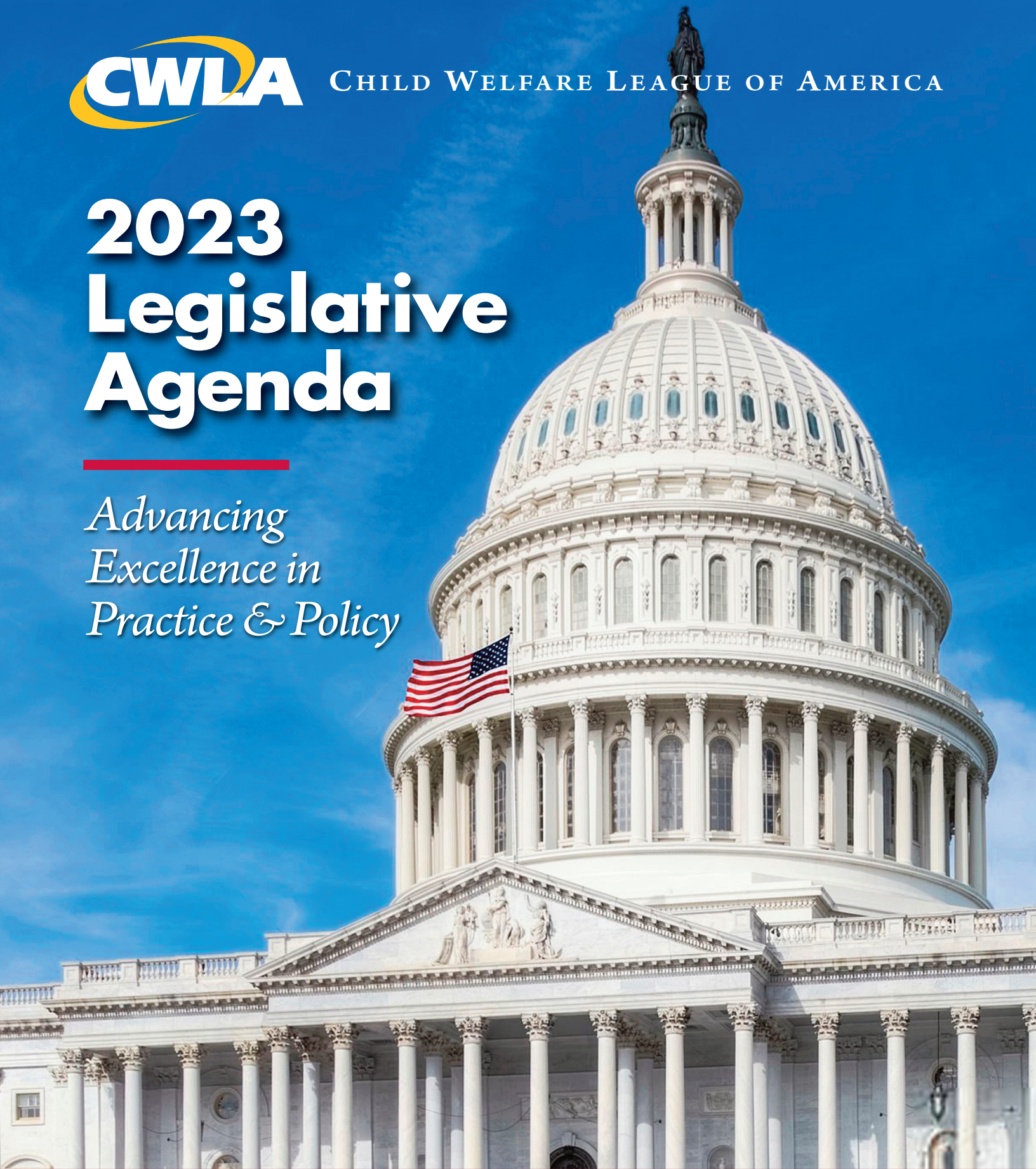




CHILD WELFARE LEAGUE OF AMERICA

2023 Legislative Agenda

*Advancing
Excellence in
Practice & Policy*



★ Recommendations for the 118th Congress ★ FIRST SESSION ★



Executive Summary

The Child Welfare League of America (CWLA) is a powerful coalition of hundreds of private and public agencies that since 1920 has worked to serve children and families who are vulnerable. CWLA's focus is children and families who may have experienced abuse, neglect, family disruption, or a range of other factors that jeopardize their safety, permanence, or well-being. Additionally, CWLA focuses on the families, caregivers, and the communities and policies that care for and support these children.

