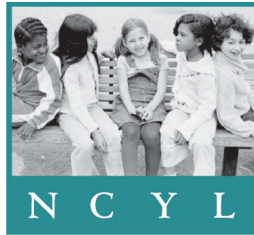




County Welfare Directors
Association of California



National Center for Youth Law



The John Burton Foundation for
Children Without Homes

RECOMMENDATIONS ON PREVENTING ENTRANCE INTO FOSTER CARE

**CALIFORNIA WORKING FAMILIES POLICY SUMMIT
JANUARY 18, 2007***

The following recommendations were developed by representatives of the four organizations listed above, working over the past four months. The primary purpose of these proposals is to call upon the Governor and the Legislature to continue their leadership and focus on improving the lives and futures of California's foster children – and to take the bold step of developing a vision and strategy to prevent unnecessary entrance into foster care. We respectfully request an opportunity to present these recommendations to the Select Committee on Foster Care.

**The California Working Families Policy Summit
is a project of the
California Center for Research on Women and Families**



* These recommendations were initially presented at the California Working Families Policy Summit on January 18, 2007. The authors wish to thank the Summit's Provocateurs and participants for their comments. This *final version* of the recommendations incorporates proposals from that constructive conversation.

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INTRODUCTION

As of July 1, 2006 there were just over 78,000 children in foster care in California, a significant improvement over the past seven years when the foster care caseload exceeded 108,000 children in care in 1998.¹ While this change is remarkable, it is largely attributable to various strategies to move children out of foster care and into permanency, through efforts such as the KinGAP Program, which provides financial assistance for relatives who assume legal guardianship of children so they may exit foster care. Many acknowledge that the child welfare system has struggled to meet the needs of its current foster care population. Most agree that California's child welfare system lacks the resources and structure to prevent children and their families from unnecessarily entering the foster care system in the first place.

Child maltreatment is devastating to children and families and has profound and long-lasting impacts for our society. Ironically, federal and state policies and funding are structured in such a way that services to children and families are available only when maltreatment has occurred or is imminent, and practically discourages strategies to help prevent maltreatment. Absent a state-level vision and comprehensive prevention agenda, local child welfare agencies have partnered with foundations and cobbled together small pots of funding to launch prevention and early intervention efforts in collaboration with community agencies. These efforts reflect the belief that child maltreatment requires new approaches to working with families. However, preventing unnecessary foster care placements is a challenge that must also be addressed at the State level. State leadership is critical to ensuring that prevention and early intervention activities are broadly focused to include social and economic supports that are community-based and accessible for families.

Preventing entry into foster care must become a top priority for California. The foster care system, though improving, does a poor job of parenting children. Children thrive when they remain safely with their own families and in strong communities. Preventing child maltreatment requires coordinated planning across service delivery systems and a broad continuum of services and supports that strengthens families and their communities.

POLICY OBJECTIVE #1

Develop a shared statewide vision for providing preventative supports and services to children and families to keep children in safe and stable homes and out of foster care.

Background

There is no dispute that children should be, first and foremost, protected from abuse and neglect and that they should be safely maintained in their family homes whenever possible and appropriate. Reducing reliance on out-of-home care will help ensure that children are raised in safe and caring families.

Federal financing has historically been a key barrier to the successful implementation of strategies that prevent children and their families from unnecessarily entering foster care. Most agree that current federal funding mechanisms for child welfare place a greater priority on supports to children while in foster care at the expense of building stronger families, and are contrary to the desired outcomes of child safety, permanency and well-being. The federal Title IV-E program is an open-ended entitlement program that guarantees federal reimbursement to states for maintaining an eligible child in foster care. This program accounts for approximately 48 percent of federal child welfare spending in the states. The federal Title IV-B program provides funds to states for family preservation and support services, reunification services and adoption promotion. Unlike federal Title IV-E funding, Title IV-B funding is a capped entitlement and considered discretionary funding, which is subject to the annual appropriation process. Title IV-B is important source of funding for prevention and early intervention services, yet these funds account for only approximately five percent of all federal funding on child welfare. This disparity in federal funding effectively limits a state's ability to safely protect children in their homes.

