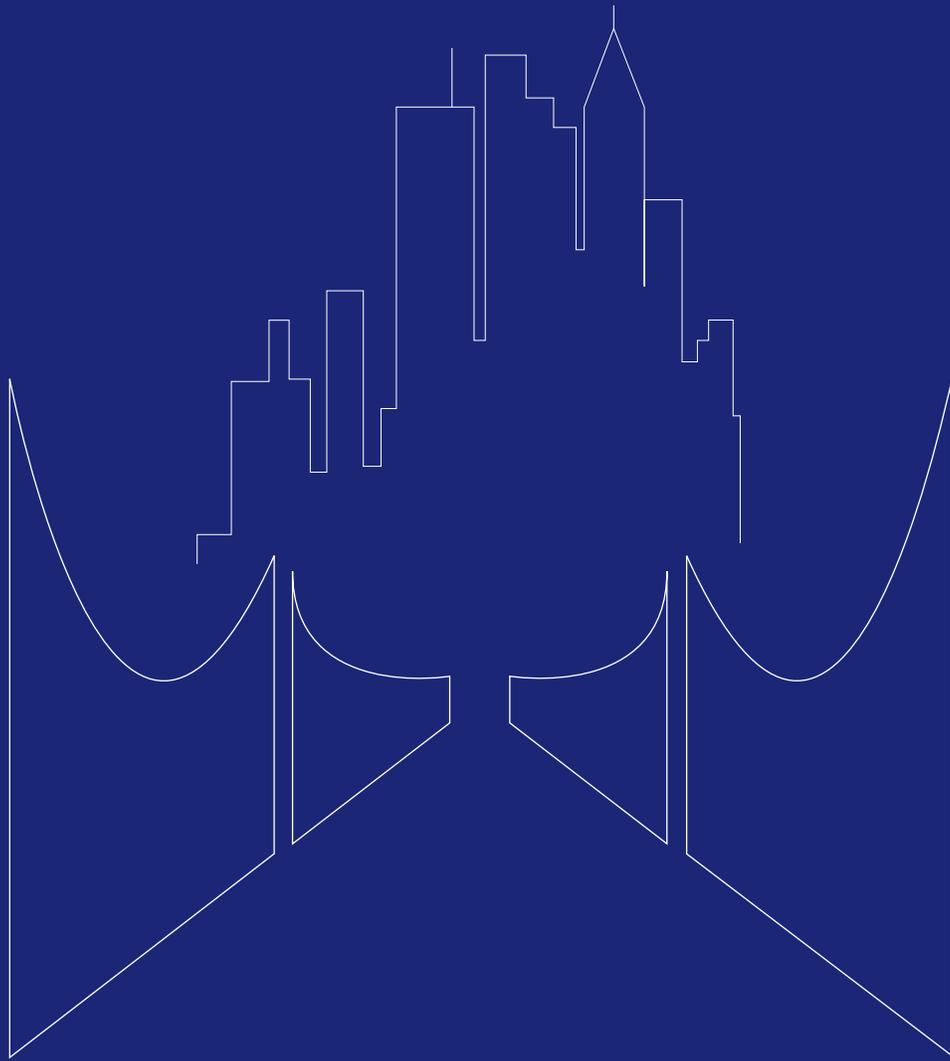


The Future for Teens in Foster Care



YOUTH

ADVOCACY

CENTER

THE FUTURE FOR TEENS IN FOSTER CARE

THE IMPACT OF FOSTER CARE ON TEENS
AND A NEW PHILOSOPHY FOR PREPARING TEENS
FOR PARTICIPATING CITIZENSHIP



Youth Advocacy Center, Inc.
281 Sixth Avenue * New York, New York 10014 * 212.675.6181
www.youthadvocacycenter.org

© 2001 Youth Advocacy Center, Inc

ACKNOWLEDGMENTS

The research and writing of this report was supported by a grant from the Annie E. Casey Foundation, with additional support provided by the Individual Project Fellowship Program at the Open Society Institute.

John Mattingly encouraged us to write this report, and provided guidance and support along the way.

Young people in the foster care system are our inspiration. We believe deeply in their intelligence, passion, creativity and potential, and therefore used those as the basis for our recommendations. We especially thank the teens who have participated in Youth Advocacy Center's programs, and the many adults in their lives who support them.

Sean Bolser, Rita Charon, Francine Cournos, Bernard Gross, Deborah Hayes, and Joe Wayland, as valued Board members, make the work of Youth Advocacy Center possible.

As we researched and wrote this, many individuals shared their time, experiences, and insights with us. In particular we thank the following for their generosity:

Dwishnicka Decarde, Keisha Dupree, Sabrina Hines, Makeba Lawrence, Leniere Miley, and Sashine Rivera; Mike Arsham of the Child Welfare Organizing Project; Kathy Bonk; Jill Chaifetz of Advocates for Children of New York, Inc.; John Courtney of the Child Welfare Fund; Monica Drinane, Nanette Schorr, and Kay McNally of the Juvenile Rights Division of the Legal Aid Society; Keith Hefner of Youth Communication; Al Herbert; General Charles Krulak; Gara LaMarche of the Open Society Institute; David Lansner of Lansner & Kubitscheck; Sister Paulette LoMonaco of Good Shepherd Services; The Hon Margarita Lopez-Torres; Evette Soto-Maldonado of the Puerto Rican Legal Defense Fund; Professor Edmund V. Mech; Jennifer Mulhern and Janice Nittoli of the Annie E. Casey Foundation; Kim Nauer of Center for an Urban Future; Hank Orenstein of CPLAN and the Public Advocate's Office; Eric Nicholas, Lisa Parrish, and Anne Williams-Isom of the New York City Administration for Children's Services; and Chris Stone of the Vera Institute for Justice.

Liz Wells and Nora Lisman assisted with research. Suri Lyn Duitch and Joanne Omang helped with editing, and Communications Consortium Media Center designed the final draft.

