Michigan's Children

Public policy in the best interest of children

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Date: November 4, 2015
To: Members of the House Families, Children and Seniors Committee
From: Matt Gillard, President & CEO
matt@michiganschildren.org or (517) 485-3500
Re: House Bills 4976, 4977 and 4978 – Children's Assurance of Quality Foster Care

First, we applaud the efforts of this committee and the bill sponsors, some of whom have been working on this legislation for some time. It is a great start to codify support for Michigan's compliance with federal law and to better assess where increased service investments need to be made – to support both the children and youth involved in the state's care, as well as the caregivers in all settings who provide for them.

Many of you have been involved with us in recent opportunities to hear directly from young people currently and formerly in the foster care system, as well as foster, kinship and adoptive caregivers of some of those young people. Everyone in this room is well aware of the barriers faced by these young people and families, as well as what remain dismal educational and life outcomes for too many of them. Our comments today reflect issues that have been brought to us in those forums from all areas of the state and for some, over many years.

We support HBs 4976, 4977 and 4978 before you today, but have a few specific recommendations for your consideration, and will leave you with some suggestions for moving further in the future.

1. **We ask that the "as soon as practicable" timeliness standard for services be further defined, and that there be annual independent review to identify and address service delays and gaps in services across the state.** A common theme that we have heard from both young people and caregivers is the lack of immediate access to essential services, including basic needs like housing and physical or mental health services. While it is clear that there are existing standards of timeliness of care, and that the bill language is consistent with other policy and procedure, essential services are not always accessible when they are needed, through no fault of the child or caregiver and creating needless gaps in services.
2. **We recommend that the onus of responsibility for complaint monitoring and follow up are with the system, rather than the child in the final grievance procedure negotiated.** Another theme that we hear is that young people in care don't see evidence of recourse for their complaints. While this bill does provide a statutory basis for grievances, the onus for moving issues of concern forward lies solely on the young person involved. This seems a needless responsibility for the child, when it is really the system that bears the parental responsibility. We

would recommend that once a complaint has been made, the Office of the Family Advocate should be immediately notified and should take responsibility for monitoring timely response and working with the young person to review and evaluate corrective action taken by the agency to determine when further steps are necessary.

3. In order to maximize the positive impact of the Children's Assurance of Quality Foster Care requirements**, we would recommend the addition of specific reporting requirements that would include information about complaints and corrective actions taken.** We recommend that this reporting be made available to an independent evaluator like the Children's Ombudsman's Office who already serves a similar purpose for the Department. The information would allow the Department and the Legislature to clearly pull out recommendations for policy changes and service and training investments necessary to fully adhere to the statute.

And, finally, we would like to support the Committee's efforts to use this conversation as a spring board to address many other serious issues faced by children and youth in our care. We commend improvements that have been made and are being made under the settlement agreement, through the state waiver process and through Departmental leadership, but recognize that outcomes continue to fall short of what we want to see for all of the children, youth and families under our care. We look forward to working with you on these and many other critical areas for change that are guided by the experiences of young people and their caregivers:

1. Young people are often not able to finish high school and move onto post-secondary paths because they aren't able to remain in a school setting long enough to accumulate credits, or because their credits don't effectively transfer to their new schools. In addition, often young people are not receiving needed supplemental assistance because they are not appropriately identified for services. While Michigan has been improving, several other states do a better job of cross-system tracking and assessing the educational success of children and youth in their systems, and because of this are better able to direct investments to support them through K-12 and beyond.
2. All young people are facing increasing barriers to independence as they move into adulthood, whether in the foster care system or not. Despite the increased availability of services to young people beyond age 18 due to additional federal investment over the last few years, young people who still need system support, whether or not they choose to receive it, are falling through the cracks at this transition. We have heard from many young people that this causes unnecessary gaps in services available to them, including timely support for housing and other basic assistance. States take different approaches to transition resulting in more seamless services through age 21, often utilizing additional state investment to support their approaches.
3. Parents have many different barometers for determining when they stop helping their children. For some, they are helping provide health care coverage through age 26, for others, they are providing shelter and other supports well beyond their children's 21st birthdays. For others, they help with the costs of college or other post-secondary training options at the point where their children can take full advantage, not based arbitrarily on some age cut off. In order to be the best parents we can be to the young people in our care, Michigan needs to remove some of our arbitrary age limits, and instead design programs that can build educational and life success for more young people currently and formerly in the foster care system.

Thank you.

