



Good morning, Chairman Baucus, Senator Hatch and members of the Committee. It is my great pleasure to be part of today's hearing. I have looked forward to hearing from Mr. Antwone Fisher, whose case study provides an opportunity to examine the ways in which the child welfare field has progressed over the years particularly the landmark laws that came from this Committee and where there are remaining challenges. In my remarks, I offer a broad historical overview of child welfare legislation, highlight legislation enacted in recent years that is having a positive impact in the lives of children and families, and offer my perspective on several remaining challenges and opportunities.

I've been involved in child welfare policy and practice for more than 30 years. For the past ten years I have served as the Executive Director of the Jim Casey Youth Opportunities Initiative. Prior to that, I served as the director of the Missouri Department of Social Services for nearly 12 years, appointed first by Governor John Ashcroft and re-appointed to office by Governor Mel Carnahan.

Over the years, I've had the honor of testifying before Congress on a number of occasions, including four times before this committee, at hearings held in 1987, 1993, 1996 and 2006. Through these opportunities, I've observed firsthand the longstanding bipartisan approach this committee has taken to addressing the often complex needs of abuse and neglected children. This same bipartisan – nonpartisan - spirit is seen today and in the legislative initiatives of recent years. Even in the midst of the American economy crashing in 2008, this committee changed the face of foster care by passing the Fostering Connections Act. I thank you Mr. Chairman and Senator Hatch for your leadership and all the committee members for their commitment and efforts.

The Jim Casey Youth Opportunities Initiative is a national foundation named in memory of Jim Casey, the founder of UPS (United Parcel Service). We are focused solely on helping states and communities assist older youth in foster care make successful transitions to adulthood. We support efforts in both rural and urban areas in 16 states, including six states represented by members on this committee: Michigan, Florida, Delaware, Iowa, North Carolina, and Georgia. We are working with young people in places as diverse as Albuquerque, New Mexico; Winston-Salem, North Carolina; Detroit and Traverse City, Michigan; Des Moines, Iowa; Atlanta and Cherokee County, Georgia; Jackson and the Delta counties of Mississippi.

Our local partners always include the child welfare agency, but also include local bankers and businesses, representatives from two- and four-year colleges, private agencies, and the young people themselves. Together we implement a set of strategies that include engaging young people; bringing together private and public partners; using data to drive decisions; and galvanizing public support in order to improve policy and practice. Our strategies focus on improving the outcomes of transitioning youth, outcomes that ultimately build into two key areas that we know will help these young adults thrive: helping them build permanent relationships in their lives and providing opportunities to achieve economic success. For example, we implement a focused financial literacy training program that offers young people the Opportunity Passport™, one of the nation's most innovative matched savings programs for youth.

We were created by the Annie E. Casey Foundation and Casey Family Programs as an independent foundation in 2001. We now have more than 20 philanthropic partners who co-invest in our work, including the W.K. Kellogg Foundation, the Kresge Foundation, and local foundations ranging from the Hawaii Community Foundation to the Sherwood Foundation in Omaha, and the Duke Endowment in North Carolina.

Mr. Chairman, I am honored to follow Mr. Fisher, and his story gets to the heart of most of what I want to say this morning. Sadly, hundreds of thousands of young people have followed along Antwone Fisher's path of aging out of foster at the very young age of 18. In fact, over the past ten years alone, more than 200,000 teenagers have aged out of foster care many without achieving permanent family connections. And without a family or other supports, many of them faced difficulties immediately upon aging out of foster care. Jim Casey Youth Opportunities Initiative will release a report in May that very conservatively estimates the cost of poor outcome for one cohort of young people aging out of foster care to be \$8 billion dollars over their lifetime. The most costly bad outcomes are a result of events, decisions and behaviors that occur within a very few years – or even days – as homelessness and dropping out of school often happens immediately after leaving foster care. Academic failure, unplanned pregnancies, and brushes with the law cluster in the late teens and early twenties.

A Jim Casey Initiative Young Fellow, Ipo from Hawaii, poignantly stated at a recent Youth Leadership Institute, "Everybody else grows up. Youth in foster care age out."

Today, thirty years after Antwone Fisher's social worker dropped him off at a shelter and said goodbye, young people aging out remain a pipeline to the homeless population, second only to veterans according to advocates for the homeless. Our youth board in Nashville organized a suitcase drive so that young people would not have to rely on plastic trash bags for their belongings. Our Tampa project picked a location near the homeless shelter because that is where social workers dropped off emancipated youth who had no place else to go. "Couch surfing" with friends, acquaintances, and relatives remains for some the only viable alternative to the streets, and it is no surprise then that young people drop out of school, pregnancies result, and brushes with the law are almost inevitable.

