

EXECUTIVE SUMMARY

Currently, more than 81,000 children are in the foster care system, having been removed from their homes and their natural families. These children are living in settings such as foster family homes, group homes and specialized care homes. The costs of placing and maintaining the children in these homes and of providing county services to the children amount to approximately \$1.4 billion per year.

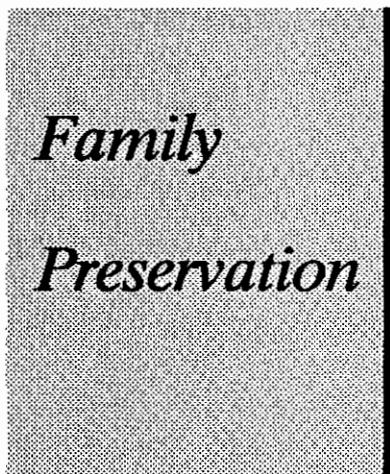
In response to widespread criticisms of the foster care system, the federal government enacted the Federal Adoption Assistance and Child Welfare Act of 1980 (Public Law 96-272), which required states to enact specific reforms in order to continue receiving federal funds related to foster care. In 1982, California incorporated the required federal changes into state law through the enactment of Chapter 978 (SB 14, Presley), which had the major goals of:

- * providing treatment services to families to reduce unnecessary placement in foster care;
- * safely reuniting more foster care children with their families;
- * increasing the stability of foster care placements; and
- * placing more adoptable foster care children into adoptions.

Since these reforms took place, a number of studies of the foster care system have been conducted including a 1987 review by the Little Hoover Commission that found a number of major problems

in the delivery of children's services in California. More recently, and primarily in response to serious problems in Los Angeles County's foster care program, additional reviews have been done by the California Legislative Analyst, Auditor General and Senate Office of Research. There have been few indications that the foster care system has improved; indeed, all signs point to a worsening of conditions.

In July 1991, the Commission initiated this study of child welfare services to follow up on the foster care portions of its 1987 report and to identify and review any recent issues related to foster care. As a result, the Commission developed the following findings and related recommendations.



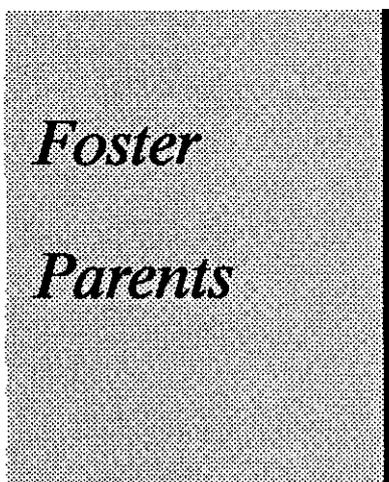
*Family
Preservation*

The State's foster care system runs contrary to the preservation of families. Generally, it is best for children to remain with their natural families and, thus, it is most appropriate for government to invest in "front-end" services that work at removing the problems from dysfunctional families rather than removing the children. Such an investment could save more than three dollars for every dollar spent. Moreover, given the fact that only 20 percent of foster children are

removed from their homes because of physical or sexual abuse, the remaining children are good candidates for family preservation services. To date, however, California has not provided a sufficient investment in such services and, instead, has continued to rely on out-of-home placements. As a result, the numbers of children removed from their homes and the associated costs have spiraled upward. Further, children are staying in the system longer once they are removed from their homes; the percent of children remaining longer than 18 months has increased from 27.5 percent in fiscal year 1988-89 to an estimated 30.8 percent in fiscal year 1991-92. Finally, the future of graduates of the foster care system is bleak: 45 percent of runaway youths have been in foster care and many foster children grow up poorly educated, in poverty, suffering from drug and alcohol abuse, and in trouble with the law.

Recommendations

1. The Governor and the Legislature should enact legislation that would ensure that greater emphasis is focused on placement prevention programs and associated family preservation services for those families whose problems do not stem from physical or sexual abuse.
2. The Legislature should enact a resolution stating California's support for federal legislation that would provide additional federal funding for family preservation services.
3. The Governor and the Legislature should continue to re-examine and monitor the effects of state-county realignment and enact any legislation necessary to ensure the realization of realignment's intended effect of encouraging counties to invest in family preservation programs and place children out of their homes only when warranted.



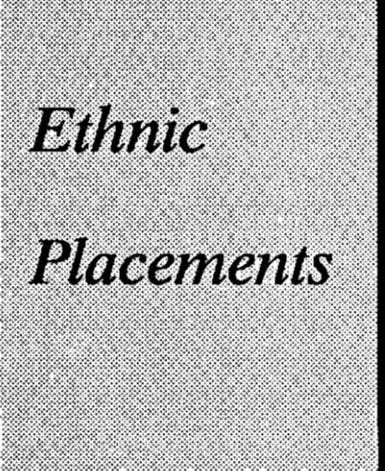
T raining, support services, screening and rates of reimbursement are woefully inadequate for the State's foster parents. Individuals who elect to be foster parents have a critical need for comprehensive training to develop the skills necessary to cope with today's troubled foster children. These children are extremely "damaged," largely due to the adverse effects of drug and alcohol abuse on their families. Nevertheless, there is no statewide mandated training for foster parents, and the training

required by most counties is minimal. Further, support services necessary to assist foster parents in coping with the children is deficient. In addition, the State lacks a policy to screen prospective foster parents for their suitability to parent abused and neglected children. Furthermore, although foster parents should be adequately compensated for the responsibility of parenting these children, they are not even reimbursed enough to cover the basic costs of raising children. As a result, foster children are exposed to potentially abusive situations and are not provided the help needed to overcome their disadvantaged circumstances. Moreover, there exists a shortage

of qualified foster parents in the State and a consequent reliance on more costly types of placement facilities.

