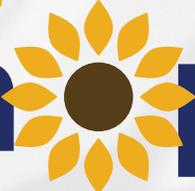
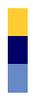


strengthen families
rebuild hope



Addressing the Foster Care Crisis in Kansas

**Recommendations from the
Strengthen Families Rebuild Hope Coalition**



Executive Summary

The foster care system in Kansas is in crisis. In 2018, the number of children in the foster care system hit record highs. There are significant racial disparities in the foster care system. Children are staying in foster care too long. They are experiencing dangerously high placement instability. It is difficult for them to find permanency and success coming out of the foster care system.

The Kansas foster care system, in its current form, creates strains on stakeholders throughout. It is not good for children. It is not good for families. It is not good for the social workers, attorneys, judges, administrators, health care workers, or foster parents trying to keep children safe. It is not good for Kansas.

Problems:

- 1. Too many Kansas children are in the foster care system, and they are entering at racially disproportionate rates.** Though there is an upward trend nationally in the number of children in foster care since 2012, the increase in Kansas is significantly greater than in the rest of the country. A disproportionate number of the children entering foster care are African American. The number of reports, investigations, and family removals are increasing, while the number of families referred to preventative services are decreasing. Families often lack access to the supports needed to keep children safely in their home.
- 2. Kansas children are staying in foster care for too long, and they often experience dangerously high instability in their placements.** The average length of stay in foster care is increasing in Kansas. Caseworkers are overwhelmed. Children are increasingly more likely to be placed in group residential homes, rather than family-like settings. Far too many of these children experience dangerous instability. They are repeatedly moved around, bounced from placement to placement and school to school.
- 3. It is too difficult for Kansas children in foster care to find permanency.** Too few children are finding permanent families in a timely manner. They are frequently re-entering the system. Kansas is failing to meet performance standards in finding permanent solutions.

Because of the complexity and depth of the problems, no single solution is likely to fix this crisis by itself. Instead, multiple issues need to be addressed on multiple fronts. The Strengthen Families Rebuild Hope (SFRH) coalition has identified three key areas of recommendations for improving the foster care system.

Recommendations:

- 1. Support Kansas families by ensuring they have the resources necessary to take care of their children and avoid contact with the foster care system.** Reductions in safety net programs have made this more difficult for Kansas families. Independent research strongly suggests that improving access to supports like Temporary Assistance for Needy Families (TANF - also known as cash assistance), Supplemental Nutrition Assistance Program (SNAP - also known as food assistance), Child Care Assistance, and Medicaid would reduce the number of children being removed from their homes.
- 2. Once children do become known to the Kansas Department for Children and Families (DCF) through reports and investigations, Kansas needs to focus on more targeted prevention and early interventions.** Kansas should make it a priority to fully implement the provisions of the new federal Family First Prevention Services Act (FFPSA). The targeted prevention services that already exist, such as Family Preservation Services, should be better funded and used more often. Racial disparities in the removal of children from their homes urgently need to be addressed.
- 3. Finally, Kansas needs to improve conditions for youth in foster care. Placement stability for children in the foster care system must be a priority.** There must be adequate numbers and quality of placements to ensure every child, especially those with high needs, has the support and stability they are entitled to. Foster families and birth families need more support, and the systems they are expected to navigate need to be streamlined and easier to access. There must be more support for the workers who find themselves saddled with excessive caseloads. There must be more support for children who age out of the foster care system.

Kansas must act now to fix the system and start to heal the thousands of children and families who have been traumatized by Kansas's foster care crisis.

About the Strengthen Families Rebuild Hope Coalition

Strengthen Families Rebuild Hope (SFRH) is an independent coalition of organizations and individuals who are dedicated to helping reform Kansas's foster care system.

Steering Committee Members:

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Zachary Brown, young leader and former foster care youth

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Kansas Appleseed

Kansas Association of Community Action Programs

Kansas Chapter - National Association of Social Workers

Micah Kubic, Executive Director, ACLU Kansas

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Natalie Zarate, young leader and former foster care youth



As part of our efforts to develop effective recommendations, SFRH hosted and participated in events and community forums in Garden City, Manhattan, Pittsburg, Prairie Village, Salina, Topeka, and Wichita. Some geographic variations emerged from the conversations at these events, but there was broad consensus in the overall themes that developed. The system is not working, and the solution is going to require reform before children come in contact with the state, after the state is made aware of potential maltreatment, and while children are in foster care.

For more information about the Strengthen Families Rebuild Hope coalition, visit www.RebuildHopeKansas.org.



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Problems

The range of problems affecting people in Kansas’s foster care system is diverse. Most, however, can be grouped into three categories:



1
Too many Kansas children are in the foster care system, and they are entering at racially disproportionate rates.

2
Kansas children are staying in foster care for too long, and they often experience dangerously high instability in their placements.

3
It is too difficult for Kansas children in foster care to find permanency.

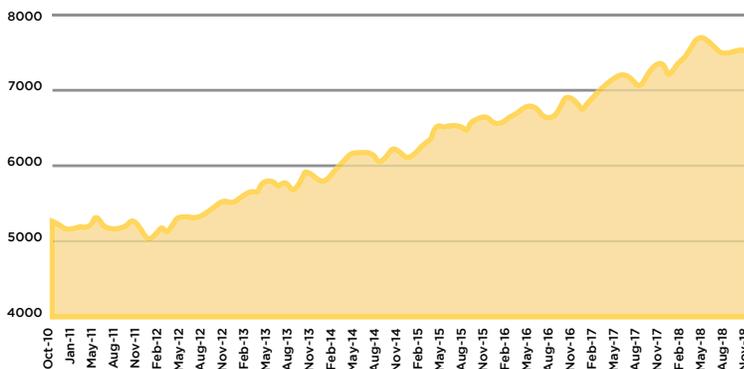
Problem 1

Too many Kansas children are in the foster care system, and they are entering at racially disproportionate rates.

The Number of Kansas Children in Foster Care Keeps Rising

Research shows that removing children from their homes to place them into foster care is, in itself, a traumatizing experience, apart from whatever may have initiated the removal.¹ At the end of November 2018, there were 7,505 children in out-of-home placements in Kansas. This is an increase of 2,479 children since December 2011. The number of Kansas children in foster care has been growing steadily, year after year, over the last seven years. There has been an average annual increase of 7.0% during that time.

Kansas Out-of-Home Care Population at End of Month



Source: DCF data (<http://www.dcf.ks.gov/services/PPS/Pages/FosterCareDemographicReports.aspx>) summarized by SFRH

National Comparisons

The extent of the problem becomes even more apparent when Kansas is compared to other states. In 2016 (the most recent year for which there is national data), the national ratio of the number of children under 18 in out-of-home foster care per 1000 was 5.7. In Kansas, that ratio was 10.2. Kansas ranked 43rd out of the 50 states.

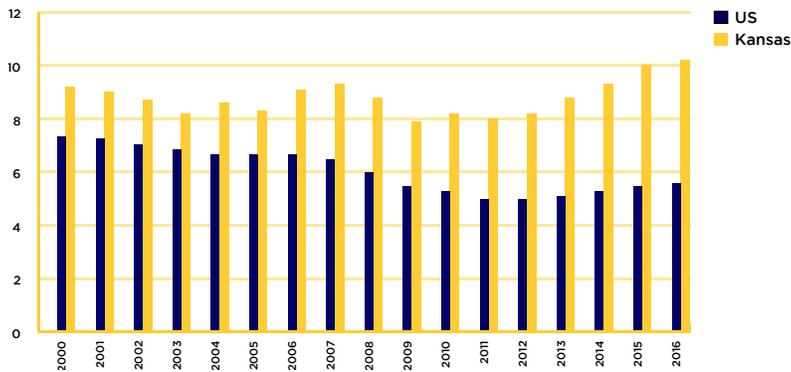
**Note: Some states only allow children to remain in the foster care system until their 18th birthday, so national comparisons are based on only children under age 18.*

Number in foster care per 1,000 children in 2016
Kansas: 10.2
United States: 5.7

Source: Annie E. Casey Foundation Kids Count data summarized by SFRH

Nationally, the out-of-home care ratio for children under 18 decreased every year from 2000 to 2012, when it reached its low point of 5.1 per 1,000 children. Since then it has risen slightly, reaching 5.7 per 1,000 in 2016. The increase in Kansas has been significantly larger. The ratio in Kansas was 8.2 per 1,000 children in 2012 and reached a record high of 10.2 per 1,000 in 2016. The increase between 2012 and 2016 in Kansas was nearly double the national increase (23.5% vs. 12.2%).