Yet, these young people harbor a resilience that is powerful, as powerful as their drive to connect to families. They have the same aspirations for college and success in life as any young person. They complain they leave foster care without knowing anything about money, credit, banking, because they did not have the opportunities, often because they aged out from congregate care facilities, as did Mr. Fisher. Again, as Ipo said, most kids grow up, foster kids age out. We have made great strides in helping the many versions of Antwone Fisher, but more remain.

My testimony will highlight the important role that federal legislation has played with respect to promoting the health, well-being and permanency of children in foster care. I will point out the valuable insights and knowledge we now have from research and data that can further bolster national and state efforts to promote positive outcomes for children in foster care, particularly by promoting healthy relationships. And most importantly, I will share examples from young people themselves that demonstrate their fundamental need for healthy relationships and access to the same kinds of opportunities as their peers.

Groundbreaking research in neuroscience in recent years sheds much light on the unique needs of very young children, but also on adolescents and young adults. This new knowledge should revolutionize how child welfare

systems approach the way they meet the needs of young people in foster care. In particular, we know from this science, as well as from young people themselves, that the brain's successful "rewiring" and growth of new neural connections relies most heavily on relationships. Yet many of these young people, especially young parents, are very isolated. Promotion of healthy relationships should be a top priority of federal and state policymaking.

Beamer, a young man from North Carolina, told us "without positive relationships, you lack the support and energy you need on your journey to realizing your full potential."

Historical overview of child welfare legislation

Today, a wide array of publicly funded programs support the prevention of child maltreatment, out of home care of children removed from their families, and permanent placements with adoptive families and legal guardians. This continuum of supports and services has been created through the enactment of federal legislation over many years, starting with the passage of the Child Abuse Prevention and Treatment Act of 1974 and including more recent legislative efforts such as the Adoption and Safe Families Act of 1997, the Fostering Connections Act of 2008 and the Child and Family Services Improvement and Innovation Act of 2011.

Other federal programs, not necessarily dedicated solely to child welfare service but still critically important to the continuum of services that address the needs of abuse and neglected children, include the Social Services Block Grant, Medicaid, and Temporary Assistance to Needy Families. Funds that are used for child welfare purposes are documented in a national survey conducted every two years. The survey results show the wide variation in the way states utilize the available federal funds, which underscores an important element of child welfare systems and services; there is wide variation and diversity in the way states and communities utilize and implement federal policies.

As we examine the experiences of Antwone Fisher, it is helpful to reflect on the history of child welfare legislation and policy to understand how it has evolved over the years to meet the needs of children and youth, and to point out where the gaps remain. Overall, over the course of my professional career, this committee has enacted many important legislative milestones that provide a comprehensive set of policies and address a wide range of needs. In addition to those mentioned previously, other landmark legislative efforts include:

- The Indian Child Welfare Act of 1978 which established federal standards around meeting the cultural needs of Indian Children in foster care and adoptive homes.
- The Adoption Assistance and Child Welfare Act of 1980, which required states to provide financial assistance to families adopting children from foster care who had special needs, recognizing that without such assistance the child would likely not join a permanent family.
- The Family Preservation and Support Services Program Act of 1993 (and subsequent reauthorizations), which has provided critically important funding to states to support helping and strengthening those families in need or in crisis to prevent children from needing to enter foster care.
- The Adoption and Safe Families Act of 1997 which promoted adoption and permanency for children in foster care by accelerating the processes by which state agencies and courts needed to make decisions about permanent family placements for children waiting for adoption. This Act also created the adoption incentive program, which has been important in encouraging states to focus on adoptions. The program is on track to be considered this year for reauthorization.

- The Foster Care Independence Act of 1999, which helps older youth make the transition from foster care to independence by providing states with grants to support independent living programs, education, training and employment services and financial support for foster youth living on their own.

Mr. Chairman, I would like to emphasize that the Fostering Connections Act of 2008, for the first time, required in statute that life planning be youth-directed. While the impact of this is yet to be felt, I believe it will prove to be very significant. Young people need to take the opportunity and the responsibility to plan their own lives.

