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*House Human Services Interim Hearing (11/13/18)*

- ❖ Review the availability of prevention and early intervention programs and their effectiveness in reducing maltreatment of children.
- ❖ Review services available to children aging out of foster care, as well as services available to families post-adoption. Determine if current services are adequately providing for children's and families' needs and meeting the objectives of the programs.

***Keeping Families Together***

***Prevention & Early Intervention***

The first part of the continuum of child welfare services is the Prevention and Early Intervention (PEI) Division that works to keep families together. The legislature in previous sessions protected PEI from detrimental budget cuts, allowing the division to build strong roots in communities and assess where risk was most prevalent. However, last session through the passage of HB 1549, the legislature required DFPS to identify how prevention programming could be expanded around the state. DFPS' LAR exceptional item (#8) requests funding for a targeted expansion of capacity resulting in a 10% increase in families served through four PEI programs<sup>2</sup> including Services to At-Risk Youth (STAR).

STAR, given its current existence in every county across Texas, is a good target for expansion particularly for Texas youth and families who have few services at their disposal. STAR provides crisis intervention services with a relatively high rate of success. PEI evaluations of STAR indicate that 99% of children who received the services weren't referred to juvenile probation and 94% remained safe after three years.<sup>3</sup> Another recent report indicated that parents felt STAR made a positive difference in their family and gave them access to community based mental health services that otherwise would have been absent or difficult to obtain in their community.<sup>4</sup>

***Shelters***

Another essential element in the continuum of care is emergency shelters, licensed placements that are not intended to care for children past maximums of 30/90 days depending on the youth's age. Shelters give a families a better chance at staying together by providing youth with temporary housing and services until a family can be reunited. Of course, they also assist in ensuring youth

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<sup>1</sup> Texas Network of Youth Services (TNOYS) is a statewide network of members in the youth services field who are committed to strengthening, supporting, and protecting critical services for youth in at-risk situations and their families.

<sup>2</sup> Community Youth Development (CYD), Healthy Outcomes through Prevention and Early Support (HOPES), Nurse Family Partnership (NFP) and Services to At-Risk Youth (STAR).

<sup>3</sup> DFPS Prevention and Early Intervention Rider 38 Outcomes Report. Available at: [https://www.dfps.state.tx.us/Prevention\\_and\\_Early\\_Intervention/documents/Rider\\_38\\_Outcomes\\_Combined\\_Report.pdf](https://www.dfps.state.tx.us/Prevention_and_Early_Intervention/documents/Rider_38_Outcomes_Combined_Report.pdf)

<sup>4</sup> SUMA Social Marketing. 2017. *Service to At-Risk Youth Research Findings: Final Report*. The report only includes six program sites and does not have representation from west Texas; therefore, it should be considered directional and not definitive.

have a safe place to live in between more long-term placements – an appropriate alternative to sleeping in a CPS office. Essentially, shelters rarely conform anymore to the stereotype of a few hot meals and a bed for the night. Most, if not all, shelters offer crisis counseling, intake assessments, education evaluations and support, case management support and a variety of other services. To provide quality licensed care they need to hire the right staff and provide initial and ongoing training to their employees. Shelters are also engaged in providing youth with as much normalcy as possible, attending to the whole child and not just the youth’s physical needs. None of these services are extraneous to the child, but aren’t included in the daily rate – a rate that did not receive the increase most providers did last legislative session.

### ***Post-Permanency***

Ideally, services are available to a family before their needs become so acute as to lead to their separation. This is true with PEI prevention services but also true at the other end of the continuum after children have been adopted or relatives have been granted permanent guardianship (PMC). While Texas has received positive recognition for the number of children adopted out of its foster care system, there are much fewer resources allocated to ensure those children do not come back into state care. Currently, there are only four post-adopt service providers covering the entire state of Texas. Many post-adoption case workers report high caseloads<sup>5</sup> hampering their ability to provide families with the individual attention their complex needs require. The complexity of the cases has often been exacerbated by the length of time it has taken to find a service provider. Post-adopt contractors would like to reach out to families. However, even with appropriate funding the efforts would be hampered as DFPS tells providers there are confidentiality issues prohibiting contractors from receiving the names of families after consummation. Unfortunately, providers are not allowed to start working with a family before consummation is complete. Once in crisis, families often first call DFPS who then refers them to a post-adopt contractor.

