



**Statement of**

**Kathleen Strottman  
Executive Director  
Congressional Coalition on Adoption Institute**

**to the Human Resources Subcommittee  
of the U.S. House of Representatives  
Committee on Ways and Means**

**Regarding its May 9, 2013 Hearing on  
Letting Kids Be Kids:  
Balancing Safety with Opportunity for Foster Youth**

**Submitted Thursday, May 23, 2013**

Thank you Chairman Reichert, Ranking Member Doggett, and Members of the Human Resources Subcommittee of the U.S. House of Representatives Committee on Ways and Means for holding a hearing on such an important subject: *Letting Kids Be Kids: Balancing Safety with Opportunity for Foster Youth*. The hearing presented a unique opportunity for Members of Congress, child advocates, state leaders and youth to come together to review policies and practices that limit opportunities for foster children and prevent foster parents from making reasonable decisions about participation in common daily activities.

### **Perspectives from Foster Care Alumni**

Through this statement, the Congressional Coalition on Adoption Institute (CCAI) is pleased to share with the Subcommittee the stories and experiences entrusted to us by alumni of foster care who have participated in our highly-esteemed Foster Youth Internship (FYI) Program. Since its inception in 2003, nearly 150 former foster youth from across the country have served as Congressional Interns, producing five legislative reports and hosting ten Congressional briefings. These Foster Youth Interns are extraordinary young people and natural problem solvers, who apply both tremendous creativity and innovation and their experience and insight into the federal foster care system to the task of improving the system for their “brothers and sisters in care” who follow behind them. Perhaps one of the best testaments to the caliber of the young men and women who we have had the privilege of working with through the FYI Program is Talitha James, who testified so eloquently at your hearing on May 9, 2013.

We are so pleased to report that in addition to influencing the development of federal policies on education, housing and health care, the FYI alumni have succeeded in having three of their legislative proposals enacted into federal law. What follows are a few excerpts from their reports on the subject of normalcy.

*Youth who are raised in traditional family settings have both daily and lifelong access—even though they may not realize it—to life lessons and support systems that youth in care must acquire through local and federal services. Foster parents often view their responsibility as providing youth in their care with a safe and stable, but temporary, home. Because these homes are not viewed as permanent, often the foster youth will not be given the same responsibilities and privileges that children who live in permanent homes are afforded. Also, unlike their peers, foster youth are often unable to learn important life skills in their foster homes or group homes. For example, when I was in foster care, I did not receive an allowance for household chores. However, after I was adopted, I received an allowance, which provided me with my first experience in budgeting and saving money.*

*...Finally, foster youth are often disconnected from adults who are knowledgeable about what services exist and when a youth might require them. This isolation forces foster youth to almost exclusively depend on the adults brought into their lives by the system (i.e., judges and social workers). The main priority of these adults is to manage the well-being of displaced children; they are not responsible for nor do they often have the time or information necessary to be an effective resource regarding the various types of local, state, federal and private programs and opportunities that exist to assist foster youth. While these people certainly want to play this role for the youth in their care, the reality is that many times these people are playing multiple roles in that child's life and this role understandably falls to the bottom of the list.*

Roberts, Marchelle. *AfterCare.gov: Information Database for Foster Youth*, Hear Me Now 2012 Foster Youth Internship Report.

*The strict guidelines imposed in foster homes and in congregate care can also limit the choices that the youth make and the opportunities they have. For example, in order for youth to acquire a job or participate in extracurricular activities, they need access to transportation. Many foster parents and group home staff are not willing or able to transport youth to activities such as work, sports teams, and social events. Many of these youth cannot drive because they have no one to teach them, they do not have a form of state-approved identification, or they are unable to pay for the cost of the test. In my foster home, although my parents were supportive and loving, I was unable to get my driver's license until my eighteenth birthday since I could not legally purchase a car or buy insurance until that age.*

Dovi, Briana. *Life's Transitions Do Not Happen Overnight*, Hear Me Now 2012 Foster Youth Internship Report.

