

USING YESTERDAY TO SHAPE TOMORROW

*Uniting 500,000
Foster Youth Voices
for One Mission.*

2009 Foster Youth Intern Report



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Foreword

"Yesterday is but today's memory, tomorrow is today's dream" -- Kahlil Gibran

By Kathleen Strottman, Executive Director, Congressional Coalition on Adoption Institute

Nine weeks ago, a group of 15 former foster youth gathered in an old Victorian house near the Susquehanna River in Danville, Pennsylvania. Like the generations before them, these young adults had come to Washington D.C., determined to make a difference and as with most everything in their lives, had sacrificed much to get to here. Some left behind children, others let go of the only place they ever called "home." It did not take long, and it almost never does, for these youth to come together and form the FYI Class of 2009, bonded by the shared experiences of loss, fear, and hope.

There are a lot of things that amaze me about these young leaders. I am amazed by the amount of great adversity they have come through to get to where they are today. I am amazed by their unyielding capacity to love and care for one another. And I am amazed that after all they have experienced, they somehow still have the courage and the conviction to want to affect change on behalf of others.

The report that follows is designed to take us all on a journey through a day in the life of a youth in care. Each word contained in the three profiles represents a feeling or life experience had by the authors themselves. As I read the stories I could not help but think, this just can't be the reality, but it is. And sadly, it is the reality for hundreds of thousands of youth in America.

But like the youth who inspire these stories, we cannot afford to be idle in despair. Instead we must join them in their dream for a better tomorrow for all youth in care. We must answer their call for something different to be done on their behalf. Like them, we must be willing to exchange excuses for innovation, replace complacency with determination, and speak with a unified voice.

Thank you, Trevon, Meaghan, Shantaye, Travise, Kortney, Alixes, Jen, Heidi, Keshia, Jetaine, John Paul, Dawn, Crystal, Dianna and Miranda. Thank you for having the courage to let us walk on your journey with you, even if only for a little while. I, for one, have learned from listening to each of your life stories. And I am confident that the rest is still unwritten.

Executive Summary

To promote mentoring opportunities Congress should:

- **Amend the current Social Security Act of 2009 Title IV-E Section 475 4 (A) to allow for one of the allowable uses to include extracurricular and social activities.** Currently allowable uses of foster care maintenance payments are limited to mean payments to cover the cost of (and the cost of providing) food, clothing, shelter, daily supervision, school supplies, a child's personal incidentals, liability insurance with respect to a child, reasonable travel to the child's home for visitation, and reasonable travel for the child to remain in the school in which the child is enrolled at the time of placement. The addition of extracurricular and social activities to the allowable uses of Title IV-E funds would allow foster parents to be reimbursed for the fees and transportation costs associated with the youth's participation in extracurricular activities.
- **Amend the Social Security Act section 471 subsection 20 (A) to give foster parents the authority to allow children in their care the opportunity to participate in age appropriate extracurricular enrichment and social activities.** Once a state has licensed a caregiver, the caregiver should have the authority to act as a guardian while keeping their respective caseworker informed of all their decisions. Prior to the enactment of California Senate Bill 358, which amended the Welfare and Institutions Code section 39(d) and enabled caregivers to use the "prudent parent standard" to make reasonable decisions regarding youths involvement in extracurricular and social activities, youth in care were unable to engage in after school programs, out-of-town summer camps, and/or overnight sleepovers with friends (University of California Berkley, 2007). This amendment will allow foster parents in all states the flexibility to enroll youth in care in extra-curricular activities. Additionally, this amendment will eliminate barriers and afford youth the opportunity to participate in life enriching programs.

To help maintain sibling and family connections, Congress should:

- **Amend the Foster Care Independence Act of 1999 Title I. Subtitle A. Sec. 477 Subsection 1 (A) to include the outcome measures of permanency and sibling relationships.** Right now the Foster Care Independence Act of 1999 Title I. Subtitle A. Sec. 477 Subsection 1(A) says that the outcomes "of educational attainment, high school diploma, employment, avoidance of dependency, homelessness, non-marital childbirth, incarceration, and high-risk behaviors" should be measured and reported to Congress. The data collection in 2010 will be incomplete without collection of information to evaluate states ability to provide foster youth with everything necessary to transition into adulthood; i.e. family support. Although data collection is tied to the receipt of services, which ends at age 21, states need to collect data up to age 23 because it will determine the long-term success of funding in evaluating states ability to provide foster youth with everything necessary to transition into adulthood.
- **Amend Section 206 of the Fostering Connections to Success and Increasing Adoptions Act of 2008 to provide grants to states for the development and support**

of innovative programs that support siblings separated through foster care. Specifically, Congress should appropriate \$3 million for grants to up to three non-profit organizations with demonstrated experience in providing sibling support. Successful programs such as Camp to Belong International and Project Visitation could apply to use these funds for the expansion of their programs to serve youth in all 50 states. These programs would support siblings in maintaining their relationships despite living in separate homes. Sibling relationships are vital to foster youth and are often severed in the child welfare system due to various obstacles to joint placement. Programs like Camp to Belong and Project Visitation have proven to be successful in helping foster youth maintain relationships with their siblings in Hawaii, Maine, Massachusetts, Georgia, Idaho, Washington, California, and Nevada.

- **Replace the current penalty structure imposed on states that fail the Children and Family Services Review (CFSR) to an incentive based structure designed to reward best practice.** Under current law, states are penalized when they fail to achieve program improvements in critical areas of performance. Penalties include withholding Title IV-B funds as well as 10% of administrative costs claimed by the state under Title IV-E for the penalty period (Stoltzfus, 2005). The penalty is intended to encourage states to maintain and improve their child welfare system; however, once the state has failed the review, reductions in funding, even if limited to administration, ultimately hurt the children that the system is intended to serve.
- **Amend Section 103 of the Fostering Connections to Success and Increasing Adoptions Act of 2008 to require states to continue searching for adult relatives of a foster child every year after the initial search until an adult relative has been located who can assume care giving responsibilities and be a permanent connection for that child, or until the child ages out of foster care.** Currently, states work to locate an adult relative one time within 30 days of the child's removal. It is possible to have biological relatives who are found through this search, but are unable to care for the child once located. Performing a yearly search for a child who is waiting in a non-relative foster care placement provides additional opportunities for a family member to come forward and care for the youth.
- **Amend the Social Security Act Section 430-4 to read "To strengthen adoptive families by providing support services to all families so they can make a lifelong commitment to their children. These services must include community support groups, medical services, mental health services, and supplemental education services."** As soon as a child is adopted, the child becomes the adoptive parent's financial burden. Currently, "Safe and Stable Families" provision of the Social Security Act does not require states to dedicate a certain percentage of funds for post-placement support services (U.S. Department of Health and Human Services, 2009). Twenty-percent of all adoptions from the foster care system become disrupted due to the lack of post-placement support and services (Groza & Rosenberg, 1998). Families and youth require the most support in the following areas: community support groups, medical services, mental health services, and supplemental education services. A lifelong family is the best alternative for assuring the healthy development of a child. With 131,000 children in the foster care system waiting to be adopted, we must provide willing, capable adoptive families the resources they need to effectively care for the child (Child Abuse Prevention

and Treatment and Adoption Reform Act of 1978. Sec 201. Congressional Finding and Declaration of Purpose. 5a).

To help foster youth establish community connections, Congress should:

- **Amend the Social Security Act Section 475 (5) subparagraph H, which reads “during the 90-day period,” to read “starting at the age of 15 years old.”** This subparagraph requires a “transition plan that is personalized at the direction of the child, includes specific options on housing, health insurance, education, local opportunities for mentors and continuing support services, and work force supports and employment services, and is as detailed as the child may elect” be created for the child 90 days before they exit the foster care system (Fostering Connections to Success and Increasing Adoptions Act 2008” (PL 110-351), United States Statute at large 3949, p 112). Unfortunately, youth who have participated in mentoring activities report that in order to build a relationship that reflects a depth of personal connection, a mentor should have spent more than two years getting to know the youth (Sammuels, 2008). This amendment will allow foster youth to have the time to develop a strong future and a positive relationship with a local mentor as well as establishing a community support network before they transition to independent living.
- **Amend Workforce Investment Act chapter 4 section 129 to include foster youth as a targeted population to establish career development and mentoring internships.** Youth aging out of foster care are underemployed, they have mean earnings lower than the poverty level, and progress slower in the labor market than their non-foster care peers. 50 % of foster youth ages 16-19 are unemployed compared to the national average of 16.9% (“Employment Outcomes for Youth Who Age Out of Foster”). Providing tax incentives to both private entities for hiring current foster care youth for a one year paid internship establishes an opportunity for the youth to benefit from work-related mentoring, and internship-related academic and life skills training. One model of this type of program is the Youth Career Development Program in Los Angeles County. Foster youth, youth offenders, youth adopted after 16, and runaways have access to this year-long program, which partners with local non-profit organizations that proctor life skills classes and assist in foster youth transitional planning such as emancipation, job training, and higher education goals.

To provide greater access to higher education, Congress should:

- **Strengthen and improve the Education and Training Voucher Program.** In 2002, Congress authorized \$60 million in discretionary funding for eligible current and former foster youth to use for education and training. The vouchers, capped at \$5,000 per year, are available for the cost of a full time or part time attendance at an institution of higher education. HHS estimates that states provided 12,692 youth with ETVs in FY 2007 (CRS REPORT RL 34499, P 23). According to a study by Orphan Foundation of America, of the nine states in which they administer the ETV, only 56.7% of eligible youth received the ETV funds. This left 43.3% of youth, eligible for ETV funds, without their benefit for the school year.

This important program could be strengthened and improved by:

- **Fully funding the program at its authorized level of \$60 million.** Right now, it only receives \$45.4 million. It has remained at that level for the last five fiscal years. With additional funding, the U.S. Department of Education would be able to serve a greater portion of the eligible students.
- **Transferring jurisdiction of ETV funds for former foster youth from the Department of Health and Human Services to the Department of Education.** The Department of Education already has a mechanism in place to disburse funds for higher education (Financial Aid). By giving the Department of Education jurisdiction over the ETV, the amount of money set aside for administrative costs in this program would be absorbed and financial aid would be reduced and the savings can be reinvested into the ETV allotment. Finally, under the current structure, grant awards vary greatly by state. Having the awards done on a federal, as opposed to a state by state, basis would allow for greater equity among youth in care.

Under current law, there is a chance that the ETV funds offered may be rescinded in the middle of a school term if the state experiences a lack of funding for the program. Transferring the jurisdiction to the Department of Education allows for the disbursement to be handled like the Pell Grant, with 85% of the funds being furnished towards the cost of attendance at the beginning of the school year and the remaining 15% being disbursed throughout the year. This would allow a post-secondary institution to “make good” on the disbursement of the ETV and prevents placing an undue burden on the student.

- **Increasing the lifetime maximum benefit of the ETV from \$25,000 to \$50,000 for the duration of the eligible former foster youth’s undergraduate education.** The average tuition, room and board at a public university is \$6,585 and a private university it is \$25,143 (College Board, 2009). Increasing the lifetime maximum benefit would provide for tuition, books, and a fifth year of education for foster youth. Eliminating the maximum age of completion is also essential due to the fact that some foster youth may not be able to attend college or vocational school until later in life and may not complete their education in the four years due to circumstances beyond their control.
- **Eliminating yearly maximums for ETV payments so that a youth may choose which portion of the lifetime maximum benefit amount may be applied to the cost of attendance.** The average cost to attend a private university is \$25,143 per year (College Board, 2009). Eliminating the yearly maximums for ETV funds would give the youth a chance to seek other methods of paying the cost of their education (such as finding employment and establishing the savings) without creating the burden during their first or second years of education.
- **Authorize the Secretary of Education to increase the cost of attendance budget for former foster youth.** The Department of Education creates a budget used to calculate the cost of attendance of each student receiving financial aid at a particular

university every year. The Cost of Attendance calculation is based on the average student's expenses at the school, not on actual expenses. Because average calculations of the cost of attendance do not include costs that result from a foster youth's lack of familial support, such as summer and school break (summer, winter, and spring vacations) housing costs, it is often a lot lower than a foster youth's actual expenses. To remedy this, the Department of Education could allow for a small percentage add on when the application is that of an emancipated youth.

- **Provide a mechanism in which former foster youth can establish in-state residency in a state other than their home state, similar to dependents of military families, as provided in 20 U.S.C. § 1015b.** Former foster youth from smaller states, or states lacking specialized educational programs, often settle into attending universities in their home state simply because they have to pay more for out-of-state tuition. This mechanism would allow former foster youth to attend the school that best suits their academic interests and needs. It would also help the former foster youth receive specialized education in other states, where it may otherwise be cost prohibitive to attend.
- **Amend the Higher Education Act to provide demonstration programs which prove effective in offering support and services to foster youth participating in higher education and other forms of post-secondary education.** A federal grant program currently exists to create programs which provide children of migrant and seasonal farm workers with services to help achieve both a high school education and post-secondary educational services. This program, provided for under Title IV, Part A, subpart 5 of the Higher Education Act, gives grants for these programs. By creating a mirror to these programs, or a separate track for these programs that relate to foster youth, foster youth could have better educational outcomes.
- **Require that all of the TRIO programs, under the Higher Education Act, provide outreach to foster youth.** Because these programs are specifically designed to promote a college education and increase college success, the foster youth population should be given special priority.

To address the need for higher quality elementary and secondary education support services, Congress should:

- **Amend ESEA to provide demonstration grants to research and further develop evidenced-based remedial tutoring programs that increase reading, writing, and math grade levels as well as behavioral measures of children in foster care.** Studies show that receiving educational tutoring services is one the predictors of success among youth who successfully emancipated from foster care to independence (Fernandes, 2008). This research funding would enable such organizations to focus on the specific educational needs of children in foster care and create a strong evidenced based approach for closing the educational gap between children in foster care and their peers.