Ratio of Children Under 18 in Out-of-Home Care per 1,000 Kids



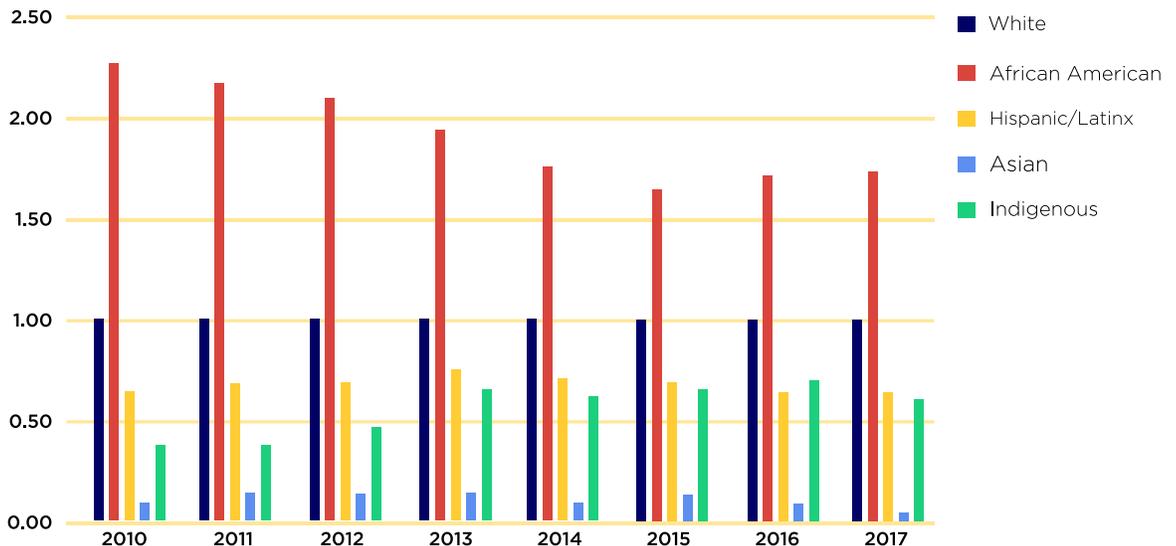
Source: Annie E. Casey Foundation Kids Count data summarized by SFRH

Racial Disparities

Kansas children are more likely than children in other states to enter the foster care system, and they are placed in foster care at racially disproportionate rates. There are significant racial disparities in the numbers of children in Kansas’s foster care system. In 2017, the disparity ratio for African American children was 1.75, meaning African American children were 75% more likely than white children to be in Kansas foster care. The disparity ratio between African American children and white children improved from 2010 to 2015, when it was 1.66, before ticking back up to 1.73 in 2016 and 1.75 in 2017.

$$\text{Ratio: E.g. } \left(\frac{\# \text{ of African American children in out-of-home care}}{\text{Total \# of African American children under age 18}} \right) \div \left(\frac{\# \text{ of white children in out-of-home care}}{\text{Total \# of white children under age 18}} \right)$$

Foster Care Racial/Ethnic Disparity Ratio



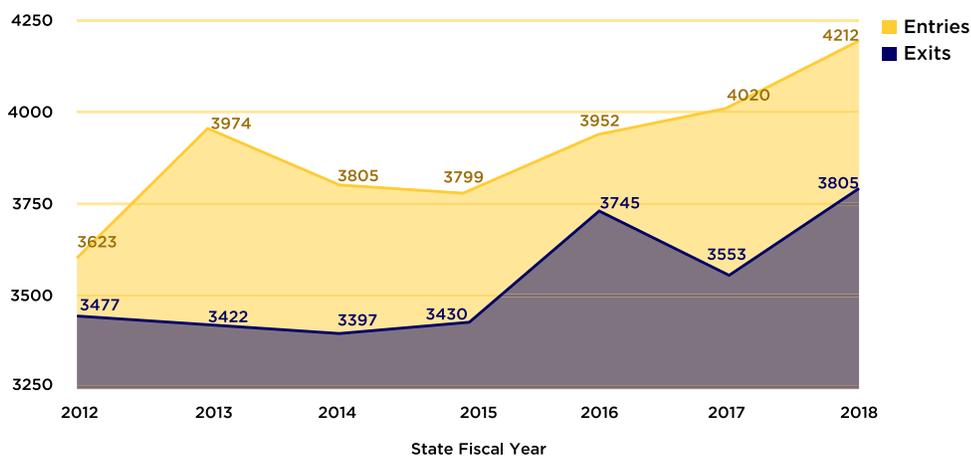
Source: DCF data (<http://www.dcf.ks.gov/services/PPS/Pages/FosterCareDemographicReports.aspx>) and U.S. Census Bureau, 2012-2016 American Community Survey 5-Year Estimates analyzed by SFRH

A comprehensive review of studies in 2011 identified four main explanations for racial disparities in child welfare systems: 1) the disproportionate and disparate needs of African American children and families; 2) racial bias and discrimination; 3) processes and resources; and 4) geographic variance.² The review found the evidence regarding the first category of disproportionate needs was mixed. A direct link between the poverty risks African American families experience and their disproportionate child welfare involvement is not clear. The evidence does suggest that racial bias and discrimination plays a significant role, particularly on the front end of a family's contact with the foster care system. Community reporters are more likely to report families of color, and families of color are more likely to be investigated. The evidence also suggests that resources and geography are important parts of the explanation. There is a broad pattern of inequitable service and resource availability for families of color, and there is a high degree of variance in disparity based on location.³

Entries vs. Exits:

One of the reasons the number of Kansas children in foster care keeps growing is that the number of children exiting the system lags behind the number of children entering state care. In each of the last seven fiscal years, an average of 369 more children have entered the state's foster care system than exited. This persistent gap has contributed to the steady increase in the total number of children in foster care over time.

Foster Care Entries and Exits



Source: DCF data (<http://www.dcf.ks.gov/services/PPS/Pages/FosterCareDemographicReports.aspx>) summarized by SFRH
 Note: The State Fiscal Year (SFY) in Kansas runs from July 1 - June 30. E.g. SFY 2018 is July 1, 2017 through June 30, 2018.

Problem 2

Kansas children are staying in foster care for too long, and they often experience dangerously high instability in their placements.

Placement Instability

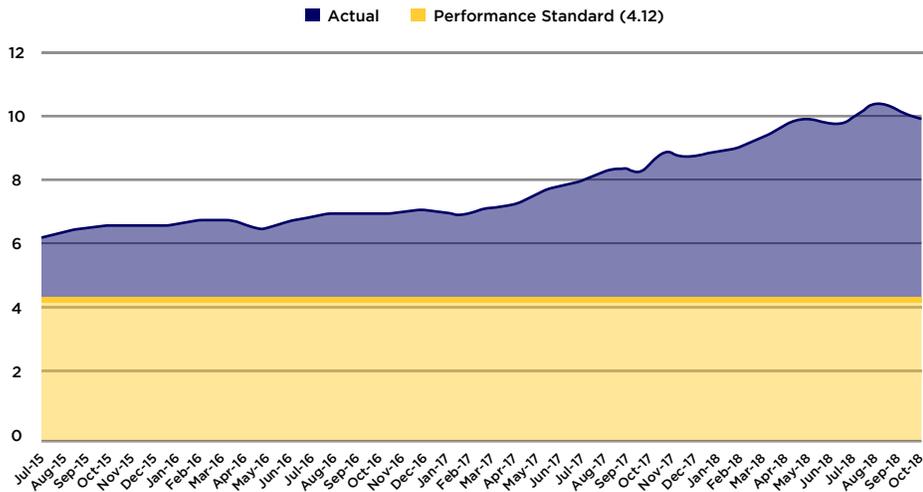
Beginning in July 2015 (the start of fiscal year 2016), DCF began reporting the number of times a child is moved from one placement to another per 1,000 days in care. This ratio is an important indicator of the foster care system's stability.

Since February 2017, this ratio has increased nearly 50%. The performance standard is that children, on average, experience no more than 4.12 moves per 1,000 days in foster care. In October 2018 (the latest available data), a child in foster care was moved an average of 9.9 times per 1000 days. This is 2.4 times more than the standard. Children, on average, are being moved to a different placement approximately once every three months.

Many children experience excessive numbers of moves, oftentimes even being moved to a new placement every night. At the forums SFRH held across the state, some participants talked about children “couch surfing” through the foster care system. It is impossible for children to thrive when they face such dangerous instability.

