



BOARD OF DIRECTORS

H. Guy Collier
Chair
McDermott Will &
Emery LLP

James R. Marsh
Secretary, Founder
The Marsh Law Firm PLLC

May Liang
Treasurer
OpenConcept Systems Inc.

Thomas Bulleit, Jr.
Hogan & Hartson LLP

Wayne Curtis
Curtis Concepts LLC

Donna Donlon
McKenna Long &
Aldridge LLP

Janet Eakes
Municipal Securities
Rulemaking Board

Evan R. Farber
Advisory Board Company

Joseph C. Figini
CGI Technologies
and Solutions Inc.

Vicki Scheer Foster

Nina Gross
Deloitte & Touche

Anthony Herman
Covington & Burling, LLP

Ed Lazere
DC Fiscal Policy Institute

Margaret J. McKinney
Delaney McKinney LLP

Carmen G. McLean
Jones Day

Charles F. (Rick) Rule
Cadwalader Wickersham
& Taft LLP

Nancy Sidamon-Eristoff

Mariella Trager

EXECUTIVE DIRECTOR
Judith Sandalow

Testimony before the District of Columbia Council
Committee on Human Services
January 22, 2010

Public Oversight Roundtable:
“Yes Youth Can: Confronting the Challenges of Aging Out”

Judith Sandalow
Executive Director
Children’s Law Center



Good morning Chairman Wells and members of the Human Services Committee. Thank you for the opportunity to testify. My name is Judith Sandalow. I am the Executive Director of Children's Law Center and a resident of the District. I am testifying today on behalf of Children's Law Center, which is the largest non-profit legal services organization in the District and the only such organization devoted to a full spectrum of children's legal services. Every year, we represent 1,200 low-income children and families, focusing on children who have been abused and neglected and children with special health and educational needs. Hundreds of our clients are teenagers or the parents, foster parents or relatives of teenagers.

I greatly appreciate this opportunity to focus on the challenges facing teenagers in our foster care system. In 2008, 58% of children in the District's foster care system were ages 13-21. As you know, youth who age out of foster care are at much higher risk than other young adults for many troubling outcomes, such as substance abuse, homelessness, dropping out of school, incarceration, teen pregnancy, unemployment and using public benefits.¹

In many ways, teenagers in foster care are just like any other teenagers. They want to hang out with their friends, do well in school and be involved in activities like music and sports. And our foster care system needs to assist teenagers in ways that all young adults needs help – preparing to take the SATs, dealing with friends, finding a part-time job and opening a bank account. Some teenagers in foster care do, however, face additional challenges because they are in foster care and because of the traumas that brought them into care. Our child welfare system needs to provide these teenagers with the intensive support services to address these challenges.

If there is an overarching theme to my testimony, it is that CFSA needs to do a better job of recognizing and addressing the reality facing teens today. In a small city like ours, with only a thousand or so teenagers in care, we should be able to provide more individualized attention and

¹ Ruth Massinga & Peter J. Pecora, *Providing Better Opportunities for Older Children in the Child Welfare System*, *The Future of Children*, Vol. 14, No. 1, 151, 153, 154 (Winter 2004)

reduce the bureaucracy. Rather than developing policies that dictate that all teenagers of a certain age will or won't be eligible for certain meetings, classes or programs, we should be able to develop an array of supports that can be accessed for a teenager at the right moment for that teen. Rather than pretend that our teenagers don't have adults in their lives, we should work to strengthen the relationships our teenagers have with important adults and offer support in areas that those adults can't. And we must do a better job of locating the family members who can and want to be involved in our teenagers' lives.

The Committee will hear directly from many teenagers today. Rather than try to speak for them, my testimony will briefly describe, from an adult perspective, a few areas that Children's Law Center believes require attention and a few solutions which we believe would work. I should acknowledge that there is much more to be done than I am able to cover in either my oral or written testimony. I would not want the Committee to think that this testimony is comprehensive.

Permanency for Older Youth: Guardianship and Adoption Subsidies

A major change that would benefit older youth in foster care is expanding and extending adoption and guardianship subsidies. I am extremely pleased that legislation doing just this has been introduced as part of *Adoption Reform Amendment Act of 2009* (B18-547). I will save my more detailed comments for the upcoming hearing on that bill, but it's important to highlight this bill today because I believe that the changes it proposes are critically important to helping our older youth in foster care. As you know, all children, including teenagers, do best when they are raised in families. Currently, adoption and guardianship subsidies end when a child turns 18 even though foster care subsidies continue until age 21. Many teenagers remain in foster care despite living in stable foster families because their foster parents and they believe the financial assistance is necessary for their well-being. To correct this, subsidies need to be extended until youth turn 21 years old. Another reason children remain in foster care is that, under current law, only kinship

foster parents can receive guardianship subsidies. There are many non-kin foster parents who would be happy to become guardians if subsidies were available and therefore these subsidies need to be available to all foster parents.

A study of DC's foster care system concluded that implementing these changes would lead to 110 to 190 new adoptions and guardianships every year. In addition to positively impacting the lives of hundreds of children, these changes would also save the District up to \$3.9 million over the next four years – and that is money that can be put to good use elsewhere in the child welfare system.

