

Executive Summary

Child Welfare Summit: Looking to the Future

*An Examination of the State
of Child Welfare and
Recommendations for Action*

Center
for the
Study
of
Social
Policy

and its

Center for
COMMUNITY PARTNERSHIPS
in Child Welfare

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Why A Summit?

The urgent need for reform in child welfare is documented monthly, weekly, and all too often, daily in headline news. A child in foster care is missing. An infant and his teen mother have no home, no health care and no prospects. Another child dies at the hands of a parent whose acts of abuse and neglect went unnoticed, or worse, ignored by those who might have helped. Millions of families are at risk for abusing or neglecting their children, and they need, but do not receive, support and attention. The fact that their needs are not being met is not for lack of caring; dedicated workers and administrators seek daily to protect and help vulnerable children and families. But child welfare systems are severely hampered by high turnover, poor training, low pay, unmanageable caseloads and inadequate resources.

We cannot continue to spend federal dollars on a system that does not provide what children need to thrive, or in some cases, even to survive. As lawmakers, practitioners and advocates, we need to hold ourselves accountable for each and every child.

The Honorable George Miller, CA

Senior Democratic Member
U.S. House of Representatives
Committee on Education
and the Workforce

The tragedies that have already occurred-and those that are waiting to happen-have heightened the need for immediate and serious scrutiny of how this nation protects children and promotes their healthy development. Several concerned Members of Congress, spurred by their deep belief that the federal government shares responsibility for the well-being of these children and families, called for such an examination.

In response to that call, on November 18, 2002, the Center for the Study of Social Policy, through its Center for Community Partnerships in Child Welfare, sponsored “A Child Welfare Summit: Looking to the Future.” The Summit was designed to examine major problems and challenges, highlight innovative and promising approaches that have been instituted in some states and communities, and propose recommendations for change at the federal level.

Summit participants represented a broad spectrum of the field with experience in child welfare services as administrators, practitioners, parents, researchers, community advocates, judges and legislators. The meeting combined different perspectives, varied experiences and strongly held views. While every participant did not agree with the specifics of each recommendation, a broad consensus emerged from the Summit.

The Broad Consensus

There can be no greater obligation for lawmakers than ensuring the safe care and protection of America's neglected, abused and abandoned children. We must improve the child welfare system's capacity to respond to vulnerable children and families who are in need.

The Honorable Benjamin L. Cardin, MD
Senior Democratic Member
U.S. House of Representatives
Committee on Ways and Means
Subcommittee on Human Resources

The child welfare crisis is not a new crisis, but a continuing one. Innovations that address many of the issues have sprouted across the country, and it is time to apply and provide resources for the promising results of those states, communities, and families to create improved conditions in every state and community that will enable all children to thrive, not just survive.

The innovations that this report highlights, have not reached all systems, and no system has yet applied every one of the promising approaches. Yet, taken together, the innovations demonstrate that the systems can be improved and that vulnerable children and families can achieve safety, stability, and permanence in their lives.

Six consistent and critical themes emerged in the deliberations of the Summit.

1. Focus on outcomes

Children's safety, development and their opportunity to live in a stable family are the goals that must provide the framework for judging the performance of the child welfare system.

2. Establish shared responsibility and accountability

Responsibility for the welfare of vulnerable children and families is a joint enterprise, shared across the federal and state levels as well as across the public and private sectors.

3. Strengthen the workforce

What happens to and for children in the child welfare system depends on the numbers, preparation and quality of the workforce.

4. Engage families in new ways

Families are essential players in the planning and decision-making that affects them and their children. The participation of the family is a key to reaching successful outcomes.

5. Promote community partnerships

Parents, civic organizations, faith-based groups, and public and private agencies, including those that provide services and supports for families and children (substance abuse, mental health and domestic violence services) must be key partners with child welfare agencies in achieving positive outcomes for children.

6. Reform federal financing

Federal financing of child welfare systems must be redesigned to support and promote new directions for change, especially the successful strategies that are already achieving positive results for children across the country.

Lessons can be learned from the states and communities that have had the collective will to push forward

The innovations undertaken by states and communities can lead the way. The task of change is demanding, but change must happen. The nation can, and certainly must, do a better job of protecting our most vulnerable children and families. Priorities can be set and the Summit participants proposed several for consideration.

A Look at 2002

In 2002, nearly 2 million reports of child abuse and neglect were investigated by child protection agencies, resulting in 879,000 substantiated cases of child maltreatment. Children age 3 years and under have the highest rate of abuse and neglect. Families who come to the attention of the child welfare system frequently face other hardships, such as poverty, substance abuse, mental health problems and domestic violence.