Numerous studies link placement instability with an increased likelihood of attachment disorders,⁴ behavioral problems,⁵ mental health issues,⁶ increased substance abuse,⁷ and risky sexual behaviors.⁸

Rate of Moves per 1,000 Days in Foster Care



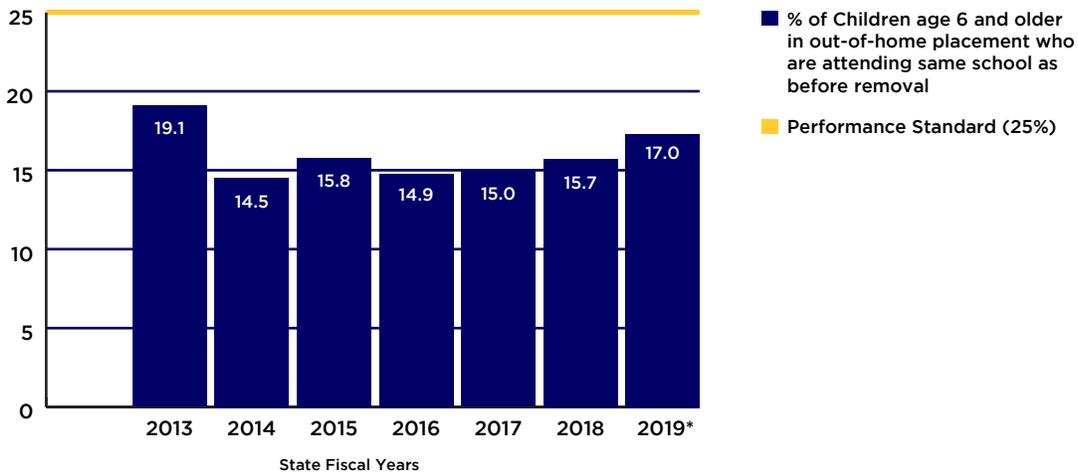
Source: DCF data (<http://www.dcf.ks.gov/services/PPS/Pages/CaseManagementContractOutcomes.aspx>) summarized by SFRH.

School Stability

A consequence of children being moved from placement to placement is that they are also jumping from school to school. This prevents children from having a stable learning environment. DCF tracks the percentage of children age six or older in out-of-home placements who are attending the same school they attended prior to entering foster care. There has been some improvement in recent years, but Kansas remains significantly below the performance standard, i.e. at least 25% of children in foster care should attend the same school they attended before entering state care.

Educational stability is important to educational outcomes. A 2018 study found that “both school moves and placement changes have a negative effect on academic growth.”⁹

School Stability



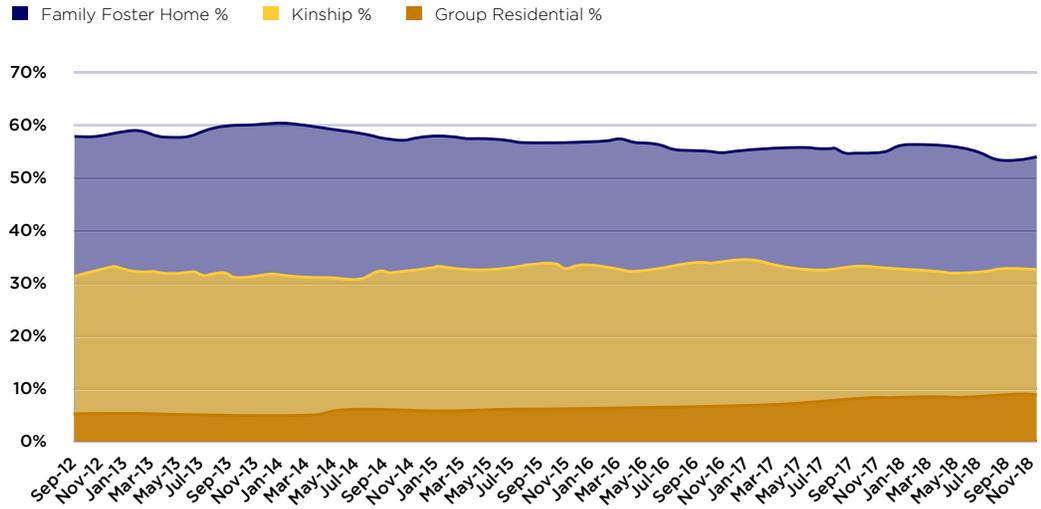
Source: DCF data (<http://www.dcf.ks.gov/services/PPS/Pages/CaseManagementContractOutcomes.aspx>) summarized by SFRH
 Note: The State Fiscal Year (SFY) in Kansas runs from July 1 - June 30. E.g. SFY 2018 is July 1, 2017 through June 30, 2018.
 *SFY 2019 only includes four months of data (July - October 2018).

Placement Setting

The stability of a child's placement in the foster care system is also connected to the type of setting the child is placed in. Research shows that children placed in group residential care have consistently worse experiences, more behavioral problems, and worse perception of care than children placed in a family foster care setting.¹⁰

In November 2018, 53.2% of placements were in foster family homes, 32.1% were in kinship care, and 8.4% were in group residential care. Foster family homes as a percentage of placement have trended down over the last six years in Kansas, kinship care has remained stable, and group residential placements have almost doubled (8.4% in November 2018; 4.4% in September 2012).

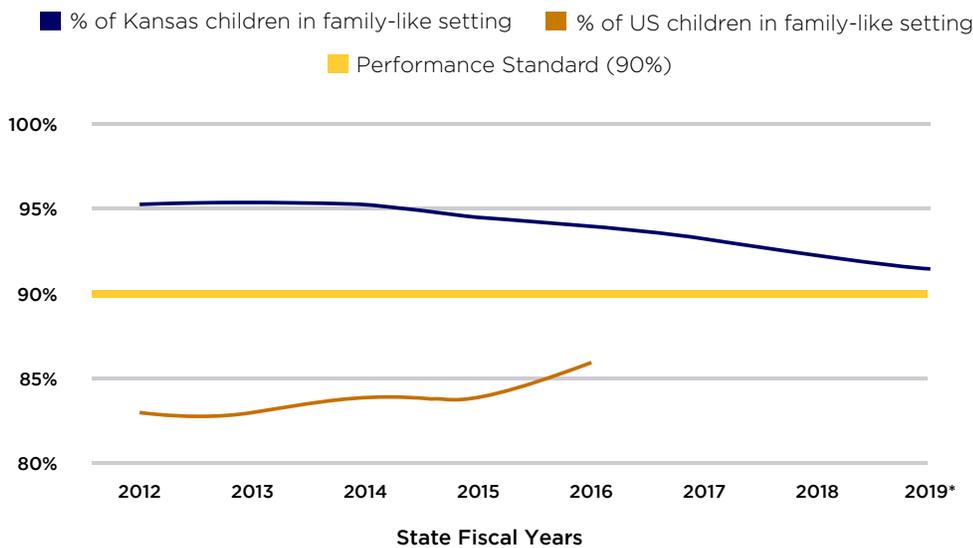
Placement Setting



Source: DCF data (<http://www.dcf.ks.gov/services/PPS/Pages/FosterCareDemographicReports.aspx>) summarized by SFRH

Kansas has continually exceeded the national average for the percentage of children in family-like settings. It is important to note, however, that Kansas is trending in the wrong direction in this area while the nation is improving.

Placement in Family-Like Setting



Source: DCF data (<http://www.dcf.ks.gov/services/PPS/Pages/CaseManagementContractOutcomes.aspx>) summarized SFRH
 Note: The State Fiscal Year (SFY) in Kansas runs from July 1 - June 30. E.g. SFY 2018 is July 1, 2017 through June 30, 2018
 *SFY 2019 only includes four months of data (July - October 2018).

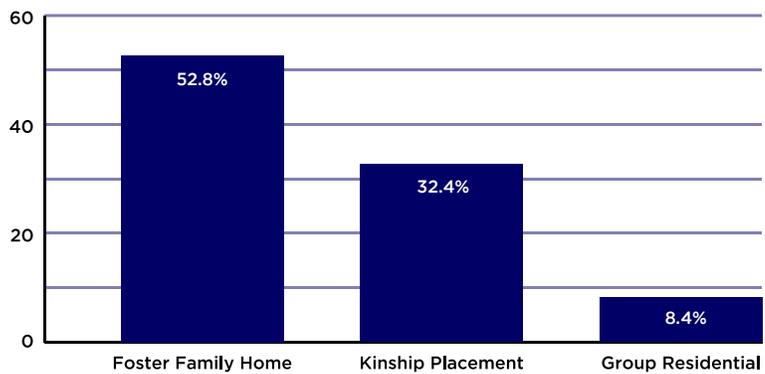
Kinship Placement

Kinship placement remains a distant second to non-relative family foster home placement for children in the Kansas foster care system. A growing body of research shows that children in kinship care have better health outcomes than those in non-kinship care,¹¹ greater permanency and placement stability,¹² and fewer behavioral problems and mental health disorders.¹³

Kinship placement in Kansas does not receive adequate support. According to information presented to the Kansas Child Welfare System Task Force (CWSTF), standard foster family homes received on average \$21 per day, while relative, non-licensed families received only \$3 per day.

