



Child Welfare 2010 Elections

A Voice for Kids A Voice for Kids A Voice for Kids A Voice for Kids A Voice for Kids A Voice for Kids

Pennsylvania Partnerships for Children

Why It Matters

Every child has the right to grow up in a home where he or she feels safe and part of a loving and nurturing family. However, Pennsylvania's child welfare system was called upon to investigate more than 25,000 reports of child abuse last year and provided in-home services to the families of more than 120,000 children designed to address the underlying causes of child abuse and neglect such as substance abuse or inadequate housing.¹

The commonly understood role of the child welfare system is to protect children, but state and federal law require that the efforts of the system go far beyond child safety. When Pennsylvania's child welfare system intervenes in the lives of families, it isn't only assuring child safety, but working to strengthen the capacity of families to care for the well-being needs of their children as well. A clear challenge for the system is to reduce its use of crisis interventions - such as removing children from their families - and instead work from within (and in partnership with) families to address the underlying concerns that are negatively impacting the safety and well-being of their children.

The complexity of this systems' mission is greatly compounded when the levels of abuse and neglect require children to be removed from the care of their parents. Many of these children experience extreme trauma both as victims of maltreatment and from suffering the instability and separation that foster care too often imposes. The most alarming threat to these children in foster care relates to one of their most basic and life-long needs – a permanent and loving family.

When children lack permanent families and languish in foster care, their outcomes on a host of indicators are poor. For instance:

- Nearly half of youth who age out of foster care will not complete high school and are twice as likely to drop out of high school as other students.²
- Nearly half of youth in foster care haven't found a job four years after leaving the system and struggle to pay their bills.³
- One in four youth who age out of foster care experiences homelessness for at least one night.⁴
- Nearly a third of youth who age out struggled with mental health challenges such as depression, substance abuse, and anxiety disorders.⁵
- Nearly one in four youth have been arrested since leaving care.⁶
- Young women in foster care are two-and-a-half times more likely to become pregnant by age 19 than young women who were not in foster care.⁷

Promoting strong and permanent families in an effort to safely reduce the number of children in foster care is critical to improving outcomes. Every effort should be made to build upon the strengths and capacity of parents, and if those efforts are unsuccessful the system must stand ready to assure a permanent and loving home with relatives or through adoption. These efforts require a steadfast commitment to enacting effective public policies, implementing strategies that improve child and family outcomes, and strong and visible leadership.

What Works

Pennsylvania's child welfare system is not alone in its role of addressing child abuse and neglect. Resources exist within the larger community that strengthen the capacity of families to care for their children – preventing child abuse and neglect and reuniting children in foster care with their birth families. When a system of care exists within a community, there is a high degree of collaboration among organizations and a focus on community-based services and supports which meet the individualized and holistic needs of families. Pennsylvania child welfare system has a critical role of assuring that a system of care is in place for every family it serves. This is accomplished by using family engagement strategies to garner resources that exist within families, forging cross-systems partnerships and investing in evidenced-based services that improve child and family outcomes.

Specific child welfare system reform is needed related to the settings in which Pennsylvania places its foster care children. Foster care is meant to be a temporary strategy to protect children while strengthening the capacity of families, and it is to occur in the least restrictive and most family-like manner necessary. Family and community connections should be maintained for children in foster care – ideally through relatives being their caretakers. Increasing the use of family-based foster care placements and decreasing Pennsylvania's over-reliance on group homes and institutions as placement settings are key strategies in safely reducing the number of children in foster care. Several studies compare the outcomes of youth placed in family-based foster care placements versus group homes and institutions (congregate care). The findings of these studies show poorer outcomes when youth are placed in congregate care settings which impact their chances of achieving a permanent family and leaving the foster care system. These findings related to congregate care settings include youth experiencing:

- A lack of positive family connections after leaving care due to inadequate permanency planning⁸
- Two-and-a-half times greater risk of delinquent behavior⁹
- Less contact with their families¹⁰ and poorer relationships with biological siblings¹¹
- Lower levels of education
- More drug and alcohol abuse problems
- Fewer close relationships and social supports
- Lower levels of optimism about their economic future¹²

The courts play a critical role in assuring appropriate services are being provided to children in foster care and to families in their homes. To safely reduce the number of children in foster care, the court system needs to employ strategies that expedite permanency for children: establishing appropriate permanency goals, demanding effective

services for children and families, assuring quality legal representation for all parties and facilitating family participation in court proceedings.

The outcomes of safety, permanency and well-being of children and families are those that state child welfare systems are held accountable to by the federal government. Yet, Pennsylvania's state operated, county administered and largely private provided child welfare system is not financed in a way that incentivizes those outcomes. Pennsylvania needs a financing structure that spends taxpayer dollars more effectively – one that invests in evidence-based strategies, builds financial incentives that promote improved outcomes and creates opportunities to re-invest savings in prevention and system improvement.

