



Community of Practice

Session 2

**Understanding the
Child Welfare
Landscape**

November 9, 2023

About the Community of Practice



California
Community
Colleges



JOHN BURTON
Advocates
for Youth

What does our time together today look like?



01

Reflections and Prep for
Success Feedback

02

Understanding the Child
Welfare Landscape

03

Discussion

04

Wrap Up & Next Steps

Breakout Rooms

Prep for Success Session 1 Activity Reflections & Report Out

Assignment: Identify the departments on campus that are most essential for your students and drop by or arrange to meet with their staff.

- Who did you identify?
- Who did you meet with?
- How did it go?
- What are the next steps?

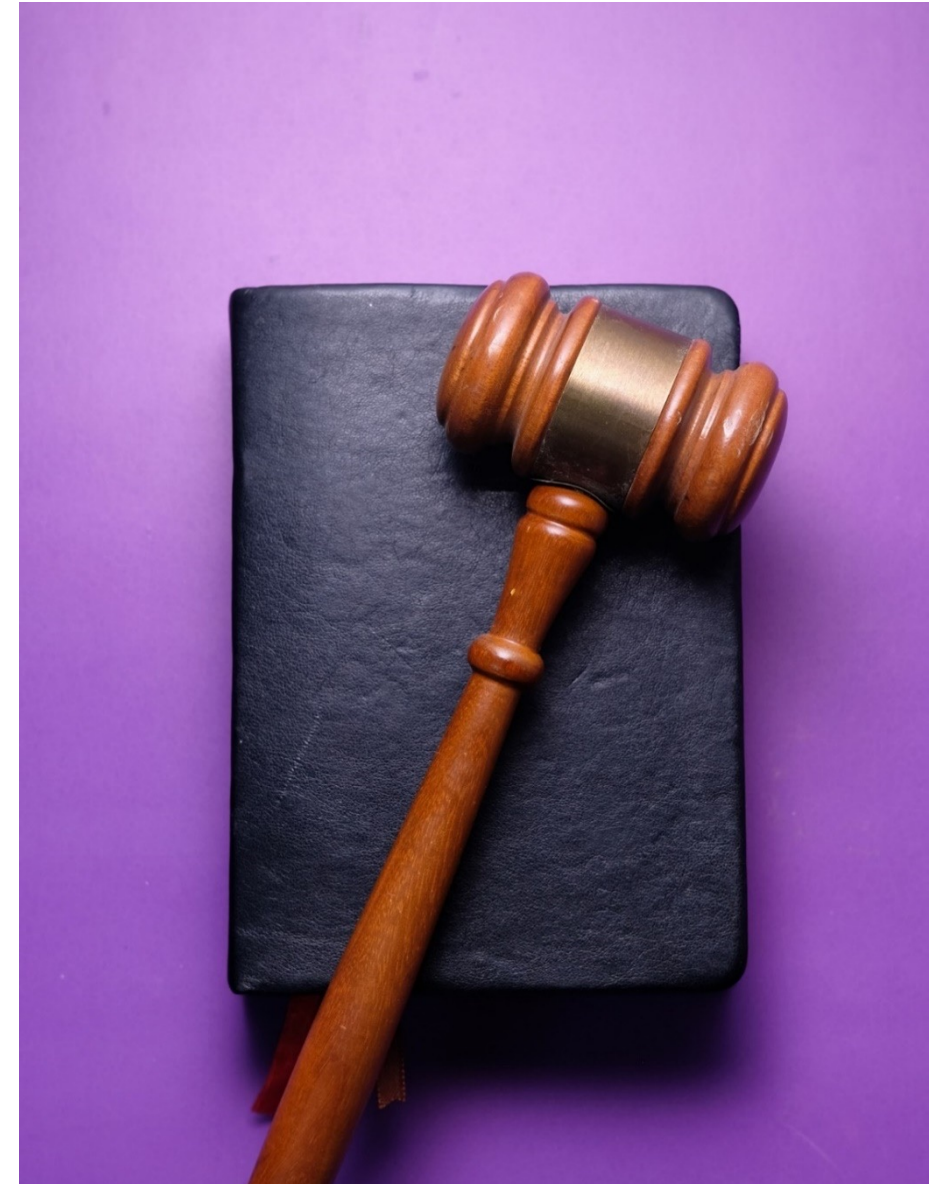


**Children's Law Center
of California**
Excellence In Advocacy

DEPENDENCY 101

**Ann Quirk
Rebecca Ingerman**

Dependency Basics



Dependency Basics

What is “dependency court?”