It should be noted that DCF has said it “actively and aggressively looks for kinship placements,” and that it recently received a federal grant to develop a kinship navigator program.¹⁴

Statewide Placement Settings (November 2018)



Source: DCF data (<http://www.dcf.ks.gov/services/PPS/Pages/FosterCareDemographicReports.aspx>) summarized by SFRH

Statewide, SFY 2017*	Avg. # Bed Days per month	Average # of kids per month	Average daily rate paid
Non-relative licensed foster home (Standard-regular)	64,547	2,152	\$21
Relative, non-licensed	65,459	2,182	\$3

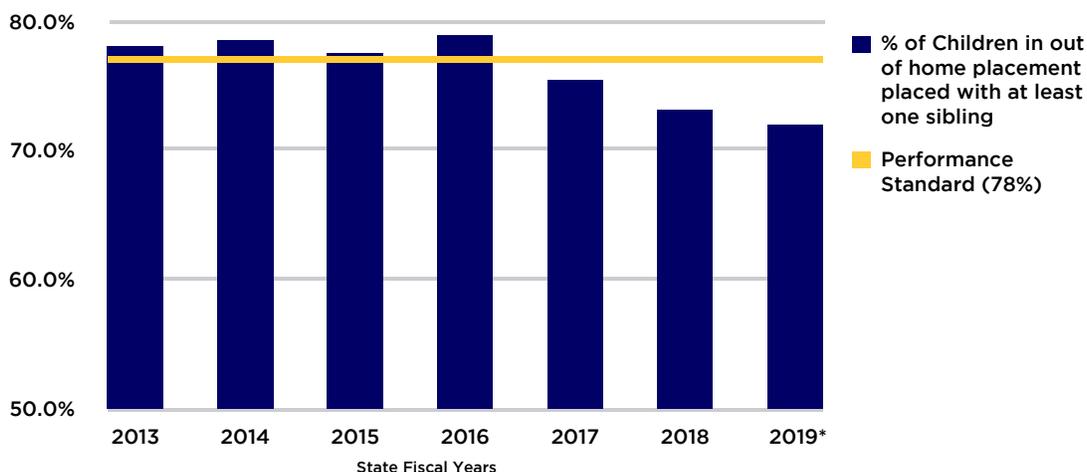
Source: Placement Types Utilized document presented to the Kansas Child Welfare System Task Force, Fall 2017

*Note: The State Fiscal Year (SFY) in Kansas runs from July 1 - June 30. E.g. SFY 2017 is July 1, 2016 through June 30, 2017.

Sibling Placement

Research indicates that keeping siblings together is “beneficial to the placement stability, permanency, and well-being” of children in foster care.¹⁵ DCF tracks the percentage of children with siblings who have been placed with at least one of their siblings. While Kansas exceeded the performance standard as recently as 2016, the state is increasingly separating sibling groups. Unfortunately, this means Kansas children are less likely to see the benefits of sibling co-placement.

Sibling Placement



Source: DCF data (<http://www.dcf.ks.gov/services/PPS/Pages/CaseManagementContractOutcomes.aspx>) summarized by SFRH.

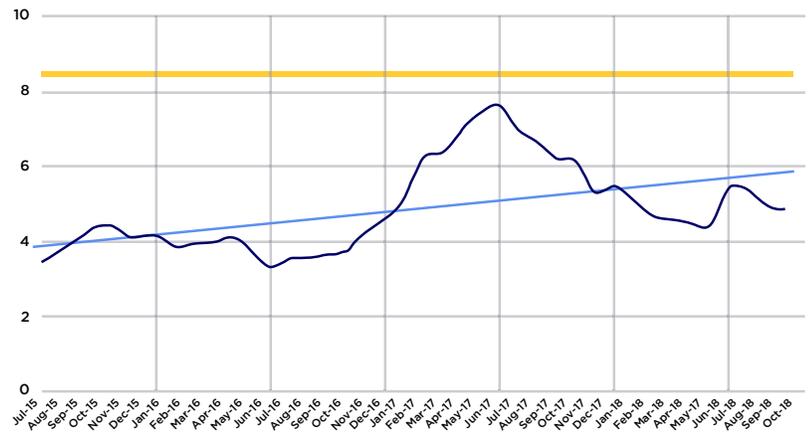
Note: The State Fiscal Year (SFY) in Kansas runs from July 1 - June 30. E.g. SFY 2018 is July 1, 2017 through June 30, 2018.

*SFY 2019 only includes four months of data (July - October 2018).

Safety

The safety of a child while in foster care is extremely important. DCF began reporting the victimization rate for Kansas children in foster care beginning in July 2015. This rate is calculated by taking the number of substantiated and affirmed reports of maltreatment of children in foster care over the last 12 months, and then dividing that number by the number of days children have been in foster care. This number is then divided by 100,000 so that we have a victimization rate per 100,000 days in care. While Kansas has succeeded in remaining under the performance standard of 8.5 victimizations per 100,000 days in care since DCF began reporting this information, the general upwards trend over the three years of data is deeply concerning.

Maltreatment in Kansas Foster Care

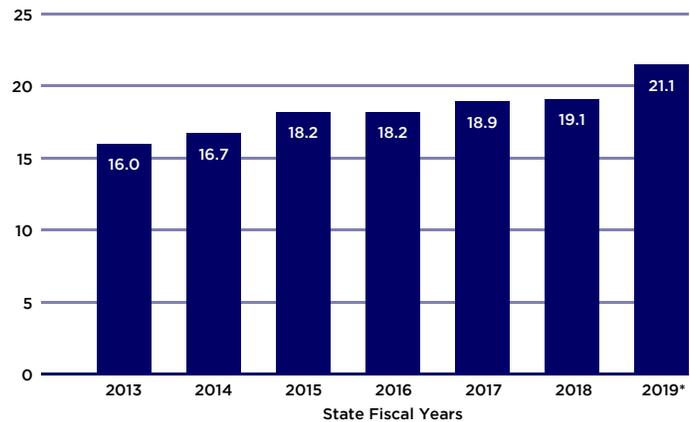


Source: DCF data (<http://www.dcf.ks.gov/services/PPS/Pages/CaseManagementContractOutcomes.aspx>) summarized SFRH

Average Length of Stay

The average length of time a child stays in the system in Kansas is steadily rising. DCF tracks the average number of months a child is in care before leaving the system. In 2013, a child on average spent 16.0 months in foster care before leaving the system. As of November 2018, a child spends on average 21.1 months before leaving the foster care system.

Average Length of Stay for Children Exiting Care (in months)



Source: DCF data (<http://www.dcf.ks.gov/services/PPS/Pages/CaseManagementContractOutcomes.aspx>) summarized by SFRH

Note: The State Fiscal Year (SFY) in Kansas runs from July 1 - June 30. E.g. SFY 2018 is July 1, 2017 through June 30, 2018
*SFY 2019 only includes five months of data (July - November 2018).

Problem 3

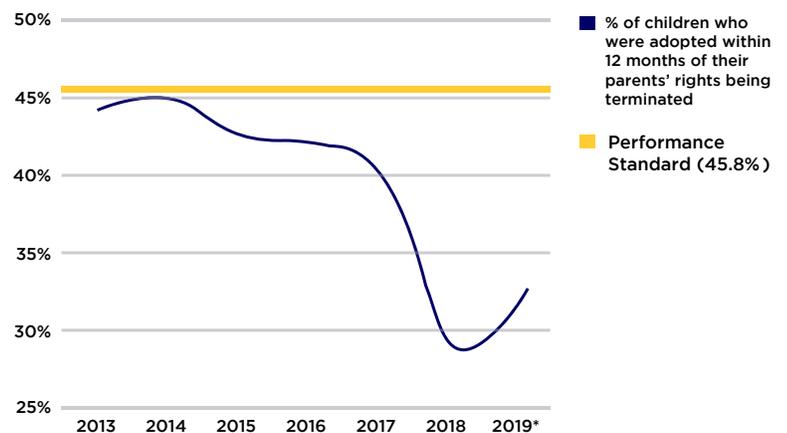
It is too difficult for kids in foster care to find permanency

Permanency is an important component to a child's wellbeing. Research shows that the failure to provide a child a stable environment in a timely manner during development compounds the adverse consequences of prior maltreatment, contributes to escalating behavior problems, and reduces a child's long-term chances for well-being.¹⁶ Unfortunately, too few Kansas children are finding timely permanency.

