

Changes Needed in Federal Child Welfare Law to Better Protect Children and Ensure Them Nurturing Families



Organizations representing public human services directors, public child welfare directors, private child and family service agencies, unions representing child welfare workers, and advocates for children, have joined together in partnership to call on the 110th Congress to join them in a renewed commitment to protect the Nation's children. The partnership will work for a system that better protects all children by:



- Supporting the full range of services necessary to prevent child abuse and neglect;
- Ensuring that all children who have been abused and neglected, including those in foster care, have the services and supports they need to heal; and
- Guaranteeing the more than half a million children in foster care the help they need not just to survive, but to thrive and return to their families, or to live permanently with adoptive families or legal guardians (often grandparents or other relatives).



We cannot afford to waste the potential of another child! It is time for Congress to update outmoded financing strategies so the federal government can better help states prevent child abuse and neglect, protect and care for many more abused and neglected children, support a high quality child welfare workforce, and do more to increase accountability for outcomes for our most vulnerable children and their families. This year marks a decade since Congress passed major bipartisan child welfare reforms. Although progress has been made in those 10 years, much more remains to be done. It is time to build on gains made and lessons learned and for Congress to act now.



Innovations are underway in selected states and communities, but the federal-state partnership to help children and families in need must be renewed and strengthened if we are going to ensure progress for all children. Despite the efforts of creative leaders and dedicated staff, too many children today still remain in harm's way. A child is abused and neglected in America every 36 seconds. The Department of Health and Human Services reports that only six of every ten abused and neglected children get services. Those children who enter foster care remain an average of nearly two and one-half years. An estimated 114,000 children wait in foster care for adoptive or other permanent families. Eroding federal supports reach fewer than half of the children in foster care. Federal dollars for services to keep children out of care, and to get them out and keep them out once they are placed fall far short of the need. The average tenure of a child welfare agency worker, who is often called upon to make life and death decisions for children, is less than two years.





It will take all of us working with others across the country to keep children safe and in nurturing families. We will need to invest additional funds and to support a broad range of services and supports – including prevention, treatment and post-permanency services. On behalf of America’s children, we ask Congress to act now to do its part.

This partnership of diverse organizations recommends a comprehensive package of reforms that will:

Guarantee services, supports and safe homes for every child who is at-risk of being or has been abused or neglected by strengthening the federal-state child welfare partnership by amending the federal Title IV-E statute to do the following without converting any of Title IV-E to a block grant:



- **Promote investments in a broad continuum of services for children and families** by allowing states that offer services and supports that safely reduce their foster care caseloads and expenditures to retain the Title IV-E federal funds they would have otherwise used for foster care and reinvest those funds in a range of services and supports that prevent child abuse and neglect, provided that the state dollars no longer needed for foster care are similarly invested.
- **Ensure federal, as well as state, financial support for all children** when they must be placed in foster care by eliminating the income eligibility criteria applicable to Title IV-E, provided that state funds currently used for foster care are reinvested in prevention and treatment services for children who are at-risk of being or have been abused or neglected.
- **Guarantee children have access to critical post-permanency services** by amending Title IV-E of the Social Security Act to allow funds to be used to provide such services and supports. These services will prevent the return to foster care of children who are reunited with their parents, placed permanently with relatives or adopted from care. They will also help older youth who “age out” of foster care successfully transition to adulthood.
- **Guarantee children placed permanently with legal guardians (often grandparents or other relatives) receive federal, as well as state, financial support** by amending Title IV-E to allow funds to be used for subsidized guardianships, when return home and adoption are not appropriate options.
- **Ensure that children living with relatives while in foster care have access to Title IV-E federal, as well as state, financial support**, so long as the relatives have met state licensing standards that contain safety protections and criminal background checks.
- **Assure that Native American children have access to federal support** by allowing Indian tribes to have direct access to Title IV-E funding.

Promote program effectiveness:



- **Improve outcomes for children by enhancing and sustaining a competent, skilled and professional child welfare workforce** by allowing Title IV-E training funds to be used for training on all topics relevant to ensuring safety, permanency and well-being for children and for training to all staff who work with children who come to the attention of the child welfare system, including staff with private agencies as well as public agencies, court personnel, and those with expertise in health, mental health, substance abuse, and domestic violence services.
- **Ensure that all children involved with the child welfare system receive intensive, quality casework services** by increasing the Title IV-E federal match for casework services from 50 percent to the Federal Medical Assistance Percentage (FMAP) and thus increasing the capacity of child welfare agencies to address the needs of children and families. Assessments of children and families' needs, development and refinement of permanency plans, recruitment, licensing and supervision of foster and pre-adoptive parents are at the heart of child welfare casework and these activities should be reimbursed as more than simple administrative expenditures. General overhead and purely administrative expenditures would continue to be reimbursed at a 50 percent match.
- **Promote rigorous evaluation of programs and practices** and prevent the loss of critical child welfare funding by allowing states to reinvest penalties and disallowances back into the child welfare system to conduct evaluations of promising approaches to achieving safety, permanence and well-being for children and to implement practices and approaches that have been demonstrated to improve these outcomes for children.