Areas of progress

More recently, through comprehensive and incremental changes, this committee has advanced federal legislation that is helping to fundamentally change the landscape of child welfare at the state and local level. For example:

- **Federal legislation has put a significant focus on permanence and the role of family at all levels** and this too should continue to be a priority. Every child deserves a family and connecting each child to a permanent family should be a top priority, no matter the age of the child. In our work with young people in states, we have yet to meet a young person of any age that doesn't want or need a family and Antwone Fisher's story graphically underscores this reality. The Fostering Connection to Success and Increasing Adoptions Act of 2008:
 - Included provisions to support family connections and permanency for children of all ages. Models, such as the Dave Thomas Foundation's "Wendy's Wonderful Kids," have demonstrated how adoptions for older youth are possible when case planning is done well.
 - Recognized the importance of kinship connections to the overall well-being of children, required states to find and notify relatives when a child comes into foster care. (It would be much more likely that if Antwone Fisher was in foster care today, he would have had a different, positive experience).
 - Made federal investments in assistance for families that adoption or become permanent legal guardians for children in foster care.
 - Brought about an historic improvement by allowing Indian Tribes to directly operate Tribal child welfare systems, presenting new possibilities for Tribal children and families to receive culturally appropriate services and supports.
 - Required in statute for the first time that life planning be youth-directed.
 - Required states to make a reasonable effort to place siblings together or have regular contacts and visits. This is very significant in the lives of these young people. I believe that every one of our youth leadership boards has identified sibling visitation and contact as one of the first and most important issues that they want to address.

When talking about his sibling, Gernani from Hawaii told us, "Family, especially a sibling, is all we have and is someone who knows our situation because she or he has been through it –someone who we can relate to. They become our biggest supporter, our inspiration, and, in turn, we become theirs."

- **Recent federal legislation has made major strides in promoting services that respond to the unique developmental needs of children and youth.** We know from brain science that different age groups of children, such as infants/toddlers and teens and young adults, have fundamentally different needs due to their developmental stages. Yet we continue to have a system that works much better for toddlers than teens.
 - To address the unique needs of very young children, the Child and Family Services Improvement and Innovation Act (2011) requires states to specify in the plans they submit to the federal government how they are meeting the special developmental needs of infants and toddler and how they are reducing the length of time children under age five spend in foster care without a permanent family.
 - To address needs of older youth in foster care and those at risk of aging out, the Chafee Foster Care Independence Program (1999), and the Education and Training Voucher program (2002) expanded upon the Federal Independent Living program (1986). The Fostering Connections Act provides federal support to states that extend care to age 21. In doing so, Congress acted on a recommendation made as far back as 1981 by bipartisan National Commission on Children, which Senator Rockefeller chaired and about which this committee held hearings.

- **To address the unique developmental needs of youth and young adults, Congress, and in particular this committee since key language was inserted by the Senate, has established important federal policy around the critical role of youth engagement in decision making.** Youth engagement is at the core of our work at the Jim Casey Initiative and we applaud these efforts. As any parent of a teenager knows, the negotiations between parent and teenager can sometimes be challenging, but – as we know from neuroscience as well as from real-life parenting experience -- there is no doubt that it is healthy and normal for teenagers to be pursuing personal interests, forming new relationships (especially among peers), and beginning to establish some independence. Most parents spend time with their teenagers talking about their dreams and aspirations, and involve them in making decisions about their own lives. Without an active role in the decision making with their social worker and others, youth in foster care are denied these normal developmental experiences and opportunities to learn to make good decisions – often by making poor decisions first. After all, how does one develop good judgment? From making bad judgments.
 - Congress first legislated federal policy around youth engagement when it passed the Foster Care Independence Act of 1999. That legislation required that “adolescents participate directly in designing their own program activities that prepare them for independent living.” The law also specified that adolescents “will be required to accept personal responsibility for living up to their part of the program.”
 - Congress broadened requirements around youth engagement when it enacted the Fostering Connections Act in 2008. This law required that youth, with the assistance of their caseworker, develop a personalized transition plan during the 90 days prior to aging out of foster care (at age 18 or up to 21 as the state may elect). The law specified that the transition plan should be youth-led and personalized to the special needs of each individual young person. The plan went beyond the scope of youth-led planning in the 1999 Act, and called on youth to be involved in decisions about their housing, health insurance, education, local opportunities for mentors and continuing support services, and workforce supports and employment services.