Progress Towards Adoption

DCF tracks the percentage of children who were adopted within 12 months of their parents' rights being terminated. The performance standard for this measure is set at 45.8%. Kansas has been below this performance standard every fiscal year since 2013. DCF recently reported that it has implemented several adoption initiatives and expects more adoptions over the next 12 months.¹⁷

Adoption Within 12 Months



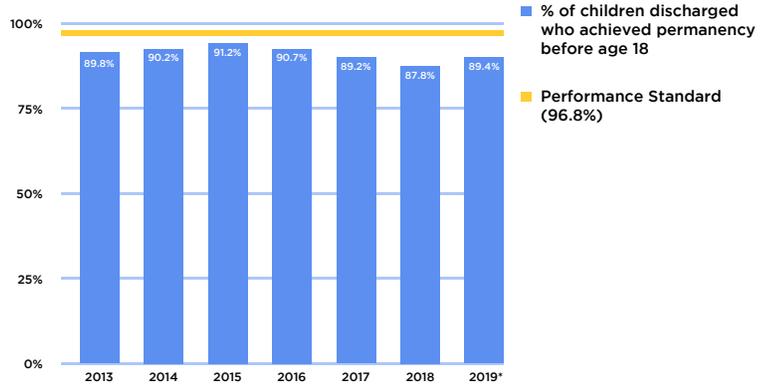
Source: DCF data (<http://www.dcf.ks.gov/services/PPS/Pages/CaseManagementContractOutcomes.aspx>) summarized by SFRH

Note: The State Fiscal Year (SFY) in Kansas runs from July 1 - June 30. E.g. SFY 2018 is July 1, 2017 through June 30, 2018
*SFY 2019 only includes four months of data (July - October 2018)

Achieving Permanency before Age 18

DCF also tracks the number of children who achieved permanency before their 18th birthday. The performance standard for this measure is set at 96.8%. Kansas has been below this performance standard every state fiscal year since 2013. There has been a slight improvement through the first four months of state fiscal year 2019, but the general trend in recent years has been negative.

Achieving Permanency Before 18

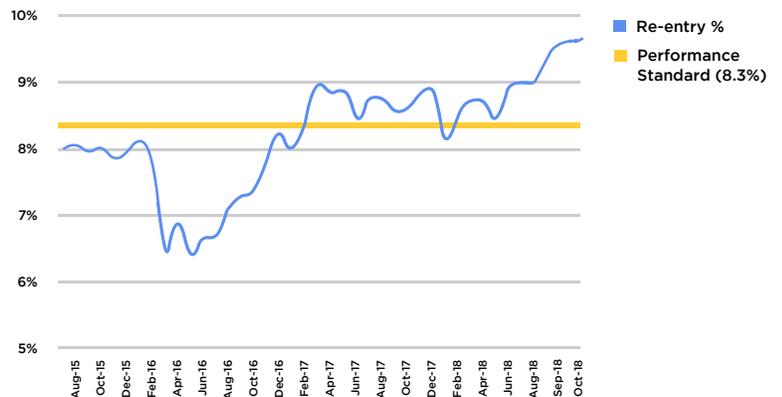


Source: DCF data (<http://www.dcf.ks.gov/services/PPS/Pages/CaseManagementContractOutcomes.aspx>) summarized by SFRH
 Note: The State Fiscal Year (SFY) in Kansas runs from July 1 - June 30. E.g. SFY 2018 is July 1, 2017 through June 30, 2018.
 *SFY 2019 only includes four months of data (July - October 2018)

Re-entry into Foster Care

Many Kansas children re-enter foster care after exiting the system. During the 12-month period ending October 31, 2018 (the most recent month for which we have data), 1,247 Kansas children entered foster care and were then discharged to be reunified with their parents or to live with a relative, guardian, or custodian. Of those 1,247 children, 120 re-entered the system within 12 months. This represents a re-entry rate of 9.6%, well above the performance standard limit of 8.3%. The October 2018 re-entry rate of 9.62% is a record high since breaking the previous month's record of 9.58%.

Re-entry to Foster Care within 12 months



Source: DCF data (<http://www.dcf.ks.gov/services/PPS/Pages/CaseManagementContractOutcomes.aspx>) summarized by SFRH

Safety and Well-being Performance Standards

Kansas failed to meet 16 standards for child safety and well-being over the state fiscal year ending June 2018.¹⁸

Performance Measure	Standard	Actual
Progress Towards Adoption (Adopted <12 months)	45.8%	28.8%
Timely Adoption (Adopted <24 months)	26.8%	17.6%
Achieving Permanency	96.8%	87.8%
Permanency in 12 months	40.5%	36.6%
Permanency for children in foster care 12-23 months	43.6%	35.6%
Permanency for children in foster care 24+ months	30.3%	28.8%
Re-entry to Foster Care	8.3% (lower is better)	8.6%
Placement Stability Rate	4.12 (lower is better)	8.9%
Sibling Placement	78.0%	74.3%
Same School	25.0%	15.7%
Children Maintained at Home (Family Preservation)	90.0%	83.2%
Safety during Family Preservation (between referral and 365 days)	95.0%	92.6%
Decision within 30 working Days	85.0%	71.9%
Timely Family Based Assessment	95.0%	66.6%
Adult Protective Services Timely Service Plans	85.0%	83.0%
Families Engaged in Family Preservation Services	95.0%	94.9%

Source: DCF data (<http://www.dcf.ks.gov/services/PPS/Pages/CaseManagementContractOutcomes.aspx>) summarized by SFRH

Recommendations

Effectively reforming the foster care system will require a multi-pronged approach that reaches children before they come in contact with the state, after the state is made aware of potential maltreatment, and while they are in foster care. Our recommendations are grouped into three categories:



Recommendation Area 1

Support Kansas Families

Strengthen Safety Net Programs

To reduce instances of child maltreatment, Kansas must address the large gaps in the social safety net. In recent years, Kansas drastically cut support for children by creating barriers to programs like Temporary Assistance to Needy Families (TANF), the Supplemental Nutrition Assistance Program (SNAP), and Child Care Assistance. The so-called HOPE Act, passed by the Kansas legislature in 2014, severely reduced the number of months a family is eligible to receive TANF support, increased bureaucratic hurdles for work requirements, and allowed for cross-program sanctions that can revoke an entire family’s eligibility for multiple programs based on one family member’s failure to follow difficult-to-understand regulations and requirements.¹⁹

TANF			Child Care Assistance		
Month	Children Served	% Change	Month	Children Served	% Change
July 2014	18,677	-	July 2014	15,452	-
July 2018	7,410	-60.3%	July 2018	8,905	-42.4%

SNAP/Food Assistance			Out-of-Home Care		
Month	Children Served	% Change	Month	Children Served	% Change
July 2014	142,824	-	July 2014	6,157	-
July 2018	100,578	-29.6%	July 2018	7,503	+21.9%

Source: DCF data (<http://www.dcf.ks.gov/services/eas/Pages/EESreports.aspx>) summarized by SFRH

Primary Removal Reason

The number of children benefiting from these safety net programs has decreased dramatically after the HOPE Act restrictions were put in place. Between July 2014 and July 2018, the number of children served by TANF decreased by 60.3%, the number of children served by SNAP decreased by 29.6%, and the number of children served by child care assistance decreased by 42.4%. It seems unlikely that these reductions are not contributing to the foster care system crisis, especially given that the increase in the number of children entering foster care is almost entirely due to cases where the primary reason for removal was neglect - not abuse.

The four categories as tracked by Strengthen Families Rebuild Hope include the following groupings of the 24 designations tracked statewide by DCF:

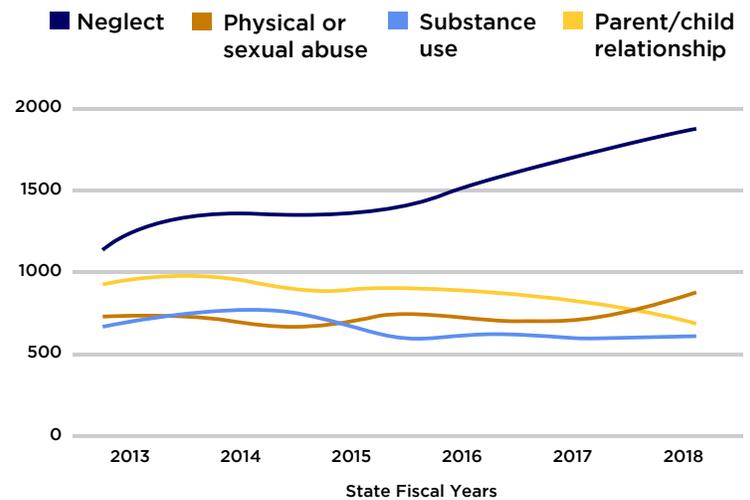
Neglect - abandonment, death of parents, failure to thrive, inadequate housing, incarceration of parents, lack of supervision, medical neglect, neglect, physical neglect