Without the federal commitment to preventative services and supports, California has not been able to develop adequate resources for effectively protecting children in their homes and strengthening families. Although public and private efforts have brought new and creative preventative strategies that are being tried in the counties, California lacks a strong vision and agenda for implementing a comprehensive statewide approach for funding and providing these supports and services. While the federal child welfare funding structure provides formidable challenges to forging such a vision and agenda, it is essential to overcome these challenges to develop a comprehensive strategy to reduce child maltreatment. A shared vision for preventing unnecessary foster care placement will unite California's policy makers, state and local agencies and the foundation community around a comprehensive strategy that ultimately serves children and families.

At the State and local levels, we must also acknowledge and address the disproportionate representation of children of color in the foster care system. Although research shows that there is no statistically significant difference in overall maltreatment rates between African American and Caucasian families, African American families are referred to the child protective services hotline at higher rates. According to this research, this issue of disproportionality is pervasive at multiple levels in the child welfare system; children of color have higher referral rates, higher rates of substantiated child abuse, and longer stays in foster

care.ⁱⁱ State leaders must consider the root causes and potential solutions of this important issue if we are to be successful in preventing unnecessary foster care placement.

Creating this shared vision requires state leadership in pulling together individuals across many disciplines where programs can impact children and families to prevent child maltreatment. Currently, the State Interagency Team for Children and Youth (SIT) brings together administrators from several State departments and agencies to address issues in the child welfare system. Last year the Legislature passed and the Governor signed AB 2216 (Bass) which created the California Child Welfare Council. As the Legislature found, “successful implementation of preventive services...requires coordinated oversight among many agencies, programs and services.” The Council, whose members are high ranking officials of departments and agencies responsible for services to children and families and policy makers, is co chaired by the Secretary of the Health and Human Services Agency and the Chief Justice of the Supreme Court. The Council is charged with improving collaboration among agencies and improving services for children and families in the child welfare system, and submits regular reports to the Legislature on strategies to achieve those outcomes.

The California Child Welfare Council provides an opportunity to bring together the State’s child welfare leaders towards a shared vision of prevention and early intervention services for children and families to avoid unnecessary entry into foster care. In the meantime, local agencies are engaged in a number of innovative and promising practices to prevent foster care placement and improve child and family outcomes. These local efforts should continue while the state develops its shared vision to ultimately connect these efforts into a unified strategy to keep children in safe and stable homes and out of foster care.

Recommended Actions

- A.** As one of its first deliverables, the Child Welfare Council should develop a statewide comprehensive vision and strategy for funding, implementing, and delivering services and supports to safely keep children in their homes and strengthen families that support them. This work should be completed no later than June 30, 2008.
- B.** By July 2007 the Administration should articulate the specific role of the State Interagency Team (SIT) vis-à-vis the Child Welfare Council established by AB 2216 (Bass, Statutes of 2006) to reflect the role of the SIT to assist in identifying key issues for consideration by the Council and which serves to implement recommendations and strategies developed by the Council.
- C.** The State Interagency Team should develop a work plan that reflects their roles and responsibilities for ensuring that the vision developed by the Council is coordinated and implemented by all participating departments and agencies. This work plan should be developed no later than December 2007.
- D.** The Legislature and Administration should immediately commence lobbying the federal government for adequate and flexible funding, including increased Title IV-B funding, with the ability for states to reinvest any savings for services to additional children and families.
- E.** To assist the Council in addressing disproportionality as a part of its comprehensive vision and strategy to prevent entrance into foster care, the Department of Social Services, by January 1, 2008, shall report to the Child Welfare Council on existing efforts in the state to address the disproportionate representation of children of color in the child welfare system.

POLICY OBJECTIVE #2

Strengthen statewide capacity to identify and implement strategies that are based on empirically-tested methods and proven to prevent unnecessary foster care placement, and commit to full-scale implementation of such to achieve desired results.

Background

The best intentions will falter without a clearly-defined process to implement a new vision for California's children and families. Doing so will require the identification, development, and implementation of empirically-proven strategies to keep children out of foster care. California has embarked on numerous pilots and programs to support outcomes for children and families. Unfortunately, the State often supports a modest investment for a promising program but fails to invest the resources necessary to adequately test whether or not a program achieves its intended goals and objectives. Sound research and evaluation allows policy makers to determine whether expansion is warranted, and allows project implementers to refine and adjust the project elements to meet intended goals. Without empirically-based research, programs that show promise may never realize their potential in serving children and families, and California misses important opportunities to improve the lives of children and families.