- **Increase the per pupil amount of Title I funding granted on behalf of children in foster care who attend charter/magnet schools.** This funding would increase the educational opportunities available to these youth who might not otherwise be considered to be the most desirable of students to be accepted by these schools. This would also serve to provide educational stability for youth moved to different areas. It would allow them to still be connected with a sister charter school that has coordinated curriculum, so they do not lose credit and can pick up where they left off.
- **Create a federally supported national school transfer database for schools to transfer records electronically with universal acceptance of credits so students who are in foster care do not lose grade placements due to educational instability often accompanying youth in foster care.** This database would be created and maintained by the Department of Education in partnership with the Administration of Children and Families, Children's Bureau in the Department of Health and Human Services. The database could be modeled after the Veteran's Affairs medical record database. This database would help to promote educational stability in the lives of foster youth nationwide. (This could also be an amendment to Section 204 of the Fostering Connections to Success and Increasing Adoptions Act of 2008 (H.R. 6893).

To provide greater access to health care, Congress should:

- **Amend the Social Security Act, Title XIX subsection 1396a-10 to expand the mandatory category for Medicaid eligibility to include youth, up to age 25, who were legally emancipated from foster care.** This would mandate that states provide these youth with Medicaid coverage until they have had an opportunity to complete their education and establish independence. It would also allow these youth the opportunity to pursue educational opportunities outside of their state of origin and still qualify for Medicaid coverage. This would also improve the health of these youth by providing access to preventative care, save tax payer dollars by decreasing their use of the emergency room, and increase the percentage of youth that are able to complete college and thus decrease their rates of dependence on public assistance.
- **Amend Social Security Act, Title XIX subsection 1396r-1a to add youth--as defined above--to the categories of individuals who are presumptively eligible for Medicaid similar to that provided to children and to women with cervical and breast cancer.** Youth who were presumptively eligible would have access to health coverage, and providers would be able to file to have the cost of their care reimbursed during the limited time period that a recently emancipated youth is seeking Medicaid coverage.
- **Create an Interstate Healthcare Portability Fund that states could access to reimburse medical treatment provided to non-resident children in foster care or emancipated foster youth up to age 25.** Currently the medical bills for treating children and youth while temporarily outside of their state of residence fall 100% on the foster

family, foster care agency or the emancipated youth. Such funding would increase the likelihood of opportunities for youth to participate in out-of-state educational and extracurricular activities, family vacations and visiting relatives as the foster parents and child welfare agency and would no longer need to refrain from such activities due to the fear of the loss of medical coverage.

To help ensure the safety of youth in care at the age of 18 years old Congress should:

- **Require states who receive Title IVE money to provide information to youth on the importance of a health care proxy and assist them in naming one before leaving care.** This training could either be made part of the 90 days (Fostering Connections Act) transiting out of care plan, or be a part of the Independent Living Program (for youth that stay in care up until their 21 birthday) that is offered to all youth upon the age of 16 years.
- **Amend State and Federal Laws to allow foster parents and siblings to be treated as next of kin.** More specifically, Congress should consider amending the definition of parent or sibling included in HIPPA to include a foster parent or a foster sibling. In addition, they should require states who receive Title IVE funding to amend state laws regarding emergency medical decisions in the same way.

To improve the quality of mental health services, Congress should:

- **Authorize the Substance Abuse and Mental Health Services Administration to distribute grants to states for the purpose of developing and implementing evidenced based mental health programs for youth in care.** Grants could be used for a wide variety of purposes including, but not limited to, providing support and training for mental health professionals on issues related to adoption and foster care; incentives for mental health professionals to accept former or current foster youth as patients; and the establishment of public private partnerships around the delivery of mental health services to youth in care. Creation of a SAMHSA program would allow states an opportunity to design and employ a specialized approach for youth in care.
- **Direct the Center of Mental Health Services and the National Institute of Mental Health to conduct research on evidence-based practices that might be used to address the unique mental health needs of youth in foster care.** More research is needed to determine whether or not currently employed practices are effective as well as developing new ways that the mental health needs of this population are adequately addressed.

To provide options to the one in four foster youth who will end up homeless in their first year out of care, Congress should:

- **Set Aside 30 percent of Independent Living Funds (\$42 million) for HUD to use in the development of a housing support program specifically for foster youth.** This program could be modeled after the HOPWA program, which provides housing and support for People With HIV/AIDS. HOPWA grantees are encouraged to develop community-wide strategies and form partnerships with local nonprofit organizations. HOPWA funds may be used for a wide range of housing, social services, program

planning, and development costs. These include, but are not limited to, the acquisition, rehabilitation, or new construction of housing units; costs for facility operations; rental assistance; and short-term payments to prevent homelessness. HOPWA funds also may be used for health care and mental health services, chemical dependency treatment, nutritional services, case management, assistance with daily living, and other supportive services.

- **Provide a business deduction or personal tax exemption for landlords who rent to youth formerly in foster care under age 25.** The amount of the deduction would be the lesser of 20% of the annual rent or \$2,000. This credit could be modeled after the one that was provided to individuals who took in those affected by Hurricane Katrina. Under the Katrina Credit, individuals were eligible to receive a \$500 credit for up to four people and up to two years.
- **Provide a refundable tax credit to former foster youth under the age of 25 and enrolled in post secondary education for up to 20% of their annual rent or \$2,000 whichever is less.** This credit could be modeled after the recently passed First Time Homebuyer Tax Credit. Under this credit, foster youth with low tax liability would be eligible to receive money back and could use these funds to pay future rent.
- **Add Foster Care Alumni who are over 25 and have completed a bachelor's degree to the list of individuals eligible to participate in the Good Neighbor Next Door (GNND) program at HUD.** The GNND is a program that encourages firefighters, EMTs, police officers, and teachers to buy homes in low and moderate-income neighborhoods. HUD offers a substantial incentive in the form of a discount of 50% from the list price of the home. In return you must commit to live in the property for 36 months as your sole residence. The 50% discount will be applied at closing. HUD requires that you sign a second mortgage and note for the discount amount. No interest or payments are required on this "silent second" provided that you fulfill the three-year occupancy requirement (Keller Williams, 2009).

To increase and retain quality foster homes, Congress should:

- **Establish a federal online resource center dedicated to the recruitment, training, and retention of foster parents.** This centralized resource, to be administered by the Department of Health and Human Services' Administration for Children and Families (ACF), will provide information on state-specific requirements for prospective foster parents. In addition, the online resource center will provide foster parents with access to topic-specific post-placement trainings that address issues relevant to caring for foster children such as trauma histories, behavior modification methods, attachment, educational stability, and other common adjustment obstacles that lead to foster parents leaving service due to a lack of support (Rehnquist, 2002). Additionally, this online resource center will provide foster families with access to information on federal and state programs and resources vital to the stability of foster placements.
- **Appropriate funding for an innovative demonstration to improve foster parent recruitment, training, and retention practices.** The federal government should fund a 3-5 year \$5 million demonstration in order to evaluate current child-focused recruitment

practices, training, and retention programs. Private organizations have shown that more youth involvement in placement decisions produces improved outcomes (Casey Family Programs, 2003). Through improved parent-child matching practices, placements will be more successful and thereby promote foster parent retention. The Department of Health and Human Services' Administration for Children and Families will commission this research and create a national program based on research findings.

- **Provide federal funding for research of the efficacy of public awareness campaigns as foster parent recruitment tools.** Commission research through the Department of Health and Human Services' Administration for Children and Families on the efficacy of public awareness campaigns to recruit foster parents. There is a lack of research on outcomes of recruitment strategies (Urban Institute Child Welfare Research Program, 2005). This research will inform ACF and states as to whether federal and state funds should be used toward future foster care public awareness campaigns and which campaigns are most successful.

To increase professionalism and training, Congress should:

- **Establish federal caseload guidelines for dependency attorneys and provide financial incentives to states who meet these guidelines.** Federal guidelines should be established as to the number of cases that caseworkers and attorneys may handle at one time based on the American Bar Association's recommended caseload guideline of no more than 100 cases per attorney and the Child Welfare League of America's recommended caseload guidelines of no more than 12 active cases per month for investigative workers (Riggs, 2007).
- **Set aside funding for a demonstration program that will provide a matching grant for states that may be used to compensate dependency attorneys for the time spent on each case.** Compensation will help to increase the attorney's level of involvement in each case. Rates should reflect the level of seniority and level of experience of the attorneys. Increased compensation for attorneys should help states meet the recommended guidelines.

To address issues involving caseworkers, Congress should:

- **Establish federal caseload guidelines for caseworkers, and provide financial incentives to states who meet these guidelines.** Federal guidelines should be established as to the number of cases that caseworkers may handle at one time based on the Child Welfare League of America's recommended caseload guidelines of no more than 12 active cases per month for investigative workers (CWLA, n.d.; AFSCME, n.d.).
- **Set aside funding for a demonstration program that will provide a matching grant for states that may be used to hire more caseworkers and increase caseworker compensation.** Increased compensation for caseworkers should help states meet the recommended guidelines.
- **Set aside funding for a demonstration program that will provide incentive bonuses to states that comply with attorney and caseworker guidelines.** To receive federal

funds, states must comply with requirements designed to ensure that attorney and caseworker caseloads fall within 50% or more of the recommended guidelines. This legislation would authorize \$25 million annually to be divided among the qualifying states in proportion to the percentage by which they comply.

To address issues concerning Residential Treatment Counselors, Congress should:

- **Amend the Adoption Incentive Program to include incentive bonuses given to states who hire more residential treatment counselors with bachelor degrees.** This creates a higher pool of better qualified applicants which will be paid more because the states would get more “bonus” money for hiring people with some type of bachelor degree. Evidence shows that higher pay leads to less burn out.

To increase youth participation in casework planning and court hearings, Congress should:

- **Develop and implement federal recommendations for dependency court best practices that incorporate youth participation and client-directed representation in dependency cases, and provide incentives for states who implement these practices.** Federal laws acknowledge a need for youth participation, but provide very little direction for youth court participation. Congress should appropriate \$10 million through the Court Improvement Program specifically for research into and development of best practices for youth participation in dependency cases.
- **Develop a pilot program for states to increase the engagement of foster children in court and other administrative processes through development of youth case-planning and court forms.** Congress should appropriate \$5 million in grant money under the Court Improvement Program for states to apply to create programs that specifically promote youth’s formal court participation through the development of court forms that youth can fill out in order to personally participate in their case-planning and permanency hearings.

To give foster youth a voice, Congress should:

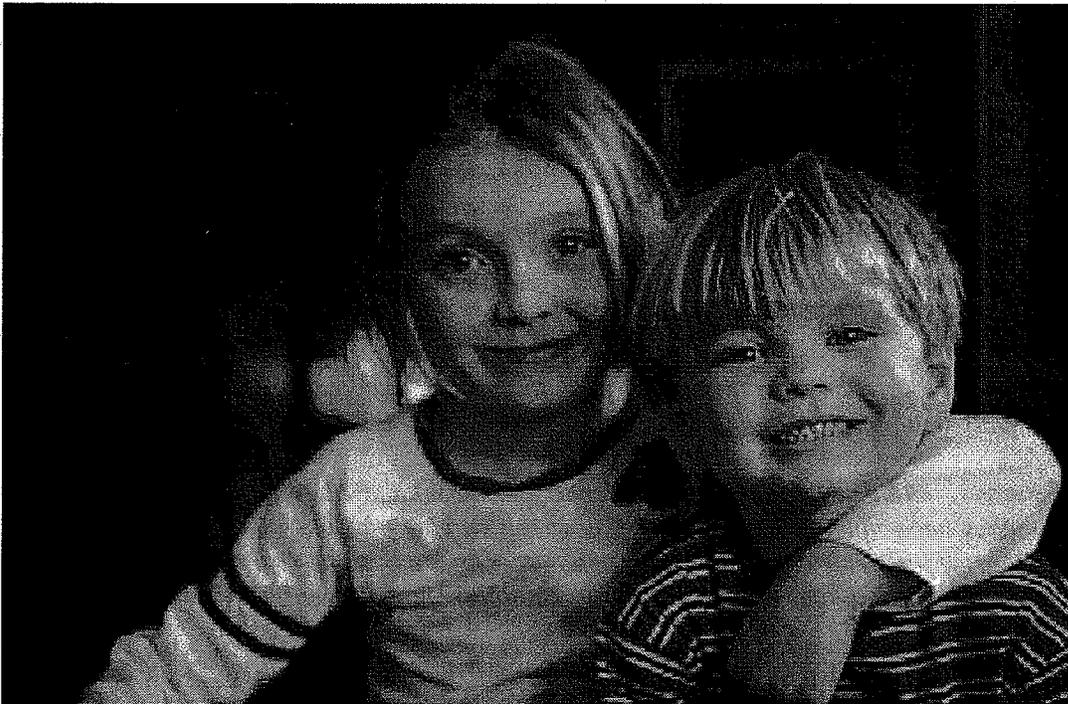
- **Appropriate \$5 million to expand the Court-Appointed Special Advocates Program.** The Strengthening Abuse and Neglect Courts Act of 2000 (SANCA) already acknowledges the successes of the CASA program and the importance of expanding these programs to underserved communities and the Department of Justice’s Office of Juvenile Justice and Delinquency Prevention authorized a training and assistance grant to the National Court-Appointed Special Advocate Association toward this end (Welte, 2005). Yet Congress never appropriated these funds. (The PEW Commission on Children in Foster Care, 2004) Congress should appropriate the money authorized by SANCA for CASA expansion because of the evidence-based positive outcomes children in foster care who have CASAs experience.
- **Provide incentives to states that increase the number of Court Appointed Special Advocates (CASA) programs in individual states to provide more CASAs for children in dependency cases.** Congress should appropriate \$25 million under the Court Improvement Programs to provide bonuses to states that increase the number of

children in their state who are matched with individual CASAs. States that increase the number of children in their state who are matched with CASAs by more than 50% will be eligible for bonus money.