Congress must place the interests of children and families who are vulnerable front-and-center and prioritize measures to protect and empower them. This includes pursuing meaningful protections for children currently enrolled in federal programs and helping to ease the process for children and families in need of government assistance.

While this legislative agenda is meant to serve as a roadmap for specific legislative priorities for CWLA members and child and family stakeholders, we urge Congress, when drafting legislation, to recognize the specific needs and issues related to rural and Tribal populations. CWLA also understands that specific legislation cannot adequately address racial, ethnic, and health inequities, but we are committed to working with Congress to address these issues when proposing and drafting legislation. Not doing so will only exacerbate the chronic issues that children and families who are vulnerable currently face.

CWLA also is concerned about the lack of collaboration among systems and jurisdictions, and we note the need to pursue change in all child- and family-serving systems to better address the drivers of child welfare, such as poverty, mental health and substance misuse, and access to early education. We are looking forward to working with this Congress to provide solutions to address these deterrents. Finally, CWLA continues to urge Congress to adopt person-first, bias-free, and non-labeling language when applicable and actively engage children and families who have lived experience with the child welfare system.

The members of CWLA have worked together to provide Congress with these priorities that, if enacted, would strengthen and protect children and families across the United States. The CWLA 118th Congress Legislative Agenda was developed with the input of child welfare stakeholders from across the country to provide Congress with the necessary guidance as members continue to draft legislation to help children and families who are vulnerable.

CWLA is proud of our 100-year history of providing bipartisan support to members of Congress. We look forward to continuing this strong relationship as you continue your work strengthening families and empowering children.

Kati Mapa

Director of Public Policy

Child Abuse and Neglect Prevention

Child abuse and neglect are serious problems, rooted in unhealthy relationships and environments, that can have lasting harmful effects on victims. In addition to ensuring a robust safety net of concrete and economic supports for children and families—the first line of defense in preventing neglect, discussed later in this agenda—Congress has a duty to promote, pass, and fund legislation that protects children from abuse and neglect and that provides intervention and treatment for children and families when it occurs.

Child Abuse Prevention and Treatment Act. The Child Abuse Prevention and Treatment Act (CAPTA) is foundational to our nation’s system for preventing child abuse and neglect and protecting children who have experienced serious harm: It maintains a broad minimum definition of child maltreatment, provides funding for states to implement community-based prevention services and mandated reporting programs, and includes the Adoptions Opportunities Act, which funds adoption services, among other provisions.

Congress must:

- Reauthorize CAPTA with a higher authorized funding level and with additional attention to child fatalities, children born exposed to substances, and enhanced legal representation for children and families
- Reject all efforts to narrow and politicize the broad federal definition of child maltreatment
- Reauthorize the Adoption Opportunities Act with greater research on adoption disruption and dissolution and more support for post-adoption services

Title IV-B of the Social Security Act. The Stephanie Tubbs Jones Child Welfare Services Program (Subpart 1) provides grants to states and Tribes for programs directed toward the goal of keeping families together. Services are available to children and their families without regard to income. The primary goals of Promoting Safe and Stable Families (PSSF) (Subpart 2) are to prevent the unnecessary separation of children from their families; improve the quality of care and services to children and their families; and ensure permanency for children by reuniting them with their parents, by adoption, or by another permanent living arrangement.