In the 2005-2006 legislative session, the Assembly Select Committee on Foster Care was created, chaired by Assembly Member Karen Bass, to tackle issues concerning services to foster children and their families. This effort culminated in bi-partisan agreement to provide modest additional State resources to improve outcomes in child welfare. This was an important first step in bringing together policy makers, child welfare representatives, and others around a common goal of improving services to foster children. It is imperative that the Legislature and Administration maintain their commitment to foster care into the 2007-08 legislative session while expanding their focus to include programs and services that divert children and families from the foster care system.

There are numerous strategies currently undertaken in the counties to prevent foster care placement and worthy of consideration by the Legislature and Administration. For example, many counties have implemented team decision making meetings or TDMs. TDMs are facilitated meetings that bring together birth families and community members, as well as resource families (caregivers), agency staff and service providers in a joint decision-making effort to develop the child's safety plan and provide a network of support to families.ⁱⁱⁱ Traditionally TDMs are held for children at risk of a move, either into foster care or from placement to placement, and are also held for children prior to exit. These meetings may help reduce the need for foster care placement. The Linkages Project is another promising strategy that brings together resources from both the child welfare system and CalWORKs programs to strengthen families and reduce the economic and social stressors that can lead to child abuse and neglect.

Finally, there must also be a process to better understand how programs outside of child welfare may impact the safety and well-being of children and families and thus, play a role in preventing unnecessary foster care placement. For example, there are numerous approaches to home visitation, perhaps some more effective than others in supporting families and reducing stressors that may lead to child maltreatment. These programs are generally intended to

enhance parent-child interactions, promote effective use of health care services, support healthy child development, and increase parent involvement, all of which compliment traditional child welfare services and efforts to prevent child maltreatment.

Commitment to a strong system of outcomes and accountability will ultimately lead to the implementation of effective programs that strengthen families and ensure child safety to prevent unnecessary foster care placement.

Recommended Actions

- A.** We appeal to the Governor to signal his commitment on this issue by pledging to set a specific target goal for safely reducing the number of foster children in foster care, and to articulate this target no later than the 2008 State of the State speech.
- B.** We urge the Legislature's Select Committee on Foster Care to immediately review these priorities and recommended actions. In addition, we call upon the Select Committee to convene an informational hearing in 2007 to address the State's efforts to prevent unnecessary foster care placement, with testimony to address any existing empirically-based and proven strategies already underway in California or other states, the results of research assessing the impact of these strategies, and other promising practices for consideration.
- C.** Commencing with the 2007-08 fiscal year, the Legislature and Administration should provide funding to support rigorous evaluation of prevention and early intervention strategies that measure the effectiveness of such strategies and to determine the extent to which these programs should be continued, expanded or abolished.
- D.** By November 2007 the State Department of Social Services should provide a report to the Child Welfare Council on programs and strategies currently underway to prevent unnecessary foster care placement and recommendations to enhance these efforts in all 58 counties. Also by November 2007, the SIT should submit a report to the Child Welfare Council that discusses existing services to foster children and potential barriers to serving children and families at risk of foster care placement through those programs. The SIT and Department should report to the Council on an annual basis to provide status updates on existing efforts to serve at risk families.
- E.** By March 2008 the Child Welfare Council should develop recommendations to the Legislature and Administration on short-term and long-term strategies to increase prevention and early intervention services and programs to prevent unnecessary foster care placement. Included in this report should be the development of recommendations to support state-level research and evaluation of promising programs and strategies to ensure federal financial support for empirically-proven programs and the leveraging of existing resources. Thereafter on an annual basis, the Council should continue to submit reports on progress and barriers.

POLICY OBJECTIVE #3

Invest in the differential response project as a foster care prevention strategy by implementing a rigorous evaluation to serve as a guide for statewide expansion.