Physical or sexual abuse - physical abuse, sexual abuse

Substance use - drug abuse-child, drug abuse-parent, methamphetamine use, alcohol abuse-child, alcohol abuse-parent

Parent / child relationship - caretaker inability to cope, child behavior problem, child disability, emotional abuse, runaway, not attending school, parent-child conflict, relinquishment

Primary Removal Reason



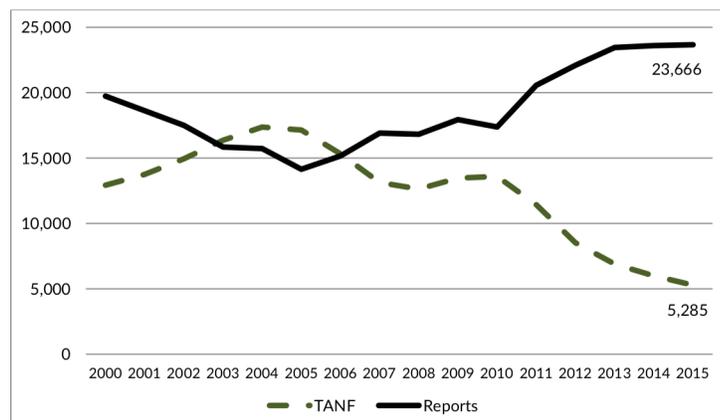
Source: DCF data (<http://www.dcf.ks.gov/services/PPS/Pages/FosterCareDemographicReports.aspx>) summarized by SFRH.

Note: The State Fiscal Year (SFY) in Kansas runs from July 1 - June 30. E.g. SFY 2018 is July 1, 2017 through June 30, 2018.

Independent TANF / Foster Care Research

Preliminary findings from a University of Kansas study provides evidence of a causal link between additional restrictions on welfare benefits and an increase in foster care cases. Donna Ginther, one of the researchers on that study, says, "It's remarkable. There is a mirror image. As the Kansas TANF caseloads drop, the number of reports of abuse and neglect go up. And you see a similar relationship for foster care placements."²⁰

Figure 12. TANF Caseloads and Reports of Child Maltreatment in Kansas, 2000-2015



Source: Child Welfare System Working Groups. "Report to the Child Welfare System Task Force." Revised September 2018. Pg. 47.

Source: "Do State TANF Policies Affect Child Abuse and Neglect?" presentation, Donna Ginther and Michelle Johnson-Motoyama, University of Kansas, 2017.

Working Group Safety Net Recommendations

In 2017, the Kansas legislature directed the Secretary of the Kansas Department for Children and Families (DCF) to establish a Child Welfare System Task Force (CWSTF) to study the child welfare system in the State of Kansas. The task force convened three working groups:

- **Working Group A**—General Administration of Child Welfare by DCF;
- **Working Group B**—Protective Services and Family Preservation; and
- **Working Group C**—Reintegration and Permanency Placement.

The charge for the three working groups was to develop recommendations for improving the safety and well-being of children in the state’s child welfare system.

Working Group B recommended removing “barriers to services, such as job requirements and longevity limits, which tend to punish children for adult disabilities and challenges” and lifting “restrictions on TANF.”²¹ DCF opposed these recommendations, noting, “DCF believes ending these [restrictions on TANF] would not lead to a reduction of children coming into state foster care, as much as it would lead to greater government dependency, higher taxpayer burden and lower work participation rates.” The Strengthen Families Rebuild Hope coalition strongly disagrees with DCF’s response. There is convincing evidence that TANF restrictions and other safety net cuts enacted in Kansas are a significant cause of the record numbers of children in Kansas’s foster care system.

Expand Medicaid

Kansas also can support families and improve children’s health by expanding Medicaid under the Affordable Care Act, as 33 other states have done. A comprehensive review of 202 studies by the Kaiser Family Foundation that compared Medicaid expansion states with non-expansion states showed expansion states had “huge reductions in uncompensated care delivered by safety net providers, dramatic increases in coverage and access, substantial increases in family financial security, and multiple other areas.”²³ The review found uninsured children are more likely to get health coverage when states expand Medicaid: “States that expanded Medicaid coverage saw nearly double the rate of decline in uninsured children as compared to states that didn’t accept the ACA’s Medicaid option.” The review also found that when Medicaid was expanded to parents, regular preventative care for children increased as families became more familiar with the healthcare system and coverage for regular preventative visits. Additionally, the review found that Medicaid expansion also reduced financial and psychological distress for low-income families, a potential cause of child maltreatment.²⁴

Recommendation Area 2

Targeted Prevention and Early Intervention

Once children have come in contact with DCF through reports of maltreatment, Kansas should provide targeted prevention and early intervention services.

The Family First Prevention Services Act (FFPSA)

Each of the CWSTF Working Groups recommended Kansas fully fund and implement the FFPSA. DCF supported the recommendation, noting, “DCF agrees with this recommendation and believes it will result in lower numbers of out-of-home care.”²⁵ DCF also recently reported it “fully intend(s) to implement this [FFPSA] legislation, and believe(s) it is a vital part of improving the child welfare system.”²⁶

The FFPSA, passed February 9, 2018, offers important opportunities for states to address the increase in the number of children in foster care. The FFPSA will assist states in expanding child welfare services before, during, and after foster care. The main provisions are designed to keep children at home, reduce placements in group or residential settings, and facilitate permanency sooner.

Because most of the provisions in the FFPSA are discretionary for states, Kansas must be proactive in seizing the opportunities presented by the new federal law.

A high-level summary of the FFPSA written by Angelica Cardenas-Chaisson of the Child and Family Policy Center (cfpciowa.org) can be found in Appendix A.

Racial Disparities

A significant amount of research has documented the over-representation of African Americans in child welfare systems nationally.²⁷ Unfortunately, this holds true in Kansas as well. As described in this report, African American children in Kansas are significantly more likely than white children to be in foster care. The disparity ratio in Kansas (1.78) is in line with the national disparity ratio (1.8) for the most recent national year of data (2014).²⁸

Kansas needs to engage external expertise to address this issue. DCF must also set standards and policies to resolve these racial disparities. There should be a focus on the racial biases that lead to higher reporting and investigation levels for families of color and on ensuring that African American families have equal access to preventative services and resources.

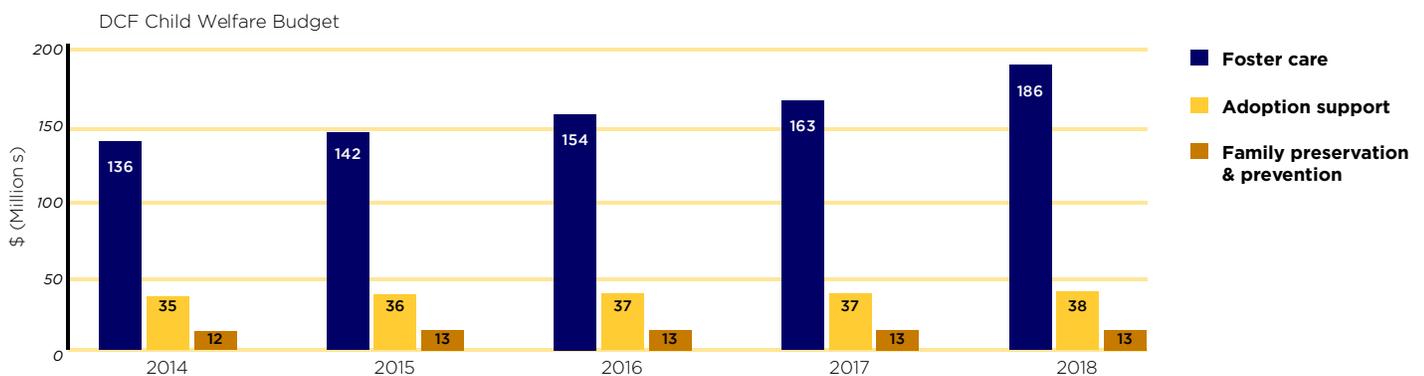
Family Preservation Services

Family preservation services are intensive in-home efforts to support families and help them resolve the issues that would otherwise lead to children being removed from the home. Inexplicably, Kansas has decreased the number of referrals to family preservation services over the last eight years, even as the number of intake reports, reports assigned for investigation, and the number of children being removed from their homes has increased. This failure to fully fund and implement family preservation services has likely contributed significantly to the increase in foster care removals.

