

Administration for Children's Services
Testimony of Deputy Commissioner Jeanette Ruiz
New York City Council
General Welfare Committee
June 21, 2007

Good morning Chair de Blasio and members of the General Welfare committee. I am Jeanette Ruiz, Deputy Commissioner for Family Permanency Services at the Administration for Children's Services (Children's Services). I am joined today by Ronald Richter, Deputy Commissioner for Family Court Legal Services, and Dodd Terry, Assistant Commissioner for the Office of Youth Development, the office within Family Permanency Services charged with implementing the subject of today's hearing. Let me begin by thanking you for the opportunity to brief you on *Preparing Youth for Adulthood*, our comprehensive strategy to address the needs of youth in foster care and ensure that they transition with the skills and connections they need to become successful adults.

Recognizing the special challenges that our young people face as they navigate the difficult transition from adolescence to adulthood, Children's Services has established a plan with six core goals. They are:

1. Youth will have permanent connections with caring adults.
2. That they will reside in stable living situations.
3. That youth will be afforded opportunities to advance their education and personal development.
4. That they will be encouraged to take increasing responsibility for their work and life decisions.
5. Young people's individual needs will be met. And,
6. That young people will have ongoing support after they age out of foster care.

Overview

The importance of adopting a new approach to working with our youth in foster care is clear. Nationally, outcomes for youth aging out of foster care are discouraging and our experience in New York City reflects these national trends and compels us to work to find new solutions that will provide young people with the help they need. Our sense of urgency is heightened by the fact that, while New York City's foster care census has declined overall in recent years, adolescents have come to comprise an ever-larger proportion of children in care. Today, forty-two percent of the children in foster care are over the age of 12 (roughly 7,140) and approximately 1570 of these young people have a goal of independent living.

In order to better serve our youth, Children's Services moved last year to re-orient and restructure our Office of Youth Development (OYD) by focusing its work around the mission of youth development instead of independent living. In this past year, Children's Services has rebuilt the infrastructure of this office, trained staff throughout the child welfare system and launched a number of ground-breaking initiatives. As we move deeper into implementation, we will continue to integrate this work into everything we do, especially our emphasis on placing youth with families that can serve as a permanent resource to them.

Preparing Youth for Adulthood - Roll Out

To gain a better understanding of the issues facing youth in foster care in New York City, OYD first performed a series of case reviews of youth and their placement experiences in five foster care agencies. Through these reviews, OYD identified a number of critical issues: 1. access to housing, 2. insufficient planning with their birth families and 3. access and funding for college and vocational opportunities.

As part of this first round of reviews, OYD also developed a tracking system to support the implementation of ongoing case reviews and to facilitate the collection of

information gathered through the reviews and site visits. The system now enables OYD to track its reviews including case specific information, agency specific information, and the tracking of system-wide trends. We intend to use this information to target our PYA technical assistance and oversight as *Improved Outcomes for Children* begins its first phase.

As an integral component of Preparing Youth for Adulthood, OYD held trainings with several key areas within Children's Services including case management, adoption, and child protection. Additionally, OYD hosted borough-based orientations for providers in each of the five boroughs. OYD has also trained many of the legal services providers who represent young people in family court and ACS attorneys who represent Children Services. Finally, OYD held a citywide kick-off conference which brought together stakeholders throughout the child welfare community to introduce them to the plan.

OYD continues to develop its ongoing training and technical assistance capacity and has organized its work around the following activities:

- Participating in team decision-making conferences affecting young people.
- Conducting new rounds of case reviews.
- Meeting with agency training coordinators.
- Meeting regularly with law guardians to problem solve systemic issues.
- Intervening and providing coaching on individual cases.
- Hiring nine additional staff members with youth development expertise.

Preparing Youth for Adulthood - Implementation

In this first year of implementation, Children's Services has focused on five key areas:

- making better employment connections for youth;
- supporting the financial independence of our young people;
- connecting youth to families;

- providing access to housing; and
- engaging youth in decision-making about their lives.

We will now brief you on our progress in each of these areas.

Employment Connections

OYD has made significant progress in increasing youth's access to employment information and programs over the past year.

- For example, Children's Services hosted the first ever employment expo for provider agencies.
- Children's Services implemented monthly forums for foster care agencies to meet with HRA employment vendors who are able to provide job opportunities to our young people.
- Children's Services has hosted ongoing Network to Success events that focus on a different industry and enable youth to meet with professionals from that industry. Our last network event focused on the fashion industry and over 200 youth attended.
- Children's Services launched Passport to Success, a collaboration of ACS, The Door and Arbor, through which we provide employment internships and job placement services to young people in care.
- Children's Services has partnered with FECS and the Door who are launching The Academy with funding from the Hecksher Foundation to work with foster care youth ages 16-21 and provide them with a full range of educational and social supports as well as workforce development.
- Children's Services has so far issued 591 educational and training vouchers to youth in foster care to date this year.
- Finally, Children's Services launched an effort to increase youth's participation in DYCD's Summer Youth Employment Program this year.

We will continue to build on these efforts and strengthen these critically important partnerships in the coming year and to increase our ability to provide young people with greater access to employment experiences with a particular focus on identifying the programmatic supports they need to successfully participate in work.

Youth Financial Empowerment Initiative

Children's Services has also launched a broad-scale, cutting edge Youth Financial Empowerment Initiative (YFE) with the support of the Mayor's Center for Economic Opportunity, New Yorkers For Children and the United Way of New York City. Through this initiative, Children's Services has developed a comprehensive strategy to provide youth in care with essential financial literacy skills and resources to support building assets. At its core, this effort will provide intensive financial literacy training to young people to acquaint them with basic financial management concepts, such as budgeting, needs vs. wants, credit and the role of financial institutions.

In addition to the financial literacy training, this initiative will provide youth in care with access to individual development accounts (IDAs), which are matched savings accounts that will allow our youth to accelerate their savings, with funding from the public and private sector, to support the acquisition of a major asset. Over the past ten years, this tool has been used for the adult population to enable homeownership, small business development and post-secondary educational attainment.

Children's Services is launching a five-year pilot this Fall to engage 450 youth in developing positive financial management behaviors and to secure asset goals of housing, education and micro-enterprise. This will include the provision of an IDA account which will match a youth's savings of up to \$1,000 with up to \$2,000 from both private and government funds. Children's Services has engaged Citibank, North America as its Financial Institution Partner for the pilot. Citibank will provide both the

IDA product, which is a custodial savings account, and a transactional debit account for all young people participating during the pilot.

In addition to the commitments we have received to date, Children's Services has submitted a Federal grant application to the U.S. Department of Health & Human Services' (HHS) Assets for Independence Program, which provides both match pool and administration support to IDA programs nation-wide. We anticipate a decision from HHS next month (by July 2007.)

Youth ages 16 through 21 who are currently in foster care will be targeted for participation. Children's Services will conduct a citywide outreach effort to recruit youth who meet minimum program requirements. And, in addition to the large-scale outreach effort, youth will also be recruited from two existing workforce development initiatives Passport to Success and The Academy that work with youth in foster care.

Youth participating in this pilot will be expected to take part in up to twenty hours of financial literacy training. The training will focus on their:

- Personal perspective on money (attitudes, beliefs and values) and how that affects behavior
- Goal setting and budgeting
- Financial management decision making practices
- Role and effective use of credit
- Role and effective use of financial institutions
- Paths to building wealth
- Consumerism/how to be an effective consumer

After successful completion of this first training, participants will open their IDA and transactional debit account and begin saving towards the asset purchase. Concurrently,

these young people will be involved in a host of other activities, such as mentoring, field trips and leadership development to promote and reinforce the competencies instilled by the initial training.

In addition, these youth will be offered an elective financial education class, which will enable them to explore other financial management topics, such as investments, retirement, and the roles of other financial institutions.

Enhanced Foster Parent Support

Another critical component of PYA is the Enhanced Foster Parent Support initiative, an \$11.5 million investment. The goal of this important measure is to distribute funds up-front to our foster care providers to invest in recruitment, training and supports for foster parents so that children in care remain in safe, stable family based settings. In a typical year, approximately 750 children step up in their level of care from a family setting to a residential placement. Through these enhanced services and investment dollars, we expect to better respond to foster parent needs, as well as the needs of teens at risk of stepping up, and stabilize these placements so that children can remain in a family setting when appropriate. With these funds, foster care providers can do targeted recruitment to attract foster parents specifically for teens, hire foster parent advocates, and create a 24-hour support line for foster parents to help respond to their concerns, offer crisis intervention or provide a teen with mental health services. It is important to note that residential care remains a key component of our continuum of services and an important intervention in appropriate cases based on the individual needs of a particular child.

Another crucial component of attracting and retaining foster parents for youth is our Community Partnership Initiative. As this Committee is aware, Children's Services has launched this initiative in 11 high-need communities. One of the four measurable goals

of CPI is foster parent recruitment and support. The grants associated with the Community Partnership Initiative have gone to community-based organizations to engage them in the work of child welfare and deepen our connections in neighborhoods.

Housing

Children's Services has also launched a number of efforts to strengthen youth's access to housing. First, Children's Services now has access to NYCHA's database, enabling us to track the progress of applications for housing that we submit on behalf of our youth leaving care. Children's Services also has secured priority Section 8 and NYCHA housing for our youth. Further, our Housing Support and Services Unit has developed a series of one-page desk guides describing the application process and procedures for the Section 8 housing program, our internal Children's Services Housing Subsidy program and NYCHA public housing. Each of these desk guides has been broadly distributed to our provider agencies, to law guardians and to directly to our youth. These guides also describe the program and eligibility guidelines and offer a contact number for accessing help.

Engaging Youth in Decision-Making

As this committee is aware, Children's Services released its plan, *Improved Outcomes for Children*, this Spring. At the core of this effort is a new practice model and financing system focused on reducing movements and lengths of stay for children in care. Moving forward, there will be a team decision making conference every time there is a recommendation to move a child, as well as regular planning meetings about permanency at which Children's Services will be present. Youth ten or older will be encouraged to participate in these conferences. To facilitate this, provider agencies will schedule conferences during hours that support the attendance of our young people, and actively engage our youth in planning for their future.

In addition, Children's Services in partnership with the New York City Family Court has launched "teen days" in the Family Courts in Manhattan and the Bronx and will soon be launching this model in Queens. During "teen days," specific afternoon calendars are dedicated exclusively to permanency hearings for youth. The goal of these hearings is to identify resources and other help for young people. OYD staff is present in Court during all "teen days" to assist in identifying resources and offering services.

Conclusion

I hope my testimony today helps illustrate Children's Services' commitment and work during the past year towards providing our young people in foster care with the opportunities and skills they need to become successful adults. There is still much work to be done and we are looking forward to building on our efforts over the past year. Thank you for inviting us to discuss these important items with you this morning. My colleagues and I welcome any questions you might have.

New York City Council General Welfare Committee

Bill De Blasio, Chair

June 21, 2007

Testimony: Brandon James, Former foster child

Subject: Youth Aging -Out of foster care

My name is Brandon James; I entered care in June of 2001 as a result of traumatic family problems. The first foster placement that I went to was a group home. I entered the group home when I was seventeen. I did receive some help when I entered foster care; I was able to get help with my green-card and residency papers. I was in the group home I was twenty, I left the group home and went to a Supervised Independent Living Program or what is known as SLIPs. The entire time that I was living in the SILP I did not receive any help whatsoever regarding housing and education. I enrolled in college when I was in ACS however I was not offered any help with tuition.

During the time I was in ACS I did not receive any help regarding housing, I did not fill out section 8 and NYCHA housing applications but there was not any follow up. I had to solicit the help of a third party organization by the name of In the Spirit of the Children; with their help I was able to complete a housing application to secure my apartment so I would have housing after I aged out. But during the final months leading up to my leaving the foster care agency that I was in, they tried to discharge me with out waiting for me to finish out the process of securing appropriate housing accommodations, if it I had not obtained the help from the aforementioned organization and Ms E.P. Jones I would have been homeless right now.

I want to thank the General Welfare Chair Mr. De Blasio and Miss Murphy for affording me the opportunity to speak before the Committee on behalf of myself and the many others exiting foster care.

**Testimony by Karen J. Freedman
Executive Director
Lawyers for Children, Inc.
New York, New York**

Presented to

Bill de Blasio,
Chairperson,
New York City Council Committee on General Welfare

**Public Hearing on Oversight – The Administration for Children's Services'
Efforts to Prepare Youth Aging out of Foster Care for Independent Living**

June 21, 2007

Good morning, my name is Karen Freedman. I am the Executive Director of Lawyers for Children, Inc.

Thank you, Chairperson de Blasio, and members of the General Welfare Committee, for providing Lawyers For Children with the opportunity to present testimony, and for your continued interest in the welfare of our City's most vulnerable children. As you know, Lawyers For Children is a not-for-profit organization dedicated to protecting the rights of individual children in foster care and to compelling system-wide foster care reform in the City of New York. Every child we represent receives free legal and social work services in cases involving foster care, abuse, neglect, termination of parental rights, adoption, guardianship, custody and visitation. Our caseload exceeds 5000 such cases a year. Through a generous grant from the Robin Hood Foundation, we have established the Adolescents

Confronting Transition ("ACT") project, through which an attorney and two masters level social workers work full time to represent young people in foster care between the ages of 18 and 21.

Today we want to present the council with testimony on the continued need for the NYC Administration For Children's Services ("ACS") to improve services for children aging out of the New York City foster care system. As you are aware, young people automatically age-out of care on their 21st birthday. ACS's Preparing Youth for Adulthood ("PYA") initiative (as well as the New York Code of Rules and Regulations) outlines the goals that foster care agencies should achieve for each young person aging out of care. Those goals include: an appropriate education, stable housing, employment or other income, continued medical coverage and a meaningful connection to an adult in their community. The problem, however, is that the foster care agencies are ill informed as to how to accomplish these goals. As a result, youth are being improperly discharged, and inadequately equipped for life after foster care. And so, we are asking that the council encourage ACS to take two very important steps toward making the goals of PYA a reality for all young people aging out of foster care: First, ACS must develop a series of standardized procedures for accomplishing those goals and must standardize

procedures for providing the contract agencies with the latest policy and legal changes, so that ACS and the agencies are fully informed of their responsibilities and obligations to youth in care. Second, ACS must develop stronger coordination with the other city and state agencies (such as the Department of Education, the New York City Housing Authority and the Human Resources Administration), which serve young people as they age out of foster care. In the paragraphs that follow we have attempted to identify some of the most pressing issues for youth aging out of care and suggested ways in which standardization of procedures and coordination with other government agencies could help to ameliorate the problems that we have highlighted.