*When I moved in to a group home in South Carolina at the age of 13, I had all of my belongings in a black trash bag. As soon as I arrived, the group home staff went through and itemized the contents. Included among them was a framed picture of me and my siblings. The staff confiscated it because they told me the item was contraband since the glass frame could be used as a weapon. When I exited care years later, no one returned this picture.*

*...Instead of helping us to keep positive connections with family, my group home observed a 30-day orientation period where we were not allowed to even speak to family members. Visiting and communicating with family members were also privileges that could be taken away based on a staff worker's evaluation of your behavior for that week.*

*There were some opportunities for family members and friends to visit me at my group home after the initial 30 days, but since they had to be screened and approved by both the group home and social services, the time to process paperwork dampened my desire to have such visits. There were occasions where the group home arranged activities for the youth that conflicted with visitations that were already scheduled, which meant they were rescheduled or cancelled.*

*... [I]t is also essential for youth group homes to have the opportunity to participate in extracurricular activities. Personally, going to my extracurricular activities was a way to vent frustrations on the field or through art. These activities provided me with an outlet that allowed me to express my negative emotions in a productive way; it was a type of therapy for me, but when my group home took away these privileges, I had very few healthy outlets remaining. Another aspect of extracurricular activities that group homes overlook is the future impact that extracurricular activities have on college admissions. In order to be a strong candidate in a competitive college admission process, foster youth should participate on sports teams and in organizations that help develop leadership qualities.*

*Unfortunately, there are only a few states that have laws to support foster youth's participation in these activities.*

Williams, James. *Putting "Home" Back in Group Home*, Hear Me Now 2012 Foster Youth Internship Report.

## **The State Experience**

Unfortunately, as our Foster Youth Interns' experiences note above, many States' child welfare systems still require background checks for individuals to be involved in the life of a child or youth in care, as well as social worker or court approval for participation in extracurricular activities, while they do not allow for flexibility in the use of foster care support payments for a child to be used to facilitate things like participation in extracurricular activity or the costs associated with obtaining a driver's license. What is promising, however, is that some States have taken steps to move away from these traditionally inflexible systems to allow for greater normalcy in the lives of foster children and their caregivers.

The Subcommittee is already aware of the State of Florida's recent efforts to encourage "normalcy" in the experience of both foster children and foster parents statewide through the passage of State Senate Bill 164, the "Quality-Parenting for Children in Foster Care Act." The law codifies the use of the "reasonable and prudent parent" standard by foster parents

to make daily decisions the foster children in their care, thus entrusting these licensed caregivers to decide whether a child may sleep over at a friend's house or attend an out of state sports team competition, and no longer requiring court orders and background checks in these normal childhood activities.

The State of California also made the "prudent parent standard" law in 2003 and required that caregivers take "reasonable steps" to determine the appropriateness of the activity with consideration of the child's age, maturity, and developmental level. The State then amended their code in 2005 to the "reasonable and prudent parent" standard: "characterized by careful and sensible parental decisions that maintain the child's health, safety, and best interests."

CCAI consistently hears from both foster parents and foster youth in communities across the country that the use of this "reasonable and prudent parent standard" does indeed facilitate a greater sense of normalcy in the lives of foster youth. Rather than adding more invasive interruptions by the State to children whose lives have already been interrupted enough, these standards empower parents who have undergone a great deal of screening and preparation to do what they were asked by the State to do: parent.

In fact, in 2009, CCAI Foster Youth Interns recommended to Congress that they consider incorporating the State of California's "prudent parent standard" into federal law:

*[Congress should a]mend the Social Security Act section 471 subsection 20 (A) to give foster parents the authority to allow children in their care the opportunity to participate in age appropriate extracurricular enrichment and social activities. Once a state has licensed a caregiver, the caregiver should have the authority to act as a guardian while keeping their respective caseworker informed of all their decisions. Prior to the enactment of California Senate Bill 358, which amended the Welfare and Institutions Code section 39(d) and enabled caregivers to use the "prudent parent standard" to make reasonable decisions regarding youths involvement in extracurricular and social activities, youth in care were unable to engage in after school programs, out-of-town summer camps, and/or overnight sleepovers with friends (University of California Berkley, 2007). This amendment will allow foster parents in all states the flexibility to enroll youth in care in extracurricular activities. Additionally, this amendment will eliminate barriers and afford youth the opportunity to participate in life enriching programs.*

Congressional Coalition on Adoption Institute, *Using Yesterday to Shape Tomorrow*, 2009  
CCAI Foster Youth Internship Report.

## Ways Federal Law Might Better Support Normalcy

Foster youth are crying out for the opportunity to experience “normal” lives, including everyday events like extracurricular activities, as well as the friendships and mentoring relationships that are naturally formed in such settings. Those who have left foster care successfully often point to the transforming power such experiences had on their lives. And foster parents agree that both they and the children in their care benefit greatly when they are provided the financial support and flexibility of funding and authority to make such extracurricular activities available to their foster children. So the question is not whether we should be working to provide normalcy for foster youth, but how?

