

Testimony Supporting Senate Bill 1007 An Act Concerning Permanency Placements

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Committee on Children
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Senator Bartolomeo, Representative Urban, and distinguished members of the Committee on Children:

I am a Policy Fellow at Connecticut Voices for Children, a research-based public education and advocacy organization that promotes the well-being of Connecticut's children, youth, and families.

Underlying our work at Voices for Children is the fundamental belief that *all* children, regardless of race, ethnicity, sexuality, class, ability, or geography should be assured of a meaningful opportunity to achieve their full potential. For some children, such meaningful opportunity cannot exist absent state intervention, supports and services. **For those children, the state's Department of Children and Families (DCF) bears a unique responsibility.**

"Challenge us. Ask us these questions: 'What are your dreams? What is your purpose? What are your talents? How can you utilize your talents to help others?' Let us know that you are there to help us reach our goals and we will feel empowered."

Connecticut Voices for Children strongly supports Senate Bill 1007, An Act Concerning Permanency Placements, which provides youth in foster care a voice in planning for their futures. In fact, the bill itself was crafted in conjunction with DCF's Youth Advisory Boards (YABs), groups of

adolescents involved in the state's foster care system, and comes directly from their concerns and their desires.

This bill takes important steps in four major areas of empowerment for youth in foster care: 1) youth engagement in case planning; 2) youth engagement in identification of permanent adult relationships; 3) reduction in APPLA goals and working towards a permanent family; and 4) opportunities to maintain sibling relationships.

I. Youth Engagement in Case Planning

This legislation requires the commissioner to make best efforts to allow youth 12 and up to attend their Administrative Case Reviews (ACR), which are an important part of determining a youth's future. DCF policy requires that all youth over age 12 be invited to their ACRs;¹ unfortunately, anecdotal reports from attorneys representing youth in care and from Youth Board members suggest that, currently, youth in care rarely actually attend. This is in part because DCF has no requirement that adolescent ACRs be scheduled in the afternoon,² in spite of the fact that this has been identified as a best practice for youth engagement.³ As such, as youth are often in school during the ACR and cannot attend. By requiring best faith efforts to schedule ACRs at a time when youth can attend, this legislation will allow for greater youth participation.

It is vital that foster children and youth are involved – in an age-appropriate manner – when important decisions about their futures are made. Disastrous situations such as disrupted placements can be avoided if youth first are consulted. Youth in foster care, who have been uprooted from their families, have a particularly strong desire to know what is going to happen to them to be sure that any changes being considered will meet their needs. The point is not that youth should make the decisions themselves, but rather that their input is essential to making good decisions. The more that youth are engaged in the decision-making process, the more likely they are to respond positively to choices made for placements and services.⁴

“By allowing youth to be part of the planning when it comes to these transitions it creates not only a timeline but also a sense of security. Having a voice allows us as youth to know that we are able to make our own decisions and begin to make the transition into adults who can function in society.”

Policy makers who actively engage with young people in the foster care system learn valuable lessons about which parts of the foster care system are working well and which are not. Youth also often know best what it is they really need from the State to transition to a healthy and meaningful adulthood, and can help to inform strong policy and practice through authentic youth-adult engagement.⁵ **By engaging youth in care in Department policy-making and in the development of their case plans, youth and policy makers can both benefit.**

II. Identification of Permanent Adult Relationships

This legislation requires that DCF work with youth 12 years and older to identify (at maximum) three adults with whom they have relationships to serve as permanency resources. It also requires DCF to track and annually report on the number of case plans that have these adult resources identified. In our work with YABs over the past five years, it is clear that the development of healthy and lasting relationships is essential for young people in foster care to prosper and become successful and productive adults. In fact, there is emerging consensus in the field of child welfare that the development of secure and permanent family relationships, or “permanency,” is of paramount importance and is essential to the future well-being of maltreated children.

Yet national research and literature consistently show that young people in foster care face challenges cultivating and sustaining relationships.⁶ Without secure and stable relationships, youth who grow up in foster care have greater difficulty achieving positive life outcomes – in fact, youth who “age out” of foster care after reaching the legal age of majority without permanent relationships face a greater risk of homelessness, unemployment, poverty, and dependence on public assistance.⁷⁸

While DCF policy indicates that youth must identify important adult relationships in their case plan, DCF is unable to provide data on how many youth identify three relationships in their case plans, suggesting that this is not a valued nor tracked component of the case planning process.⁹ National research and programs that best support permanency are clear that young people must have the opportunity to identify and seek out relationships that are important to them. **By requiring DCF to enshrine these relationships in young people’s permanency plans, this bill takes important steps towards ensuring that youth have the opportunity to develop meaningful and permanent adult relationships.**

