CONNECTICUT VOICES FOR CHILDREN

Testimony Regarding S.B. 844: An Act Adopting A Foster Parent Bill of Rights and Supporting H.B. 6225: An Act Requiring a Results-Based Accountability Report Card on Out-of-State Residential Treatment of Children

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Select Committee on Children

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House Chair Urban, Acting Senate Chair Musto, and distinguished Members of the Select Committee on Children:

We submit this written testimony on behalf of Connecticut Voices for Children, an independent, research-based nonprofit organization dedicated to speaking up for children and youth in the policymaking process that has such a great impact on their lives.

I. Connecticut Voices for Children supports subsection (a) of Section 1 of S.B. 844, recognizing that improving foster parent retention is a major key to reducing overreliance on congregate care and improving outcomes for children in the child welfare system. However, we believe that subsection (b) imposes an undue burden on the juvenile court system, and believe that the appropriate remedy for aggrieved foster parents should be an administrative hearing.

Every child deserves to grow up in a family. Unfortunately, there are not enough foster homes to meet the needs of Connecticut's children who have been removed from their homes because of abuse or neglect. As a result, a significant number of kids are unnecessarily placed in congregate (group) care settings.

Because congregate care involves shift workers, it is detrimental to the formation of secure attachment and long-term relationships.[i] Not only are these congregate care settings developmentally harmful, they are also more expensive than alternative family placements.[ii] Finally, children in congregate care settings are less likely to be adopted or otherwise find a permanent home. As the Connecticut Department of Children and Families (DCF) has recognized, "Family foster care is the most effective means to reduce unnecessary reliance on congregate care. Even more importantly however, it aids in the achievement of timely permanency for children and youths through the work that foster families can do with biological families and by serving as one of the greatest sources for adoption."[iii]

While DCF has devoted significant resources to the recruitment of new foster families, it has failed to meet its legal obligation under the *Juan F.* settlement[iv] for net increase in foster homes. In 2008, DCF agreed to add 350 foster family homes statewide by June 30, 2009 and an additional 500 statewide by June 30, 2010. However, as of October 2010, DCF had achieved a **net gain of only 42 homes**[v]. In fact, in the 3rd quarter of this year, DCF lost 300 homes.[vi]

As recruiting a sufficient number of foster families to fit the need is a difficult challenge, it is imperative that DCF does a better job of retaining the foster families it already has. In 2002, the Office of the Inspector General of the federal Department of Health and Human Services, commented on the importance of foster parent retention, stating that "the loss of these trained and experienced foster parents greatly impacts the foster care program," and suggesting that "it may have an even greater impact on programs than failing to recruit new foster families."[vii] Retaining existing families not only decreases the strain on recruitment efforts, but also increases placement stability and boosts the likelihood that children are placed with experienced foster parents.[viii]

While some turnover of foster parents is due to adoption, retirement, and other changes in family circumstances, a significant minority of foster parents closing their licenses are doing so because they feel inadequately supported or respected by DCF.[ix] In exit surveys (conducted by CAFAP under contract with DCF) for families closing their licenses during fiscal years 2007, 2008, and 2009, over 20% of families surveyed indicated that the primary reason for closing their license was either a "lack of respect" by DCF, inadequate support, or inadequate services provided by DCF to the children in their care. Enacting this legislation would improve the foster parent experience and could help increase retention of some of the foster parents who would otherwise leave the system for these reasons.

Furthermore, we believe that the rights provided in the legislation clarify current policy and are consistent with accepted best practices. Social work researchers Ramona Denby, Nolan Rindfleisch, and Gerald Bean conclude that sharing of information and mutual respect is intimately related to foster parent satisfaction: "Foster parents are satisfied when their relationship with agency social workers and other agency personnel is characterized by sharing of information, respect, and positive regard."[x] To advance such a relationship, they favor a "reconceptualization" of foster parents as "para-professionals." Such a reconceptualization requires an agency cultural shift. In the CAFAP exit interviews, 27.5% of foster families disagreed or strongly disagreed with the statement "DCF included me and considered my experience with the child in my care when making decisions about his/her future". As one foster parent and experienced occupational and behavioral therapist commented, "[In a professional capacity] I am used to working as a team with the parent, with the school, with the other providers. But the caseworkers just want to tell you this is what you are going to do, this is how we do it and that is it. So there is really no sense of team, there is just hand slapping." When parents are seen, in the words of Denby, Rindfleisch, and Bean, as "ancillary help," foster parents feel unappreciated and unsupported, and are less likely to continue fostering.

Most of the concepts contained in this bill—treating foster parents with respect, involving them in case-planning to the extent practical, sharing information regarding the children in their care to the extent allowed by law and providing appropriate training, not retaliating against foster parents—are not controversial. Furthermore, most, if not all fall within current department policy, if not always practice. However, we believe that this legislation is a positive addition because it collects all of these "rights" in one location and requires DCF to distribute copies, ensuring that foster parents are more informed about policies affecting them. Even more important, it indicates to foster parents that we as a state recognize their contributions as valued members of the treatment team.

According to the 2010 CAFAP satisfaction survey addendum, 42% of foster families reported that they were recruited by a friend, "through a relative," or by other foster families[xi]. Therefore,

improving current foster family perceptions is a key not only to increasing retention, but also to boosting recruitment of new foster families.