It is also important to make note of the needs of kin who take Permanent Managing Conservatorship (PMC) of relative children. PMC occurs in cases where parental rights have not been terminated, so the relative cannot adopt, or the relative cannot be licensed as a foster parent in order to support costs of raising the child with Permanency Care Assistance.<sup>6</sup> There is no financial assistance when a family takes PMC, but the need is no less than a family who is able to adopt. DFPS recognized the needs of these families and contracted for a pilot project with ArmsWide, a non-profit based in Houston that provides post-adopt and post-permanency services to families in the Greater Houston and South Texas areas. However, DFPS needs assistance in supporting these families. Last year there were over 5,500 exits of children through PMC with the largest numbers coming out of Dallas, Harris, Bell and Bear.<sup>7</sup> Harris is the only one of those counties covered in the current contract.

### ***Ensuring Youth Have the Opportunity for Success***

Unfortunately, some young people cannot stay with their families and despite their many years in foster care, never find a forever home. In Texas, there are an average of 1,300 kids per year for whom no form of permanency is achieved. It is the responsibility of the state to assist these youth in transitioning/aging out of care. And, from looking at the number of statutes, policies, contract provisions and licensing

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<sup>5</sup> Caseloads of full-time workers in Regions 5 and 6 have been reported as ranging from 50-79 cases.

<sup>6</sup> PCA requires a relative to first become licensed as a foster parent, for the child to live in the home for six months and then take PMC of the child. PCA benefits are equal to adoption subsidies.

<sup>7</sup> DFPS Databook. Conservatorship Exits 2017.

regulations pertaining to transitioning youth as well as the numerous people specifically named as responsible for helping these youth successfully age out of care, it would be hard to understand the negative outcomes they experience in Texas.<sup>8</sup>

So, to get a better understanding of what change was needed, and in response to the passage of SB 1758 last session, TNOYS and Texas CASA facilitated a workgroup of statewide stakeholders and TNOYS surveyed almost 200 service providers and DFPS staff. Some of what we learned includes:

- PAL Regional staff, responsible for coordinating transitional living services, benefits and other resources for youth, do not have time to spend with youth because each staff person has an average of over 100 youth on his/her workload.<sup>9</sup>
  - In 2019, it will have been 10 years since the last time FTEs were allocated to reduce the caseload of PAL Regional staff from 246 average youth on each workload.
- Staff from residential treatment centers are very concerned about youth who age out of their facilities (129 last year) who are unprepared for adulthood. They want to be engaged in preparing them, but feel they do not have the training or flexibility from licensing.
- There are not enough opportunities for youth to learn life skills necessary when they age out of foster care at 18 or extended care at 21.
  - Over the last decade there has only been an 8% increase in PAL Purchased Services funding.<sup>10</sup>
  - Regions don't have the funding to provide experiential opportunities for these young people.
  - There are currently only six Preparation for Adult Living classes; each 5 hours and on a different subject.
- Youth are experiencing severe anxiety a few weeks before they turn 18 because they don't know where they are going to live.
  - Service providers identify housing as the number one need of youth when they age out of foster care.
  - There are very few options for youth at 18 with no or poor credit history to transition to successful independence.

One housing model for those youth who agree to and meet the criteria for extended care is Supervised Independent Living (SIL). SIL is for youth 18-21 who can live in a relatively independent environment while receiving limited support in meeting their goals. Despite the important role SIL plays, basic rates have never been increased.

For the daily rates listed in Table 1, SIL providers are supposed to assist youth in paying for housing and other basic needs while meeting the following complex goals:

- Connecting youth to a caring adult;
- Ensuring youth can live within financial means (paying bills & saving);
- Helping youth transition from SIL to safe/affordable housing;
- Ensuring that at exit youth are involved in full-time activities (employment/education);

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<sup>8</sup> National Youth in Transition Database numbers for Texas show us that from 17 years of age to 19 25% of our youth experienced homelessness, 13% had kids, 21% were incarcerated and 61% were unemployed.