The state and federal governments provide most of the funds that counties use to provide child welfare services including foster care. The PA Department of Public Welfare should increase funding to counties if counties agree to use certain practices that have been proven to reduce both child abuse and neglect, and help transition more children from foster care into permanent family arrangements. In a recent poll, 82 percent of registered voters believed it is good public policy for the state to provide these types of incentives in order for counties to get the additional funds.

Fortunately, evidence-based strategies exist that promote improved child welfare outcomes, but they need to be taken to scale for every family. The Permanency Practice Initiative, co-sponsored by the Administrative Office of Pennsylvania Courts and the Department, is piloting such strategies to improve the court system and permanency outcomes in 27 counties. The strategies include family finding, Family Group Decision Making and three-month permanency review hearings.

Family finding is the diligent searching/identifying and recruitment of relatives and extended kin to be resources for a family involved with the child welfare system. Building off of family finding, Family Group Decision Making is a process of engaging a broad network of extended family and friends as key resources to assist families in addressing the concerns that led to child welfare system involvement. The Department is currently targeting \$13 million of existing child welfare funding through special grants for counties to expand their use of family finding and Family Group Decision Making.

Permanency review hearings by the Courts are required every six months to review and facilitate progress toward children in foster care achieving permanency – either through reunification with their birth family or permanency with another family. Increasing the frequency of permanency review hearings has shown to expedite permanency for children without increasing judicial costs. Pennsylvania should implement the Permanency Practice Initiative statewide for all families.

One of the most common reasons for not freeing children for adoption is that the child does not want to be adopted because she wants to maintain contact with siblings and other birth family members. With the encouragement of the federal Children's Bureau, 23 states statutorily allow post-adoption contact, which is a voluntary agreement between birth and adoptive families. Pennsylvania adoption law does not recognize openness in adoption, and therefore post-adoption contact is not necessarily encouraged when in the best interest of children and may only occur informally. Pennsylvania should create a legal means to

establish formal and enforceable voluntary post-adoption contact agreements between birth and adoptive families in cases deemed appropriate by the courts.

One might assume that the goal for every child in foster care is to have a permanent family, but some “permanency goals” for children in foster care do not lead to a legally permanent family. About 12 percent of all children in foster care have a goal of emancipation or long-term foster care. Pennsylvania should reduce the use of emancipation and long-term foster care (i.e. Another Planned Permanent Living Arrangement) as permanency goals so children do not languish in foster care and eventually age out of the system without family to provide them life-long care and support. Every child in foster care deserves a permanent and loving family.

Many children in foster care often experience significant instability as they move through and from the system. Multiple foster care placements, changes in educational settings, separation from siblings and many other stressors associated with foster care experience disadvantage children in foster care. In fact, more than 33 percent of all children who spend between 12 and 24 months in foster care experience three or more foster care placements. Research has shown that foster care placement stability will:

- Minimize child pain and trauma
- Lessen child behavior, attachment and mental health disorders
- Decrease school mobility and increase academic achievement
- Maximize continuity in services, decrease foster parent stress and lower program costs
- Increase the likelihood that a child will establish an enduring positive relationship with a caring adult¹³

Foster care experiences can vary widely based on the 67 unique county children and youth agencies that comprise Pennsylvania’s county-administered child welfare system. Pennsylvania should enact a bill of rights for children in foster care that outlines various protections and options related to their care and treatment and inform all children of their rights through a statewide grievance procedure. In a recent statewide poll of registered voters, 75 percent of respondents thought that Pennsylvania should increase the requirements and standards for all counties as a way to ensure the safety and welfare of all children at risk of child abuse and neglect and/or living in the foster care system, even if it means taking some control away from county governments.

Pennsylvania’s child welfare system has limitations within its data systems that impede data-driven improvements in policy, program and practice. For instance, there is a significant lack of data on the race and ethnicity of children and families involved with the system and this inhibits determining the causes and establishing benchmarks to address the disparate treatment children of color experience in the foster care system. Pennsylvania needs comprehensive data systems that enable data collection and reporting at all key child welfare decision making points that includes information on race and ethnicity.

Where Are We Now

Consider the facts about Pennsylvania's Child Welfare System:

- Pennsylvania is one of 13 states that have a state operated and county administered child welfare system. Pennsylvania's child welfare system also relies heavily on private provider organizations to deliver child welfare and foster care services to children and families.
- There were more than 25,000 reports of suspected child abuse in Pennsylvania in 2008, including 50 deaths.
- More than 31,500 children were in Pennsylvania's foster care system in 2008. Nationwide, more than 500,000 children are in foster care on any given day.
- One in four children in the foster care system lives in group homes and institutions, but nationally only 17 percent of children are living in these congregate care facilities. About 48 percent of youth 13 and older in foster care live in group homes and institutions.
- In Pennsylvania, an African-American child is more than six times likely to be in foster care than a white youth; and a Latino youth is more than three times likely to be in foster care than a white youth.
- Only 22 percent of children in foster care are placed with their relatives.
- The median length of placement for children in foster care is 16 months. More than 33 percent of all children who spend between 12 and 24 months in foster care experience three or more foster care placements.
- More than one-quarter of children re-enter care within 12 months of re-joining their families.
- On average it takes 32 months for a child in foster care to be adopted in Pennsylvania.
- More than 1,100 youth "age out" of foster care every year in Pennsylvania into uncertain circumstances.