The juvenile dependency court hears cases involving children who have been, or are in, immediate danger of abuse, neglect, injury, or abandonment.

*It is NOT family court or criminal court.



Dependency Basics

Goals of the dependency system:

- **Preserve the family** and provide for the physical and emotional well-being of children, identify problems that lead to the removal of children from their homes
- **Place children in safe environments with relatives or families** when children cannot be in their homes
- **Seek permanent homes** or long-term foster care when children cannot be returned to their parents

How a case begins:

Referral of child abuse and/or neglect



Investigation by Department of Children and Family Services



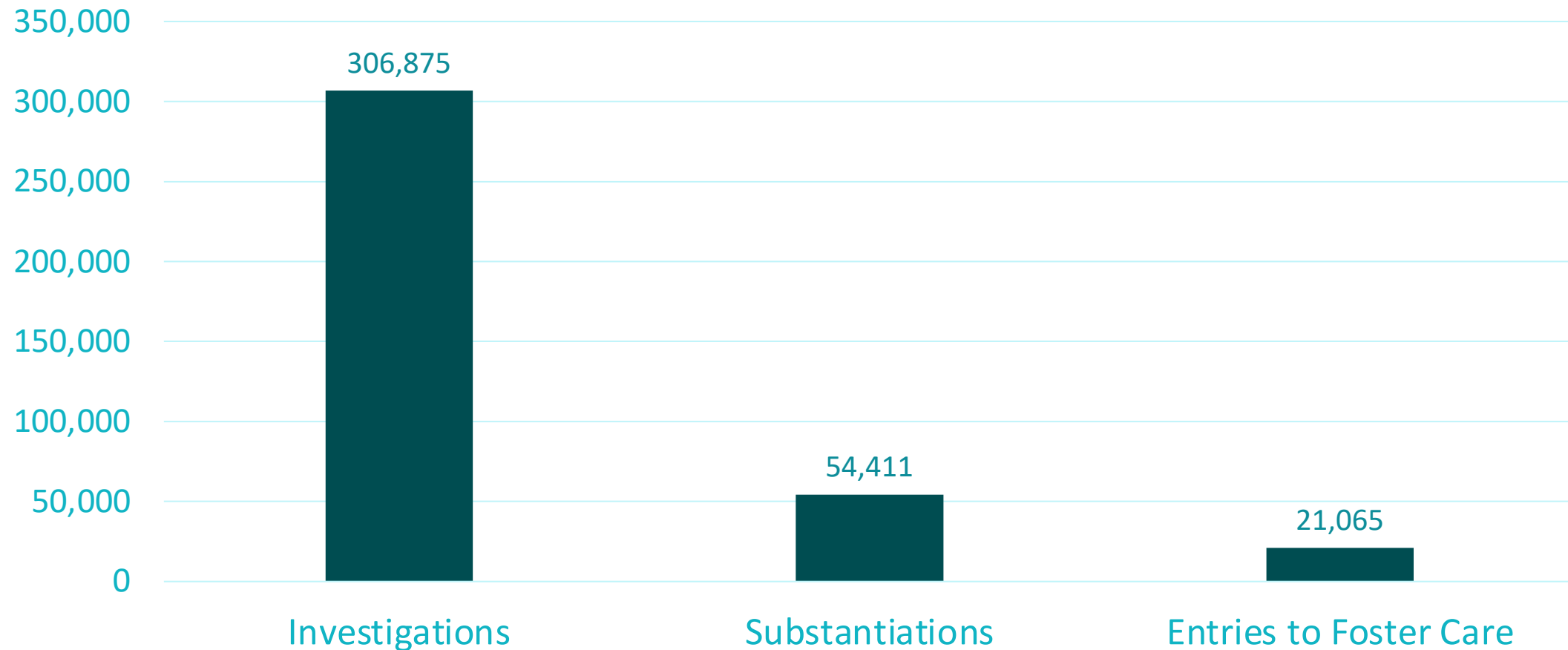
Determination of Risk

Allegations
unfounded or
unsubstantiated

Family agrees
to voluntary
services

Petition filed
Detain: child removed
Non-detain: child remains

Allegation Outcomes in CA (Jan – Dec 2022)



Reasons for a referral

- Child suffered, or substantial risk will suffer serious harm or illness
- Inadequate supervision
- Failure to provide food, shelter, clothing, or medical treatment
- Mental illness or substance abuse (parent or child)
- Sexual exploitation
- Domestic violence
- Sexual abuse
- Physical abuse
- Emotional abuse
- Harm to a sibling

BUT POVERTY ALONE IS NOT ENOUGH!

