

## VIRGINIA COMMISSION ON YOUTH

### Study on Foster Care

#### Findings and Draft Recommendations

(Language in red reflects Commission on Youth discussion at the 9/18/19 meeting. Commission members directed staff to include an additional recommendation for consideration and public comment.)

#### Workforce Recruitment and Retention

##### Findings

- Local departments of social services (LDSS) staff throughout the state noted that child welfare courses 1) are difficult to attend and many could be converted to an online format; 2) contain unnecessary activities and could be condensed; and 3) seem out-of-date and/or not relevant to current field work. LDSS staff also noted that some trainers did not have current field experience or were not aware of current policy and procedures.
- Because of Title IV-E funding rules, stipend program workers must work in foster care/adoption positions (51% or more of work is performed in foster care/adoption). Localities that are understaffed in child protective services positions or other critical child welfare positions cannot hire stipend program graduates. Because of this, many small, rural agencies do not benefit from the stipend program.
- Low starting salaries comparative to demanding workload is a significant factor in low recruitment and high turnover among Family Services workers, especially in small, rural agencies that have budgetary constraints that prevent them from offering competitive salaries.
- Workers throughout the state noted that computer issues—including lag time and connectivity issues, delays in procuring new or refreshed computers, interfacing with OASIS, and the inability to process Title IV-E eligibility electronically—hampers efficiency and productivity.
- Forty-five days is insufficient time to complete a thorough and effective family assessment. Workers are currently granted a 15 day extension after providing justification.

CPS workers often face difficulties meeting the 45 day requirement because of high caseloads, and the time it takes to travel to many of these families. It is not unusual for workers to have families to visit upwards of 2 hours away from their localities. To receive

the 15 day extension to complete a family assessment workers must provide written justification and get supervisor approval which is granted pro forma.

**Draft Recommendations:**

- 1. Provide VDSS with five additional full-time dedicated curriculum development staff (classroom and e-learning) to review, revise, and update all curricula within child welfare. Current courses should be evaluated to maximize opportunities for conversion or partial conversion to e-learning and/or distance learning/webinar formats, when appropriate. Content shall be reviewed to ensure it is current and relevant to child welfare workers. VDSS shall revise curricula and/or develop a training model with input and consideration of local agencies' needs and concerns, to include condensing courses, where appropriate. VDSS shall ensure that all trainers have current or recent field experience and/or up-to-date subject matter expertise.**
- 2. Introduce a budget amendment to expand Virginia's Child Welfare Stipend Program to include stipend positions funded with state-only dollars, which will allow these stipend graduates to fulfil their stipend agreements in child welfare positions to include child protective services and ongoing/prevention services. These state-funded stipend positions will not have the federal requirement to have an employee work 51% of their job in Title IV-E.**
- 3. Increase the minimum salary for Family Services Series positions and provide a salary adjustment for current Family Services employees.**
- 4. Request that the Virginia Department of Social Services present to the Commission on Youth an update on the status of VDSS technology, to include Compass, OASIS, and any efforts by the Department to allow Title IV-E to be processed electronically. **Introduce a budget amendment to implement a new technology system to replace OASIS.****
- 5. Amend § 16.1-1506 of the Code of Virginia to extend the family assessment requirement from 45 days to 60 days with no additional extension.**

## Fostering Futures

### Findings

- Fostering Futures was created in 2016 as an amendment to the budget. Codification is necessary to provide stability and uniformity to the program.
- The “Fostering Futures Independent Living Arrangement Agreement” form does not allow foster youth to choose to remain in their current foster care placement.

