type, a high number of placements and entering foster care prior to the age of 13 (Pergamit & Ernst, 2011). Older foster youth also experience more placement disruptions than younger children and are more likely to run away (Child Welfare Information Gateway, 2016).

Family conflict has been cited as the main reason foster youth run away from their foster homes (National Conference of State Legislatures, 2016). The maltreatment of foster youth by caregivers also greatly impacts a foster youth's decision to run away from foster care. In 2015, 49 states identified 3,022 foster youth who experienced one or more forms of maltreatment by a foster parent, legal guardian or group home (HHS, 2015). Overall, youth who experience abuse at home before the age of 18 have higher rates of running away (Bernoit-Bryan, 2011).

It is important that Congress try to ensure *all* foster youth are living in safe placements and find permanency. Research suggests that more than half of runaway youth have been involved in the child welfare system and, due to constant mobility, there is limited data on these youth (Fernandes-Alcantara, 2016). Therefore, in an effort to improve safety and stability for youth who are more likely to run away, states should analyze existing data on foster homes that frequently displace youth and review foster youth experiences in their placements. Such efforts would help states identify inappropriate and unsafe foster homes.

Current Law

Nationally, there is a shortage of foster homes available for foster youth. States like California, Connecticut, Florida, Oklahoma, Pennsylvania and Texas have reported having the largest unmet need of foster homes, making it incredibly challenging to improve home stability and permanency for foster youth (Kendall, 2010). To address shortages, many states and private agencies have developed campaigns, such as Oklahoma's "Oklahoma Fosters Initiative" and Colorado's "Project 127 Campaign" (State of Oklahoma, 2012; Project 1.27, 2016).

Licensing requirements for foster homes vary across states (Department of Public Health and Human

Services, n.d.). In an effort to protect foster youth, a foster home license may be denied, revoked, suspended or restricted when a foster parent has been named the offender in substantiated reports of abuse or neglect. However, many cases of abuse and neglect in foster homes go unreported (Department of Public Health and Human Services, n.d.).

Despite current challenges to recruit foster parents, it is imperative states improve foster parent standards and increase efforts to advance safety and permanency for youth in foster care. If there is a pattern of crisis such as multiple emergency requests for removal, Congress should require states to suspend the foster home until the investigation is conducted and the home is cleared for future placements.

On a federal level, the *Reconnecting Homeless Youth Act of 2008* (P.L. 110-378, 2008) recognizes the importance of prevention, stability and needs of runaway, missing and homeless youth, and includes provisions to increase permanency for runaway and homeless foster youth (Fernandes-Alcantara, 2016). In 2014, President Obama signed into law the *Preventing Sex Trafficking and Strengthening Families Act* to respond to foster youth who are missing or run away from foster care, and to establish procedures for child welfare agencies to respond to victims of sex trafficking (P.L. 113-183, 2014). The Act amended Title IV-E of the *Social Security Act* to address trafficking within the child welfare system, and reauthorized the Family Connections Grants and Adoption Incentives Program. State plans are now required to develop methods to locate missing children from care, identify contributing factors to running away, and address needs in foster care placements. Other provisions of the Act require states to implement the “reasonable and prudent parent standard” with regard to decision-making. To build on this progress, federal law should improve permanency for all foster youth by requiring states to identify foster homes with high rates of displaced youth.

Policy Recommendation

- Congress should amend the *Preventing Sex Trafficking and Strengthening Families Act of 2014* to restrict the renewal of a foster home license when multiple foster youth in the same home have been displaced due to alleged safety concerns and maltreatment by a foster parent.

The higher number of placements a youth has in foster care increases the likelihood of running away. Foster youth who run away are at higher risk of being trafficked, experiencing mental health problems and using illegal substances. Therefore, it is crucial that Congress improve foster care placement stability. If states analyzed existing data on foster homes that frequently displace youth and review foster youth experiences in their placements, states could better identify inappropriate and unsafe foster homes. By increasing accountability through federal guidelines regarding the renewal of foster home licensing, Congress would help protect foster youth from the dangers of running away and better ensure that all foster youth find permanency.



Improving Placement Stability for All Youth in Foster Care

David Rivera

Executive Summary

Every child deserves a loving family. However, for lesbian, gay, bisexual, transgender and queer (LGBTQ) youth in the U.S. foster care system, there is a greater likelihood they will experience placement instability compared to their non-LGBTQ peers. Estimates in both Los Angeles County and New York City suggest LGBTQ foster youth experience nearly twice the number of placements as heterosexual youth by the time they achieve permanency (McCormick, Schmidt & Terrazas, 2016). Yet, comprehensive federal data is needed to assess the scope of this issue. Furthermore, states should provide “LGBTQ Competency Training” for agencies and foster and adoptive parents, which would greatly increase placement stability for LGBTQ foster youth.

Policy Recommendations Summary

- Congress should require states to report to the Adoption and Foster Care Analysis and Reporting System (AFCARS) the current number of youth in their child welfare systems who identify as LGBTQ;
- Congress should require states to provide “LGBTQ Competency Training” for agencies and foster and adoptive families.