- **Federal legislation has also been critical to data collection and accountability, which are important drivers of progress.** Another Jim Casey Initiative tenet is that we should hold ourselves accountable for the improved life outcomes of the children and youth who are in our care. Congress has put a data framework in place that, while not perfect, is critically important to ongoing efforts to improve our child welfare services.
- Child and Family Service Reviews, since 1994, have collected data on states compliance with IV-E and IV-B. More recently, and more importantly, these reviews have focused on States' capacity to create positive outcomes for children and families.
 - Adoption and Foster Care Analysis and Reporting System, since 1999, has collected case-level data to help show state and national trends. These data have informed policy and practice improvements by, for example, tracking trends around children and youth living with families, in congregate care, and so forth.
 - The National Youth in Transition Database has very recently (2010) begun collecting services and outcome data on young people at ages 17, 19 and 21. For the first time, States are surveying young people directly to find out how they are doing related to education, employment, housing and adult connections.

Individually and together, these federal changes are changing the landscape of child welfare, steering policy and practice at the state and community level towards models that meet the many different individual needs of children and their families. We have made progress, but there is much work to be done at all levels of the system.

Remaining challenges

There are strong federal policies in place but challenges remain. If we are truly going to improve the lives of children and youth in foster care, continued work across all of the areas mentioned above is necessary. Challenges are faced as federal policy is translated into state/local policy and then into practice. We must work to ensure that the intent of the federal laws and the outcomes they are meant to improve are achieved.

For example, the Jim Casey Initiative is working in states with child welfare agencies, young people and other partners to ensure that improvements are made in the lives of older youth and young adults transitioning from foster care. We have identified a critical window of opportunity to support states in implementing Fostering Connections. Drawing on our experience, research, best practice and federal leadership (and funding), next month, we will launch our national "Success Beyond 18" campaign, which aims to significantly improve outcomes for these young people by helping states extend foster care beyond age 18 in a developmentally appropriate way, and promoting changes in casework and oversight so that fewer children reach 18 without a family. We will submit more information about this campaign for the record.

We, and many others, working in the States continue to face some key challenges that affect all aspects of child welfare.

- **Preventing and Maintaining Family Connections** - We know that family relationships are critical, yet we do too little to support families through tough times and prevent entry into foster care. The same holds true as when I testified in 1991: we know that when children run away from foster care, they run home.

Family is hard-wired into all of us. We must do all we can to prevent children from coming into foster care, and when they are in care, keep them connected with family as safely as we can.

- **Achieving Permanence** - For children who come into foster care, challenges remain in our efforts to find them a permanent family. For older youth, efforts to achieve permanence often cease as a young person approaches age 18, and rarely continue after age 18. A 20 or 21-year-old still needs a family.

Crystal, a young woman from Georgia, said it best when she said, "Every young person needs an opportunity to look up in the stands and see somebody cheering for them."

- **Building Social Capital** - We know that when we remove children from their parents, too often we also remove them from other positive relationships in their life, such as those with siblings, teachers, neighbors, extended family members, friends, and others. We know that social capital – relationships across all these domains – supports healthy development for children and youth. Rural areas face particular challenges. In all of our states, but especially in rural states such as Nebraska and Maine, we were somewhat surprised when young people who purchased a car through the Opportunity Passport™ described it as, primarily, a lifeline to family and friends. We viewed a car as an asset that would lead to education and employment – in most places around the country you cannot work or get to school (or both) without one. This has proven to be true, yet we realized that the most important thing a car provided young people with was access to people they cared about.

- **Meeting Developmental Needs** - We have much more knowledge than ever before about the developmental needs of children and the impacts of adversity, but our systems are still not geared to act on this knowledge. For example, older youth absolutely need families. But they also need more than families. We know that teenagers learn through experience. They need their first part-time job. They need to try new things and fail, and learn how to succeed. They need to make new friends. Yet too many adolescents in foster care are restricted from these normal growing up experiences, often because they are living in group homes. For children of all ages, we must acknowledge that one size does not fit all, and policies and practice will need to be different based on developmental stages.

One concrete example of the importance of meeting a unique developmental need is financial literacy – a critical skill learned during adolescence and necessary to succeed in today's society. Most teenagers have had years of practice managing money, while young people in foster care often have never even received an allowance. The Opportunity Passport™, which provides young people with opportunities to earn money and save in a matched savings account, has shown that young people can and will save money for approved assets, and that they learn financial management skills along the way. But not only has the Opportunity Passport™ worked, it has worked for young people with greater challenges such as those who are young parents or those who have been homeless. We have found that they utilize it at even a higher rate than most. Why has it worked, from Detroit to Atlanta to rural Maine and in Hawaii and Nebraska? Because it provides what most families do for their teenagers and young adults: a car to get to work and school, a deposit for an apartment or a computer for school.