EDUCATION

When youth enter the foster care system, they are supposed to be evaluated and provided with appropriate educational services. Yet, youth at age 21 are often discharged without an adequate education. Last summer, we reviewed the case records of 451 youth in foster care between the ages of 18 and 21. Of those, only 52 had graduated high school and only 70 were on track to receive a high school diploma. The vast majority of those students in foster care had stopped attending school because they were performing below grade level and

were unable to master the schoolwork. Yet, few were provided with appropriate tutoring services, and virtually none were provided with an individualized educational assessment to determine whether one of New York's many smaller or alternative high schools would provide a more appropriate learning environment. Instead of working with the schools and other agencies to bring the youth up to grade level, youth are routinely referred to GED programs. Of the 451 youth surveyed, 110 were enrolled in GED programs, and 23 had obtained their GED. A full 196 youth had been completely disenfranchised from the educational system. With proper assistance and attention this number could (and should) have been drastically reduced.

Many of the students dropped out of high school after having been repeatedly placed in numerous foster care settings. Time in class was lost with each transition, and it became increasingly difficult to catch up with the schoolwork with each move. Yet, simple adjustments, such as increased flexibility to transfer youth between agencies to achieve appropriate placements in the same neighborhood, and provision of carfare for youth to get to their previous schools if they are placed in new school districts, could give young people the educational stability, confidence and motivation that they need to persevere and graduate. Also, a closer relationship with the Department of Education or even

the establishment of a foster care coordinator within the Department of Education could be key in accessing appropriate services and making rapid and appropriate educational needs assessments.

A number of youth in foster care do graduate from high school, and do enroll in college. However, even those who have graduated from high school at 18 will not complete a college degree by the time they reach their 21st birthday. While ACS has extended foster care services to some of these young people beyond their 21st birthdays, as explained below, ACS must develop a uniform procedure to guarantee that these youth will have a place to live and be supported through graduation.

EMPLOYMENT:

While an appropriate education often leads to employment, many young people leaving care lack the skills and contacts necessary to find a job that will enable them to live on their own. Agencies and ACS must establish connections with employers, corporate personnel and employment agencies to help youth secure jobs.

The many vocational programs in New York City vary tremendously in cost and quality. Some youth will cycle through numerous programs without ever obtaining a marketable skill. Coordination with particular

programs found to be successful and affordable could greatly help our youth, allowing them to be productive and preparing them to support themselves.

Young people must be informed at an early age of the importance of establishing an employment record, even if they are enrolled in school.

The most common housing programs for our youth require proof of employment income, even if they are full-time students. Despite this fact, youth are not informed of that need nor are they encouraged to seek employment early on. In fact, of the 451 files reviewed last summer, only 80 youth had employment, and only 73 were actively seeking it. To remedy this, we ask that ACS and the agencies aggressively develop mentorship, internship, and employment programs that will specifically focus on the needs of youth aging out of foster care.

Employment assistance is especially important for the huge number of youth in foster care who are in special education programs. Nationwide studies show that anywhere between one quarter and one half of children in foster care receive special education services. In New York City, these youth are slated to receive an Individualized Educational Plan ("IEP") diploma. Yet, that diploma is not widely accepted by

employers, is not sufficient for college admission, and does not allow young people to obtain professional licenses that require a high school diploma. ACS must develop procedures for assisting these young people to obtain employment.

As they attempt to obtain employment, all youth in foster care must have a stable phone number at which they can be reached and at which they can be sure to receive messages. The nonprofit “community voicemail” system previously administered by the Coalition for the Homeless and the Department of Homeless Services for homeless adults, is a model that could and should be replicated by ACS for young adults in the foster care system.

HOUSING:

Every day we hear more stories of young people on the brink of leaving care, but unprepared to live on their own. Of paramount concern is the lack of available, affordable housing. This is not a problem exclusive to foster youth, but it is a problem of particular concern to them. The importance of this issue is highlighted by statistics from last summer’s survey. Of 451 youth, only 68 had applied for the ACS Housing Subsidy, and only nine had received it. 92 youth had applied for NYCHA housing, and six had received it. 84 had

applied for Section 8, while only five received their vouchers. This vulnerable population is often completely unprepared to meet the requirements for completion of complex housing applications.

In order to insure that youth aging out of care obtain appropriate housing, ACS must educate all caseworkers regarding the applicable laws, regulations and procedures related to discharging young people from foster care. For example, by law, youth are not to be discharged to homelessness. Specifically, youth can only properly be discharged to housing, other than a shelter or a rented room, which is reasonably expected to last at least 12 months. Unfortunately, the members of the ACT Project at Lawyers For Children are called upon time and again to prevent discharges to various offices and divisions of the Department of Homeless Services, and to educate agency workers about a rule of law that should be common knowledge.

In addition to educating caseworkers, ACS must educate young people -- even before they turn 18 -- about what they need to do to be eligible for public housing benefits.

ACS must insure that all foster care agencies are regularly provided with updates on any changes in policies and procedures that affect

housing applications. This information must go beyond the housing liaisons at the agencies to the front line caseworkers and independent living specialists. In addition, the requirements for public housing eligibility are constantly changing without advance warning and without formal notice to the foster care agencies. As a result, rumor, myth, and misinformation guide the application process for many young people, causing far too many delays and rejections for young people who are about to age out of care.

For example, when the New York City Housing Authority established the priority for youth aging out of foster care in 2005, being enrolled in school full-time was sufficient to qualify, and a public assistance budget letter was sufficient proof of income to complete an application. Unfortunately, as the volume of applications increased, the number of youth who qualified decreased as NYCHA narrowed the priority. The first category to be lost was youth who had aged out in the last 12 months, meaning that youth who had exited the system, whether properly discharged or not, were unable to access the priority. Now, youth must show between four to eight recent pay stubs, regardless of school enrollment, and public assistance is an insufficient basis on which to meet the income requirement. We ask today that the City Council help us to help our youth, and advocate with us for a more

inclusive priority, for a grace period before policy changes are implemented, and to broker a closer coordination of priorities and communication between ACS and NYCHA.

In addition to clarifying the procedures and requirements for public housing and ACS's own housing subsidy, ACS should work to eliminate the restrictions on youth leaving foster care sharing their apartments with other appropriate individuals. As it stands, NYCHA and Section 8 refuse to grant priority to youth who are trying to apply with someone else. This means young men and women with children cannot form a family unit without losing the priority. This means that youth, who may be living alone for the first time in their lives, are unable to have the comfort and support of a roommate. Yet, ACS does not see a role in advocating for change of these policies. ACS's own Housing Subsidy is not available to youth applying with a roommate, even if that roommate is another youth aging out of care. We ask that the Committee urge ACS to reconsider, and advocate for a change in NYCHA's policy. Youth should not be forced to live alone when, for a majority of them, their entire lives have been spent in close proximity to others. Talk of setting up a roommate matching service should go beyond an idea into action.

If housing is so difficult for youth without any special needs or mental health diagnoses, it is even more complex for those who do have them. When clients are in need of additional support in order to be successfully discharged from foster care, they can apply for either supportive housing through the New York City Human Resources Administration ("HRA") and the New York State Office of Mental Health ("OMH"), or be referred for housing and services through the New York State Office of Mental Retardation and Developmental Disabilities ("OMRDD"). To the detriment of these youth, ACS has no direct relationship with OMH, and a difficult one with OMRDD, making locating placements within these systems time-consuming and cumbersome. Systems that could be working together to protect our youth are instead at odds and inefficient. It seems clear that there is a role for this Committee in mandating that ACS and HRA cultivate smooth working relationships so that this population of special needs youth in foster care can live the productive and rewarding lives that they deserve.

HEALTH INSURANCE AND PUBLIC BENEFITS

For youth who do find themselves discharged at age 21, many simply transition to a different system – from foster care to Medicaid and public assistance. Young people must apply for community Medicaid

before they transition out of foster care, and ACS and the agencies must clearly explain this to them and help them apply. Many youth are aging out or being discharged from care and they do not know what to do or how to go about getting continued healthcare. While Medicaid is not the only available form of healthcare, it remains the main source of healthcare for this population. Youth are encouraged to apply in advance of age 21, but they are also told that their current coverage will continue for three months after they officially age out. This would be an exceptional safety net, if it weren't also the case that youth are given new Medicaid numbers when they transition out of foster care, and that those changes are not communicated to the youth. Clients often call to report that Medicaid is no longer covering them, when the fact is that they merely need their new Medicaid number. Of the 451 youth reviewed, 143 reported needing assistance with Medicaid. By simply standardizing a procedure for youth to be informed of this change, ACS could make a substantial difference in the efficient delivery of healthcare.

Stability and security for young people aging out of foster care requires an income. Rather than developing strong, agency based employment programs, agency workers routinely point youth in the direction of New York City Job Centers to apply for public assistance

("PA"). Often, young people need the help of their caseworkers to know where to go and how to obtain PA. Further, agency workers and often assume that HRA will allow for PA applications to be submitted in advance of discharge from care, if accompanied by proper documentation. Unfortunately, however, when youth are on the verge of aging out of foster care, HRA is refusing to process PA applications, regardless of letters from advocates and agency workers explaining why the applications should be processed. Again, this Committee is in a unique position to demand that ACS and HRA coordinate their efforts to insure that youth are prepared to leave foster care with a stable source of income.

The future for all of our youth leaving the foster care system is fragile, and requires fully informed, knowledgeable workers to make it as safe as possible.

CONTINUED FOSTER CARE BEYOND AGE 21

In its discretion, ACS can approve and allow continuation of foster care placement and services past a youth's 21st birthday. Through our communications with the ACS Office of Contract Agency Case Management, we have been successful, in individual cases, in obtaining approvals (commonly referred to as "exceptions to policy")

for youth to stay in care past their 21st birthdays, while awaiting housing and completing higher education.

Unfortunately, however, there are no clear criteria for why exceptions to policy are granted or denied, and agencies vary significantly in the application process. Many agency workers are under the mistaken impression that they cannot apply for these exceptions to policy at all. Some clients who are in college and living on campus are denied exceptions and are left homeless and floundering on school breaks, while others are granted exceptions, and foster parents keep beds available for them, even if just for a week. There is no true consistency, nor, more alarmingly, is there any appeal process. There is no outside verification of any of the information provided by the caseworkers in the requests. Law Guardians need to be integrated into this process, and agency workers need to be more responsive to requests to seek exceptions to policy. By requiring ACS to establish standard procedures for applications, approval, and appeals, this Committee could help insure that exceptions are not abused or improperly denied, and that our youth are properly served.

ADULT CONNECTIONS AND AFTERCARE SERVICES FOR YOUTH WHO
ARE LIVING ON THEIR OWN

The latest neurological studies on brain development show that the human brain is not fully developed until age 25. This information sits in stark contrast to an ACS system where youth are left to their own devices at age 21, after being raised by an institutional bureaucracy for the majority of their lives. We call on ACS and its agencies to be true to the parental role they have assumed on behalf of youth in foster care and end the practice of abandoning these young people just six months after they leave foster care.

Youth leaving foster care often find themselves alone all too quickly without any support system in place. A much greater effort must be made to connect a young person leaving foster care with a caring adult in the community who can provide the support they need to succeed. In addition, agency caseworkers must develop better working relationships with young people while they are in care and maintain ongoing contact with them once they leave care. This requires specialized training and a dedicated cadre of caseworkers who specifically choose to work with this unique population. Preparing youth to be safely discharged from foster care is not a process that happens overnight, but depends on comprehensive needs assessments and long-term planning as opposed to preparation that begins 3-6 months before leaving care.

This Committee should insist that ACS engage with other city agencies to develop procedures to insure that every young person entering the community will be safe, educated, properly housed, and adequately connected to adults in the community who can provide assistance to them as they negotiate life outside of the foster care system. We, as a community must continue to provide these young adults with the wrap around services that they need to succeed, regardless of the date on which they turn 21. Young people aging out of foster care don't have a minute to wait or to waste.

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INWOOD HOUSE

We Help Teens Take Charge of Their Lives

Testimony before the City Council General Welfare Committee on Youth Aging-Out of Foster Care June 21, 2007

Pregnant & Parenting Teens – A Unique Population of Foster Care Youth

Inwood House, a New York City youth development agency, has a long history of providing a continuum of specialized services for a unique population of pregnant and parenting teens in foster care. Teen Family LIFE, Inc., the Inwood House Continuum of Care for pregnant and parenting teens in foster care, provides services aimed at breaking cycles of poverty, child abuse and neglect, by helping the teens build on their strengths and create a foundation for nurturing and self-sufficient parenthood.

This unique population of parenting youth requires comprehensive, on-going services to support the safe development of their children and foster healthy relationships between young mothers, fathers and their families. Teen mothers, especially those in foster care, often possess limited parenting skills due to a lack of parental role models, and challenges of living within the foster care system for an extended period of time. Histories of abuse and neglect have a strong, negative impact on their ability to protect their own children, a central role of parents. The young women want to be good mothers, but have great difficulty with empathy and interaction with their children. Managing a tight budget, keeping house, holding down a job, and securing safe and continuous day care are daunting for a single, young mother. Additionally, the stressors of becoming a new parent, often without the benefit of a partner to share the anxieties, joys, and the tribulations of parenting, make life difficult to navigate on one's own without help.

On average, 30% of the teens referred to IH have been in foster care for more than five years, and nearly 20% for more than a decade. These young women are leaving foster care to live on their own for the first time in their lives, often without family to support them, and as such are all the more in need of comprehensive services to prepare them both while they are in care and after they age out. Nationally and locally, the outcomes for parenting teens are poor. For example, nationally, 70% of teen mothers never complete high school and the risk of dying in the first year of life is 30% greater for the children of teens than for those of older women.