The Time Is Now

It is time that Pennsylvania does more to safely reduce the number of children in Pennsylvania's foster care system by assuring a legal and permanent family for every child. Pennsylvania Partnerships for Children calls for strong gubernatorial leadership to advance the following public policy recommendations to achieve this goal:

- Require county children and youth agencies to engage in family finding efforts - the diligent search and recruitment of relatives and extended kin including *both* maternal and paternal family members in order to keep children safely in their family networks.
- Assure that all families involved in the child welfare system have the opportunity to engage in family conferencing - a process that helps families identify resources, identify challenges, and develop action plans to address the underlying reasons the family has become known to the child welfare system or reason the child/children are not safe.

- Enact child welfare financing that increases funding for in-home and community-based services and provides financial incentives to improve child and family safety, permanency and well-being outcomes.
- Create a legal means to establish formal and enforceable post-adoption contact agreements between birth and adoptive families in cases deemed appropriate by the courts.
- Allow the courts to reverse the termination of parental rights for a child who remains in foster care without another permanent family for three or more years when deemed appropriate and when will aid in successful reunification with the birth family.
- Assure that children in foster care and their birth parents receive appropriate legal representation.
- Require a minimum of three-month permanency review hearings by the courts for all children in foster care.
- Establish a foster care bill of rights for children.
- Increase the use of reunification, adoption and legal guardianship as permanency goals for children in foster care and create criteria which limit and decreases reliance on the permanency goals of emancipation and long-term foster care (Another Planned Permanent Living Arrangement).
- Require county children and youth agencies to collect and annually report information on the race and ethnicity of children and families at the point of referral, investigation and acceptance for child welfare services.

It time for the strong leadership of Pennsylvania's next governor to do their part to ensure that all children grow up in homes where they feel safe and part of loving and nurturing families. It is imperative that state policy and funding align with desired child and family outcomes; this will drive programming, service array and practice and provide opportunities for meaningful state and local accountability. As outcomes improve, leadership must recognize the importance of reinvesting savings so that quality improvement of the system might continue and our goal of a forever family for every child might be realized.

¹ Statewide Data Package: Outcome Measures and Performance Indicators, April 1, 2003 to March 1, 2009. Prepared for Pennsylvania Department of Public Welfare, Office of Children, Youth and Families by Hornby Zeller Associates, Inc.

² *Families for Life: Powerful, Possible and a Priority for Youth in Foster Care*. The 2008 National Convention on Youth Permanence. Annie E. Casey Foundation, Casey Family Services and Casey Family Programs.

³ *Improving Outcomes for Older Children*. Casey Family Programs. p. 3. www.casey.org.

⁴ Ibid.

⁵ *Improving Outcomes for Older Children*. Casey Family Programs. p. 4. www.casey.org.

⁶ Ibid.

⁷ Ibid.

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- ⁸ Freundlich, M. & Avery, R. J. (2005). Planning for permanency for youth in congregate care. *Children and Youth Services Review*, 27, pp. 115-134.
- ⁹ Ryan, J. P., Marshall, J. M., Herz, D., & Hernandez, P. M. (in press). Juvenile delinquency in child welfare: Investigating group home effects. *Children and Youth Service Review*.
- ¹⁰ National Survey of Child and Adolescent Well-Being (NSCAW) Research Team. (2002). *One Year in Foster Care: Draft Report*. Research Triangle Park and Chapel Hill, NC: RTI International and University of North Carolina, School of Social Work
- ¹¹ Festinger, T. (1983). *No one ever asked us...A postscript to foster care*. New York: Columbia University Press.
- McDonald, T., Allen, R., Westerfelt, A., & Piliavin, I. (1996). *Assessing the long-term effects of foster care: A research synthesis*. Washington, DC: Child Welfare League of America.
- Jones, M. A., & Moses, B. (1984). *West Virginia's former foster children: Their experiences in care and their lives as young adults*. New York: Child Welfare League of America.
- ¹² Ibid.
- ¹³ The Foster Care Alumni Studies: Why should the child welfare field focus on minimizing placement change as part of permanency planning for children? Presentation for the California Permanency Conference. March 20-21, 2007. Peter Pecora, Ph.D. is Senior Director of Research Services with Casey Family Programs and Professor at the School of Social Work, University of Washington.