



Testimony of
Child Welfare League of America

**U.S. House Committee on Ways and Means
Subcommittee on Human Resources**

Hearing on
Improving Programs Designed to Protect At-Risk Youth
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The Child Welfare League of America (CWLA) is a ninety year-old non-profit organization representing hundreds of state and local child welfare organizations including both public and private, and faith-based agencies. CWLA members are located in all fifty states and provide a range of child welfare services from prevention to placement services including adoptions, foster care, kinship placements, and services provided in residential settings. CWLA envisions a nation in which all children and youth are safe, nurtured in their families and communities, and grow up to be productive citizens. To achieve this CWLA leads and engages the nation to advance policies, best practices, and collaborative strategies that result in positive outcomes for vulnerable children, youth and families. On behalf of our member agencies, CWLA offers the following comments and principles in regard to the reauthorization of Title IV-B of the Social Security Act (IV-B).

CWLA appreciates the subcommittee's attention to and consideration of this critical legislation. The array of child and family services funded by IV-B prevents maltreatment and enables alternatives to child removal for struggling families. For children who cannot continuously safely remain with their families of origin, the funds support permanency solutions through reunification, adoption, and kinship. Furthermore, the statute includes fundamental protections for children and service provision to address their needs and the needs of their families. In these ways, IV-B is instrumental in keeping all children safely thriving in permanent, loving families.

Child Welfare Services (CWS)

Child Welfare Services, Part I of IV-B, provides flexible funds for states to develop and continuously improve services to protect and promote child welfare, prevent maltreatment, enable permanency within a family, and maintain a quality workforce to carry out these critical services. It is designed as a federal-state-local partnership. There are limitations on the use of funding to ensure it is not duplicating foster care, education, health, or child care services. In practice, states use most CWS formula funding for child protection, to prevent or remedy maltreatment through activities like investigations or casework. A substantial portion of the funding is also directed towards the federally emphasized service approach in Part II of IV-B: family support, crisis intervention, reunification, and adoption support. *CWLA supports this federal, state, and local partnership.*

CWS Requirements

States must incorporate specific protections and services for children in order to receive funds, and this includes operating information systems to readily review child cases and assess progress towards permanency goals. These requirements apply regardless of eligibility for Title IV-E foster care funds, which cover less than half of children removed from their homes. Service development requirements include strategies for caseworker visits and health oversight of children in foster care, foster and adoptive parent recruitment, treatment of special populations like abandoned infants, and ongoing service and staff improvement. CWS must also be coordinated with services provided through

the Social Services Block Grant (SSBG), Temporary Assistance to Needy Families (TANF), Medicaid, and IV-E and IV-B, Part II of the Social Security Act. *CWLA supports these protections for all children and the systemic requirements that leverage efforts to prevent and address maltreatment.*

Disproportionality remains a significant challenge in child welfare. The child welfare field recognizes that youth of some racial and ethnic backgrounds experience disparate impacts because of the experiences in the child welfare system. African American and American Indian children, for example, are overrepresented in out-of-home care compared to their representation in the general population, while Hispanic overrepresentation can be variable. Children of color are more likely to be screened in at various stages of CPS decision making: reporting, investigation, substantiation, and placement in foster care. They are more likely to remain in child welfare for longer periods of time and less likely to be reunited with their birth parents.¹ *CWLA would like to see a new requirement for data collection and research regarding the causes and effective approaches for reducing disproportionality in child welfare.*

In partnership with ZERO TO THREE and other advocacy organizations, CWLA is working to promote policies that support the positive development of infants and toddlers known to the child welfare system. Infants and toddlers are the age group with the highest rates of maltreatment, accounting for more than one quarter of all children with substantiated cases of abuse or neglect.² They account for almost a third of all children placed in foster care.³ The child maltreatment they experience and subsequent responses from the child welfare system occur during a time when their brains are developing at life-altering rates. The toll extracted can resonate throughout their lives in the form of deficits in IQ scores, language ability, and school delay as well as physical health difficulties.⁴ *For these reasons, CWLA believes state plans should identify how systems are addressing the developmental needs of infants and toddlers who come in contact with the child welfare system. In particular, the health oversight plan should include steps for detecting and addressing developmental delays. Because infants and toddlers who have experienced abuse or neglect have a very high rate of developmental delays, they need medical homes and periodic screening by physicians as well as Part C of the Individuals with Disabilities Education Act early intervention services.*

Furthermore, CWLA would also like to see a new requirement for data collection and research that allow us to discern the experiences of infants and toddlers in the child welfare system. Often infants and toddlers are not included as a distinct category in data collection. Similarly, more research is needed on their experiences and what approaches work best in their case.