Taking a strength-based approach, Teen Family LIFE, Inc. is designed to ensure strong outcomes for the pregnant and parenting teens' health, educational success, employability, family relationships and social connections, personal development and for their babies' health and well-being. Services

1. address the antecedents of teenage pregnancy, such as low self-esteem, low expectations for opportunity, life in poor and violent households and communities, school disengagement and low academic performance, few positive adult role models and relationships with caring adults, and lack of information and use of birth control; and are
2. comprehensive and integrated – simultaneously addressing the teens' adolescent needs for nurturing and personal growth while preparing them to take on the adult tasks of parenting;

3. particularly sensitive to the special needs of teen mothers in foster care, assisting them in addressing the emotional and mental health needs of their children, parent/child communication, understanding appropriate expectations for infant/child behavior, and addressing the teen mothers' own anger and mental health issues;
4. easily accessible and therefore consistently used;
5. on-going, beginning with pregnancy and sustained through early adulthood, providing continuous support during these critical stages of development for mother and child.

Services include:

- supervised and structured residential care
- ongoing case management
- nutritious meals and consistent pre-natal care
- New York City Dept. of Education sponsored schooling
- parenting skills classes
- comprehensive sexuality education & family planning
- emotional counseling/mental health services
- mentoring
- educational guidance and placements and
- life skills training including financial literacy
- career development workshops, paid internships & job placement
- in-kind financial incentives for responsible decision-making – the Inwood House Baby Boutique
- savings accounts & savings program
- peer support groups for parenting, relationships and responsible sexual behavior
- housing assistance

Findings from the four-year program evaluation, underwritten by the U.S. Dept. of Health & Human Services demonstrate that our Continuum of Care is having a positive impact on the youth we serve in areas of employment, education, health, parenting, personal relationships, personal development, and the health and well-being of their children.

Importantly, one year after delivery:

- . 78% of our young mothers were in school, including 19% who were in college
- . nearly 100% had fully immunized their children
- . nearly 100% had retained custody of their baby and had the baby's father in regular contact with the child
- . 82% of the young mothers had a bank account
- . 69% had held a paid internship and 26% held full-time jobs
- . 66% were in receipt of birth control

Furthermore, there were significant increases in family visits, self esteem, cultural pride and in the girls' ability to have relationships with other young mothers – characteristics necessary to build positive support groups when they are out on their own. These results are especially noteworthy because they indicate adult attitudes and behaviors well beyond the young mothers' stages of adolescent development.

Outcomes for Youth

Inwood House Continuum of Care strives to achieve the following long-term outcomes among participants:

- Improved physical and mental health of teen mothers, male partners and their babies
- Increased rate of high school graduation or GED completion among teen mothers and fathers
- Increased rate of employment among teen mothers and fathers
- Increased number of young parents with stable, independent housing
- Increased participation of male partners in family life
- Lower incidence of child abuse and neglect among teen mothers
- Increased sense of self-worth, self-efficacy and/or personal power among teen parent

Recommendations

The comprehensive, center-based nature of Teen Family LIFE, Inc. services offers the pregnant teens a safe environment as well as more contact with and guidance from a wide array of professionals, mentors and role models. The residential aspect of the community during the critical time of pregnancy better assures services will be accessed during pregnancy and post-pregnancy, and fosters trusting relationships with staff and peers. Residential and teen-focused services facilitate the transition from adolescence to adult behavior by providing an influential peer group working towards similar goals for personal fulfillment, parenting and self-sufficiency.

Service areas recommended:

- Ongoing case management and regular home visits
- Mental health counseling
- Skill-building activities related to parenting, maternal and child health education, independent living skills
- Educational, career development including paid internships, and mentoring support
- Housing Assistance
- Financial Literacy, including workshops on budgeting, personal finance, responsible and planned spending for family needs
- Incentives (i.e. incentives-oriented Baby Boutique, which rewards responsible behavior

For further information on our programming, outcomes and theoretical rationale, please call Linda Lausell Bryant, Inwood House Executive Director: 2120-861-4325, ext 205.



**Testimony presented by Lynne Echenberg, Esq.
Director, Next Generation Center, The Children's Aid Society**

**Before the General Welfare Committee, New York City Council
Bill DeBlasio, Chair**

**Oversight Hearing on the Administration for Children's Services'
Efforts to Prepare Youth Aging out of Foster Care for Independent
Living**

June 21, 2007

"I wish I had more of a plan back when I was in independent living. I wish I had learned to save money. I wish I had gotten some sort of on-the-job-training, so that I could support myself with a skill. I would have liked to have some sort of housing to look forward to and I wish I had been prepared to go to college.

But none of that happened."

-Rick Bullard, former foster child.ⁱ

"Aging out is final and netless. Too often it results in a new batch of freshly aged outters stuck on the streets with nowhere to turn."

-Linda Rodriguez, former foster child.ⁱⁱ

"As a society, we were, by force of law, the parents of these young people while they were in foster care. We need to see the job through. We would do no less for our own children."

- Gary Stangler, Director of the Jim Casey Youth Opportunities Initiative, former Director of the Missouri Department of Social Services for over ten years.ⁱⁱⁱ

Each year, approximately 24,407^{iv} of the 513,000^v children in foster care

nationwide are discharged to live on their own. Four percent of these, or approximately

ⁱ Rick Bullard (2003), "Kicked to the Curb: Plan Now for Life After Care" *Represent! The Voice of Youth in Care* (March/April), 30.

ⁱⁱ Linda Rodriguez (2003), "Are Independent Living Classes Enough?" *Represent! The Voice of Youth in Care* (March/April), 34.

ⁱⁱⁱ Quoted in The Youth Transition Funders Group Foster Care Work Group, "Connected by 25: A Plan for Investing in Successful Futures for Foster Youth, <http://www.youthtransitions.org>, March 2004, 60.

^{iv} U.S. Department of Health and Human Services, Adoption and Foster Care Reporting and Analysis System (2005), preliminary data. DHHS reports that 24,407 of youth were discharged to independent living and 4,445 were discharged after they ran away. Since those who run away are effectively discharged to themselves, arguably their numbers should be added to the number of youth discharged to independent living making the total actually 28,852.

^v Madelyn Freundlich, et al. (2007), "Time for Reform: Aging Out and On Their Own," Pew Charitable Trust and Jim Casey Youth Opportunities Initiative.

1,000 young adults, are discharged to fend for themselves in New York City.^{vi} Having reached the age of majority, they are presumed to be productive, self-reliant and fully self-sufficient. We don't have these expectations of adolescents who grow up under the best of circumstances.^{vii} But we insist that the most vulnerable, disadvantaged and least prepared young people make the transition to adulthood alone and unsupported.

We are setting them up for failure. Already burdened by their childhood experiences of trauma, abuse, neglect and/or abandonment, young people leave the foster care system without the knowledge, skills, opportunities, attitudes, routines, and relationships they need to be productive and contributing members of society.^{viii} They are not equipped to find gainful employment. Many have untreated physical and mental health needs, and no health insurance. Most have no housing options. Some have no immigration status. And none have had the benefit of parental role models to transmit the expertise needed to negotiate the trials of living on their own.

This can be said of most adolescents leaving the foster care system, regardless of their permanency planning goals, that is, regardless of whether they are returned to their birth parents, discharged to a relative, discharged to another planned permanent living arrangement (formerly referred to as independent living), adopted, or discharged to an adult facility. The situation for youth discharged to themselves is especially urgent, however, because they don't have a safety net. Without family or any other dependable adults to rely on for assistance, they are, not surprisingly, at high risk of homelessness,

^{vi} Administration for Children's Services (2006), "Preparing Youth for Adulthood", New York.

^{vii} Recent findings based on U.S. Census data show a dramatic decline in the percentage of young adults who have achieved the typical milestones of adulthood—finishing school, leaving home, getting married, having a child and becoming financial independence—by age 30. In 2000, only 46 percent of women and 31 percent of men had reached those markers by age 30, as compared to 77 percent of women and 65 percent of men of the same age in 1960. Frank F. Furstenberg, et al. (2004) "Growing Up is Harder to Do" *Contexts*, 3(3): 38.

^{viii} The Youth Transition Funders Group Foster Care Work Group, "Connected by 25: A Plan for Investing in Successful Futures for Foster Youth, <http://www.youthtransitions.org>, March 2004.

joblessness, illness, incarceration, welfare dependency, early childbearing, and sexual and physical victimization.

According to studies of young people discharged to themselves in different states: 12-30 percent struggled with homelessness; 40-63 percent did not complete high school; 25-55 percent were unemployed; those employed had average earnings below the poverty level, and only 38 percent of those employed were still working after one year; 30-62 percent had trouble accessing health care due to inadequate finances or lack of insurance; 32-40 percent were forced to rely on some form of public assistance and 50 percent experienced extreme financial hardship; 31-42 percent were arrested; 18-26 percent were incarcerated; and 40-60 percent of the young women were pregnant within 12-18 months of leaving foster care.^{ix}

The origins of this problem are complex and multi-causal but part of the explanation lies in the scarce and fragmented nature of existing social services for this population.^x Categorical public funding streams, and the contract agencies to which they are awarded, tend to address singular sets of problems and challenges: the child welfare

^{ix} Mark E. Courtney, et al. (2005), "Midwest Evaluation of the Adult Functioning of Former Foster Youth: Outcomes at 19" *working paper*, Chapin Hall Center for Children, University of Chicago; P.J. Pecora, et al. (2005), "Improving Family Foster Care: Findings from the Northwest Foster Care Alumni Study," Seattle, WA: Casey Family Programs; Michael Wald and Tia Martinez (2003), "Connected by 25: Improving the Life Chances of the Country's Most Vulnerable 14-24 Year Olds," *working paper*, William and Flora Hewlett Foundation; Richard P. Robert Goerge et al. (2002), "Employment Outcomes for Youth Aging Out of Foster Care," Chicago: The Chapin Hall Center for Children, University of Chicago; Richard Wertheimer (2002), "Youth Who 'Age Out' of Foster Care: Troubled Lives, Troubling Prospects," *Child Trends Research Brief*; Abigail English & Kathi Grasso (2000), "The Foster Care Independence Act of 1999: Enhancing Youth Access to Health Care," *Journal of Poverty Law & Policy*; Mark Courtney & Irving Piliavin (1998), *Foster Youth Transitions to Adulthood: 12 to 18 Months After Leaving Out-of-Home Care* (Madison, WI: School of Social Work and Institute for Research on Poverty, University of Wisconsin); Mark Courtney & Richard Barth (1996), "Pathways of Older Adolescents Out of Foster Care: Implications for Independent Living Services" *Social Work* 41(1), 75-83; E.V. Mech (1994), "Foster Youths in Transition: Research Perspectives on Preparation for Independent Living," *Child Welfare* 73(5), 603; Ronna J. Cook et al. (1992), *A National Evaluation of Title IV-E Foster Care Independent Living Programs for Youth, Phase 2 Final Report* (Rockville, MD: Westat, Inc.); Barth (1990), "On their Own: The Experiences of Youth After Foster Care" *Child and Adolescent Social Work* 7(5), 419-440.

^x Matthew W. Stagner, "Youth in the Child Welfare System: Goals, Recent Reforms, and Barriers to Further Improvements," *working paper*, William T. Grant Foundation, 2003.

system focuses on child protection, family preservation and, when necessary, substitute care and adoption; the workforce development system supports dislocated adult workers through training, job development and remedial education; and youth development organizations target their services at promoting youth empowerment, leadership development and self-advocacy skills.

As a result, there are no formal or comprehensive support systems for young people transitioning from foster care to independence. Instead, they must rely on caseworkers and independent living coordinators—neither of whom have any specialized knowledge, expertise or training—to help them develop skills and access the resources they need from the complex and bureaucratic public agencies that administer them.^{xi}

Navigating one system is challenging enough for an adolescent struggling with the demands of day-to-day life. The idea of traveling across the city to different agencies, to report to different workers, and participate in different sets of programs with different rules and responsibilities is unfathomable for young people in foster care—many of whom are bouncing between different placements. As a result, the majority of those youth who are most in need of assistance and direction are going without.

THE ONE-STOP SOLUTION

Young people in foster care need appropriate, consistent and sustained preparation and guidance before, during and after discharge from the system to life on their own. According to one of the few available studies on the subject, young people aging out of foster care who received support in order to attend post-secondary and

^{xi} The list of public agencies upon which young people aging out of foster care are often dependent for assistance, benefits, entitlements and services includes : the private nonprofit foster care agency, the NYC Administration for Children's Services, the Family Court, the NYC Human Resource Administration, the NYC Housing Authority, the NYC Department of Homeless Services, the NYC Office of Vital Records, the Social Security Administration, the NYC Department of Motor Vehicles, the NYS Office of Children & Family Services, the NYS Department of Health, the NYS Department of Labor, and the US Department of Homeland Security Citizenship & Immigration Services, among others.

vocational programs were more likely to obtain living-wage employment. Those who received extended assistance were less likely to become pregnant as teenagers, less likely to become involved in the criminal justice system and less likely to become homeless or join the welfare rolls after leaving foster care.^{xii}

Like all adolescents transitioning to adulthood, youth involved in the foster care system need, at the very least, a high school diploma and a job. But, unlike adolescents who grow up with their families, youth in foster care face barriers that can make high school completion and securing employment challenging, including: placement disruptions, lack of housing, unmet health or mental health needs, lack of health insurance, unresolved trauma, criminal or civil legal troubles, need for daycare, difficulty accessing public benefits, lack of vital documentation, and lack of immigration status, among others.

Because they cannot rely on their parents for support and guidance, youth in, and discharged from, foster care need to find that support and guidance elsewhere.

Integrated Service Delivery Model

In recognition of their multifaceted needs and the absence of comprehensive, integrated services to address those needs, the Children's Aid Society (CAS) has developed a multi-service center in the South Bronx for young people, ages 14-24, with a special focus on those who are in, or who have aged out of, foster care.

Our service delivery model embodies strategies that scholars have identified as best practices for youth development programming.^{xiii} We married CAS' community-based approach to serving vulnerable populations^{xiv} with the holistic one-stop model

^{xii} Nixon, Testimony Before the House Committee on Ways and Means, citing Cook, R. et al. (1992), *A National Evaluation of Title IV-E Foster Care Independent Living Programs*.

^{xiii} Search Institute (2004), "40 Developmental Assets", Minneapolis, MN.

