



**House
Legislative
Analysis
Section**

House Office Building, 9 South
Lansing, Michigan 48909
Phone: 517/373-6466

**FOSTER CARE YOUTH FOCUS
GROUPS**

**House Bill 5484 (Substitute H-1)
First Analysis (1-31-02)**

**Sponsor: Rep. Sue Tabor
Committee: Family and Children
Services**

THE APPARENT PROBLEM:

According to committee testimony, in Michigan there are approximately 9,000 children on any given day placed in non-relative foster care homes. According to the FIA, there were over 23,000 foster care cases and another 1,556 youth in independent living programs at the end of the 1999-2000 fiscal year. The Family Independence Agency, contracted private agencies, and case workers are all charged with the responsibility of protecting a foster child's safety; meeting his or her emotional and physical needs; promoting permanency in foster care placements; and ensuring that young adults aging out of the foster care system will be able to successfully make the transition to self-sufficiency and independence.

The Committee on Family and Children Services heard testimony from several young adults who had been through the state's foster care system and are now in the state's independent living program. These young adults recalled some of the difficulties that they had experienced and continue to experience. One young woman stated that prior to being in the independent living program, she saw her caseworker every four months, and was placed in a foster care home where she knew she would not be able to adapt. Another young man recently placed in independent living stated, quite frankly, that he felt that caseworkers often do the bare minimum and that he could not depend on them for what he needed.

All three young adults who testified stated that the views of foster children often do not get heard, and that what they want, and more importantly, what they need, is often lost when caseworkers and others make decisions about their lives.

In 1999, Representatives Doug Hart, Mark Jansen, and Joanne Voorhees convened a workgroup co-chaired by the Michigan Federation of Private Child and Family Agencies and the Michigan Foster and Adoptive Parent Association. The work group was charged with the task of identifying and recommending action regarding several issues related to foster care, including the general profile of foster

care parents, the principal factors causing people to continue or discontinue foster care parenting; the current system of payment; the demographic trends in children needing foster care; and the support services that are most important to foster parents.

One recommendation of the work group was creating a voice for children in foster care in the development of policy. The workgroup included several youth who were in foster care at the time, and other members of the group found that their representation was extremely valuable. The workgroup felt that the views of current foster care children should be reflected consistently throughout administrative systems as policy is being developed. Thus, legislation has been introduced to require the Family Independence Agency to develop foster care youth focus groups as one mechanism of involving foster care children in the development of policy.

THE CONTENT OF THE BILL:

House Bill 5484 would amend the Social Welfare Act to require the Family Independence Agency (FIA) to establish and administer a state plan for the John H. Chafee Foster Care Independence Program according to the requirements of Section 477 of Part E of Title IV of the Social Security Act (Section 677 of Chapter 42 of the United States Code).

The state plan would have to include programs and services that promote, implement, and support foster care youth focus groups to provide consultation and input into foster care policy. Programs and services established to carry out the provisions of the bill could utilize local foster care youth focus groups that include youth in foster care or youth previously in foster care, or both.

MCL 400.18e

BACKGROUND INFORMATION:

John C. Chafee Foster Care Independence Program. The bill requires the FIA to establish and administer a state plan for the John H. Chafee Foster Care Independence Program, which was created by the federal Foster Care Independence Act of 1999 (P.L. 106-169).

The Chafee program is a federal program designed to expand and enhance independent living programs nationwide. The act provided \$140 million for the Chafee program, up from \$70 million allocated for the Independent Living Initiative. To receive federal funding, each state is required to provide 20 percent matching funds. Funding is based on the total number of children in foster care, as a proportion to the national total number of children in foster care, during the most recent fiscal year. Each state receives at least \$500,000 or the amount of its 1998 allotment, whichever is greater. The program states that not more than 30 percent of the funds may be used for room and board. Funds can only be used for foster care children between 18 and 21. Also, funds cannot be used to substitute or supplant funds used for the same purpose in the state. Funds provided for a fiscal year are required to be expended by the state in that fiscal year or in the subsequent fiscal year.

The Chafee program provides states with significant flexibility in determining how to best meet the following goals of the program:

- Identify children who are expected to be in foster care until 18 years of age, and help them make the transition toward self-sufficiency by providing them with assistance in obtaining a high school diploma, career exploration, job placement and retention, training in daily living skills and financial management skills, substance abuse prevention, and preventive health activities.
- Assist children expected to remain in foster care until 18 years of age receive the education and training necessary to obtain employment.
- Assist children expected to remain in foster care until 18 years of age prepare for and enter post-secondary training and educational institutions.
- Provide personal and emotional support to children aging out of foster care.
- Provide financial, housing, counseling, employment, education, and other services to former foster care recipients between 18 and 21 years of age to complement their own efforts to strive toward self-sufficiency, and help them accept the personal

responsibility to prepare for the transition between adolescence and adulthood.

A state may apply for funds from the program for a period of five consecutive fiscal years. When applying, the state must submit a plan to the Department of Health and Human Services. The plan must describe how the state intends do the following:

- Design and deliver programs to achieve the purposes of the program.
- Ensure that the program serves all political subdivisions in the state, though not necessarily in a uniform manner.
- Involve the public and private sectors in helping adolescents in foster care achieve independence.
- Ensure that the programs serve children of various ages and at various stages of achieving independence.
- Use objective criteria in determining the eligibility for benefits and services, and ensuring fair and equitable treatment of beneficiaries.
- Cooperate in national evaluations of the effects of the programs in achieving purposes of the Chafee program.