Relationships

*“There is no substitute for the
comfort supplied by the utterly
taken-for-granted relationship”*

-Iris Murdoch



PROFILE

Samantha was eight and her brother, Andrew, was six when they entered foster care. Their mother had abandoned them and they didn't know who their father was. The children spent their first several years in foster care bouncing from house to house. Despite all the moves, they had always been placed together. They drew their sense of security from the knowledge that they always had each other – or so they thought.

Samantha and Andrew's current foster family was kind. They tried to include Samantha and Andrew in the family activities, but Samantha and Andrew were reluctant to do so. They had already moved so many times they didn't want to get close to another family only to have to find out that they were leaving again. The children had learned to depend on each other – and no one else.

A year after living with their current family, Samantha and Andrew found out that they would be moving – again. They weren't surprised. In fact, they were almost excited about this move. They had learned that they would be joining a family that lived in the country and had farm animals and lots of room for them to play. On the day of the move, Samantha rushed home from school. She wasn't all that upset about leaving her classmates. Because she knew she would be moving again she hadn't allowed herself to become friends with any of them.

As Samantha ran into the house, she saw her brother sitting with their new social worker - Beth. Samantha noticed immediately that Andrew looked upset. Her excitement immediately disappeared and she began to get a familiar sick feeling in the pit of her stomach.

"Samantha, please sit down." Beth said. "I know that you and Andrew were planning on moving to your new home together, but there have been some changes. Andrew will be remaining here and you will be moving to the new home."

Samantha was stunned. "But why?" she asked. "Andrew is the only family I have. I don't want to go without him." Andrew started to cry.

Beth tried to explain, "I know this is difficult to understand, but we think it is in your best interest for only you to move. You need to go get your things so we can leave."

Samantha was terrified of leaving her brother to go live with strangers. He was the only person she had always been able to count on, and now she was being separated from him, too. As the car pulled out of the driveway, Samantha could see Andrew in the front window. Even though Beth promised that she would still visit Andrew, Samantha knew it wouldn't be the same.

Samantha and Andrew's separation caused a downward spiral for both of them. Andrew began having negative outbursts in school. He was diagnosed with general depression, ADHD, and Reactive Attachment Disorder (RAD). Andrew's teachers tried to help him, but he didn't trust them. His behavior worsened after he was told that his mother had died of a drug overdose. Andrew became violent in school. His foster family tried to contact his social worker for help,

but the social worker was overworked and didn't have time to offer the family any assistance. Andrew's foster family worried about the safety of their own children when Andrew's violent behavior spilled into the home. They finally decided that they could no longer care for Andrew. Andrew was moved into a group home and spent his teenage years being transferred from one group home to another.

Samantha's situation wasn't much better. While she was a good student and worked hard in school, Samantha's unstable childhood made it difficult for her to form healthy relationships. She didn't trust others, but she was also desperately afraid of being alone. Samantha spent her teenage and college years seeking acceptance and love from abusive men. The doctors diagnosed her as having Dependent Personality Disorder (DPD). Unfortunately for Samantha, there is no treatment for DPD.

Fast-forward several years. Samantha and Andrew did not reconnect until after Samantha had graduated from high school and Andrew had run away from his group home. By that time, Andrew had found the "solution" to his problems in drugs and alcohol. Samantha was pursuing a four-year degree – but every day was a struggle to survive. The financial assistance that Samantha received from the state didn't even cover her tuition – let alone her living expenses. At one point Samantha lost her job. Without anyone to turn to for help, Samantha lost her apartment and was forced to take time off from school.

Samantha eventually beat the odds. She became one of 3% of foster children to earn an undergraduate degree – it took her six years. As Samantha prepared to walk across the stage and receive her diploma, she looked around at the excited faces of her classmates and their families. Samantha realized that today represented another accomplishment in her life that she will celebrate alone. Her brother had too many of his own problems to be there for his sister. Her former foster family had only contacted her sporadically since she turned eighteen and moved out of their house, and her current boyfriend was no different from all the abusive boyfriends in her past. Samantha was glad for the friendships she had been able to form in college, but as she looked out at her classmates' families, she knew she was missing out.

POLICY RECOMMENDATIONS

This story does not represent a fabricated tale; rather it is the very real experience of countless youth in foster care. More than 26,000 of these foster youth “age out” of the child welfare systems in the United States each year and are often left to fend for themselves without the support of a family (Casey Family Programs, 2005). This phenomenon is “a personal injury to each and every youth and a public emergency for our national child welfare system.” (Casey Family Programs, 2005)

The sad reality is that the child welfare system itself – a system meant to protect the youth in it – often becomes the greatest barrier to the healthy, permanent relationships these youth need. To address this problem, federal law should provide opportunities for every foster child to maintain their current relationships as well as develop new ones. Proving that healthy and stable relationships directly correlate with positive outcomes for youth, a study evaluating the outcomes of the Big Brothers Big Sisters of America Program found that after 18 months of mentoring, youth were 46% less likely to use drugs, 27% less likely to drink alcohol, and 33% less likely to physically harm someone (Tierney, Grossman, & Resch, 2000). Foster youth need more than simply to be taught to balance a checkbook, attend college, and find a job. They need family and community relationships to celebrate achievements in their education, careers, marriages and families as well as to serve as a support system when life’s challenges create a need for assistance and guidance.

Mentors

The impact of adequate support systems in the lives of foster youth directly correlates with the overall success of the youth (Casey Family Programs, 2003). Unlike their non-foster care peers, youth in foster care do not have the opportunity to participate in community activities that allow them to interact with adults because of licensing standards and the financial burden of participating in these activities. The average cost of extra-curricular sports activities ranges from \$175 for football to \$750 for figure skating. These figures represent the cost of registration, but may not take into account the cost of traveling and additional equipment (Brown, n.d). Foster care maintenance payments do not provide foster parents the flexibility to pay for such activities, leaving foster youth without the same opportunity to interact with supportive adults.

“The night the social worker came and told my siblings and me that I was moving, I asked him what was going to happen with my brothers and all he said was “ they just won’t be going with you.”

-Heidi Bronsdon, FYI 2009

Natural interactions that occur in extracurricular activities are some of the most frequent methods of transmitting knowledge and wisdom and can provide lifelong relationships with caring adults (Kasper, 2002). On average, youth who participate in mentoring programs remain in contact with their mentor for ten years and continue to receive guidance, advice and emotional support (Ahrens, DuBois, Richardson, Fan, & Lozano, 2008). Youth who participate in high quality mentoring programs not only report increased educational attainment, but they also demonstrate increased personal growth, better peer relations and emotional adjustment, and

lower incidences of drug-use, violence and pregnancy (Kasper, 2002). Mentoring programs that target foster youth exist in both the Serve America Act and the Foster Care Mentoring Act of 2009; however, more should be done to support youth in foster care (“The Edward M. Kennedy Serve America Act, an Act to reauthorize and reform the national service laws ” (P.L. 111-13), United States Statute at large 1460, p 123; Foster Care Mentoring Act of 2009, S.986, 111th Cong, 1st Sess. (2009)).

To promote mentoring opportunities Congress should:

- **Amend the current Social Security Act of 2009 Title IV-E Section 475 4 (A) to allow for one of the allowable uses to include extracurricular and social activities.** Currently allowable uses of foster care maintenance payments are limited to mean payments to cover the cost of (and the cost of providing) food, clothing, shelter, daily supervision, school supplies, a child's personal incidentals, liability insurance with respect to a child, reasonable travel to the child's home for visitation, and reasonable travel for the child to remain in the school in which the child is enrolled at the time of placement. The addition of extracurricular and social activities to the allowable uses of Title IV-E funds would allow foster parents to be reimbursed for the fees and transportation costs associated with the youth's participation in extracurricular activities.
- **Amend the Social Security Act section 471 subsection 20 (A) to give foster parents the authority to allow children in their care the opportunity to participate in age appropriate extracurricular enrichment and social activities.** Once a state has licensed a caregiver, the caregiver should have the authority to act as a guardian while keeping their respective caseworker informed of all their decisions. Prior to the enactment of California Senate Bill 358, which amended the Welfare and Institutions Code section 39(d) and enabled caregivers to use the “prudent parent standard” to make reasonable decisions regarding youths involvement in extracurricular and social activities, youth in care were unable to engage in after school programs, out-of-town summer camps, and/or overnight sleepovers with friends (University of California Berkley, 2007). This amendment will allow foster parents in all states the flexibility to enroll youth in care in extracurricular activities. Additionally, this amendment will eliminate barriers and afford youth the opportunity to participate in life enriching programs.

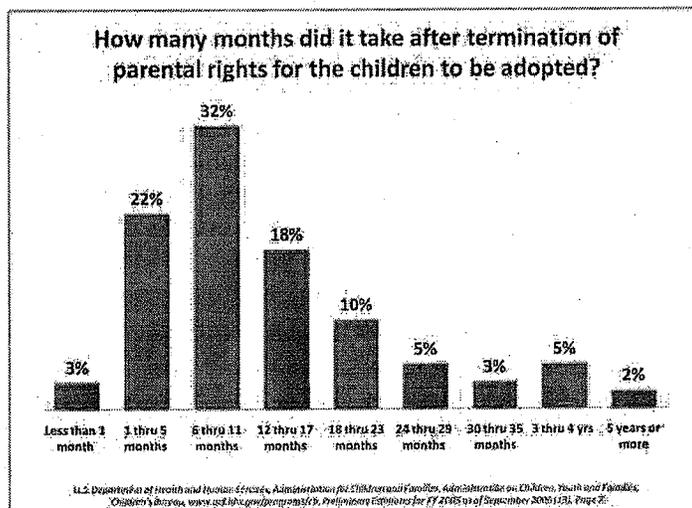
“Being able to connect with my dance teacher was honestly a key reason for my success. Without her, my transition out of foster care would have been vastly different.”

-Jetaine Hart, FYI 2009

Sibling and Family Connections

The US Census Bureau reports that 79% of all children under the age of 18 live with at least one sibling. 75% of foster youth who have siblings currently live separated from them (Child Welfare Information Gateway, 2006). “Despite consistent findings that the sibling bond is crucial to child development and adjustment, there are significant obstacles to keeping siblings together once they enter the child welfare system” (Kernan, 2005). The relationships foster children have with their siblings and extended family becomes even more significant in providing emotional support,

companionship, nurturance, and continuity as these children are removed from their family of origin and navigate their way through the child welfare system. “Professionals know how the loss of this bond through separation can have potentially serious emotional lifelong consequences” (Singer, 2002). Casey Family Programs and the National Center for Resource Family Support have found that separation teaches children to walk away from problems rather than resolve them and that family relationships are not important. They also found that the loss of care given by an older sibling negatively affects both children (National Resource Center for Family Centered Practice and Permanency, 2009).



Separation from their family of origin also increases the risk of foster children experiencing emotional disturbances and having problems in school and relationships because it compounds the “anxiety and pain they feel over separation from their parents and the transition to a new home” (Kernan, 2005). Sibling relationships are often the longest relationships a person will have throughout their lifetime, and child welfare systems *must* do whatever is in their power to support these relationships through joint placement or frequent visitation and regular contact.

“After being adopted and placed into a loving family, I found that I was separated from my biological siblings. The worst part is all I wanted was to be a big sister. I wanted to call them but not have to worry that this call would be my last.”

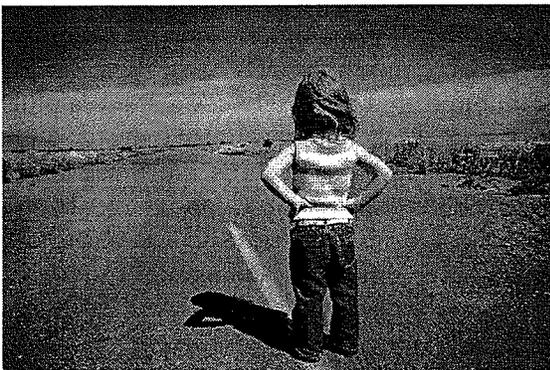
-Meaghan McLean,
FYI 2009

To help maintain sibling and family connections, Congress should:

- Amend the Foster Care Independence Act of 1999 Title I. Subtitle A. Sec. 477 Subsection 1 (A) to include the outcome measures of permanency and sibling relationships. Right now the Foster Care Independence Act of 1999 Title I. Subtitle A. Sec. 477 Subsection 1(A) says that the outcomes “of educational attainment, high school diploma, employment, avoidance of dependency, homelessness, non-marital childbirth, incarceration, and high-risk behaviors” should be measured and reported to Congress. The data collection in 2010 will be incomplete without collection of information to evaluate states ability to provide foster youth with everything necessary to transition into adulthood; i.e. family support. Although data collection is tied to the receipt of services, which ends at age 21, states need to collect data up to age 23 because it will determine the long-term success of funding in evaluating

states ability to provide foster youth with everything necessary to transition into adulthood.

- **Amend Section 206 of the Fostering Connections to Success and Increasing Adoptions Act of 2008 to provide grants to states for the development and support of innovative programs that support siblings separated through foster care.** Specifically, Congress should appropriate \$3 million for grants to up to three non-profit organizations with demonstrated experience in providing sibling support. Successful programs such as Camp to Belong International and Project Visitation could apply to use these funds for the expansion of their programs to serve youth in all 50 states. These programs would support siblings in maintaining their relationships despite living in separate homes. Sibling relationships are vital to foster youth and are often severed in the child welfare system due to various obstacles to joint placement. Programs like Camp to Belong and Project Visitation have proven to be successful in helping foster youth maintain relationships with their siblings in Hawaii, Maine, Massachusetts, Georgia, Idaho, Washington, California, and Nevada.
- **Replace the current penalty structure imposed on states that fail the Children and Family Services Review (CFSR) to an incentive based structure designed to reward best practice.** Under current law, states are penalized when they fail to achieve program improvements in critical areas of performance. Penalties include withholding Title IV-B funds as well as 10% of administrative costs claimed by the state under Title IV-E for the penalty period (Stoltzfus, 2005). The penalty is intended to encourage states to maintain and improve their child welfare system; however, once the state has failed the review, reductions in funding, even if limited to administration, ultimately hurt the children that the system is intended to serve.