^{xiv} See, for example, <http://www.childrensaidsociety.org/milbank> and <http://www.childrensaidsociety.org/eastharlem> for more information on CAS' Dunlevy Milbank and East Harlem community centers based in Central and East Harlem, respectively.

developed by the Philadelphia-based *Achieving Independence Center* (AIC)^{xv} to create a new paradigm for serving adolescents and young adults.

Named the “Next Generation Center” (NGC) by its members, our one-stop shop combines and co-locates the expertise and best practices of the child welfare, workforce development and youth development fields. All of NGC’s programs are informed by youth development principles and focus on life skills acquisition, educational achievement, job readiness, creative self-expression, youth empowerment and technology instruction.

We offer career counseling, job readiness and entrepreneurship training, and job development services; academic guidance and advocacy, tutoring and college counseling; housing assistance; civil legal services; youth leadership and peer mediation training; individual counseling and support groups; technology and multimedia instruction; therapeutic drama, poetry, creative writing and spoken word, culinary arts and digital photography. Members may also access medical, dental and mental health services at our Family Center, up the street.

A Community-Based Approach with City-Wide Reach

The Next Generation Center is strategically located in the Morrisania section of the South Bronx. Morrisania is one of New York City’s highest risk communities in terms of child well-being.^{xvi} Thirty-eight percent of households earn an annual income below

^{xv} The Achieving Independence Center (AIC) is an innovative partnership between the Pennsylvania Department of Human Services, the Philadelphia Workforce Development Corporation and the Philadelphia Youth Network. The AIC hosts a team of service providers from nine different organizations and serves as gateway to services for youth in foster care. Partner organizations include Goodwill Industries, Planned Parenthood, Temple University, the Community College of Philadelphia, Pathways PA, the Women’s Community Resource Program and Arbor Education & Training, LLC. See <http://dhs.phila.gov> (double-click on “Community-Based Services” and then “Achieving Independence Center”).

^{xvi} The Citizens Committee for Children of New York, *Ranking New York City’s Communities by Risks to Child Well-Being* (Figure 10) in “Keeping Track of New York City’s Children”(2005); <http://www.cccnewyork.org/Web%20Graphics/CD%20Ranking%20Chart.pdf>.

\$15,000; single mothers account for 78.1 percent of births; 75.8 percent of children are born into poverty; and the teen pregnancy rate is 17.7 percent.^{xvii}

Child welfare data for the borough is equally unsettling: 14,619 reports of child abuse or neglect were reported in the Bronx 2003,^{xviii} and 38.6 percent of these were indicated. A startling 6,327 children and youth from the Bronx were in the foster care system in 2003^{xix} representing approximately 25 percent of the total foster care census in New York City.^{xx}

Despite the tremendous need, the Citizens Committee for Children estimates that out-of-school time programs for youth, ages 10-19, under-serve the Bronx by approximately 58,146 slots.^{xxi} The Next Generation Center helps to fill that void, serving as a hub of creative and supportive youth development activities and services.

Because we are a community-based program in a high-need community, we welcome all young people, ages 14-24 to join the Next Generation Center. Though we are program of the CAS' Foster Care Division, our goal is to create a safe and enriching space for all those who need it—and especially those who are disconnected or at risk of becoming disconnected.^{xxii}

The 300 members with whom we have worked in our first year of operation are a diverse group. Some are in foster care; others were in foster care but were reunited with

^{xvii} The Citizens Committee for Children of New York, "Keeping Track of New York City's Children" (2005). See also: <http://cccnewyork.org/Web%20Graphics/Bronx.pdf>.

^{xviii} 2003 is the last year for which this data is available. The Citizens Committee for Children of New York, "Keeping Track of New York City's Children" (2005); http://www.cccnewyorkkeepingtrack.org/Community_results.asp.

^{xix} *Ibid*.

^{xx} Administration for Children's Services (ACS), "Latest Statistics: FY03"; http://www.nyc.gov/html/acs/downloads/pdf/stats_annual_fy03.pdf.

^{xxi} The Citizens Committee for Children of New York, "Keeping Track of New York City's Children" (2005); http://www.cccnewyorkkeepingtrack.org/Community_results.asp.

^{xxii} "Disconnected" young people as those ages of 16-24 who are neither in school nor working and who lack access to social support networks. The vast majority of these fall into one of or more of the following four groups: 1) high school drop-outs; 2) youth involved in the juvenile justice system; 3) unmarried mothers; and 4) youth who have experienced foster care placement. *There are an estimated 200,000 disconnected young people in New York City*. Michael Wald and Tia Martinez (2003), "Connected by 25: Improving the Life Chances of the Country's Most Vulnerable 14-24 Year Olds," *working paper*, William and Flora Hewlett Foundation; NYC's Young Adult Task Force (2005), "The Time is Now: Implementing One System for New York City's Emerging Workforce," *working paper*.

their birth parents, adopted out of the system or discharged to themselves. Some of our members were community kids when they joined our center but were subsequently placed in foster care. Some were referred to us by CAS' Preventive programs including our Bronx-based PINS Diversion Program. Still others came to us from the OCFS Evening Reporting Centers that provide case management services to formerly incarcerated young people. And some of our members are from around the neighborhood and/or from local high schools and parochial schools.

Thus far, our referrals come from CAS, the Legal Aid Society's Juvenile Rights Division, the Administration for Children's Services, a number of contract agencies from across the city, and through word-of-mouth.

Over 80 percent of our members are from the Bronx. The others commute from as far as Harlem, Williamsburg, Far Rockaway, Coney Island and Hastings-upon-Hudson to participate in our programs.

Professional Staff & Services

To serve such an eclectic group of young people of various ages, experiences and abilities, we recruited an extraordinary team of 7 staff members who, together, have over 90 years of experience working with young people. We have developed a set of programs and interventions designed to accommodate the varying developmental, cognitive and emotional needs of the youth we serve.

Our day program operates daily, between the hours of 10am and 2pm and focuses on older, disconnected youth, ages 18-24, who need help entering (or re-entering) the labor force and/or completing or continuing school. Staff serve as life coaches, assisting members to identify appropriate secondary and post-secondary school placements, find training and employment opportunities, secure vital pieces of identification, resolve legal problems, locate housing options, access benefits, resolve crises and stabilize their lives.

All interventions are sensitive to members' differing stages of maturity and designed to encourage on-going personal and skill development.

Our afternoon program runs from 2-7pm when the Next Generation Center is brimming with after-school activity for in-school youth, ages 14-18. In addition to daily job readiness training, creative writing, computer instruction, youth leadership programs, and tutoring, we offer life skills workshops covering topics such as money management, personal hygiene, health and nutrition, teamwork and conflict mediation. We also incorporate research and study skills, team-building exercises and problem-solving techniques into all of our workshops and discussion groups.

Collaboration

The Next Generation Center is a collaborative effort on many levels. First and foremost, the center is a youth-adult partnership. Our members are actively involved in the development of the center. Through our youth advisory council, regular town hall meetings and constant dialogue with members, we receive ongoing feedback on everything from programming to policies and the physical layout of the new center.

The center also brings in partner organizations to provide specialized programming. For instance, FECS (Federation Employment and Guidance Service, Inc.) provides our members with high-quality job readiness training and subsidized internships.^{xxiii} We contract with Creative Alternatives New York (CANY)^{xxiv} to offer

^{xxiii} F.E.G.S (Federation Employment and Guidance Service, Inc.) is a private, not-for-profit human service organization in New York City with operations in over 258 facilities, residences, and off-site locations. F.E.G.S services include Employment & Training, Education & Youth, Career Development, Behavioral Health, Developmental Disabilities, Residential, Rehabilitation, Family Services and Homecare. See www.fegs.org.

^{xxiv} Creative Alternatives of New York (CANY) provides therapeutic theater workshops in over 20 locations in the greater New York area, serving children in residential facilities, homeless shelters, alternative schools and institutions. A unique combination of theater and modern group psychotherapy, Creative Alternatives helps our members find ways to express their problems in a healthy, constructive and creative way. See www.cany.org.

therapeutic drama workshops and with Voices UnBroken^{xxv} to offer creative writing workshops. And, in partnership with the School of Visual Arts' Department of Photography, Video & Related Media, we developed a digital photography course specifically geared for our members.^{xxvi}

State-of-the-Art Center

Since opening our doors in early 2006, NGC has been operating out of a temporary storefront while we renovate a 10,000 square-foot, state-of-the-art center on Southern Boulevard. Our new space will feature a teaching kitchen, computer lab, sound studio, lending library, art studio, lounge, fitness room, three teaching classrooms and a café that will be run by our members.

We have also invested in an electronic case management and tracking system that will enable us to determine whether our members are meeting the goals that they have set for themselves.

CONCLUSION

As a society, we have failed young people aging out of foster care. Their safety and well-being were of paramount concern when they were removed from their parents as younger children. Yet, despite conclusive research showing how vulnerable they are upon discharge from care, these young adults continue to exit the child welfare system to lives of uncertainty, pain, destitution and marginalization.

The Children's Aid Society has chosen to focus attention and resources preventively to support and guide foster youth at this crucial transitional moment in

^{xxv} Voices UnBroken is a Bronx-based organization dedicated to providing under-heard members of the community with the tools and opportunities for creative self-expression. Through creative writing workshops in jails, prisons, group homes, residential treatment facilities, and various other transitional and alternative settings, Voices UnBroken nurtures the inherent need in all people to tell their stories. See: www.voicesunbroken.org.

^{xxvi} See <http://www.schoolofvisualarts.edu>.

their lives. We are investing in the potential of these children up front to avoid exponentially greater costs in the form of wasted potential, welfare dependency, homelessness, child abuse, delinquency, crime, victimization, illness and untold sorrow.

Our one-stop model is a comprehensive and cost-effective way to support foster youth as they prepare for, and enter, adulthood. It engages young people with the practical services and interventions that they need and gives them the security of knowing there is somewhere they can always turn to for assistance and support as they navigate the trials of living on their own.

Testimony of James F. Purcell
Executive Director
Council of Family and Child Caring Agencies
Presented to the
New York City Council General Welfare Committee
June 21, 2007

Good morning, I am James F. Purcell, the CEO of the Council of Family and Child Caring Agencies. COFCCA is the primary statewide membership organization for child welfare services providers, representing 110 not-for-profit agencies that contract with the New York City Administration for Children's Services and the county departments of social services to provide foster care, preventive services, adoption, and aftercare services as well as education for children on our facility campuses. Our member agencies serve over 98% of all children in foster care in New York City.

On behalf of the vulnerable children and families served by the 33 New York City foster care agencies and on behalf of the more than 60 Preventive Services programs which are members of COFCCA, I thank committee chair Bill de Blasio for your leadership on all issues affecting the safety and well-being of the children of this city. I especially thank you for your efforts to assure the continuation of funding to reduce caseloads to 1:12 in Preventive Services programs.

For this hearing, the committee has chosen a topic of great import to the foster care system—the “transition of youth aging-out of foster care”. Foster care agencies have always been deeply concerned with the futures of young people aging out of foster care, but that concern has deepened in recent years as opportunities for employment and housing for young people have diminished. There are many factors that must be examined in assuring that young people have a successful transition from foster care.

Who are the Young People Who Age-out of Foster Care?

We all agree that foster care ought to be for as short a time as necessary to ensure first the safety of the child, and then that the underlying child and family conditions which resulted in placement are remedied. For many children foster care is in fact a relatively short period in their lives. However, for a variety of reasons it is a much longer term for some children and youth.

In some cases agencies devote time and energy to providing the services needed for a child to return home, only to determine that reunification is not possible and adoption is the right course. Children with a goal of adoption tend to spend considerably longer time in care while their parental rights are terminated, which can be a lengthy process. When an adoptive home cannot be found, or when a placement fails, the time in care can become quite long.

Other youth enter foster care as older teens, and despite efforts to resolve their family issues, they age-out of the system between 18-21. In both of these types of cases the question of what skills and supports the child needs, the extent to which they are ready to access this help, and the details of gaining housing and jobs is complicated. Our youth have in almost all cases been through long periods of trauma and have experienced failures in school and other settings. In many ways these are our most complex cases. It is critical that in each of these “cases” we always bear in mind that it is the life of a young person, and in a large sense, we offer their last, best chance at being ready for a good chance at success as an adult.

Preparing Foster Youth for Adulthood

The reality that youth will age out of foster care and face life on their own led to the creation of the Independent Living Programs, which have been enhanced and are now called “Preparing Youth for Adulthood” (PYA). These programs were developed to prepare youth for the eventuality of taking for themselves. The teaching begins at age 14 and builds cumulatively up to age 21. The skills needed for youth to attain self sufficiency were identified and codified into training programs and workshops that were delivered in different ways at different agencies. But every agency had to present information on a range of subjects from personal hygiene, interpersonal skills, cultural issues, food management and nutrition, substance abuse prevention counseling, health and mental health, human sexuality, legal rights and responsibilities, recreation, socialization, transportation, finances and budgeting, and job readiness.

We want every young person aging out of foster care to have the pathways to success that we want for all children—a college education or preparation for meaningful employment and permanent connections to a caring and supportive family or individual. Young people in foster care are encouraged to stay in school and their progress is monitored. Many of the teens coming into foster care are under-educated, with long histories of school absences. It has been shown that many are not likely to get their GED until they reach the age of 20. Foster care agencies focus much attention on helping teens in their care address their school problems, hiring tutors and paying for extra instruction. Education is a strong factor in the plan developed with youth when they enter care. But much time and personal attention are required to compensate for the lack of consistent schooling in the past.

Yet, despite the availability and easy access to workshops, some youth resist participating in these skill sessions. Until foster youth are sure that they can trust the people around them, they can be extremely negative in their attitudes—even flaunting the fact that agencies must provide them with stipends no matter how they behave. It takes time to build relationships that overcome the barriers to learning in foster care. It always takes the personal attention of a social worker or caseworker to engage the youth in attending these highly beneficial programs. If that worker leaves the agency, it constitutes a set back for the youth. But staff turnover is a constant problem in foster care, due to the increasing demands and low salaries.

Having seen too many examples of youth leaving foster care without benefiting from the preparation available to them, agencies have developed innovative ways to work with youth. Some agencies have developed incentives to encourage youth to attend skills sessions. One agency, Seamen's Society, hired a former foster youth to engage the teens currently in care. The agency offers points for each activity attended. The points add up to privileges such as a movie or other outing. Another agency, Graham-Windham, from whom you will hear directly today, revamped their entire Independent Living Program based on the experience of a youth aging out only to learn that he had no housing in place.