Personal Reflection

I entered the foster care system at birth and have spent nearly all of my 21 years in foster care, including 18 different foster home placements. Much of the instability came after the age of 14 when I was “outed” as gay by a peer. When the news reached my foster family, I was abruptly told to leave their home. My social worker came to pick me up and so began a series of unstable placements as foster family after foster family asked for me to be removed because they felt uncomfortable with my sexual orientation. I am grateful for the successes I have achieved in life and all of the hurdles I have overcome as a foster youth, but ultimately, the only thing that ever mattered to me was finding a connection to a loving, stable, forever family. It is difficult enough for teenagers in the foster care system to find stability, yet for LGBTQ foster youth like myself, stable placements are even harder to come by. Fortunately for me, when I was 17, I found the family I had always wanted, and this year my adoption will be finalized. I think back to feeling unwanted and it inspires me to make sure other LGBTQ foster youth do not experience the same placement instability I did.

The Problem

Limited Data

Placement disruptions cause more harm than good to youth in the foster care system (Sudol, 2009). Unfortunately, for many LGBTQ foster youth, placement instability is all too common. Limited studies, though widely varied, all suggest the foster care system has a disproportionate number of LGBTQ youth, ranging between 5 and 10 percent in one study and 22.8 percent in another (Martin, Down & Erney, 2016).

It is reported in Los Angeles County one out of five foster youth are LGBTQ (Wilson, Cooper, Kastansis & Nezhad, 2014), but few other studies exist, and “[t]he number and proportion of children and youth in foster care who identify as LGBT nationwide is unknown” (Burwick, Gates, Baumgartner & Friend, 2014, p.40). The collection of reliable data on a nationwide scale is a vital step to properly address the full scope of this issue.

Agency and Caregiver Training

This at-risk population will experience an average of “6.35 placements by the time that they achieve permanency, a rate that nearly doubles that of straight youth” (McCormick, Schmidt & Terrazas, 2016, p. 70). Data from the National Survey of Child and Adolescent Wellbeing – II demonstrates almost 20 percent of LGBTQ youth in foster care were requested by their caregiver or foster family to be moved from their first placement, whereas only 8.6 percent of non-LGBT youth were requested to be removed (Martin, Down & Erney, 2016). According to a California report on LGBTQ youth and child welfare, the following are disturbingly common practices,

deeming these youth ‘unadoptable;’ blaming their being ‘out’ for the harassment and abuse from others . . . repeated placement moves resulting from the discomfort of a caregiver; or disciplining LGBTQ youth for engaging in age appropriate conduct that would not be punishable were it between youth of different sexes. (Wilber, Ryan & Marksamer, 2006, pp. 6-8)

Investing in agency and foster and adoptive parent training improves placement stability for all foster youth (The University of California Davis, 2008). Dr. Laura Boyd, National Public Policy Director of the Foster Family-based Treatment Association states,

When the State takes custody of any youth, it is our responsibility to be the best ‘parent’ possible, addressing the unique needs and character of that individual youth. This requirement of responsibility is paramount regardless of age, ethnicity, or sexual orientation of the child. All parents need support to be successful and stabilize their families across life changes and events; foster parents and adoptive families are no different and should have access to specific training surrounding the unique needs LGBTQ youth and families may encounter. (Boyd, 2016)



“LGBTQ Competency Training” would familiarize agencies and caregivers with LGBTQ resources in the community, challenges the youth or caregivers will face, how youth perceive certain behaviors and the use of accurate LGBTQ terminology.

Current Law

Currently, there are no federal laws to encourage placement stability for LGBTQ foster youth, and only 21 states have “Non-Discrimination Laws or Policies Inclusive of Sexual Orientation [and/or] Gender Identity” to protect LGBTQ foster youth (Human Rights Campaign, n.d., p. 3). Though some federal bills have been introduced relating to LGBTQ foster and adoptive parents, nothing specifically mentions training or providing resources to foster and adoptive parents about the experiences and higher likelihood of placement instability for LGBTQ foster youth.

Forty-four states and the District of Columbia require prospective foster parents to complete training prior to licensure. Title IV-E of the *Social Security Act* requires states to prepare foster parents “adequately with the appropriate knowledge and skills to provide for the needs of the child” (Stoltzfus, 2012, p. 31) and to continue this support as necessary, as well as “provid[ing] training to ensure a well-qualified child welfare workforce” (Stoltzfus, 2015, p. 5). While federal law has not specifically prioritized placement stability for LGBTQ foster youth, the Administration recently created a grant to improve their placement stability and permanency (Burwick, Gates, Baumgartner & Friend, 2014). Furthermore, the federal government’s child welfare data reporting system, AFCARS, does not currently require states to report the numbers of LGBTQ identifying foster youth.

Recent examples of local efforts include a program in Allegheny County, Pennsylvania in which it redesigns how it collects data on LGBTQ youth in its foster care system (Martin, Down & Erney, 2016). In Los Angeles, the federally funded LGBT Center’s Recognize Intervene Support Empower (RISE) initiative trains agencies, as well as foster and adoptive parents, about the basic needs of LGBTQ youth, which will help them find stable placements (Duran, 2016). Additionally, the Human Rights Campaign Foundation’s All Children - All Families project has created a framework for agencies to provide LGBTQ competency training (Human Rights Campaign, n.d.).

