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MAKING CHILDREN & FAMILIES THE PRIORITY

## *Child Welfare Policy Primer: A Guide for Advocates, Policymakers, and Others Interested in Child Welfare Policy Reform*

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### *Introduction*

The child welfare field represents a comprehensive group of individuals, organizations and institutions that are committed to:

- Intervening with families before child abuse and neglect occurs;
- Responding swiftly and effectively to reports of child abuse and neglect to ensure children are safe; and
- Helping children who can't remain safely at home thrive in and out of foster care.

A diverse set of stakeholders make up the child welfare field. These stakeholders include:

- **Children and families:** The children who enter the child welfare system and their families are the most important stakeholders. Their unique experiences and voices can and should deeply inform any child welfare policy effort.
- **Public child welfare agencies:** Public child welfare agencies are made up of caseworkers, supervisors, and administrators, among others, who have primary responsibility for responding to reports of abuse and neglect and making critical decisions about the safety of children.
- **Tribes:** Most Native American tribes administer their own child welfare system to keep Native American children who enter the system connected to their communities.
- **Other public agencies serving children and families:** Child welfare agencies partner with public entities whose services and benefits can help child welfare involved families such as Medicaid, substance abuse and mental health agencies, early childhood, public housing, public health, education, Temporary Assistance for Needy Families (TANF), and more.
- **Service providers:** Private agencies under contract with public child welfare agencies provide varying levels of services for families involved with the child welfare system. Most states fund a mix of public and private child welfare services.

- **Other community institutions:** Schools, doctors, hospitals, churches, youth development organizations and others in the community can all play a role in supporting families before they are in crisis and stepping in to help families cope when crises occur.
- **Policymakers:** Federal and state legislators and their staff, regulators at state and federal agencies with jurisdiction over child welfare, county and city councils, and child welfare agency administrators are all responsible for writing policies and procedures that affect the way child welfare systems are shaped and carried out.
- **Courts and attorneys:** Significant decisions impacting children involved in the child welfare system must be presented to the courts. Both children and parents have a right to attorneys to represent them in court.
- **Resource parents:** Includes foster, kin caregivers, and other people who may be caring for the child while in state custody or in the case of kin caregivers in many states, as an alternative to custody.

### *The Child Welfare Continuum*

Child welfare stakeholders are committed to supporting families in crisis and ensuring the safety, permanency, and well-being of children in foster care, but a key goal of the child welfare field is also to prevent child maltreatment from occurring in the first place. Individuals, organizations and institutions can engage in community-wide efforts to support all families and educate them about where to turn when they face challenges protecting their children. Communities also play an important role in identifying, advocating for, and supporting programs for families at high risk of abuse and neglect.



Public child welfare agencies and tribal entities have the primary responsibility for ensuring the safety of children who are victims of, or at high risk of, child abuse and neglect. In fiscal year 2011, state child welfare agencies received an estimated 3.4 million alleged reports of abuse and neglect and investigated approximately 2 million of those reports. Of the more than 3.7 million children who were subjects of at least one report, one-fifth were found to be victims of abuse or neglect. Although there are many reasons children may enter the child welfare system, three primary risk factors are parental substance abuse, mental illness, and domestic violence within the family.

Some families require additional services, which are coordinated by the child welfare caseworker, to help make their home circumstances safe for the child (such as substance abuse treatment, parent education, or connecting to public benefits). The courts are responsible for making the ultimate decisions about whether children can stay safely at home, specific services their parents will receive, and approval of the child welfare agency’s plan to ensure safety of the child.

When children cannot stay safely in their own homes, child welfare agencies and tribes are obligated to take custody of the children and place them in out-of-home care. About 400,000 children are in foster care at any given time. This number has been steadily declining since the 1990s. Possible out-of-home placements for children include placement with relatives, placement with non-relative foster parents, and placement in

residential treatment centers, group homes, or shelters. For these children, the first priority of child welfare agencies is to help their parents so they can regain custody whenever safely possible. When returning children home to their parents isn't possible, child welfare agencies begin seeking another permanent home for the children through adoption or guardianship.

Unfortunately, many children exit, or age out of, the foster care system without finding a permanent home. This is the case for about 26,000 children each year. Research has shown these young people often face a host of challenges in their adult lives including unemployment, lack of education, incarceration, homelessness, and early pregnancy. Because of these outcomes, child welfare agencies are increasingly seeking to help older youth gain the knowledge and skills, as well as relational skills and permanent connections to family members, to make a more successful transition to adulthood.

Although the child welfare field has made significant strides over the past few decades, advocates, policy makers, and other leaders across the country continue to push for new reforms to lead to better outcomes for families and children in the child welfare system or at risk of entering the system. This primer provides a comprehensive overview of the basics of the system for those who are new to the field. It will be updated regularly.

**Section I** provides an overview of the federal child welfare system; including key funding streams, data systems, and statutes; and describes the varying ways in which state child welfare systems are structured.

**Section II** provides an overview of key trends in the field.

**Section III** lists key advocates and other organizations working on the child welfare continuum.

**Section IV** provides some key resources available for those who want to dig deeper into child welfare issues.

**Section V** lists key terms used in the child welfare field.

## *Section I: Overview of the Child Welfare System*

### *The Federal Level*

Historically, interfamilial violence was considered a personal matter that was best handled by the individual family. In the 1950s and 1960s, a doctor named Dr. Henry Kempe began documenting cases of what he called “The Battered Child Syndrome,” which provided scientific evidence of intentional physical abuse against children. His research, along with other widely-publicized cases of child abuse, ultimately led to the passage of the Child Abuse Prevention and Treatment Act (CAPTA) in 1974. CAPTA was the first attempt by federal law to address the government’s role in removing children from their homes in cases of abuse or neglect, and led to a dramatic expansion of state policies for reporting, investigating, and intervening in families’ lives to keep children safe.

Recognizing the unique federal relationship to Native American tribes, and in response to a growing number of American Indian children who were placed outside of their tribal communities, Congress passed in 1978 the Indian Child Welfare Act (ICWA) to help keep American Indian children with American Indian families.

Federally recognized tribes are able to administer their own child welfare agencies by drawing down federal Title IV-E dollars to support the goal of ICWA to “protect the best interests of Indian children and to promote the stability and security of Indian tribes and families.”

The child welfare system as we know it today has evolved out of this initial framework set in the 1970s, and now includes multiple governmental agencies, federal and state laws, funding streams, entitlements, and programs. These components are outlined below.

### *Key Governmental Agencies*

Although many federal programs and agencies touch the lives of children and families who enter the child welfare system, three primary federal agencies – all situated within the Department of Health and Human Services (HHS) – oversee the vast majority of child welfare dollars and programs.

**Administration for Children and Families (ACF)**: ACF is a division within the HHS and is the primary federal agency responsible for child welfare programs. The agency administers more than 60 programs with a budget of more than \$51 billion, making it the second largest agency in HHS. It is comprised of 19 offices including the Office of Regional Operations, which represents ten regional offices around the country:

**Administration on Children, Youth and Families (ACYF)**: Within ACF, ACYF administers the major federal programs that support the following programs: social services that promote the positive growth and development of children and youth and their families, protective services and shelter for children and youth in at-risk situations, and adoption for children with special needs. These programs provide financial assistance to states, community-based organizations, and academic institutions to provide services, carry out research and demonstration activities, and undertake training, technical assistance, and information dissemination:

**The Children’s Bureau**: Within ACYF, the Children’s Bureau provides support and guidance to programs that focus on strengthening families and preventing child abuse and neglect, protecting children when abuse or neglect has occurred, and ensuring that every child and youth has a permanent family or family connection. It does this by recommending legislative and budgetary proposals, operational planning system objectives and initiatives, and projects and issue areas for evaluation, research, and demonstration activities. It also represents ACYF in interagency activities to initiate and implement projects affecting children and families. The Children’s Bureau issues a wide range of material available to the general public.