III. Reducing APPLA Goals and Encouraging Permanent Adult Relationships if APPLA Goals are Deemed Appropriate

Each and every child deserves to leave foster care with permanent connections to loving and supportive adults. Children for whom there is no obvious permanent connection available are given a permanency goal of Another Planned Permanent Living Arrangement (APPLA).¹⁰ APPLA is not a preferred permanency goal, because it does not provide a clear path for children to exit the foster care system with a truly permanent relationship with a caring adult. **This legislation requires that, if APPLA is identified as a permanency goal, then the youth must be consulted and asked about what his/her desired permanency outcome is. Moreover, it requires that any APPLA “living arrangement shall, whenever possible, include an adult who has significant relationship with the youth, and who is willing to be a permanency resource.”**

Research shows that children with an APPLA goal are the most likely to become homeless upon and after aging out.¹¹ For this reason, the American Bar Association (ABA) has recommended abolishing the goal entirely.¹² Instead, the ABA recommends that all children exit foster care with a permanent connection to at least one identified supportive adult.¹³ In addition, recent federal legislation, HR 4980, mandates that state governments limit APPLA designation to youth in foster care age 16 and over.¹⁴

As of July 2014, 16.5% (505 children) of all children with a permanency goal had an APPLA goal.¹⁵ While a significant reduction since 2009, this is far too many. Current Connecticut law suggests that those with an APPLA goal be placed in long-term foster care with a licensed foster parent or an independent living program, neither of which are preferred permanent living situations. It is important that DCF make every effort to find true alternative permanent connections for these youth, and not simply use APPLA as a substitute for long-term foster care (no longer permitted under federal law),¹⁶ or no goal at all.

IV. Maintaining and Supporting Sibling Relationships

This legislation takes important steps in supporting the maintenance of sibling relationships by requiring DCF to track how many siblings visits have taken place.

For children in foster care, as for all children, relationships with brothers and sisters can be some of

“It’s a sad story, really. I have two brothers, and a sister... through DCF we were split up... now I’m 22, and they’re all grown, and now we have no relationship.”

the most important and longest-lasting relationships in their lives, so it is essential to support the continuation of these ties following a foster care placement. For many older youth who are at risk of aging out, sibling relationships are particularly essential, since there are few other sources of relational stability in their lives.¹⁷ If siblings are not able to be placed together, it is imperative

that they be allowed to visit each other.

DCF has made some improvement in placing more children with their siblings; however, DCF still places fewer children with siblings than the 95% standard mandated by the Federal *Juan F.* court

order.¹⁸ In the most recent assessment, DCF placed together only 89.3% of all siblings entering out-of-home placements, a decline from 90.6% in the first quarter of 2014.¹⁹

Recent Connecticut legislation (P.A. 12-71) requires that siblings not placed together be allowed to visit each other once a week.²⁰ According to a 2014 Connecticut Legislative Program Review and Investigations (PRI) study, while DCF reports the number of adolescent cases where sibling visits were documented, they did not report “data on the total annual number of adolescent cases in out-of-home placements who have siblings nor data on the number of individual siblings involved,”²¹ thus rendering the number of total cases incomplete in assessing this issue. **By requiring the tracking of data on this issue, this legislation takes steps towards guaranteeing that the earlier legislation is fully implemented, allowing all siblings to visit one another.**

In addition, this legislation ensures that in the context of adoption, adopted children have access to and visitation rights with their siblings if the court deems such contact to be in their best interest. This ensures that siblings retain the opportunity to see each other and maintain a bond and relationship even when their circumstances change.

V. Conclusion

Children in the foster care system are among Connecticut’s most vulnerable young residents. These children are often victims of severe trauma that can disrupt healthy development, and they frequently lack a traditional family structure that can consistently support their growth. When DCF chooses to take children away from their homes, in order to protect them from abuse and neglect, it does so with the promise that, whether through reunification, adoption, kinship care, or transfer of guardianship, it will one day be able offer these children a healthy, loving, and supportive family to grow up in. **By encouraging youth to engage in their case planning process, this legislation empowers youth to have a say in their futures and to ultimately have better odds of thriving in a permanent and safe home.**

“I am proud of myself for being who I am now. After all my struggles, trauma, and sad days, here I am still standing and being educated to be someone in life.”

Thank you very much for your time. Please do not hesitate to reach out with any questions.

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¹ See, DCF Policy Manual 24-5. Available at <http://www.ct.gov/dcf/cwp/view.asp?a=2639&Q=393334>.