Background

State and local agencies have embarked on a number of promising initiatives designed to reduce entry into foster care. One effort launched in eleven pilot counties, known as differential response, tests a new strategy to improve child safety and well-being and has shown great potential in preventing foster care placement.^{iv} Differential response maintains its focus on child safety but recognizes that the circumstances and context for each family differ and thus, a traditional investigation by a child protection agency is not needed in every case.

Differential response involves a collaborative, working partnership with community-based agencies to respond to crisis and to bring stability to the family's situation based on the family's needs. Families who come into contact with the child protective system through a hotline referral are screened for one of three possible "pathways" of response. Differential response in California is modeled after similar and proven programs in other states that have demonstrated improvements in child safety and reduced maltreatment rates for children. One study found that families respond positively to staff and appreciate their greater involvement in decision making, and child welfare workers value the ability to engage families in strength-based, rather than investigatory manner.^v The differential response approach has been received so positively in California that 34 counties, or 60% of all counties, have implemented some form of differential response in their local communities.

Although differential response shows promise, challenges remain. After thoughtful planning for such a monumental change in philosophy and approach, implementation in the original eleven pilot counties has only recently begun, and efforts are underway to identify potentially useful evaluation data. Despite nominal investments and support from the Administration, Legislature and several foundations, counties continue to cobble together the necessary resources to ensure that families receive the necessary case management and support from community agencies as well as services such as mental health, alcohol and drug counseling and treatment, housing assistance, and other supports.

Recommended Actions

- A.** In the 2007-08 fiscal year, the Legislature and Administration should expand the implementation of differential response within the existing eleven pilot counties to cover a larger portion of potential eligible families within those existing counties. They should also support a rigorous evaluation that will provide information on specific aspects of differential response that are effective and those that may not be as promising. This expanded pilot effort should be undertaken with a firm commitment to adopt successful aspects of differential response for statewide implementation.
- B.** By October 1, 2007, the participating pilot counties should partner with the Department of Social Services to identify the specific programmatic components that are critical to differential response as an approach to serving children and families, and to articulate the specific program elements of differential response that will be implemented and evaluated.

- C. The Department of Social Services, upon review of the evaluation and assuming statewide implementation is advisable and viable, should develop a plan to expand differential response statewide, and submit its plan to the Child Welfare Council and Legislature.
- D. The State Interagency Team should assess how resources for programs, such as Linkages, home visiting, as well as other empirically-based prevention programs can support the differential response effort. This information should be provided in its report to the Child Welfare Council by November 2007 (as discussed in Policy Obj #2).

POLICY OBJECTIVE #4

Improve the resources needed by families to avoid foster care placement and enhance the ability of local agencies to provide these needed services.

Background

Families are the recipients of services, yet it is unfortunate that these very families are rarely consulted for their input and perspective by policy makers and program administrators. On the other hand, foster youth are routinely engaged and consistently involved in the development of policies and services to ensure that programs meet their needs. Programs for foster youth are better because of their involvement, and this has led to improved communication and ultimately, improved outcomes for the youth. Similar results can be achieved by increasing parent involvement when developing and implementing prevention and early intervention programs.

Another key element of an effective prevention strategy is local financing. A budget should reflect the State's priorities, but unfortunately California's budgeting of local child welfare programs does not support efforts to prevent unnecessary foster care placement. The current State financing of child welfare programs fails to reflect actual practices at the local level for prevention and early intervention. If California policy makers hope to reduce foster care entry, prevention and early intervention must be integrated as a core component of the child welfare financing schema. We have an important opportunity to address the current financing limitation in the coming year. In the 2006-07 budget trailer bill, the Legislature and Administration established a State-level workgroup composed of representatives from the State Department of Social Services (DSS), county child welfare agencies, union representatives, and legislative staff. This group is charged with assisting DSS in developing recommendations for the Legislature's consideration to revise the child welfare financing methodology in a way that reflects actual practice at the local level and promotes improved outcomes for children and families. This effort presents an opportunity for California to demonstrate its commitment and support of local practices to prevent unnecessary foster care placement.

Several years ago, a diverse group of child welfare "stakeholders" convened and issued a series of reports in an effort to reform how children and families were served in the child welfare system. It was out of this effort that "Redesign" was established, and the models that sprung from this effort are currently being piloted in eleven counties. One goal of the Redesign was to motivate troubled families to participate in services before foster care entry and to do so using a community-engagement model of working with families, including relative caregivers at risk of involvement with the child welfare system. The Stakeholders acknowledged, however, that

this new approach also required building a broader system of services and supports than currently exists in many counties.