INTRODUCTION.....	1
Youth Advocacy Center, Inc. and the Background for This Report	2
The Theory of Self-Advocacy	2
Using Legal Education Methodology to Teach Self-Advocacy to Foster Care Teens	4
Objectives and Methodology of This Report	5
Using Anecdotes and Quotes From Young People in Foster Care	6
Teens in the Context of the New York City Foster Care System	6
Data on Teens in New York City Foster Care	7
Reform Efforts Regarding Teens in Foster Care	8
Social Prejudices Affecting Teens in Foster Care	9
Older Teenagers—16 and Over	9
TEENAGERS IN FOSTER CARE HAVE THE POTENTIAL AND THE RIGHT TO PARTICIPATE FULLY IN SOCIETY.....	11
Aspirations of Teens in Care	11
Capabilities of Teens in Care	12
Teens as Future Participating Citizens	13
EVIDENCE THAT THE FOSTER CARE SYSTEM FAILS TO PREPARE TEENS TO PARTICIPATE AS CITIZENS.....	15
Teens in Care Receive Little Support in Planning for the Future	15
Lack of Future Orientation	15
The Dismal Results of Foster Care for Teenagers	17
They Emerge Uneducated	17
They are Without Employment Sufficient to Support Themselves	17
They May Be Homeless	17
Too Many Land in Prison	18
Many Face Health Risks	18
A CRITIQUE OF FOSTER CARE PRACTICES IN PREPARING TEENS FOR THE FUTURE.....	19
Temporary Placements and Caretakers are Unsited for Future Planning	20
A Focus on Behavior Management and Control of Teens is Counterproductive	22
Foster Homes	22
Group Homes and Residential Treatment Centers	23

Disregard for the Importance of Education	25
Barriers to Education Faced by Children in Foster Care	25
Other Foster Care Practices that Undermine Educational Achievement	26
Neglect of Family Relationships for Teens	30
Teens and “Biological” or “Birth” Families, or “Families of Origin”	30
Teens and Non-Biological Families	32
The Crisis Focus Produces Maladaptive Behavior	32
Problems Are Given More Emphasis Than Strengths	32
The System Does Not Recognize or Reward Personal Responsibility	33
Learning Requires Making Mistakes and Failing	33
Teens Are Segregated From the Broader Society	34
“Independent Living” Programs Alone Cannot Help Teens Overcome the Foster Care Environment	35
The Legal and Policy Context of Independent Living	35
Observations of Independent Living Programs in New York City	35
FLAWED PHILOSOPHY AND POLICIES FOR TEENS IN CARE.....	39
The Protective/Treatment Philosophy Has Not Worked For Teens In Care	39
Agencies Are Not Held Accountable for Young People Leaving Foster Care	40
The Per Diem Funding Structure Maintains Teens in Temporary Placement	40
RECOMMENDATIONS TO SUPPORT THE POTENTIAL OF EVERY TEEN IN CARE.....	41
A New Future-Oriented Philosophy for Older Teenagers In or At Risk of Foster Care	41
Self-Advocacy Education for Older Teens In or At Risk of Foster Care	42
Informational Interviews	44
Demanding Standards Mean That Not Every Teen Is Ready for Self-Advocacy Education	44
Foster Care Placements That Support Teens in Developing Plans for the Future	45
A Blueprint for the Y25 Program— A Demonstration Program in Which the Living Environment is Focused on Future Planning	45
Alternatives to Foster Care for Older Teens	48
ENDNOTES.....	51

INTRODUCTION

Every year, tens of thousands of young people leave the foster care system to become homeless, incarcerated, or forced onto welfare. While these young people have the potential and right to become participating citizens, government and its contracting agencies undermine their efforts to do that. Teens spend years in foster care without families or stable relationships and without support for education. Policies promoting “independent living” and “self-sufficiency” for teens do not translate into effective practices.

Over the past 12 years, we have talked to hundreds of teenagers in care about their lives. We have found that you can ask one set of questions and be overwhelmed and saddened by the forces that surround youth: poverty, homelessness, drug addiction, violence, and incarceration. You can ask another set of questions and be outraged by the injustices they have suffered in foster care and the violations and humiliations they endure each day. Or you can ask a different set of questions and be inspired by their hopes and dreams, their idiosyncratic interests, their commitments and passions, and their desire to participate fully in society.

In this report, as in our work at the Youth Advocacy Center, we focus on the third set of questions. We are interested in the strength, intelligence and aspirations of young people who are in the temporary custody of the government by virtue of foster care placement. Teens in foster care must have the opportunity to become participating citizens; we define participation as pursuing one’s interests and contributing in the public sphere through employment and civic engagement. Too frequently, the foster care system does not provide this opportunity.

There are enormous gaps among child welfare policy, its practice, and teens’ actual experiences. This report is informed by our own experiences as lawyers and program developers working in the foster care system. More importantly, it is informed by the perspective of youth in foster care and those who have left the foster care system.

The foster care system should re-focus on teens’ futures, rather than on their past and present problems. The foster care system must have a new mission for teenagers: to support them in becoming participating citizens.

Youth Advocacy Center, Inc. and the Background for This Report

We started in this field as attorneys representing children in Manhattan Family Court.¹ We saw that despite the intervention of countless social workers, attorneys, judges, and mental health professionals, many of our teenage clients failed after foster care. While these professionals were and are committed to helping individual clients, their focus is primarily on teens' past and present crises, not on planning for the time when teens leave foster care.

We founded Youth Advocacy Center (YAC) in 1992 to teach teens in foster care to become advocates for themselves and to take control of their lives. YAC's philosophy is that teens' interests, aspirations, and strengths should be the basis for program development. The theory and structure of the program were designed specifically to counter the negative effects of foster care on teens, and to prepare teens to achieve their goals and participate in the community.

The Theory of Self-Advocacy

Some remarkable teens in care helped us develop the theory of self-advocacy. Early in YAC's development, we noted that teens who were more successful in seeking out help from adults, in improving their situations in foster care, and in making progress toward reaching some education or work goals were using some common principles and tactics.

Examples of Teens Using Self-Advocacy

Jose sought help with changing his school placement by convincing his social worker that he had the ability to do better in high school and go to college.

