

Permanency for Teens: New York City's Emerging Policy

PERSPECTIVES

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The concentration of older youth in the child welfare system is a national issue, as evidenced by the 18,500 to 24,000¹ youth who annually “age out” of foster care. Too often, independent living has meant a youth leaves state custody disconnected from a source of unconditional love and support, and disconnected from socioeconomic supports that would increase an 18- to 21-year-old’s chances to become a productive, self-sustaining young adult.

This article will summarize a promising new administrative policy initiated by New York City’s Administration for Children’s Services² aimed at facilitating permanency options for older youth who have been forced to grow up in foster care and who then exit to “independent living.”

In 1993 a staggering 47,509 children and youth were in placement in New York City’s foster care system.³ Ten years later, according to the Administration for Children’s Services (ACS), the municipal agency charged with the implementation of child welfare policies and services, that census count had been reduced by more than half – down to 23,149 children in foster care. How ACS dramatically reduced its foster care population; increased its capacity to serve more children through preventive services than through foster care services (the numbers are 33,046 and 23,249 respectively⁴); and how ACS is able to annually discharge more children from care than it takes in is a complex and ongoing tale. It is a story of commitment to systemic improvements shared by consumers, advocates, ACS leadership, key stakeholders, and decision makers from each branch and each level of state and local government, including the

court-appointed child welfare system reform experts who constituted the Marisol Panel. (Note: The Annie E. Casey Foundation played a key role in the work of the Marisol Panel.)

There is undoubtedly still much unfinished work on the ACS agenda, including the elimination of racial disparities in its child welfare system (also a national problem) where according to ACS 88 percent of the children admitted into foster care in 2002 were African American and Latino and 5 percent were Caucasian.⁵

To date, however, there is at least one group of youth in foster care that have yet to benefit from the ACS reforms of the past several years. The group is youth with a permanency goal of independent living. In fact, the data on adolescents in care who are 12 and older show a disturbing trend: Between 1999 and 2003, the percentage of adolescents in foster care recorded a significant increase, rising from 36.4 percent of the youth in care to 51.3 percent as of September 2003.⁶ Moreover, youth placed in New York City’s congregate care settings number 4,128, a census count that has remained virtually unchanged since 1993.⁷ Demographically, older youth in care are predominately African American. In 1999, for example, more than 35 percent of youth aging out of foster care nationally were African American, although African-American children represented only 15 percent of children under 18. While Caucasian children under 18 were underrepresented, accounting for 45 percent of youth aging out though constituting 64 percent of all youth under 18.⁸

Can state child welfare policy reforms address the urgent needs of youth aging out of foster care?

Facilitating Permanent Family Relationships

“Permanent, nurturing family connections are the foundation of all child welfare services and are as critical for adolescents in foster care as they are for younger children.”

This important observation by William Bell, commissioner of ACS, is at the heart of a promising administrative policy change under way in New York City. The policy, entitled Family-Based Concurrent Planning with Goals of Independent Living, initiated last July, seeks to connect every youth on an independent living track with a caring adult willing to serve in a parental capacity.

Youth who would otherwise age out or exit foster care are the intended beneficiaries of ACS’ family-based policy objective. Direct services staff members are being trained to use new case practice methods designed to meticulously explore and reconstruct significant past relationships an adolescent once enjoyed with caring adults. The desired outcome of the new policy is an increase in the number of youth who exit foster care with a lifelong relationship

- that is as legally secure as possible;
- to a caring adult; and
- to an adult committed to functioning in a parental capacity, in most instances.

This agencywide cultural shift represents the important organizational value ACS now attaches to facilitating a permanent

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family relationship for older youth in foster care, and if successfully implemented, the family-based policy should simultaneously decrease ACS' over-reliance on congregate placements for this population.

Limit the use of Independent Living as a Permanency Placement

In an effort to limit the use of the Adoption and Safe Families Act (ASFA) least preferred permanency goal – independent living – ACS' policy requires the prior written approval of supervisory staff before a youth may be assigned the permanency goal of independent living. Even court-ordered independent living goals are to be reviewed by ACS supervisory staff and, where appropriate, ACS legal staff will seek a rehearing or an appeal of the court's permanency decision. Independent living is increasingly viewed as a set of invaluable, age-appropriate life skills developed to assist a young person transition out of foster care rather than a placement goal, in and of itself.

ACS caseworkers and supervisors involved with the placement process are being trained on how to assist youth in identifying permanency resources. These resources might include a parent, family members, current and former foster parents, parents of close friends, agency staff, teachers, coaches, mentors and "other adults the young person trusts or may have felt safe with."¹⁰ Congregate care staff are also expected to assist in the identification of permanency resources for youth they supervise. Once identified, it is hoped that the youth's potential permanency resources will be involved in Family Team Conferences. A

primary objective of these conferences is to develop a youth-centered plan that ensures the continuing presence of at least one caring adult in the life of each teen after discharge from foster care. It is envisioned that the Family Team Conferences will connect youth with a parent, relative, adoptive parent or with a significant adult willing and capable to make a lifelong, legally binding commitment to a youth about to be discharged from care.

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When reunification with a parent is the concurrent permanency plan, the caseworker is required to take steps to engage the parents and family members in decision making, treatment services, visitation and discharge planning. And when adoption is the permanency goal, caseworkers are encouraged to help youth individually assess a prospective adoptive family. (This differs from the previous ACS practice of accepting blanket adoption waivers from youth over the age of 14.)

These and other practice changes mandated by ACS' family-based concurrent planning administrative policy offer the field a promising, values-driven approach for facilitating permanency for those youth forgot-

ten in the system. Wisely, ACS anticipates the need to offer an array of post-permanency services to youth reunited with or adopted by a family as well as needed supports for kinship families. Prioritizing family-based permanency options for older youth in foster care is an idea whose time has finally come.

¹ The Youth Transition Funders Group, Foster Care Work Group with the Finance Project. Connected by 25: A Plan for Investing in Successful Futures for Foster Youth. March 2003.

² Commissioner William Bell. Administration for Children's Services, New York City. Memorandum, June 12, 2003. Implementation of ASFA Part V: Family-Based Concurrent Planning for Youth with Goals of Independent Living.

³ Mayor Michael Bloomberg, New York City's Child Welfare System: Management Review, January 2004.

⁴ Ibid. p.13.

⁵ Practical Methods for Addressing the Disproportionate Representation of Children of Color in the Child Welfare System, NAPCWA Forum, March 9, 2003, New York City Administration for Children's Services: A presentation by Commissioner William Bell.

⁶ Mayor Michael Bloomberg.

⁷ Ibid. p.7.

⁸ Wertheimer, Richard, Ph.D., Youth Who "Age Out" of Foster Care: Troubled Lives, Troubling Prospects, Child Trends Research Brief, #2002-59 at www.childtrends.org.

⁹ Commissioner William Bell.

¹⁰ Ibid.