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Memorandum

To : John Svahn, 17-11
Jack Thompson, 17-8
Charles Devereaux, 17-1

Date : September 15, 1972

Subject: Summary of Hearings
on Foster Care
September 7, 8, 1972

From : Department of Social Welfare

Philip Manriquez

Phil Manriquez

Attached are notes and copies of testimony associated with last week's hearings on foster care. The first item is a summary of the issues as we have extrapolated ~~them~~ from the remaining material.

It is expected that the Social Welfare Board's report on foster care will answer most questions and will recommend solutions for most issues. The issues not to be resolved by the board's report should be identified as soon as possible. These should then be reviewed to determine if they should be studied and reported upon in the report on foster care required by ACR 17. Please let me know who should take the initiative to see if this activity is to be accomplished.

Attachments

PJM/mo

*Phil,
It's SS. Division
bag - I would
assume Adoptions, F.C.
J.*

cc/DZV.

256 17 11 02 11 15

DEPT. OF
HEALTH &
WELFARE

Assembly, Social Welfare Committee

FOSTER CARE ISSUES

1. The Foster Care system

Consensus

A. Administrative structure varies among counties.

1. Probation departments
2. Welfare departments
3. Private agencies
4. Individual actions

All activities should be consolidated.

B. Placement practices vary among counties.

1. Placements and removals are arbitrary. Need to know:
 - a. Types of placement facilities
 - b. Reasons for disparity between counties in use of homes vs. institutions.

Lack of relevant data. SDSW should compile.

2. Should efforts be made to "match" children with foster parent?
3. Should the "Team" approach be emphasized?

No agreement

Should be emphasized by State standards

4. To what extent is there a statewide review of placement practices?

Nonexistent. SDSW should provide for such a review.

2. The foster parent

A. What is the foster parent's status?

Unclear. Should be given at least status of contract employee.

B. What are the foster parents' rights?

1. In relation to rights of the child.

Emphasis on welfare of the child should be maintained

2. In relation to rights of natural parents.

Unspecified presumptions should be established after long term placement.

3. In relation to administrative actions they disagree with (grievance procedure).

SDSW should establish a statewide appeal process.

C. How well qualified are foster parents?

1. They lack training

2. Screening practices vary; are considered deficient in general.

SDSW should establish statewide training requirements. SDSW should establish statewide screening guidelines.

3. Limits on services expected to be provided by foster parents.

Not discussed.

D. How many foster parents are there?

1. How long in the business? Why?
2. How many "quit" last year? Why?

3. The foster child

A. Does the child have any rights?

Not discussed

1. In relation to rights of the foster parent

Not discussed

2. In relation to rights of the natural parents

Not discussed

B. What is the foster child's socio-economic background?

1. Do they come from rich families?
Poor families? Middle income?

Need to know the answers to

2. Do they come from broken homes?
Welfare families? Parents deceased?

all of these questions. SDSW should take the initiative to gather the information needed for answering these questions.

3. What proportion come from the popular ethnic groups?

C. How many foster children are there in California.

1. How many placed by welfare administered agencies?

Same as comment above.

2. How many placed by probation administered agencies?

3. How many placed by other jurisdictions?

4. What are the natural parents' rights?

A. Rights toward their child should be modified in relation to the time the child is voluntarily given up.

Research effect of recent Alameda County Court decision granting custody to the foster parents. Also, see Item 2.B.2. of this outline.

B. Are the services required to improve the home situation available? Acceptable to the parents?

Emphasis should be placed on returning the child to its family.

5. Payments for foster care.

A. A wide disparity exists between foster care rates paid by counties.

1. What factors contribute to the disparity of rates between similar facilities located in different counties?

2. Is there any difference in the rates paid by different placement jurisdictions to the same facility? If so, why?

3. Do counties have alternatives for meeting the needs provided for by foster care placements?
If so, what are they?

4. Does the foster care rate structure provide an incentive for the use of foster care in favor of other alternatives that might be available?

- B. Counties are required to bear an inordinate amount of total foster care costs.

1. What factors were considered in establishing the federal/state/county financial participation bases currently in the law?
2. Do these factors still exist?
Have they changed?
3. Should other factors now be considered?

The state should increase its share and the federal government should be petitioned to do the same.

6. Miscellaneous

- A. Are services being deprofessionalized?
- B. Should the state underwrite liability insurance program for foster parents?