- **Amend Section 103 of the Fostering Connections to Success and Increasing Adoptions Act of 2008 to require states to continue searching for adult relatives of a foster child every year after the initial search until an adult relative has been located who can assume care giving responsibilities and be a permanent connection for that child, or until the child ages out of foster care.** Currently, states work to locate an adult relative one time within 30 days of the child's removal. It is possible to have biological relatives who are found through this search, but are unable to care for the child once located. Performing a yearly search for a child who is waiting in a

non-relative foster care placement provides additional opportunities for a family member to come forward and care for the youth.

- **Amend the Social Security Act Section 430-4 to read “To strengthen adoptive families by providing support services to all families so they can make a lifelong commitment to their children. These services must include community support groups, medical services, mental health services, and supplemental education services.”** As soon as a child is adopted, the child becomes the adoptive parent’s financial burden. Currently, “Safe and Stable Families” provision of the Social Security Act does not require states to dedicate a certain percentage of funds for post-placement support services (U.S. Department of Health and Human Services, 2009). Twenty-percent of all adoptions from the foster care system become disrupted due to the lack of post-placement support and services (Groza & Rosenberg, 1998). Families and youth require the most support in the following areas: community support groups, medical services, mental health services, and supplemental education services. A lifelong family is the best alternative for assuring the healthy development of a child. With 131,000 children in the foster care system waiting to be adopted, we must provide willing, capable adoptive families the resources they need to effectively care for the child (Child Abuse Prevention and Treatment and Adoption Reform Act of 1978. Sec 201. Congressional Finding and Declaration of Purpose. 5a).

Community Connections

Youth who age out of foster care face many obstacles, compared to the general population, that lead to negative outcomes including: lower educational attainment, higher rates of homelessness, higher unemployment rates, lower income when employed, poor physical and mental health, early pregnancy and parenthood, higher rates of substance use, and a greater risk of criminal involvement and incarceration (Fernandes, 2008). Wertheimer (2002), highlights independent living services as being a “common approach” to these issues facing youth who age out of the foster care system. He found that such services are successful in preventing former foster youth from experiencing of the negative outcomes listed above. Transition planning for youth in foster care must include a component that ensures a lifelong connection to at least one permanent, stable person before the child welfare system can no longer support their needs.

To help foster youth establish community connections, Congress should:

- **Amend the Social Security Act Section 475 (5) subparagraph H, which reads “during the 90-day period,” to read “starting at the age of 15 years old.”** This subparagraph requires a “transition plan that is personalized at the direction of the child, includes specific options on housing, health insurance, education, local opportunities for mentors and continuing support services, and work force supports and employment services, and is as detailed as the child may elect” be created for the child 90 days before they exit the foster care system (Fostering Connections to Success and Increasing Adoptions Act 2008” (PL 110-351), United States Statute at large 3949, p 112). Unfortunately, youth who have participated in mentoring activities report that in order to build a relationship that reflects a depth of personal connection, a mentor should have spent more than two years getting to know the youth (Sammuels, 2008). This amendment will allow foster youth to have the

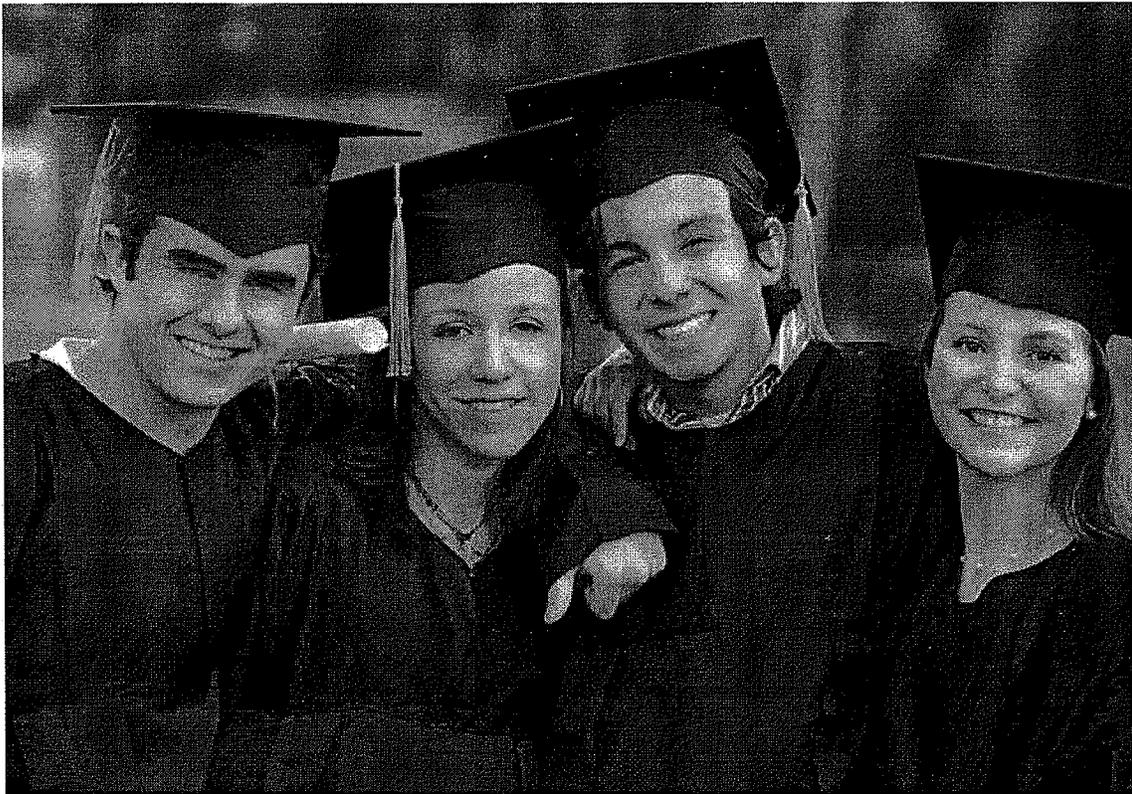
time to develop a strong future and a positive relationship with a local mentor as well as establishing a community support network before they transition to independent living.

- **Amend Workforce Investment Act chapter 4 section 129 to include foster youth as a targeted population to establish career development and mentoring internships.** Youth aging out of foster care are underemployed, they have mean earnings lower than the poverty level, and progress slower in the labor market than their non-foster care peers. 50 % of foster youth ages 16-19 are unemployed compared to the national average of 16.9% (“Employment Outcomes for Youth Who Age Out of Foster”). Providing tax incentives to both private entities for hiring current foster care youth for a one year paid internship establishes an opportunity for the youth to benefit from work-related mentoring, and internship-related academic and life skills training. One model of this type of program is the Youth Career Development Program in Los Angeles County. Foster youth, youth offenders, youth adopted after 16, and runaways have access to this year-long program, which partners with local non-profit organizations that proctor life skills classes and assist in foster youth transitional planning such as emancipation, job training, and higher education goals.

Benefits

“The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little.”

-Franklin D. Roosevelt



PROFILE

Connor was eleven and Stephanie was nine when their parents died in a fire, and they were sent to live with their aunt. Their living situation was going well until their aunt lost her job and began to show signs of mental instability and could no longer care for them. When no other family members were able to take them in, Connor, now 16, and Stephanie, now 14, were placed into foster care.

In their first foster home, Connor and Stephanie met Amy. Amy was sixteen and had been in care from birth. Because Amy had diabetes she had been shuffled to more than eight homes by her fifth birthday. Despite this rough start, she was pleased to have spent the last ten years in the same home.

Connor thrived in his new environment. He was a natural born baseball player and the coach of his high school baseball team soon became his mentor. His coach paid for special tutoring so that Connor could keep his grades up and play on the team. He also connected Connor with a local therapist who was specially trained in the treatment of PTSD. With this help, Connor was able to find relief from his PTSD symptoms, and with the benefit of tutoring, his grades and self-confidence soared.

Stephanie never fully recovered from her parents' death. She was afraid of losing anyone close to her again, so she wouldn't allow herself to bond with her new foster parents. She received court-mandated therapy from an unlicensed intern therapist. Stephanie was his first client, and he had no experience or training in providing therapeutic services to traumatized children. Without adequate therapy, Stephanie's emotional problems soon led to problems in school.

After the stability of living with the same foster parents for ten years, Amy was doing relatively well. She excelled in school and her diabetes was under control. Amy was also involved with a local church that provided mentoring, study groups, and tutoring.

Time passed and Connor was getting ready to graduate from high school. At the recommendation of his coach, he had applied to the University of Texas. Connor learned that DSS offered an independent living program on planning for college, but after attending, he still felt unprepared to do even the basic things, like applying for financial aid. Connor was accepted to UT and was promised a twenty-five percent tuition waiver if he agreed to play for the school baseball team. With the scholarship, a Pell Grant, and an ETV, Connor figured that he would be able to afford the cost of out-of-state tuition.

After Connor left for college, his foster parents decided to adopt one of their young foster children and end their careers as foster parents. As a result, Amy and Stephanie, 18 and 16, were moved to a group. The transition was difficult for Amy and Stephanie, but Amy had the benefit of the positive relationships that she had established with adults at her school and church. These relationships gave her the motivation to apply to college. Stephanie, however, did

not have the benefit of supportive adults; her educational and emotional situation continued to decline and her inadequately addressed post-traumatic stress symptoms led to the onset of major depression.

A year after Connor moved to Texas he showed up at Stephanie and Amy's group home. Amy had just received her acceptance letter from Cornell University. She was so excited to see Connor and tell him the good news.

"Hey Connor, guess what? I just got my acceptance letter to Cornell University. Isn't that great? I also got accepted to the local State University, but Cornell has the best pre-med program in the country. I can't wait."

"Wow, that's great Amy. How do you plan on paying for it?" responded Connor.

"My Educational Training Voucher. Doesn't it give me some money to pay for college?" asked Amy.

"ETV only gives you \$5,000 – hardly a dent in Cornell's \$38,000 tuition. You also have to remain in this state to continue to receive Medicaid. If you move to New York, you'll likely not qualify for Medicaid. Even if you chose a state school, you aren't guaranteed to be covered until you graduate. Our state is one that will cover you until you are 21, but you won't graduate before you turn 21. You had better think about what you are going to do. It's pretty important that you have health insurance – especially with your medical condition," stated Connor.

"I learned all this the hard way." Connor continued, "I didn't realize that my Medicaid eligibility didn't transfer across state lines. I ended up having to work a full time job to pay for health insurance and the gap between my ETV and my tuition, room and board. I wasn't able to keep up with my classes and had to drop out. I came back thinking I could get help with the cost of health insurance and housing so I could go to the local State college. I just found out, however, that I can't get Medicaid benefits anymore because I did not apply to have them continued after I graduated from high school."

"Well, can I at least stay at the group home until school starts in the fall?" asked Amy.

"Your group home more than likely won't let you live there after you graduate from high school. You can get on the Transitional Living Program list, but there is an 18 month waiting list to get in. Once you are actually homeless you can qualify for public housing but there is a long waiting list for that too."

Amy decided to go to Cornell anyway. At the end of her first semester, Amy's medication ran out. She wasn't able to monitor or control her blood sugar and she fell into a coma. A nurse noted that Amy had listed Connor as an emergency contact on a previous hospital admitting forms and contacted Connor to inform him of Amy's condition. When he got to the hospital he was asked if

he was related to Amy. He explained how they knew each other, but the hospital could not allow him to make decisions about treatment because he was only her foster brother.

By the time Amy recovered, she was too far behind in school to catch up. She decided to ask for a leave of absence so she could focus on her health. While the school agreed, they could not allow her to remain living in the dorm housing because she was not enrolled for the next semester. Without anywhere to stay Amy decided to go back to her old group home. They weren't able to help her, but they did give her a pile of medical bills that had accumulated. Amy's medical bills prevented her from ever returning to school to pursue a degree in Medicine. As Connor had predicted, she did not qualify for Medicaid in New York and she could not afford private insurance. Amy's church family helped her to find housing and a job at a local factory. The job provided her with health insurance and a modest income.

Connor returned from Texas and used his ETVs to help pay for tuition at a community college. Thanks to support from his former coach and mentor, who let him sleep on his couch until he could save up enough money to pay rent, he was also able to continue to play for the baseball team. Connor was able to get straight A's and was offered a chance to transfer to an in-state university. Unfortunately, six months after transferring to his new school, Connor received an email from the state telling him that because of budget cuts he would no longer receive the tuition voucher that he had been relying on to pay for his tuition.

Stephanie's condition continued to worsen. She was still receiving court-mandated therapy but the trauma caused by her parent's death and her removal from her aunt was never addressed adequately. As a result, she was never able to establish a positive relationship with any adult or with any of her peers. The only person she came to trust was an older boy at her high school who persisted in trying to be her friend – but only to win over a new client. He told Stephanie that he had something that could make her flash backs and nightmares of her parents' death go away. Desperate for relief from her symptoms she began using crack cocaine. To pay for her habit, her dealer convinced her to assist in an armed robbery. During the commission of the crime a guard was killed, and they were caught. Stephanie is now in prison serving a 25 years to life sentence.

