

Fostering Connections Forum – Denver Discussion Notes

Marilyn Kennerson,

- FCIA
 - o Most significant piece of legislation in many years
 - o Covers children in various parts of the system
- CFSRs
 - o Of 6 states in CO region, only UT has not been through round 2 and it's scheduled for 2010
- Guardianship Program Option
 - o To date 8 states have submitted Title IV-E amendments to operationalize guardianship programs. 1 has been approved.
- Tribal IV-E permit:
 - o \$3 million is not a lot of money to address the many tribal needs.
 - o Have received letters of intent from tribes
 - o Tribal Consultation within the 10 regions
 - All 10 regions had a consultation process on the development of the tribal VI-E programs. What the issues are for tribes to be able to move forward.
- Adoption Assistance
 - o States are glad to see the delinking of adoption assistance from IV-E
- Extension of FC to age 21 also in the works

George Kennedy, Colorado

- Progress in CO in context of where we are
 - o Economy is the same as everyone in the region – had to eliminate 20 million from state budget
 - o Governor has not cut children's programs much yet
- Review of the child welfare sector
 - o State run / county administered .
 - o Education Vouchers
 - o Relative
 - o Counties have 30 days to contact relatives
 - o Education stability – records must move within 5 days of child moving

Tony Lewis, Wyoming

Wyoming is in the position of needing to start.

- Will check with 30 state leaders (providers, guardian ad litem, prosecutors, etc)
- WY – taking time with judges and prosecutors on this.
- Goal – by the end of 2009 to have initial training set

Questions:

- School Liaison in Colorado
 - o Planning to have conversations with the counties to explore how this is being done.
- Why was this legislation necessary? Each of part of the legislation touches on our work. FCA brings the federal role about in our work. More needs to be done. Laws express the value that communities want to follow. Colorado looked at laws that enhance FCA objectives such as enhanced documentation requirement via state law. FCA is an acknowledgement of our desire to do what is right and do what makes sense.
- What is the role of the Judiciary with respect to FCA? Many pieces of FCA represent issues that have been worked on for many years. The Judiciary has been involved and engaged in these issues for many years. There are some challenges for the judiciary – EX. Judges balancing their own beliefs as it relates to the law. ACF has supported Judiciary involvement and engagement through the court improvement programs across the 10 regions.
- Are there consequences/penalties for states that do not follow FCA or are there just incentives? Many of the provisions will role into being requirements and then into the CFSR.

Special Focus on Tribal Opportunities and Challenges

- Jack Trope: Association on American Indian Affairs
 - o Why this legislation is important – specifically the tribal provisions
 - 20 years of effort to get access to funding needed
 - o Tribes have to submit IV-E plans and do reports just like the states to.
 - o FC maintenance, Adoption Subsidy and optional relative guardianship
 - o Tribal FMAP is calculated by the tribes own population data
 - o Able to use third party in-kind as part of their match up to about 30%
 - o Eligible to apply for Chafee Funds – will come out of the state share.
 - o \$3 million a year in start up money
 - o Provides two avenues to access to this program
 - 1 – direct
 - 2 – Tribal / State Agreements
 - State has the obligation to negotiate in good faith
 - o Hope that this will be the start of some strong partnerships
- David Simmons: NICWA
 - o 80 tribal entities have IV-E agreements but twice that many have other agreements
 - o Specific Issues
 - Roles for tribes choosing to pursue direct funding
- Teresa Nieto: Lakota Oyate Wankanyeja Owicakiyapi
 - o Doing full intake, investigation, placement, licensing of foster homes.
 - o 4 other tribes have IV-E contracts
 - Theirs is unique because they were able to really negotiate what they wanted.
 - State pays match for the tribe.
 - 43% of the children in their program are receiving IV-E
 - Charter gives them an advantage

- The financial audit has helped them to show that they can run their own child welfare program.
- Oglalla Lakota practice model
 - Culturally appropriate services
 - Cultural relevant
 - Spiritual
 - Ceremonial
 - Lots of Front-End prevention work that the families need
- Malissa Poog: Shoshone Bannock Tribes
 - Do investigations and licensing
 - Have run their own program for over 10 years
 - Their foster parents don't receive the same subsidies as other states.
 - Do not have a IV-E agreement in ID.
 - They want it to enhance the quality of the program they run.
 - They don't have the database in place
 - Only 22 kids in care.
 - Current Data Systems are meant for really large systems.
- Kandis Martine: Navajo Nation Tribe
 - Largest tribe in the US – 300,000 members
 - Jurisdiction – Navajo is in 3 different states
 - Difficulties:
 - Reconsidering whether they will apply for IV – E directly. Have agreements with AZ & NM, not with UT.
 - Do the case management and put it in the system in AZ
 - Do the case management but NM enters it in the system.
 - Notifications to relative grandparents – encourage states to not just throw it to the tribes.
 - They will help but it is clearly the responsibility of the state to do that.

Q's & Concerns:

Adoption Panel

- Sharon Ford
 - o Adoption Subsidy
 - Education – Adoptive families have to fill out a form on the education of children in their care. Even if they home-school they need to provide the name of the curriculum
- Suzanne Dosh
 - o Maintenance of Effort Mandate
 - Requires more than just administrators but also recipients and workers
 - International Adoptions have dropped approximately 40% over the past year.
 - Some are already home studied
 - Many are beginning to pursue domestic adoption
 - The adoption tax credit is helping to break down the barrier of expense
 - Family Connections Grant is a great opportunity
 - Legislation pertaining to emancipating youth is important but it also means that we are still emancipating youth without permanent families.
- Heidi Hendricks
 - o Need to be positioned to draw down dollars
 - o Definition of kin is important to make sure we can pull funds down where they are important.
 - o When training and recruiting foster parents we need to have them join with families, willing to parent for a short time until bio parents are ready to take custody again.
 - o Also need parents willing to Foster Adopt.
 - It's hard for families to foster to adopt but it's our job to prepare them to take that path.
 - Fostering prepares you to be a better parent.
 - Independent living skills need to start at 12... not 16. They need training because we don't know if we'll be able to find a family. We can't have a mixed message where some kids are Chaffee and some kids aren't.
 - o Permanent Guardianship is important because then we don't have to terminate parental rights.

Qs – Older youth

- Statistics show that the probability of adoption drops significantly after the age of 9
- State regulation and investigation needs to understand the differences between younger youth and adolescents. Many families would adopt but they have been targeted for neglect when their foster child runs away or gets drunk. These occurrences are common and they are not the fault of the foster parents. They are willing to stick with children but not when it puts their job and family at risk because of neglect filings.
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