The use of kinship and guardianship are growing trends in child welfare due in part to the provisions in the Fostering Connections to Success and Increasing Adoptions Act (P.L. 110-351, hereafter the Fostering Connections Act) which for the first time established reimbursement under Title IV-E for guardianship assistance payments, at state option. *CWLA believes states should be encouraged to provide kinship and guardianship. State plans under CWS should include steps the state will take to provide and expand this*

support. As with disproportionality and infants and toddlers, CWLA would like to see a new requirement for data collection and research that allow us to examine outcomes and effectiveness for kinship/guardianship. Kinship research would also connect to the disproportionality research since minority children are overrepresented in kinship families. To this end, there should be systemic evaluations of the experiences of families of color in kinship settings and promising practices to address disproportionality.

Of the 276,000 children that exited foster care in 2009, 29,471 reached the age of majority and become adults without a permanent family.⁵ Children who age out of the system are far too often inadequately prepared for adult lives. They are disproportionately represented among high school drop outs, the homeless and the unemployed. The Fostering Connections Act took a significant step forward in allowing states to extend care to age 21. *All states should extend care up to age 21 for those youth who remain in care and who need continuing support. Permanency planning and relationship connections should continue at the same time the youth are offered assistance to emancipate with the skills and resources needed to live independently. Because of the particular vulnerability of this population, CWLA believes CWS state plans should identify the independent living preparation services that will be provided to all youth who are in foster care at any time after their 14th birthday regardless of their placement.*

Attention to the unique needs of tribal populations has been strong in recent years, particularly with the passage of the Fostering Connections Act, granting tribes the option to administer IV-E programs. Studies show that culturally competent care results in better outcomes for children and families involved in the child welfare system.⁶ *In partnership with the National Indian Child Welfare Association, CWLA believes state plans should promote tribal-state cooperation and coordination, and data collection requirements should be expanded, with tribal consultation, to better track outcomes data on American Indian and Native children. In so doing, consultation from both tribes and states should inform the revision of state plan requirements as they relate to the Indian Child Welfare Act (ICWA).*

Promoting Safe and Stable Families (PSSF)

Part II of IV-B funds four vital services that address four different types of families in need: those in need of basic support services that can strengthen the family and keep them whole, families being reunified, families we are trying to preserve or maintain, and adoptive families in need of support. *CWLA supports these categories and the way they emphasize different families' needs. These categories should continue to be the target for PSSF in a reauthorization bill.*

Family Support Services (FSS) are targeted to families with difficulties and concerns related to the proper functioning of the family and care of the children. The focus of FSS is on prevention. The services address the need to improve the well-being of a child, family functioning, and the parent's ability to provide for the family, before they are in crisis. In order to reach families in need of assistance, family support programs work with outside community organizations such as schools, Head Start programs, and child welfare

agencies. The aim is to provide temporary relief to families by teaching them how to better nurture their children. Involvement in these services is voluntary. Types of services include parent education, child care relief, and self-help groups.

Family Preservation Services (FPS) are comprehensive, short-term, intensive services for families delivered primarily in the home and designed to prevent the unnecessary out-of-home placement of children or to promote family reunification. The services are intended to protect a child in a home where allegations of child abuse or neglect have occurred, prevent subsequent abuse or neglect, prevent placement of a child, or reduce the stay for a child in out-of-home care. Families in need of family preservation services are usually referred by public welfare agencies. Services are provided within 24 hours of referral and the family's involvement is voluntary. These services provide a holistic response to families on a 24-hour basis, including services such as family therapy, budgeting, nutrition, and parenting skills.