Court Players

- **Judge / Referee / Magistrate**
- **County Counsel**
 - Can make recommendations, inform the court, and implement orders
- **Parent's Counsel**
 - Advocate for parent's wishes, confidentiality
- **Children's Counsel**
 - Advocate for client's direct wishes/best interest, confidentiality
- **CASA**
 - Advocate for children, no confidentiality
- **County Social Worker**
 - Not an attorney, not the court, not the ultimate decision maker

Petition filed; court case opened



Initial Hearing
Attorneys assigned



Possible Outcomes:

- Youth removed from parents (“detained”)
- Youth remain with parents (“released”)
- Petition dismissed



Jurisdiction Hearing
Are the allegations true?



Disposition Hearing
Allegations are true- now what?
Placements and Case Plans

PLACEMENTS

- **Non-Relative Foster Homes** (through Counties or through Foster Family Agencies “FFA”)
- **Relative Placement**
 - Can also include NREFM (non-related extended family members)
 - RFA (Relative Family Approval) process
- **STRTP** (short term residential therapeutic program)
- **THP-M** (Transitional Housing- for youth 16-18)



AFTER DISPOSITION

YOUTH REMAIN OUT-OF-HOME *(family reunification)*

Review Hearings
6, 12, 18, 24 months

*Can kids return home?
What progress is being made on the case plan?*

YOUTH REMAIN WITH OR RETURN TO A PARENT *(family maintenance)*

In-Home Review Hearings
(364)
Every 6 months

*Is court intervention still
needed?*

Selection & Implementation Hearing (.26 hearing) *What is the permanent plan?*

Adoption
Guardianship
APPLA
(Alternative Planned Permanent Living Arrangement)

Review Hearings Every 6 Months

Guardianship or Adoption?

Guardianship

- Parents still have parental rights. They can ask for reasonable contact.
- Automatically ends at 18 OR the court can end a guardianship if the parents are able to take care of the child.
- Guardianships can be supervised by the court.
- Can be through probate or dependency.
- Kin-GAP or NRLG