In 2009, CCAI Foster Youth Interns suggested to Members of Congress that one of the reasons youth lack access to afterschool sports and extracurricular activities is an issue of cost. More specifically, limitations on the use of federal foster care maintenance payments to support costs associated with extracurricular activities, mentoring opportunities and sports prevented foster parents with limited personal means from being able to afford the expenses of things like uniforms, fees and materials. The interns noted:

*Currently allowable uses of foster care maintenance payments [under Title IV-E Section 475 4 (A) of the Social Security Act of 2009] are limited to payments to cover the cost of (and the cost of providing) food, clothing, shelter, daily supervision, school supplies, a child's personal incidentals, liability insurance with respect to a child, reasonable travel to the child's home for visitation, and reasonable travel for the child to remain in the school in which the child is enrolled at the time of placement.*

To address this, the Foster Youth Interns recommended that Congress consider:

*“amending the current Social Security Act of 2009 Title IV-E Section 475 4 (A) to allow for one of the allowable uses [of foster care maintenance payments] to include extracurricular and social activities. ...The addition of extracurricular and social activities to the allowable uses of Title IV-E funds would allow foster parents to be reimbursed for the fees and transportation costs associated with the youth's participation in extracurricular activities.”*

In making this particular recommendation the youth stressed the importance of extracurricular activities in the lives of foster youth in accessing mentors and relationships that help them build important life skills and succeed. As 2009 Foster Youth Intern Jetaine Hart notes in the report, “Being able to connect with my dance teacher was honestly a key reason for my success. Without her, my transition out of foster care would have been vastly different.”

*Using Yesterday to Shape Tomorrow, 2009 CCAI Foster Youth Internship Report.*

In addition to looking at expanding the definition of allowable uses, the Foster Youth Interns have continually called on Congress to consider what opportunities might lie within funding provided under the Chafee Foster Care Independent Living Program (CFCIP). Given its focus on adolescent youth, it is an obvious place for federal policymakers who wish to support normalcy to look for opportunities for reform. Over the past five years, Foster Youth Interns have recommended that Congress seek to not only better align the programs delivered through the CFCIP with normal adolescent “transition to adulthood” experiences, but also be more broad thinking in establishing criteria for what youth and what services can receive CFCIP funding. The following are two such recommendations:

**1) Think more broadly about how Chafee Foster Care Independent Living Program and Education Training Voucher funds could be used to support activities that are both a normal and important part of the transition to adulthood.**

Currently, Chafee funds are available until the age of 21, but only for youth who are likely to remain in foster care, age out of foster care, or leave foster care. While the law does not stipulate a minimum age in which a youth can begin to receive these federal funds, it is being restricted to youth who are likely to age out results in the major focus of the programs on older youth. Once youth qualify for CFCIP they are then also eligible to receive a Chafee Education and Training Voucher (ETV). Under the law, former foster youth can receive these vouchers up until they are 23 years of age, but only if they are enrolled in a post-secondary program and if they are making satisfactory progress toward completing their education program.

As most of us know from experience, there is no magical age at which one begins to learn the skills necessary to become a successful adult. Rather, the process of “growing up” is a continual one and skills learned in this phase are not gained by any one person or experience but rather the building of relationships and experiences over time. This process is difficult, if not impossible, to replicate under a program that is dependent on definitions and eligibility requirements. Under this system, younger youth may be missing out on opportunities that while not directly linked to their ultimate independence are an important part of their development of skills they will undoubtedly use as adults. To the extent that Congress can, they should work to ensure that CFCIPs program are flexible enough to provide services to youth at whatever age they are thought to be necessary to encourage their successful development.

Similarly, Congress might want to consider allowing funds provided through Chafee's Education and Training Vouchers (ETV) program, which right now can only be used to cover the cost of postsecondary tuition, fees, transportation costs and other supplies, to be made available to students experiencing these costs at the elementary and secondary levels. With such flexibility, States could use ETV funds to assist a high school freshman by making early investments in the costs associated with college preparatory classes, high school sports, and other extracurricular activities.