Policy Recommendations

- Congress should require states to report to the Adoption and Foster Care Analysis and Reporting System (AFCARS) the current number of youth in their child welfare systems who identify as LGBTQ

Compiling detailed data on LGBTQ youth in foster care is a critical step, not only determining their needs, but also helping policymakers make evidence-based funding decisions. AFCARS must require states to ethically and confidentially collect, analyze and publish child welfare data incorporating the number of LGBTQ youth in the foster care system (Martin, Down & Erney, 2016). This data would

allow agencies, foster and adoptive families, and policymakers to better address and prevent the higher likelihood of placement instability for LGBTQ youth in foster care.

- Congress should require states to provide “LGBTQ Competency Training” for agencies and foster and adoptive families.

LGBTQ Competency Training and support should include (1) educational materials to help workers and caregivers understand the higher rates of placement instability of LGBTQ youth; (2) mental health training to recognize depression and suicide risk, which is greater among this population; (3) accurate terminology and usage; (4) how to best raise a LGBTQ youth; and (5) trauma-informed dialogue with the agencies, social workers, caregivers, and the youth who identifies as LGBTQ to get a better understanding of the youth's needs.



When I met my parents I was lost, and did not feel like I belonged anywhere or even loved. There has not been a single day living with my parents that I have not felt the love they have for me. I owe my success of my high school and college graduation to my parents Mark and Scott. I would not be the young adult I am today if it was not for my loving parents. I love them both so much.



The Overprescription of Psychotropic Medication: Increasing System Accountability and Credibility

Precious Price

Executive Summary

Overprescription of psychotropic medication among children in foster care hinders their quest for normalcy and hinders the ability to fulfill the mission of the child welfare system. In fact, children “in foster care are prescribed psychotropic medications at rates 2 to 3 times higher than other children” (First Focus, 2016). Overprescribing may be the result of a national shortage of child and adolescent psychiatrists—specialists who are essential to promoting healthier psychological outcomes for children in foster care (Williams, 2015). Congress should improve access to child psychiatrists for children in foster care across the country.

Recommendations

- Congress should allocate funds to develop a pilot program to establish a “Foster Care Mental Health Center” (FCMHC) to better serve the mental health needs of children in foster care;
- Congress should establish a maintenance matching rate for any child welfare agency that employs child psychiatrists as mental health directors.

Personal Reflection

While growing up in foster care, my two siblings and I had the same child psychiatrist and psychologist; we were diagnosed with mental health issues, and we were each placed on medication. While my younger brother only had a diagnosis of ADHD, he was placed on several different medications that seriously affected him. My previously happy, energetic and athletic brother was now incoherent and unexpressive. He was placed in special education classes and no longer able to play football.

I was diagnosed with a mental illness and placed on two medications that caused severe mood swings and side effects. The side effects of the medication were so severe it has since been recalled for use with children. Although I was encouraged to try other medications, I eventually decided to stop taking them, because I feared suffering even worse emotional side effects or physical side effects similar to what my brother experienced.

I met with my psychiatrist for two years, but my appointments were minimal and short. There was limited time to build trust or a rapport with him, leaving me reluctant to heed any recommendations for prescribed medication. Had my psychiatrist worked in conjunction with those whom I did trust—

such as my psychologist, social worker and foster parent—I may have been encouraged to continue treatment. Instead, this experience made me lose hope in the Connecticut child welfare system, whose mission is to ensure children are “healthy, safe, smart and strong” (Connecticut Department of Children and Families, 2016).

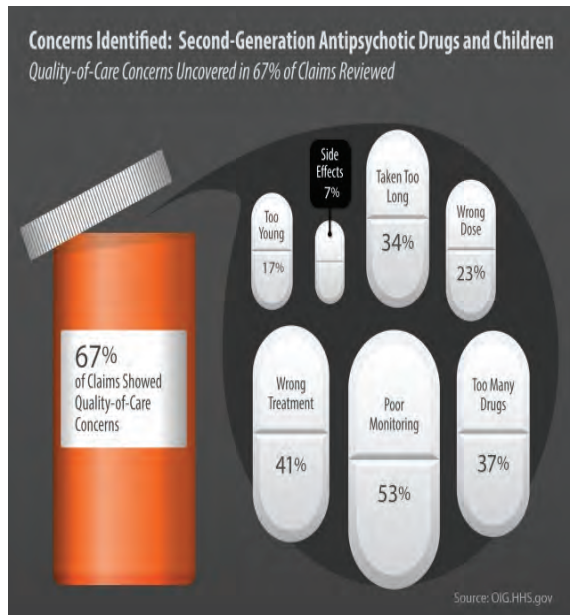
The Problem

Children in foster care are overprescribed psychotropic medication due to a result of the following factors:

Insufficient State oversight and monitoring of psychotropic medication use; Gaps in coordination and continuity of medical and mental health care across public health and social service systems involved with affected children and their families; Provider shortages . . . ; and [l]ack of access to effective non-pharmacological treatments in outpatient settings. (Administration for Children and Families, 2012)

In an effort to address continuity of care, a FCMHC should provide mental health care for children in foster care in coordination with child welfare and other essential professionals. Alternatively, child welfare agencies should employ child psychiatrists as mental health directors.