Maria persuaded her foster care agency to allow her to take driving lessons so she could seek jobs in communities where she would need a driver's license.

Samantha persuaded her agency to sponsor her on a trip to visit colleges in Boston, offering to give a presentation to other teens at the agency about it afterward.

Working with these teens and combining their expertise with our own background in legal advocacy and education, we developed a program and theory of self-advocacy for foster care teens, basing it on legal advocacy approaches specifically adapted to the context of the students' lives. The resulting framework teaches teens to plan for their futures rather than focus solely on their past and present problems. Self-advocacy is a conceptual and skills-based process that includes the following components:

- Setting goals, short and long term;
- Research—finding facts and relevant information;
- Analyzing facts and information;
- Understanding and analyzing the goals of “the other side”;
- Connecting personal goals with others' goals;
- Identifying allies and supporters;
- Analyzing situations critically;
- Identifying one's own strengths and weaknesses;
- Planning strategy;
- Planning written and oral presentations;
- Dealing with setbacks and rejection;
- Building on successes;
- Reviewing and adjusting goals and strategies; and
- Making effective presentations.

Self-advocacy, like legal advocacy, is focused on the future. One cannot advocate for something in the past or the present; it only makes sense to advocate for a future goal or change. Self-advocacy is active and requires taking on personal responsibility. An advocate cannot be silent or passive in achieving goals, but must be proactive. Advocacy is based on presenting strengths. An advocate does not focus on presenting the weaknesses of a “case” or situation, but on the strengths, assets, and support for his or her position. An advocate understands the weaknesses or shortcomings of the case and puts them in perspective.

Self-advocacy is useful in an infinite number of situations: an individual seeking a good job, a business person closing a deal, a student protesting an unfair grade, an employee getting a promotion, a community organizer lobbying for social change, a tenant negotiating to get back a security deposit, a dissatisfied consumer returning a purchase, a patient getting proper medical attention—in short, anyone addressing the daily challenges of life. Of course, people don't generally call this “self-advocacy” because most people's behavior is modeled on those around them: co-workers, fellow students, parents, and friends.

Using Legal Education Methodology to Teach Self-Advocacy to Foster Care Teens

In partnership with these selected teens and with adults from a range of professional backgrounds, YAC developed a seminar to teach foster care teens self-advocacy and assist them in beginning to develop plans for the future.

The self-advocacy seminar is taught to a class of students living in foster care placement.² Working in groups and individually, the students use a law school-type case method and Socratic methods to analyze and study self-advocacy theory and skills, using YAC's *Self-Advocacy Casebook*. YAC's *Self-Advocacy Planning Workbook* is a starting point for students to identify their own goals, the research they need to do, their allies and supporters, and other elements critical to building an advocacy plan to reach their goals. Students must attend all sessions, complete homework, and are evaluated by the instructor and peers on their written and oral presentations. For many students, this is the first experience of rigor and demand to achieve at a high level.

Learning self-advocacy, teens identify goals they want to pursue. We trust teens in care to identify their own aspirations and goals. One might argue that their goals are unreasonable or unattainable, but we are not in a position to judge who is mismatching goals with potential. Our philosophy is that young people should be respected as having a right to make autonomous judgments, to be given corresponding responsibilities, and provided with support to explore their goals. In practice, we find that encouraging teens in their aspirations leads to clarifying, redefining, and sometimes changing them.

During the seminar, we arrange for "Guest Advocates"—leaders in journalism, entertainment, finance, and government—to meet with students and share stories of their own goals and struggles to reach them. These meetings take place at the Guest Advocate's place of work in order to help broaden the students' experience with the world outside foster care. Guest Advocates have included a vice president at J. P. Morgan, a columnist at *The New York Times*, and a partner at a public relations firm.

As a final project, each student must write a letter and make a prepared oral presentation in an informational interview with a professional in a field in which the student is interested. Recent informational interviews were with a graphic designer, a lawyer, a pastry chef, and a marine biologist. The informational interview is held at the office (or school, or restaurant, or aquarium) of the professional. Its purpose is for the teen to find out more about the field he or she is interested in, gain experience in presenting himself or herself and his or her goals to a professional outside of foster care, and to begin the process of building contacts outside the system.

Self-advocacy encourages teens to see surviving foster care as evidence of their resilience and strength. The foster care experience does not define an individual for life; personal strength, values, intellect, and coping skills are more meaningful and important.

“But when I started to tell people [I had been in care,] they wanted to talk to me and that’s when I found out that it’s not such a bad thing. I can carry on a conversation that I would have never thought of having with someone.”

The students are motivated and hard-working, often despite past academic failure and low educational achievement. They respond to a problem-solving model that emphasizes analytical thinking. They often have positive, yet unidentified, strengths and resources.

Objectives and Methodology of This Report

The objectives of this report are to:

- Demonstrate that older teenagers have the potential and aspirations to become participating citizens, but are too often limited by child welfare policies and practices;
- Promote a new future-oriented philosophy: that every teen in care has the potential to reach his or her personal goals for the future and the potential to become a contributing citizen;
- Recommend changes in policy and practice for older teenagers so as to focus primary attention on their futures and provide them with the means to achieve their long term goals; and
- Stimulate discussion about alternatives to foster care for older teens, a discussion that will include points of view outside the traditional child welfare community.

This report is based on 12 years of experience in working with hundreds of teens in foster care and professionals in the system, as well as on our professional backgrounds. For this report, we also interviewed a range of individuals, connected and unconnected to foster care:

- Teens now in the system;
- Graduates of the foster care system now in their 20s;
- Foster care agency independent-living workers;
- Foster parents;
- Biological parents of children in care;
- Directors of foster care agencies;

- Directors and staff of preventive services agencies;
- Social work professionals, both practitioners and academics;
- Lawyers and legal advocates;
- A family court judge;
- High school and college educators;
- A former military commander;
- Health and mental health professionals; and
- Other community based social services providers.

We reviewed federal and state laws regarding teenagers in foster care; New York City Administration for Children’s Services policies regarding adolescents in foster care; literature about outcomes of teens in foster care and post-foster care; literature about existing programs for teens in care; and data about teens currently in care in New York City.

