



Amy Loudenbeck

REPRESENTING WISCONSIN'S 31ST ASSEMBLY DISTRICT

Assembly Committee on Children and Families Public Hearing on Assembly Bill 570 December 18, 2013

Thank you Chairman Krug and committee members for the opportunity to provide testimony to the Assembly Committee on Children and Families in support of Assembly Bill 570 related extended out-of-home care to 21 years of age for children with Individualized Education Programs (IEP).

Under state law, a child can remain in an out-of-home care placement until he or she is 18 years of age, or, if the youth is expected to graduate from high school or its vocational or technical equivalent, 19 years of age. After this time, the youth "ages out" of out-of-home care and is expected to begin to live independently.

Transitioning to independent living is a struggle for many young adults – whether they were raised in a traditional home or out-of-home care. Without a high school degree, the transition to independence is increasingly difficult.

Approximately 43% of the estimated 438 children who "age out" of out-of-home care annually in Wisconsin are students with disabilities with an IEP. Unfortunately, without the emotional and financial support provided in a foster care or other out-of-home care setting, young adults age 19 to 21 with an IEP are unlikely to finish high school, thereby increasing their vulnerability to poor outcomes. As a result, young adults who "age out" of the child welfare system are at a higher risk of a range of adverse economic and social outcomes including homelessness, higher unemployment rates, lack of post-secondary education, higher pregnancy rates, and higher rates of criminal system involvement.

By extending supports to this vulnerable population, the number of students with a disability with an IEP graduating from high school and obtaining independent living skills will increase. Assembly Bill 570 provides the legal framework for such an extended out-of-home care program to be implemented, using funding already authorized under 2013 Wisconsin Act 20. By supporting Assembly Bill 570, members of the Assembly Committee on Children and Families will help increase the likelihood of positive outcomes for these young adults, including stable housing, job skills, employment, and financial security.



TERRY MOULTON



WISCONSIN STATE SENATOR

23RD SENATE DISTRICT

Date: December 18, 2013

To: Members of the Assembly Committee on Children and Families

From: Senator Terry Moulton

Testimony on AB 570 – Extended Out-of-Home Care in Child Welfare System

Thank you, Chairman Krug and Committee members for hearing AB 570 today. This legislation is intended to improve the outcomes of children in the foster care system by allowing a child to remain in out-of-home care until age 21 or until they receive their high school diploma or equivalent if the child has an Individualized Education Plan (IEP) in effect. An IEP is a written statement for a child with a disability that includes, among other things, the child's level of academic achievement and functional performance, measurable goals for the child, the special education and related services to be provided for the child, and how the child's progress toward attaining those goals will be measured.

In Wisconsin, approximately 425 youth age out of the child welfare system each year. Many of those youth have an Individualized Education Plan (IEP) and have not graduated high school, which puts them at a higher risk of a range of adverse economic and social outcomes including homelessness, higher unemployment rates, lower enrollment in post-secondary education, higher pregnancy rates and higher rates of criminal system involvement. The Department of Children and Families (DCF) estimates that 43% of the children in Wisconsin who age out of out-of-home care have an IEP. For this population, extended supports may increase the likelihood of attaining stable housing, job skills, employment, and financial stability.

In Wisconsin, a funding provision to extend out of home care to age 21 for individuals with an IEP was included in the proposed 2013-15 budget. During the budget process, members of the Joint Committee on Finance (JCF) cited a need for DCF to further develop this idea. JCF set aside \$945,700 GPR in 2014-15 in the general program supplementation appropriation, and this appropriation was included in Wisconsin Act 20. The funds approved can only be released upon enactment of separate legislation extending out-of-home care to age 21. AB 570 provides the legal framework for the program to be implemented using the funding already authorized.

Thank you, Committee members, for taking the time to consider my testimony for AB 570.

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Governor Scott Walker
Secretary Eloise Anderson

Secretary's Office

Date: December 18, 2013

To: Members of the Assembly Children and Families Committee

From: Fredi-Ellen Bove, Administrator for the Division of Safety and Permanence

Re: Department Position on 2013 AB 570 – In Support

Representative Krug and Assembly Children and Families Committee members,

Thank you for the opportunity to testify on AB 570. My name is Fredi-Ellen Bove and I am the Administrator for the Division of Safety and Permanence within the Wisconsin Department of Children and Families (DCF). With me is Wendy Henderson, the Director of the Office of Youth Services at DCF.