ASSEMBLY SOCIAL WELFARE COMMITTEE INTERIM

HEARING -- Santa Ana

September 7, 1972

In Attendance:

About 33 Most seemed to be accompanying someone who was to testify.

Legislators - William T. Bagley
Bill Lancaster
Wadie P. Deddeh
Ken Maddy

Legislative Staff:

Bob Rosenberg
Nancy (Assistant to Rosenberg)
Lauraine Semrow

SDSW Staff: Philip Manriquez
Don Thayer
Verner Felker
Robert Mitchell
Jack Thompson
C. Devereaux
Catherine Slattery
Mary Sullivan
Connie Cheney

County Welfare Staff:

William Erickson, Assistant Welfare Director, Orange County
Mrs. Mary Charles, California Social Workers Organization
Atty. John Leahy Carson Adoption procedures - agency abuse
in adoptions.
Ruth McClellan, Executive Director, L. A. Chapter, National
Association of Social Workers

Foster Parent Groups:

Donna Cicco, California State Foster Parent Assn.
Juanita Evans, Legislation Chairman, Orange Co. Foster Parent Assn.
Chuck Ivy, President, Orange County Foster Parent Assn.

One Press Person noted.

SPEAKER

MAIN POINTS

COMMENTS

Bagley

We have not held hearing lately since the legislature has been in session. We have not concentrated on specific issues. It is time we did so now.

SPEAKER

MAIN POINTS

COMMENTS

Legislature has been concerned with Welfare Reform monetary aspects and caseload increase. Because of concern for these, other areas have been ignored last two years due to force of time.

Questions must be asked - Is the state a good parent? Can it be a better one? State is parent in "loco parentis" to 33 thousand homeless in county custody and others in custody of county probation departments. These programs not reviewed lately. We need to catch up now.

How can we best transfer dependency from man to the state? These hearing may not show that the state does act as a parent well. We may need many months, not just two hearings. The issues may be raised in these first hearings but to develop answers to problems which have been ignored several years will take more time.

Note

Phil Manriquez

Made presentation

Bagley & Rosenberg not much attentive talk & joke, Deddal & Lancaster attentive.

Verner Felker

Made presentation

Bagley - listening or reading along Lancaster - watching, making notes Deddal looked bored looking around, made some notes

Rosenburg

Please give any information you can on description of the children in foster care - age, ethnic/demographic characteristics. Would like to know if they constitute a cross section of all children in society or do specific factors show up - ethnic background, income class? Perhaps Mitchell will get into this.

Question

Felker

About $\frac{1}{2}$ foster children are on AFDC, therefore they are from lower economic origins.

Rosenburg

50% of children in foster care are linked with AFDC?

Felker

Some children in foster care are not under our responsibility - so out of our group we have a heavy proportion of AFDC.

Maddy
Bagley

Why do the following numbers exist? (from table from hearing data)

<u>SPEAKER</u>	<u>MAIN POINTS</u>	<u>COMMENTS</u>
Maddy Bagley (cont'd)	County ratios differ for money spent on foster care homes compared with institutional placement. In Los Angeles County it is 10/1 (institutions/ foster homes) while Santa Clara County is 1/1. This is unfair treatment, people getting different care. Also a disparity among counties in population and proportion of children in foster care. Marin population is 200 thousand and has 109 foster children compared with Mendocino's 50 thousand population and 171 foster children. I don't know which of these is the "bad" situation. Why is there the disparity?	
Felker	We don't know why it exists.	
Bagley	This problem permeates the whole chart (in the hearing materials)	
Felker	Some factors which may influence such disparity would be - socio/economic features of counties - legal approaches used to deal with dependency.	
Bagley	What about institutional versus family homes?	<u>Question</u>
Felker	Use depends on type of treatment facilities available in the community.	
Bagley	Does this disparity lead to problems we don't even know about? I raise this question for further discussion.	<u>Question</u>
Felker	Variable rates also affect differences in counties.	
William Erickson Lucille Grothy with him	Our testimony includes problems the welfare workers observe. We offer mainly placement services for families eligible for AFDC. Our supervisors stress matching for board rates. We feel the social worker must diagnose foster children A serious problem is the emotional attachments developed versus the lack of freeing the children for adoption. Another problem is lack of homes. Several agencies over and place in the same homes. Need training of foster parents Need to simplify the team interrelationships among the children, parents and social workers SDSW should have a review procedure of local placing practices. We feel successful because of the small number of children remaining in foster care over long periods of time. Need more homes	Bagley - read along, confer with Rosenberg Lancaster - read along Peddah - yawn - read along lap <u>Suggestion</u> <u>Suggestion</u> <u>Suggestion</u>