Congress must:

Prioritize a robust Title IV-B Reauthorization that makes improvements to current law, such as:

- Increase funding for child welfare workforce development from \$20 million to \$40 million
- Strengthen and expand the Court Improvement Program through the Strengthening Courts for Kids and Families Act
- Create a mandate for Education Points of Contact at local child welfare agencies to promote collaboration and partnership with local school districts
- Expand the funding for the Regional Partnership Grants to cover more states
- Increase support for Tribal Foster Care programs through the Strengthening Tribal Families Act and Tribal Family Fairness Act
- Include support for youth in out-of-home care who are older through new programs, such as the Foster Youth and Driving Act
- Define and standardize diligent recruitment requirements to expand the diversity of available families who are willing to foster and adopt
- Strengthen the FFPSA Clearinghouse and increase the number of eligible programs by providing research funds

Family First Prevention Services Act. In 2018, the Family First Prevention Services Act (FFPSA) was signed into law, signifying the most significant child welfare legislation since the 2008 Fostering Connections to Success and Increasing Adoptions Act. FFPSA is an expansion of entitlement funding with a focus on preventing children and their families from becoming involved in the child welfare system by providing evidence-based services to children who are considered “candidates for foster care.”

Congress must:

- Ensure that youth placed in Quality Residential Treatment Programs retain Medicaid eligibility through the Ensuring Medicaid Continuity Act
- Strengthen the FFPSA Clearinghouse and increase the number of eligible programs by providing research funds in the Title IV-B Reauthorization

Home Visiting. Our nation spends billions annually to address a host of health, educational, and social challenges that families who are at risk face, including poor birth outcomes, child abuse and neglect, childhood cognitive disabilities, and poor school readiness and academic achievement. These conditions, however, can be reduced or prevented at a fraction of the cost with voluntary evidence-based home visiting programs. Scientific research demonstrates that evidence-based home visiting improves prenatal care and birth outcomes, early child health and development, school readiness, and parenting practices; reduces child maltreatment; and helps families become more self-sufficient.

Congress must:

- Continue to increase funding so more counties and communities have access to quality home visiting programs
- Protect the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) program from current budget cuts through sequestration



- Address child support collection as it affects foster care
- Create additional funding opportunities for Tribes for infrastructure requirements to successfully create/maintain a culturally responsive IV-E program for their Tribal nation
- Delink Title IV-E funding eligibility from the antiquated AFDC eligibility standards

Kinship Care. Kinship care, the practice of an adult family member providing a caring home for a child who is not able to live with their parents, is a valuable permanency option for children in out-of-home care. Legislative barriers for caregivers who are kin must be addressed.

Congress must:

- Create a dedicated funding stream for Kinship Navigator programs
- Make IV-E funding more flexible for kinship placements

Adoption. Enhancing adoptions are policies that facilitate openness in adoption, greater protection of children adopted across national boundaries, and promptly finding families who will adopt children who are in foster care when they cannot return to the families from whom they were separated. Families formed by adoption would benefit from better access to post-adoption supports to ensure lifelong permanency.

Congress must:

- Reauthorize the Adoption Opportunities Act through reauthorization of the Child Abuse Prevention and Treatment Act
- Fund and support post-adoption services
- Require data collection on disruptions and dissolutions of adoptions
- Define and standardize diligent recruitment requirements to promote greater diversity among families willing to adopt
- Review time limits for termination of parental rights in the Adoptions and Safe Families Act

Child Welfare System Reform

The national child welfare system maintains minimum standards of care for children who are vulnerable to or are experiencing abuse and neglect. Congress has a responsibility to address gaps in the current legislation that governs the child welfare system to ensure the health and safety of all children and families in our nation.

Foster Care. Children who can't safely live at home deserve the best care while waiting for reunification or another permanency option. Every effort should be made to ensure that time in out-of-home care is as short as possible, and families who provide foster care and residential treatment facilities must be equipped to meet children's every need.

Congress must:

- Extend foster care to age 21 nationally
- Define and standardize diligent recruitment requirements and support other foster parent recruitment efforts



Workforce. The child welfare workforce consists of people with a variety of experiences who are diverse, competent, responsive, skilled, and represent various disciplines. They are committed to high-quality service delivery and must be provided with the training, tools, resources, and support necessary to perform their roles effectively.