### Draft Recommendations:

6. **Amend the Code of Virginia to codify the Fostering Futures program, as currently authorized in the Virginia State Budget language, ensuring that Federal Law is properly addressed.<sup>1</sup> Include a provision allowing video conferencing as an option for monthly visits between LDSS and participants. Include enactments to require Virginia Board of Social Services to promulgate regulations for Fostering Futures programs which address the following issues:**
  - **Determine what services are appropriate for participants.**
  - **Develop requirements to be included in the Voluntary Continuing Services and Support Agreement (VCSSA). Requirements should include maintaining contact with the youth’s case manager, and making rent payments on time. Case managers should tailor the VCSSA to the youths’ situation and needs.**
  - **Allow discretion for LDSS to disenroll youth from the Fostering Futures program for substantial violation of the VCSSA.**
  - **Develop a budget worksheet and/or payment forms to monitor how participants are using their allotted funds and increase oversight of maintenance payments when needed.**
7. **Request VDSS to update the “Fostering Futures Independent Living Arrangement Agreement” form to remove “Independent Living Arrangement” from the title and add an option for foster youth to remain in their current foster care placement.**

## Kinship Care

### Findings

- Kinship navigators are used in various regions throughout the state to help families involved with child welfare identify and access services as well as a resource to all kinship families.

The regional Kinship Navigator programs are currently funded through competitive federal grant funding.

Currently a couple of kinship navigator models are waiting to be evaluated by the Family First Prevention Services clearinghouse. In order to receive Family First prevention dollars a program or service must be in the clearinghouse and be deemed well-supported, supported, or promising.

- OASIS is the online Child Welfare System used by CPS and foster care workers to enter information about their on-going cases. OASIS does not provide a mechanism for keeping track of kinship diversion cases. In situations where a CPS contact has been initiated and the case ends in diversion of a youth to a family member or fictive kin, there is no place to properly enter the diversion into OASIS.
- Diligent search tools are vital to the work of foster care services specialists. Local boards are mandated to “first seek out kinship care options to keep children out of foster care and as a placement option for those children in foster care.”<sup>1</sup> Local DSS workers rely on tools such as Google, Whitepages, and Ancestry websites to track down family members. The state also has a contract with a person locator tool that local departments can use. VDSS is currently in the process of developing a new RFP for a diligent search tool for LDSSs. Input from LDSSs would be beneficial in identifying what is needed to support them in their efforts.
- Currently fictive kin providers are not eligible for KinGAP assistance. The scope of KinGAP is limited, but could be expanded under Federal law. According to the fiscal impact statement on KinGAP when the bill was introduced, the KinGAP program is envisioned to have a total enrollment of 5-6 families a year. Last year there were 3 youth enrolled in KinGAP. Opening up KinGAP to fictive kin would assist more families who would struggle without assistance payments.
- KinGAP is another permanency option that provides funding resources to a parent when adoption or being returned home are not appropriate options.
- The current KinGAP program is limited in its impact because of the federal restrictions. These include requirements that the potential guardian must be a licensed foster parent for the child for six consecutive months and that reunification and adoption must be ruled out as appropriate permanency options. As noted by FSS workers and supervisors during site visits to local departments, ruling out adoption for a child under 14 is nearly impossible.
- The State has a General Relief program (§63.2-802) designed to provide monthly assistance to children that are living with unrelated adults. It is funded with General Fund

dollars. General Relief has a 62.5%/37.5% state and local match. Currently 25 localities operate a General Relief program. Localities that wish to participate must be approved by VDSS. The program is currently funded in the budget at \$500,000 a year. The program has decreased in size over the years because of budget cuts last decade.

This program is appropriate for diversion cases where a youth is not in foster care.

- Kinship caregivers and fictive kin that currently provide for family members outside of the foster care system or in facilitated care arrangements are not eligible for title IV-E foster care payments. Kinship caregivers (not fictive kin) are eligible for TANF child-only funds. These funds on average are \$140 a month.

While a kinship provider has the option to become a licensed foster care provider that is not always feasible. Some kinship providers have barrier crimes in their past or they simply desire less involvement with the state as foster parents.

Many families wish to take care of their kin without becoming foster parents, but find it difficult to do so without greater financial support than is currently available.

- Virginia is in the minority of states in regards to not having guardianship as a permanency option. Virginia does have standby guardianship, but that is used in only a few scenarios. Additionally, thirty-three states and D.C. have state funded guardianship assistance programs that provide support to kinship guardians raising children. Guardianship as a potential permanency option needs to be explored more fully to make specific recommendations.