POLICY RECOMMENDATIONS

One does not need to study the outcomes of the 26,000 youth aging out of foster care for very long to come to the conclusion that the federal government can be doing more to help these youth achieve greater rates of stability and success. During their early adult years, these youth are much more likely than their peers to forgo higher education, describe their general health as fair or poor, become homeless, and rely on public supports. One-third of foster care alumni report living below the poverty line, which is three times the national poverty rate (Fernandes, 2008).

The federal government can either act now to affect change for youth in foster care or they can wait until they return to the care of the state as adults, either through the criminal justice system, public welfare or other support systems. One study showed that males in foster care were four times more likely to be arrested and females ten times more likely than the comparison group. (Culter Consulting, 2009).

Increasing Success in Education

The research on the educational struggles of children in foster care is staggering. Children who are in foster care are enrolled in special education classes at three times the rate of their peers and less than 50% of youth who emancipate from foster care obtain a high school diploma or GED (House Bill Report, 2002). In California, 75% of children in foster care are working below grade level, and by the third grade, 83% are held back (California Foster Youth Education Task Force, 2007). Similarly, a study of 18,500 children foster care in Washington showed that these youth scored 15 to 20 percentile points below other students (Vacca, 2008).

One state found that 75% of their children in foster care were working a full grade level behind other students by the third grade, and 83% of all children in their system were held back while in care.

"Raising the graduation rate of one year's cohort of youth aging out of foster care to the national average would result in increased earnings and lowered public costs of more than \$1 billion." (Culter Consulting, 2009, p.9)

Studies of achievement scores of children in foster care have found that 7 to 8 of the difference in percentile points in achievement scores between these youth and their peers was accounted for by foster care status alone after factoring out other variables. (Zetlin, Weinberg, & Shea, 2006). Part of the reason for this variance lies in the fact that foster youth repeatedly have to change schools which disrupts the learning process. One study showed that every time a foster child switches schools they lose four to six months of educational progress. (Calvin, 2001)

Obtaining a College Degree

In spite of a reported 70% of youth who desire a college experience, only 18% of former foster youth enroll in college after high school, and only 3% will graduate (Courtney, & Dworsky, 2005; Cook, 1992). Reasons for this low rate range from lack of stable housing, limited access to health care and mental health services, and an uncertainty of how to

access financial and emotional resources that might be available to foster or former foster youth (U.S. Department of Education, 2008).

To provide greater access to higher education, Congress should:

- **Strengthen and improve the Education and Training Voucher Program.** In 2002, Congress authorized \$60 million in discretionary funding for eligible current and former foster youth to use for education and training. The vouchers, capped at \$5,000 per year, are available for the cost of a full time or part time attendance at an institution of higher education. HHS estimates that states provided 12,692 youth with ETVs in FY 2007 (CRS REPORT RL 34499, P 23). According to a study by Orphan Foundation of America, of the nine states in which they administer the ETV, only 56.7% of eligible youth received the ETV funds. This left 43.3% of youth, eligible for ETV funds, without their benefit for the school year.

This important program could be strengthened and improved by:

- **Fully funding the program at its authorized level of \$60 million.** Right now, it only receives \$45.4 million. It has remained at that level for the last five fiscal years. With additional funding, the U.S. Department of Education would be able to serve a greater portion of the eligible students.



- **Transferring jurisdiction of ETV funds for former foster youth from the Department of Health and Human Services to the Department of Education.** The Department of Education already has a mechanism in place to disburse funds for higher education (Financial Aid). By giving the Department of Education jurisdiction over the ETV, the amount of money set aside for administrative costs in this program would be absorbed and financial aid would be reduced and the savings can be reinvested into the ETV allotment. Finally, under the current structure, grant awards vary greatly by state. Having the awards done on a federal, as opposed to a state by state, basis would allow for greater equity among youth in care.

Under current law, there is a chance that the ETV funds offered may be rescinded in the middle of a school term if the state experiences a lack of funding for the program. Transferring the jurisdiction to the Department of Education allows for the disbursement to be handled like the Pell Grant, with 85% of the funds being furnished towards the cost of attendance at the beginning of the school year and the remaining 15% being disbursed throughout the year. This would allow a post-secondary institution to "make good" on the disbursement of the ETV and prevents placing an undue burden on the student.

- **Increasing the lifetime maximum benefit of the ETV from \$25,000 to \$50,000 for the duration of the eligible former foster youth's undergraduate education.** The average tuition, room and board at a public university is \$6,585 and a private university it is \$25,143 (College Board, 2009). Increasing the lifetime maximum benefit would provide for tuition, books, and a fifth year of education for foster youth. Eliminating the maximum age of completion is also essential due to the fact that some foster youth may not be able to attend college or vocational school until later in life and may not complete their education in the four years due to circumstances beyond their control.
- **Eliminating yearly maximums for ETV payments so that a youth may choose which portion of the lifetime maximum benefit amount may be applied to the cost of attendance.** The average cost to attend a private university is \$25,143 per year (College Board, 2009). Eliminating the yearly maximums for ETV funds would give the youth a chance to seek other methods of paying the cost of their education (such as finding employment and establishing the savings) without creating the burden during their first or second years of education.
- **Authorize the Secretary of Education to increase the cost of attendance budget for former foster youth.** The Department of Education creates a budget used to calculate the cost of attendance of each student receiving financial aid at a particular university every year. The Cost of Attendance calculation is based on the average student's expenses at the school, not on actual expenses. Because average calculations of the cost of attendance do not include costs that result from a foster youth's lack of familial support, such as summer and school break (summer, winter, and spring vacations) housing costs, it is often a lot lower than a foster youth's actual expenses. To remedy this, the Department of Education could allow for a small percentage add on when the application is that of an emancipated youth.

Excerpt from an actual email received by foster youth:

"As of TODAY (December 21, 2007), there is no funding available for post-secondary educational expenses for students over 23 until July 1, 2008. This is ALL funding...Rent, Food stipend, books, tuition, fees, ALL ITEMS. Your January rent and board checks have been completed, but this is the last of the funding until July. To clarify, you will not receive a check for rent or board in February, March, April, May or June."

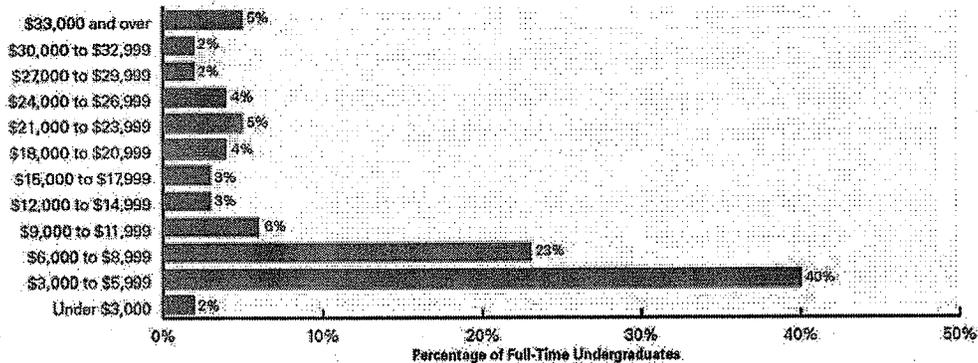
- **Provide a mechanism in which former foster youth can establish in-state residency in a state other than their home state, similar to dependents of military families, as provided in 20 U.S.C. § 1015b.** Former foster youth from smaller states, or states lacking specialized educational programs, often settle into attending universities in their home state simply because they have to pay more for out-of-state tuition. This mechanism would allow former foster youth to attend the school that best suits their academic interests and needs. It would also help the former foster youth receive specialized education in other states, where it may otherwise be cost prohibitive to attend.
- **Amend the Higher Education Act to provide demonstration programs which prove effective in offering support and services to foster youth participating in higher education and other forms of post-secondary education.** A federal grant program currently exists to create programs which provide children of migrant and seasonal farm workers with services to help achieve both a high school education and post-secondary educational services. This program, provided for under Title IV, Part A, subpart 5 of the Higher Education Act, gives grants for these programs. By creating a mirror to these programs, or a separate track for these programs that relate to foster youth, foster youth could have better educational outcomes.
- **Require that all of the TRIO programs, under the Higher Education Act, provide outreach to foster youth.** Because these programs are specifically designed to promote a college education and increase college success, the foster youth population should be given special priority.

To address the need for higher quality elementary and secondary education support services, Congress should:

- **Amend ESEA to provide demonstration grants to research and further develop evidenced-based remedial tutoring programs that increase reading, writing, and math grade levels as well as behavioral measures of children in foster care.** Studies show that receiving educational tutoring services is one the predictors of success among youth who successfully emancipated from foster care to independence (Fernandes, 2008). This research funding would enable such organizations to focus on the specific educational needs of children in foster care and create a strong evidenced based approach for closing the educational gap between children in foster care and their peers.
- **Increase the per pupil amount of Title I funding granted on behalf of children in foster care who attend charter/magnet schools.** This funding would increase the educational opportunities available to these youth who might not otherwise be considered to be the most desirable of students to be accepted by these schools. This would also serve to provide educational stability for youth

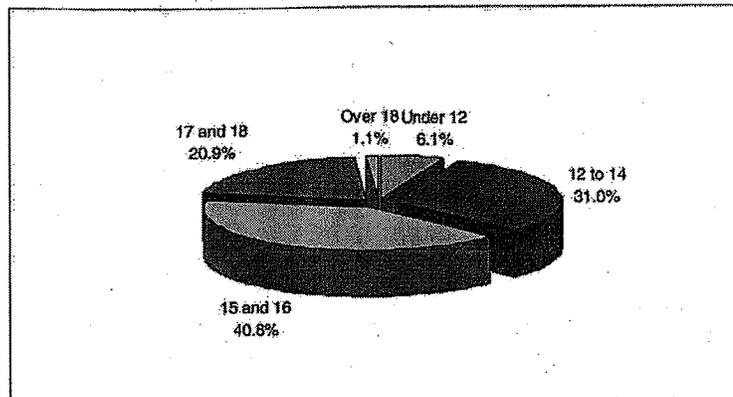
moved to different areas. It would allow them to still be connected with a sister charter school that has coordinated curriculum, so they do not lose credit and can pick up where they left off.

Figure 1: Distribution of Full-Time Undergraduates at Four-Year Institutions by Published Tuition and Fee Charges, 2006-07



- Create a federally supported national school transfer database for schools to transfer records electronically with universal acceptance of credits so students who are in foster care do not lose grade placements due to educational instability often accompanying youth in foster care. This database would be created and maintained by the Department of Education in partnership with the Administration of Children and Families, Children's Bureau in the Department of Health and Human Services. The database could be modeled after the Veteran's Affairs medical record database. This database would help to promote educational stability in the lives of foster youth nationwide. (This could also be an amendment to Section 204 of the Fostering Connections to Success and Increasing Adoptions Act of 2008 (H.R. 6893).**

Figure 2: Age of Youth Served by the Basic Center Program, FY2008



Health Care

While The Foster Care Independence Act of 1999 permitted states to extend Medicaid coverage to emancipated foster youth until age 21, only about half of foster care alumni, versus 78% of their non-foster care peers, reported having health coverage. This statistic is even more disconcerting when viewed alongside the multiple studies that have documented the disproportional medical vulnerability with which alumni contend after emancipating (Brindis, & Philliber, 2003; Casey Family Programs 2003; Children's Advocacy Institute, 2007). According to a 1995 federal study, 12% of young foster children receive no routine health care, 34% receive no immunizations, and 32% have unmet health needs (Rosenbach, 2001). This increased need for medical services leaves youth who have aged out of foster care at risk for financial devastation as well as prolonged and compounded illnesses from the lack of access to preventive and early treatment (Children's Advocacy Institute, 2007).

According to a 2006 survey of state human service officers, only 17 states have extended Medicaid coverage to youth eligible under the Chafee Act. Missouri took up this option in 2007 and according to the same survey four other states were considering adopting the option. An additional 17 states offer youth who have aged out of foster care access to Medicaid under what is known as the Ribicoff Eligibility Category.

47% of 19-year old foster care alumni have health coverage, versus 78% of their peer counterparts.

Even if all states extended Medicaid to these youth until age 21, several problems would still remain. First, alumni would have trouble receiving medical treatment across state lines. A second problem is that the "Chafee option" only provides three years of coverage beyond age 18, and three years is not enough time for a young person to complete a 4 year degree and independently obtain health coverage through stable full-time employment or otherwise.

To provide greater access to health care, Congress should:

- **Amend the Social Security Act, Title XIX subsection 1396a-10 to expand the mandatory category for Medicaid eligibility to include youth, up to age 25, who were legally emancipated from foster care.** This would mandate that states provide these youth with Medicaid coverage until they have had an opportunity to complete their education and establish independence. It would also allow these youth the opportunity to pursue educational opportunities outside of their state of origin and still qualify for Medicaid coverage. This would also improve the health of these youth by providing access to preventative care, save tax payer dollars by decreasing their use of the emergency room, and increase the percentage of youth that are able to complete college and thus decrease their rates of dependence on public assistance.
- **Amend Social Security Act, Title XIX subsection 1396r-1a to add youth--as defined above--to the categories of individuals who are presumptively eligible for Medicaid similar to that provided to children and to women with cervical and breast cancer.** Youth who were presumptively eligible would have access to health coverage, and providers would be able to file to have the cost of their care reimbursed during the limited time period that a recently emancipated youth is seeking Medicaid coverage.

- **Create an Interstate Healthcare Portability Fund that states could access to reimburse medical treatment provided to non-resident children in foster care or emancipated foster youth up to age 25.** Currently the medical bills for treating children and youth while temporarily outside of their state of residence fall 100% on the foster family, foster care agency or the emancipated youth. Such funding would increase the likelihood of opportunities for youth to participate in out-of-state educational and extracurricular activities, family vacations and visiting relatives as the foster parents and child welfare agency and would no longer need to refrain from such activities due to the fear of the loss of medical coverage.