Enhance accountability:

- **Enhance fiscal accountability** by requiring states to report annually on the funds spent on particular services and categories of services; the number of children and families provided each service; the duration of those services; and the number of children and families referred for services who are unable to access such services.
- **Evaluate the effectiveness of this package of reforms** five years after enactment by directing the Government Accountability Office to conduct a study of: (1) enhancements of preventive, permanency and post-permanency services; (2) changes in foster care placements; (3) recruitment, retention, and workloads of child welfare workers; and (4) improved outcomes for children who are at-risk of entering or have entered the child welfare system.
- **Increase the knowledge about outcomes for children** by allowing states to submit additional state level data during the Child and Family Service Review process.

The American Federation of State, County and Municipal Employees, AFL-CIO, is the nation's largest and fastest growing public service employees union, with more than 1.4 million members. AFSCME organizes for social and economic justice in the workplace and through political action and legislative advocacy. Among our members are thousands who work in state and county-run child welfare programs across the country. Contact: Fran Bernstein - FBernstein@afscme.org – (202) 429-1000.



The American Public Human Services Association, founded in 1930, is a nonprofit, bipartisan organization of state and local human service agencies and individuals who work in or are interested in public human service programs. Our mission is to develop and promote policies and practices that improve the health and well-being of families, children, and adults. We educate Congress, the media, and the general public on social policies and practices and help state and local public human service agencies achieve their desired outcomes in Temporary Assistance for Needy Families, child care, child support, Medicaid, food stamps, child welfare, and other program areas and issues that affect families, the elderly, and people who are economically disadvantaged. Contact: Sonali Patel – spatel@aphsa.org – (202) 682-0100.



Catholic Charities USA is the membership association of one of the nation's largest social service networks. Catholic Charities agencies and institutions nationwide provide vital social services to people in need, regardless of their religious, social, or economic backgrounds. Catholic Charities USA supports and enhances the work of its membership by providing networking opportunities, national advocacy and media efforts, program development, training and technical assistance, and financial support. Contact: Desmond Brown – dbrown@CatholicCharitiesUSA.org – (703) 549-1390.



The Center for Law and Social Policy is a national non-profit that works to improve the lives of low-income people. CLASP's mission is to improve the economic security, educational and workforce prospects, and family stability of low-income parents, children, and youth and to secure equal justice for all. Contact: Rutledge Hutson – rhutson@clasp.org – (202) 906-8007.



The Child Welfare League of America, established in 1920, is the nation's oldest and largest membership-based child welfare organization. CWLA strives to advance sound public policy on behalf of the more than three million abused, neglected and vulnerable children served by its public and private member agencies. To further its mission of preserving, protecting, and promoting the well-being of all children and families, CWLA conducts research, develops standards of best practice, hosts regional and national conferences, provides comprehensive, field-based consultation and professional development services. Contact: John Sciamanna – jsciamanna@cwla.org – (703) 412-3161.



The Children's Defense Fund's Leave No Child Behind® mission is to ensure every child a Healthy Start, a Head Start, a Fair Start, a Safe Start, and a Moral Start in life and successful passage to adulthood with the help of caring families and communities. CDF provides a strong, effective voice for all the children of America who cannot vote, lobby, or speak for themselves. We pay particular attention to the needs of poor and minority children and those with disabilities. CDF encourages preventive investment before they get sick or into trouble, drop out of school, or suffer family breakdown. CDF began in 1973 and is a private, nonprofit organization supported by foundation and corporate grants and individual donations. We have never taken government funds. Contact: MaryLee Allen – mallen@childrensdefense.org – (202) 628-8787.



The National Child Abuse Coalition is committed to strengthening the federal response to the protection of children and the prevention of child abuse and neglect. Contact: Tom Birch - birch1@earthlink.net – (202) 347-3666.



Voices for America's Children is a national, nonpartisan child advocacy organization strengthening and integrating the work of our 59 multi-issue members in 47 states, as well as the District of Columbia and the United States Virgin Islands. Voices' member organizations advocate for effective public policies that will improve the live of all children in their communities and states. In many jurisdictions, Voices members are the only independent, multi-issue organizations focusing exclusively on children—with no vested interests—and are highly respected in state capitols, and among civic leaders, for their knowledge of children's needs; their ability to work in a non-partisan fashion to improve policies and systems; and, their effectiveness in mobilizing constituents and organizations to advocate on behalf of children. Contact: David Laird – laird@voices.org – (202) 289-0777.