Using Anecdotes and Quotes From Young People in Foster Care

The experiences of young people who have gone through or who are in the foster care system can be extremely valuable to those creating or implementing policies to support teens’ success upon departure. These young people can often express what is common and prevalent in the system much more powerfully, from a personal point of view, than we ever could.

In this report, particularly in Section III (a critique of foster care practices for teens) we use anecdotes and quotes from interviews with young people in foster care and those who have left foster care. We selected anecdotes and quotes we see as representative of systemic issues, and purposely avoided relating egregious “horror stories” about the system. Our intention is to illuminate typical practice in order to stimulate debate about how to improve it, and to show the basis for our recommendations.

Teens in the Context of the New York City Foster Care System

The foster care system presents many paradoxes. The term “system” makes the process sound more coherent than it actually is. In New York City, dozens of private agencies provide foster care services, trying to follow hundreds of statutory, regulatory, and judicial mandates. Foster care plays a vital role in saving some children from death and serious harm. At the same time, it leads to many other children suffering in myriad ways. In this world, teens are something of an afterthought.

We focused on New York City because it is home to the system in which we have worked. Additionally, New York City's Administration for Children's Services (ACS) recently made available data about children in care, including teenagers, that has made system operations much more transparent. (In 1995, YAC did a report on teen mothers in foster care and found it nearly impossible to get data about the population, because no data were maintained.) As one of the largest foster care systems in the country, New York has an opportunity to lead the rest of the nation in developing better and alternative programming for teenagers who are now in foster care and/or at risk of foster care placement.

Data on Teens in New York City Foster Care

Of the 30,817 children in foster care in New York City in 1999, 9,661 were between the ages of 13 and 19,³ and about 500 were 20 years old. While the absolute number of children in care has decreased over the past several years, teens have become a larger proportion of the total foster care population.

Many expect the proportion to continue to grow as the official PINS (Person In Need of Supervision) age increases from 16 to 18 in November, 2001.⁴ At the practice level, this means that more caseworkers (and social workers, foster parents, law guardians, etc.) will be responsible for more teenagers.

Teens are in the system for a variety of reasons. Some enter foster care as adolescents, and some come from "higher levels" of care—hospitals and residential treatment facilities. Many others entered as young children placed in (supposedly temporary) respite from homes found to be abusive or neglectful.⁵

Many teens spend years in foster care. Today, of teens who have a goal of independent living (according to ACS data, 4,207 New York teens in care have this goal today, which leaves over 5,000 teens with other permanency goals),⁶ almost 600 have been in care for *more than 12 years*, over 800 have been in care for 10-12 years, and over 2,700 have been in care for more than four years.⁷

Other teens enter care as adolescents and leave shortly after.

Regarding placement types, according to ACS:

- More than 3,500 teens have been placed in "congregate care"—group homes and residential treatment centers;
- Close to 3,000 teens are in foster homes;
- Some 2,255 are in kinship (relatives') homes;
- Only 12 are in adoptive homes; and
- 574 are in "foster /adoptive homes."⁸

Each teen in care is an individual with his or her own experience and story. Yet some common themes emerge from these placement experiences. Some teens are in a stable home providing good physical and emotional care. Other teens live in a series of homes that they find to be intolerable. While a few group homes and institutions provide support services for older teens, many teens describe congregate care either as a hostile environment where they must cope with familiar problems and face new ones, or as places where they are simply left to their own devices.

Regardless of type or quality, every foster care placement is temporary, with all services ending, at the latest, by age 21. Approximately 1,000 young people are believed to “age out” of care each year in New York City.⁹ *The New York Times* last year reported that in 1998, 1,200 young adults (18-21) aged out of the city’s foster care system.¹⁰ Nationally, 25,000 young people in foster care reach age 18 each year, when most services provided by the foster care system end.

Reform Efforts Regarding Teens in Foster Care

Decades of child welfare reform—reports, lawsuits, and policy changes— have not effectively improved foster care for teenagers.¹¹ Advocates, child welfare administrators, social workers, educators, and others have long bemoaned the sad state of foster care for teenagers. Despite that concern, most agree that little has changed for the better.

Yet there is promise in the latest wave of reforms. Two of the Administration for Children’s Services’ “seven top child welfare outcomes” are to “reduce the number of children aging out of the system to IL [independent living services],” and “to ensure effective delivery of IL.” ACS has developed a set of “Adolescent Services Principles”¹² to frame service delivery to adolescents and their families, principles that recognize both the need for adolescents to have permanent family connections as well as to “be empowered to aspire and to succeed in their goals and pursuits, and be able to establish lifelong relationship that will nurture, guide and support them.”

These general principles are a valuable starting point. They require more specificity and development to now take hold in the system. The Special Child Welfare Advisory Panel,¹³ in its final report of December 2000, recommended that “ACS identify the strengths and weaknesses of the existing system with regard to those principles and the changes that will be needed to better carry them out. Without an overarching philosophy that translates into practice, these desired outcomes will not be reached. New thinking and a new philosophy are needed to drive real change in foster care for teenagers.

Social Prejudices Affecting Teens in Foster Care

If those concerned about teens in or at risk of foster care placement are committed to seeing them develop into participating citizens, they must confront the prejudices that teens in care face in policy and practice.

Society's injustices and inequities are magnified in the foster care system. While children from families of all backgrounds and income levels are subjected to abuse and neglect, only poor children go into foster care. While families of all racial backgrounds have significant problems, 97 percent of the children in New York City foster care are African American and Latino.¹⁴ Essentially, in New York City, state intervention into the family is focused solely on poor African American and Latino communities, reinforcing prejudices about those families and children, and reinforcing those families' fears of the child welfare system.

Prevailing social prejudices that segregate, malign, and blame teens¹⁵ are also amplified in foster care. Assumptions that teens are interested in nothing but sex and drugs underlie much of foster care practice, with an accompanying lack of understanding of the developmental stages and particular needs of adolescence.