Cardinal McCloskey Services offers Training Weekend Retreats twice a year, at which approximately 40 adolescents and 8-10 staff engage in discussions and recreation in a highly enjoyable way of developing the life skills. Jewish Child Care offers theater arts and recreation programs to encourage self-expression and self-confidence. Their youth have mounted performances and produced videos of which they are extremely proud. These are just a few examples of the ways agencies are trying to engage the youth who will age out of foster care. And it is making a difference.

Another important way in which agencies help youth prepare for the responsibility of Adulthood is by providing Supervised Independent Living Programs (SILPs), which are designed to allow more mature youth to live in their own apartments while they go to school and/or work, with a counselor checking on them but not living with them.

Moving On...

Time and support are necessary to sustain the youth if they are to go on to college and trade schools. Most of them will not finish college or training by the time they are 21 and their foster care subsidy ends. ACS has recognized this fact by allowing some youth still in college or in a training program to remain in their foster homes, while continuing the subsidy for the foster parent. Unfortunately, fewer youth are receiving this continued support in care.

All of these young people will need housing, continued access to health and mental health care, and employment assistance. Currently, there are only a handful of programs that provide housing and a variety of on-site supports for young people who have aged-out of foster care, but there is a need for far more.

All of these supportive housing programs have been created through a combination of government and private monies. They offer young people who have suffered displacement and trauma a necessary transition to living on their own. You will hear today about one excellent program created and operated by Good Shepherd Services called the Foyer.

Another outstanding program is offered by the foster care agency, St. Vincent's Services that created an "After 21- College Program" in which they support approximately 20 youth who are in college or in a trade school when their foster care status ends. These

youth are no longer in foster care, but the agency feels an on-going responsibility to support these youth. They can live in a group home residence, where they are assisted by staff in meeting their emotional, physical health, and developmental needs. They can remain in the program until age 25. They are all linked to employment or graduate schools if they qualify. Funding for this program is almost entirely private and must be raised annually to guarantee its continued availability to the young people who so desperately need it.

Like most foster care agencies, St. Vincent's has seen foster youth reunified with their families, only to turn up again at the agency within six months to a year. These young people are part of the 20-25% of the 1200 youth age 18 and older who leave New York's foster care system yearly and return home to their families. They include the small fraction who are adopted. While some will remain with their families, for others it is only a temporary solution. The same issues that resulted in the youth coming into care often re-surface after some time at home. Tragically, youth who have been discharged home may later become homeless or "couch crashers" due to the return of family tensions. And even some adoptions of teens disrupt and leave young people searching for other homes and connections.

For these youth, agencies may offer informal assistance or provide a structured program such as St. Vincent's "Safety Net" for youth over age 18. Some will refer youth to the programs subsidized by ACS to work with youth who've become homeless after foster care. Other foster care agencies, like Cardinal McCloskey Services are in the process of seeking funding to create scatter site housing for the young people leaving foster care. Their 27-year history of providing excellent Youth Development Programs to foster youth ages 14 to 20 convinced them of the need for extended support. Of the youth leaving their programs to live with family members or other adults, the agency has

"found that identified adults are often individuals who are very willing to provide emotional support and a "port in the storm" but are unable to house or provide material support for the young person. Living with them may not, in fact, be an appropriate plan as family members often continue to suffer from the disabilities and challenges which led to the placement of the child to begin with and living independently of important family members may in fact, be a healthy decision."

For Cardinal McCloskey, as for the other foster care agencies, recent access to After Care funding from ACS enabled them to expand their services to young adults aging out of care. It has also sharpened their understanding of the need for services beyond the age limits of foster care.

"The reality is that it is the rare 18-21 year old who can live on his/her own without the financial and emotional backing of an extended support network."

The importance of bridging the ages of 21 to 25 is also evidenced by the experience of the supportive housing unit Schaffer Hall under the auspices of the Lantern Group. This residence for young people aged out of foster care has been in operation since 2001, and their average length of stay in their 25-units is two and a half years. At that point, young people seem ready for living on their own.

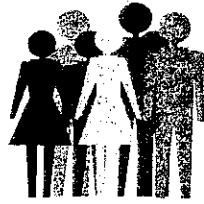
For those youth without the options of college or family, housing remains a dire need. Without transitional housing, youth must rely on NYCHA for their housing. But even when an apartment is located, occupancy is not guaranteed. Too often delays in approving applications jeopardize apartments for which deposits cannot be produced within the requisite 10 days. In addition, applications for Section 8 are sometimes denied when criminal background checks turn up records of juvenile crimes.

In order to improve the outcomes for all youth exiting foster care, COFCCA recommends the following:

RECOMMENDATIONS:

- Develop capacity to support youth aged out of foster care until age 25—providing housing, health and mental health, educational and vocational assistance. We are NOT suggesting that these youth be in foster care after age 21, rather that they continue to need supports, much as most young people do in all of our communities.
- Continue Aftercare funding so that foster care agencies can use it to provide services for youth aging out of foster care. Provide this support for longer periods of time and allow youth to “come back” to Aftercare as needed.
- Support additional foster care staff for the youth who need one-on-one assistance.
- Identify a liaison for each agency to expedite housing applications.
- Improve communication between NYCHA and ACS to ensure that housing applications are expedited and apartments are secure.
- Review Criminal Background checks that reveal juvenile criminal records to determine whether the crimes should be used to invalidate eligibility for Section 8 Housing.
- Improve coordination between ACS and other related agencies, such as DOH, Board of Education, OMH, to ensure better services to youth aging out of foster care.
- Include foster youth in the Mayor’s new School Rewards program.

In The Spirit Of The Children, Inc.
Empowering Children & Families, Preserving Communities



New York City Council General Welfare Committee

Bill De Blasio, Chair

June 21, 2007

Testimony: Ms. Jones
Executive Director/Founder
In the Spirit of the Children, Inc

Subject: Youth Aging -Out of foster care

In the Spirit of the Children opened its doors in the winter of 2003 as the only existing community-based non-residential program serving exclusively youth, 18 to 23 who have aged out of foster care in the five boroughs of New York, to live on their own. Our purpose is to prepare young people transitioning out of foster care for adulthood and avert homelessness whenever possible. We assist young people exiting the foster care system with life development, individualized coaching and experiential learning necessary, to avert homelessness and promote self-reliance.

In the last year, the Youth Transition Empowerment Program experienced a significant increase in the number of youth referred for services at 56%. During the period January 2006 through February 2007 (48) referrals were received although these numbers may represent a small portion of the youth aging out of foster care in New York City as a whole. It is important to note that there is a greater number of youth that have aged-out who are either "couch surfing" or are showing up in DHS contracted facilities. The contributor's to this wave are factors such as improper discharges, failed reunification efforts of older youth resulting in the sudden changes of permanency goals of the case as "return to parent". The other is availing youth at 18 to sign themselves out -of care without clear and proper direction or a concrete plan. The other most striking contributor is the lack of youth accountability and in other incidents follow-through on behalf of service provider's such as the discarding of housing applications, the lack of completing and approving housing subsidy that would otherwise assist the young people in acquiring housing of their own when all else fails.

The closing of cases within 30 days, which leaves no window for flexibility when the discharge fails or when the young person realizes they have made a decision in error to sign them-selves out. Under the provision of supervision till 21 it should be strongly enacted and enforced to allow for the margin of error in a young person's life. In the Spirit of the Children, submit to the New York City Council and the Administration for Children Services to consider the following:

The Reunification efforts of the older youth in foster care

We are particularly concerned with the older youth being returned to parent, why because the young people harbor various resentments as do the parents which can develop into discord within the family, while the youth want to erase the rejection that they have experienced. On the other hand the parent has been free of responsibility for whatever period of time the youth has been out of the home and now that he/she has returned it can be viewed by the parent as an intrusion that can fuel discord in the household and lead to violence, homelessness, etc.....If not approached and addressed appropriately. This will then raise the recidivism rate for those who return into care or worse. Further, instances where these youth who are 18 to 20 who have been returned to parent, in the event the young person has filed a housing application prior to leaving care they will lose the ACS housing priority code through NYHCA and forfeit any viable assistance from ACS.

****Suggestion:**

Leave those cases of youth who signed themselves out at 18 years of age (under the IL provision of supervision till 21) and those youth being returned to parent between the ages of 18 to 20.6mos leave open in ACS systems for at least 12 months.

We appreciate the New York City Council and its member's consideration of continued and increased funding of our efforts to service the young people transitioning and their families. In the Spirit of the Children thanks the General Welfare Committee for the opportunity to speak before the council.



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TESTIMONY

The Council of the City of New York
Committee on General Welfare
Bill de Blasio, Chair

“The Administration for Children’s Services’ Efforts to Prepare Youth Aging Out
of Foster Care for Independent Living”

June 21, 2007
New York, New York

Prepared and Presented by
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Good morning. I submit this testimony on behalf of the Legal Aid Society, and thank the Committee on General Welfare for inviting us to share our thoughts on how our City treats older children in foster care as they prepare to live on their own. We applaud the Council for tackling this important subject, and look forward to the valuable contributions that we are sure the Committee will make in this area of vital concern to our City's children and their families. I note at the outset that while this hearing focuses on ACS, this Committee also oversees the Human Resources Administration (HRA), which – especially in the areas of health care and public assistance – is a player without which the City cannot ensure that young people leaving foster care to live independently can actually do so.

The Legal Aid Society is the nation's largest and oldest provider of legal services to poor families and individuals. Legal Aid's Juvenile Rights Practice provides comprehensive legal representation to children who appear before the New York City Family Court in abuse, neglect, juvenile delinquency, and other proceedings affecting children's rights and welfare. Last year, our staff represented some 29,000 children, almost 90% in the context of child protective proceedings. Our perspective comes from our daily contacts with children and their families, and also from our frequent interactions with the courts, social service providers, and State and City agencies. In addition to representing many thousands of individual children each year in trial and appellate courts, we also pursue impact litigation and other law reform initiatives on behalf of our clients.

Who Are the Young People "Aging Out" of Care?

The foster care population nationwide and in New York City has shifted dramatically in recent years. Currently, half the young people in foster care with ACS and its contract agencies

are aged 12 and older¹. According to ACS' published data, between 60 and 100 young people each month are discharged to independent living, meaning they are never adopted and never discharged from care to live with their families². Instead, they may remain in care until age 21, when they "age out" and are no longer entitled to ACS' services or the protection of the Family Court. Young people leaving foster care to live independently face much greater challenges than non-foster-children; the latter most often reach adulthood with the assistance and support of family and community. All too often, in addition to the trauma of being removed from family members and placed in foster care, young people preparing to leave care have also been moved from setting to setting and community to community while in care, making it difficult to maintain lasting ties with supportive adults. They need the basic things that children who live in stable families need when they grow up, but face more obstacles to meeting those needs.

In our experience, because ACS and the other responsible agencies in our City have not fulfilled their obligations in many instances, it is far from certain that young people aging out of foster care will do so with a place to live, a job and/or ongoing education, income security, and health insurance.

ACS is Legally Obligated to Prepare Children for Independent Living

The law in this area is clear. New York's Social Services Law, Family Court Act, and State regulations absolutely require that young people whose goal is independent living be provided with assistance with permanent housing, employment, education, health care, and

¹ ACS' last published figure is 49.5%. http://www.nyc.gov/html/acs/downloads/pdf/outcomes/out6_citywide.pdf.

² In ACS' monthly reports, the numbers are not broken out by age.
http://www.nyc.gov/html/acs/downloads/pdf/stats_monthly_update.pdf

public assistance if needed³. These rights are to be ensured by ACS and the foster care agencies with which ACS contracts.

Moreover, our State Education Law guarantees young people's educational rights -- most notably to remain in school and earn a high school diploma -- without exception for children in foster care⁴. Similarly, federal and state law guarantee that young people leaving foster care may receive continuous Medicaid coverage when they leave care, *without* having to reapply⁵.

Teens are Placed in Inappropriate Settings

Adolescents in foster care are placed in inappropriate settings far more often than younger children. ACS has made great efforts to reduce the number of group homes and this was a step in the right direction. At the same time, however, there are far too few successful alternatives. Often, these youth are placed in Residential Treatment Centers (RTC) during their early adolescence and languish there through late adolescence -- far beyond the time in which they might benefit from such a setting. RTC programs are meant to house children in a temporary therapeutic environment so that they may receive necessary services and return to their communities. RTCs are neither designed for, nor are they appropriate to provide the long-term support needed by youth remaining in foster care until adulthood. For example,

- ACS placed our client Aaron, who has significant psychiatric needs, in an RTC at age 17. Initially, services enabled him to return home to his mother. A lack of follow-up services to the family made it inappropriate for Aaron to remain at home, and he reentered care. He was briefly hospitalized but then -- at age 17 ¾ -- he was placed back at the same RTC, whose program cannot meet the needs of adults with severe psychiatric conditions. The RTC did nothing to come up with a long-term plan for Aaron. He

³ See, e.g., SSL §§ 366, 398, 409-a; Educ. Law §3203; Family Court Act §§ 255, 1055; 18 N.Y.C.R.R. §§ 427.3, 430, 441.

⁴ N.Y. Const. Art. XI; N.Y. Educ. Law §3202; 8 N.Y.C.R.R. Part 100; 20 U.S.C. §§1400 *et seq* (IDEA)..

⁵ 42 U.S.C. § 1396a(a)(10)(A)(i)(I), 1396a(e)(10)(B); 42 C.F.R. § 435.930(b); 42 C.F.R. § 431.636(b)(4); N.Y. Soc. Serv. L § 366 (1)(a)(3); 18 N.Y.C.R.R. §§ 360-2.2(c)(1), 360-2.6(b), 360-3.3(a)(4).

was placed in a cottage with boys 2-3 years younger than he, and given the same restrictions. Upon turning 18, Aaron asked to participate in choices for his future, but the RTC did not let him do so. The RTC's failure to provide him with any independence alienated Aaron so much that he decided not to remain in care and left on his own. Upon leaving care, Aaron was assaulted so badly that he needed to be hospitalized⁶.