The minimum core services identified by the Stakeholders as essential supports to troubled families included services such as mental health services suited to children and families reported to child welfare, home visiting for all targeted high risk families, particularly those with newborns or young children, substance abuse evaluation and treatment, partnerships with CalWORKs to provide cash assistance and employment training, comprehensive parenting programs, housing assistance, flexible funds for emergency needs, respite care, family resource centers, and other services.^{vi} Unfortunately, five years after the Stakeholders issued their recommendations, most communities continue to lack this broad-array of services needed by troubled families. Such core family supports must be increased and made readily available to children and their families, in their own communities and prior to foster care placement, particularly to low-income families which studies have repeatedly found are disproportionately at-risk for participation in the child welfare system. For these families, access to supportive services and the maintenance of essential safety-net programs, such as TANF, are essential.

Recommended Actions

- A.** In the 2007-08 fiscal year, the State Department of Social Services should work to increase engagement of biological parents at risk of involvement or with past involvement in the foster care system. This can be accomplished through the creation of a State-level advisory group and by supporting the expansion of local parent leadership models so that biological families can actively participate in the development of prevention policies and programs.
- B.** In the 2007-08 fiscal year, the Legislature and Administration should adopt a modified budgeting methodology that reflects prevention and early intervention efforts as a core practice in child welfare.
- C.** Increase access to core supports and services needed by families to prevent foster care entry, with special emphasis on drug treatment, mental health services and housing assistance. Specifically, in the 2007-08 fiscal year, the Legislature and Administration should increase funding and resources targeted to families at risk of involvement with the child welfare system, with assessment and prioritization for services to high risk families conducted at the local level.
- D.** To ensure that families and children are supported in the context of their communities and social networks, the Legislature and Administration should increase funding for community-based programs. This includes increasing funding for the Kinship Support Services Program (KSSP), which serves relatives and children in and at risk of foster care, as well as home visiting programs for pregnant and parenting families.
- E.** To prevent foster care participation among low-income families that disproportionately participate in the foster care system, the Administration and Legislature should strengthen safety net programs such as TANF, including an annual cost-of-living increase for grants and maintaining the child-only TANF grant to families whose parents have stopped receiving benefits due to time limits.

EndNotes

ⁱ Needell, B., Webster, D., Armijo, M., Lee, S., Cuccaro-Alamin, S., Shaw, T., Dawson, W., Piccus, W., Magruder, J., Exel, M., Smith, J., Dunn, A., Frerer, K., Putnam Hornstein, E., & Ataie, Y. (2006). *Child Welfare Services Reports for California*. Retrieved January 2007 from University of California at Berkeley Center for Social Services Research website. URL:

<<http://cssr.berkeley.edu/CWSCMSreports/>>

ⁱⁱ Summary of research prepared by Casey Family Programs, *Disproportionality in the Child Welfare System*, June 16, 2006.

ⁱⁱⁱ TDM is one of four components of the Family to Family Initiative. The California Family to Family Initiative is a public-private partnership between national and state foundations and the State of California. Partners in the California Initiative include the Annie E Casey Foundation, the Stuart Foundation, the Walter S. Johnson Foundation, the California Department of Social Services and the Center for Social Services Research at UC Berkeley. Twenty-five of California's 58 counties participate in this initiative (including Los Angeles County).

^{iv} The 11 pilot counties are: Contra Costa, Glenn, Humboldt, Los Angeles, Placer, Sacramento, San Luis Obispo, San Mateo, Stanislaus, Tehama and Trinity.

^v *Minnesota Alternative Response Evaluation: Final Report* (www.iarstl.org) as summarized by Schene, P. and Oppenheim, S. *Choosing the Path Less Traveled: Strengthening California Families Through Differential Response* (Summer 2005), Foundation Consortium for California's Children and Youth.

^{vi} CA Department of Social Services, *Stakeholders Redesign Conceptual Framework Report*, 2002.

**For more information about the
California Working Families Policy Summit,
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www.ccrwf.org.**