Health Care Proxy

A Health Care Proxy is a simple legal document that allows a person to name someone they know and trust to make decisions about their health if, for any reason and at any time, they become unable to make or communicate those decisions (Massachusetts General Laws, Chapter 201D). Each year, approximately 26,000 youth emancipate from foster care. Youth that emancipate from the foster care system often do so after having their biological parent's rights terminated, meaning that they do not have a legally recognized person that they can depend on to make health and positive decisions with and for them in the case of an emergency.

In the absence of a health care proxy, most state laws require hospitals to adhere to what is commonly known as a "next of kin" standard. Under this standard, a spouse of an incapacitated person is authorized to make emergency medical decisions on their behalf. In the case of an unmarried person, a living parent is authorized to make this decision and if there are no living parents, other relatives such as grandparents, aunts, uncles and siblings are also recognized. This presents an issue for a foster youth whose legal relationship with such people has been terminated. The reality is that youth who have spent their life in the foster care system may recognize other people in their life, such as foster parents and foster siblings, as their relatives.

To help ensure the safety of youth in care at the age of 18 years old, Congress should:

- **Require states who receive Title IVE money to provide information to youth on the importance of a health care proxy and assist them in naming one before leaving care.** This training could either be made part of the 90 days (Fostering Connections Act) transiting out of care plan, or be a part of the Independent Living Program (for youth that stay in care up until their 21 birthday) that is offered to all youth upon the age of 16 years.
- **Amend State and Federal Laws to allow foster parents and siblings to be treated as next of kin.** More specifically, Congress should consider amending the definition of parent or sibling included in HIPPA to include a foster parent or a foster sibling. In addition, they should require states who receive Title IVE funding to amend state laws regarding emergency medical decisions in the same way.

Mental Health

According to the Child Welfare League of America, “anywhere from 40 to 85% of youth in foster care have mental health disorders” (Austin, 2004). This is compared with 22.1% of the general population. About one quarter of foster care alumni experience post-traumatic stress disorder (PTSD), which is greater than the prevalence of PTSD in Vietnam or Iraq veterans (Vietnam: 15% and Iraq: 12%–13%), (Casey Family Programs, 2005). Alumni tended to have similar recovery rates as their counterparts in the general population for major depression, panic syndrome, and alcohol dependency, but lower rates of recovery for other disorders such as generalized anxiety, PTSD and bulimia (Casey Family Programs, 2005).



A large portion of the mental health issues of foster youth are directly attributable to their life experiences, including their experience in care. Children in foster care are struggling to cope with the traumatic events that brought them into care, including parental abuse or neglect, homelessness and exposure to domestic violence and substance abuse. While they struggle to deal with the tremendous loss of their family, they also frequently blame themselves for being removed. Therefore, the treatment of mental health among foster youth also requires that professionals working with them to be trained in how their experience as foster youth has impacted their ability to develop and maintain healthy relationships.

Despite this reality, studies show that less than one third of foster youth are receiving mental health services, while youth that are receiving services are often receiving them from inexperienced professionals with little to no training on the specific issues faced by youth in care (Leung, Burnet, Wunsch, Geierstanger & Faxio, 2007). Mental health services are often delivered in multiple settings with varied funding streams that are not always coordinated.

To improve the quality of mental health services, Congress should:

- **Authorize the Substance Abuse and Mental Health Services Administration to distribute grants to states for the purpose of developing and implementing evidenced based mental health programs for youth in care.** Grants could be used for a wide variety of purposes including, but not limited to, providing support and training for mental health professionals on issues related to adoption and foster care; incentives for mental health professionals to accept former or current foster youth as patients; and the

establishment of public private partnerships around the delivery of mental health services to youth in care. Creation of a SAMHSA program would allow states an opportunity to design and employ a specialized approach for youth in care.

- **Direct the Center of Mental Health Services and the National Institute of Mental Health to conduct research on evidence-based practices that might be used to address the unique mental health needs of youth in foster care.** More research is needed to determine whether or not currently employed practices are effective as well as developing new ways that the mental health needs of this population are adequately addressed.

Housing

According to data collected by Casey Family Programs, 75,000 children in foster care will eventually end up homeless (www.raisemeup.org). This is due in large part to the fact that the vast majority--two-thirds--of these youth report earning incomes of less than \$6,000 per year. According to a recent article on the top ten cities, the average rent is \$600 a month, an unmanageable cost for someone whose yearly salary is only \$6,000 (Career Builder, 2009; University of Colorado, 2008). Former Foster Youth are qualified to receive a host of low income housing assistance, but the problem is that these programs are also necessary to support low income and homeless individuals at large and as a result are often full.

Under the provisions of the John H. Chaffee Foster Care Independence Program (1999), states are allowed to use up to 30% of the \$140 million in funding they receive for independent living program services on providing direct assistance to youth for housing. According to a recent report by Adrienne L. Fernandes and the Congressional Research Service, Youth Transitioning from Foster Care (2008), 45 of the 50 states report using funds for housing, but it is unknown how states are spending these funds and whether the funded housing programs are effective.

To provide options to the one in four foster youth who will end up homeless in their first year out of care, Congress should:

- **Set aside 30% of Independent Living Funds (\$42 million) for HUD to use in the development of a housing support program specifically for foster youth.** This program could be modeled after the Housing Opportunities for Persons with AIDS (HOPWA) program. HOPWA grantees are encouraged to develop community-wide strategies and form partnerships with local nonprofit organizations. HOPWA funds may be used for a wide range of housing, social services, program planning, and development costs. These include, but are not limited to, the acquisition, rehabilitation, or new construction of housing units; costs for facility operations; rental assistance; and short-term payments to prevent homelessness. HOPWA funds also may be used for health care and mental health services, chemical dependency treatment, nutritional services, case management, assistance with daily living, and other supportive services (HOPWA, 1992).
- **Provide a business deduction or personal tax exemption for landlords who rent to youth formerly in foster care under age 25.** The amount of the deduction would be the lesser of 20% of the annual rent or \$2,000. This credit could be modeled after the one that

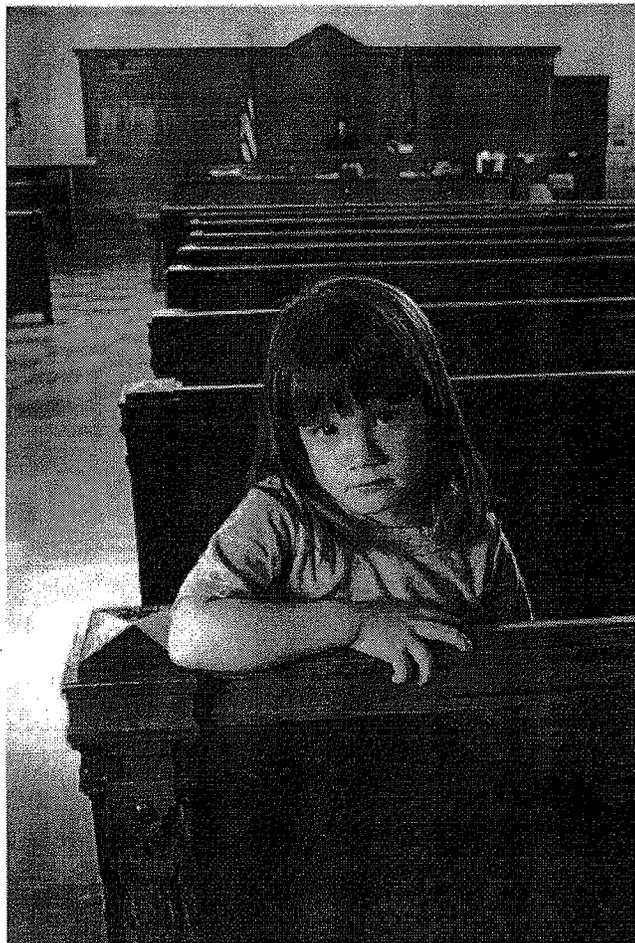
was provided to individuals who took in those affected by Hurricane Katrina. Under the Katrina Emergency Tax Relief Act of 2005, individuals were eligible to receive a one-time \$500 tax exemption for up to four displaced victim (Joint Committee on Taxation, 2005).

- **Provide a refundable tax credit to former foster youth under the age of 25 and enrolled in post secondary education for up to 20% of their annual rent or \$2,000 whichever is less.** This credit could be modeled after the recently passed First-Time Homebuyer Tax Credit (NAHB, 2009). Under this credit, foster youth with low tax liability would be eligible to receive money back and could use these funds to pay future rent.
- **Add Foster Care Alumni who are over 25 and have completed a bachelors degree to the list of individuals eligible to participate in the Good Neighbor Next Door (GNND) program at HUD.** The GNND is a program that encourage firefighter, EMTs, police officers, and teachers to buy homes in low and moderate-income neighborhoods. HUD offers a substantial incentive in the form of a discount of 50% from the list price of the home. In return you must commit to live in the property for 36 months as your sole residence. The 50% discount will be applied at closing. HUD requires that you sign a second mortgage and note for the discount amount. No interest or payments are required on this "silent second" provided that you fulfill the three-year occupancy requirement (Keller Williams, 2009).

Voices

“When we fail to speak up and speak out we strike a blow against freedom and decency and justice.”

-Robert F. Kennedy



PROFILE

Annie is a sixteen-year-old in foster care. She has been in the system for six years and still doesn't understand how the system works. Today was a perfect example. It started when Annie's teacher pulled her out of geometry class and told her that she had a visitor in the main office. Annie did not want to miss class, but she did as she was told and went to the main office. Carrie, her social worker, was waiting for her. Annie wished that Carrie wouldn't make surprise visits to the school. Annie didn't want her teachers and classmates to know that she was in foster care. It was embarrassing. Annie always felt ashamed – like she did something wrong that warranted being placed in foster care. Carrie told Annie that they needed to leave immediately for a court hearing. Annie knew that she would have to miss a test in her next class. She didn't want to explain to her teachers and classmates why she had to leave school – again.

Annie felt confused. It wasn't the first time. Since the night she was taken away from her family she had been moved from one home, social worker, attorney, and judge to another – all without any explanation. Annie didn't understand why she needed to go to court today. She never understands what is happening and her attorney and social worker are always too busy to explain it to her. Besides, the judge never seemed to care whether she was involved or not. She would have been better off staying in school.

Today was no exception. Annie arrived at court feeling underdressed, clueless, and invisible. She looked around the courthouse - adults, dressed in business attire, were rushing around. They appeared confident of their role in this building – something Annie never felt. Annie snuck off to the restroom to fix herself up as best as possible.

Annie went back to the courtroom to find Carrie. She wanted to talk to Carrie about the situation at her current foster home. Once again, Annie had been placed in a home where her foster mother seemed more interested in the monthly maintenance payments than in Annie's well-being. Annie never had clothes that fit and her foster mother never took time to talk to her. Annie shouldn't be surprised. In the last six years in care, she had lived with five families, all of whom seemed indifferent to the well-being of the children in their home. Annie couldn't understand why they didn't care about her. She got good grades and tried to behave, but nothing ever seemed good enough. She wished that the selection process for foster families did a better job of screening out families that only cared about getting a monthly check.

Annie finally found Carrie, but as she approached, she could tell that Carrie was overwhelmed. Annie overheard Carrie tell her foster mom a few weeks ago that she has forty-five cases. Annie knew that it wouldn't have made a difference if she had been able to talk to Carrie. Carrie had already told Annie that there weren't enough foster families for all the kids in care. Annie really wished that someone in her life knew her better and could speak up for her wants and needs. Annie sat waiting for her case to be called. After an hour and a half passed, Annie asked Carrie when they would be going in. Carrie reminded her that there was no way to know. They had a 10:05 a.m. hearing, but it could be several hours before they were called.

Moments later, Annie's attorney, a woman Annie had never seen before, came over to tell Carrie that Annie's case was up and that they needed to get into the courtroom. Annie walked into the courtroom with an all-too familiar feeling of anxiety.

Inside, Carrie sat down behind Annie's attorney and motioned Annie toward a chair off to the side. Annie slid into the chair and noticed her attorney clicking away on her BlackBerry. It didn't look like the attorney was even paying attention.

The court clerk read the case number and the names of the attendees. Annie was shocked to hear her mother's name called. She had not been paying attention to the other people in the room when she walked in! Fear and panic suddenly rushed over her. The last time she saw her mother they had a huge fight. Annie wanted to hide.

The judge cleared his throat and spoke, "We are here today for a permanency review hearing for Miss Annabelle Peterson. I understand that Annabelle is in the room, is that correct?" The judge peered over his paperwork. "Annabelle, do you understand why you are here today?"

"Um...No sir," she choked.

"Do you mean to tell me that Attorney Mitchell did not explain the agenda of today's hearing to you?"

"Yes," was all Annie could think to say.

"Well, I suppose that does not surprise me, given the amount of cases I am sure that Attorney Mitchell must have. Counselor, if you have not been informing Annabelle on her case, you surely have been preparing your recommendation. What do you believe is in the best interests of this child?"

"Thank you, Your Honor. I have thoroughly read the case and the notes and have concluded that it is not in the best interest of the child to return home. At this point, based on Annabelle's age, I believe it is in her best interest to continue long-term foster care and begin transitioning out of care."

Annie couldn't believe what she was hearing. How could the attorney know what was in her best interest without even talking to her? She understood the importance of this decision, but why did no one else understand the lifelong impact this would have on her?

After only a ten-minute hearing, Annie walked out of the courtroom stunned.

