

Keeping the Promise to At-Risk Youth

Remarks by

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1300 Pennsylvania Ave., Washington, DC

October 20, 2005

Federal and state governments have been engaged in a systematic restructuring of the public child welfare system from indefinite foster care to family permanence. Contemporary policy and practice now operate on the premise that the well-being of foster children who cannot safely be reunified with their birth parents is best assured by quickly finding them safe and stable homes with loving relatives, adoptive parents, or legal guardians. Federal and state efforts to align financial incentives and accountability guidelines with these permanency outcomes have so far yielded impressive results. More children are being adopted or placed with permanent guardians, fewer children are languishing in long-term foster care, and for the first time in years, public foster care caseloads are shrinking. By 2008, it is projected that the number in federally assisted permanent homes will exceed the number in federally funded foster homes by a magnitude of 2 to 1.

The shift from foster care to family permanence, however, does not mean that the work of supporting and strengthening these new families necessarily ends. Even though regular casework and judicial oversight are no longer required, these homes still will need occasional support to ensure child well-being and sometimes more intensive interventions to preserve family stability. In addition, success in preventing child removal and moving children into permanent homes does not mean that follow-up work with the smaller number of remaining foster children grows simpler. The residual group in state custody

comprises an increasingly older population of foster youth with complex developmental, educational, and mental health needs.

Meeting these challenges calls for recasting the federal and state partnership into new forms that can both fulfill traditional foster care obligations and support and strengthen newly-created permanent homes. This will require adapting federal IV-E rules to accommodate the placement of children with kin, expanding post-permanency services to support adoptive parents and legal guardians, extending transitional assistance to current and former foster youth emerging into self-sufficient adulthood, and encouraging innovative demonstrations and research-based solutions to assure the safety, continuity, stability, permanence, and well-being of abused and neglected children.

A major impediment to fulfilling these newer responsibilities is our inheritance of a 20th century public financing system that is seriously out of alignment with the new realities of 21st century family life. As detailed in the report of The Pew Commission on Children in Foster Care, what originally began as a well-intentioned attempt to remove financial disincentives to rescuing poor children from unsuitable homes and placing them temporarily in foster care has swollen into a colossally inflexible, \$8.0 billion IV-E bureaucracy that stifles reform, strait-jackets innovation, and discourages spending on options other than long-term foster care. Unless federal and state governments adapt existing funding mechanisms to the new realities of 21st century family life, we are in danger of sacrificing many of the gains achieved over the past decade in bringing safety and permanence to the lives of thousands of former foster children.

To sustain the advances our nation has made, first it will be necessary to refashion the IV-E program to accommodate the placement of children in safe and stable kinship care. Research shows that, placement with grandparents, aunts, uncles, and other relatives, with appropriate screening, provides most children with safe, stable, and secure care that is difficult to match in unrelated foster homes. Yet federal regulations have recently been published that will eliminate matching federal dollars for thousands of foster children living safely and stably with kin.

Second, the time has come to fulfill a promise made over a half-century ago to guarantee every child's right to guardianship of the person, either natural guardianship by birth or adoption, or legal guardianship appointed by the court. A report that *Fostering Results* released last year showed that states with federally-supported guardianship

programs discharged more children from long-term kinship foster care than states with only state-funded programs. Under the IV-E waiver program, states reporting outcome data showed that the availability of federally subsidized guardianship to an experimental group of families decreased the time to permanence and in Illinois and New Mexico boosted permanency rates above those for families in the control group. Federal legislation that makes the supplementary permanency option of subsidized guardianship available to all foster children has now been introduced in the House by Representatives Davis (IL) and Jackson Lee (TX) and in the Senate by Senators Clinton (NY) and Snowe (ME).

A defining change of our time is that children are younger longer, extending the expectable timetable for transitioning to self-sufficient adulthood into the third decade of life. Our foster care system was established during an earlier era when educational demands and work opportunities fixed the expectable age of transition at 18 years old or younger. To bridge the gap between emancipation and the extended timetable of emerging adulthood, our child welfare system needs to supply adolescents with the appropriate transitional assistance and services *prior* to their exiting foster care. States also must be given the option of using federal independent living services and educational vouchers to assist former foster children who exit foster care to adoption or guardianship as adolescents prior to age 18 years old.

For those children entering the foster care system, it is imperative that they not miss critical developmental opportunities for social and emotional growth and educational progress, which if neglected are difficult to make-up in later years. Our research in Illinois shows that foster children are already academically behind their peers two years prior to coming into foster care. Although they make up some of the deficit, current and former foster children are 50% more likely to drop out than other public school students in Chicago. Boys are at particularly higher risk than girls on most measures of child vulnerability. Most concerning is the large gender disproportionality in learning disabilities, special education, grade retention, and mental health conditions.

To meet the future challenges of family support and youth development in a post-permanency world, we need to revitalize agency-university partnerships to encourage rigorous evaluation of hypothesized solutions and widespread dissemination of proven practices that can enhance the capacity of public child welfare systems to achieve the outcomes valued by families, children, and society at large. An important but vastly

underutilized provision of the Social Security Act is the IV-E waiver program. Authorized by Congress in 1994, the program gives states greater spending flexibility while maintaining the basic child protection entitlement and ensuring that federal dollars are invested in innovations that are scientifically proven to work. Since that time, however, only 17 States have implemented child welfare waiver demonstrations. Certainly there is a much greater need for research-based solutions. As a field we must work with state agencies and the courts to take greater advantage of the flexibility and funding currently available through IV-E waivers. To fully realize the promise, Congress should consider enacting the waiver improvements recommended by the Pew Commission and act on the results from existing waiver demonstrations by making proven innovations a statutorily allowable IV-E expense for all states. In this way, Congress can ensure that best practice and successful innovations routinely get woven into the institutional fabric of our nation's child welfare systems.