Fear and dislike of teenagers, particularly minority teens, pervade the system. Over the years, while running a program for teens, we have had repeatedly the experience of receiving a phone call from a social worker cautioning us about a "problem teen" enrolled in our program. "He (or she) is prone to violence," the worker says. This warning, plus the sight of the teen trying to look tough to survive a threatening environment, could easily intimidate. Yet in almost every instance the teen has turned out to be respectful and sincerely interested in learning how to improve his (or her) chances for the future.

Older Teenagers—16 and Over

In this report, for the sake of convenience, we use the terms "older teenagers" or "older teens" to describe young people age 16 through 20, although obviously the 20 year-olds are beyond their teen years. This is the group with which we have worked at YAC, and the people who are, or should be, preparing for their post-foster care situation, whether or not their "permanency planning goal" is independent living. Federal law also makes a distinction between younger and older teens in foster care.¹⁶

These "older teenagers" have the same goals, needs, rights and responsibilities as other older teens in our society. Their main distinction is that they are removed from their families by the state and are in the legal custody of the government. And when government takes custody of teens it must also take responsibility for meeting their needs, protecting their rights, helping them achieve their goals and acquire all the skills necessary to become fully participating citizens.

TEENAGERS IN FOSTER CARE HAVE THE POTENTIAL AND THE RIGHT TO PARTICIPATE FULLY IN SOCIETY

Teenagers in foster care, like teens throughout time and history, have powerful aspirations and capabilities.

Aspirations of Teens in Care

Teenagers in foster care aspire for the most part, like teens everywhere, to pursue meaningful employment, civic engagement and personal goals, and to be challenged to fulfill their potential.

"I want to direct films."

"I want to be a pastry chef."

"I want to be a graphic designer."

"I want to live in a quiet neighborhood where the streets are safe."

A sample of career goals from one year's worth of teens' applications to YAC's program includes: run daycare center, work with children, work with animals, go into music production, acting, film, graphic arts, nursing, database management, social work, electronics, forensics and computers; and become a plumber, history teacher, pediatrician, doctor, lawyer, pastry chef, beautician, mortician, counselor and teacher.¹⁷ These young people's individual interests and talents reflect a broad range of potential contributions.

Teens in care want to play an active role in their community, their churches and in helping their neighbors. They are concerned about younger kids in foster care. They want never again to be dependent upon a government system, or to have their own children go through what they have experienced. While many have close relatives and friends in prison, almost every teen we have met talked passionately about taking a constructive role in society. Teens in care want family relationships. They want to have their own homes, to be married or in a committed relationship, and they want children who are healthy and well educated. Although many have parents who were also in foster care, they want to break the chain of foster care for their own children.

Capabilities of Teens in Care

Over the past 12 years at Youth Advocacy Center, we have worked with teens in care on a range of projects in which they demonstrated intelligence, drive, creativity, and passion. Working with adults, teens in care have:

- Developed goal plans and implemented steps to achieve their goals;
- Taken responsibility for attending college-like seminars and responsibly completed written assignments in class and for homework;
- Learned to research, interpret, and apply the law;
- Developed and led workshops for their peers about rights and advocacy;
- Run organizing meetings for teens facing similar problems;
- Conducted surveys of their peers and helped produce a report making child welfare policy recommendations;
- Led training sessions at foster care agencies and social work conferences and appeared with prominent lawyers and other professionals on university panels;
- Met with politicians, legislators, judges, academics, and journalists;
- Helped produce a video and write articles; and
- Met with a range of professionals to research career-related information and make connections for future internships.

Clearly we could not have involved young people in care in these projects if they were not smart and capable of taking on challenging work and handling responsibility. They have the capacity to learn sophisticated and difficult material, to be advocates for personal issues and policy change, and to respect and support those willing to help them.

This should not be surprising. Many education, work, and community service programs¹⁸ give teens the ability to assume responsibility, meet challenges and be creative. Throughout time and history, teenagers have demonstrated that they can learn, work, invent, and lead.¹⁹

Teens as Future Participating Citizens

Teens in care should be supported in becoming participating citizens, a loftier goal than “self-sufficiency,” the current objective for foster care independent living programs for teens. *Participating citizenship* is a standard that recognizes both the individual dignity and potential of each teen in foster care and the principles of our democracy.

Democracy is based on individuals becoming citizens, “not merely residents,” but participating in “the public life,” the *vita activa*, the life of action.²⁰ Teens’ aspirations are important to society, because they reflect their vision of themselves as future citizens, with a desire to achieve productive goals. Democracy is strengthened if we can provide the education and support to allow teens to turn their aspirations into actuality. New York State guarantees the following to all teenagers, *regardless of income level or family circumstance*:

“[A] sound basic education [that] consists of the foundational skills that students need to become productive citizens capable of civic engagement and sustaining competitive employment...Productive citizenship means more than just being qualified to vote or serve as a juror, but to do so capably and knowledgeably. It connotes civic engagement... productive citizenship implies engagement and contribution in the economy as well as in public life.”²¹

When a child is with his or her family, the family has the responsibility to support the education process necessary to become a productive citizen. When the government takes custody of young people, via foster care, it must take on the duty to provide the level of support that we expect from families.

EVIDENCE THAT THE FOSTER CARE SYSTEM FAILS TO PREPARE TEENS TO PARTICIPATE AS CITIZENS

Too many teens leave foster care unprepared to participate as citizens. A number of remarkable young people manage to support themselves after foster care (reaching the currently desired goal of “self-sufficiency,”) but in our estimation most of them could and should have achieved much more. In truth, they have fallen short of their dreams and goals.

Of course, some former foster care youth achieve success. But the fact that these individuals have surmounted tremendous obstacles does not mean that the obstacles need to exist. And some say they achieve despite having been in foster care, not *because* of any support they received while in foster care.