<sup>9</sup> Table 3 contains a breakdown by age for all youth currently eligible (due to limited funding) for Preparation for Adult Living services.

<sup>10</sup> Purchased services include life skills assessments, educational and vocational support services, Transitional Living Allowances aftercare services such as case management and room and board assistance for youth ages 18 to 21. PAL purchased services include statewide and regional activities, including PAL experiential camps, youth leadership development events, Texas teen conferences, and PAL college conferences.

- Helping youth meet their educational goals

<b>TABLE 1: SUPERVISED INDEPENDENT LIVING SETTINGS AND RATES</b>	
<b>Setting</b>	<b>Payment Rate – per day</b>
<b>Host Home</b>	
Young Adult Only	\$33.53
Young Adult + 1 child	\$45.03
Young Adult + 2 children	\$56.53
Young Adult + 3 children	\$68.03
<b>Non-College Dorm</b>	
Young Adult Only	\$43.02
Young Adult + 1 child	\$54.52
Young Adult + 2 children	\$66.02
Young Adult + 3 children	\$77.52
<b>College Dorm</b>	
Young Adult Only	\$41.49
Young Adult + 1 child	\$49.35
Young Adult + 2 children	\$57.21
Young Adult + 3 children	\$65.07
<b>Apartment or Shared Housing</b>	
Young Adult Only	\$43.02
Young Adult + 1 child	\$54.52
Young Adult + 2 children	\$66.02
Young Adult + 3 children	\$77.52

There are currently only 13 SIL locations around the state (see map) with no SIL contracts in Regions 4 (Tyler), 9 (Midland) or 10 (El Paso). A provider in the Concho Valley indicated that housing and support is especially difficult in an area where pay is low, housing costs are high (2-bedroom apartment is \$1,000) and it is nearly impossible for youth to save and pay bills. Areas of the state such as Houston, Dallas and Austin have waiting lists from 20-40 youth long; some of whom are living in shelters waiting for room to open up.

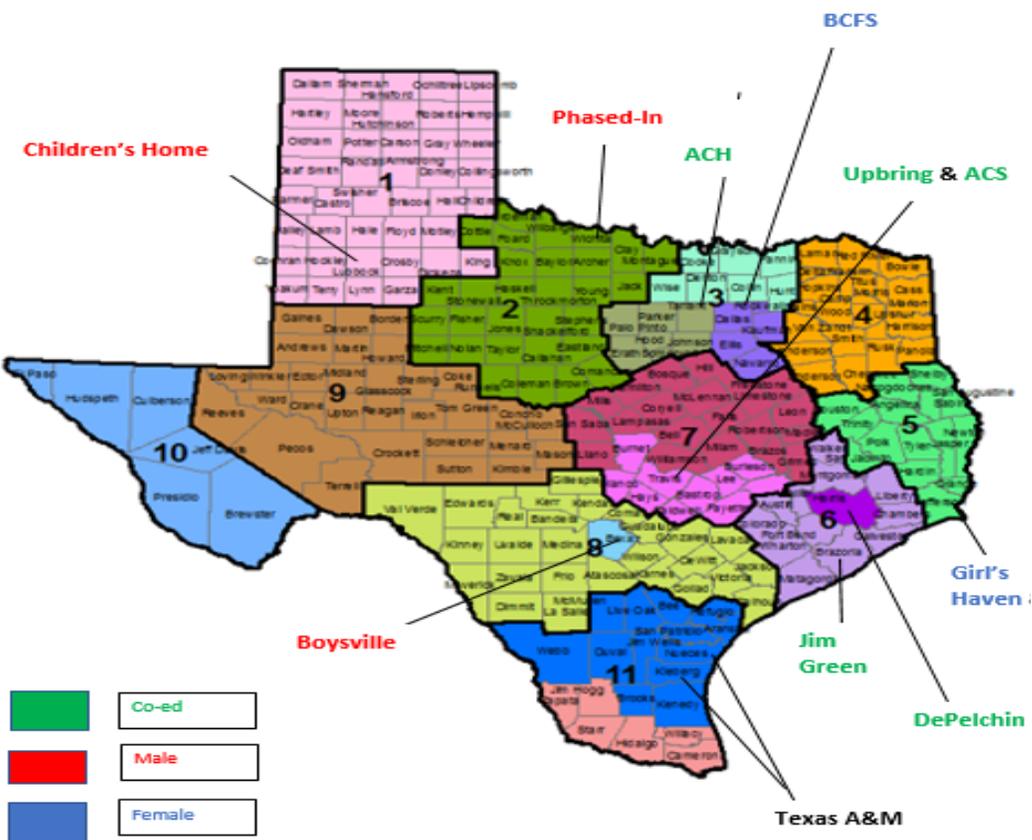
While additional funding for housing and life skills education is absolutely necessary for youth to successfully transition out of foster care, there are also several policy changes that the legislature can pursue.