Congress must:

- Support workforce development through increased funding in Titles IV-B and IV-E
- Fund the human services loan forgiveness program included in the Higher Education Act Reauthorization of 2008
- Explore creative solutions to the current workforce crisis, such as:
 - a Labor Department program that highlights the need for career development in human service programs, including child welfare
 - long-term workforce development through incentive grants

Youth who are Transition Age. Society has changed since Congress first directed federal foster care to end at age 18 in 1980; traditional paths to adulthood are no longer as clear and accessible as they used to be. With rising costs of living and fewer available opportunities, Congress must ensure that young people in foster care have access to adequate support and services as they transition to adulthood and independence.

Congress must:

- Extend foster care to age 21 nationally
- Increase funding for the Chafee Program and fully fund Education and Training Vouchers
- Provide greater and simpler access to student loans and on-campus services
- Support youth who experience foster care in obtaining driver's licenses through the Foster Youth and Driving Act
- Provide greater targeted housing assistance

Economic Security

Federal social welfare policies are a critical support for children in families with low incomes. The best and first way to keep kids safe is to ensure that their families are stable and able to meet their basic needs. It's our collective responsibility to create communities with an array of supports and services so families have the best chance to be self-sufficient. A strong safety net with springs will enable families to bounce back from hard times or offer a chance for families to find sure footing.

Child Tax Credit (CTC). The Expanded Child Tax Credit, passed as part of the American Rescue Plan Act to provide relief for families during the COVID-19 pandemic, has been hailed as the most successful anti-child poverty policy option available. The credit expansion lifted more than 3.5 million children out of poverty and research shows that most families spent their monthly CTC payments on necessities such as food, clothing, and housing. The expansion of the CTC had no negative effect on employment.

Congress must:

- Expand the Child Tax Credit by:
 - making it fully refundable
 - reinstating monthly payments
 - increasing the total value for families, particularly those with low income

Child Care. Child care and early childhood education are critical to the future well-being of all children and to building a stronger foundation for all families. Too many families are unable to access child care, either because it's too expensive or because there aren't enough quality providers where they live. Too many child care and early education professionals earn poverty-level wages and struggle to make ends meet. This reality is untenable, and Congress must expand the child care and early learning infrastructure and invest in our future.

Congress must:

- Increase appropriations for the Child Care and Development Block Grant
- Fund workforce development initiatives
- Address child care deserts by providing funding for providers in rural areas

Paid Leave. Paid family and medical leave has been shown to reduce overall health care costs and would provide stability for children and their families. Research cited by the Pew Research Center highlights that the United States is out of step with much of the rest of the world when it comes to family leave: Across 41 countries, America is the only one that does not mandate paid leave. It's time for Congress to provide paid leave for every family in the United States.

Congress must:

- Pass the Family and Medical Insurance Leave (FAMILY) Act to guarantee paid leave following the birth or adoption of a child or personal or family illness requiring leave from work

Temporary Assistance for Needy Families (TANF).

A state entitlement block grant, TANF is funded at \$16.5 billion and states are required to spend over \$12 billion a year in Maintenance-of-Effort (MOE) funds to qualify for their share of the \$16.5 billion. Based on previous surveys of state child welfare spending, states will spend approximately \$2.4 billion on a range of child welfare services, from kinship care to other out-of-home services, to prevention and intervention services.

Congress must:

- Increase the overall TANF funding to rectify the lost value due to inflation and rising cost of living
- Protect and expand child welfare funding

Nutrition. The COVID-19 pandemic brought on record rates of food insecurity: 25% of adults and nearly 30% of those with children are struggling to put enough food on the table, according to the Food Research and Action Council. Hunger hurts us all and eliminating it would save the nation billions of dollars in medical spending, special education costs, and lost economic productivity. Polls consistently have found that voters do not think the government is doing enough to solve food insecurity.