Reunification is the first permanency option states consider for children entering care. Yet, in many ways, it is the most challenging option to achieve in a plan-based, permanent way. We know that 49% percent or 202,065 children in care on September 30, 2009 had a case plan goal of reunification with their parents or other principal caretaker. At the same time 140,000 children, or 51 percent of those children who left care in 2009, were returned to their parent's or caretaker's home.⁷ Successful permanency through reunification requires many things, including skilled workers, readily available supportive and treatment resources, clear expectations and service plans, and excellent collaboration across involved agencies. Reunification also requires worker skills, the need for accessible and culturally appropriate support and treatment services for families with children and the critical need for after care or post-permanency services to ensure that safety and permanency are maintained following reunification.

The range of preservation and reunification services should specify mental health and substance abuse services for parents. Children of all ages, and in particular infants and toddlers who have been traumatized by maltreatment may need mental health services, including assessment of the parent-child relationship; parenting education programs that are effective in working with maltreating parents; frequent (as often as daily) parent-child contact if the child has been removed from the home accompanied by support for productive visits; and child-parent psychotherapy.

Adoption support is an important need as the numbers of adoptions continue to increase. Of the 423,773 children in foster care on the last day of 2009, approximately 114,556 were waiting to be adopted and 69,947 were free for adoption (parental rights had been terminated).⁸ Children adopted from foster care often experience emotional, psychological and developmental consequences as a result of their maltreatment. In navigating these challenges, adoptive families are strengthened when they have access to pre- and post- adoption services. For example, support groups, case management, respite care and mental health services. *In partnership with Voices for Adoption, CWLA sees room for improvement in the systemic structure of adoption promotion and post permanency support. To this end, Congressional direction could clarify MOE guidance*

(ACYF-CB-PI-09-08) and require states to document savings under the adoption assistance de-link in the Fostering Connections Act. As the federal government pays for adoption assistance payments that states previously covered, states should be required to reinvest those savings in the adoption infrastructure to ensure successful permanency for adoptive families.

PSSF Requirements

Receipt of PSSF funds requires states to create a five year Child and Family Services plan, including goals and measures for achieving the plan. In addition, they must annually submit a progress report and a final review in the fifth year. Within this reporting, states must describe the services they will provide within each of the four categories. *CWLA supports these requirements as an effective way to address accountability within this flexible funding stream. In order to ensure appropriate attention is being paid to all families in need, CWLA believes states would strengthen service provision by documenting both adoption promotion and adoption support, separately. This way, better attention can be paid to the needs of both finding adoptive homes for appropriate children and supporting this form of permanency when it is achieved. An explanation and areas for improvement should be required in instances where no funding is spent in either area.*

The Court Improvement Program (CIP)

CIP includes grants for assessing and improving the handling of maltreatment cases, judicial workforce training, and data grants to improve the timeliness of court decisions. Courts are an integral component of the child welfare system, because they provide crucial case decisions like judicial findings of maltreatment and approval of permanency changes for children. The gravity of decisions must account for the perspectives of those affected and court staff must be well-informed about social work practice including interventions, child development, human behavior, and the consequences of trauma. This is one of the few places in child welfare law where funding is provided for the courts. *We support the Court Improvement Program and believe it should be expanded to fund successful models in every state. Furthermore, we support the administration's proposals to incorporate strategies for faster adoption after the termination of parental rights, concurrent planning, youth participation in hearings, court workforce training on trauma, and the incorporation of tribal courts. Tribal CIP should be available to tribes who administer either Title IV-B or Title IV-E because of legal requirements like judicial determinations that necessitate fully operational dependency court systems.*

Regional Partnership Grants to Improve Outcomes for Children Affected by Parental Substance Abuse

These grants are competitive grants to established collaborations serving children at risk for or victims of maltreatment due to parental substance abuse. Estimates suggest that between 50% and 80% of child welfare cases involve a parent with a substance abuse problem.⁹ Further, data show that children of parents with substance abuse disorders are

nearly three times more likely to be abused and more than four times more likely to be neglected than children of parents who do not abuse substances.¹⁰ *CWLA supports the grants, but propose the language reflect the variety of problems associated with local differences in the types of substances abused, and the occurrences of polysubstance abuse. Grant funding should include broader terminology without emphasis on any particular substance. Furthermore, we agree with Representative Denny Rehberg (R-MT) in emphasizing support for family-based substance abuse treatment.*

Grants to Improve Monthly Caseworker Visits

Funds reserved for caseworker visits are intended to target “retention, recruitment, training, and ability to access the benefits of technology.” Requirements to develop standards and reporting on frequency and quality of the visits are also included to reach the goal of 90% of children in foster care being visited monthly by next fiscal year, 2012.