**The Bureau of Indian Affairs (BIA)**: BIA administers programs including social services, education, and child welfare services in coordination with federally recognized tribes.

### *Key Congressional Committees*

**U.S. Senate Committee on Finance**: This Senate committee has jurisdiction over various health programs under the Social Security Act including Medicare, Medicaid, the Children’s Health Insurance Program, TANF, and child welfare programs. The subcommittee on Social Security, Pensions, and Family Policy is the subcommittee with jurisdiction over these programs.

**U.S. Senate Committee on Health, Education, Labor, and Pensions (HELP)**: This Senate committee has broad jurisdiction over the country’s health care, education, employment, and retirement programs. Though it is not the primary committee responsible for child welfare programs, the actions of HELP Committee often has an impact on children and families in the child welfare system.

**U.S. House Committee on Ways & Means:** This House committee has jurisdiction over the public assistance and health provisions of the Social Security Act, including TANF, child care, child and family services, child support, foster care and adoption, food stamps, and the Low Income Home Energy Assistance Program, among others. The Subcommittee on Human Resources is the subcommittee in charge of these public assistance programs.

**U.S. House Committee on Education & the Workforce:** This House committee has broad jurisdiction over health care, education, and employment programs. Like the Senate HELP Committee, it does not oversee child welfare programs specifically, but its decisions often have an impact on children and families in the child welfare system.

### *Key Congressional Caucuses*

**Congressional Caucus on Foster Youth:** This is a House-based caucus of over 100 Members of Congress led by representatives Karen Bass (D-CA), Tom Marino (R-PA), Jim McDermott (D-WA), and Michele Bachmann (R-MN). The Caucus develops bipartisan policy initiatives that aim to improve the lives of foster youth, hosts briefings, hearings, listening tours across the country, and the Congressional Foster Youth Shadow Day.

**Senate Foster Youth Caucus:** This is a Senate-based caucus led by senators Mary Landrieu (D-LA) and Charles Grassley (R-IA). The Caucus hosts discussions, briefings, and releases reports on issues impacting youth in foster care, in addition to developing bipartisan legislation to improve the lives of children and youth in foster care.

**Congressional Coalition on Adoption (CCA):** With a membership at around 160 Members of Congress, the CCA is one of the largest bicameral caucuses in all of Congress. Over the last 25 years, CCA members have led Congress in the passage of numerous adoption and child welfare-related bills. The CCA also has an advocacy arm, a nonprofit organization called the Congressional Coalition on Adoption Institute (CCAI), which works to raise awareness of the needs of children without families.

### *Key Funding Streams*

Child welfare funding comes from a mix of federal, state and local funds. Some programs used for child welfare are dedicated solely for child welfare purposes, while others are designated for broader purposes.

This section is meant to provide an overview of the child welfare financing system. For more detailed information, please see the following resources:

- [U.S. House of Representative Committee on Ways and Means Green Book](#)
- [State Policy and Advocacy Reform Center \(SPARC\) Child Welfare Financing in the United States Brief](#)

### *Entitlement Programs*

**Title IV-E<sup>1</sup>** of the Social Security Act is the largest federal funding stream dedicated to child welfare purposes. It provides support to states through four main programs: (1) foster care, (2) adoption assistance, (3) guardianship assistance, and (4) the Chafee Foster Care Independence Program.

An interesting and problematic quirk in the Title IV-E program is that not all children are eligible to receive Title IV-E reimbursement for services. For more information on this issue, which is also known as the Title IV-E lookback, see this issue brief by the Pew *Kids Are Waiting* campaign [here](#).

The **Title IV-E Foster Care Program** reimburses states for expenditures in maintenance payments that cover the costs of shelter, food, and clothing for eligible children, as well as placement, training for caseworkers and foster parents, and administrative costs related to foster care.

**Title IV-E Adoption Assistance Program:** The Title IV-E Adoption Assistance Program reimburses states for expenditures in adoption assistance payments on behalf of eligible children, and adoption placement services, administrative costs, and training for caseworkers and adoptive parents related to adoption out of foster care.

**Title IV-E Guardianship Assistance:** The Fostering Connections Act of 2008 gave states the option to operate a Title IV-E Guardianship Assistance Program (GAP), which provides federal reimbursements for kinship guardianship assistance payments (this applies to relatives who become the legal guardians of children for whom the relatives previously served as foster parents), as well as placement, administrative, and training costs related to guardianship placements. As of July 2013, 34 Title IV-E agencies had submitted GAP plan amendments, and 31 states had been given final approval of those amendments.

The **Title IV-E Chafee Foster Care Independence Program** provides funding to states for expenses related to activities that prepare youth transitioning out of the foster care system, or those who have already transitioned out of the system. It also includes an Education and Training Vouchers Program, which makes available vouchers of up to \$5,000 per year per youth for post-secondary education.

**Title IV-E Demonstration Waivers:** Child Welfare Waiver Demonstrations allow states to use federal funds more flexibly to test innovative approaches to child welfare service delivery. Section 1130 of the Social Security Act, enacted in 1994, gave HHS the authority to approve the first round of these demonstration projects, and in 2011 this authority was renewed by P.L. 112-34. As of October 2013, 15 states were participating or had participated in a demonstration grant, and eight states had been approved for new grants. Many of the lessons learned from these demonstration grants have informed federal child welfare reform efforts.

### *Child Welfare Block Grant Programs*

**Title IV-B** of the Social Security Act is a second source of funding for child welfare services. States have considerable flexibility with the Title IV-B program to determine the eligible populations and specific types of services supported by Title IV-B dollars.

**Title IV-B, Subpart I**, also known as the Stephanie Tubbs Jones Child Welfare Services Program, funds a range of child welfare services to prevent child abuse and neglect, preserve and reunite families, promote

safety, permanence, and well-being of children in foster care or adoptive placements, and maintain a qualified child welfare workforce.

**Title IV-B Subpart 2**, also known as the Promoting Safe and Stable Families Program, funds family support, family preservation, time-limited reunification, and adoption promotion activities.

### *The Child Abuse Prevention and Treatment Act*

**The Child Abuse Prevention and Treatment Act (CAPTA)**,<sup>2</sup> the first major federal legislation addressing child abuse and neglect, was originally enacted in January 1974. CAPTA has been amended several times, and was most recently reauthorized in 2010. CAPTA sets forth a minimum definition of child abuse and neglect and is largely focused on prevention. It provides federal funding to states in support of prevention, assessment, investigation, prosecution, and treatment activities, and provides grants to public agencies and nonprofit organizations for demonstration programs and projects. CAPTA also supports federal research, evaluation, technical assistance, data collection activities, and the Child Welfare Information Gateway, a website maintained by the Children's Bureau.

### *Other Federal Sources of Funding that Support Child Welfare Activities*

**Medicaid:** Children who are eligible for Title IV-E foster care and adoption are automatically eligible for Medicaid. States have the option to extend Medicaid coverage to non-Title IV-E eligible children, and most states do. Until 2014, coverage for many youth ended once they aged out of care. With the passage of the Affordable Care Act (ACA), beginning on January 1, 2014, all youth who were in foster care at age 18 and receiving Medicaid are now eligible for Medicaid until age 26.