Congress must:

- Pass the Healthy Meals, Healthy Kids Act to expand access to school breakfast and lunch programs
- Reauthorize the Agriculture (Farm) bill to strengthen the SNAP program through several reforms, including:
 - increasing SNAP allotments
 - extending the program to Puerto Rico

- ending time-limits on nutrition benefits
- improving access for college students
- Restore the expanded access to school nutrition programs first enacted during the pandemic

Housing. Housing instability is a leading factor that contributes to families becoming involved with the child welfare system. Youth and young adults who have experienced foster care also face increased risk of housing instability upon transitioning to independence. Stable housing, which has become increasingly difficult for many families and young adults to achieve, allows parents to provide a greater level of care for their children.

Congress must:

- Pass the Fair and Equal Housing Act

Health Policy

All child- and family-serving systems share an interest in promoting health, well-being, and healthy growth and development for children. Physical and mental health concerns can impact a caregiver's ability to adequately provide for the children in their care, and families benefit from an accessible, equitable, and comprehensive health care system.

Mental Health & Substance Misuse. Addressing and expanding access to mental health services is a significant component and challenge within child welfare, including child protection. Thoroughly screening children and families involved with the child welfare and foster care systems, and providing appropriate treatment, is essential. Primary prevention efforts, family preservation, reunification, adoption, and all forms of permanence require addressing barriers created by behavioral health needs.

Congress must:

- Protect funding increases in recent appropriations for the Community Mental Health Block Grant and the Substance Abuse Block Grant
- Require states to indicate how they will:
 - ensure equitable access to the continuum of services for all children and their families, including but not limited to children with a serious emotional disturbance/disorder

- incentivize adult providers to use a whole-family approach and coordinate with any providers and systems involved with the child(ren), when appropriate
- Address the workforce crisis through higher Medicaid reimbursement for mental health services, loan forgiveness, and other recruitment strategies
- Address the lack of mental health and substance misuse services available in rural communities
- Expand the Grants for Expansion and Sustainability of the Comprehensive Community Mental Health Services for Children with Serious Emotional Disturbances to include all children and youth with any mental health diagnosis and their families
 - Pilot a study to examine its cost-effectiveness for improved mental health outcomes post-involvement with the services

Medicaid. Child welfare agencies are responsible for meeting the physical and mental health needs of all children in their custody. Virtually all children in foster care are eligible for and receive their health care through Medicaid. Considering the volume and intensity of the health needs of children and youth in child welfare, Medicaid must provide the physical, mental, and behavioral health services vital to their well-being.

Congress must:

- Ensure that all youth in foster care are covered by Medicaid, including those in kinship placements and those that are placed across state lines
- Ensure continued access for youth in care to Medicaid and appropriate Quality Residential Treatment Programs through the Ensuring Medicaid Continuity Act
- Address the workforce crisis through raising Medicaid reimbursement rates
- Remove the IMD barrier for family-based residential substance use treatment programs so children can be with their parent(s) while they receive treatment

Maternal Health. Maternal physical mental health can have an important impact on child and adolescent health, both in the short and long term. Healthy mothers are better equipped to care for their children, particularly during the

infant and toddler years. Evidence also suggests that there is a decrease in child protective service (CPS) substantiations and out-of-home placements for families receiving home visiting services, a key maternal health intervention.

Congress must:

- Protect and expand current appropriations for the Maternal Health Block Grant
- Protect and expand current appropriations for the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) Program and other home visiting initiatives

LGBTQ+ Health. LGBTQ+ youth are faced with adversity and difficulty in many arenas, including physical and mental health care, and such adversity takes a toll: LGBTQ+ youth have higher rates of suicidal thoughts and suicide attempts than their peers. These youth also are overrepresented in child welfare systems; recent studies have found that about one in three youth in care in New York and Ohio identify as LGBTQ+. Congress must act to protect the rights of these young people.

Congress must:

- Strengthen medical privacy laws for transgender youth

Education

The importance of access to high-quality, continuous education for all children and youth cannot be overstated, as education opens doors to future opportunities. For children and youth who have experienced adversity, trauma, and time in the foster care system, our nation's education infrastructure can provide stability, resources, and support at all levels to help children to thrive on their path to adulthood.