Effective child welfare services are based on accurate differential assessments and require knowledge of human behavior, the factors underlying child maltreatment, and the way in which both risks and protective factors interact to produce an overall picture of a family’s needs. In the child welfare field visitation is not an isolated service or stand-alone intervention. Rather it is an integral part of a larger case planning process. To reach this visitation goal with an attention to quality, we need a comprehensive strategy to strengthen the child welfare workforce. We would not want a system of care where too few workers with very high caseloads are simply meeting an outcome measure of numbers. Rather each state should engage in activities designed to improved the quality of worker visits and be assisted in implementing a long term workforce strategy that sets goals around reduced workforce turnover, higher education levels, adequate caseloads, initial and on-going training, adequate supervision and the proper partnerships with educational institutions and other partners in workforce development.

CWLA supports the maintenance of targeted funds to improve workforce development, including the standards for caseworker visits. Furthermore, we support Representative Karen Bass’s (D-CA) call for improved attention to the workforce through legislative proposals similar to the Child Welfare Workforce Improvement Act, previously proposed in the 110th Congress (S. 2837). Studies or demonstration projects on the workforce should include particular attention to increasing knowledge of trauma and its consequences for children, as well as secondary trauma’s affect on the worker; and it should include knowledge of childhood development, particularly brain development and the impact of various child welfare policies and practices on promoting positive development.

Mentoring Children of Prisoners

A parent’s incarceration can cause traumatic separation, permanency instability, and feelings of stigma in a child. This can result in behavior and development disruptions that present as poor academic performance, juvenile delinquency, and substance abuse. This special population deserves attention to ensure their resiliency.¹¹ Mentoring for this

population is an effective way to engage at-risk children and youth, provide connections to caring adults, and perhaps most importantly, build relations among family members during and after incarceration. Mentoring studies show strong evidence in enhancing resiliency by improving academic performance and reducing delinquency and substance use, in addition to promoting self-esteem, social skills, and knowledge of education and career opportunities.¹²

Mentoring Children of Prisoners is a competitive grant program to community-based, public or private entities serving young people with incarcerated parents. It was created as a designated funding stream within PSSF in 2001. Since 2005 and until 2011 it was funded at \$50 million and enabled over 100,000 child and mentor matches. There were no FY2011 appropriations for this program, ending the funding for over 200 mentoring programs. *CWLA recommends reauthorization of this program and a reinstatement of funds in the appropriations process.*

CWS and PSSF Funding

We recommend reauthorization for a minimum of 5 years and at least continued funding levels. Since 2006, CWS has been authorized at \$325 million and in FY2011 funded at \$281 million. In FY2011, PSSF was authorized at \$365 in mandatory funds and \$200 million in discretionary funds. With an appropriation of \$63 million in discretionary funds approved in FY2011 it was funded at \$428 million. It should be recognized that our commitment to preventing abuse and neglect could be strengthened. Representative Karen Bass's testimony on this subject rightly pointed to the need for greater investment in prevention strategies like differential response, upfront assessments, and early interventions. *There is a need for better targeted funding with a focus on those programs which link to improved outcomes and evidence of what works. For example, evidence-based and evidence-informed PSSF demonstration grants could be awarded to programs which are innovative and show progress in reducing undesirable outcomes. CWLA supports the expansion of IV-B in this way, in addition to the continuation of mandatory funds and full appropriation at at least 2011 authorized levels.*