A significant mental health barrier for children in foster care is the national shortage of child psychiatrists. There are over 15 million children who need a psychiatrist; yet, there are only 8,300 practicing child and adolescent psychiatrists in the United States (American Academy of Child and Adolescent Psychiatry, 2016). Although there is a growing effort to meet the demand for child psychiatrists, there is little optimism for the near future. For example, studies suggest that “in 2020 there will be roughly 8,000 child and adolescent psychiatrists, while there will be a need for 12,000” (Dean, 2016). Centralizing these essential professionals through a FCMHC pilot program would help ensure they are utilized efficiently to best serve children in foster care, a particularly vulnerable population.



In addition, a lack of research and trauma-informed care may contribute to negative outcomes for children in foster care. Due to limitations on research that can be conducted utilizing children, professionals have little knowledge on how psychotropic medication affects children (Levinson, 2015). Trauma-informed care helps ensure normalcy for children in foster care. However, in a 2014



study of prescription practices involving children in foster care, documentation of only three of the 14 children prescribed medications showed proof that trauma was taken into account during treatment (Government Accountability Office, 2014). Creating a FCMHC would ensure a trauma-informed mental health expert is available for children in foster care, as would employing a child psychiatrist as a mental health director.

Current Law

Congress has enacted legislation primarily focused on oversight in an effort to prevent overprescription of psychotropic medication for children in foster care. In 2008, Congress passed the *Fostering Connections to Success and Increasing Adoptions Act* (P.L. 110-351, 2008) to require each state to develop a plan, including mental health provisions, “for ongoing oversight and coordination with health care services for children in foster care” (Harbert & Tucker-Tatlow, 2015). The *Child and Family Services Improvement and Innovation Act of 2011* (P.L. 112-34, 2011) then required “state welfare agencies to establish protocols for appropriate use and monitoring of psychotropic medication” by children in foster care (Harbert & Tucker-Tatlow, 2015). Additionally, President Obama has emphasized the importance of psychotropic medication oversight in his budget proposals and the U.S. Department of Health and Human Services is coordinating with its agencies and outside agencies to improve oversight (Fernandes-Alcantara, 2015).

On a state level, Rhode Island’s child welfare system added a child psychiatrist to its team to oversee psychotropic medication prescriptions to children in foster care. This change includes not only oversight but also documenting “red flags” related to prescriptions and how they were addressed. For example, a Rhode Island doctor prescribed six different psychotropic medications to one child and sought permission to prescribe a seventh medication to help with side effects of other medications (Arditi, 2014). The overseeing child psychiatrist expressed concern and the child was ultimately taken off *three* medications.

Recommendations

- **Congress should allocate funds to develop a pilot program to establish a “Foster Care Mental Health Center” (FCMHC) to better serve the mental health needs of children in foster care.**

The federal government has acknowledged it is essential for state “child welfare, Medicaid, and mental health authorities [to] collaborate in any efforts to improve health, including medication use and prescription monitoring structures” (Sheldon, Berwick & Hyde, 2011). Accordingly, a FCMHC would staff child welfare agencies with a team of child psychiatrists, therapists, social workers and clinical psychologists who serve only children in foster care. The FCMHC should be of appropriate size to adequately serve the children in care. Mental health services provided outside of the FCMHC should also be reviewed by the FCMHC. Potential benefits of this pilot program may include quicker access to care, the ability to access care locally and guaranteeing only the most qualified professionals

are prescribing psychotropic medications to children in foster care. Centralized mental health care would help ensure the health and safety of children in foster care.

- **Congress should establish a maintenance matching rate for any child welfare agency that employs child psychiatrists as mental health directors.**

Specifically, Section 422 of Title IV-B of the *Social Security Act* should include a provision establishing a matching rate as an incentive for states to hire child psychiatrists as mental health directors. This would help ensure the safe prescription and administration of psychotropic medications by limiting who may prescribe psychotropic medication to children in foster care and by providing appropriate oversight. As a result, there may be fewer harmful effects from overprescription among children in foster care. If there was a centralized team of professionals with clear knowledge of issues common to children in foster care, prescriptions may be safer and more appropriate. This would also help ensure that trauma-informed practice is utilized within the child welfare agency.



Foster Placement Preservation: Providing Stability and Permanency to Youth in Foster Care Limbo

Jennifer Rhodes

Executive Summary

Entering foster care is traumatic for a child; numerous placement changes inflict more trauma. Each time a child is moved it is painful and damaging (Fahlberg, 2015). Instability within foster homes damages the idea of home and affects how a foster child will handle relationships for their entire lives. Foster care placements should provide an opportunity to form strong bonds, practice conflict resolution and nurture lasting positive relationships, which are all key elements to achieving permanency and success in adulthood. Congress should implement new policies to increase stability in foster homes and decrease the number of placement changes foster children and youth experience.

Policy Recommendations Summary

- Congress should incentivize states to preserve foster care placements by providing “In-Home Foster Placement Preservation Services” in a pilot program;
- Congress should establish a guideline for all foster youth to receive a 14 to 30 day notice of a placement change.