POLICY RECOMMENDATIONS

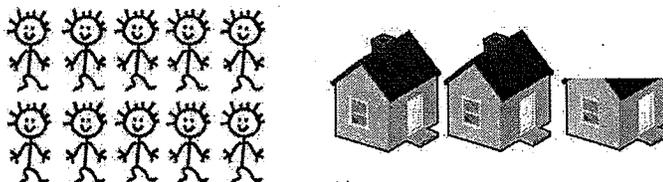
While this may seem like only a story, these experiences are very common among foster children. Lack of youth participation and empowerment through court and placement processes leaves many children in foster care feeling lost, misunderstood and disconnected even while surrounded by many adults charged with their care. Foster parents, caseworkers, attorneys and judges all play very important roles in decision-making for these youth, but they cannot replace the value of the youth themselves voicing their opinions and participating in the planning of their own lives.

Since research shows that children who spend long periods of time in foster care have worse outcomes than their peers later in life, the federal government must take steps to improve youth participation in court decisions as well as placement and permanency planning meetings with caseworkers. When youth are empowered to voice their opinions they take responsibility for their futures, ultimately resulting in better life outcomes.

Foster Parent Recruitment, Training, and Retention

The majority of children are placed in the foster care system because their birth families were either unwilling or unable to care for them as evidenced by child maltreatment. It is estimated that 50-80% of all children in foster care have psychological disturbance, stemming directly from their life at home before removal (Clyman, Riley, Lewin, & Messer, 1998). In addition to previous maltreatment, children continue to experience emotional distress after they are separated from the only home they've ever known, their parents and siblings, and their communities.

Research shows that children who lack permanent connections and family ties have higher rates of psychological distress, delayed social and cognitive development, and unproductive adulthoods (Center for Youth Development and Policy Research, 2002; Price, Chamerlain, Landsverk, Reid, Leve, & Laurent, 2008). Therefore, it is necessary to recruit and retain quality foster homes so that these children are able to form stable relationships and begin to experience healthy development.



*There are only 2.83 foster homes for every 10 children in care
(Child Welfare League of America, 2005).*

Unfortunately, recruiting and retaining quality foster parents has been a longstanding problem in the child welfare field. There are over 510,000 children and youth in the U.S. foster care system but only 180,000 licensed foster homes and facilities. (AFCARS, 2008; Child Welfare League of America, 2005).

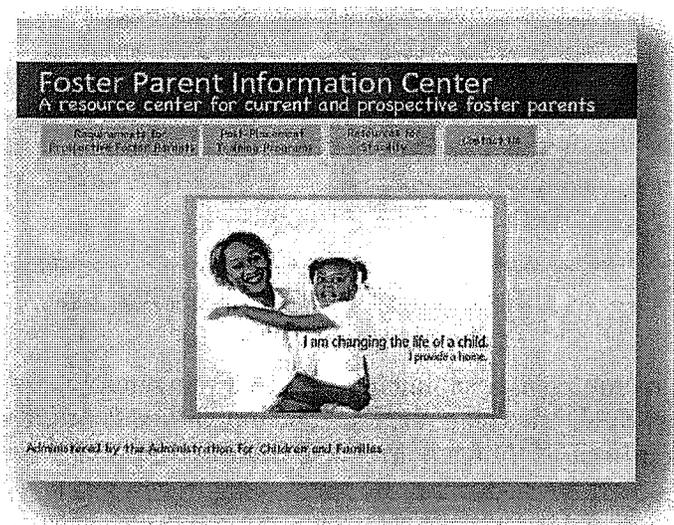
The shortage of foster homes has forced 17% of foster children and youth to live in institutions and group homes – an alarming statistic considering the amount of research which shows that children need structure and a supportive family to develop normally (HHS, 2006; Center for Youth Development and Policy Research, 2002).

Considering the trauma that many of these children and youth experience, it is imperative that the most qualified foster families are recruited. In a 2008, Annie E. Casey Foundation study, researchers found that compared to all homes with children, foster homes are more likely to be comprised of low-income families with severe financial burdens (O'Hare, 2008). These homes are more likely to be receiving public assistance income. Additionally, foster parents are less likely to have completed high school and have lower rates of employment (O'Hare, 2008).

The median time of service for foster parents is a mere 8 to 14 months--only a fraction of the time most children spend in care (U.S. Department of Health and Human Services, 2005; AFCARS, 2008). This data suggests that more research is needed to determine what factors contribute to foster parent retention as well as which factors contribute to the high drop-out rate within the first year.

To increase and retain quality foster homes, Congress should:

- **Establish a federal online resource center dedicated to the recruitment, training, and retention of foster parents.** This centralized resource, to be administered by the Department of Health and Human Services' Administration for Children and Families (ACF), will provide information on state-specific requirements for prospective foster parents. In addition, the online resource center will provide foster parents with access to topic-specific post-placement trainings that address issues relevant to caring for foster children such as trauma histories, behavior modification methods, attachment, educational stability, and other common adjustment obstacles that lead to foster parents leaving service due to lack of support (Rehnquist, 2002). Additionally, this online resource center will provide foster families with access to information on federal and state programs and resources vital to the stability of foster placements.



- **Appropriate funding for an innovative demonstration to improve foster parent recruitment, training, and retention practices.** The federal government should fund a 3-5 year \$5 million demonstration in order to evaluate current child-focused recruitment practices, training, and retention programs. Private organizations have shown that more youth involvement in placement decisions produces improved outcomes (Casey Family Programs, 2003). Through improved parent-child matching practices, placements will be more successful and thereby promote foster parent retention. The Department of Health and Human Services' Administration for Children and Families will commission this research and create a national program based on research findings.

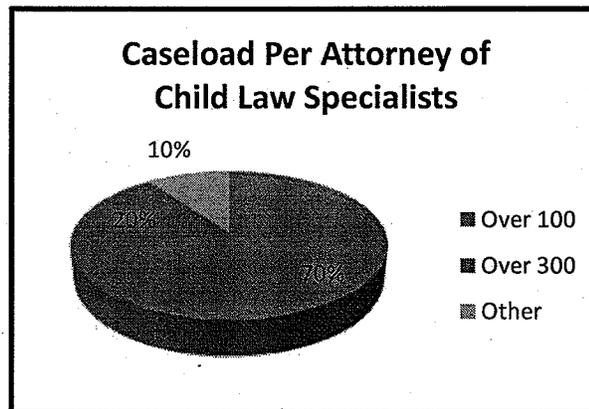


Figure 2 California Blue Ribbon Commission on Children in Foster Care, 2008

- **Provide federal funding for research of the efficacy of public awareness campaigns as foster parent recruitment tools.** Commission research through the Department of Health and Human Services' Administration for Children and Families on the efficacy of public awareness campaigns to recruit foster parents. There is a lack of research on outcomes of recruitment strategies (Urban Institute Child Welfare Research Program, 2005). This research will inform ACF and states as to whether federal and state funds should be used toward future foster care public awareness campaigns and which campaigns are most successful.

Professional Training and Caseloads

Attorneys

As the subjects of child abuse and neglect related court proceedings, children are the most profoundly affected by the decisions made, yet they are the least able to voice their views effectively on their own. Children's attorneys play a critical role in ensuring that the courts make judgments that protect the physical and emotional safety of every child. In order for the attorneys to represent their vulnerable clients, they must have the proper training and experience. Training and experience are not enough, however, if that attorney has an overwhelming caseload (Kather, McCarthy, Rollin, & Ventreu, 2001).

The National Association of Counsel for Children, American Bar Association, and U.S. Department of Health and Human Services Children's Bureau all recommend that a full time attorney represent no more than 100 individual clients at a time (Kather, McCarthy, Rollin, & Ventreu, 2001). According to their calculations, "one hundred cases averages to 20 hours per case in a 2000-hour year" (Kather, McCarthy, Rollin, & Ventreu, 2001). However, state statistics frequently report that attorney caseloads greatly exceed this number. For example, attorneys in California handle an average of 273 cases (California Blue Ribbon Commission on Children in Foster Care, 2008). While there is no comprehensive national data recording the average caseload of dependency attorneys, an informal study conducted by the American Bar Association and the Fordham Interdisciplinary Center for Family and Child Advocacy reported that 17.6% of the attorneys surveyed had caseloads of 200 or more, and 24.9% had caseloads between 100 and 199 cases. Even more alarming is the report that among the respondents who only handle dependency cases, 71.1% were handling 100 or more cases.

According to the Department of Health and Human Services, "[The] primary causes of inadequate legal representation of the parties in child welfare cases are low compensation and excessive caseloads" (Duquette, Hardin, & Dean, 1999). One survey indicated that many dependency attorneys leave the field for higher paying jobs in order to pay off their student loans (San Francisco Chronicle, 2005). "Almost one-third of practicing dependency attorneys graduated from law school with over \$75,000 in outstanding loans and 44% of them currently owe over \$50,000 . . . High turnover among dependency attorneys has led to a dearth of experienced lawyers who can maintain valuable relationships with their young clients" (San Francisco Chronicle, 2005).

To increase professionalism and training, Congress should:

- **Establish federal caseload guidelines for dependency attorneys and provide financial incentives to states who meet these guidelines.** Federal guidelines should be established as to the number of cases that caseworkers and attorneys may handle at one time based on the American Bar Association's recommended caseload guideline of no more than 100 cases per attorney and the Child Welfare League of America's recommended caseload guidelines of no more than 12 active cases per month for investigative workers (Riggs, 2007).
- **Set aside funding for a demonstration program that will provide a matching grant for states that may be used to compensate dependency attorneys for the time spent on each case.** Compensation will help to increase the attorney's level of involvement in each case. Rates should reflect the level of seniority and level of experience of the attorneys. Increased compensation for attorneys should help states meet the recommended guidelines.

Caseworkers

"[O]ne of the most important ways to promote positive outcomes for children and their families is to ensure the quality and frequency of caseworker visits with the children and families in the agency's care" (National Conference of State Legislatures, 2006). Unfortunately, caseworkers' caseloads are too high to allow them to do a thorough job.

The National American Council on Adoptable Children reported on high caseloads among caseworkers across the nation:

Since Florida privatized child welfare services, Palm Beach County caseloads rose from 20 per worker in 2004 to 35 in 2007. One Indiana county reported that its two case managers were saddled with about 50 cases each, 33 more than the state target of 17. In Texas, a county worker quit after her caseload rose past 60, four times the Child Welfare League of America's recommended limit of 12. (Riggs, 2007)

A recent report to Congress by the United States General Accounting Office (2003) explains some of the ways that recruitment and retention challenges affect children's safety and permanency. Caseworker turnover rates and staffing shortages leave remaining staff with insufficient time to perform their jobs thoroughly. "Worker turnover also disrupts the continuity of services," the report says. "[P]articularly when newly assigned caseworkers have to conduct or reevaluate educational, health, and safety assessments due to poor or insufficient information in case files left behind by others" (GAO, 2003). Additionally, the report points out that the federal government has no requirements concerning staffing and case management and states rarely seek assistance from HHS's national resource centers for child welfare staff recruitment and retention (GAO, 2003).

To address issues involving caseworkers, Congress should:

- **Establish federal caseload guidelines for caseworkers, and provide financial incentives to states who meet these guidelines.** Federal guidelines should be established as to the number of cases that caseworkers may handle at one time based on the Child Welfare League of America's recommended caseload guidelines of no more than 12 active cases per month for investigative workers (CWLA, n.d.; AFSCME, n.d.).
- **Set aside funding for a demonstration program that will provide a matching grant for states that may be used to hire more caseworkers and increase caseworker compensation.** Increased compensation for caseworkers should help states meet the recommended guidelines.
- **Set aside funding for a demonstration program that will provide incentive bonuses to states that comply with attorney and caseworker guidelines.** To receive federal funds, states must comply with requirements designed to ensure that attorney and caseworker caseloads fall within 50% or more of the recommended guidelines. This legislation would authorize \$25 million annually to be divided among the qualifying states in proportion to the percentage by which they comply.

Residential Treatment Counselors

In the United States, close to one fifth of all children and youth in foster care reside in group care or institutional settings. The care of the child resides in the Residential Treatment Counselors (RTC) who interact with the child on a daily basis. Due to the requirement to have at least two staffers on duty at a time and a staff ratio of no less than one staff to every four residents, qualifications for RTC's are lax. High turnover rates leave agencies floundering to find staff to fill the role they consider to be equivalent to babysitting. According to Meeting the Challenges of Contemporary Foster Care study (2004), "90% of state child welfare agencies report difficulty in recruiting and retaining workers." A study entitled "Burnout and Coping in Human Service Practitioners" (2007) shows that higher pay increases the retention of employees and prevents burnout. The quality of Residential Treatment Counselors is inadequate because the low pay contributes to the high turnover and the attention of less educated individuals. Only one third of child welfare workers (which includes caseworkers, residential treatment counselors, and social workers) have some type of bachelor degree in social work.

The Care or Scare (2007) study in New York City found that RTC's have "few professional qualifications" and were inadequately trained "regarding their roles and responsibilities, adolescent behavior, and the impact of trauma on youth." Inadequately trained staff find it difficult to maintain control in the homes and resort to scare tactics and physical restraint. Residents reported that "staff members were sleeping with female residents...drugs were readily available...and residents were isolated in small, windowless rooms for extended periods of time" (Freundlich, Avery & Padgett, 2007). In many treatment centers the residents appear to be in control as staff are just there waiting for their checks ignoring the "peer-on-peer violence, stealing of personal belongings, and inappropriate staff conduct" (Freundlich et al., 2007).

To address issues concerning Residential Treatment Counselors, Congress should:

- **Amend the Adoption Incentive Program to include incentive bonuses given to states who hire more residential treatment counselors with bachelor degrees.** This creates a higher pool of better qualified applicants which will be paid more because the states would get more "bonus" money for hiring people with some type of bachelor degree. Evidence shows that higher pay leads to less burn out.