Medicaid is an essential and appropriate funding source for behavioral health care for vulnerable children, including those in the child welfare and juvenile justice systems and those with serious behavioral health challenges. A number of critical home and community-based services have been approved by the Centers for Medicare & Medicaid Services, the federal agency that regulates Medicaid, as being covered under Medicaid, including therapeutic foster care and intensive in-home services (e.g. multisystemic therapy, mobile response, and stabilization services). Medicaid is also an important source of funding for certain services for parents of children in the child welfare system. For states that have opted to expand Medicaid coverage under the ACA, all adults with incomes up to 133 percent of the federal poverty line are eligible for Medicaid.

**Social Services Block Grant (SSBG):** SSBG, Title XX of the Social Security Act, is a flexible source of federal funds provided to states in support of a diverse set of five overarching policy goals, including preventing or remedying child abuse. In addition to their annual SSBG allotments, states are permitted to transfer up to 10 percent of the TANF block grant to SSBG.

**Temporary Assistance for Needy Families:** TANF was enacted in 1996 as part of the welfare reform bill (P.L. 104-193). Because TANF funds can be spent by states on essentially any service aimed at achieving one of the program's four goals, this funding stream offers states considerable flexibility in supporting child welfare activities. In addition, federal law allows states to use TANF dollars to cover programs and activities a state had conducted under its pre-1996 (pre-TANF) emergency assistance program, which could fund foster care or adoption assistance for children who are ineligible for Title IV-E. This means that states can use

TANF dollars to cover some of their foster care expenses. Federal law also permits states to transfer up to 10 percent of TANF grant funds to the SSBG program. TANF child-only grants also benefit eligible children placed with relatives outside the formal foster care system or in an unlicensed placement.

### *Other Sources of Child Welfare Funding*

In addition to the primary sources described above, states can use a variety of other federal grants and awards for child welfare purposes. These include dollars from the Children’s Justice Act, the Adoption Opportunities and Adoption Incentives program, the Child Care Development Fund, the Victims of Crime Act, and numerous other vehicles designed for broader purposes. Also included in this category are “child income” related funding streams that states may use for child welfare purposes, including Supplemental Security Income, Social Security Survivors’ Benefits, Social Security Disability Benefits, U.S. Department of Veterans Affairs funds, and child support dollars. Nationally, dollars from this “other” category represented 3 percent of all federal funds spent on child welfare in fiscal year 2010.

### *Key Federal Legislation*

Several key federal statutes have shaped the child welfare system. [The Children’s Bureau](#) has published a full list of major federal legislation regarding child welfare, with a timeline and helpful descriptions of each law, in a report called *Major Federal Legislation Concerned with Child Protection, Child Welfare, and Adoption*.

### *Key Federal Data Systems*

The federal government collects a range of data related to the child welfare system. These data sets tell us some key indicators about the child welfare system, such as the average length of stay in foster care, how many times a child moves to different placements in foster care, and under what circumstances children exit the foster care system. This data is important for advocates to be aware of in order to effectively communicate how the system is working in their states. Some of the key data sets that advocates can use are listed below.

**[The Adoption and Foster Care Analysis and Reporting System \(AFCARS\)](#)**: AFCARS provides case-level information from state and tribal IV-E agencies on children in foster care and their outcomes once they leave care.

**[Child and Family Service Reviews \(CFSRs\)](#)**: CFSRs are periodic reviews of state child welfare systems the goal of ensuring conformity with federal child welfare requirements to improve outcomes for children and families in the child welfare system. After a CFSR is completed, states develop a Program Improvement Plan (PIP) to address areas in their child welfare services that need improvement.

**[LONGitudinal Studies of Child Abuse and Neglect \(LONGSCAN\)](#)**: LONGSCAN is a consortium of research studies, originally funded by the Children’s Bureau in 1990, designed to follow families in different parts of the country at varying degrees of child maltreatment until the children become adults. The complexity of the data allows for unique analysis regarding the etiology and impact of child maltreatment. The report most relevant to child welfare policy is called *From Science to Practice*, which outlines some of the key findings and policy implications of LONGSCAN thus far.

**[The National Child Abuse and Neglect Data System \(NCANDS\)](#)**:<sup>3</sup> The NCANDS is a voluntary data collection system that gathers information from all 50 states, the District of Columbia, and Puerto Rico about

reports of abuse and neglect. The data are used to examine trends in child abuse and neglect across the country, and key findings are published in the *Child Welfare Outcomes Reports to Congress* and annual *Child Maltreatment* reports:

- [\*Child Welfare Outcomes Reports to Congress\*](#)
- [\*Child Maltreatment Reports\*](#)

**[The National Survey of Child and Adolescent Well-Being \(NSCAW\)](#)**:<sup>4</sup> NSCAW is a nationally representative, longitudinal survey of children and families who have been the subjects of investigation by child protective services. There have been two cohorts of children enrolled in the survey, which is drawn from first-hand reports from children, parents, and other caregivers, as well as reports from caseworkers, teachers, and data from administrative records. NSCAW examines child and family well-being outcomes in detail and seeks to relate those outcomes to experience with the child welfare system and to family characteristics, community environment, and other factors.

**[The National Youth in Transition Database \(NYTD\)](#)**:<sup>5</sup> The newest of the federal data collection efforts, NYTD collects information on youth in foster care, including sex, race, ethnicity, date of birth, and foster care status. It also collects information about the outcomes of those youth who have aged out of foster care. States began collecting data in 2010, and the first data set was submitted in May 2011.

### *The State Level*

Though the federal government provides the general policy framework for the child welfare system, states are responsible for shaping and administering their own individual systems. Some states have established statewide systems, administered through a central state agency, while others have established county-based systems, with the activities of county-based agencies overseen by a central state agency. 38 states have state-based systems,<sup>6</sup> nine states have county-based systems,<sup>7</sup> and three states have created some combination of the two.<sup>8</sup>

State systems across the country vary significantly. No two states are alike when it comes to the specifics of how they prevent child abuse and neglect, respond to reports of abuse and neglect, or ensure that children thrive when they must be removed from their families. Despite the differences, there are some important trends and best practices that states are attempting to adopt in order to achieve better child welfare outcomes. These are described more fully in Section II.

### *Interstate Compacts Governing the Placement of Children across State Lines*

Two separate compacts, the Interstate Compact on Adoption and Medical Assistance and the Interstate Compact on the Placement of Children, seek to standardize the process by which children in the child welfare system are placed across state lines. For more information about these compacts, see:

- [Interstate Compact on the Placement of Children \(ICPC\)](#)
- [Interstate Compact on Adoption and Medical Assistance](#)

## *Section II: Key Trends in the Field*

This section is organized according to the child welfare continuum alluded to previously in this manual. Key trends in the field are grouped under the headings of (1) intervening with families before abuse and neglect occurs, (2) responding effectively to abuse and neglect, (3) helping children thrive in foster care and beyond, (4) cross-cutting issues (issues that impact all points along the continuum), and (5) special populations. Though this list of trends is not comprehensive, it is a thorough representation of some of the key issues that policymakers, practitioners, and advocates are currently focused on.