- ❖ Youth should be able to sign an agreement for extended foster care six months in advance of their 18<sup>th</sup> birthday so they are higher on a SIL waiting list or can be housed shortly after they turn 18.
- ❖ If the placement is amenable, a youth who turns 18 should be able to remain there so there is additional time to secure stable housing. This can be done by:
  - ✓ providing an exception to background checks for youth who turn 18 in a placement;
  - ✓ allowing the two year age difference rule, currently applicable to minors in foster care, to also apply to youth in extended care.
  - ✓ requiring that a placement not intending to keep a youth past their 18<sup>th</sup> birthday, provide a 6 month discharge notice.
- ❖ Youth who are 17 and expected to age out of care should be assisted with a self-medication program.

- ❖ SIL contracts should require that young adults be listed as an apartment lease cosigner, as long as there is no opposition from the landlord or property owner.
- ❖ DFPS needs to establish a protocol so that youth do not age out of residential treatment centers (RTC).
- ❖ DFPS needs to develop and then regularly review the relevance and impact of curriculum used for 14-15 as well as 16-17 year olds; including specific attention to youth in RTCs, therapeutic placements and shelters.

As the legislature begins to consider where to allocate effort and funding, it is encouraged to look at areas where it can receive the greatest long-term return on its investment. These areas include ensuring families can stay together and out of the foster care system, as well as preparing foster youth for independence to ensure they have successful and productive futures.

Supervised Independent Living Locations by DFPS Catchment Area



<b>Table 2: Locations of SIL Settings Compared to # of Youth Who Aged Out in 2017</b> (DFPS Databook – Children Exiting DFPS Custody – Youth Emancipation)			
<b>Locations of SILs</b>	<b>Youth Exiting DFPS Custody</b>		
	<i>at 18</i>	<i>at 19</i>	<i>at 20</i>
<b>Region 1 (male only)</b>	65	72	77
<b>Region 2 (male only)</b>	45	37	27
<b>Region 3 (2 locations – male &amp; female / female only)</b>	265	267	214
<b>Region 5 (2 locations –male only/ female only)</b>	21	23	33
<b>Region 6 (2 locations –male and female)</b>	246	237	240
<b>Region 7 (2 locations –male and female)</b>	148	158	149
<b>Region 8 (male only)</b>	198	204	214
<b>Region 11 (2 locations – only for university students)</b>	101	99	92

<b>Table 3: Youth Eligible for PAL Services</b> (DFPS Databook – Youth in Substitute Care – Preparation for Adult Living)					
<b>Year</b>	<b>Under 16</b>	<b>16-17</b>	<b>18-19</b>	<b>20-22</b>	<b>Total</b>
2011	0	3,831	3,080	2,017	8,928
2012	0	3,715	2,974	2,043	8,732
2013	1	3,593	2,985	2,040	8,618
2014	1	3,787	2,910	1,985	8,682
2015	0	3,719	2,656	1,875	8,250
2016	0	3,724	2,757	1,577	8,058
2017	1	3,718	2,530	1,367	<b>7,616</b>