- Bill has a long history of psychiatric hospitalizations, both as a child and young adult. During his hospitalizations, his foster mother, who had been planning for him, died unexpectedly. ACS did not locate another ACS placement following Bill's discharge from the hospital, and despite his consent to remain in foster care, ACS discharged him to an adult Office of Mental Health setting. ACS continued to fail to plan for Bill and did not provide OMH with history or case notes, and the OMH services were not appropriate to his needs. Bill deteriorated severely; he was hospitalized repeatedly, and eventually ended up in an adult hospital lock-down unit. Legal Aid tried for several months to request a planning meeting with hospital staff and ACS, but those requests were fruitless. When Bill turned 20, members of his foster mother's family expressed interest in planning for him, but ACS discouraged them, stating that he would never be able to return to the community. It was not until two weeks before Bill turned 21 that ACS held a planning meeting. At that meeting, ACS staff discharged Bill to the adult OMH system and said there was nothing more they could do.

Like RTCs, Diagnostic Reception Centers (DRC) and Rapid Assessment Centers (RAC) are over-used. DRCs and RACs are described as "highly specialized programs, with enhanced staffing designed to render comprehensive evaluation of child/family service needs for youngsters who cannot receive these services within the community...A DRC is a time limited placement with a maximum stay of 90 days..."⁷. It is our experience that far too often DRCs and RACs are seen as the only "appropriate" placement for adolescents entering foster care. Our

⁶ These are actual examples, but we have changed our clients' names to protect their privacy. Please note that until last year, when State law was changed, children placed in foster care voluntarily were not entitled to periodic court review (or legal representation) on their cases after age 18. When the law changed, children's lawyers were reassigned to the cases and were left to try to assist young people who had been ignored by the foster care system, sometimes for years.

⁷ *Guide to Programs for Children in Foster Care*, ACS Placement Administration and Evaluation Services, June, 1995, page 12.

clients are often placed there without a diligent effort on the part of ACS and its contract agencies to secure evaluations and services in the community. It is also our experience that after our clients enter a DRC/RAC, the evaluations often result with RTC placement recommendations. Young people languish in DRC/RACs far longer than 90 days.

There is a shortage of foster homes for adolescents, and although ACS has been trying to focus on recruitment for this population for a lot of our clients its too little too late. We continue to hear caseworkers say things like, "no one is going to take him because he is a teenager." Many agencies still do not adequately address the differences between raising young children and raising adolescents; there needs to be ongoing, very specific adolescent training for foster parents and agency staff, with more intensive support to assist foster parents through the trials of adolescence and young adulthood.

When a foster home is identified as willing to accept adolescents, ACS and the agencies often allow overcrowding with several teens placed in the same home. Our clients frequently report that foster parents give them a minimal allowance every month and expect them to buy food and basic personal items with this money, despite the existence of clear regulations that require foster parents to provide foster children with their basic needs.⁸

Given the shortage of foster homes, ACS and foster care agencies do not work hard enough to rehabilitate relationships with adolescents' biological families. When an adolescent or an agency identifies a relative willing to become a foster parent, ACS should go the extra mile to engage families whenever it would be safe to do so. It is well-established that kinship foster homes help to strengthen young people's family relationships and tend to be less traumatic for young people than foster care with strangers.

⁸ 18 N.Y.C.R.R. § 441.12(a); *see also* <http://www.ocfs.state.ny.us/main/rates/fostercare/rates/FC-Board10-06.pdf>.

Independent Living Skills Training is Inadequate

As required, ACS offers independent living (IL) skills training to young people starting at age 14. It is the responsibility of each of the contract foster care agencies to develop a plan for offering these skills. These plans, based on ACS' "Preparing Youth for Adulthood" goals, are the mechanisms through which youth in foster care are to gain the tools necessary for them to age out of care and become successful independent adults. It is safe to say that ACS and most of its contract agencies are failing in these efforts.

In general, IL skills classes take place once per month. Every adolescent aged 14 and older is invited to attend and those over 16 are entitled to receive a stipend when they do attend. These classes, however, are often held in the late afternoons on school days at the agencies' main offices. This makes it impossible for many of our clients to attend, as the agency offices may be hours away by public transportation. In addition, the skills training is not offered in any alternative way. The IL skills classes that most agencies offer do not substantively assist our clients. At the request of an agency, members of Legal Aid's staff provide legal rights trainings to foster youth as part of the PYA goal. As part of the rights training, our staff speak to the youth about their entitlements as adolescents aging out of care. These rights include housing, educational assistance, employment assistance, and health care coverage. It has been our experience that this training is often the first time most of these young people are hearing this information. Worse, it is also our experience that at times the caseworkers and even staff designated as "independent living skills coordinators" do not know the information either.

A greater emphasis must be placed on employment in the independent living skills workshops. IL workshops should focus on interviewing skills, resume and cover letter writing,

dressings for interviews and job searching skills. Youth should also be encouraged to work during high school to prepare them for full time work and money management. It goes without saying that youth leaving care will not be sufficiently prepared to live independently without work history and current employment.

SILPs are Under-utilized

ACS has the option of placing young people in Supervised Independent Living Programs (SILPs). SILPs are a wonderful opportunity for a young person who is working and/or attending college to live in an apartment setting for 18 months and receive support services, all paid for by the agency. These programs are successful, yet the availability of SILP programs is so limited that only a fraction of the young people eligible is able to take advantage of them. Often, lawyers find themselves advocating for their individual clients to get SILP placements, knowing that this will prevent other young people in care from using this option. ACS should expand the SILP housing stock as soon as possible. This program would also be an important experience for many of our parenting teens, but the few SILPs available to them are even harder to get into than those for non-parenting adolescents.

Young People Must Have Stable and Safe Housing When Leaving Foster Care

The law is clear that ACS cannot discharge a child from foster care to homelessness,⁹ yet because the permanent housing options for these young people are so limited and so poorly utilized, New York City's Department of Homeless Services sees many former foster children applying for shelter¹⁰.

⁹ 18 N.Y.C.R.R. § 430.12(f)(3)(i)(c); *Palmer v. Cuomo*, 121 A.D.2d 194 (1st Dep't 1986); SSL 409-a(5)(c).

¹⁰ Twenty to 36% of homeless people have been in foster care as compared to only 2% of the overall population. National Resource Center for Youth Development, *Improving Outcomes for Older Youth: What Judges and Attorneys Need to Know* (2004). www.nrcys.ou.edu/nrcyd/publications/pdfs/improveoutcomes.pdf

There are few permanent housing options available for adolescents leaving foster care to live independently. Not all are realistic options, and young people are often not told about them in time to actually find apartments. First, as required by the Social Services Law, ACS operates a housing subsidy program that is available to 18-year-olds who will have sufficient income with the subsidy to afford an apartment. Under this program ACS must provide up to \$300 per month for up to three years, until a total of \$10,800 is reached. Included in the total amount and shortening the duration of the monthly subsidy is a small furniture grant, a security deposit, and first month's rent. Given the extremely low vacancy rate in low-income housing in NYC, this subsidy is quite insufficient to meet the housing needs of a young person, and so it is nearly impossible for our clients to take advantage of this opportunity. The \$300 amount was set by State law in the 1980's and has not increased, but the City could fund its own monthly subsidy, as it has done for selected other populations, to make this a realistic option for young adults leaving foster care. We urge the City to do so. Even when young people are able to use the ACS subsidy, however, we find that it takes ACS' fiscal unit between 8 and 12 weeks to issue our clients the checks required to secure their apartments, and another 8 to 12 weeks to issue furniture grants once our clients present them with a secured lease. What landlord is going to wait 2-3 months for a security deposit and first month's rent? And where will the new young tenants sleep, sit and eat for the additional 2-3 months while waiting for furniture allowances?

There is a local priority for aging out youth for New York City Housing Authority (NYCHA) public housing and Section 8 leased housing vouchers (also administered by NYCHA). ACS and NYCHA have made the process for accessing these options so onerous, however, that many young people who could benefit have been deprived of the chance. A young person must be permitted to apply for this housing through ACS, and then ACS forwards the

application to NYCHA. ACS has neither required foster care agencies to ensure that these applications are completed by a certain date, however, nor has the agency set a protocol governing how the applications get to ACS. These applications should be filled out on or shortly after our clients' 18th birthdays to ensure that they are complete and that there is time to process them once the young people affirm that they are prepared to be trial discharged to their own apartment (or on the 20th birthday, whichever comes first). Agency workers are required to complete a section of the application before ACS processes it. With high turnover in workers at all of the agencies, our clients' applications are frequently not completed and are often lost. Many clients have had to fill out applications 2-3 times before they are sent to NYCHA and Section 8.

Most significant in the process, is the complete lack of coordination between ACS and NYCHA. ACS has not delineated specific members of its staff who will ensure that the applications are complete and properly submitted to NYCHA. Instead, ACS' housing office staff members handle housing applications for independent living clients, reuniting families, and anyone else with an open ACS case who is seeking housing. It would assist our clients greatly if there were staff members dedicated to the IL population. Also, NYCHA has not designated a specific member of its staff who will receive these applications and ensure that they are complete and properly processed. When we have asked ACS who their point person is at NYCHA, the (unworkable) answer is Arlene Campana, who heads Applications for the entire NYC Housing Authority¹¹.

¹¹ NYCHA requires deposits for apartments as well, and ACS' regular delays of 8-12 weeks in issuing those checks causes our clients to choose between losing the apartments and spending their discharge grants -- meant for other vital expenses -- which ACS will not reimburse.

There are a number of ways in which ACS and agencies' practices themselves present obstacles for young people applying for housing subsidies, and these practice must change immediately. For example, ACS approves discharges of young people from foster care to college dormitories. By definition, dorms are not permanent housing, and young people will have nowhere to live after college and between semesters. We have also experienced ACS and contract agencies discharging young people deemed "uncooperative" from foster care to homeless shelters. Additionally, ACS will not refer to NYCHA youth whose foster parents say they can live in the household after their 21st birthday, even if this is a very temporary situation designed to keep the youth from becoming homeless. For NYCHA-administered public housing and Section 8 rental assistance, proof of income is required. When young people are going to need public assistance after leaving foster care (but must apply for housing *before* they exit foster care), ACS must coordinate with HRA to arrange for presumptive eligibility documentation that satisfies NYCHA, so that income can be proved in time for applications to be processed. One of the most egregious failures is ACS' not coordinating with the State Office of Mental Health (OMH) and the State Office of Mental Retardation and Developmental Disabilities (OMRDD) so that young people with disabilities who need supportive housing can access it. Time and again, we have seen agencies who should be working together to help young people instead seek to dump "difficult cases" on each other.

Medical Care is Inadequate and Health Insurance is Illegally Terminated

Young people leaving foster care too often suffer gaps in health care coverage because they are not given the opportunity to continue their Medicaid eligibility under a new category, as the law requires. Instead, they lose coverage when they leave care and are erroneously told by caseworkers to reapply at a local Medicaid office, or are told nothing at all. Most of the young

people affected do not even realize their Medicaid has terminated until they go to a doctor and are informed they have no coverage.

Despite making some computer changes, ACS, HRA and the State Department of Health have not successfully resolved this longstanding issue by ensuring continuous transitional coverage and notifying young people leaving care what steps they must take to recertify. In particular, while transitional coverage is now available, many young people are not receiving it or do not know they have it, HRA appears not to be issuing the appropriate cards and notices, and ACS and foster care agency staff are woefully uninformed and not trained on this vital issue.

A child who is placed in foster care is automatically eligible for Medicaid benefits¹². When a young person is discharged from foster care, federal and state law bar the State's Medicaid program from unilaterally terminating the beneficiary's Medicaid coverage without first determining that he or she is no longer eligible for Medicaid benefits or, if under the age of 19, CHP B¹³. Sadly, because of a lack of training and inter-agency coordination, young people continue to be denied care.

•Clara turned 21 this year. Despite the advocacy of Clara's Legal Aid attorney and her foster mother, ACS failed to provide transitional Medicaid coverage until Legal Aid secured two separate court orders from the Family Court in Bronx County. The first Order provided that within three days ACS was to confirm in writing to Clara's attorney "that [Clara]'s foster care Medicaid has been transferred to community based Medicaid;" and that ACS and the contract agency would be "liable for any medical expenses incurred due to any lag in the Medicaid transfer;..." ACS failed to provide written confirmation, and our office sought a second Order. The second Order reiterated the directive to provide written confirmation, directed ACS to "state the actual date that the transfer took place," and further ordered ACS to pay Clara a

¹² 42 U.S.C. § 1396a(a)(10)(A)(i)(I); N.Y. Soc. Serv. L § 366 (1)(a)(3); 18 N.Y.C.R.R. §§ 360-2.2(c)(1), 360-3.3(a)(4).

¹³ 42 U.S.C. § 1396a(e)(10)(B); 42 C.F.R. § 435.930(b); 42 C.F.R. § 431.636(b)(4); 18 N.Y.C.R.R. § 360-2.6(b).

specified dollar amount to reimburse her for medical expenses incurred during the gap in coverage.

Federal Medicaid law allows states to opt in to automatic coverage for former foster care youth, who are then assured Medicaid coverage from ages 18-21¹⁴. Although 17 states have already exercised this option and five states plan to do so, New York has not¹⁵. We urge the Council and Commissioner Mattingly to push for New York State to opt into this provision.

Many teens in foster care do not receive the health care they need and are entitled to, particularly when they are moved from placement to placement.

David was in foster care for years, first at an RTC until that facility closed, and then in a SILP. During his placement, he suffered major injuries to his finger and back, both requiring surgery. David's Legal Aid lawyer had to secure several court orders to have ACS provide medical evaluations and x-rays. David was also not prepared adequately to live independently following his 21st birthday. Because of the agencies' failure to provide medical care, assistance in obtaining Social Security disability, employment and housing, ACS granted three extensions of placement for David to remain in foster care past his 21st birthday. Following the third extension, having received no assistance locating housing, David was discharged to the shelter system without receiving SSI, housing assistance, or employment assistance.

ACS is obligated by law to provide all young people in foster care with reproductive health care, including family planning services and abortions, without parental notification or consent¹⁶. Yet young people in foster care are often uninformed about their medical rights. ACS allows some foster care agencies to provide privately-funded "abstinence only" education. Our understanding is that the contracts for these programs prevent the agencies from also offering safe-sex education programs and/or contraception.