These dollars work in tandem with Medicaid and SSBG funding. In the absence of increased funding, it must be recognized that IV-B funding loses leverage if those other programs are cut or compromised. *CWLA strongly believes that Medicaid and SSBG must be preserved for IV-B to remain effective.* Another way to leverage funds would be to incorporate the administration's incentive fund proposal into reauthorization. In absence of comprehensive finance reform and increasing prevention and intervention services, this is a way to continue to progress. *CWLA supports the administration's proposal to provide \$250 million in incentive funds for states to earn after showing effective outcomes.*

Fostering Connections Act

The recently enacted Fostering Connections Act has resulted in significant steps forward in improving the child welfare system. Many states and tribes are expanding and improving services. Many children and families coming in contact with the child welfare

system are experiencing these improvements. One area that needs improvement however is in education stability. *The legislation needs to be adjusted to ensure stability is addressed with each placement of the child rather than just the first placement.* In addition, the success of the adoption incentive is considerable. *CWLA recommends a similar incentive be established for achieving permanence for children. Building off the success of the existing incentive for adoptions of children from child welfare there should be a similar incentive to states to encourage permanence achieved through reunification and kinship/guardianship.*

White House Conference on Children and Youth

Finally, CWLA feels that the reestablishment of a White House Conference on Children and Youth, similar to the Aging Conference, would be an important tool to help communities and states deal with many of these challenges from creating effective prevention strategies to understanding what is needed in comprehensive finance reform. Ultimately the federal government can provide vital support and leadership—but we will truly improve outcomes for this nation’s most vulnerable children and families only if these new laws and programs are carried out down to the casework level. This is CWLA’s mission and we believe, our collective responsibility.

¹ Hill, R.B. (2011). “Gaps in research and public policy.” In D.K. Green, K. Belanger, R.G. McRoy, and L. Bullard, *Challenging Racial Disproportionality in Child Welfare: Research, Policy, and Practice*. (pp.101-108). Washington, DC: CWLA Press.

² Children’s Bureau. (2010). *Child maltreatment 2009*. Washington, DC: U.S. Department of Health and Human Services(HHS). Available online at <http://www.acf.hhs.gov/programs/cb/pubs/cm09/cm09.pdf#page=4>.

³ Children’s Bureau. (2010). *The AFCARS report: Preliminary FY 2009 estimates*. Washington, DC: U.S. Department of Health and Human Services. Available online at http://www.acf.hhs.gov/programs/cb/stats_research/afcars/tar/report17.htm.

⁴ Harden, B.J. (2007). *Infants in the child welfare system: A Developmental framework for policy and practice*. Washington, DC: ZERO TO THREE; Wuczyn, F., Ernst, M., and Fister, P. (2011). “Who are the infants in out-of-home care? An epidemiological and developmental snapshot.” *Chapin Hall Issue Brief*. Chicago, IL: Chapin Hall at the University of Chicago. Available online at <http://www.chapinhall.org/research/brief/race-and-child-welfare>.

⁵ *The AFCARS report (2010)*.

⁶ Red horse, J.G., Martinez, C., & Day, P. (2001). *Family preservation: A case study of Indian tribal policy*. Seattle, WA: Casey Family Programs.

⁷ *The AFCARS report (2010)*.

⁸ *Ibid.*

⁹ Osterling, K., & Austin, M. J. (2008). “Substance abuse interventions for parents involved in the child welfare system: Evidence and implications.” *Journal of Evidence-Based Social Work*, 5(1/2), 157-189. doi:10.1300/J394v05n01-07.

¹⁰ United States Department of Health and Human Services, Administration for Children and Families, Office on Child Abuse and Neglect. (2009). *Protecting children in families affected by substance use disorders*. Washington, DC: Child Welfare Information Gateway. Available online at www.childwelfare.gov/pubs/usermanuals/substanceuse/substanceuse.pdf

¹¹ Maier, K. (2006). “Children of incarcerated parents.” *Journal of Children and Poverty* 12(1); Wright, L. and Seymour, C.B. *Working with children and families separated by incarceration*. Washington, DC: CWLA Press.

¹² MENTOR (2011). *Research and Studies*. Washington, DC: MENTOR. Available online at http://www.mentoring.org/news_and_research/research_and_studies/.