More than one half million children were in foster care on the last day of September 2000. Typically more children enter care than leave it, and FY 2000 was no exception; in FY 2000, 287,000 children entered foster care and 271,000 children exited foster care. While state statistics vary, of those children who left care, more than half were reunited with their families; about 17 percent were adopted; another 14 percent went to live with relatives; and, some left the system simply because they reached age 18. The largest group of children entering foster care are infants but average age of children in foster care in 2002 was 10.4 years.

All too often, children in the child welfare system experience multiple placements, compounding the initial disruption that has occurred with their biological family. Children from different ethnic and racial groups are often treated differently at critical decision points in the system. Black and American Indian children are significantly over-represented in the foster care system, raising significant concerns about whether they are receiving fair and appropriate treatment.

Repeated reviews of child welfare systems reveal that the agencies responsible for protecting and placing children are overwhelmed and under-resourced: they lack leadership, are plagued by high turnover among staff who are inadequately

trained to make life-determining decisions about vulnerable families. In addition, they are required to focus most of their investment of human and financial resources on investigations to determine blame, punishment and placement rather than on assessment, services and safety strategies for families and children. These systems communicate and coordinate insufficiently with their partner agencies such as the juvenile and family courts, and strain to navigate between the heightened, usually critical, publicity when tragedy occurs and the weak public support the rest of the time. At the same time, frontline workers are severely hampered by the lack of critical services that troubled families and their children need, whether it is mental health care or housing, legal assistance or treatment for drug or alcohol abuse, protection and safety for battered mothers or interventions for abusers.

Reasons for Hope

The good news is, we know it is possible to change outcomes for children and families in large systems – because it happened in Cook County (Chicago), Illinois, Allegheny County (Pittsburgh), and Philadelphia, Pennsylvania, and New York City.

John Mattingly

Senior Associate
The Annie E. Casey Foundation
Baltimore, MD

Despite the array of challenges, there are reasons for hope. Communities throughout the country are taking responsibility for the protection of children, testing new approaches that involve partnerships with families, with community-based organizations, and across government agencies, strengthening professional development and giving workers greater credibility and flexibility to aid troubled families. Parents and foster parents are playing increasingly important roles as partners in decisions affecting their children, and children are more quickly finding permanent family settings in which to find care and nurturance. Innovative federal accountability processes, while still flawed, offer a reasonable platform that, with some changes, can provide useful information about how states and communities are enhancing - or need to strengthen - child welfare policy, practice, and most importantly, outcomes for children. The challenge is how to maximize the effectiveness of these innovations and enable them to spread throughout the country.

There is no choice but to change the way children in this nation are protected. Some changes will require congressional reform; however, much can be done without waiting for Congress. This report makes twenty-one recommendations for federal action to improve the current system; most of them build on or seek to propel innovations currently underway in pioneering jurisdictions. Several of the twenty-one recommendations require only administrative changes. All are discussed in greater depth in the full report.

Twenty-One Recommendations for Federal Action

Prevention Strategies for Keeping Children Safe at Home

Permanency is a person or a relationship, not a placement or a location.

Brandy Hudson

Youth Advocate
California Youth Connection
Los Angeles, CA

Preventing compromises to children’s development - their learning, health, and social and emotional competence - requires deliberate and consistent attention. Yet prevention is what gets dropped from hard-pressed child welfare systems. One place to begin is where the payoff is greatest and the opportunities highest - with families of young children. Systems can take advantage of existing community resources for prevention, differentiate responses for cases needing investigation from those that primarily need services, give special attention to families who repeatedly come to the attention of child welfare, and provide therapeutic support where appropriate. Taken together, the following six recommendations will advance opportunities for prevention.

1. Expansion of promising innovations through waivers

In the reauthorization of the Temporary Assistance for Needy Families (TANF) program, extend the Title IV-E waiver authority and expand it to allow more states to test specifically identified innovations. Innovations that can be supported through waiver projects could include differential response systems; reallocation of resources from maintenance to provision of services before investigation; and strategies involving new partnerships with public and private agencies, mental health, domestic violence and substance abuse services, schools, early childhood education, faith communities, and parents.

2. Confidentiality

The Department of Health and Human Services should, through regulation, ease confidentiality restrictions in federal policy to allow more effective collaboration among service providers and families.

3. Therapeutic support

Include opportunities for clinical program development, training and replication in the reauthorization of the Child Abuse Prevention and Treatment Act (CAPTA) or other legislation.

4. Screening, assessment and services for young maltreated children

In the reauthorization of the Individuals with Disabilities Education Act (IDEA), add “abused and neglected children and children at risk of abuse or neglect” to those eligible for evaluation and services under Part C.

5. Participation in early childhood programs

In the reauthorization of the Head Start Act, give priority to children and families at risk of abuse and neglect for slots in Early Head Start, Head Start and other early childhood programs.

6. Flexible funds

Give states authority to use a modest amount of Title IV-E of the Social Security Act funds for worker-directed resources to meet individual needs of family and kin.