² *Ibid.*

³ See, Jim Casey Youth Opportunities Initiative, “Opportunities to Shape Their Own Future.” Available at <http://jimcaseyyouth.org/opportunities-shape-their-own-future>.

⁴ Authentic youth engagement is a central component of the Jim Casey Youth Opportunities Initiative. For example, see, “Authentic Youth Engagement: Youth-Adult Partnerships,” Jim Casey Youth Opportunities Initiative. Available at: <http://www.jimcaseyyouth.org/sites/default/files/documents/Issue%20Brief%20-%20Authentic%20Youth%20Engagement.pdf>.

⁵ For more on authentic youth-adult engagement, see “Authentic Youth Engagement: Youth-Adult Partnerships,” Jim Casey Youth Opportunities Initiative. Available at:

<http://www.jimcaseyyouth.org/sites/default/files/documents/Issue%20Brief%20-%20Authentic%20Youth%20Engagement.pdf>

⁶ See, Gina Miranda Samuels, “A Reason, A Season, A Lifetime: Relational Permanence Among Young Adults with Foster Care Backgrounds,” Jim Casey Youth Opportunities Initiative, 2008. Available at:

<http://www.jimcaseyyouth.org/reason-season-lifetime-relational-permanence-among-young-adults-foster-care-backgrounds>

⁷ *Ibid.*

⁸ See, Mark Courtney, “Research on the Transition to Adulthood from Out-of-Home Care: Implications for Developmentally Appropriate Policy and Practice.” December, 2012. Available at

<http://www.ctvoices.org/sites/default/files/files/welf12powerpointMarkCourtney%281%29.pdf>.

⁹ See, “Department of Children and Families Services to Prepare Youth Aging Out of State Care,” Connecticut Legislative Program Review and Investigations Committee February 6th, 2014. Available at:

<http://www.cga.ct.gov/pri/docs/2013/DCF%20Age%20Out%20Staff%20F&R%20Report.pdf>.

¹⁰ *Ibid.*

¹¹ “Positive Transitions for Youth in Foster Care: Preventing Homelessness,” New Avenues for Youth and School of Social Work at Portland State University. February 2012. Available at

http://www.pdx.edu/ccf/sites/www.pdx.edu.ccf/files/Positive%20Transitions%20for%20Youth%20in%20Foster%20Care%20-%20Preventing%20Homelessness%20February%202012_0.pdf.

¹² See, Text of American Bar Association Policies Related to Children, 1979-2014. February 2014. Available at:

http://www.americanbar.org/content/dam/aba/administrative/child_law/ABAPolicies1979-2014.authcheckdam.pdf.

¹³ *Ibid.*

¹⁴ See, H.R. 4980 “Preventing Sex Trafficking and Strengthening Families Act.” Available at:

<https://www.congress.gov/bill/113th-congress/house-bill/4980>.

¹⁵ As of July 2014, there were 505 youth with an APPLA goal. 16.5% was calculated by adding up the number of children with Reunification, Adoption, Guardianship, Long Term Foster Care – Relative, and APPLA goals, and dividing 505 by that denominator. See, “*Juan F. v. Malloy* Exit Plan, Quarterly Report, April 1, 2014 - June 30, 2014 Civil Action No. 2:89 CV 859 (SRU). Available at:

http://www.ct.gov/dcf/lib/dcf/agency/pdf/2nd_qtr_report_2014_final.pdf.

¹⁶ See, DCF Policy Manual 48-14-6.1. Available at <http://www.ct.gov/dcf/cwp/view.asp?a=2639&Q=332576>.

¹⁷ To hear members of the DCF Youth Advisory Boards talk about the importance of their sibling relationships, see <http://www.ctvoices.org/node/2754>.

¹⁸ See, “*Juan F. v. Malloy* Exit Plan, Quarterly Report, April 1, 2014 - June 30, 2014 Civil Action No. 2:89 CV 859 (SRU). Available at: http://www.ct.gov/dcf/lib/dcf/agency/pdf/2nd_qtr_report_2014_final.pdf.

¹⁹ *Ibid.*

²⁰ See, Public Act No. 12-71, “An Act Concerning Sibling Visitation For Children in the Care and Custody of the Commissioner of Children and Families.” Available at:

<http://www.cga.ct.gov/2012/act/pa/pdf/2012PA-00071-R00SB-00156-PA.pdf>.

²¹ See, “Department of Children and Families Services to Prepare Youth Aging Out of State Care,” Connecticut Legislative Program Review and Investigations Committee February 6th, 2014. Available at:

<http://www.cga.ct.gov/pri/docs/2013/DCF%20Age%20Out%20Staff%20F&R%20Report.pdf>