Adoption

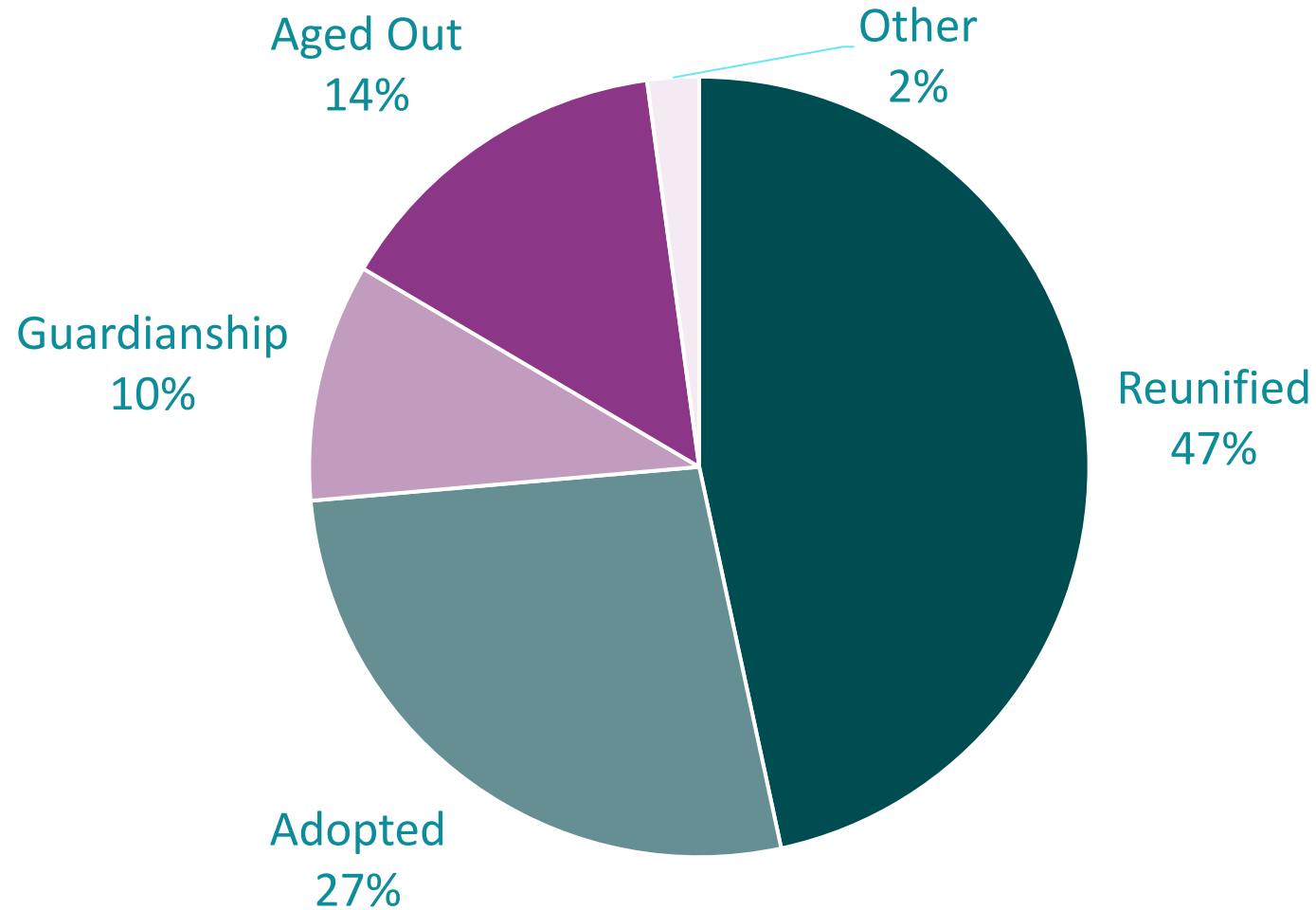
Parents' rights are permanently ended.

The legal relationship with the adoptive parents is permanent and is exactly the same as a birth family.

An adopted child inherits from their adoptive parents, just as a birth child would.

Adoptive families are not supervised by the court.

Exits from Foster Care July 2022- June 2023



Youth's Rights

- Participate in court hearings (10+ and younger in some counties)
- Be involved with your case plan and receive copies of all reports (12+)
- Stay at school of origin
- Have a say in placement decisions
- Visitation– with parents, with siblings, with significant connections
- Right to documentation- birth certificate, ID, case file
- Medical, dental, and mental health care
- Participation in cultural, racial, religious activities of their choice (*ICWA*)
- SOGIE (sexual orientation, gender identity, and expression)

Why Extra Support is Needed

- **Educational Neglect**
- **Trauma**
- **High Rates of School Mobility**
 - **Curricular discontinuity**
 - **Lack of school records or misinformation**
 - **School disconnectedness**
- **Special Education**
 - **Under-served**
 - **Over-represented in Emotional Disturbance Category**
- **Disproportionate School Discipline**
- **Nobody Accountable for Tracking Progress**

EXTENDED FOSTER CARE (EFC)

- Foster care for eligible youth extends from age 18 to 21
- Called NMDs (non-minor dependents)
- Review hearings every 6 months
- New Social Worker – meet 1x/month
- TILCP (Transitional Independent Living Case Plans)
- Voluntary- can leave at any time & re-enter
- To receive payment, must be in eligible placement
 - **THP-NMD** (used to be THP+FC; for young adults 18 – 21)
 - **SILP** (Supervised Independent Living)

EXTENDED FOSTER CARE (EFC)

Requirements:

- Meet 1 of below criteria:
 - Working towards completion of HS or equivalent
 - Enrolled in college, community college, or vocational program
 - Employed at least 80 hours a month
 - Participating in a program designed to assist in gaining employment
 - Unable to do one of the above because of documented medical condition

Must be under foster care placement order at 18

Other extended benefits available for youth in some guardianships or adopted after age 16

EXTENDED FOSTER CARE (EFC)

Guardianships or Adoption Assistance Program:

- No open court case
- Funding goes to LG or Adoptive parent.
- Youth may live elsewhere on agreement of LG/Parent;
- SILP or THP-NMD are not options
- Youth may petition the court to re-enter as NMD if:
- Adoptive parent or LG OR
- Parent/LG no longer provides ongoing support to youth and no longer receives aid on behalf of the nonminor.