<u>SPEAKER</u>	<u>MAIN POINTS</u>	<u>COMMENTS</u>
Erickson (cont'd)	Need expand other services = protective, day care, homemaker, as alternatives to foster care Problem - proliferation of placement services - Could establish a single separate family and child-ren's agency More consideration of the welfare of the child versus adult rights	<u>Suggestion</u> <u>Suggestion</u> <u>Suggestion</u>
	(See printed testimony)	
Rosenburg	Have any information on characteristics of foster children and families as compared with the population at large?	
Grothy	No. Do have facts on health problems - mental health problems causing breaking up of families. We only provide services to AFDC children.	
Rosenburg	What of non-AFDC children whose families can't keep them?	
Grothy	This is one of our concerns. The criteria now is based on the finances of the family.	
Bagley	Greatful for participation of foster parents they could leave problems to gov. = gratifying they bother to bring up their problems - they see problems first hand. So <u>tell</u> us the problems. that's why we are here.	
Donna Chicco	We have had trouble finding foster parents to speak - therefore we ask that there be no reprisals.	Lancaster seemed to laugh
Bagley	Absolutely - I and Reagan guarantee it.	
Chicco	Cited horror stories of unhappy foster children or unhappy natural parents. It is hard on foster parents. She has acted as ombudsman for such problems for 10 years.	
	1. Criteria used to screen applicants are archaic, admission methods are no good.	<u>Suggestion</u>
	2. Matching child and family is now a myth, natural parents should be considered, should take <u>time initially</u> , would save moving children later.	<u>Suggestion</u>
	3. Training placement workers theory is a waste. Everyone's methods differ, each child must be understood separately.	<u>Suggestion</u>
	4. Training foster parents - is none given - should be adequate so parents don't have to come to me with problems - overdue and badly needed	<u>Suggestion</u>

5. Status - Grievance committees are being set up all over with no coordination. What should we do? Suggestion

Bagley Do you have a suggestion?

Chicco Yes, should be a place for foster parents to be heard. No place to go. Are not eligible for fair hearings. Suggestion

Carla Seeger Los Angeles County is to try a complaint method - In past, task forces omitted a foster parent representative and didn't even interview foster parents. At same time a law was passed to require three surprise visits per year on foster homes. This is harassment without any voice.

Bagley What are problems of foster parents which should be subject to fair hearings?

Seeger Charges of abuse and molestation - no way to clear this now unless pay exorbitant attorney fees.

Rosenburg Evidentiary hearing held only when license to be withdrawn but no hearing available if worker just stops placing children in your home - right? Question

Seeger Clearing a home is never achieved even with a review hearing.

Lancaster Los Angeles County into pilot project on this? Yes. Meeting on 9/12 on it. Question

Deddeh Do foster parents quit due to feeling threatened?

Seeger Over 100 homes per month quitting. Should retain foster homes with experience instead of feeling can always recruit new. Suggestion

Juanita Evans Concerned with foster parents to handicapped children.

Problem in Orange County is Medi-Cal regulations dont give adequate coverage. Can't provide foster child same care as own children. Problem

Children should be under separate Medi-Cal plan. Suggestion

Medi-Cal doesn't cover special equipment or takes too long to obtain. Foster parents are faced with funding these costs. Problem

The children should have special education programs earlier. Suggestion

Bagley Medi-Cal problem is that the foster child gets different treatment than your own?

Evans

Yes

Chuck Ivy

We have to deal with two different types - social workers and probation staff.

Social workers trained and are high caliber people. Problem
Out-of-home care - a problem is lack of authority in placement

Probation staff have bad relations with foster parents Problem
Workers not given true picture of child.
Workers have autocratic attitude.
Lack of recourse for foster parents - don't offer explanations for actions

Workers not trained to provide psychiatric help for children they place.
Large caseloads
Dependent cases handled along with delinquent cases.
Therefore, Orange County has trouble getting and keeping foster homes.

We support a bill to establish a board of arbitration. Suggestion

Mary Charles

Need a total system to avoid disparity of practices - need overall standards.