Teens in Care Receive Little Support in Planning for the Future

While teens in care have aspirations, too often they do not have realistic or concrete plans for achieving those aspirations. We ask young people age 18, 19, or even 20 what they will be doing after foster care, and they say vaguely, “I’m going to college,” or “I’ll get an apartment.” When we ask follow-up questions, they don’t know where, they haven’t applied, they don’t know the difference between a two-year and four-year college, how much rent might be, or how they will pay it. They speak hopefully about the help they will get from the system in discharge grants, rent subsidies, a job, an apartment. Yet we have found that teens in care have little concrete information about careers, education, housing, and budgeting—whether or not they have participated in “independent living” programs. One recent New York City report found that 32 percent of youth stated they had not discussed college and/or job skills with any adult while in foster care.²²

Lack of Future Orientation

One researcher characterized foster care teens’ lack of plans as lack of a “future orientation”:

“Having a future orientation can be conceptualized as the ability to both envision and plan for one’s future. Despite formal training to improve independent living skills prior to discharge from foster care, the adolescent in foster care characteristically maintains a present ‘here and now’ orientation. Even study participants who were faced with imminent discharge from foster care had no, few, or very vague plans for the future.”

“Without a sense of competence or belief in oneself or an orientation toward the future, the ability to live independently is threatened.”

“The data from this study indicated that adolescents in foster care need concrete guidance and counseling for future options. They need assistance in developing reality-based aspirations....”

“Failure to attend to the needs of these children in a humanistic and individualized manner may lead to devastating outcomes. Possible long-term consequences include mental illness, criminality, and inability to function productively and independently in society—all of which may lead to a life of dependence and dysfunction.”²³

Others have noted that:

“...the lack of planning and preparation for leaving care elicited some of the strongest responses from foster children. A number... believed they could have received much more aid in the form of counseling about career options and strategies to cope with independent living (Aldgate et al., 1989; Allen et al., 1996; Barth, 1990; Festinger, 1983; Nollan et al., 1997.)”²⁴

Another researcher’s interviews with foster care “graduates” echo our own interviews:

“When asked what they would tell youth who are leaving care, many youth felt the need to forewarn current foster youth about the hardship awaiting them and to challenge them to work hard now to get set for emancipation. Other youth offered pep talks that included pleas for perseverance despite the great adversity of independent living. Our respondents most commonly suggested: save money, get lots of counseling and tutoring while in foster care, and learn how to budget and plan.”²⁵

Perhaps this here-and-now orientation can in part be explained as characteristic of teenagers: perhaps few, if any, teens really know what they will do in the future. Or perhaps it is an economic class difference: that most people living in poverty don’t have strong future orientation. We question these assumptions, but even if they are true for the general public, we do not accept their truth for teens in foster care.

First and most critically, teens in foster care are highly likely to go to prison, live in homeless shelters, go on welfare, etc. All teens and all poor people are not in this treacherous position. Second, we citizens, through our government, are by proxy the legal parents of teens in care. By virtue of taking these young people into foster care, we have taken on parental responsibility for them and thus have a legal, moral, and financial obligation to support their success.

The Dismal Results of Foster Care for Teenagers

Although New York City does not track young people after they leave foster care, studies from around the country show that a disproportionately large number of post-foster care young people do not receive high school degrees, do not have jobs, or are dependent on welfare, become homeless, become involved in the criminal justice system, and suffer health problems.²⁶ Research on former foster care youth finds that in many cases:

1. They emerge uneducated

Two to four years after aging out of foster care, only about 50 percent have completed high school or received a GED.²⁷ “Finishing high school or continuing with education proved to be less common than suggested by youths’ expectations while in care,” found one Wisconsin study of former foster care youth 12 to 18 months after they left care. Only 9 percent of former foster care teens had entered college.²⁸

2. They are without employment sufficient to support themselves

Two to four years after leaving foster care, only 50 percent of youth have maintained stable employment.²⁹ The 1998 Wisconsin study found that for those employed, “Caucasian youth on average were earning \$202 per week, while African American youth earned \$182...employed males earned on average \$220 per week, while females earned \$178.” Less than half the young people interviewed left foster care with more than \$250 to their names.³⁰

One-third of adolescents discharged from foster care ended up on public assistance within 15 months.³¹ A national evaluation found that two and a half to four years after discharge, 40 percent were a “cost to the community,” and only 17 percent were completely self-supporting.³²

In a California study, over half of the former foster care youth surveyed indicated that they had had “serious money troubles (like not being able to buy food or pay bills since leaving foster care). . . .” A third had “done something illegal to get money.”³³

3. They may be homeless

In New York City, Covenant House found that 34 percent of the homeless youth in their shelter had been in foster care,³⁴ many coming directly from their foster care agencies. One in four former foster care youth had experienced at least one night in which they were homeless and did not know where they would sleep.³⁵ A survey of 400 homeless parents in New York City found that 20 percent had lived in foster care as children and 20 percent have one or more children in foster care.³⁶

4. Too many land in prison

The Wisconsin study found that in the 12 to 18 months after leaving care, over one-quarter of the males and 10 percent of females had been incarcerated at least once.³⁷ The California study showed that 35 percent of discharged youths had been arrested or convicted.³⁸

5. Many face health risks

Former foster care youth are likely to be unprepared to cope with both routine and serious health problems. 44 percent of former foster care youth in one study reported they had problems acquiring needed medical care most or all of the time, with over 50 percent having no insurance coverage.³⁹ One study found that one in five of young adults discharged from foster care reported experiencing some kind of serious physical victimization since discharge; one in 10 women reported being raped.⁴⁰

Growing up in the foster care system leaves psychological scars. One study found that 100 percent of respondents had either a depression score above the clinical level or had been admitted to a mental hospital, and in general experienced more psychological distress than their peers of the same age group.⁴¹ One researcher found that being exposed to long-term foster care had a primarily negative impact on adolescent identity development.⁴²

Clearly, young people released from foster care face great risks and must struggle to plan for the future and reach their goals.