However, we do not support allowing foster parents to bring grievances under this section to the Superior Court for Juvenile Matters. Given the fact that the court system is already overburdened, we believe a more appropriate venue would be to allow foster parents to bring grievances in administrative hearings. We believe that this would provide resolution without overwhelming the juvenile court system.

II. Connecticut Voices for Children strongly supports H.B. 6225: An Act Requiring a Results-Based Accountability Report Card on Out-of-State Residential Treatment of Children

We are pleased that Commissioner Katz has indicated that reducing the utilization of out-of-state residential treatment facilities will be a priority of the new administration. While in certain situations an out-of-state residential placement is the most appropriate choice given the specific needs of a child, Connecticut Voices for Children believes that children are best served in their communities of origin whenever possible. We recognize that, in certain cases, "out-of-state" residential treatment facilities (in Massachusetts, for instance) are closer to the community of origin than comparable facilities within the state of Connecticut. However, the Court Monitor's September 2010 Ad Hoc Review of Out of State Children revealed that children are still being placed as far away as Texas. [xii] When children are placed hundreds or thousands of miles away from their communities of origin, this prevents them from developing the bonds necessary to achieve permanence after returning from out-of-state. Furthermore, it creates strains on the entire child welfare system as caseworkers must make face-to-face visits. Not only is this prohibitively expensive[xiii], but it can also negatively impact other cases on a worker's caseload. In sum, any step to reduce the use of out-of-state residential facilities is welcome, assuming the youth are able to receive appropriate services in-state. Consequently, requiring a results-based accountability report card is a positive step towards reducing overreliance on the use of out-of-state facilities.

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[i] For a review of the research concerning the impact of congregate care, see Barth, R.P. (2002). *Institutions vs. Foster Homes: The Empirical Base for the Second Century of Debate*. Chapel Hill, NC: UNC, School of Social Work, Jordan Institute for Families. Available online at http://ssw.unc.edu/jif/events/GroupCare.pdf

[ii] The State of Connecticut Commission on Enhancing Agency Outcomes has remarked on the potential for significant cost savings from shifting children from congregate care to family settings. See State of Connecticut Commission on Enhancing Agency Outcomes, Initial Report to the Governor, President Pro Tempore of the Senate, and the Speaker of the House, February 1, 2010. See also a 2005 study of the Connecticut SAFE Home model led by Yale University researchers: DeSena, A., Murphy, R., Douglas-Palumberi, H., Blau, G., Kelly, B., Horwitz, S., & Kaufman, J., "SAFE Homes: Is it worth the cost? An evaluation of a group home permanency planning program for children who first enter out-of-home care." *Child Abuse & Neglect* 29 (2005), 627–643.

[iii] Department of Children and Families, *State of Connecticut Family Foster Care Action Plan, 2008-2009*, p. 3

[iv] *Juan F. v. Rell* is a comprehensive federal class-action law suit that was filed in 1989 on behalf of the children in the care of the Department of Children and Youth Services (the precursor agency to DCF). DCF remains under supervision of the federal court as a result of the settlement agreement it reached with the plaintiffs. To exit from court supervision, DCF must meet a series of benchmarks.

[v] *Juan F. v. Rell* Exit Plan, Quarterly Report, July 1, 2010-September 30, 2010. Civil Action No. 2:89 CV 859 (CFD), p. 12.

[vi] Of the 300 homes lost, 276 were DCF-licensed homes and 24 were privately lost foster homes. This count is based on a comparison of the recruitment and retention goal statistics listed at *Juan F. v. Rell* Exit Plan, Quarterly Report, July 1, 2010-September 30, 2010. Civil Action No. 2:89 CV 859 (CFD), p. 12 and at *Juan F. v. Rell* Exit Plan, Quarterly Report, April 1, 2010-June 30, 2010. Civil Action No. 2:89 CV 859 (CFD), p. 12

[vii] United States Department of Health and Human Services. Office of the Inspector General. *Retaining Foster Parents.* (OEI-07-00-00601). May 2002, p. 11.

[viii] Rhodes, Kathryn W., John G. Orme, and Cheryl Buehler. "A Comparison of Family Foster Parents Who Quit, Consider Quitting, and Plan to Continue Fostering." *The Social Science Review*, Vol. 75, No. 1, March 2001), p. 85.

[ix] CT Voices analysis of Foster Parent Exit Interviews summaries, FY 2007 through FY 2010, prepared by the Connecticut Association of Foster and Adoptive Parents, Inc. for the Department of Children and Families. A complete analysis of our analysis of the CAFAP exit interviews is available in a forthcoming report.

[x] Denby, Ramona, Nolan Rindfleisch, and Gerald Bean. "Predictors of Foster Parents' Satisfaction and Intent to Continue to Foster," *Child Abuse & Neglect*, Vol. 23, No. 3, 1999, p. 300-1.

[xi] Connecticut Association of Foster and Adoptive Parents, Inc., 2010 Foster Parent Satisfaction Survey Addendum.

[xii] *Juan F. v. Rell* Exit Plan, Quarterly Report, April 1, 2010-June 30, 2010. Civil Action No. 2:89 CV 859 (CFD), p. 79.

[xiii] Associated travel expenses were $965,534 in FY 2009. Soulsby, Joan and Ryan O'Neil. *DCF's Out-Of-State Placement of Children.* OLR Research Report. May 20, 2010, 2010-R-0210.