Early Education. Early Childhood Education programs help young children develop the cognitive skills needed to succeed in subsequent schooling, and must be equally accessible to all children, regardless of their family's income, location, or

status. In a rigorous study, Early Head Start showed positive impacts across a broad set of factors, including boosting babies' learning, language, health, and behavior, yet it is available to only 7% of eligible families.

Congress must:

- Protect and expand the increased appropriations for Head Start in the 2023 Consolidated Appropriations Act
- Significantly increase appropriations and support for Early Head Start

K-12 Education. Education for all children is fundamental to a successful future. It is perhaps even more critical to those children who at a young age face additional life challenges. That is why access to a quality education and ongoing support and encouragement are so vital to the approximately 600,000 children who will spend time in foster care in a given year.

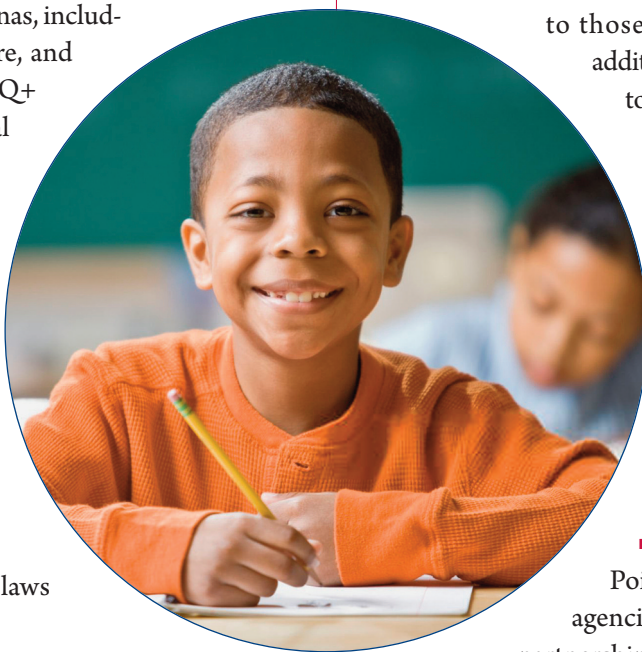
Congress must:

- Support child welfare and education system collaboration through competitive grants to states and/or localities
- Create a mandate for Education Points of Contact at local child welfare agencies to promote collaboration and partnership with local school districts

Higher Education. College and vocational training continues to be a primary path toward reliable income and stable careers for many young adults, but for youth who have experienced foster care, there are many barriers to accessing higher education. Applications and fees can be cost-prohibitive, test scores may be lower than their peers, and experiencing homelessness and food insecurity can make these programs difficult to complete.

Congress must:

- Fully fund the Education and Training Vouchers in the Title IV-E Chafee Program





- Pass bills that support youth in foster care in pursuing higher education, including:
 - The Higher Education Access and Success for Homeless and Foster Youth Act
 - The Helping Foster and Homeless Youth Achieve Act
 - The Fostering Success in Higher Education Act
 - The Fostering Postsecondary Success for Foster and Homeless Youth Act
- Pass the Tyler Clementi Higher Education Anti-Harassment Act to combat harassment and support campus anti-harassment programs

Individuals with Disabilities.

Congress must:

- Pass a robust reauthorization of the Individuals with Disabilities Education Act (IDEA)
- Protect and grow appropriations for IDEA, with particular focus on fully funding IDEA Part C: Infants and Toddlers

Juvenile Justice

Our focus is children and youth who may have experienced abuse, neglect, family disruption, or a range of other factors that jeopardize their safety, permanence, or well-being. Children and youth in the juvenile justice system are far more likely to have experienced trauma than their peers. Recognizing the impact of exposure to violence and trauma on adolescent behavior and development, it is imperative that Congress prioritize trauma-informed services and community-based alternatives to detention.

