

# 2021 FOSTER CARE UNIFIED LEGISLATIVE AGENDA

Allison Gilbreath | Voices for Virginia's Children  
804-649-0184 ext. 109 | allison@vakids.org

The Foster Care Unified Agenda is created by partners from across the Commonwealth who represent policy advocates, service providers, parents and caregivers, and—most especially—youth to identify key legislative opportunities to improve Virginia's child welfare system.

## MEMBERS



**Foster care is a state-run program** that provides temporary care for children who cannot live with their parents or other relatives. Through this system, the local department of social services takes legal custody of a child when a parent or parents are unable to care for him or her, most often because of neglect and/or abuse.

Placement of a child in foster care should be temporary and family-based when possible until a more permanent connection is made. Preferred options include working with families to improve conditions in order to return children to their homes, placement with a relative, or adoption.

## **PRESSING NEEDS IN VIRGINIA**

In the 2020 legislative session, a number of key advancements were made for children and families in foster care, however these investments were almost all put on hold due to the pandemic. The pandemic created more challenges in day-to-day activities for foster and kinship caregivers, as well as child welfare professionals. Many children entering the foster care system have experienced adversity and trauma, leaving them more vulnerable to the changes that come with school closings, lack of daily contact with friends and mentors, and other forms of social distancing. Virginia's local department of social services has seen a decrease in reports of child abuse and neglect but expects a sharp increase as schools reopen. The child welfare system often feels immediate and long-term impacts from an economic downturn with more demands for services and increased parental stress.

*In 2019, the first-ever Foster Care Caucus was established. This caucus provides legislators an opportunity to learn about the most pressing issues in child welfare. The caucus is chaired by Delegate Emily Brewer (R) and Senator Monty Mason (D).*

## **SCALE UP EVIDENCE & COMMUNITY-BASED PRACTICES TO ACHIEVE BETTER OUTCOMES FOR CHILDREN AND FAMILIES**

### **Reallot funding towards implementing the federal Family First Prevention Services Act.**

The Family First Prevention Services Act is the first transformation of the child welfare system in nearly 40 years and provides an opportunity to invest in prevention through evidence-based and trauma-informed services. To support implementation, we must add additional leadership positions at the Department of Social Services, invest in the infrastructure to scale up evidence-based services, and provide funding to help residential treatment centers to implement a higher standard of care.

### **Prioritize access to child care assistance for children at-risk of entering foster care.**

Currently families involved in CPS or CPS on-going cases are considered a “priority” eligibility category. They are not guaranteed care but are given a priority. In addition, families that fall outside of those formal designations and are still CPS-involved, such as kinship arrangements, may be eligible to apply but are not guaranteed assistance. Adding language in the code that gives clear priority access to child care assistance funds for children 0-13 in any cases where families are receiving kinship caregiver financial assistance, prevention services are being provided, or the family is involved in CPS or CPS-ongoing services.

## **PROVIDE SOCIAL SUPPORTS TO KINSHIP CAREGIVERS**

### **Bring social supports to the kinship diversion program, an effort designed to avoid foster care by facilitating placements with relatives by creating a statewide kinship navigator program.**

Provide funding to VDSS to develop a statewide Kinship Navigator program in Virginia, which will provide information, resource, and referral services to children and kin caregivers. Kinship navigator programs offer help to kinship providers and the public in areas such as financial assistance, legal referrals, education and support groups, basic needs, child care and respite, and outreach and public education. Many kinship navigator programs also assist caregivers in obtaining copies of birth certificates, social security cards, immunization records, and any documents needed for the school registration of a child.

### **Eliminate barriers to kinship caregivers becoming licensed foster parents by amending the barrier crime statute.**

One commonly articulated reason about why the percentage of kinship foster care has remained so low in Virginia compared to the rest of the nation, is that Virginia’s list of barrier crimes is extensive. A barrier crime is a crime set forth in statute that explicitly disqualifies a person from foster care or kinship foster care. Federal law sets the baseline for barrier crimes standards that states must follow in setting up their foster care program in order to be eligible for Title IV-E funds. They also have a limited list of barrier crimes that states must comply with, as well as a short list of crimes for which an exception may be granted after five years.

## **HELP FOSTER CARE YOUTH HAVE NORMAL ADOLESCENT EXPERIENCES**

### **Request the Commission on Youth to study workforce outcomes for youth in care.**

Virginia continues to rank 49th in the country for youth in foster care aging out without a permanent connection. We lack data on the educational and employment outcomes for this population. The study would provide the state with recommendations moving forward.