### *Intervening with Families before Abuse and Neglect Occurs*

There are a number of strategies that have been shown to prevent child abuse and neglect before they occur by supporting families in crises. Such programs go beyond the realm of public child welfare agencies and include other community stakeholders. In recent years, policymakers, administrators, service providers, charitable foundations, and others have increasingly been seeking ways to promote prevention through a number of strategies. Although not a comprehensive list, three of those strategies are described below.

#### *Building Protective Factors*

Protective factors are characteristics, attributes, and circumstances that can help buffer against difficult experiences, prevent families from reaching a crisis point, and improve overall indicators of health and well-being among at-risk children and families. Research points to six categories of protective factors: (1) nurturing and attachment, (2) knowledge of parenting and child development, (3) parental resilience, (4) social connections, (5) concrete supports for parents, and (6) social and emotional competence of children. These factors can be used to inform community-based and policy-driven strategies for child abuse and neglect prevention.

For more information about the Protective Factors, see:

- [Child Welfare Information Gateway](#) resource on protective factors
- [CSSP](#) resources on the protective factors framework.
- [CDC](#) information on the protective factors.

#### *Expanding Evidence-Based Parent Education Programs*

Parent education programs are designed to increase the capacity of parents to care for their children by teaching them positive discipline techniques, developmentally appropriate milestones and skills, positive parent-child interaction, and other parenting techniques. There are a number of evidence-based programs, such as some home-visiting models, that have been shown to improve outcomes for parents and children alike, as well as decrease the risk of child abuse and neglect. For more information on such programs, see:

- [Child Welfare Information Gateway](#) resource on parenting education programs.
- The [California Evidence-Based Clearinghouse for Child Welfare](#), which reviews the literature on a number of interventions.

## *Early Childhood Intervention and Education*

Yet another way to prevent child abuse and neglect is through early childhood programs, which offer children and parents with age-appropriate education, health screenings, child care, and other supportive services. Increasingly, child welfare stakeholders have begun to try to collaborate more with such early childhood programs and practitioners, with the aim of reaching families before child abuse and neglect happens in the first place. For more information about these programs, see:

- [Child Welfare Information Gateway](#) resource on early childhood.
- [Zero to Three](#)

## *Responding Effectively to Child Abuse and Neglect*

### *Differential Response*

Differential response, also known as alternative response, is a child protective services practice that allows for more than one method of initial response to reports of child abuse and neglect depending on the nature of reports. While definitions and approaches vary from state to state, differential response generally uses two or more tracks or paths of response to reports of child abuse and neglect: one for more families with high risk, and another for families with lower risk who may require less intensive, in-home services. For more information about differential response, see:

- [Child Welfare Information Gateway](#) issue brief on differential response (2008).
- [American Humane Association](#) publication on differential response.

### *Definitions of Child Abuse and Neglect*

As noted above, while federal law sets forth a minimum definition of child abuse and neglect that states must adopt, the particulars of child abuse and neglect definitions vary considerably across states. These definitions have a number of implications for which children and families become involved in the child welfare system.

To explore these different definitions in both federal and state law, see:

- [Child Welfare Information Gateway](#) resource on the federal definition of child abuse and neglect.
- [Child Welfare Information Gateway](#) resources on state definitions of child abuse and neglect.

### *Reporting of Child Abuse and Neglect*

Much like the variation between states regarding what constitutes child abuse and neglect, state laws also vary considerably in terms of how and when to report an allegation of child abuse and neglect. In addition, in the aftermath of the Jerry Sandusky case in Pennsylvania, some states have begun to examine the issue of mandatory reporting, and whether all citizens should be required to report suspected maltreatment. For more information on these issues, see:

- [Child Welfare Information Gateway](#) resource on reporting of child abuse and neglect.

- [Child Welfare Information Gateway](#) resource on mandated reporting.
- [SPARC](#) policy brief on state laws regarding mandated reporting.

### *Family Team Meeting Process*

Family team meetings; also known as family team conferencing, family group decision making, family team meetings, and team decision-making; is a generic term that includes a range of approaches to bringing family members and their support networks together to help develop a plan for children at risk of entering or already in foster care. They are all designed to achieve a greater level of involvement, engagement, and empowerment of families in the child welfare process. For more information on family group decision making, see:

- List of publications from the [Child Welfare Information Gateway](#) on family group decision making.
- [Annie E. Casey Foundation](#) publication on family team decision-making (2002).

### *Kinship Care*

Kinship care refers to the care of children by relatives or those with whom the child has a family-like relationship, referred to as “fictive kin.” Federal and state policy makes clear that placement with kin should be the first choice for placement of children who have to be removed from their parents. However, many barriers exist to getting more kids into kinship care, and states vary greatly on how many children in care are in kinship placements. For more information about kinship care, see:

- Resources on kinship care collected by the [National Resource Center for Permanency and Family Connections](#).
- Resources on kinship care collected by the [Child Welfare Information Gateway](#).
- A comprehensive website ([grandfamilies.org](#)) on kinship issues, including a searchable database of state laws and policy.
- [Annie E. Casey Foundation](#) publication on the kinship diversion debate.
- [Annie E. Casey Foundation’s KIDS COUNT](#) publication, *Stepping Up for Kids: What Government and Communities Should do to Support Kinship Families*.

## *Helping Children Thrive in Foster Care and Beyond*

### *Well-Being of Children and Youth in Care*

Over the last decade, there has been an increasing awareness of the poor developmental outcomes for children and youth in the child welfare system, and a resulting increased desire on the part of child welfare stakeholders to address and improve these well-being outcomes. There are many examples of this trend playing out in child welfare policymaking, for example this [ACYF](#) information memorandum released in April 2013 on *Promoting Social and Emotional Well-Being for Children and Youth Receiving Child Welfare Services*:

For more information about this shift towards child well-being, see the related [SPARC](#) issue brief, *Raising the Bar: Child Welfare’s Shift Towards Well-Being*.

## *Psychotropic Medications among Children in Foster Care*

A number of studies have shown that children in foster care prescribed psychotropic medications far more often than is appropriate. Increasingly, researchers, health practitioners, and policymakers have begun to address this through changes in practice and policy. For more information, see:

- Resources collected by the [Child Welfare Information Gateway](#) on psychotropic drug use among children and youth in foster care.
- [PolicyLab](#) maps of national and state-level trends in psychotropic medication use among children in foster care.

## *Reducing the Percentage of Kids in Group Placements*

Reducing the number of children in the foster care system placed in group homes, shelters, residential treatment centers, and psychiatric facilities, and placing more children into family-based placement settings like their own homes, foster care or kinship care placements has shown to achieve better outcomes for children and families. For more on this issue, see the [Annie E. Casey Foundation](#) report.

## *Post-Permanency Supports*

To ensure permanency for children and youth, it is not enough to move them into a seemingly stable living environment; post-permanency services and supports must be given to the family and child to ensure a successful transition. A number of resources on post-permanency supports can be found at the [National Resource Center for Permanency and Family Connections](#).

## *Extending Foster Care to Age 21*

Research suggests that allowing youth the option to stay in foster care until age 21, rather than age 18, can help facilitate a smoother transition into independent living and improved outcomes for youth who have aged out. In addition, the Fostering Connections and Increasing Adoptions Act of 2008 allowed states the option of extending foster care to age 21, and as a result, many states have taken this option. Key resources on this issue can be found at:

- [Chapin Hall](#) research brief on the benefits and costs of extending foster care to age 21.
- [The Midwest Evaluation of the Adult Functioning of Former Foster Youth](#), which suggests that extending foster care to age 21 can lead to improved outcomes for youth.
- [Jim Casey Youth Opportunities Initiative](#) policy brief, *Foster Care to 21: Doing It Right*.