Personal Reflection

During my years in foster care, I remember being in 16 foster homes, one group home, and two juvenile detention centers. The majority of my placement moves came without warning or explanation. I experienced a lack of quality foster care placements and a further lack of efforts to preserve those placements.

After my first few foster placements, all subsequent moves seemed temporary. I felt as if I was expendable, and I struggled to understand what “home” meant. Moved from one unfamiliar place to another, I remained the only thing permanent in my life. This instability, accompanied by feelings of being unwanted and worthless, created a traumatic childhood. I felt a constant war within myself with each new placement, school and therapist. Struggling with vulnerability, I felt I needed to protect myself, yet at the same time, I desired to belong in a permanent family. To this day, I am still reminded of the emotional scars.

I entered care around the age of four; after many placements, I was adopted at the age of 10.

My adoption failed, and I re-entered foster care at age 15. After enduring a significant additional number of placements, I aged out of the foster care system at 18 without a permanent family. I believe the lack of stability from multiple placements, along with my failed adoption, caused me to avoid forming close relationships. Had I not experienced so many placement changes and instead experienced increased efforts to preserve them, I might now have a permanent family and home.

The Problem

No child should view a home as temporary. Yet, children in foster care experience many different placements. Nationally, two-thirds of children who are in foster care for more than a year experience three or more placements (Noonan et al., 2009). The Adoption and Foster Care Analysis Reporting System (AFCARS) documents 415,129 children currently in foster care in the United States (Children's Bureau, 2015). Each one needs to experience stability during their time as a foster child.

Government is not the ideal parent; however, when it does assume the responsibility of caring for children, it should provide the best possible care and never cause additional trauma. Current federal law allocates funding to preserve biological and adoptive families for permanency, but foster placement preservation is not a priority and deserves greater attention.

When unjustified placement moves occur, foster children suffer. The initial removal and multiple placement moves have a detrimental effect on the child's ability to develop close trusting relationships in the long term (Casey Family Programs, 2015). Frequent placement changes while in foster care diminish the child's ability to master problem-solving skills essential to conflict resolution and building positive relationships. Foster youth have a unique struggle to become successful in life, and are constantly trying to rebuild an idea of "home" from the moment after their first removal. Each move means cutting off relationships and creating new ones, and if this reoccurs it becomes an expected pattern. Frequent placement changes add to their already heavy burden. From about the age of four, children experience the following cycle of grief: "numbness, denial, anger, bargaining, sadness, and acceptance" (Fahlberg, 2015). Removal of a foster child initiates this cycle of grief and each additional removal intensifies the trauma.

Sufficient training should be provided for foster parents to help them understand the unique struggles of children in their care and encourage foster placement permanency. As illustrated in the AFCARS chart on "Children Waiting to be Adopted," 77 percent of foster children are in foster home settings (relative and nonrelative); and 85 percent of foster children have been in custody between one to five years or more (Children's Bureau, 2015). These children will each experience multiple traumatic removals. Congress should address the need for reduction in placement changes and facilitate healthier transitions when a change is necessary by implementing "In-Home Foster Placement Preservations Services."



Children Waiting to be Adopted ³ on September 30, 2014 • N=107,918					
Placement type	Percent	Number	Time in Care	Percent	Number
Pre-Adoptive Home	13%	14,059	Less than 1 Month	0%	419
Foster Family Home (Relative)	25%	26,769	1 - 5 Months	4%	4,392
Foster Family Home (Non-Relative)	52%	56,349	6 - 11 Months	10%	10,705
Group Home	4%	3,779	12 - 17 Months	17%	18,548
Institution	5%	5,608	18 - 23 Months	16%	17,432
Supervised Independent Living	0%	117	24 - 29 Months	14%	15,265
Runaway	0%	413	30 - 35 Months	9%	9,923
Trial Home Visit	1%	674	3 - 4 Years	18%	19,082
			5 Years or More	11%	12,152

Current Law

Federal law addresses the need to support foster parents to care for foster children in Section 471 (a)(24) of the *Social Security Act*:

[B]efore a child in foster care under the responsibility of the State is placed with prospective foster parents, the prospective foster parents will be prepared adequately with the appropriate knowledge and skills to provide for the needs of the child and that the preparation will be continued, as necessary, after the placement of the child . . . (P.L. 110-351 § 471, 42 U.S.C. 671)

Despite this language about foster parents' preparation, children continue to experience multiple placements when foster parents are unable to continue to care for a child.

The *Families First Prevention Services Act of 2016*, currently pending legislation, further highlights the need to support foster families in offering quality homes for children while in foster care. Section 301(a)(iii) aims “[t]o support and retain foster families so they can provide quality family-based settings for children in foster care” (H.R. 5456, 2016). However, Congress needs to clarify a plan of action to sustain these foster placements.

Guidelines for the process of moving foster children are often unclear and vary state to state. One example from Alabama is the *Foster Parents Bill of Rights*, which states foster parents have “the right to accept or refuse placement within their home, or to request, upon reasonable notice to the department, the removal of a child from their home for good cause without threat of reprisal for acting on such good cause” (National Conference of State Legislatures, 2016). This law provides little guidance regarding timeframes for when or how removal should occur or how to prevent removal. Foster children deserve stable, high quality placements. However, when placement changes must occur, children have a right to advance notice of the placement change.