The Department applauds the efforts of Representative Loudenbeck and Senator Moulton to improve outcomes for youth transitioning out of the child welfare system at age 18 or at age 19, if the youth is a full-time student in high school. In Wisconsin, approximately 438 youth age out of the child welfare system each year. They are often ill-prepared to function independently and successfully in the adult world. Many of those youth have an Individualized Education Plan (IEP) and have not graduated high school, increasing their vulnerability to poor outcomes. Key obstacles include a lack of housing, poor education, financial and educational barriers to post-secondary education, and little or no job skills.

As a result, youth who age out of the child welfare system are at a higher risk of a range of adverse economic and social outcomes including homelessness, higher unemployment rates, lower enrollment in post-secondary education, higher pregnancy rates and higher rates of criminal involvement. Research has shown that by age 19, over half of former or current female foster youth had been pregnant at least once. By 24 years of age, 59% of male former foster care youth had been convicted of a crime, compared to 10% of males of similar age in the general population.

In response to these troubling trends, the federal government passed the Fostering Connections to Success and Increasing Adoptions Act in 2008 to improve outcomes for older youth in foster care. The Act allows states to extend foster care to age 21 and receive federal reimbursement for a portion of the foster care costs. The 2013-15 budget bill set aside the projected state funding needed, \$945,700 GPR, for this proposal. The state funding can be released upon enactment of separate legislation extending out-of-home care to age 21.

AB 570 allows a youth to voluntarily remain in out-of-home care until 21 or until a high school diploma or its equivalent is obtained, if the youth:

- is a full-time student at a secondary, vocational or technical school; and
- has an individualized education program (IEP) in effect; and
- is attending school full time.

Based on analysis using Wisconsin K-12 data, DCF estimates that 43% of the children in Wisconsin who age out of out-of-home care have an IEP, which is consistent with national findings. The additional support provided in this bill will allow these youth to avoid homelessness and be cared for while finishing secondary school or its vocational or technical equivalent.

If the child wishes to remain in care past the age of 19, s/he may do so either through a court order or through a voluntary transition-to-independent-living agreement.

The bill includes protections to assure that the youth is fully informed of his/her options. If the court determines that the youth wishes to be discharged from care, the court must advise the child that s/he may enter into a voluntary transition-to-independent-living agreement at any time before s/he is granted a high school or high school equivalency diploma or reaches 21 years of age, whichever occurs first, as long as the youth is a full-time student at a secondary, vocational or technical school and the IEP remains in effect.

The child or his/her guardian may end the agreement or court order at any time by notifying the agency or the court in writing. Recognizing that 18 or 19-year olds who end their involvement with the child welfare system may face unanticipated difficulties later, the bill allows the youth to "opt back in" to the out-of-home care system. Specifically, the youth may enter into a new voluntary agreement at any time before obtaining a high school or high school equivalency diploma or reaching 21 years of age, so long as the youth is a full-time student at a secondary, vocational or technical school and the IEP remains in effect.

Through this legislation, we will be joining the ranks of 18 states that extend foster care to 21 for a sub-population of vulnerable youth. There are 18 additional states that currently extend foster care to 21 for all youth. In the Midwest, Illinois, Minnesota, Michigan and Indiana extend foster care to 21.

We look forward to collaborating with the committee and the authors on this bill so that we can provide additional tools for youth leaving out-of-home care, increasing the likelihood of a successful transition to productive, stable, and fulfilling adult lives. Thank you again for the opportunity to testify on this important piece of legislation.

Testimony in Support of AB 570

My name is Phyllis Greenberger and I am here today, representing Disability Rights Wisconsin, to testify in support of AB 570. Disability Rights Wisconsin is the state and federally mandated protection and advocacy system for people with disabilities for the State of Wisconsin.

Youth aging out of foster care are a vulnerable population, and those youth with disabilities leaving the alternate care system are at an even greater risk for poor adult outcomes. A provision to allow those youth to continue to benefit from their foster care placement on a voluntary basis, if they are continuing to receive special education services in school, will support their education and development as they attempt to achieve independence.

Students with disabilities who have an Individualized Education Plan (IEP) in Wisconsin, who have not graduated, are eligible by state and federal law to continue in high school until the end of the school year in which they turn 21. The law not only allows students to continue to get an education, but has requirements for transition planning to help a student identify what they will need to reach their post high school goals and provide services to support the achievement of these transition goals. This transition planning is critical for students with disabilities, to help them achieve positive adult outcomes.