Kansas should substantially increase funding for family preservation services. DCF is supporting the CWSTF Working Group B recommendations related to family preservation services, noting “DCF will be implementing many of these initiatives through the Family First Prevention Services Act.”²⁹

Statewide	SFY 2010	SFY 2018	% Change
Intake reports	55,730	72,683	+30%
Assigned reports	27,915	40,623	+46%
Removals	3,444	4,212	+22%
Referrals to FPS	2,870	2,692	-6%

Source: DCF data (<http://www.dcf.ks.gov/services/PPS/Pages/CPSReports.aspx>) summarized by SFRH
 Note: The State Fiscal Year (SFY) in Kansas runs from July 1 - June 30. E.g. SFY 2018 is July 1, 2017 through June 30, 2018.



Source: Data presented to the Kansas Child Welfare System Task Force and summarized by SFRH

Recommendation Area 3

In-Care Reforms

The Child Welfare System Task Force Working Groups developed several recommendations for reforms to the system once children are in care. Key recommendations highlighted by the Strengthen Families Rebuild Hope coalition include:

Recommendation A1: Workforce. “The State of Kansas must invest in the child welfare system workforce by increasing funding for recruitment, retention and support to effectively attract and retain high-quality staff.” Recommended strategies include increasing salaries for market competitiveness, offering financial incentives such as student loan forgiveness or tuition reimbursement, and offering a more flexible work schedule.³⁰

The Working Group cited Texas as an example, where increased appropriations, including a \$1,000 per month increase for caseworkers and organizational changes, led to a decrease in turnover (18.4% in 2017, down from 25.4% in 2016) and drove down caseloads by 32.5%.³¹

Recommendation A4: Child Advocate. “The Legislature shall fund and establish the Office of the Child Advocate (OCA) for Children’s Protection and Services within the Kansas Department of Administration to identify challenges across the child welfare system, provide oversight, and propose solutions.” Recommended strategies include evaluating training procedures, reviewing policies and procedures for recruitment and retention, reviewing salaries and contracts, serving as ombudsperson, conducting regular case reviews, and strengthening partnerships with out-of-state agencies.³²

The Working Group pointed to Missouri, where an independent Office of Child Advocate was established in 2002 and has provided valuable information to families while recommending important systematic improvements.³³

Recommendation C2: Service Setting. “The State of Kansas shall prioritize delivering services for children and youth in natural settings such as, but not limited to, homes, schools and primary care offices in the child’s community when possible. The needs of the child and family should be the most important factor when determining the settings where services are delivered.” Recommended strategies include providing intensive, in-home, one-on-one services following existing evidence based models, expanding availability of mental health services in schools, expanding and ensuring availability to home-based family therapy services, funding alternate provider contracts that promote services for high-needs foster care youth, and ensuring that all welfare services consider and address cultural competency and language barriers.³⁴

FosterAdopt Connect was highlighted by the Working Group as a model of an organization providing in-home services to children with severe behavioral or mental health diagnoses. FosterAdopt Connect is based in Kansas and Missouri and currently implements the Behavioral Interventionist Program.³⁵

Recommendation C5: Reintegration Support. “The State of Kansas shall provide consistent, individualized, evidence based support throughout reintegration for children in need of care and caregivers including, but not limited to, parents and foster parents.” Recommended strategies include legislative funding for the implementation of Generation Parent Management Training - Oregon Model (PMTO) for all cases, Medicaid reimbursement for Family Therapy (Procedure Code 90846), establishing a parent partner program to provide support to parents whose children are in foster care, and DCF implementing programs to enhance co-parenting between parents and foster parents.³⁶

Studies of PMTO during its demonstration phase have shown positive outcomes, including observed improvement in areas of mental health, substance use, social supports, and reunification readiness. Nevada has a program called Fostering Relationships that is a good model for a parent partner program. The program trains foster parents and a mentor to be partners with birth parents that guides visitation, and allows for positive exchanges of knowledge and information.³⁷



Conclusion

The Kansas foster care system is in crisis. Too many children are entering the foster care system and they are entering in a racially disproportionate manner. They are staying in foster care for too long, and they are experiencing dangerously high instability in their foster care placements. It is oftentimes too difficult for these children to find timely permanency.

There are steps we can take to address these issues:

- Strengthen social safety nets. Restoring families' access to programs like Temporary Assistance for Needy Families will help prevent the conditions that lead to children being removed from their homes.
- Implement targeted prevention by following the guidelines in the FFPSA. Addressing the racial disparities in the foster care system will help keep children in their homes and make the foster care system more just.
- Support stability, especially among children with high needs. Addressing the inadequate number of appropriate placements for children, improving conditions and training, and providing greater oversight will allow for a more effective foster care system.

This will not be an easy process, but Kansas children deserve no less.

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Appendix A - Family First Prevention Services Act Summary

The following summary was written by:
Angelica Cardenas-Chaisson, M.S.W., Policy Associate
[Child and Family Policy Center, www.cfpciowa.org](http://www.cfpciowa.org)

High-Level Summary: Family First Prevention Services Act

Provisions related to **prevention**:

- Beginning October 1, 2019 (or later for states that choose to delay implementation of the group care provisions) Title IV-E will reimburse states for certain evidence-based prevention services
- Eligible services are mental health and substance abuse prevention and treatment services and/or in-home parent skill-based services
- Services may be provided for not more than 12 months
- Services may be provided for “candidates” for foster care (i.e., children who are at imminent risk of entering foster care), their parents and relatives, and pregnant and parenting young people in foster care
- Services must meet evidentiary standards: “promising,” “supported,” and “well-supported”
- At least 50% of expenditures must be on “well-supported” practices

Provisions related to **group care**:

- Limits federal funding to children in family foster homes, qualified residential treatment programs (QRTPs), and special treatment settings for pregnant or parenting teens, youth 18 and over preparing to transition from foster care to adulthood, and sex trafficking victims (including those at risk)
- The act requires timely assessments and periodic review of children with special needs who are placed in QRTPs to ensure their continued need for such care:
- Assessment by qualified individual within 30 days of placement in QRTP
- Court must review assessment within 60 days of placement in QRTP, and agency must continue to justify placement at every permanency hearing
- After FY2020 (unless the state opts to delay until 2022), Title IV-E reimbursement will be provided only for administrative costs for children in other group care settings, and not for room and board
- Requires states to include in their state plan an assurance that they will not advance policies that will result in a significant increase in the number of youth in the juvenile justice system because of the new group home restrictions.

Provisions related to **older youth**:

- Extends eligibility for Chafee independent living services to youth up to age 23
- Only applies to states that have extended foster care to age 21 (or states HHS determines are providing comparable services and assistance to youth who have aged out)
- Extends eligibility for education and training vouchers for youth up to age 26

Other selected provisions:

- Beginning October 1, 2018, allows Title IV-E to support the placement of a child in foster care with his/her parent in a family-based residential treatment facility. Reimbursement is available without regard to AFDC income eligibility.
- Reauthorizes and updates the Regional Partnership Grant program
- Beginning October 1, 2018 allows IV-E to support evidence-based kinship navigator programs
- Requires HHS to release model licensing standards for family foster homes, and requires states to submit to HHS how their licensing standards compare to the model standards
- Allows Promoting Safe and Stable Families (PSSF) funds to be used for unlimited reunification services for children in foster care and an additional 15 months of family reunification services for children once they return home
- Requires states to have statewide plans to track and prevent child fatalities
- Establishes new grant program to support recruitment and retention of high-quality foster families
- Establishes an electronic interstate case-processing system to help states expedite the interstate placement of children
- Extends Adoption and Legal Guardianship Incentive Payment for five years
- Extends the Stephanie Tubbs Jones Child Welfare Services Program and the Promoting Safe and Stable Families Program, including the Court Improvement Program

Appendix B - Newspaper Articles

Hundreds of articles have tracked the Kansas foster care system's failings. Here are a few examples:

2013

- April 29, 2013. "Truancy policies can catch parents by surprise." Peter Hancock, Lawrence Journal World.** "From July 1, 2012, through March 31, 2013, the agency reported 68 children in Kansas were removed from their homes because of truancy."
- May 10, 2013. "We must step up if we think a child is at risk." Joco Opinion, The Kansas City Star.** "Falling through the cracks. It's a trite, over-used cliché. But sometimes it's the best and most descriptive way to portray what happens to a child like L.P., the little girl who was rescued from a closet-dungeon last year."
- August 19, 2013. "Kansas Child Support Contracts Questioned." The Kansas City Star.** "Private contractors are preparing to take over operations of the Kansas child support system in the coming weeks even as questions remain about how the contracts were awarded."