Policy Recommendations

- Congress should incentivize states to preserve foster care placements by providing “In-Home Foster Placement Preservation Services” in a pilot program.

Section 471(a)(24) of the *Social Security Act* states the federal government has a responsibility to support foster parents. The government can support foster parents with access “In-Home Foster Placement Preservation Services,” which should include conflict resolution and mediation services. A trained professional should be available to offer specialized conflict resolution training and support as well as mediation services in the home setting. Congress could incentivize “In Home Foster Placement Preservation Services” by creating a pilot program identifying youth at risk of disruption in a foster placement and provide these services in home.

- Congress should establish federal guidelines for all foster youth to receive a 14 to 30 day notice of a placement change.

Receiving advance notice of a placement change allows time for a child or youth to understand and positively adjust to the transition into a new home, rather than the anxiety and confusion that result from an abrupt change. This notice would allow time for an attempt to problem solve and potentially preserve the placement. If the placement cannot be preserved, it allows time to identify and transition the child to a new appropriate home. Congress could have a great impact on improving stability for foster youth by establishing a 14-30 day notice of a placement change.



Fostering the Voiceless, Caring for Labels: Dedicated Advocates for Children in Foster Care

Tori Wichman

Executive Summary

If foster youth report abuse or neglect and their caseworker does not believe them, they are often negatively labeled in their case file. This makes it difficult for foster youth when they enter a subsequent home because they often have feelings of rejection and a lower self-esteem, and they believe the new foster parents have a preconceived idea they are untrustworthy. Further, this label causes foster youth to struggle to develop healthy and stable relationships with authority figures and caregivers. Congress can help resolve this issue by requiring states to improve advocacy for all foster youth by giving them access to advocates dedicated to their best interests.

Policy Recommendations Summary

- Congress should require states to ensure every foster youth has an advocate who advocates in their best interest;
- As a part of National Foster Care Awareness Month, Congress should designate a national awareness day regarding foster youth stereotypes and labels.

Personal Reflection

I was placed in my first foster home with aspirations to find my “forever family.” I lost hope in finding a secure home when I was moved from my foster home to a behavioral institution for troubled teenagers because I was accused of lying after reporting abuse honestly and accurately. In another home, when my foster mother incorrectly believed her husband had taken me to school in the morning, I witnessed her forcing my foster brother to sit in the bathtub as she poured his own feces and urine on his head. When I reported it to my caseworker, I was called a liar and she told me, I was “unplaceable.”

Because I was labeled with a negative title after telling the truth about abuse and attempting to protect my little brother, I became insecure. In subsequent foster homes, demeaning stereotypes and labels were plastered on me as soon as I walked in the door. Foster parents did not trust me because of the inaccurate portrayals in my case file. This was extremely hurtful, because I worked very hard in school, as both an honors student and state champion track athlete, to better my future and show others I was more than my case file, not “unplaceable.”

The Problem

Caseworkers who are employed by child protective services are considered mandated reporters of abuse. Yet, they are not unbiased advocates and at times have a conflicting duty as representatives of the state or county child protective services. Sadly, when investigations are not thorough and impartial, children may remain in abusive or neglectful homes. If every foster youth is given a “best interest” advocate, the foster youth would have a consistent dedicated adult considering their well-being and advocating for their best interest at all times.

The federal Children’s Bureau established the national standard for absence of maltreatment in foster care at 99.68 percent. In a system that should have the intention to protect children 100 percent of the time, only 30 states have reported compliance with this standard (Maltreatment, 2014). Advocates should participate impartially in investigations whenever allegations of abuse or neglect are reported; and foster parents with abusive behaviors should be eliminated from the foster care system. This would help ensure more states meet the national standard.

Negative labeling is also a significant problem; it deteriorates the foster youth’s voice, resulting in lower self-esteem (Mabrey, 2014). If foster youth are negatively labeled when placed in a new home, they will likely experience disdain, instead of an opportunity for a new beginning. The majority of foster youth do not have stable support systems or consistent role models; compounded by negative labeling, this lack of support may decrease their confidence. The normalization of foster youth will prevent negative labeling, as well as prevent them from struggling in school, developing unhealthy relationships and unstable futures (Picture This, 2015).

When groups are negatively stereotyped, they often underachieve and resort to self-handicapping strategies. When foster youth are negatively stereotyped, they limit their abilities and devalue education, successful career paths and their own well-being (Stereotype, 2015). National Foster Care Awareness Month exists to inspire more Americans to become involved in a foster youth’s life, yet many adults remain hesitant because of the negative stereotypes society places upon foster youth (National, 2016). Congress should address this problem by establishing a national awareness day as part of National Foster Care Month entitled “Day of Victory and Hope to Combat Stereotypes for Foster Youth.” This would help raise awareness of foster youth strengths and resilience while encouraging more Americans to positively impact the life of a foster youth.