Issues for Michigan's Children

An in-depth look at some of the public policy issues affecting children and youth in Michigan

Michigan's Children

Critical Issues in Foster Care: Connecting the Voices of Youth With Real Policy Change

Michigan's Children has been creating opportunities for young people to share their stories, concerns and suggestions directly with policymakers since 1996. Many of these conversations have included the voices of young people currently or formerly served by the state's foster care system. Listening to what courageous young people have shared with us over the years can help policymakers identify where current policy isn't working well, and champion better policy decisions that impact the well-being of the 13,500 children under the state's care.

With child abuse and neglect continuing to rise; recent movement to end Michigan's settlement agreement, which forced some needed changes in the system, and an intention from the Governor's office to combine the Departments of Human Services and Community Health; there has never been a more critical time to pay close attention to the situation of youth in foster care.

Young people talk about their lack of stability – in their homes, in their schools and with the agency staff assigned to help them navigate their world. While the number of placements experienced by youth in foster care has declined over the last couple of years, there remain limited options, particularly in some areas of the state. More can be done to reduce long-term institutional and congregate placement of older youth by placing them in smaller group home environments or with permanent foster and adoptive families. Not surprisingly, a stable home makes a difference in success at school and work. Students who move around a lot are more at-risk of falling behind at school and have difficulty accumulating enough credits to graduate from high school, contributing significantly to the disproportionately high drop-out rate among kids in the foster care system.

Related Policy Recommendations:

1. Redouble efforts to increase the stability of placements for older youth in foster care.
2. Mandate data sharing agreements between human services and education agencies to ensure that systems know when they are serving youth in foster care and that these youth are receiving all of the services available to support them.
3. Provide additional resources to schools to recognize added challenges experienced by students in foster care who are over-aged and under credited.

Young people talk about the lack of support and resources they have available as they move into adulthood. Each year, about 800 Michigan youth in the foster care system turn 18, and have to make a decision about keeping ties to that system to retain benefits until they are 21, or "aging out." Many of the young adults have no permanent ties to family, more often than not they haven't successfully completed high school yet, and they have varying levels of support. Michigan has taken advantage of federal funding available to support young people to continue in the foster care system until they reach age 21. This is a voluntary program that requires an opt in, with the onus on the young person to remain in the system, rather than putting the onus on the state to make sure that the young person has what they need to leave the system. Because many youth in foster care lived through a great deal of trauma and disarray while in the system, they don't "choose" to remain in foster care beyond age 18 and may not realize or recognize the benefits that remaining in the system could provide.

Related Policy Recommendations:

1. Require documented stability before removing young people from the foster care rolls, including stable housing and employment or education paths.
2. Provide legal assistance to young people formerly in the foster care system until they reach age 25. This mandate for assistance currently ends when young people leave foster care, despite the continued need for legal help.

Young people want more and consistent opportunities to be involved in their own life planning. Current policy does direct that young people are to be involved in permanency planning conversations, and in some circumstances are asked to identify supportive adults of their choosing to also participate in that planning. However, young people continue to report that they are not consistently involved and many state that they have not been asked to identify others who could be involved. Regardless of the cause of this disconnect many young people are not feeling inadequately represented.

Related Policy Recommendations:

1. Include stronger language in statute defining young people's influence on decision-making about their own cases and their plans for the future, including their ability to choose other supportive adults to participate.
2. Include tougher mandates for facilitating "normalcy" – making it financially and legally possible for youth in foster care to do more of the "normal" things that other kids can do, like spending the night at friends' houses, going on overnight field trips, etc.

Young people want more opportunities to build college and career success. Access to higher education for youth in foster care has been a priority in Michigan, and many universities and community colleges have developed successful initiatives to recruit and retain this population. This is to be celebrated, but certainly isn't available consistently around the state, and is not an option for kids who don't get their high school diploma and/or don't get the grades in high school to move directly into some post-secondary options. Further, mandates requiring local workforce development agencies to prioritize services for youth in foster care are in place, but are not consistently successful throughout the state.

Related Policy Recommendation:

1. Support state and federal initiatives that limit the cost of post-secondary education for all vulnerable populations.
2. Ensure that young people receive a high school credential or are on a solid career path before exiting foster care.
3. Review and support community or regional practices that contribute to successful employment and career opportunities for youth in foster care.

Current outcomes for young people who have been involved in the foster care system are unacceptable. While we are making strides in how we serve the young people under our guardianship, we are still not successful enough. Additional resources have been dedicated to youth in foster care over the past several years, but many of the barriers to success raised by young people are a result of a lack of resources. Other states have reinvested funds saved as a result of fewer institutional placements into other resources specific to maintaining adoptive and foster home placements and independent living for young people. Multiple sectors must work together to make sure that under our care, young people are better able to rebuild what has been lost and move successfully toward supporting themselves and their own families now and in the future.