#### Draft Recommendations:

8. **Support the ongoing systemic review process being done by the Administration for Children and Families of kinship navigator programs and encourage the addition of well-supported, supported, or promising kinship navigator program to be included in the Family First Clearinghouse.**
9. **Support the continuation of the current federal funding for Virginia's regional kinship navigator program.**
10. **Direct VDSS to develop a statewide Kinship Navigator program in Virginia, which will provide information, resource, and referral services to children and kin caregivers.**
11. **Request that VDSS add an input box to OASIS to mark when a youth is diverted to a "facilitated care arrangement."**
12. **Request that VDSS as part of the upcoming diligent search RFP obtain feedback from LDSSs on the strengths and weaknesses of the current system and what is needed to make a search tool successful.**
13. **Amend §63.2-1305 of the Code of Virginia to add fictive kin to the definition of relative for the purpose of the KinGAP program.**

- 14. Amend § 63.2-1305 of the Code of Virginia to create a state-funded Kinship Guardianship Assistance program that waives the requirement for potential guardians to serve as a licensed foster parents for six consecutive months and limit eligibility for this program to children who are least likely to be placed in a permanent home or who have been in foster care for an extended period of time.**

**This recommendation was made by JLARC in their 2018 report. It was not introduced as legislation during the 2019 session.**

- 15. Amend the Appropriation Act to increase funding for the General Relief program.**

- 16. Direct VDSS to create a state funded program to provide facilitated care reimbursement payments to kinship and fictive kin families who have custody over kin due to the child being identified as being at imminent risk of entering foster care. Local departments shall track these families and provide case management as necessary.**

- 17. Direct the Commission on Youth to study adding guardianship as a permanency option in Virginia by creating an Advisory Group to:**

- a) Look at the benefits as well as obstacles this change would create.**
- b) Determine what is the potential impact on school enrollment and medical care.**
- c) Investigate what would be the rights of the parties in such an arrangement.**
- d) Explore the possible implementation of state funded guardianship assistance.**

## Fostering Care Family Recruitment and Retention

### Findings

- Virginia is in the minority of states in regards to not having guardianship as a permanency option. Virginia does have standby guardianship, but that is used in only a few scenarios. Additionally, thirty-three states and D.C. have state funded guardianship assistance programs that provide support to kinship guardians raising children. Guardianship as a potential permanency option needs to be explored more fully to make specific recommendations.
- The Foster Care Omnibus Bill directed VDSS to develop and implement a strategic plan to improve the recruitment and retention of foster parents in Virginia. VDSS has created a workgroup to develop this strategic plan.

### Draft Recommendations:

- 18. Direct VDSS and CSA to establish a grant program to incentivize the recruitment and retention of foster care families within local departments of social services. Grants will be awarded to local agencies who demonstrate a strategy to recruit families that will meet the needs of the children they serve. These families should be trained and supported by the local DSS, the community, and local service providers to provide the necessary trauma-informed services for children with emotional, medical, or behavioral needs. The grant application shall identify a targeted marketing strategy, supporting community partners, and additional supports that will be provided to foster families recruited under this grant. Local departments may contract with private providers to deliver the daily support and supervision of these families. The local agency will be exempt from paying the local match for services provided to families recruited and trained under this grant. Two or more local agencies will be permitted to form partnerships under this grant program.**
- 19. Request an update from VDSS on the recruitment and retention of foster care families by November 2020, to include an update on the creation of a stronger framework and parameters for LDSS around family supports (to include but not be limited to a provision for a dedicated recruiter and trainer; trauma training, parenting strategies, and respite care for foster care families; and social support mentors the foster children). Request VDSS to provide (i) an estimate of funding necessary to implement the statewide strategic plan for recruiting and retaining foster parents; and (ii) identify all possible sources of funding that could be used to support statewide recruitment and retention efforts.**