Other Programs

- **Foster Youth Services Coordinating Program:** Oversees and coordinates K-12 educational services for foster youth
- **THP-Plus**
 - Transitional housing for youth who have exited foster care
 - Up to age 25 for maximum of 36 months
- **Independent Living Program**
 - Provides training, services, and benefits to assist current and former foster youth in achieving self-sufficiency
 - Services vary by county
 - Must be age 16-21 and in foster care or Kin-GAP after age 16 or in NRLG after age 8

Other Terms to Know

- **Court Appointed Special Advocates (CASA):** Volunteers assigned by the court to work one-on-one with and advocate for a foster youth.
- **Office of the Foster Care Ombudsperson (OCFO):** An autonomous entity that is empowered to investigate and resolve complaints. Also authorized to provide verification of foster care status to youth who have exited the system.
- **Unaccompanied Refugee Minors:** Program that serves eligible youth who do not have parents in the United States. Cases are overseen by community providers rather than county child welfare agencies.



CONTACT US

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FOLLOW CLC ONLINE



Outreach & Recruitment Considerations

- Find “your person” within the child welfare agency
- Develop pathway for referrals and warm handoff
- Create an advisory committee that includes key child welfare representatives
- Make the relationship reciprocal - be a resource for them
 - Offer to do presentations and workshops about your college, your program and educational options in general for staff and youth
 - Invite youth from their programs to your events to build relationships early

Finding Your Partners



- FYSCP: <https://www.cde.ca.gov/ls/pf/fy/contacts.asp>
- EFC re-entry contacts: <https://www.cwda.org/county-tools/ab-12-county-contact-list-re-entries>
- THP NMD Providers: <https://jbay.org/resources/thp-nmd-provider-roster/>
- THP-Plus Providers: <https://jbay.org/resources/thp-plus-provider-roster/>
- ILP: <https://www.cdss.ca.gov/county-offices> or <https://jbay.org/resources/ilp-roster/>
- CASA: <https://www.californiacasa.org/local-programs>

Eligibility Considerations



*“a **current or former foster youth** in California whose **dependency was established** or continued by a court of competent jurisdiction, including a tribal court, **on or after the youth’s 13th birthday.**”*

- Youth placed with kin **DO** qualify if the family served as a formal foster care placement after age 13.
- If the student had an open dependency case at age 13, they **are** eligible for NextUp regardless of what happens after this. The youth can return to parents, enter a guardianship, or be adopted after age 13 and this does not impact their NextUp eligibility.
- The length of time a student spends in foster care **does not** determine eligibility for NextUp services.
- Students who have experienced foster care in another state **are** eligible to participate.
- Being ILP eligible **does not** necessarily equate to being NextUp eligible.
- Receiving a Chafee Grant or a Foster Youth Cal Grant award **does** equate to being NextUp eligible.

Discussion and Q&A



Prep for Success Opportunity #2

Assignment: Identify the Extended Foster Care (EFC) contact at your local Child Welfare Agency, a contact for your local Independent Living Program (ILP) and any local transitional housing providers (THP-NMD or THP-Plus). If your college has more than one county in your service area, each county will have its own child welfare agency and ILP. Reach out and schedule calls to introduce yourself and the NextUp program.

Extra Credit: Begin conversations about how to develop a warm handoff pipeline to your program or arrange for one or more of the agencies to bring their youth on a campus tour.

Tip: EFC re-entry contacts can be found [HERE](#) and THP-Plus County contacts are listed [HERE](#). THP-NMD providers are available [HERE](#) and THP-Plus providers are provided [HERE](#). A list of ILP providers is [HERE](#).

Upcoming Sessions

11/30 Session 3

Leveraging Community Partnerships

12/14 Session 4

Financial Aid

Thank You

For Your Attention



Visit Our Website

<https://icangotocollege.com/financial-aid/foster-youth-support#card-4>