County services depend on county tax, therefore need Problem
tax reform.

Rosenburg

A dilemma is that AFDC pays less, so this pushes children into higher paying foster care.

Charles

Better financial help could keep some homes from breaking and keep children in their own homes. Most cases of parental failure involve an economic problem.
(She then brought up the relative's "in-kind contribution" in AFDC - Reg. 44-115.6) This is not a realistic requirement - relatives are contributing effort and love.

Bagley

That regulation sounds like a Ron Zumbunism "He would take that as a compliment" Lancaster seemed to laugh. Deddah & ~~McDonald~~ ^{MADON} remained serious.

Charles

State functions in welfare should be reorganized. Reorganization Plan 1 will help some. Suggestion

1. Administration

We recommend - should be a division for statewide organizing - which:

Suggestions

Should provide state and local liaison with licensing functions under SB 1400 (1972)

Should amend Health and Safety Code as in SB 1400 to include foster parents on licensing Advisory Board.

Should develop training.

Should clarify roles which define foster parents as members of a team and as contract employees with contract arrangements for each child.

Should administer a grievance procedure for foster parents.

2. Prevention

We feel the ratio of foster children can be decreased.

Place social workers at police departments and schools.

Need protective services before families break up.

Don't allow Title IV fund cutbacks in Washington.

Should adequately compensate foster parents.

Inequitable burden on counties should be lifted.

(See printed testimony)

Bagley

Well done, very helpful.

Charles

The \$12 increase was for adult aids because children can't vote

Committee took this calmly - as though they are aware of this.

Rosenburg

Will the homemaker program which is about to start be incompatible with the other programs you propose?

Charles

No, no problem
(See printed testimony)

Recess

12:15 - 2:00

2:00

About 26 in the audience.

Bagley

Lunch was the only thing Orange County ever did for me.

Mitchell

(Jack Thompson with him)

Report is completed by the task force but has not been reviewed by the Board. After the September meeting the report will be issued.

Best to provide alternatives before foster care:

1. At placement

- evaluate child
- take time to place well; how know a good placement?

2. Enter foster care due to

- abuse/ neglect
- breakdown of home - used to be stable background now children from "problem" backgrounds and are more burden on foster parents.
- should protect child's rights
- will make recommendations on adoptions and guardianships, especially for teenagers to have adult to cover legal obligations.
- Should be specific point at which natural parents make final decision on child.
- Financing - expensive for counties
- State role: should be a larger role, should equalize caliber of care in counties

Maddy & Deddeh
look tired
Bagley & Lancaster fairly
attentive

Bagley

Task force have any specific suggestions?

Mitchell

Guidelines for counties

Bagley

Judges differ - what to do about that?

Mitchell

Better training of those making the decisions - should have a team make decisions and take more time.

Rosenburg

When is meeting?

Mitchell

September 21, 22

Leahy

Rights and duties of foster parents

Should have a hearing before removing a child when they have been in a foster home some time. Suggestion

No explanation and no recourse for foster parents.

Am now involved in a law case based on the right of children for a stable environment.

Bagley

Send us the outcome of the case.

Rosenburg

Isn't there an Alameda case where the children are faced with removal after 7-8 years with the parents?

Leahy

I'm trying to get one such case re-processed by the county.

McLellan

1. Legislature should resolve status of foster parents. Suggestion
We feel they are employees - part of a "treatment team"
2. As employees could get rights.
(See printed testimony)

Bagley

Do you advocate right to strike?

Question

Leahy

3. Need quality consultation to be provided by county.
Need training to parents to help troubled children placed today and to work with natural family.

Bagley

Difficult to believe social worker would remove children inappropriately to the extent cited in this hearing Question.

Bagley (cont'd)

How does this come about? What motivates the social workers?

McLellan

Social workers not equipped to advise:

Problem

1. troubled children
 2. experienced foster parents.
- Workers feel threatened

Bagley

Anyone have statistics on number of such cases?

Question

McLellan

Not documented because it hasn't been in the administrative structure to evaluate what is done.

Bagley

Want an estimate on it if this is extensively real.

Question

McLellan

Checking costs money, so is not being done. Therefore, foster parents report other foster parents who are doing inadequate.

OVERALL QUESTIONS

Bagley

Are the horror stories real and numerous enough to constitute an actual problem?

Rosenburg

Want data of types of children involved to see if there is a causal effect with some characteristics.