## *Supporting Youth who are Aging Out of the Foster Care System*

Every year, about 26,000 young people age out of the foster care system between the ages of 18 and 21-years-old, and these youth often face a number of challenges and experience poor outcomes compared to their peers. In light of these poor outcomes, more communities, programs, and child welfare agencies are finding new ways to help youth transition more successfully into adulthood.

For more information on youth aging out of foster care, see:

- [Jim Casey Youth Opportunities Initiative](#)
- [The Midwest Evaluation of the Adult Functioning of Former Foster Youth](#), the most comprehensive, longitudinal study of youth who have aged out of foster care.
- [SPARC and Chapin Hall](#) webinar on *Helping Young Adults Transition into Adulthood*.

### *Targeted Recruitment*

Targeted recruitment in child welfare refers to the process of recruiting resource parents and adoptive parents in a way that is tailored to each individual child. In recent years, child welfare agencies have increasingly moved to make their recruitment techniques more child-focused to find permanent homes that can meet the unique needs of children in foster care. For more information and an example of effective targeted recruitment, see:

- [Wendy's Wonderful Kids](#)
- [Adopt US Kids](#) resources on recruitment.

## *Cross-Cutting Issues*

### *Privatization of Child Welfare Services*

Privatization of child welfare services, also known as outsourcing, public-private partnership, and community-based care, involves a shift or sharing of responsibility and decision-making authority between a public child welfare agency and private providers. It has become more prevalent since the mid-1990s, and there are a number of examples of state privatization initiatives that have had successes and challenges. State proposals for privatization continue to expand across the country with mixed success.

For more information on privatization and the role of advocates in helping make privatization efforts successful, see the [SPARC](#) brief titled *Privatization of Child Welfare Services: A Guide for State Advocates*.

### *Legal Representation of Parents and Children*

As in any court proceeding, children and parents who touch the child welfare system have the right to competent legal representation by an individual who understands the nuances of system and the particular situation the family. States laws regarding the type of representation guaranteed for parents and children vary from state to state. For more information on this issue, see:

- [Child Welfare Information Gateway](#) resources on attorney roles in child welfare.
- [State statutes](#) regarding the representation of children in child abuse and neglect proceedings (as of 2012).
- [Child Welfare Information Gateway](#) resources on representing parents in the child welfare system.
- [CASA](#), the national association for Court-Appointed Special Advocates.

## *Court Reform*

A number of courts across the country are working to improve their practices and policies to better serve children and families involved in the child welfare system. Such examples of these efforts can be found at:

- [Child Welfare Information Gateway](#) collection of resources on court reform.
- [First Focus](#) brief on court-based child welfare reforms.
- [ABA Center on Children and the Law](#) resources on court improvement.

## *Financing Reform*

Most child welfare policymakers and advocates agree that the current child welfare financing structure is outdated, and does not incentivize states and local jurisdictions to incorporate best practices or realign their service delivery to better serve children and families. Though advocates may disagree on how to reform the system, a number of financing reform proposals have emerged in the past decade. Some of these include:

- [The Pew Commission on Children](#) in foster care recommendations.
- A financing reform proposal by the [Annie E. Casey Foundation](#).
- Other resources on child welfare financing reform from [ACE](#).

## *Addressing Racial Disproportionality*

A significant amount of research has documented the overrepresentation of certain racial and ethnic groups, including African Americans and Native Americans, at every point in the child welfare continuum, including reporting of abuse and neglect, substantiation, and foster care. Though the causes of this disparity remain uncertain, the child welfare community has increasingly sought to address it through a number of strategies, including training for staff and administrators on culturally competent services and community development and prevention services, among others. For more information about racial disproportionality in child welfare, please see the following resources:

- [Center for the Study of Social Policy](#) (CSSP) publication on *Disparities and Disproportionality in Child Welfare: Analysis of the Research*.
- [CSSP](#)-commissioned *Synthesis of Research on Disproportionality in Child Welfare: An Update*.
- [Evan B. Donaldson Adoption Institute](#) publication on *Finding Families for African American Children: The Role of Race & Law in Adoption from Foster Care*.

## *Special Populations*

Some populations of children are affected by the child welfare system in a unique way, leading policymakers to focus their attention on ensuring these children's needs are being met. Though this list is not comprehensive (others include homeless and runaway youth, LGBTQ youth, children with mental health disorders, among others), the following three populations have drawn particular attention from policymakers and advocates recently.

## *Children of Immigrant Families*

Although the exact number of children impacted by immigration enforcement is unknown, some studies suggest that as many as one child is impacted for every two adults apprehended in a workforce raid, and over 108,000 undocumented parents of U.S. citizen children were removed from the United States between 1997 and 2007. U.S. immigration policies lead to many children whose parents are put in detention or are deported to be referred to the child welfare system. For more information on this issue, see [this](#) SPARC/First Focus brief on the intersection between child welfare and immigration.

## *Victims of Sex Trafficking*

According to the U.S. Department of Justice, there are currently an estimated 293,000 American children at risk of commercial sexual exploitation. The majority are girls between the ages of 12 and 14, and tend to be runaways from homes or foster care placements where they have been abused. State-level data suggests that the majority of trafficked youth in the United States are involved in the child welfare system. As a result, policymakers have increasingly been directing their attention to how the child welfare and juvenile justice systems can meet the needs of these youth and protect them against traffickers. For more information, see:

- [ACYF Guidance to States](#) on addressing the trafficking of children and youth.
- [Rights 4 Girls](#)
- Resources on sex trafficking collected by the [Child Welfare Information Gateway](#).

## *Pregnant and Parenting Teens in Foster Care*

Although, like children of immigrant families, the exact number of pregnant and parenting teens in the child welfare system is not known, these youth face even greater challenges than other youth in the child welfare system. To learn more about this issue and the efforts of some policymakers and practitioners to improve the rights and experiences of this population, see:

- [Chapin Hall](#) report on pregnant and parenting foster youth.
- [CSSP](#) resources on pregnant and parenting youth in foster care.
- Primer by the [Gutmacher Institute](#) on pregnant and parenting teens in foster care.

## *Crossover Youth*

The term crossover youth refers to youth who are dually involved in the child welfare and juvenile justice systems. According to the [Center for Juvenile Justice Reform at Georgetown University](#), a disproportionate number of these youth are youth of color and girls.

## *LGBTQ Youth in Foster Care*

LGBTQ youth in the foster care system are often disadvantaged compared to their peers in foster care. For more information about this population, and what some organizations and groups are doing to help this population, see:

- Resources from the [ABA Center on Children and the Law's](#) *Opening Doors* project.
- Resources on LGBTQ youth in care on the [National Resource Center for Youth Development](#) website.
- Resources on the [Child Welfare Information Gateway](#) addressing this issue.

### *Section III: Key Advocates and Organizations Working on the Child Welfare Continuum*

#### *Key Advocacy Groups*

**ABA Center for Children and the Law:** Group within the American Bar Association focusing specifically on issues related to children and families, including child welfare.

**Alliance for Children and Families:** Membership organization represents nearly 350 human services organizations and state associations who serve and advocate for children, families, older adults and communities.

**American Academy of Pediatrics:** Membership organization of over 60,000 pediatricians whose policy office remains active in child welfare issues.