Supporting Lifelong Connections

While adoption and guardianship are great options, they may not be appropriate for every teenager. For older youth who remain in the foster care system it is very important that they make lifelong connections with adults who may provide them ongoing support. Transitioning to adulthood is not something that can be accomplished over six months, or through a class, it is an ongoing process and supportive relationships with involved and capable adults make this transition much smoother. Frequently, our teenager clients have family members with whom they are connected and with whom they are likely to live when they turn 21. Sometimes these adults are not able or willing to become licensed foster parents. While these family members may not be perfect caregivers, they are often the people closest to the teenager and best able to provide a loving home and a sense of family – something no group home or independent living program can provide. Moreover, they are often the person with whom everyone in the case acknowledges the young adult is going to live when he or she leaves CFSA custody – they are even listed as “lifelong connections” on CFSA “youth transition plan” forms. In many cases, it makes no sense to send such youth to live in congregate care institutions when they could be more effectively building lifelong connections with family members by living with them. For many 18-20 year olds, CFSA spends far too much

money on congregate care placements and far too much time fighting with youth to participate in life skills classes that are, at best, mediocre. CFSA should recognize the role of these adults and design a system in which these youth can live with the adults who will be their lifelong connections. To make such a system work, CFSA would need to provide some modest financial support as well as supplemental coaching in areas in which these adults are not fully capable of helping the youth build the necessary life skills.

Foster Parent Recruitment, Training and Support

Foster parents can and often do become lifelong connections for teenagers. However, since fostering a teenager is very different from fostering a young child, the recruitment, training and support of these foster parents must look very different. CFSA should make special effort to recruit foster parents who will enjoy fostering teenagers.

Once recruited, CFSA must train and support foster parents of teenagers. It does not help to recruit foster parents if you do not retain them. More importantly, it harms all young people – including teenagers -- to be shuffled from foster home to foster home; research shows that placement instability is associated with negative developmental outcomes for children.²

Foster parents of teenagers should receive specific training on situations they are likely to face, some of which are common to all teenagers and some of which arise specifically for youth who have been traumatized before and while they are in foster care. Among the areas that should be included are adolescent development, mental health, attachment issues, conflict resolution, how to work with a teen who is arrested, runs away, is sexually active, pregnant or parenting. Training is not enough. CFSA should also provide coaching for foster parents – from other experienced foster

² Brenda Jones Harden, *Safety and Stability for Foster Children: A Developmental Perspective*, The Future of Children, Vol. 14, No. 1, (Winter 2004)

parents as well as professionals – to address specific situations that arise with the teen in their home.

CFSA also needs to ensure there is ample respite available for teenagers living in foster homes so that they can get away for a weekend or even a week. Sometimes all it takes it is a few day break and a foster parent and teenager might be able to continue their relationship.

Independent Living

CFSA's current attitude about independent living is not realistic – and not consistent. Often social workers refuses to acknowledge that a 16, 17 or even 18 year old may not be adopted and thus will not plan for a transition from a group home to independent living. While ideally all children would leave foster care before adulthood, we know this is not the reality; we can't let the aspiration of adoption or guardianship lead to us deprive older youth the supports and skills they need to become successful, independent adults. CFSA must find a way to prepare teenagers for independent living while at the same time continuing to look for an adoptive or guardianship home.

I am particularly concerned that there are not enough programs that serve pregnant or parenting teens. There are also no programs that allow teenager father to live with their children.

Office of Youth Empowerment

The Office of Youth Empowerment, formerly called the Center of Keys for Life, is tasked with providing older youth with life skills including daily living skills, college preparation and job readiness. In fiscal year 2008, there were 350 active participants in the program, which is 32% of youth aged 15 or older.³ As mentioned earlier, transitioning to adulthood is best done in a family setting, but for some youth this may not be possible.

³ Child and Family Service Agency, *2009 Needs Assessment Report*, 58

Turning life skills into a curriculum taught in a classroom is not the solution. OYE should find ways to incorporate life skills training into teenagers' daily lives. A few small suggestions for accomplishing this include bringing the training to youth in their group homes and at their independent living sites and inviting foster parents, group home counselors and other adults who are a part of these teenagers lives to participate in the trainings in order to help bring these adults into the process and allowing them to provide follow up coaching.

CFSA does not require youth to participate in their activities and many of CLC's clients tell us they are uninterested in attending because the programs aren't very interesting or useful. CFSA pays youth a stipend for attending classes, but they do not pay the stipend until the youth has attended a whole series of classes. Young people might be more motivated to attend if they were given a stipend after every session. We have also observed in the past that the staff at the Center for Keys for Life focus on supporting the highest achievers and most self-motivated youth, but do not seem particularly skilled at reaching out to and engaging other youth who may be struggling a bit more.

College Assistance

Happily, several of our clients who are in foster care are also attending college. They are entitled to receive Education and Training Vouchers (ETV) through CFSA to help with the cost of their education.⁴ The ETV program provides eligible youth with up to \$5,000 per academic year. In some cases, CFSA agrees to directly send these funds to the college to help pay for the student's tuition. Unfortunately, we have had several cases where CFSA's Office of Youth Empowerment, has not sent the funds in a proper or timely manner and this has caused significant problems for our

⁴ These payments are funded by the federal government through the John H. Chafee Foster Care Independence Program. CFSA Administrative Issuance 06-9, Post Secondary Education and Training (May 22, 2006).

clients. At times, clients have not been able to receive their grades or register for an upcoming semester's classes due to an unpaid bill. In other cases, CFSA is supposed to send the ETV funds directly to the student so that he or she can use this money for housing and meal costs. Again, often this money does not get sent on time and students struggle to figure out how to pay for necessary costs while they fight for their promised funds. This causes these students a great deal of frustration and embarrassment. Instead of focusing on their classes and enjoying life as a college student, these youth have to spend time dealing with CFSA and trying to get their bills paid. At times, attorneys in my office have had to get a court order to resolve these problems. CFSA should be doing everything in its power to encourage more youth in its care to attend college. The students who do make it should be celebrated, supported and encouraged, not faced with obstacles like unpaid bills.

Overall, there are many things that CFSA can do to help teens develop the skills they need to succeed, to strengthen their family and adult connections and to support them with intensive services when necessary. We look forward to working with the Agency and the Committee on many of the issues I have raised today. Thank you for the opportunity to testify.