Current Law

Through the *Child Abuse Prevention and Treatment Act of 2010*, Congress has supported the role of child advocates by federally funding the Court Appointed Special Advocates (CASA) program, as well as guardians ad litem (GAL) (42 U.S.C. § 5106(a)(1)(A), 2010). To receive a federal grant under the Act, states are required to have a state plan for the appointment of a GAL, whether they are an attorney or CASA, or both (Representation of Children, 2014). GALs are required to have a “clear understanding of the situation and needs of the child” and they must report recommendations to the court based on the best interests of the child (Representation of Children,

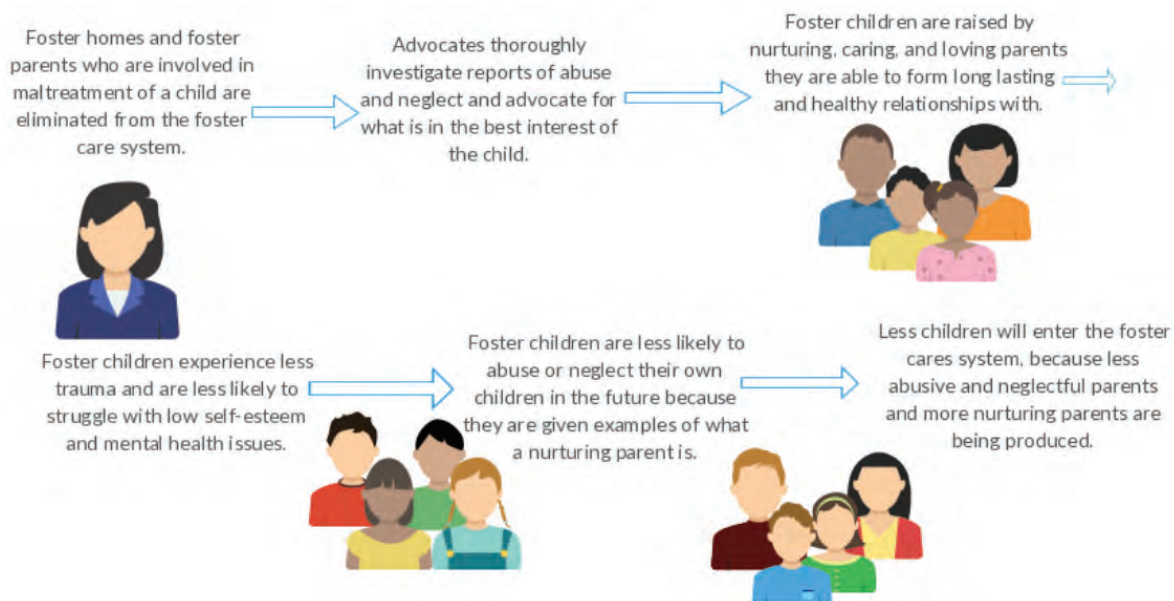


2014, p. 2). However, not every foster youth in the U.S. is offered an advocate, CASA or GAL. Every foster youth should have an advocate who advocates for their best interest.

Currently, all states do not require advocates to meet “face-to-face with the child on a regular basis” (Mandatory Reporters, 2015, p. 2). Congress should require advocates to meet with each foster youth at least once a month to become familiar with his or her needs and behaviors. It is common practice for caseworkers to meet with foster youth in the presence of their foster parents. To reduce the fear of reporting abuse and neglect and to ensure privacy, foster youth should be allowed privileged communications with their advocate, regardless of whether the advocate is an attorney. This would establish confidentiality between the foster youth and advocate regarding the disclosure of abuse or neglect (Mandatory Reporters, 2015).

Court appointed advocates for foster youth are considered mandated reporters in 11 states. In 18 states, anyone who suspects abuse and neglect is mandated to report it (Mandatory Reporters, 2015). Advocates required to advocate for the best interest of the child and assure safety of the child should be mandated reporters (National CASA, 2014). Currently, if abuse or neglect is reported, advocates are required to conduct research and investigate independently (Mandatory Reporters, 2015). However, by participating in an investigation alongside caseworkers and law enforcement the advocate would be better positioned to protect foster youth (Mandatory Reporters, 2015). The law should require advocates to participate in the investigations rather than conducting their own separate investigation. This would help ensure law enforcement, caseworkers and advocates conduct accurate, ethical and comprehensive investigations.

Reducing Abuse and Neglect while Increasing Nurture through Involving Investigative Advocates



Policy Recommendations

- **Congress should require states to ensure that every foster youth has an advocate who advocates for their best interest.**

A “best interest” advocate should be required to meet with the foster youth regularly (at least once a month) in a confidential setting. Any disclosure of abuse or neglect should be treated as a privileged communication regardless of whether the advocate is an attorney. The advocate should participate with law enforcement and caseworkers in investigations of alleged abuse or neglect to ensure foster youth are removed when at risk of harm. Lastly, as the only person with the role of advocating for the best interest of the child, the advocate should be required to report abuse and neglect. All states should require advocates to be mandated reporters of child abuse and neglect.