**American Professional Society on the Abuse of Children:** Membership organization focused on meeting the needs of professionals engaged in all aspects of services for maltreated children and their families.

**American Psychological Association:** Membership organization of psychologists representing over 134,000 professionals. Key policy areas include children, youth and families.

**American Public Human Services Association (APHSA):** Membership organization representing state and local human service agencies, including child welfare agencies, through their top-level leadership.

**Black Administrators in Child Welfare:** Membership organization representing executives managing child welfare and other human service agencies with a special focus on people of color in the child welfare system.

**Center for the Study of Social Policy:** Nonprofit organization aimed at improving public policies, systems, and communities for vulnerable children and families by working with leaders in all sectors, conducting research, providing technical assistance, and other activities.

**Chapin Hall at the University of Chicago:** Independent policy research center whose mission is to build knowledge that improves policies and programs for children and youth, families, and their communities. Chapin Hall researchers have expertise on a number of child welfare and foster care policies.

**Child Welfare League of America:** Membership organization representing nearly 800 public and private child-serving agencies nationwide whose activities focus exclusively on child welfare and other programs serving vulnerable children.

**Children’s Defense Fund:** Advocacy organization with a priority on policies and programs that affect the well-being of children. Major policy priorities include ending child poverty, children’s health, early childhood education & care, elementary and secondary education, child maltreatment, and juvenile justice.

**Congressional Coalition on Adoption Institute:** Organization that works to raise awareness about the needs of children without families and remove policy barriers that prevent children from finding a forever family.

**National Court Appointed Special Advocates (CASA):** Network of 933 programs that recruit, train, and support volunteers to represent the best interests of abused and neglected children in the courtroom and other settings.

**Every Child Matters Education Fund:** Organization that focuses on raising the visibility of children’s issues during elections and the adoption of smart policies for children and youth.

**Family Foster-Based Treatment Association:** Membership organization of agencies throughout North America operating treatment foster care programs.

**First Focus:** Advocacy organization dedicated to making children and families the priority in federal policy and budget decisions.

**Foster Care Alumni of America:** National association founded and led by alumni of the foster care system whose mission it is to connect the alumni community and transform policy and practice to ensure opportunity for people in and from foster care.

**Foster Club:** “The national network for young people,” FosterClub aims to improve the lives of all young people in and from foster care.

**Futures Without Violence:** Organization dedicated to preventing violence within homes and communities and help victims of all forms of violence, including child maltreatment.

**Generations United:** Membership organization focused on improving the lives of children, youth, and older people through intergenerational strategies, programs, and public policies.

**Healthy Teen Network:** Organization focused on adolescent health and well-being with an emphasis on teen pregnancy prevention, teen pregnancy, and teen parenting, including teens in the child welfare system.

**Jim Casey Youth Opportunities Initiative:** Organization focused on ensuring that young people make successful transitions from foster care to adulthood by working nationally, in states, and locally to improve policies and practices.

**National Alliance of Children’s Trust and Prevention Funds:** Membership organization that provides training, technical assistance, and peer consulting opportunities to state Children’s Trust and Prevention Funds to strengthen their efforts to prevent child abuse.

**National Association of Counsel for Children:** Membership organization dedicated to providing high quality legal representation for children.

**National Association of Public Child Welfare Administrators (NAPCWA):** A division of APHSA, NAPCWA is a membership organization representing public child welfare agencies specifically.

**National Association of Social Workers:** Membership organization representing over 140,000 social workers. Public policy priorities include child welfare issues.

**National Center for State Courts:** Organization that provides research, information services, education, and consulting services to help improve state courts nationwide. Government relations priorities include child welfare.

**National Children's Alliance:** Membership organization of local children's and child advocacy centers.

**National Council of Juvenile and Family Court Judges:** Membership organization representing about 30,000 professionals in the juvenile and family justice system, including judges, referees, commissioners, court masters and administrators, social and mental health workers, police, and probation officers.

**National Court Appointed Special Advocates Association:** Membership organization of CASA and Guardian Ad Litem programs nationwide.

**National Foster Parent Association:** Membership organization representing foster parents, child welfare personnel, and other members concerned with child welfare.

**National Indian Child Welfare Association:** Organization that works to address the issues of child abuse and neglect in American Indian communities through training, research, public policy, and grassroots community development. It also works to support compliance with the Indian Child Welfare Act of 1978.

**National Organization of State Associations for Children:** Organization of state associations who represent children and children services.

**New England Association of Child Welfare Commissioners and Directors:** Consortium of child welfare agency leaders and staff members from Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

**North American Council on Adoptable Children:** Aimed at promoting permanent families for children and youth who have been in foster care and those with special needs.

**Prevent Child Abuse America:** National organization that works to ensure the healthy development of children nationwide and prevent child abuse and neglect from ever occurring.

**Rights 4 Girls:** Advocacy organization focusing on gender-based violence and its impact on vulnerable young women and girls in the United States, with particular expertise in domestic sex trafficking, girls in the juvenile justice system, conditions of confinement, and girls' empowerment.

**The State Policy Advocacy and Reform Center:** Initiative that aims to improve outcomes for children and families involved with the child welfare system by building the capacity of and connections between state child welfare advocates.

**Voice for Adoption:** Membership organization that develops and advocates for improved adoption policies.

### *National Foundations Working in Child Welfare*

**The Annie E. Casey Foundation**

**The Bill & Melinda Gates Foundation**

**The Conrad N. Hilton Foundation**

**The Dave Thomas Foundation**

**The Doris Duke Charitable Foundation**

**The Duke Endowment**

**The Jim Casey Youth Opportunities Initiative**

**The Kresge Foundation**

**The Sherwood Foundation**

**The Stuart Foundation**

**The W.K. Kellogg Foundation**

### *Section IV: Key Resources*

#### *Federal Agency Websites*

**Administration on Children and Families:** Contains information about the agency's programs, initiatives, grants, as well as data and reports.

**The Children's Bureau:** Contains a number of useful resources, including information about laws and policies related to child welfare, AFCARS Assessment Reviews, Child & Family Service Reviews, SACWIS Assessment Reviews, Title IV-E Reviews, and additional research and data.

**The Government Accountability Office (GAO):** Independent, nonpartisan agency that investigates how the federal government spends taxpayer dollars. The GAO has written numerous reports on the child welfare system.

#### *Key Data and Public Law Resources*

**Chapin Hall at the University of Chicago:** Research and policy center focused on children and youth, families, and their communities. Chapin Hall is an excellent resource for child welfare program and policy research.

**Child Welfare Information Gateway:** Online database of state statutes related to child welfare, adoption, and child abuse and neglect, provided by the Children’s Bureau, ACF, and HHS.

**Child Welfare Policy Database:** Central resource of state child welfare policies to help policymakers, practitioners, and other stakeholders stay abreast of current child welfare policies and data.

**KIDS COUNT Data Center:** Excellent source of data on a number of child and family well-being measures, including child welfare, in the United States. The KIDS COUNT Data Center also allows users to download data and create reports and graphics.

**National Data Archive on Child Abuse and Neglect at Cornell University (NDACAN):** Acquires data from leading researchers and national data collection efforts (including the data systems listed in Section I) and makes these datasets available to the research community and policymakers for secondary analysis. The NDACAN also supports information-sharing through a Listserv, *Child Maltreatment Research Listserv*, which is a good source for what’s going on in the child welfare research community:

### *National Resource Centers*

There are ten national resource centers funded by the Children’s Bureau to provide free, on-site training and technical assistance to state and tribal child welfare agencies.