¹⁴ 42 U.S.C. 1396d (Public Law 106-169).

¹⁵ American Public Human Services Association, *Medicaid Access for Youth Aging Out of Foster Care* (2007).

¹⁶ 18 N.Y.C.R.R. §§ 441.22, 507.1.

Obstacles to Obtaining Education

The educational system in New York City is difficult for any adolescent to navigate successfully, but even more so for adolescents in foster care. A recent national study showed that only 56.3% of youth in foster care earned a high school diploma¹⁷. In New York, a major cause of this low graduation rate is a complete lack of coordination between ACS and the NYC Department of Education (DOE). In our experience, our clients are often out of school for weeks on end when their foster care placements change, which happens frequently. Our adolescent clients who move are also forced to commute hours each day to their assigned high schools.

For our clients struggling in high school, there is no tutoring available, and they are often placed in foster homes which do not provide them with the educational support necessary for success. For example, teens may be placed in homes where English is a second language. With high caseworker turnover, young people may never receive the required assistance from their foster care agencies and are left to negotiate the DOE bureaucracy on their own¹⁸. Because of these difficulties, 75% of youth in care surveyed said they wanted to go to college, but few had actually taken the necessary coursework.¹⁹

For teens who do not graduate from high school and choose to pursue a GED, agencies are generally good at finding appropriate and free GED programs. There continues to be a problem, however, with agencies allowing young people to sign up for GED programs that require financial aid funding. There is no reason for our clients to use their full amount of yearly

¹⁷ Pecora, P., Kessler, R., Williams, J., O'Brien, K., Downs, A., English, D., White, J., Hiripi, E., White, C., Wiggins, T., & Holmes, K., *Improving family foster care: Findings from the Northwest foster Care Alumni Study*. Seattle, WA: Casey Family Programs (2005).

¹⁸ 18 N.Y.C.R.R. § 441.13

¹⁹ Zanghi, M., Oldham, E., Sheehy, A., & Reibman, D., *Maine study on improving the educational outcomes for children in care*. Portland, ME: University of Southern Maine, Edmund S. Muskie School of Public Service, Institute for Child and Family Policy (1999).

federal financial aid in order to get a GED. ACS and its foster care agencies should ensure that this practice ceases.

Nationally, only 15% of foster care youth are likely to be enrolled in college preparatory classes, as opposed to 32% of students not in foster care²⁰. Each foster care agency is responsible for assisting young people to apply for college and financial aid, yet our staff frequently has to seek court orders to have agencies pay for college preparatory classes. Such payments are required by State regulation²¹.

New York's SUNY/CUNY system provides wonderful opportunities. Yet given this affordable alternative for foster care youth, it is troubling that ACS does not have a better-coordinated recruitment and application process with the SUNY/CUNY system. Our clients find themselves navigating this system on their own when young people not in foster care have the support of their parents/guardians to help them investigate and apply for schools, and enroll in college. New York should also guarantee that youth who are or have been in foster care have the opportunity to attend SUNY/CUNY free of charge, as is the practice in some other states.

When it comes to paying for college, youth in foster care are eligible for all federal financial aid and can receive additional assistance through the Educational Training Voucher, which can provide up to an additional \$5,000 per year. ACS and the agencies have done a wonderful job in getting the word out about ETV, yet when a young person gets less than the maximum amount, the agencies are not working to increase the amount. Further, many young people in foster care amass enormous student loans. Upon investigating these circumstances, our

²⁰ Sheehy, A., Oldham, E., Zanghi, M., Ansell, D., Correia, P., & Copeland, R. (2000). *Promising practices: Supporting the transition of youth served by the foster care system*. Baltimore, MD: Annie E. Casey Foundation.

²¹ 18 N.Y.C.R.R. § 427.3(c)(2)(ii)

staff often find that young people are being told by untrained caseworkers that the agency and/or ACS will assist them in paying for school. Nothing is further from the truth. Even when a young person in care finds herself in a financially crippling situation, ACS offers no assistance to help her rectify it.

- Elizabeth attended college in West Virginia in the fall of 2005, but decided to withdraw when she became pregnant. The school is charging her \$5,666.85 for the one semester she attended. ETV will not cover the cost because the state of West Virginia reported that Elizabeth left the school without withdrawing. The student loan company is threatening to deduct money from her paycheck as soon as she starts working. Elizabeth is enrolled in a nursing program and expects to begin working upon her certification in 10 weeks. Elizabeth will age out of foster care in August, with debts of \$5,666.85 along with \$950.00 for the nursing program which ETV did not cover because it is not Title IV-E reimbursable.

For our clients who are not college bound, ACS and its contract agencies lack relationships with vocational training programs. Our clients with disabilities may be referred to the State Education Department's VESID programs, but others are left on their own to find a vocational program. Young people are finding that they have to pay out of their own pockets for these vocational programs even though ACS and/or the agencies are required to provide vocational training²².

Day Care is Not Made Available

Young parents in foster care throughout the City are unable to secure stable housing, full time employment, or further their education without full time day care assistance. Whether enrolled in college or working (or both), these young people have great difficulty accessing day care. Only those young women living in mother-child programs are provided day care at their place of residence. Agency caseworkers are often untrained and tell our clients that they will

²² 18 N.Y.C.R.R. § 430.12

receive "a day care voucher," when in fact, City-subsidized day care is allocated through available slots throughout the City. It is our experience that teens are not informed about day care options other than ACD, yet according to LaVerne Parker, Director of ACS' Office of Family and Client Services, Brooklyn currently has approximately 1500 open day care spots for subsidized care for which parenting youth in foster care would be eligible. Some of these sites are being closed as under-utilized. At the same time, parenting teens in the Bronx are at a great disadvantage due to the lack of availability of subsidized day care and ACD vouchers.

The failure of ACS and many foster care agencies to do what is legally required to help teens in foster care can cause multiple and heartbreaking problems for young people trying to make their way in the world with very little support.

- Frances was placed by ACS in a group home with a permanency planning goal of independent living. Three months prior to her 21st birthday she was trial discharged to supportive housing but ACS refused to give her a discharge grant (\$750) because they did not consider supportive housing to be independent living. It was only after her Legal Aid lawyer secured a court order that ACS provided the discharge grant. In the meantime, without this money, Frances lost several potential professional employment positions because she could not buy the appropriate clothing, and incurred rent arrears of \$400 because she was unable to pay her portion of the rent required by the supportive housing program. Additionally, while in care, ACS was the representative payee for Frances' SSI payments. After leaving foster care, because neither ACS nor the agency had transferred their payee status to Frances, she reapplied for SSI but was told that she would not receive monthly disability payments until more than \$4,500 in overpayments to ACS were repaid.

Recommendations

There is much to be done to improve our City's treatment of the young people in foster care who will remain there until they become adults. Among other things, we recommend that:

- the Council convene and hold accountable a working group of City and State agencies who must coordinate efforts on behalf of these children. The agencies would include ACS, HRA, DYCD, DOE, DOH, CUNY; and State OMH, OMRDD, Education, and DOH.
- the City increase the ACS housing subsidy to reflect current rental rates for low-income housing, using City funds.
- ACS develop and enforce a meaningful housing application protocol for all foster care agencies and all foster care youth, and agree on a procedure whereby HRA would provide proof of presumptive eligibility for public assistance for young people who need to prove eligibility to access subsidized housing.
- ACS and HRA coordinate and work with the State Department of Health to end the practice of illegally denying continuous Medicaid coverage to youth leaving foster care.
- CUNY provide free tuition to young people who are or have been in foster care.
- ACS host regular education fairs at convenient locations.
- ACS and foster care agencies hold regular job fairs at convenient locations.

Thank you for this opportunity to testify. I will be happy to answer any questions the chairs and committee members have.

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New York City Council
General Welfare Committee
Bill de Blasio, Committee Chair

June 21, 2007

Testimony
Of
Myrna Forney, Director Special Projects
The Door

Thank you for allowing me to provide testimony today. The issues facing young people aging out of foster care are of critical importance to our community. These young people will be the leaders of tomorrow and deserve the best start possible. I thank the committee for holding this hearing to refocus us all on tackling this pressing issue.

The Door is a community-based organization established in 1972 to serve the needs of young people between the ages of 12 and 21. Our mission is to empower young people to reach their potential by providing comprehensive youth development services in a diverse and caring environment. In 2006, The Door served over 8,925 young people. We conservatively estimate that approximately 20% were in foster care. The majority of the young people who come to The Door seeking services do so largely based on recommendations from their peers. The youth who frequent The Door reside in all five boroughs, as well as Westchester County, Rockland County, New Jersey and Connecticut. They come from diverse social and economic backgrounds with the majority residing in single-parent homes. They come to The Door seeking services in the areas of education, career counseling/work readiness, mental health counseling, food and nutrition, recreation and arts programming, legal assistance and primary health care.

Critical to a young person's ability to meet his or her needs is The Door's ability to provide integrated services across a number of programs. While each Door member has the ability to access any and all services offered at The Door, we do have programs and supports designed specifically to address the issues of youth in foster care. Young people in foster care who come to The Door can access several programs designed to address some of the barriers to success frequently encountered by youth as they transition to adulthood. In the study entitled "Connected by 25," conducted through The Youth Transitions Funders Group, it was suggested that the success for our youth in care requires not only meeting their immediate needs for shelter, food and safety, but that there must be intensive, coordinated efforts by agencies and community based organizations to provide support and encouragement to the young people as they become responsible adults.¹ The Door has formed just these types of partnerships to coordinate services in an effort to meet the extensive needs of youth in foster care, in The Door's Academy and Passport 2 Success programs. Additionally, The Door's Legal

¹ Connected by 25: A Plan for Investing in Successful Futures for Foster Youth, Prepared by The Youth Transition Funders Group Foster Care Work Group with The Finance Project, p.15.

Services Center has programs designed for foster youth. The programs are supported by the comprehensive nature of the remaining services available at The Door. Youth are able to obtain mental health counseling, medical assistance, educational services and much more.

The Door's Targeted Programming

The Academy, a collaboration with F·E·G·S, is a pilot project privately funded by The Heckscher Foundation for Children to provide educational and career/job readiness services along with the necessary wrap around support services to enable foster youth to transition into adulthood successfully. The participants in The Academy are referred by five contract agencies; The Children's Village, Good Shepherd Children's Services, SCO, Safe Space and Jewish Child Care Association, to one of the two Academy sites (The Door site in lower Manhattan or the F·E·G·S site in the Bronx). In The Academy, each young person is matched with a staff person who acts as Advisor to the participant and also works as the point of contact for staff from the various agencies to supervise the provision of services. The Advisor's principle responsibility is to act as a caring, accessible adult figure that will support Academy participants throughout this development process. The Advisors assist youth in defining their short and long-term goals and selecting the services needed to reach those goals. The Advisors conduct workshops and provide one-on-one instruction to insure that the participant's needs are defined and met. The Advisors are required to ensure continuity of services; coordinate with participating agencies; track each participant's progress toward personal goals; ensure that the participants have access to the services they need; and, act as a "safety net" in the event the participant stumbles along the way.

Passport 2 Success, a partnership with ACS and the Arbor Career Center provides work readiness and life skills training for young people in both individual and group training workshops. A young person is assigned a life coach who works with the youth to explore career options and prepare them for the work force. Much in the same manner as The Academy Advisor, the life coach is required to ensure continuity of services and consistent support to enable the young people to succeed in the program.

The Legal Services Center represents current and former foster youth in connection with immigration issues, public benefits, housing problems, their rights in care, and an array of other problems the youth face as young adults. A major focus has been preventing homelessness for foster youth and

ensuring they secure permanent housing upon leaving foster care. Examples of successful case results include the securing of NYCHA apartments for youth, the delivery of furniture and moving expenses to youth through difficult-to-access ACS funds, and ensuring exceptions to policy for youth who turn 21 but must stay in foster care to avoid homelessness. The Center has also provided direct representation in fair hearings for foster youth improperly denied NYCHA housing.

The Center has made steps toward systemic change for aging-out youth in various ways. The Center has provided training and materials to educate more caseworkers, advocates and youth about how to access permanent housing. We are working with the Legal Aid Society's Juvenile Rights Division and Lawyers for Children to address systemic failures in meeting the needs of aging-out youth, with particular attention to the housing and homelessness issue. The Door also conducts "know your rights" workshops for foster youth, run by Foster Youth Peer Educators who have been through the system and learned to advocate for themselves. These foster youth peer educators help prepare other youth for aging out of the system and are outspoken advocates for systemic change.

Pressing Issues

While ACS has taken great steps forward in developing its Improved Outcomes for Children initiative and its Preparing Youth for Adulthood initiative, there are several issues which must remain in the forefront.

Homelessness:

Children are still being discharged to homelessness without access to support or the ability to advocate for themselves. A greater effort must be made to coordinate services between ACS and governmental agencies. Often a young person's discharge to homelessness could be prevented simply by aligning the rules and regulations which exist with the realities of youth leaving care. Young people in care, as with the general population, frequently do not have the ability to get and maintain a job which will provide them a living wage at 18 and not enough support has been put in place for them to do so. Although it is known that young people are required to have a source of income in order to obtain housing, they can not access public assistance until they are discharged from foster care. Not having the ability to "pre-apply" or get this assistance in place before they "age-out" leaves the young person in a precarious position. When the existing rules of a system compound to the barriers created by the system

itself, the victims are our youth in foster care. When faced with rules that restrict their ability to obtain the supports necessary to survive, youth often opt to enter the shelter system in hopes of obtaining a faster track to shelter.

The following is a story of a young person in care who has suffered as a result of the lack of coordination between agencies. I repeat his story before you with his permission.

Charles Thompson (Fair) ACS # 4720094 spent 11 years in foster care. While he was in care, his mother died and his father remained incarcerated. In 2004, Charles completed Section 8 and NYCHA applications through his agency and ACS. Charles was due to age out in January 2006. He never received notification as to his status or priority on the Section 8 waitlist. At the time of his discharge, he was enrolled in college and has remained a full time college student. He has received uninterrupted ETVs along with reinvestment aftercare services from Graham Windham. Despite these facts and unlike some of his counterparts, he was not considered for an exception to policy to extend his placement, neither toward completing his education nor to address his lack of discharge resource for housing. Upon his discharge, he had several short stays with family and friends. After several months, he returned to the agency with no placement options. Upon exploration with NYCHA, it was determined that without notice to him or to the agency, NYCHA declared his application dead on 5/12/2006; denying him any notice, and any due process as relates to the preservation of his original application or any other priority, and leaving him homeless. Charles has since filed a regular Section 8 application, but he lost his priority status from being a foster child. He remains effectively homeless, while he waits, for what may be many years, on the regular Section 8 waitlist. Additionally, there has never been an explanation as to why he was denied an exception to policy by ACS when it was critically needed.