- **As a part of National Foster Care Awareness Month, Congress should designate a national awareness day regarding foster youth stereotypes and labels.**

With the goal of preventing and eliminating negative stereotyping and labeling of foster youth, the day could be titled, “A Day of Victory and Hope to Combat Stereotypes for Foster Youth.” It would acknowledge that foster youth are not in foster care because of their faults, and instead reflect upon their strengths and resilience. The federal government should celebrate foster youth who have earned positive labels by overcoming significant adversity.



ABOUT THE INTERNS



LilCrystal Dernier

Hometown: Ft. Lauderdale, FL

Age: 24

School: Florida Atlantic University

Major: Masters in Criminology and Nonprofit Management

Graduation: May 2018

Years in care: 8

Status: Aged Out

Favorite quote: "We are the products of our past, but we don't have to be prisoners of it." -Rick Warren

Aspirations: I want to become an entrepreneur to help current and former foster youth and create innovative programs to assist their needs.



Princess Harmon

Hometown: Detroit, MI

Age: 22

School: Michigan State University

Major: Communications

Graduation: May 2016

Years in care: 15

Status: Kinship guardianship

Favorite quote: "Your own crown has been bought and paid for. Put it on your head and wear it." -Maya Angelou

Aspirations: To attend law school- entertainment, sports, and/or family law.



Demetrius Johnson

Hometown: Harlem, NY

Age: 21

School: New York University

Major: Political Science

Graduation: May 2018

Years in care: 21

Status: Emancipated

Favorite quote: "Do not go where the path may lead, go instead where there is no path and leave a trail." -Ralph Waldo Emerson

Aspirations: I want to learn how to speak Spanish, Italian, French, and Arabic.

ABOUT THE INTERNS



Jason Morin

Hometown: Bradenton, FL

Age: 23

School: Florida International University - College of Law

Major: History, Psychology

Graduation: May 2019

Years in care: 2

Status: Aged out, then adopted

Favorite quote: "Hard work pays off!"

Aspirations: To graduate with my Juris Doctor in 2019.



Erica Ontiveros

Hometown: Fullerton, CA

Age: 23

School: University of California, Los Angeles

Major: Masters in Social Welfare and Public Policy

Graduation: June 2019

Years in care: 7

Status: Kinship Guardianship, Emancipated

Favorite quote: "Success is not final, failure is not fatal: it is the courage to continue that counts." -Winston Churchill

Aspirations: To travel to many countries, make a change in my community and serve in a capacity where I will be able to make a difference in the lives of others.



Precious Price

Hometown: Waterbury, CT

Age: 27

School: University of Connecticut

Major: Social Work/Community Organizing

Graduation: May 2016

Years in care: 15

Status: Emancipated

Favorite quote: "You can't separate peace from freedom because no one can be at peace unless he has his freedom." -Malcolm X

Aspirations: To be a great social worker.



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Congressional Coalition on Adoption Institute

ABOUT THE INTERNS



Vaneshia Reed

Hometown: Los Angeles, CA

Age: 22

School: Harvard University

Major: History and Science

Graduation: May 2016

Years in care: 5

Status: Emancipated

Favorite quote: "Today is special"

Aspirations: To leave the world a better place than I found it, even if that's just affecting the life of an individual although affecting the lives of many would be awesome!



Jennifer Rhodes

Hometown: Bristol, TN

Age: 23

School: Middle Tennessee State University

Major: Social Work

Graduation: May 2016

Years in care: 15

Status: Full guardianship by state

Favorite quote: "The people who get on in this world are the people who get up and look for the circumstances they want, and if they can't find them, make them." -George Bernard Shaw

Aspirations: To travel, see other cultures, and help to make the world a more understanding place.



David Rivera

Hometown: San Jose, CA

Age: 21

School: College of the Sequoias

Major: Communication & Deaf Studies

Graduation: May 2020

Years in care: 21

Status: Emancipated

Favorite quote: "But you know, happiness can be found even in the darkest of times, if one only remembers to turn on the light." -Harry Potter and the Prisoner of Azkaban

Aspirations: To be an adoptive parent.

ABOUT THE INTERNS



Kristopher Wannquist

Hometown: Port Angeles, WA

Age: 22

School: Washington State University

Major: Psychology

Graduation: May 2017

Years in care: 6

Status: Aged Out

Favorite quote: "Do not follow where the path may lead. Go instead where there is no path and leave a trail." -Ralph Waldo Emerson

Aspirations: To obtain a degree in Psychology and study to become a child psychologist.



Ivy-Marie Washington

Hometown: San Antonio, TX

Age: 21

School: Sam Houston State University

Major: Criminal Justice with a minor in Forensic Science

Graduation: May 2017

Years in care: 11

Status: Emancipated

Favorite quote: "My mission in life is not merely to survive, but to thrive; and do so with some passion, some compassion, some humor, and some style." -Maya Angelou

Aspirations: To open an after school program for troubled youth and teach them life skills.



Victoria Wichman

Hometown: Defiance, OH

Age: 20

School: Hillsdale College

Major: Psychology and Christian Studies

Graduation: May 2017

Years in care: 5

Status: Emancipated

Favorite quote: "Kindness is a language that the deaf can hear and the blind can see." -Mark Twain

Aspirations: To change foster care for the better, work in ministry and child welfare. Above all, to be an outstanding mother and wife.



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Congressional Coalition on Adoption Institute

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