A CRITIQUE OF FOSTER CARE PRACTICES IN PREPARING TEENS FOR THE FUTURE

Throughout the 1990s, Youth Advocacy Center worked on projects to help teens achieve their goals and become participating citizens. We worked with the New York City Child Welfare Administration (later the Administration for Children's Services) and many private foster care agencies with varied philosophies, reputations, and types of services. At each agency we met and worked with teens who were enthusiastic, intelligent, and concerned about their futures. We have also met many agency directors and practitioners who acknowledged a need and desire to do more for teens at their agencies. While a few foster care programs focus particularly on teenagers, have programs geared toward their specific needs, and are thus superior placements for teens, most do not provide environments conducive to helping teens prepare for the future.

Throughout the system we found this recurring pattern of practices:

- Primary concern with temporary placement issues;
- Focus on behavior management and control of teens;
- Disregard for educational needs and goals;
- Neglect of teens' family relationships;
- Focus on crises, reinforcing maladaptive behavior; and
- Segregation of teens from the larger community.

Given these practices, it is difficult, if not impossible, for independent living programs in foster care agencies to have any effect.

An examination of the impact of these practices on teens is valuable because it illuminates what needs to be changed and forms the basis of our recommendations for changes in practice and policy.

Q: *How many years have you been in the system?*

A: Thirteen years.

A: I was in the system for about two years. Then there was a period of time that I went back to live with my family and then I was put into the system again where I lived in a group home for four years.

A: Ten years.

continued on following page

continued from previous page

Q: *How many agencies were you placed with?*

A: Five or six.

A: I was with two agencies....

A: Three agencies—one closed down and then two others.

Q: *How many placements have you been in?*

A: The teens, in the teens somewhere.

A: I was in about 15 homes.

A: A lot. I've been in Queens,
Manhattan, Brooklyn and the Bronx.

Temporary Placements and Caretakers are Unsuitable for Future Planning

The constant possibility, indeed likelihood, of a change in homes, combined with serial caseworkers, lawyers, etc., makes it difficult for a teen, or anyone working to help him or her, to plan for the future beyond foster care.

For thousands of teens, temporary placements turn out to last for years.⁴³ Many live with constant uncertainty about where they will be moved tomorrow. The adults responsible for them are preoccupied with finding placements for them and hiring staff to watch over them, and are therefore unable to concentrate on providing teens the support they need to focus on their futures after foster care.

Teens adapt to this environment and focus their attention on the myriad problems they face while in care rather than on the looming question of what they will do when they leave it. As attorneys, we frequently represented teens in foster care who were engaged in long-term struggles to regain lost clothing allowances, get stolen property replaced, or get transferred from one facility to another. These battles, while important, gave the system the cover it needed to avoid planning for what the teens would do when they turned 21.

Not surprisingly, finding placements for teens takes priority over planning for their future. A shortage of placements for teens, or “beds” as they are known in the system, preoccupies administrators and workers at agencies. At one foster care agency, staff members told us they needed to focus on “developing beds” rather than helping teens get involved in outside programs, despite the fact that the agency’s executive director had clearly told his staff that improving services to teens, and specifically that supporting their attendance at outside programs, were agency priorities.

The adults overseeing these beds—foster parents and child care staff—may be hard to find because they are poorly compensated (some group home staff make minimum wage) and are neither trained nor encouraged to support the developmental needs of teens in their custody. They get little respect in the system.

The Council of Family and Child Caring Agencies (COFCCA), the trade organization representing New York’s foster care agencies, says that “a history of rate reductions devastates an already beleaguered workforce” in achieving a pay increase for direct care workers:

“Agencies have not been able to recover from past rate reductions and the direct-care workforce has suffered. Furthermore, as employment opportunities improve in New York, the pool of potential direct-care workers has decreased. Workers have left agencies for jobs offering easier working conditions, better pay and more accommodating hours. Today, agencies are faced with very high turnover and vacancy rates; often they have to consider employing workers they might not have employed only four or five years ago.”⁴⁴

Training could help direct-care workers focus more on working constructively with teens, but that alone will not lead to significant changes in practice. For one thing, some agencies cannot train front-line staff and parents because they cannot afford to give staff members the necessary time away from their duties. Staff at one foster care agency we met with mentioned that they had just been awarded a \$1 million grant to provide training to direct child-care staff at a residential treatment center (RTC), but the agency had not used it because it had no one to stand in for those being trained.

Constant turnover of foster care employees and professionals also results in a lack of consistent relationships with adults who can help a teen develop plans for the future. Teens tell us they grow tired of repeating their “story” to new caseworkers, social workers, and law guardians. They come to feel that no one knows who they are and what they want out of life.

“My third group home was the worst. Staff members did not stay very long. During my time there, two managers came and left. Five staff members who I thought were exceptional people stayed an average of three months before leaving for better positions. The administrators and social workers also had very short stays with the agency.”

These front-line individuals often serve as scapegoats for the failures of the foster care system overall. We admire the good intentions of foster parents and child care workers who want to help teenagers by providing homes and guidance. They have a terribly difficult job, and many are doing their best in a system that tries their patience and pushes their limits.

In situations where foster parents or individual front line workers at an agency do actively support a teen, they can make a tremendous difference. We have worked with teens whose foster parents or foster care workers are involved in their education and their plans for the future. The result is a consistent pattern of better performance in our program.

However, our experience and that of many teens we have talked to is that far too many foster parents and child care staff do not even attempt to provide teens an environment that encourages their future success, and in many cases undermine a teen's own efforts to do so.

A Focus on Behavior Management and Control of Teens is Counterproductive

In most foster care placements, controlling teens' behavior is more important than developing plans for the future and supporting their potential.

Foster Homes

Foster home placements are conditioned on the teen "behaving." Foster parents are told, "Just take the teen, but don't worry, if she doesn't work out we'll move her."

"If you break the smallest rule, you're out."

"It's hard if you really want to be close to the foster mother and she just doesn't like you. You don't know if any day she's just going to ask for you to be moved."

In talking with foster parents, we are struck that the primary interest of many is in maintaining control over the teens in their custody. At one group meeting of foster parents, a foster mother proudly stated that she maintains order in her house because she is not afraid to use her "big wooden spoon." Some foster parents exhibit little or no understanding of adolescent development and how to manage living with an adolescent. Some foster parents expect teens to give them unconditional love and call them "Mom." Some of these foster parents become angry when teens, who under "normal" circumstances would be trying to separate from their parents and testing bounds, do not meet their expectations. While many biological parents feel under-appreciated

by their teen children, they maintain stability in the relationship that is not present for a teen in foster care, who always could be removed from the home for noncompliance and “behavior” problems.