Ensuring Timely and Appropriate Decision-making: Workforce Development

If families are involved in decision-making about their children, they are much more likely to follow the decisions, but families have been systematically excluded from the planning.

Paul Vincent
Director
The Child Welfare Policy
and Practice Group
Montgomery, AL

Since the 1980 Adoption Assistance and Child Welfare Act, and accelerated in the Adoption and Safe Families Act of 1997, federal policy requires that certain decisions for children removed from their families be made within specific timeframes. Case plans, case reviews, and termination of parental rights follow strict guidelines to guarantee that children are not languishing in foster care and denied the opportunity to be reunited safely with their families or provided a permanent placement with relatives or an adoptive family. Engaging families, making sure that they receive appropriate help, and taking children’s development into account are essential steps before these critical decisions are made.

The largest contributing factor toward successful outcomes for vulnerable children and families is the professionalism and continuity of people doing the work. Yet there has been too little policy attention given to ensuring strong leadership and a competent, collaborative, well-compensated work force within child welfare and across its various partner agencies. This issue is addressed in the next set of recommendations.

7. Incentives for entry and retention

In the reauthorization of the Higher Education Act and through grants to states, create incentives, such as loans for participation in education with forgiveness after working in the field for a defined period of years; stipends for tuition reimbursement and graduate study; improved wages; and, other financial rewards for increasing knowledge, experience and skills, to make jobs in child welfare more attractive for qualified individuals to enter and remain.

Human service delivery is rapidly reaching a state of crisis. Despite overwhelming evidence that even small investments in recruitment and retention generate significant gains for children and families, these workers are asked to do more with less every year.

Doug Nelson

President
The Annie E. Casey Foundation
Baltimore, MD

8. Training for frontline workers

Enable the full complement of individuals who work with these families and the courts to benefit from federal training resources at an enhanced matching rate under Title IV-E. An increasing number of state child welfare agencies contract with private agencies to provide services for children and families, and depend upon the services of mental health, substance abuse, and domestic violence service providers to meet the needs of the children and families they serve.

9. Professional development for child welfare leadership

Establish a new executive leadership and management program to broaden and deepen the skills and capacities of top managers in the child welfare field.

Strengthening Permanency Options and Successful Adoption

During the last five years, there has been considerable progress in promoting adoption. However, many children, including some with a goal of adoption, may more readily find permanent homes through a mechanism that does not require termination of parental rights. In addition, children and families who do achieve new permanency arrangements require transitional supports and services. The following recommendations address these issues:

10. Permanency through guardianship

Make carefully designed guardianship a permanency option eligible for reimbursement under Title IV-E with the following conditions: reasonable efforts have been made for reunification; children have been in care for a designated period of time. If the guardianship family receives TANF, work requirements in the TANF reauthorization should be relaxed to enable an appropriate adjustment time for the child and the family.

11. Family reunification and adoption

Regularize funding under the Promoting Safe and Stable Families Act (PSSF) by making all, rather than only a portion, of the funds mandatory. The PSSF assists activities that promote permanency through family support programs, services that aid in reunifying children safely with their families and in adoption promotion activities.

12. Post-permanency and post-adoptive services

Authorize use of Title IV-E funds by states and localities to develop and provide post-adoptive and post-permanency services for children reunited with their families and both the children who have been placed and their new families.

We need parents of every type – foster parents, adoptive parents, birth mothers and birth fathers – at the table, working together.

Sandra Jimenez
Parent Advocate
Bronx, NY

Creating Assets and Supports for Youth Leaving Foster Care

Older adolescents in foster care face enormous challenges. They have usually entered into care later, been placed in group homes or institutions rather than family settings, and are the least likely group to be adopted. When they reach age 18 and leave foster care, many want “independence” yet lack the education, skills, support networks, and financial wherewithal to survive on their own. Five recommendations address these issues.

13. Education Stipends

Appropriate additional funds to implement the Chafee Foster Care Independent Living Program (CFCIP) to pay for education stipends for emancipated youth to participate in a program of education or training at the college level, at a vocational or technical school, or as preparation for a General Equivalency Diploma (GED).

14. Training and employment

Authorize coordinated use of Workforce Investment Act (WIA) and Chafee Independent Living Program funds.

15. Safe housing

Expand the number of Section 8 housing vouchers available to older youth leaving foster care and ensure that the vouchers are usable for a long enough time that these youth can achieve stability.

16. Substance Abuse and Mental Health Services

Strengthen the incentives for states to take up the option, provided in CFCIP, to extend Medicaid coverage for these programs to former foster youth up to age 21.

17. Individual Development Accounts (IDA)

In the TANF reauthorization and the Assets for Independence Act, expand IDAs to make them available, with appropriate financial counseling, to former foster care youth who have aged out of the system.

Augmenting Accountability

In Allegheny County, media has been given access to dependency court proceedings. This “sunshine” is good for children.