In addition to the state plan, the governor must certify the following:

- The state will provide assistance to those children who have left foster care because they have reached 18 years of age, but have not yet reached 21 years of age.
- Not more than 30 percent of the amount allotted to the state will be expended for room and board.
- None of the state's allotment will be expended for the room and board of a child yet to reach 18 years of age.
- The state will use federal funds provided for foster care and adoption assistance to provide training to help foster parents, adoptive parents, workers in group homes, and case managers understand and address the issues facing adolescents preparing for independent living.
- The state will make every effort to coordinate the state programs receiving funding from the Chafee program and other federal and state programs for youth (especially transitional living youth projects

funded pursuant to the Juvenile Justice and Delinquency Prevention Act of 1974), abstinence education programs, local housing programs, programs for disabled youth (especially sheltered workshops), and school-to-work programs.

- Each Native-American tribe in the state has been consulted about the plan and that benefits and other services will be available to tribal children in the state on the same basis as other children in the state.
- The state will ensure that adolescents participating in the program will participate directly in designing their own program activities that prepare them for independent living.
- The state has established and will enforce standards and procedures to prevent fraud and abuse in the state's Chafee programs.

Michigan's Plan for the Chafee Program. The FIA has already established a plan following the criteria of the Chafee program. As the state developed its Chafee plan, three focus groups composed of youth who were receiving or who had received independent living or foster care services were convened by the FIA to provide input concerning their needs for independent living services. Additional youth focus groups have been convened and meet on an ongoing basis by some of the private agency services providers in the state.

According to the U.S. Department of Health and Human Services, the state received \$4.4 million under the Chafee program for the 2000 fiscal year, and received \$6.1 million for the 2001 fiscal year.

Other States. Several other states have developed foster children focus groups. The Youth Leadership Advisory Team (YLAT) has developed a handbook for foster children in Maine and prepared testimony in support of a college tuition waiver program for foster children. In addition, YLAT has divided into several regional districts and holds meetings in each region approximately every four to six weeks.

The Rhode Island Department of Children, Youth, and Families Youth Advisory Board was formed in the fall of 1997. The board, comprised of young adults in the foster care system between 16 and 21 years of age, provides an opportunity for youth in care to work in conjunction with the department, in leadership roles, to present ideas and opinions that promote involvement of youth in program and policy development.

Georgia recently established the Youth Leadership Council, composed of current and former foster care

children, to improve the lives of children of all ages in the foster care system. To empower the youth and make changes to the foster care system, the council seeks to improve the leadership skills of foster children, increase their knowledge of the legislative and political processes, and improve the community's understanding of the foster care system. The council was instrumental in a new program recently announced by Governor Roy Barnes to allow all foster children in state custody at age 18 to receive a grant to cover tuition and room and board expenses at a post-secondary institution for up to five years, with no age limit.

FISCAL IMPLICATIONS:

According to the House Fiscal Agency, the bill would have no fiscal impact. The FIA is currently conducting youth focus groups to gather input on independent living services as required by Title IV-E and could expand discussions to include feedback on general foster care services. (1-30-02)

ARGUMENTS:

For:

The FIA must continually seek ways to improve the provision of its services. Current policies are developed by people who probably have never experienced what it means to be a child placed in the foster care system. As a result, policies are often developed with little input from foster care youth and without the full knowledge of how the policies will affect the lives of these children and young adults. The development of foster care youth focus groups provides the FIA with direct input as to how its policies affect the lives of youth in the foster care system. Foster care youth, past and present, have a unique and intimate knowledge of how these programs affect the lives of foster children. These are the consumers at which foster care and independent living programs are aimed. They are an invaluable resource and can provide a wealth of information to legislators and the FIA with regard to past, current, and future foster care policy.

For:

In many instances, foster children may not immediately know the reasoning behind certain policies and the decisions of foster care workers. As a result, a child or youth may feel that their caseworker does not take their views into consideration or that he or she may not be taking the necessary time to meet their needs. Convening these focus groups will not only bring together foster care youth, but also caseworkers, FIA officials, advocacy groups, and foster care agencies. This will create an

open dialogue between the parties, which will lead to a better understanding of why there are certain policies in place, why certain decisions are made, and how everyone, children, families, and workers alike, are affected by these policies and decisions.

For:

Though the establishment of foster care youth focus groups is not required as part of the state's Chafee plan, it is believed that this helps the state meet the program's requirements. One of the requirements for the state plan is that the state must involve the public and private sectors in helping adolescents in foster care achieve independence. The bill is consistent with these guidelines, because it ensures that the FIA will include private nonprofit agencies, contracted by the FIA to administer foster care services, in focus groups of past and present foster care youth. In addition, the bill will help the state meet the requirement to certify that it will ensure that adolescents participating in the program will participate directly in designing their own program activities that prepare them for independent living. Indeed, as the state developed its Chafee plan, three focus groups composed of youth receiving or who had received independent living and foster care services were convened by the FIA to provide input concerning their needs for independent living services. The bill will ensure that these youth care focus group will continue to provide an advocacy platform and a voice for those youth in the foster care system.

Against:

As written, the bill offers no assurance that once these focus groups meet, their views or recommendations will be available to the FIA, the legislature, or other interested parties. If the purpose of the bill is to empower the voices of young adults who are or were in the foster care system, some accountability is necessary to ensure that their voices are heard.

POSITIONS:

The Family Independence Agency supports the bill.
(1-30-02)

The Michigan Federation of Private Child and Family Agencies supports the bill. (1-30-02)

Child and Family Services, Capital Area, supports the bill. (1-30-02)

Analyst: M. Wolf

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.