Inadequate Youth Participation in Court Proceedings

"No child or parent should face the partial or permanent severance of familial ties without a fully informed voice in the legal process." (The PEW Commission on Children in Foster Care, 2004). A survey of former foster youth from 40 states and child welfare professionals from all 50 states stated that most youth and professionals connected with foster care systems believe there is value in having youth participate in dependency proceedings. And yet, all acknowledge that court participation by foster children is infrequent at best. The survey showed that 29% of foster youth never attend court, 73% attend some of the time, 20% attend most of the time, and only 18% attend every time. (Badeau, & Freundlich, 2006).

Foster youth attendance and participation during court hearings ultimately results in better outcomes in the lives of the youth. When youth are in court for their hearings, judges who only

have a short period of time in which to make significant decisions about the life of the child have the opportunity to observe the child's appearance, demeanor, and personal interaction with all the adults in their life who are present. (National Council of Juvenile and Family Court Judges, 1995).

Court involvement is also critical for the foster youth themselves. In a system that often gives youth little control over their life, participation in court empowers youth with "development assets" they will use the rest of their lives (Pitchal, 2008). Improving youth participation in court has also been shown to increase the chances of family reunification and permanency. (Leathers, 2002).

To increase youth participation in casework planning and court hearings, Congress should:

- **Develop and implement federal recommendations for dependency court best practices that incorporate youth participation and client-directed representation in dependency cases, and provide incentives for states who implement these practices.** Federal laws acknowledge a need for youth participation, but provide very little direction for youth court participation. Congress should appropriate \$10 million through the Court Improvement Program specifically for research into and development of best practices for youth participation in dependency cases.
- **Develop a pilot program for states to increase the engagement of foster children in court and other administrative processes through development of youth case-planning and court forms.** Congress should appropriate \$5 million in grant money under the Court Improvement Program for states to apply to create programs that specifically promote youth's formal court participation through the development of court forms that youth can fill out in order to personally participate in their case-planning and permanency hearings.

Inadequate Youth Representation in Court Proceedings

The Need for Court-Appointed Special Advocates

Youth in foster care need all the support possible to make successful life transitions, as they often move from placement to placement. However, many youth in foster care never receive such consistent and individualized attention from caseworkers and attorneys because of the sheer number of children in need and the lack of resources available. One of the most effective means of addressing this problem is with a Court-Appointed Special Advocate (CASA).

CASA volunteers serve as independent, third party advocates who speak solely for the child and his or her needs. They are able to provide in-depth information and make recommendations to judges, based on the one-on-one time they spend with the foster youth to discern what they want and need from the legal system (The PEW Commission on Children in Foster Care, 2004) In four out of five cases, all or most of a CASA's recommendations are accepted (Caliber Associates, 2004).

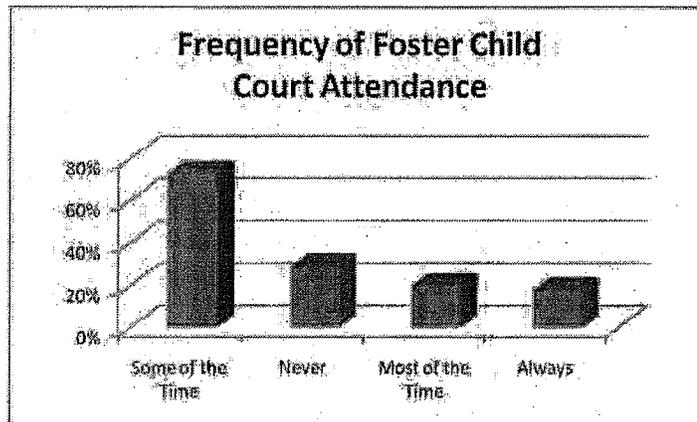


Figure 1 American Bar Association, 2005

Research suggests that through CASA programs, trained volunteers can be as effective, if not more so, than untrained attorneys acting as child advocates (Caliber Associates, 2004). Youth in care with a constant CASA tend to be given more support services through their child welfare agency. They were more likely to receive health care, legal, alcohol or other drug, and family support services (Caliber Associates, 2004). Youth who have CASAs are more likely to be adopted or reunified with their parents and less likely to reenter the system. Only 1.4% of youth represented by a CASA volunteer reenter care, while 16% of children without a CASA volunteer reenter care (U.S. Department of Justice Office of the Inspector General, 2006.)

To give foster youth a voice, Congress should:

- **Appropriate \$5 million to expand the Court-Appointed Special Advocates Program.** The Strengthening Abuse and Neglect Courts Act of 2000 (SANCA) already acknowledges the successes of the CASA program and the importance of expanding these programs to underserved communities and the Department of Justice's Office of Juvenile Justice and Delinquency Prevention authorized a training and assistance grant to the National Court-Appointed Special Advocate Association toward this end (Welte, 2005). Yet Congress never appropriated these funds. (The PEW Commission on Children in Foster Care, 2004) Congress should appropriate the money authorized by SANCA for CASA expansion because of the evidence-based positive outcomes children in foster care who have CASAs experience.
- **Provide incentives to states that increase the number of Court Appointed Special Advocates (CASA) programs in individual states to provide more CASAs for children in dependency cases.** Congress should appropriate \$25 million under the Court Improvement Programs to provide bonuses to states that increase the number of children in their state who are matched with individual CASAs. States that increase the number of children in their state who are matched with CASAs by more than 50% will be eligible for bonus money.

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Acknowledgements

We are deeply indebted to and very thankful for the Congressional Coalition on Adoption Institute, its staff, and the board of directors for allowing us the amazing opportunity to serve in internships on Capitol Hill this summer. Without their support and dedication to foster youth all over the country, this effective and respected program would never happen.

On May 23rd, just nine short weeks prior to this writing, 15 young adults showed up in Washington, DC unsure of what to expect. It was yet another instance in life where we found ourselves in the familiar territory of not knowing where we were, who the other youth were, or how we were going to manage.

Kathleen Strottman, Chelsea Cathcart, Emily Collins, and Rebecca Weichhand are four of the most inspirational and influential women any of us have ever met. They are a constant source of encouragement, wisdom, and strength. We offer them our sincere and earnest thanks. We would also like to thank Barb Walzer for opening her heart and home to us, as well as Debbie Riley for her passion and inspiration. We would also like to thank Luis Olmo-Rivera, our Resident Assistant for the summer. Luis made sure we were safe and was a great resource when we had questions. Luis was fantastic at ensuring our needs were met as well as ensuring that we clearly understood the expectations of our positions. Additional thanks also go out to the CCAI interns who spent endless hours helping us research and draft this report.

We will never forget the Members of Congress who opened their offices to us and showed us what it means to be public servants. Their office staff continually coordinated, balanced, and managed offices of bewildered interns, endless stacks of mail, and concerned constituents.

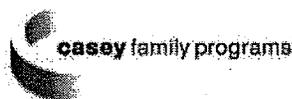
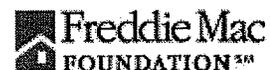
And last, but certainly not least, we thank everyone who takes the time to read this report. It is our sincere hope that at least one of our ideas or recommendations mentioned here will help give other foster kids the tools and opportunities they need to realize their full potential.

Most especially, this program and report would not be possible without the support of the following:



DAVE THOMAS
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The Annie E. Casey Foundation

About CCAI

History

Did you know that until 1975, most States discouraged or directly prohibited foster parents from being considered as potential adoptive parents to children they fostered? It's true. For the most part, these restrictions existed to protect against foster parents becoming too attached to children who may ultimately be returned to their biological families. Thanks to the educational efforts of advocates, policymakers soon learned that these well meaning laws and policies were, in effect, hindering children from finding a safe, loving and permanent home of their own. So, instead they put in place laws, policies and programs aimed at promoting foster adoption and today 67% of children adopted out of foster care are adopted by their foster parents.

This is just one of many examples of how law and policy can serve as a barrier to children realizing their basic right to a family. Realizing that federal policymakers had the power to overcome such barriers, in 2001, advocates for the world's orphaned and foster youth founded the Congressional Coalition on Adoption Institute (CCAI). In founding CCAI, these advocates sought to match Members of the Congressional Coalition on Adoption's commitment to finding a home for every child with the information and resources needed to make that dream a reality. Since that time, CCAI has strived to be an objective resource for information critical to advancing the efforts of federal policymakers on behalf of children. Through its five core programs, CCAI's goal is to **educate** Members of Congress about the need for reform; **coordinate** Congressional and community efforts to bring about change and **facilitate** opportunities for communication and awareness.



Mission Statement

The Congressional Coalition on Adoption Institute is a nonprofit, nonpartisan 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 these children from realizing their basic right of a family.

For more information, visit www.ccaainstitute.org.

About the Authors

Name: Heidi L. Bronsdon
Hometown: Barneveld, WI
Age: 22
School: Edgewood College
Major: Nursing/Psychology
Years in Care: 8
Status: Adopted

I am Waiting For: Siblings in foster care to have the right to see each other whenever they want.

Special Interest: Sibling connections and adoption services



Name: Kortney Calano
Hometown: Smyrna, GA
Age: 26
School: St. Leo University (graduated May 2009)
Major: Business Administration, Accounting
Years in Care: 13
Status: Emancipated

I am Waiting For: Young mothers to be effective in parenting
Special Interest: Education

Name: Travise Fisher
Hometown: Batesville, AK
Age: 21
School: Batesville Community College
Major: Business administration
Years in Care: 15

I am Waiting For: All foster children to be given a chance to make a difference in the world.



Name: Dawn Hamilton
Hometown: Pasadena, CA
Age: 27
School: Loyola Marymount University, LA
Major: MA in Marital and Family Therapy/Art Therapy
Years in Care: 15
Status: Emancipated

I am Waiting For: Every child in foster care to have at least one supportive and permanent adult in their life.

Special Interest: Health care, permanency, and education of children in foster care, as well as connecting the community of foster care alumni across the U.S.

Name: Jetaine Hart
Hometown: Ukiah, CA
Age: 25
School: BSW from La Sierra University (Riverside, CA); MSW, California State University, Long Beach
Major: Social Work
Years in Care: 10
Status: Emancipated
I am Waiting For: The day that all foster youth have the opportunity to feel like a normal child.
Special Interest: Community mentoring and strong social support systems



Name: John Paul Horn
Hometown: Bakersfield, CA
Age: 23
School: California State University, Bakersfield
Major: Liberal Arts, Communications, Linguistics
Years in Care: 10
Status: Emancipated
I am Waiting For: Every foster child to receive a quality education.
Special Interest: Higher education

Name: Crystal C. Lipek
Hometown: Milwaukee, WI
Age: 21
School: University of Wisconsin
Major: Secondary English Education, Political Science
Years in Care: 7
Status: Adopted
Special Interest: Children and youth involvement in the courts



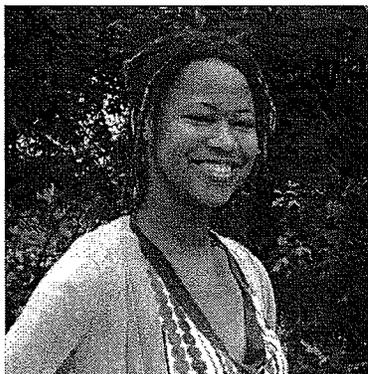
Name: Meaghan McLean
Hometown: Shrewsbury, MA
Age: 20
School: Assumption College (Worcester, MA)
Major: Human services
Years in Care: 10
Status: Adopted
I am Waiting For: Every youth in foster care to be more than a statistic and realize that they are worth something.
Special Interest: Adoption services and sibling connections

Name: Jennifer A. McGee
Hometown: Anaheim, CA
Age: 20
School: Concordia University Irvine
Major: English with Communications minors
Years in Care: 3
Status: Reunified
I am Waiting For: Movies like "Orphan" to never pass the idea stage.



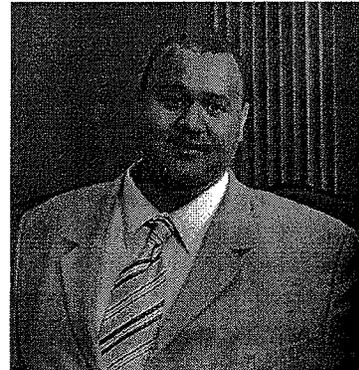
Name: Keshia Morall
Hometown: Lowell, MA
Age: 22
School: University of Massachusetts
Major: Psychology and Criminal Justice
Years in Care: 8
Status: Emancipated
I am Waiting For: Teens in care to have lifelong connections.
Special Interest: Health care proxy and transitional housing

Name: Alixes Rosado
Hometown: New Britain, CT
Age: 20
School: University of New Haven
Major: Criminal Justice, Investigative Services
Years in Care: 14
Status: In care
I am Waiting For: Foster children to be treated as equals.
Special Interest: Sibling connections, post-secondary education, and transitional housing



Name: Miranda Sheffield
Hometown: Pomona, CA
Age: 23
School: Mt. San Antonio College
Major: Sociology
Years in Care: 9
Status: Emancipated
I am Waiting For: Everyone to come together to serve one another.

Name: Trevon Smith
Hometown: Los Angeles, CA
Age: 21
School: University of Southern California
Major: Business Administration
Years in Care: 10
Status: Emancipated
I am Waiting For: Someone to step in and give foster youth a chance.



Name: Dianna Walters
Hometown: Raleigh, NC
Age: 26
School: University of Southern Maine
Major: BA in Social Services and Behavioral Sciences, MA in Public Policy and Management
Years in Care: 9
Status: Emancipated
I am Waiting For: Every child to have a family.
Special Interest: Sibling connections

Name: Shantaye Lisette Wonzer
Hometown: Chicago, IL
Age: 21
School: Bradley University, Peoria
Major: Organizational Communications, Business Management and Leadership Studies
Years in Care: 19
Status: Emancipated
I am Waiting For: Youth in care to have stable mentors.
Special Interest: Preservation of relationships between siblings post-adoption