Congress must:

- Reauthorize the Juvenile Justice and Delinquency Prevention Act (JJDP), with attention to addressing racial disparities and bolstering prevention services and access to mental health services
- Incentivize increased collaboration between child welfare and juvenile justice with competitive grants to better address youth involved in both systems, sometimes referred to as “dual-status youth”

Support American Indian/Alaskan Native Children and Families

Tribal child welfare services operate in a unique context shaped by laws, jurisdictional issues, cultural factors, financial constraints, and a federal trust relationship that is unlike any other in the states or territories. In addition to barriers related to providing services, issues still remain in the disproportionate representation of children from Tribal communities in the child welfare system. Congress must provide support for Tribal communities in all aspects of child welfare funding and legislation.

Congress must:

- Pass the Strengthening Tribal Families Act and Tribal Family Fairness Act in Title IV-B reauthorization
- Increase funding set-asides in IV-B and other programs for Tribes
- Create additional funding opportunities for Tribes for infrastructure requirements to successfully create/maintain a culturally responsive IV-E program for their Tribal nation

Immigration Reform

The federal government needs to reestablish our long tradition of having policies that recognize and support families seeking refuge from violence and political persecution for themselves and their children. To that end, Congress must enact fair immigration reform, create laws that prohibit policies that deter immigration by separating children from their parents, and protect the young adults who are undocumented and were brought to the United States as children.

Congress must:

- Pass the DREAM Act to restore the Deferred Action for Childhood Arrivals Initiative

LGBTQ+ Rights

Youth who are LGBTQ+ and have been rejected, abused, or neglected by their families because of their identities are at serious risk for negative outcomes, including homelessness, mental and physical health issues, self-harm, and suicide. The child welfare system must ensure that youth in care who are

LGBTQ+ receive support, acceptance and access to coping strategies to help them successfully transition to adulthood. Additionally, LGBTQ+ parents are as well suited to raise children as their heterosexual counterparts, and Congress must act to ensure their right to foster and adopt.

Congress must:

- Pass the John Lewis Every Child Deserves a Family Act
- Pass the EQUALITY Act

Reduce Gun Violence

No child or parent should ever fear firearm violence in a school, church, or supermarket. As a national organization that has worked for over 100 years to help ensure that children grow up safely, in loving families and supportive communities, with everything they need to flourish and with connections to their communities, culture, ethnicity, race and language, CWLA recognizes the need to redouble our efforts to make this vision a reality for all children. Gun violence prevention must be part of these efforts.

Congress must:

- Enact a federal Red Flag law
- Expand Universal Background Checks

Prevent Human Trafficking

Affecting men, women, and children around the world who are vulnerable, human trafficking—estimated by the International Labour Organization to be approximately a \$150 billion industry—is the second most lucrative black market, outpaced only by the illegal drug trade. Human trafficking capitalizes on poverty, exploitation, psychological trauma, and profit, and children who are involved in the child welfare system often are particularly vulnerable to this crime. Congress must ensure that agencies and organizations addressing this issue have the resources and support they need.

Congress must:

- Take steps to protecting children from online exploitation and provide services for victims by passing the Invest in Child Safety Act
- Reauthorize the Runaway and Homeless Youth and Trafficking Prevention Act
- Reauthorize the Trafficking Victims Protection Act



We are the Child Welfare League of America.

*We will lead the nation in building public will to
ensure the safety, permanence, and well-being of children,
youth, and families by advocating for the advancement of public policy,
setting and promoting standards for best practice, and
delivering superior membership services.*

CWLA ADVOCACY TEAM



Kati Mapa

Kati Mapa is CWLA's Director of Public Policy. She recently returned to the Washington, DC, area from her previous work in Massachusetts. Kati brings with her vast experience on issues that are critical to the child welfare field. She most recently worked for the United Way of Greater Plymouth County, Brockton, where she was a Clinical Advocate in the Drug Endangered Children Initiative. She previously worked for the National Alliance on Mental Illness (NAMI) Massachusetts, working on advocacy on state legislative issues and community organization, and for the Eastern Regional Mental Health Board in Norwich, Connecticut.

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