**National Resource Center for Child Welfare Organizational Improvement** (University of Southern Maine, Portland, ME): Helps child welfare agencies improve management and operations, expand organizational capacity, and promote service integration through training, TA, research and evaluation.

**National Resource Center for Child Protective Services** (ACTION for Child Protection, Charlotte, NC): Aims to improve outcomes for children and families by helping public child welfare agencies improve child protection practice.

**National Child Welfare Resource Center on Legal and Judicial Issues** (American Bar Association, Washington, DC): Provides consultation, training, and technical assistance on all legal and judicial aspects of the child welfare system, including federal law, court improvement, agency and court collaboration, permanency planning, legal representation, and other emerging child welfare issues.

**National Resource Center for In-Home Services** (University of Iowa, Iowa City, IA): Provides expertise on in-home service designed to ensure that safety of well-being of children and youth in their homes, prevent their initial placement or re-entry into foster care, and preserve, support and stabilize their families.

**National Resource Center for Permanency and Family Connections** (Research Foundation CUNY, New York, NY): Focused on strengthening the capacity of state, local, tribal and other child welfare agencies

to institutionalize a safety-focused, family-centered, and community-based approach to meet the needs of children, youth, and families.

**National Resource Center for Adoption** (Spaulding for Children, Southfield, MI): Focused on improving the overall capacity of the child welfare system to sustain systemic changes that addresses the adoption-related needs of the families, children, and youth it serves.

**National Resource Center for Youth Development** (The University of Oklahoma, Tulsa, OK): Focused on building the capacity of states and tribes to provide high-quality services to their youth in out-of-home placements, former foster youth, and other youth in at-risk situations.

**National Resource Center for Child Welfare Data and Technology** (Child Welfare League of America, Arlington, VA): Works with child welfare agencies and the courts on data and system issues to improve outcomes for children and families.

**National Resource Center for Tribes** (National Resource Center for Tribes, Los Angeles, CA): Provides expertise in coordinated and culturally competent child welfare for tribes to help enhance their child welfare services for American Indian/Alaska Native children and families.

**National Resource Center for Community-Based Child Abuse Prevention** (Chapel Hill Training Outreach Project, Inc., Chapel Hill, NC): Focuses on the prevention of child abuse and neglect and supporting families.

### *Resources on Special Populations in Child Welfare*

**Futures Without Violence**: Contains excellent resources on family violence and its impact on child well-being.

**Grandfamilies State Law and Policy Resource Center**: Serves as a national legal resource created to educate individuals about state laws and legislation in support of grandfamilies, including kinship care, and to assist interested state legislators, advocates, caregivers, attorneys, and other policymakers in exploring policy options to support relatives and the children in their care both within and outside the child welfare system.

**Migration and Child Welfare National Network (MCWNN)**: Conducts and disseminates research, develops policy and practice recommendations, develops and disseminates resources, and works with federal, State, and local child welfare agencies to facilitate policy and practice improvements related to immigrant children and families involved in the public child welfare system.

**National Center on Substance Abuse and Child Welfare**: A comprehensive source of information related to families with substance use disorders who are involve in the child welfare and family judicial system.

**Success Beyond 18**: A campaign by the Jim Casey Youth Opportunities Initiative to promote better outcomes for youth aging out of foster care.

**Zero To Three:** An organization focused on infants and toddlers and early learning, including in the context of the child welfare system.

## *Section V: Key Terms*

### *Child Welfare Terms*

**Abuse:** Federal legislation provides guidance to states in defining child abuse by identifying a minimum set of acts or behaviors that constitute abuse. CAPTA defines child abuse and neglect as, at minimum: “any recent act or failure to act on the part of a parent or caretaker which results in death, serious physical or emotional harm, sexual abuse or exploitation;” or “an act or failure to act which presents an imminent risk of serious harm.”<sup>9</sup>

**Diligent search:** A search conducted by staff to locate a parent, relative, or other adult who could provide permanency for a child in foster care.

**Diversion:** Situations in which a child welfare agency investigates a report of child abuse or neglect, determines that a child cannot remain safely with parents/guardians, and helps to facilitate the child’s care by a relative instead of bringing the child into state custody.<sup>10</sup>

**Fictive Kin:** People who have a kin-like relationship with a child, but are not blood-related.

**Interstate Compact on the Placement of Children:** Establishes uniform legal and administrative procedures governing the placement of children in the child welfare system across state lines.

**Kinship care:** Refers to all living arrangements in which children are cared for by relatives and neither of the children’s parents live in the home. Often, this definition also includes those who are not related by blood, marriage, or adoption, but have an established relationship with the child.<sup>11</sup>

**Kinship foster care:** Refers to those arrangements that occur when child welfare agencies take custody of a child after an investigation of abuse and/or neglect, and places the child with a kinship caregiver who is approved (licensed) by the child welfare agency.

**Neglect:** Federal legislation provides guidance to states in defining child abuse by identifying a minimum set of acts or behaviors that constitute abuse. CAPTA defines child abuse and neglect as, at minimum: “any recent act or failure to act on the part of a parent or caretaker which results in death, serious physical or emotional harm, sexual abuse or exploitation;” or “an act or failure to act which presents an imminent risk of serious harm.”<sup>12</sup>

**Non-custodial parent:** A person who does not have primary care, custody, or control of the child(ren).

**Provisional licensure/pre-approval:** A pre-approval placement process for kin that allows children to be placed into the homes of kin almost immediately after they are removed. The agency may do a limited amount of assessment and safety checks of the relative and his/her home, and then may make the continuation of placement contingent upon the completion of the required licensure or approval process.

**Relational permanency:** A lifelong connection to a caring adult.

**Resource parent:** Term that includes foster parents, kinship caregivers, and others caring for children in the custody of the child welfare system.

**Substantiation** (also called indicating): A report was made of abuse or neglect of a child to the state's child welfare agency and it was found by the agency that there is credible evidence to support that report, or that the child may be at-risk of maltreatment. The procedures for determining credible evidence, the definition of abuse and neglect, and whether children at-risk of maltreatment is considered substantiated varies by state due to differences in state statutory language.

**Title IV-E agency:** State or local child welfare agencies receiving Title IV-E funding from the federal government.

### *Placement Terms*

**Adoption:** A permanent family placement for a child, in which the rights and responsibilities of his/her biological parents are legally transferred to the adoptive parent(s).

**Adoption triad:** A term used to describe the birth parent, adoptive parent, and adoptee.

**Aging out:** Also known as emancipation, describes youth who exit the foster care system without a permanent family between the ages of 18 and 21 (depending on the state).

**Another Planned Permanent Living Arrangement (APPLA):** A permanency goal established by the Adoption and Safe Families Act of 1997 to be used when there is a compelling reason that return home, placement with a guardian or relative, and adoption would not be in a child's best interest.<sup>13</sup> Though federal law makes clear that APPLA is to be used only as a last resort, APPLA is often misused, and there are more children in youth with a permanency plan of APPLA than what was originally intended.

**Case management:** A method of providing services whereby a professional social worker assesses the needs of a child and his/her family and arranges, coordinates, monitors, evaluates, and advocates for a package of services to meet a child's complex needs.

**Diligent search:** A search conducted by staff to locate a parent, relative or other adult who could provide permanency for a child in foster care.