- **Supporting effective casework models** - One of our greatest challenges is gearing a large system towards the needs of individual children and youth – especially older youth. The best way to do this is to ensure they have a family, yet we still cannot treat them as a merely a number while they are in care.

Effective casework is modeled after what we know about families. We know that families function well when they work as team, sitting around the dining room table to talk. Likewise, a “teaming” approach also works for children and youth in foster care. The important people in their life talk and plan for the best possible outcome, taking into account the child’s age, development, family and social connections. Yet our systems lack the capacity and training to fully implement teaming approaches, and are not structured and incentivized to do the effective social work for which their staff is trained.

- **Supporting youth engagement** - Despite federal efforts, genuine engagement of young people in their case and transition planning continues to fall short. We know that the best outcomes are achieved when parents engage their teenagers in decisions. The same is true for young people in our care. They need to have a meaningful say in the decisions being made about their experiences in foster care and about their transition to adulthood, both as part of case planning and in courts. Yet caseworkers and court personnel are not trained, or supported, to work differently with older youth and young adults. Joshua from Tennessee told us about his case planning experience:

“I wasn’t involved. People were speaking for me and were caught up in procedures and what was required of them. We would sit in meetings and go through everything on a checklist. I thought, ‘How can this seem so simplified when my life is not so simple?’ Case planning was about meeting requirements rather than personalizing the planning for me. No one turned to me and asked what I wanted. No one focused on the finer details of my personal trajectory. It is really all about getting past the whole checklist thing and emphasizing the finer details of each young person’s life.”

Although challenges remain, there are areas where ongoing federal action could address barriers and spark further progress. Mr. Chairman, this is where we need your continued leadership and your continued responsiveness to making changes – incremental and comprehensive -- based on what States and others are learning in the field. This includes:

- **Re-aligning existing policies and programs to reflect current trends and best practice.** The child welfare landscape is constantly evolving, and in some areas more quickly than others, based on insights from research, best practice and state innovation. With this in mind, some of the best federal legislative approaches may entail updates to existing legislative frameworks to reflect best practice and new trends. One good example is the Chafee Act. Permanency was not a major focus of the Act in 1999 and the importance of family is not part of the law, but we now have a clearer understanding around permanency for older youth in foster care that may merit a fresh look at the scope and focus of Chafee. Could it be better tuned to align with the more recent goals for older youth set forth in the Fostering Connections Act? Another example is Education and Training Vouchers (ETVs). Over the past decade, much has been learned about how to successfully support young people transitioning from foster care in their post-secondary education, and some very promising models have been developed, such the Seita Scholars Program at Western Michigan and the Guardian Scholars Program in California.

In particular, with the Chafee Act’s focus on postsecondary education and employment, there are no provisions for helping young people learn to manage money, or to build their “financial capability.” Our experience with the Opportunity Passport™ confirms the necessity of helping young people build assets

and have access to the means of saving money, and purchasing those “assets” that promote their development, especially buying a car, putting a deposit on an apartment, and paying school expenses.

- **Building on and deepening areas of progress.** – As mentioned earlier, from my point of view, these are critical areas where progress has been made, but work must continue to (1) focus on permanent families, (2) focus child welfare systems in responding to children’s unique developmental needs and (3) leverage data and accountability as drivers of progress.
- **Identifying barriers from state experiences in implementation.** As I mentioned above, States and other partners are actively implementing a wide range of policy improvements. States are four years into the implementation of Fostering Connections, and soon will be beginning to implement the Uninterrupted Scholars Act. Success in implementation is often uneven among and within states for a variety of reasons. While much of what is needed for successful implementation sits at the state and local level (i.e. leadership), states can encounter what appear to be seemingly small barriers but which may profoundly affect a child’s or a young person’s ability to take advantage of a policy.
- **Incentivizing systems appropriately** - As I stated in my 1996 testimony, “Human nature responds to incentives. Systems, like people, respond best to incentives as well. And the best kind of incentive is financial.” We must continue to work on incentivizing permanence *and* other life outcomes (education, health, employment) for children and youth in foster care.

As Congress prepares to reauthorize the Adoption Incentive Act and the Family Connections Grants, we have an unprecedented opportunity to retune these programs and build a better path for young people in foster care.

Thank you very much for this opportunity to address the committee.

This concludes my testimony and I welcome your questions.