Students who age out of foster care are more likely to have an unstable living environment and other difficulties that make it much more difficult for them to stay in school and receive the benefit of those transition services. The Department of Children and Families estimates that 43% of youth aging out of foster care have IEPs and have not yet graduated from high school. I have worked with youth who have not been able to complete their high school education due to aging out of foster care. One youth in particular that had an IEP and was still in school when she aged out of the foster care system only to become homeless. She moved several times, from homeless shelters to couches and even ended up for a short time in jail for a minor offense. She was motivated to continue her education, but without a stable living environment and financial support she was unable to do so. After several moves I eventually lost track of her and wonder to this day how she is doing and what the outcome might have been if she could have voluntarily stayed with her foster family.

Since federal law has recognized the need and allows reimbursement to states for a portion of foster care costs for individuals through age 21, many states have extended their systems to serve these youth. Eighteen states have extended foster care for all youth to age 21 and about another 18 states have done so for a particular subpopulation of vulnerable youth. Wisconsin has already recognized this need and has already included the required funding in the 2013-15 budget bill for this effort.

It is time for Wisconsin to join several other Midwestern states, including, Minnesota, Michigan, Illinois and Indiana in extending foster care to 21. I believe these students with disabilities who have an IEP and are in the foster care system need this extra support to help them complete their education and to give them the best start to adulthood and a better chance at achieving positive outcomes.

Disability Rights Wisconsin strongly supports AB 570.

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Linda A. Hall
Executive Director

TO: The Honorable Members of the Assembly Committee on Children & Families
FROM: Linda A. Hall, Executive Director
DATE: December 18, 2013
RE: Support for Assembly Bill 570 – Foster Care Extension

The Wisconsin Association of Family & Children's Agencies (WAFCA) appreciates the opportunity to share our support for Assembly Bill 570, which would allow for extension of foster care for certain youth up to age 21.

WAFCA represents over forty private for-profit and nonprofit agencies that provide mental health, education and social services to people in need. Our members' services include family, group and individual counseling; chemical dependency treatment; crisis intervention; outpatient mental health therapy; and foster care programs, among others. In recent years, our member agencies have focused increasing attention on the needs of the youth in their care who "age out" of the foster care system.

Youth exiting Wisconsin's foster care system without permanency face a range of challenges as they move into their adult lives. Like all young people, children in foster care need support – both financial and social – as they take their first steps toward independence. However, unlike their peers, youth aging out of the foster care system face unique obstacles that can make it more difficult as they seek to find their footing through their first tentative steps on the path to adulthood.

Over the past decade, researchers and lawmakers across the country have worked to develop stronger policies to support youth aging out of care. Former foster youth in Wisconsin participated in one of the most significant national studies, which has been frequently cited across the country as a basis for policies to increase services and supports for this vulnerable population. The *Midwest Evaluation of the Adult Functioning of Former Foster Youth* (Midwest Study) provides outcome data on youth from Illinois, Iowa and Wisconsin tracked over nearly a decade. Some of the findings include that:

- Former foster youth are far less likely than their same age peers to graduate or earn a GED and significantly less likely to be enrolled in higher education.
- Former foster youth are more likely to experience homelessness. By age 19, 11 percent of youth in the study reported that they had been homeless at least once since they were discharged from care.
- Former foster youth are twice as likely as their same age peers to experience depression and physical health problems.

It is clear from the research and from the direct experience of our member providers that due to trauma and significant disruptions in their home and educational experiences, youth in foster care at ages 18 and 19 are not developmentally ready for independence. In fact, more recent data on Wisconsin foster youth shows that fewer than 10% of foster youth have any work experience by age 17.

While the Midwest Study revealed the significant challenges experienced by former foster youth with regard to housing, education, employment, health and social connections, the study also revealed that youth who participate in extended care programs experience better outcomes including lower pregnancy rates and increased educational attainment. While providing extended foster care for youth with special needs who are seeking to complete their high school diploma will require some increased financial investment, the evidence is clear that increasing the care provided to this vulnerable population will yield benefits for individual youth and our communities.

Thank you for your consideration of this important legislation and for your ongoing support for the young people who rely on all of us to provide the care and encouragement that they need to successfully transition from our Wisconsin child welfare system to independence.



WI Partners
4 Children

WI Partners for Children

Supporting Vulnerable Kids
Building Strong Families

GOAL

Support strategies that keep families safe, strong and united.
Reduce the number of Wisconsin children in foster care.