**Foster care:** A temporary placement in a family for a child whose biological parents are unable to provide care for them due to substantiated case(s) of abuse or neglect.

**Guardianship Assistance Program:** Federal program that gives states the option of providing financial assistance to relatives who have assumed legal guardianship of children who were previously in foster care.

**Grandfamilies:** A term referring to grandparents and other relatives who care full-time for relative children.

**Legal guardianship:** Established by court order, legal guardianship grants custody to someone who is not the child's parent. States may offer guardianship as a permanency option for children who cannot be reunified with their parents when identified permanent caregivers are not interested in pursuing adoption. Guardianship does not require that parental rights are terminated, so children in guardianship are still legally related to their parents.<sup>14</sup>

**Licensure:** The process of approval required by all foster parents caring for children in custody. Many, but not all, kinship caregivers become licensed caregivers.

**Kin:** Includes persons who are related by blood, marriage, or adoption. May also refer to those who are not related to the child(ren) but have an established relationship with the child(ren), including godparents, close friends, neighbors, and others.

**Kinship care:** An arrangement where the child is nurtured, protected, and cared for by relatives, members of the child's tribe or clan, godparents, step-parents, or other adults who have a kinship bond with the child.

**Kinship foster care:** An arrangement that occurs when child welfare agencies take custody of a child after investigation of abuse and/or neglect, and places the child with a relative or someone with whom they have a family-like relationship. Some, but not all kinship foster parents are licensed.

**Out-of-home care:** General term to describe any placement outside of the biological family's home while a child is in the custody of the child welfare system.

**Permanency planning:** Process through which planned and systematic efforts are made to ensure that children are in safe and nurturing family relationships that are expected to last a lifetime.

**Re-entry:** Refers to youth who were reunified with their parents or who left foster care or another placement, and then came back into the foster care system.

**Residential care:** Refers to temporary group care, commonly in larger institutions, for children who do not have primary caregivers. Residential care is the most restrictive placement for children in the child welfare system, and is meant to provide 24-hour care for children when they cannot be placed in family foster care or with kin.

**Reunification:** The returning of children to the custody of their biological parent(s) after they have been involved in a period of foster care placement outside the family home.

**Supervised independent living:** A placement arrangement for youth in foster care that may include scattered-site or semi-supervised apartments, clustered or supervised apartments, shared homes, adult roommate apartments, specialized homes, host homes, boarding homes, or supervised housing.

**Treatment foster care (TFC):** A clinical intervention, which includes placement in specifically trained foster parent homes, for youth in foster care with severe mental, emotional, or behavioral health needs.<sup>15</sup> For more information, see the SPARC brief on TFC [here](#).

## *Legal Terms*

**Advocate:** A defender or representative.

**Court Appointed Special Advocate:** Volunteers appointed by judges to advocate for children in the child welfare system. In some states, these volunteers are also known as guardians ad litem.

**Emancipation:** The act or an instance of freeing someone from the control of another, especially a parent's or system's relinquishing authority and control over a minor child. Emancipation occurs when young people age out of out-of-home care and leave the foster care system.

**Family or juvenile court:** The term for the recognized judicial districts that requested and were granted additional resources to provide case management for family issues such as custody and abuse, neglect, and dependency.

**In loco parentis:** Acting as a temporary guardian of the child.

**Juvenile petition:** Official document containing allegations of child abuse, neglect, and/or dependency that is typically filed by the local county department of social services.

**Family Drug Treatment Court:** A type of family court that works with parents and guardians with substance use disorders and are in danger of losing, or have already lost, their children due to abuse or neglect allegations.

**Non-custodial parent:** A person who does not have primary care, custody, or control of children.

**Order for Non-Secure custody:** A temporary order that places the care, control, placement, authority, and maintenance of a juvenile with a local department of social services in foster care.

**Program Improvement Plans (PIP):** States are required to submit PIPs when their child welfare services are determined to be out of conformity on any seven outcomes or systemic factors assessed in the Child and Family Services Review.

**Relinquishment:** The willing abandonment of parents' rights.

**Secure Custody order:** An order that places the care, control, and maintenance of a juvenile in a locked facility.

**Termination of Parental Rights:** A legal proceeding to free a child from a parent's legal custody so that others can adopt the child.



*The State Policy Advocacy and Reform Center (SPARC) is funded by the Annie E. Casey Foundation and Jim Casey Youth Opportunities Initiative, aims to improve outcomes for children and families involved with the child welfare system*

by building the capacity of and connections between state child welfare advocates. SPARC is managed by First Focus. You can visit us online at [www.childwelfareparc.org](http://www.childwelfareparc.org) or on Twitter at [@ChildWelfareHub](https://twitter.com/ChildWelfareHub).

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## Notes

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<sup>1</sup> Adapted from: *Child Welfare Financing in the United States*: [childwelfareparc.files.wordpress.com/2013/02/child-welfare-financing-in-the-united-states-update.pdf](http://childwelfareparc.files.wordpress.com/2013/02/child-welfare-financing-in-the-united-states-update.pdf).

<sup>2</sup> Description adapted from: <https://www.childwelfare.gov/pubs/factsheets/about.pdf>.

<sup>3</sup> Description from: [www.acf.hhs.gov/programs/cb/research-data-technology/reporting-systems/ncands](http://www.acf.hhs.gov/programs/cb/research-data-technology/reporting-systems/ncands).

<sup>4</sup> Description from: [www.acf.hhs.gov/programs/opre/research/project/national-survey-of-child-and-adolescent-well-being-nscaw-1](http://www.acf.hhs.gov/programs/opre/research/project/national-survey-of-child-and-adolescent-well-being-nscaw-1).

<sup>5</sup> Description from: [www.acf.hhs.gov/programs/cb/research-data-technology/reporting-systems/nytd](http://www.acf.hhs.gov/programs/cb/research-data-technology/reporting-systems/nytd).

<sup>6</sup> These are Alabama, Alaska, Arizona, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, Oklahoma, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Washington, West Virginia, and Wyoming.

<sup>7</sup> These are California, Colorado, Minnesota, New York, North Carolina, North Dakota, Ohio, Pennsylvania, and Virginia.

<sup>8</sup> Maryland, Nevada, and Wisconsin.

<sup>9</sup> From <https://www.childwelfare.gov/can/defining/federal.cfm>.

<sup>10</sup> From [www.aecf.org/~media/Pubs/Topics/Child%20Welfare%20Permanence/Kinship/KinshipDiversiionDebate/KinshipDiversiionDebate.pdf](http://www.aecf.org/~media/Pubs/Topics/Child%20Welfare%20Permanence/Kinship/KinshipDiversiionDebate/KinshipDiversiionDebate.pdf).

<sup>11</sup> From [www.childwelfarepolicy.org/resources?id=0006](http://www.childwelfarepolicy.org/resources?id=0006).

<sup>12</sup> From <https://www.childwelfare.gov/can/defining/federal.cfm>.

<sup>13</sup> From [www.aecf.org/upload/PublicationFiles/CFS3622H5061.pdf](http://www.aecf.org/upload/PublicationFiles/CFS3622H5061.pdf).

<sup>14</sup> From [www.childwelfarepolicy.org/resources?id=0006](http://www.childwelfarepolicy.org/resources?id=0006).

<sup>15</sup> From <http://childwelfareparc.files.wordpress.com/2013/07/therapeutic-foster-care-exceptional-care-for-complex-trauma-impacted-youth-in-foster-care.pdf>.