**2) Ensure that the life lessons taught with Chafee Foster Care Independent Living Program funds are taught in the ways that adolescent youth are most likely to learn them.**

Taking a closer look at the use of federal funds for the federal Chafee Independent Living Program, 2012 Foster Youth Intern Maurissa Sorenson asked, "Are they working?" In answering her own question, she noted the following:

*The federal government recently released the results of four evaluations, conducted by the Children's Bureau and the Urban Institute and its partners, the Chapin Hall Center for Children at the University of Chicago and the National Opinion Research Center, which are mandated by the Foster Care Independence Act of 1999. The evaluations focus on Independent Living programs in California and Massachusetts between September 2001 and September 2010.*

*One of the programs evaluated was the Life Skills Training Program. This is a five-week curriculum consisting of 10 three-hour classes, held twice a week, in 19 community college campuses in Los Angeles, California. These courses were intended to support youth in obtaining skills in seven state-adopted competency areas, including educational and employment goals. The findings of this study showed that there was no effect on the youth in this program on any of the seven competency areas, and the evaluation concluded this low success rate was mainly due to the fact that all of the skills were taught in classroom style formats, in which most youth do not effectively learn their independent skills. This study suggests that youth should instead be supported in learning these skills via foster parents, mentors, and other adults in natural settings (U.S. Department of Health and Human Services, 2011).*

Sorenson, Maurissa. *Educating Congress: The Value of Investing in a Post-Secondary Education for Foster Youth*, 2012 Foster Youth Internship Report Hear Me Now.

Recent discoveries in brain science support Maurissa and her classmates' conclusion: current independent living programs are failing to meet their desired outcomes because they not offered in ways that typically developing adolescents best learn the skills necessary to become successful adults.

In a 2011 report, *The Adolescent Brain: New Research and Its Implications for Young People Transitioning from Foster Care*, the Jim Casey Youth Opportunities Initiative (JCYOI) says the following about the important lessons learned during our adolescent years:

*"It is during adolescence and early adulthood that we develop a personal sense of identity, establish emotional and psychological independence, establish adult vocational goals, learn to manage sexuality and sexual identity, adopt a personal value system, and develop increased impulse control and behavioral maturity. Chemical changes in the brain that prime adolescents for risk-taking present rich opportunities for them to learn from experience and mistakes and, with adult support, gain greater self-regulation, coping and resiliency skills."*

Notice that this list of developmental milestones for adolescent is made up of important skills – not activities. Nothing in the brain science indicates that is critically important for a young man or woman to learn how to cook, or manage their own finances, yet these are the skills most often taught in CFCIP classes. Instead, JCYOI suggest that adolescent youth in care would benefit more from services that:

- "Intentionally create opportunities for involvement in extracurricular and community groups
- Provide young people with the resources to pursue a passion that may lead to a sense of purpose in their lives
- Provide *interdependent living services* (emphasis added) that aim to connect young people with family and caring adults."

With this in mind, Congress should evaluate whether the current CFCIP funding would be better invested in programs that allow youth in foster care to learn developmentally appropriate lessons through normal experiences and relationships rather than artificially creating opportunities for these lessons to be taught. More specifically, we need to ask ourselves who is a youth more likely to these learn important life lessons from? A high school basketball coach who they respect and admire or a paid teacher in a required class?

## **Conclusion**

Programs funded with federal “independent living” dollars are designed to help adolescent youth survive once they are on their own. Maybe this is the root of our problem: there is really no such thing as a healthy, productive *independent* person. As Thurgood Marshall once said, “None of us got where we are solely by pulling ourselves up by our bootstraps. We got here because somebody – a parent, a teacher, an Ivy League crony or a few nuns – bent down and helped us pick up our boots.”

All children – including foster children – are created to learn, grow and flourish in the context of *relationship*. Life skills are not learned in the vacuum of a classroom setting, they are learned through real life experiences, in relationships and through practical application of principles learned over time. As an organization that believes that every child both needs and deserves a family to call their own, we would suggest that perhaps the best way to achieve normalcy for youth is to provide them a permanent family relationship through kinship, guardianship or adoption.

We thank the Subcommittee for taking up this important subject and carefully evaluating how Congress can better support such normal experiences for foster youth and we stand ready to assist you in this regard.

### **Contact Information:**

Congressional Coalition on Adoption Institute  
311 Massachusetts Avenue NE  
Washington, DC 20002  
(202) 544-8500

Contact E-mail Address:  
Rebecca Weichhand  
Director of Policy  
[rebecca@ccainstitute.org](mailto:rebecca@ccainstitute.org)