Had there been an appropriate effort to coordinate services between ACS and NYCHA, perhaps Charles Thompson would have housing. ACS has expert knowledge about the capabilities and needs of youth as they age-out of foster care. This knowledge must be used to effect change in the way the various governmental agencies and organizations deal with youth in foster care.

Immigration:

Undocumented youth in care are also in need of particular attention.

Securing legal status is a prerequisite to lawful and gainful employment in the United States and more must be done to identify these youth. Special Immigrant Juvenile Status "SIJS" is an immigration remedy that was created by the federal government expressly for undocumented youth in foster care. SIJS enables youth who have been abused, abandoned or neglected to apply for lawful permanent residence in the United States. They are only eligible for SIJS until they turn 21 and they must still be considered "dependent" on the family court until their application with the US Bureau of Citizenship and Immigration is fully adjudicated, meaning they are still legally considered to be in foster care. Many young people who are eligible for SIJS will never be eligible for any other form of lawful immigration status in the United States. Therefore, timely assistance from ACS is crucial for these undocumented youth to receive green cards before they age out of foster care. It frequently takes at least one year to adjudicate a SIJS application. It also can take months and sometimes over a year to gather the documents necessary to file a SIJS application. A young person whose opportunity to file for SIJS is lost due to ACS's failure to begin the process on time, will remain undocumented. This often means that they can not become as productive a member of our society because as an undocumented youth/adult, they do not have access to the programs which would enable them to grow, develop and live safely. For example, they can not work legally or obtain financial aid to go to college. In addition, they are not eligible for Section 8 housing vouchers, food stamps, or non-emergency Medicaid.

Education:

A coordinated effort between ACS, the Department of Education and the contract agencies is needed to more closely monitor the educational advancement of youth in care. Again, due to systems which do not recognize the extremity of youth in foster care, young people often find themselves out of school for long periods of time. Young people are often held out of school due to removal and placement issues. After a number of school interruptions and without a person/agency taking responsibility to ensure that there are as few interruptions to education as possible, youth become disconnected from school. Once this happens, it is difficult to get them reconnected. In the end, the system is faced with young people who are disenchanted with school; have not developed the skills necessary for success; and, lacking enough credits to continue. These young people

frequently find their way to The Door beginning as early as 14 and 15 years of age seeking GED assistance and unwilling to consider re-entry into the regular classroom setting. These children often report that they have not attended school while in care and that the supports needed for their success were not available to them. There is frequently no expectation of success in the educational setting, nor are the individuals and tools available to assist the youth in performing.

Children and youth who grow up in care, whether in a group home setting or in a foster boarding home, often do so without developing the skill set necessary to live independently as adults. Agencies, the case workers, and the system prevent a young person from learning to make decisions for him or her self. Being in foster care often means that your right to make a decision is limited and/or nonexistent. The agencies appear to believe that *in order to* do their job, they must maintain control of the young people in foster care, body and mind. In order to maintain control, agencies and ACS workers make most major decisions for the young people. Young people in foster care become institutionalized and grow up having everything done for them until, at the time of their transition from foster care, they are instructed to go out and do everything for themselves.

The most negative ramifications of this approach often lead to the young person leaving care with a criminal record. To maintain "control", caseworkers often call NYPD to resolve difficulties among the youth in their care. Simple arguments can escalate to criminal records when law enforcement intervenes. Young people then leave foster care with criminal records that most likely could be resolved with attention to the instigating issue(s) and case management. As the committee knows, criminal records also have a deleterious impact on a young person obtaining employment.

We must begin the process of de-institutionalizing youth in foster care earlier. Training and modeling should be given to youth in foster care so that they develop the ability to advocate for themselves. Training a young person to make proper choices and to think independently, must begin upon a young person's entry into foster care and continue until his/her departure. A young person must be provided with the opportunity to make crucial decisions sooner. A shift in the culture of the system is required; a shift that encourages proper youth development and is youth development oriented.

Proposals to Assist in Addressing these Problems

Housing:

There must be better coordination between ACS, NYCHA, OMH and OMRDD. There must be streamlining of the requirements for qualification to apply for services and assistance, recognizing the circumstances and challenges for foster youth. ACS must ensure that youth, who are not prepared to age-out due to the systems failure to have the necessary supports in place, are given exceptions and allowed to remain in foster care until the proper mechanisms are in place.

SIJS:

Intervention by ACS at all stages but especially prior to age-out: ACS enters a child's life long before he/she is taken into foster care. Many children who have some contact with ACS investigators or other caseworkers frequently resolve serious home conflicts informally, by moving in with a relative or guardian, and with no further assistance from ACS. ACS must provide children with a referral to a competent immigrants' rights attorney at the investigation or child protective stage. ACS should require all intake forms, permanency hearing reports and service plan review forms to include a determination as to place of birth. It should be an ACS policy that all foreign born children who enter care without legal citizenship, be referred to an immigration attorney (or the SIJS unit described below) for consultation as an essential part of family support services.

Create a SIJS unit within ACS whose responsibility it would be to ensure identification of all foreign-born youth by ACS and contract agencies. Once identified, the unit would proceed to obtain foreign birth certificates, passports and the necessary family-court orders. This work should be done upon a young person's entry into care, no matter the age of the young person. As the unit works to obtain the necessary information, ACS should either create a panel of attorneys willing to adjudicate these matters on behalf of the youth in care or hire a staff of attorneys to handle the immigrations cases internally.

Education

Children in foster care need strong educational advocates². The advocate must operate much like a parent, ensuring that each youth is enrolled in school, attends class, and receives the educational supports necessary to be successful and remain engaged. This person must support a young person in every aspect of his/her educational experience from attendance to school performances. The advocate should encourage foster parents to become involved in the youth's educational life and hold the young person accountable. It would be the advocate's job to ensure that as few days as possible are missed from school by each young person in care.

ACS and the contract agencies must diligently monitor each young person's educational experience. The culture of the relationship between youth in care and the individual school should be one of assistance and understanding, accommodating issues of paperwork to allow a youth to be placed with the appropriate information from ACS.

It is necessary to create funding sources for the community based organizations presently attempting to meet a portion of the large need of these youth. The Door is uniquely positioned to serve these young people and to provide the supports needed to assist them in getting connected to a community and continued resources after leaving foster care. Because we are not part of any government institution, and because we provide youth with a safe environment where their confidentiality is mandated and assured, we are able to cultivate a trust in young people who otherwise would be skeptical and unwilling to engage. We urge the City Council to consider a funding initiative that would provide would support the work done by The Door and other community based organizations.

² Ibid. at 22.

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TESTIMONY OF PAUL PITCOFF, CO-FOUNDER OF YOUTH ADVOCACY CENTER

BEFORE THE NEW YORK CITY COUNCIL GENERAL WELFARE COMMITTEE

JUNE 21, 2007

In addressing the problem of teens failing to reach successful independence, we need to tap into existing resources that are presently ignored, and do not cost additional money.

I worked in higher education for twenty years as the Chair of the Department of Communications and professor at Adelphi University. I followed this with a short stint as a law guardian in Manhattan's family court, and then together with Betsy Krebs, founded Youth Advocacy Center to explore new ways to prepare foster care teens for adulthood. Over the past 15 years we developed a self-advocacy program for teens in foster care, based on our Getting Beyond the System® model that is now being used in New York City and in other parts of the country. Last year, Rutgers University Press published our book *Beyond the Foster Care System- the Future for Teens in Foster Care*, which focuses on the challenges of preparing foster care youth for successful adulthood, their potential to become contributing citizens, and presents methods we have successfully developed through years of collaboration with teens in foster care.

Many here today identify specific issues that are necessary to help youth transition to independent adulthood. Without addressing these issues, we diminish our youths' chances for success.

However in our rush to fix the critical failure of the City to properly prepare foster care youth for independence, we must not lose sight of a fundamental overarching issue the failure to engage an essential untapped resource.

All of us here today are enjoying productive independent lives because somewhere in our past we were infused with hope. Without hope, none of us would be in this chamber. Living in foster care, separated from biological family, is a significant trauma that is corrosive to a sense of hope. Add a pervasive attitude of low expectations, and our system unwittingly becomes a hope dampening machine.

What parent among us would hold as the ultimate expectation for their child, a minimum wage, low level job that might be outsourced in a couple of years? What parent among us would dash the hopes of their child who aims at being a city councilperson, a police officer, a business executive, an entrepreneur?

Why can't we bring to our city's youth a sense of high expectations? Why can't we reignite hope in our youth? Why can't we fully engage them in the process of taking responsibility for their futures? In denying hope for our young people, we deny their role as the critical resource in helping them prepare for adulthood.

When we provide hope, instill and insist on high expectations, and arrange for authentic adult life experiences, our foster care youth become active participants in preparing for their futures. They become active in seeking further education and taking advantage of many of the existing programs that are available. They become intellectually engaged and strengthen their critical thinking skills, essential for success in the modern economy. Through our work we have seen this to be true.

At Youth Advocacy Center we developed the Getting Beyond the System® model as a way to bring teens into active participation in preparing for their future. We begin the process by asking each individual what they want to do with their lives. Each student's articulated goal is accepted in a non-judgmental manner, and we set them up with an informational interview in the profession of their choice.

This simple process of tapping into the young person's dream ignites hope and the willingness to engage in the process of preparing for one's future. In preparing for their informational interview we conduct a 12 week seminar that uses the Socratic case method to help teens understand the workings of the adult world. Instead of prescriptions that often appear irrelevant to one's future, students are compelled to do the thinking, analysis, and draw conclusions relevant to their individual experience. Students become **authors** of what they learn, and thus more confident and engaged in the process of taking on responsibility for their lives.

The results: students show up to class, they read and analyze relevant material that is beyond their grade level, they work at preparing for their final project, conducting an informational interview on their own with a successful adult who provides advice and counsel --the successful adult gives them time and counsel not because the youth/soon to be adult, is a victim, but because the youth has learned to present their considerable strengths, passion for success, and hopes for the future. This experience motivates students to pursue continued education or training, and to establish priorities in their lives and to understand that the entry level job they may first get is a step toward a career, rather than a hopeless conclusion to life dreams.

In conclusion, we can talk about all the programs and services in the world but we first need to find ways to generate hope amongst our teens. Then we must engage each youth as a critical resource-- building on their considerable capacities and desire for success. And then, we must tap into New York City's professional communities who have the proven desire to help, and an expertise that is valuable to teens in foster care.

Paul Pitcoff, Esq.

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**Testimony Before NY City Council General Welfare Committee
Bill DeBlasio, Chair
June 21 2007**

Aging Out of Foster Care

I am Jane Barowitz representing Jewish Child Care Association. Thank you for the opportunity to share our agency's concerns about helping the young people in our care move from foster care to responsible adult lives.

I begin with a global statement. Finding housing is the single most difficult piece to put in place for a young person moving out of foster care. There is an enormous shortage of low income housing in New York and it is very, very difficult for our young people to find a place to live when they leave the system. This is something every one in this room knows, and its importance cannot be overstated.

Now, I will describe three challenges to helping young people who are aging out of foster care. These are situations that can be ameliorated without enormous expense and that will have a real impact on the ability of young people to live independently.

One:

Young people must be out of the foster care system by their 21st birthdays. A new requirement of the ACS "Preparing Youth for Adulthood" initiative is that they be on Trial Discharge by age 20 ½. This plays out as a 20 year old who is waiting for housing, or waiting for a place in an adult care system having six months with no place to go. Agencies, of course, receive no reimbursement for the care of youth on trial discharge, nor are foster parents paid.

Two:

Until last year young people could remain in foster care until age 23, IF THEY WERE IN SCHOOL. The policy that made this possible was "an exception to policy." Last year in the interest of common sense this "exception to policy" was cancelled to make way for a permanent policy supporting youth in foster care to age 23 if they were in school. But it did not happen. The "exception" was cancelled and the new policy was not put in place. This important subsidy must be made permanent and available.

Three:

Youngsters aging out of foster care need a lot of support, coaching, and consistency as their own lives enter a new phase. This is completely undermined by staff turnover. Social workers have too many cases, too much time in court,

too many reports to complete and not enough time to see youth and families through this transition. They become exhausted and demoralized and the young people suffer. The aging out population needs stability and continuity.

A young person aging out of foster care needs a community. This community ideally is a source of friends, mentors, recreational activities and tips on housing, employment, and more. At JCCA we see kids thriving in just this kind of community. AND IT IS CALLED JCCA. Young people who no longer have a formal connection to JCCA remain part of us. They participate in our theater project, go on the camping trip, do their homework on our computers, chat informally with our staff and provide leadership for our Youth Advisory Council. Sometimes they even find work at one of our sites. We are happy to be able to be there for them.

This list was prepared by the young people in foster care with JCCA who serve on the agency's Youth Advisory Council.

JCCA'S YOUTH ADVISORY COUNCIL

Top 17 Essential Things All JCCA Youth Must Have Before Discharge

CHECKLIST

- 1___ Stable place to live
- 2___ Income (job/resource able to support youth)
- 3___ Social Security card
- 4___ Birth certificate
- 5___ Green card/legal immigration status
- 6___ Medical insurance/medical & immunization records
- 7___ Bank account & savings
- 8___ Educational plan & documentation
- 9___ Support network in place/with phone numbers & addresses
- 10___ Adequate clothing
- 11___ Resume & interview outfit
- 12___ Life skills (designed by & participated in by youth)
- 13___ Letter of recommendation/introduction
- 14___ Agency letter re: foster care, dates etc.
- 15___ Help in finding/renting apartment (co-sign lease?)
- 16___ Discharge grant
- 17___ Non-driver ID or Driver's License

8/10/06

Jewish Child Care Association, 120 Wall Street, NYC 10005, 212-425-3333. www.jccany.org