2014

- January 13, 2014. "Investigation finds DCF'S Wichita Staff Improperly Shared Confidential Data with FaithBuilders." The Wichita Eagle.** "A three-month investigation spurred by complaints concluded that a state agency overseeing the welfare of children allowed personal relationships with the head of FaithBuilders to result in improper sharing of confidential information."
- June 9, 2014. "Number of Children in Kansas Foster Care Hits Record High." Dave Ranney, KCUR.** "In April, there were 6,156 children in the system. That's 356 more children than in April 2013 and 872 more than two years earlier."
- July 26, 2014. "Grandmother of Slain El Dorado Girl Disagrees with Ruling that DCF can't be held liable." Tim Potter, The Wichita Eagle.** "In a ruling filed last week, Sedgwick County District Judge William Woolley wrote that "the court holds that Kansas law does not impose on child welfare agencies an independent duty" in the investigation of child abuse."
- August 2, 2014. "Baby's Death in Wichita puts Focus on Foster System." Tim Potter, The Wichita Eagle.** "... a 10-month-old girl remained up to 2 1/2 hours in a closed-up car outside her foster home July 24. By the time her foster parents realized she had been left strapped into the hot car and rushed out to get her, she had died, police said."
- November 9, 2014. "With Kansas DCF privatization, some child support measures fall." Jonathan Shorman, The Topeka Capital-Journal.** "...data obtained by The Topeka Capital-Journal through an open records request shows Kansas now does a worse job collecting current child support than before privatization — and the percentage of current support collected stands at a 14-year low."

2015

- March 27, 2015. "Former employee of the KSDCF Files Whistleblower Lawsuit." Dave Ranney, KCUR.** "A former child protection supervisor with the Kansas Department for Children and Families office in Winfield has filed a "whistleblower" lawsuit, accusing the agency of firing her for calling her supervisor's attention to false reports filed by a social worker."
- August 13, 2015. "DCF Responds to Report that Investigators Only Need High School Education." Nick Viviani, The Associated Press.** "Kansas workers responsible for investigating suspected child abuse claims don't need more than a high school education to get a job in which mistakes could result in death."
- November 17, 2015. "Kansas DCF plans to lower evidence standard in evaluating child abuse." Jonathan Shorman, Topeka Capital-Journal.** "The state agency tasked with investigating child abuse plans to lower the amount of evidence needed to substantiate a claim of abuse or neglect."
- November 24, 2015. "Kansas Legislators Call for Scrutiny of Foster Care Contractors." Andy Marso, KCUR.** "The Kansas Department for Children and Families announced major changes to its standards for substantiating child abuse Tuesday. But lawmakers want more reform of a privatized foster care system they say is failing to protect children."
- December 19, 2015. "Lawmaker's Report Calls for End to Current Foster Care System." Jonathan Shorman, The Topeka Capital Journal.** "A Republican lawmaker's report calls for the end of Kansas's current privatized foster care system - an idea coming as the 20th anniversary of the private system looms and the agency in charge faces mounting scrutiny."

2016

- January 20, 2016. "Nearly a Quarter of DCF Social Workers Left in 2015." Megan Hart, KPR.** "Nearly a quarter of social workers with the Kansas Department for Children and Families left the job in the yearlong period ending Dec. 1, and job vacancies increased by more than two-thirds at the same time."
- July 27, 2016. "State Audit: DCF Fails to Ensure Safety of Children in Foster Care." Brian Lowry, The Wichita Eagle.** "A state audit has concluded that the Kansas Department for Children and Families has failed to ensure the safety of kids in the state's foster care system. DCF failed to investigate allegations of abuse or neglect called in to the Kansas Protection Report Center in a timely manner."
- September 22, 2016. "Kansas Foster Care System Not Meeting Requirements." Joe Denoyer, KSCB.** "Auditors say the Kansas foster care system isn't meeting many federal requirements, including ones aimed at providing stability for children."

2017

November 18, 2016. “Legislative Committee Recommends more Oversight of Kansas Foster Care.” Stephen Koranda, KPR. “The recommendations come after a state audit earlier this year, which said the Kansas Department for Children and Families wasn’t doing enough to ensure the safety of kids in foster care. One of the recommendations says lawmakers should create a panel that will more closely monitor and review foster care in Kansas.”

December 2, 2016. “Internal Email: Staffing Problem Caused Child Abuse Report Backlog.” Jonathan Shorman, Topeka Capital Journal. “Child abuse and neglect reports piled up in Kansas because of “a severe staffing issue,” a high-ranking state Department for Children and Families official said in a September email.”

January 12, 2017. “Kansas Lawmaker Questions Foster Care Contractors Over Child Deaths.” Jonathan Shorman, The Topeka Capital Journal. “An Olathe Republican lawmaker questioned the state’s foster care contractors on Thursday, seeking answers on two child deaths that drew public outrage.”

May 15, 2017. “As Kansas Foster Care System Sets Records, Advocates Call for More Family Services.” Meg Wingerter, Kansas News Service. “In the 2013 fiscal year, for example, 394 fewer families were referred for preservation services than in 2010 and 530 more children entered the foster care system. The association appears to work both ways, because fewer children entered the system in the 2014 and 2015 fiscal years, when the number of families receiving preservation services increased.”

September 19, 2017. “Lack of Space in Kansas Leads to some Foster Kids Sleeping in Offices.” Stephen Koranda, KPR. “Over the last year, more than 100 Kansas kids placed in the foster care system had to spend the night in offices instead of homes. Kids slept on couches or makeshift beds in the offices of the private organizations that handle foster care placement.”

October 11, 2017. “More than 70 Kids Missing from Kansas’ Foster Care System.” Madeline Fox, Kansas News Service. “Seventy-four children are missing from Kansas’ privatized foster care system. Thirty-eight of the missing children were under the supervision of KVC Kansas, the contractor managing cases in eastern Kansas. Thirty-six more are missing from among Saint Francis Community Service’s caseload in the western part of the state.”

November 12, 2017. “Secrecy Inside Child Welfare System Can Kill: ‘God help the children of Kansas.’” Laura Bauer, The Kansas City Star. “What Caleb’s father faced that day in December 2014 is what other parents and Kansas legislators say they’ve battled for years: An agency charged with protecting kids instead focused on protecting itself. An agency where a former high-level DCF supervisor told The Star she was instructed not to document anything after a child’s death and to shred notes after meetings so attorneys and reporters couldn’t get them through open records requests. An agency where even lawmakers insist DCF officials are intentionally misleading them and providing information the Legislature can’t trust.”

2018

February 21, 2018. “Kansas Foster Care System Overwhelmed as Even More Kids Flood In.” Madeline Fox, Kansas News Service. “The trend in overnight stays began for KVC Kansas in September of 2016. St. Francis Community Services, the western contractor, saw its first child sleep overnight in an office in February 2017. From there, it grew — and it’s still growing. Last fiscal year, 108 kids slept in contractor offices. This fiscal year, with four months left to go, that number is already up to 167. Most stayed one night, though a handful stayed two or three, or, this month, five. So far, 20 children have stayed in an office overnight in February.”

April 21, 2018. “Some Kansas Foster Children are Still Missing as Others Sleep in Offices.” Laura Bauer and Hunter Woodall, The Kansas City Star. “When Gina Meier-Hummel took over the troubled state agency Dec. 1, she assured lawmakers and the public that she and her administration would work with the state’s two private contractors to correct these problems. Yet lawmakers and child advocates say that while the new administration is making things better, some kids are still in dire straits across Kansas.”

August 20, 2018. “Kansas DCF Failed to Meet 16 Standards for Child Safety, Well-Being Over Past Year.” Jonathan Shorman, The Wichita Eagle. “Missing performance standards is not a new problem for the DCF. The agency has missed more than a dozen standards for at least the last three years. On the most recent report, the agency also fell short of standards related to placing children in permanent homes within a year and minimizing re-entry into foster care.”

October 7, 2018. “Kansas DCF Workers in KC area Face Caseloads up to Four Times the Norm, Review Shows.” Laura Bauer & Hunter Woodall, The Kansas City Star. “Child welfare workers investigating abuse and neglect are supposed to carry a maximum caseload of about 15. But in the Kansas City area, workers for the Kansas Department for Children and Families recently carried an average of 55 cases. Statewide, the number was 38. Plus, some abuse and neglect investigations across Kansas took several months, even up to a year or two, to close. And DCF has been crippled by an archaic computer system, a lack of timely training for employees and also has struggled to keep workers and fill positions.”

November 8, 2018. “New Data Shows Kansas Foster Care Load is Increasing.” Madeline Fox, Kansas News Service. “Numbers released by the federal government today (THUR) show the foster care load in Kansas is growing faster than the rest of the country. The state is also slower at getting them out of the system.”

November 16, 2018. “Kansas Is Sued Over Foster Care That’s Bounced Several Children Between 100 Homes.” Madeline Fox, Kansas News Service. “The class-action suit alleges the state violated foster kids’ rights by shifting them — some of them more than 100 times throughout their time in care — often from one single-night placement to the next. The suit says that renders kids in care effectively homeless.”