Recommendations

4. The Governor and the Legislature should enact legislation that makes training and a psychological evaluation a prerequisite to the licensure of foster parents.
5. The State Department of Social Services should provide the leadership necessary to encourage counties to maximize the use of federal Title IV-E funds for the purposes of training foster parents.
6. The Governor and the Legislature should provide additional funding for the Foster Parent Training Program administered through the California Community Colleges.
7. To the extent that reliance on more costly types of out-of-home placements can be reduced, the Governor and the Legislature should enact legislation that increases the statewide basic foster care rates of reimbursement to adequately cover the costs of raising foster children in foster family homes.
8. The Governor and the Legislature should aggressively lobby Congress and the President to enact legislation that would make all foster children federally eligible for AFDC-Foster Care.



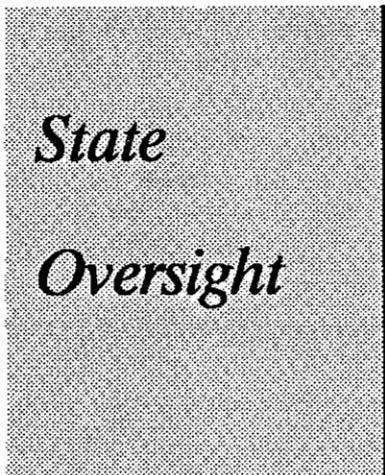
*Ethnic
Placements*

More attention needs to be paid to the needs of ethnic minority children in foster care. Although state law requires that foster children be placed with relatives or families of the same racial or ethnic background to preserve the children's cultural identities, the disproportionate share of some ethnic minority children in foster care outnumbers the available "culturally competent" homes. For example, approximately 40 percent of foster children are African-American

(compared to 6.3 percent of all children in California), but indications are that there is not a commensurate availability of African-American foster family homes or group homes. The possible causes for this situation include racism and insufficient recruitment. In addition, ethnic minority children who are placed with relatives may be adversely affected because of an inequitable reimbursement rate structure that does not generally allow relatives to receive as much reimbursement as non-relative foster parents. This situation affects a great many ethnic minority children because they are placed with relatives at a much higher rate than are white children.

Recommendations

9. The State Department of Social Services should reinstate funding for its Minority Home Recruitment Program and concentrate its recruitment efforts on ethnic minority foster parents.
10. The State Department of Social Services should monitor counties' administration of the foster care program to ensure the counties are making placements in accordance with the law.



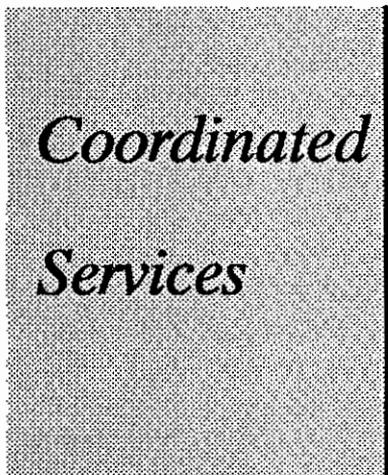
The State's foster care system suffers from inadequate monitoring and oversight.

Because of problems inherent in the foster care system, there is a potential that children could languish in intolerable situations when counties do not take appropriate action against inadequate homes. These problems include the counties' conflict of interest in performing both the licensing and placement functions, and the lack of an independent reporting mechanism for complaints regarding the system.

Further, the State may not establish performance standards in accordance with timelines set by law, and there has been no bona fide longitudinal study of the foster care system and its clients. These circumstances render the State's decision makers uninformed regarding the effectiveness of the foster care program.

Recommendations

11. The Governor and the Legislature should enact legislation establishing a statewide foster care ombudsman program.
12. The Governor and the Legislature should enact legislation eliminating the ability of the State Department of Social Services to contract with counties to perform the licensing functions in the foster care system, thus making the Department solely responsible for those functions.
13. The State Department of Social Services should complete the foster care performance standards in accordance with Chapter 1294, Statutes of 1989. Once the standards are developed, the Department should monitor counties' adherence to the standards, while allowing counties discretion in how to meet those standards.
14. The Governor and the Legislature should enact legislation requiring a bona fide longitudinal study of California's foster care system and its clients to determine the long-range effectiveness of the system.



Counties lack sufficient interagency screening of children coming into the foster care system. Despite the foster care system's goal to protect abused and neglected children, a "re-abuse" of these children occurs when counties lack sufficient interagency coordination to protect the children from the trauma of being shuffled from agency to agency for multiple screenings. Counties that promote such coordination have more success in mitigating further trauma to the children

and reducing duplication of effort. Further, there currently exists an ideal opportunity to create the vehicle through which State leadership could be provided in the area of interagency coordination: State legislation (SB 479, Morgan) is pending that would establish the Child Development and Education Agency, which would transcend

departmental boundaries to most effectively encourage interagency coordination at both the state and county government levels.

Recommendations

15. The Governor and the Legislature should enact legislation to establish the Child Development and Education Agency.
16. The Governor and the Legislature should enact legislation providing start-up funds for counties to establish systems that institute interagency coordination.

When government intervenes and takes over the responsibility of parenting children, it should be held to the same standards as the children's parents. Unfortunately, California's foster care system cannot even ensure the immediate safety and well-being of the children in the system, much less guarantee that these children will grow and develop into productive, well-adjusted adult members of society. Without true reform, the State's system will continue to remove children from their homes unnecessarily, encourage unstable placements, and perpetuate uncertainty regarding the safety and best interests of children.