



Opportunities for Vermont's Children Fostering Connections and Beyond

Child Welfare Policy Luncheon
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Objectives

- What does the landscape look like?
- Fostering Connections to Success and Increasing Adoptions Act Overview
- What remains?
- What can I do?

The Needs of Children

- More than 12 million children go to bed hungry
- More than 13 million children live in poverty
- Nearly 9 million children are without health insurance
- Over 900,000 children are victims of child maltreatment each year – with over 510,000 in foster care on any given day
- More than 4 million homes have been foreclosed since the summer of 2007; two-thirds of those mortgages were held by families with children

Child Welfare: A National Overview

- 3.2 million children reported as abused or neglected in 2007
- 794,000 cases confirmed:
 - 60% neglect
 - 10.8% physical abuse
 - 7.6% sexual abuse
 - 33% of all victims were age 3 or younger; nearly 25% were between the ages of 4 and 11
 - *1,760 estimated child fatalities*
- 40% of children confirmed did not receive any services
- 513,000 children in foster care
- 115,000 children awaiting adoption – 50,000 children adopted each year
- 34% of children in foster care nationally are African American and 2% are Native American – twice their representation in the general population

Source: *Child Maltreatment 2007* and AFCARS

What Does the American Recovery and Reinvestment Act Mean for Children?

- Homeless Prevention and Rapid Rehousing – \$1.5 billion
- Head Start and Early Head Start – \$2.1 billion
 - 16,600 children and families through Head Start
 - 55,000 infants, toddlers, and pregnant women
- Child Care Development Block Grant – \$2 billion
 - Vermont – \$2.8 million
- IDEA – \$12 billion
- Title I – \$10 billion
- Title IV-E Foster Care and Adoption Assistance – \$187 million distributed to date
 - Vermont – \$781,000 in first installment

Fostering Connections to Success and Increasing Adoptions Act (P.L. 110-351)

- Comprehensive landmark legislation with far-reaching implications for children, youth, and families involved with child welfare
- Increases likelihood that permanence, well-being, and equity will be achieved for more children and youth in foster care
- Addresses ASFA's incomplete agenda
- Reconciles previous attempts by both houses of Congress to address issues; Fostering Connections is a major bipartisan achievement
- Strongly united advocacy community informed by youth, grandparents, and relative caregivers was a constant drumbeat of support for reforms

Fostering Connections to Success and Increasing Adoptions Act (P.L. 110-351)

Approved unanimously by Congress and signed by President Bush on October 7, 2008. Key provisions include:

- Adoption incentives reauthorization
- Adoption tax credit
- Gradual elimination of eligibility criteria for Title IV-E Adoption Assistance
- Educational stability
- Health oversight and coordination
- Sibling placement
- Family Connection grants
- Direct Tribal access to federal child welfare supports

New Mandates

- **Notice to relatives**
- **Sibling placement**
- **Educational stability**
- Health oversight and coordination
- Information on Adoption Tax Credit

Promoting Family Connections: Notice to Relatives

Dual requirement:

1. States must exercise “due diligence” to identify all grandparents and other relatives.
2. States must exercise “due diligence” to provide notice to all relatives, including those suggested by custodial parent – domestic violence exception applies.

Promoting Family Connections: Notice to Relatives

Within 30 days of child's removal from parental custody, the state must provide notice about the:

- child's removal;
- range of options for involvement in child's life;
- consequence of failing to respond;
- steps required to become a foster parent;
- services and support available to child; and
- process to receive kinship guardianship payments.

Promoting Family Connections: Siblings

“Reasonable efforts” are required by states to:

- place siblings in the same home; and
- facilitate frequent visits and ongoing contacts between siblings.

Reasonable efforts are not required if sibling interaction would be “contrary to safety or well-being.”

Educational Stability

Established a statutory presumption that a child should be kept in his/her school of origin:

- Requires public child welfare agencies to coordinate with local educational agency so children can remain in school of origin at the time of placement, unless not in “child’s best interest”

Educational Stability

Foster care maintenance payment – transportation:

- Expands the definition to include the “reasonable travel for the child to remain in the school in which the child is enrolled at the time of placement”

Educational Stability

Each child's state plan must include:

- Assurance that the placement decision takes into consideration child's current educational setting and proximity to the child's current school
- Assurance that state child welfare agency has coordinated with local educational agencies to provide immediate enrollment and transfer of records

Educational Stability

The educational stability additions to the case plan requirements apply to all youth in out-of-home care (Title IV-E and Title IV-B):

- Requires states to document in Title IV-E plans that every school-aged child in foster care receiving adoption assistance or receiving subsidized guardianship payments is enrolled full time or has completed secondary school

Waiving Licensing Requirements

- States are encouraged to make use of current federal DHHS policy that permits non-safety requirements to be waived on a case-by-case basis
- DHHS is required to compile and submit a report to Congress no later than October 7, 2010 on the:
 - National and state numbers and percentages of children in foster care placed in:
 - licensed relative foster homes
 - unlicensed relative foster homes
 - Type and frequency with which states grant non-safety waivers, and reasons waivers were denied
- States are also required to make policy recommendations to DHHS on how to increase the percentage of placements with licensed relative caregivers

Fostering Connections

State Options

Fostering Connections – State Options

Kinship guardianship supports provide:

- Greater stability
- Fewer foster placements
- Sibling and family connections
- Greater school stability
- Fewer emotional and behavioral difficulties
- Reduces overrepresentation of children in color in child welfare
- Saves money

Fostering Connections – State Options

Kinship guardianship assistance:

- Kinship guardianship assistance is allowed through Title IV-E as a reimbursable expense
- Eligibility:
 - A Title IV-E eligible foster child must reside in the care of a relative for 6 consecutive months
 - Being returned home or adoption are not appropriate permanency options
 - A child demonstrates a strong attachment to the relative guardian
 - The relative guardian has a strong attachment to the child
 - Children over the age of 14 must be consulted regarding the guardianship placement

Fostering Connections – State Options

Kinship guardianship assistance:

- P.L. 110-351 requires that a kinship guardianship assistance agreement be negotiated and entered into with the relative guardian.
- The kinship guardianship assistance payment must not be greater than the amount of the foster care maintenance payment which would have been paid if the child remained in a foster family.
- More information is available through: *New Help for Children Raised by Grandparents and Other Relatives: Questions and Answers About the Fostering Connections to Success and Increasing Adoptions Act of 2008.*

Fostering Connections – State Options

Supports for older youth up to age 21:

- An extension of federal Title IV-E foster care maintenance payments, adoption assistance payments, and/or relative guardianship payments is available for ages 19, 20, or 21 (whichever age a state options for).
- Eligibility – Young adult must be:
 - completing or enrolled in a post-secondary or vocational school;
 - participating in a program or activity that promotes or removes barriers to employment;
 - employed 80 hours a month; or
 - incapable of any of these due to a documented medical condition.
- Effective date for extension of foster care supports beyond 18 is October 1, 2010.
- More information through: *Fostering Connections to Success and Increasing Adoptions Act Frequently Asked Questions on the Provisions Designed to Impact Youth, Older Youth and Young Adults (May 2009)*

Fostering Connections

Promotes equitable outcomes by:

- providing direct Tribal access to federal child welfare supports;
- facilitating connections to a child's family of origin;
- increasing supports to relative caregivers;
- providing federal funds for the Kinship Guardianship Assistance Program; and
- extending supports to youth over age 18.

What Fostering Connections Means to Disproportionality

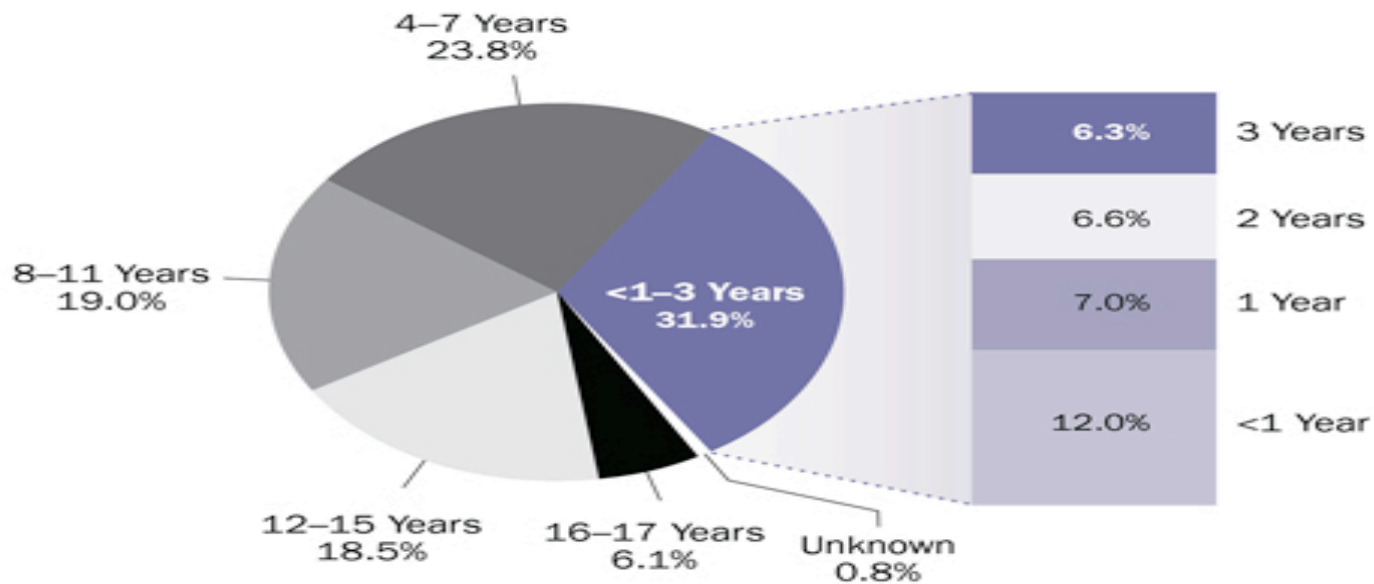
U.S. G.A.O. Report on African American Children in Foster Care reported that certain federal child welfare policies *do not* assist in the reduction of African American representation in foster care:

- limit the use of foster care funding for family support services;
- cap funding for preventive services; and
- prohibit the flexible use of Title IV-E to assist families at risk of child removal, such as parenting classes;

while the report recommended federal funding for legal guardianships as a potential strategy to address issues of disproportionality and disparity.

Age Breakdown of Maltreatment

Figure 3–2 Age by Percentage of Victims, 2007



Based on data from table 3–6.

What's Next?

Maintain the momentum to continue a call for a new investment in primary prevention and early intervention services:

- Broader child welfare financing reform
- Family- and community-based supports
- Home visitation and other proven early education strategies
- Increased substance abuse, mental health, and domestic violence supports for families in crisis
- Coordinated and concentrated federal focus on child abuse prevention

Questions/Answers and Comments

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