CHALLENGE

Healthy child development requires safe and nurturing environments where kids can learn, grow and create strong relationships. In times of stress or uncertainty in families, children are at greater risk for maltreatment. These children face many challenges posed by the maltreatment they endure. They also suffer from the challenges of being part of a child welfare system that is complex, overwhelming and often overwhelmed.

CROSSROADS

The recession has created greater stress on families. State and local budget deficits call for improved effectiveness of limited public resources. Interest in systematic change is growing.

OPPORTUNITY

An important moment has arrived. Medical research compels us to take action given what we now know about the negative impact of trauma on brain development. Budget challenges require us to be smart about our priorities. We can address these competing demands by shifting our focus to supporting families and away from simply responding to the damage brought on by each crisis. We can create homes where kids can flourish and reach their full potential.



The Road to Success — Prevention & Improved Intervention

Support Families

- Support Birth Parents
- Ensure Family Health
- Help Foster and Adoptive Parents

Promote Best Practices

- Secure Health Care for Kids in Foster Care
- Provide Quality Education for Kids in Foster Care
- Promote Stable Homes / Forever Families
- Assist Transitions to Adulthood

Create a Better System

- Improve Effectiveness
- Encourage Consistency of Support for Families

WIPartners4Children.org

WI Partners for Children

Supporting Vulnerable Kids
Building Strong Families



Services – for Wisconsin Legislators & their staff

BACKGROUND INFORMATION

Legislators are often contacted by constituents with a question or concern about something they've experienced or something they have heard about in the news relating to child welfare. WI Partners for Children (WP4C) can be used a resource for background information on these issues so a thoughtful, well-informed response can be developed.

DATA

The Resource page on our website WIPartners4Children.org has links to numerous reports created by the state and federal government and useful descriptions of key programs and how they work. WP4C can also help you located information that you need.

DRAFTING LEGISLATION

When evaluating the legislative response to an issue, WP4C can be a guide to evaluate the current situation in the state and weigh the options to address a need or concern. The partners can also find information on successful strategies in other states that can be used as models for Wisconsin.

EXPERT TESTIMONY

The team of experts assembled by WP4C can provide expert testimony in public hearings on issues concerning child welfare. They can also give in-depth knowledge on these issues to help legislators stay better informed and make the best decisions for kids and their families.

See full list of partners on other side



WIPartners4Children.org



December 18, 2013

Assembly Committee on Children and Families
Representative Scott Krug, Chair
State Capitol, Room 208 North
Madison, WI 53707

Dear Rep. Krug and members of the Committee:

Thank you for the opportunity to comment on proposed AB 570. The Board supports extending foster care to age 21 for youth with Individualized Education Plans (IEPs).

The Wisconsin Board for People with Developmental Disabilities (BPDD) advocates on behalf of people with developmental disabilities such as brain injury, autism, cerebral palsy, epilepsy, Prader-Willi syndrome, and intellectual disability, and is charged with representing the interests of the disability community in Wisconsin. Sixty percent of the board—appointed by the Governor—is people with developmental disabilities or family members of people with developmental disabilities.

Nationally, it is estimated that 30% – 40% of foster youth use special education services. High numbers of foster youth live with mental, developmental, emotional, learning, and physical disabilities.

The federal Individuals with Disabilities Education Act (IDEA) was enacted by Congress in 1975 to ensure that students with disabilities receive a free appropriate public education, just like other children.

Under IDEA, students with disabilities must have an IEP, which sets learning goals for the child, designs an educational program to meet outcome goals and the child's individualized needs, and determines the special education services the child receives. IDEA requires IEPs to include transition goals by no later than age 16 to facilitate students transition into adulthood and life after high school—postsecondary education or vocational training, employment, independent living, and community participation. Students with disabilities are entitled to an education until high school graduation or age 21.

Unfortunately, students reach the age of discharge from out-of-home foster care before their eligibility for transition services under IDEA has ended. In Wisconsin, 43% of foster care youth leaving out-of-home care have an IEP. The Board supports extending the same level of educational and transitional support to students with disabilities in foster care as is afforded to students living with parents or guardians.

AB 570 would allow foster care youth with disabilities to maintain home and family continuity while receiving transition services outlined in the student IEP.

Thank you for your consideration,

Beth Swedeu, Executive Director
Wisconsin Board for People with Developmental Disabilities

Wisconsin Board for People with Developmental Disabilities
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