Marc Cherna
Director
Department of Human Services
Pittsburgh, PA

Over the last several years, accountability for ensuring the safety, permanency and well-being of vulnerable children has gained a new, important, and challenging definition. Ultimately, the responsibility for children’s safety rests with children’s parents. The federal government, states, selected communities, and families are testing new forms of shared responsibility and accountability for outcomes when children come to the attention of public agencies. These approaches provide the platform on which to build stronger, more diverse, and more open accountability structures that will drive a constant focus on children achieving success. The following four recommendations are intended to address this issue.

Good data and information are critical because courts need to share information with other courts and with other agencies to ensure effective outcomes for the children they see.

Ernestine Gray
Judge
New Orleans Parish
Juvenile Court
New Orleans, LA

18. Federal accountability structure and incentives for performance

Maintain the current federal accountability framework using Child and Family Services Reviews (CFSRs) and Program Improvement Plans (PIPs), but change performance measures to emphasize cohorts of children entering care and augment federal monitoring and technical assistance capacity. Through legislation, provide grants for states to implement PIP plans and create bonuses for states that meet certain performance benchmarks.

19. Community collaborations

Clarify policy and provide guidance about the allowable use of Title IV-E administrative funds for community partnerships and neighborhood-based personnel and services.

20. Family involvement

Provide policy and model practices to states and communities to increase engagement of families in planning and decision making.

21. Public participation and court contribution to accountability.

Open the child welfare system, including the courts, to greater public scrutiny by citizens and the media by substantially increasing resources to improve court tracking and monitoring capacity, and by widely disseminating best practices with regard to citizen review panels and community public information policies. Fully fund state court improvement efforts to authorized levels.

Government alone can't keep children safe. No single agency has all the resources or supports that families with complex and multiple challenges need in order to heal, find safety, and enable strong and capable parents to balance work and child-rearing responsibilities.

Susan Notkin

Director
The Center for Community
Partnerships in Child Welfare
of the Center for the Study
of Social Policy
New York, NY and
Washington, DC

Financing Reform

The basic structure of child welfare financing and incentives has not changed since 1980. While funding has increased, driven largely by growing numbers of children in care, the underlying framework has not kept up with goals adopted by Congress in 1997, changes in related law and policy, or community innovations that are mapping a pathway for best practice. There have been many proposals made to alter the current child welfare financing structure. However, prior to proceeding with any proposal to alter federal financing strategies, a systematic examination of what states have done to improve child welfare and the courts is necessary. The newly established Pew Commission on Children in Foster Care, an independent commission of knowledgeable leaders and experts, has as one of its two principal purposes the development of recommendations for reform of child welfare financing.

To ensure that future approaches align with the goals and advances that have been made, this report lays out key principles for assessing proposals to change federal financing for the child welfare system.

Seven Key Principles for Assessing Federal Finance Reform

1. Maintain core protections for children and families

Every legislative effort to improve the child welfare system has upheld the basic protections incorporated in the 1980 law—from individualized plans to timely case dispositions, from reasonable efforts to keep children with their families or reunify them, to placements as close to home as possible. Every future legislative proposal must continue to maintain these basic protections as well.

2. Base funding on up-to-date, need-based data

Child welfare funding should be decoupled from outmoded programs such as Aid to Families with Dependent Children (AFDC) and based on current data related to states' pool of children and families at risk of maltreatment or neglect, or at minimum on TANF eligibility standards.

3. Design funding so that dollars follow children and children's needs

By contrast with current law, in the future, funding should be tied to what specific children need, rather than solely to those who provide the services.

4. Recognize wide variation in state financing arrangements

States vary considerably in the ways in which they have developed a base of resources to support their child welfare systems and in the fluctuations in their total spending in any given year. Recognizing these variations in any funding approach is important not only to recognize individual state needs and caseload changes, but also to ensure that each state has sufficient capacity to maintain a quality system of care for its most vulnerable children even in difficult economic times.

5. Ensure funding can cover preventive services and non-foster care arrangements

New avenues should be explored to make funding available for provision of preventive services, as early as possible after families come to the attention of child welfare, that can enable children to stay safely with their family. Alternative permanency arrangements, such as guardianship and kinship guardianship, have proven successful in federal demonstrations and, in any future federal funding plans, should be eligible for support without requiring a waiver.

6. Provide direct federal funding for child welfare services, including foster care maintenance and adoption assistance, to Indian Tribes

Current Title IV-E federal financial assistance is only available to states. Financing reform should address this anomaly in federal-tribal relationships and provide funding directly to the tribes.

7. Maintain and build upon adequate levels of federal and state funding

Caseloads in some states have increased while other caseloads have decreased, and specific events, legislation and leadership may have redirected funds within the system. But it remains critical to maintain current funding and, in clearly identified areas, to target specific increases.

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