Group Homes and Residential Treatment Centers

Many group homes and residential treatment centers (RTCs) view control of teens and behavior management as the main priority. This leads to practices that range from absurdly counterproductive through harmful to clearly illegal.

Advocates for foster care children in New York City report that their clients complain that treatment centers use excessive force, inject teens with drugs during restraint, lock teens in isolation, keep them in pajamas all day, deny family contact, and prevent them from going to school. These complaints are in addition to the more routine complaints about congregate care placement.⁴⁶

“The social workers weren’t competent and the child-care workers weren’t competent, so I felt like the whole process of the group home was day-to-day. Keep the kids contained, keep them quiet, if they get out of hand kick them out and put another one in that bed. Keep it moving.”

One recurring theme is unfair punishment of behavior that violates a group home or RTC rule. Examples are:

- A girl’s bed is stripped and all her possessions are taken away because she returns late from a home visit.
- In a supervised apartment for young women and their babies, the supervisor calls the police to arrest three teens who were in the living room at 10:30 p.m. because they were supposed to be in their rooms by 10:00 p.m.
- At a group home, a 19 year-old is “written up” every day as AWOL and for being “out of program” because she holds down a job to pay for college.

Behavior management is frequently implemented through “point systems” under which teens can lose “privileges” such as family contact (by law and policy, clearly not a privilege but a requirement.) In practice, these systems can be absurd. A teen at one residential center showed us a list of grounds for losing points that included the following infractions:

“inconsiderate to yourself; inconsiderate to others; easily misled; mislead others; low self image; fronting problem; alcohol problem; drug problems; stealing; lying; aggravate others; gets easily angered.” (*sic*)

Some residences use the police force to help them with behavior management. The Vera Institute of Justice found that ACS teens were over-represented in juvenile justice facilities, and noted, “ACS teenagers are more likely to be arrested in their homes as a result of incidents in placement.” It found that “over an 11 month period, one facility had called the police almost 40 times...some facilities are quick to turn to the police for assistance while others prefer to try to handle *minor misbehavior* themselves.”⁴⁷

In some group homes and RTCs, teens are treated like prisoners. Many have told us about “lockdowns” of the group home: when one resident does something to break the rules, all must stay in the house or in their rooms and are denied visits and phone calls—a punishment similar to prison lockdowns imposed after or to prevent rioting. (Not surprisingly, some teens say that some of the staff members in their houses formerly worked as prison guards.)

“...you have these kids in the residential treatment centers that they are medicating because they don’t know how to deal with or they don’t want to deal with them. Then when they get out of the foster care they are dependent on these drugs.”

Advocates for foster care children and graduates of the foster care system whom we interviewed are disturbed by what they see as overuse of medication at institutions for foster care youth. It is unclear what role psychotropic medication plays in the behavior management framework. There certainly seems to be the risk that when children and teens are institutionalized, medication will be used to help control them.

Disregard for the Importance of Education

“Education ...is the very foundation of good citizenship.... It is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education.” –*Brown vs. Board of Education of Topeka*.⁴⁸

“Children in foster care are the most educationally at-risk population in New York City today. Unfortunately, instead of providing the coordination, case management and assistance to children in foster care, the main institutions in these children’s lives, from their foster care agency to their local school, fail to put into place the fundamental building blocks that could help these at-risk children meet with educational success.” –*Educational Neglect, The Delivery of Educational Services to Children in New York City’s Foster Care System*, Advocates for Children of New York Inc.⁴⁹

“When I was in the system, I had to go to one of them special education schools from sixth grade to high school. I was in this residential treatment center with the same teacher and the same books every year.”

Over the 12 years teens in care have been talking to us, one of the first issues they have raised consistently is a strong concern about their education. This is supported by research:

“...studies stressed foster children’s concern over their lack of education. Numerous children felt their educational needs had been neglected, both by the foster care agency and their foster parents. Some even felt that there was not enough emphasis on selecting foster parents who valued education....”⁵⁰

Unfortunately, most teens in foster care do not get the education they want or deserve. Teens face identifiable barriers to getting a good education while in care, but they also are discouraged from pursuing their education in more subtle ways.

Barriers to Education Faced by Children in Foster Care

A recent report illuminates the barriers that children and teens in foster care must surmount to achieve an education.⁵¹ Typical problems the report found include:

- *Multiple school transfers*—over 75 percent of young people surveyed did not remain in their school once placed in foster care, and nearly 65 percent of the young people said they had been transferred to another school in the middle of the year.

- *Lost, missing, or lagging school records*—school records often were not in the same school as the student in foster care.
- *Over-placement in special education settings*—30 percent of foster care youth reported receiving special education services, with 56 percent beginning receipt of services after entering foster care. This is nearly three times the average for New York City.
- *Multiple suspensions and holdover rates*—7 percent of young people stated that they had been suspended more than five times during one go to college gets little support from the agency, which has no incentive (with no mandate) to help the teen gain admission to and graduate from college.

Underlying many problems foster care teens face at school is the fact that success in our education system is to some degree predicated on having a parent to be an advocate for each child. Children in foster care typically do not have a parent, or anyone else, speaking with their schools on their behalf. The previously cited Advocates for Children report found, in surveying parents of children in foster care, that 90 percent of parents participated in none of their children’s special education conferences or other similar processes.

We have not witnessed foster care agencies or their agents—group home staff or foster parents—acting in the role of the advocate to see that a foster care child receives the best and most appropriate education.

To compound the problem, many teens do not want their caseworkers connecting with the school, fearing additional stigma that will make relationships with teachers and peers more difficult.

Other Foster Care Practices that Undermine Education Achievement

The foster care system has low expectations for teens, fails to recognize educational achievement, and offers poor role models of behavior for educational achievement.

Low Expectations. The average high school student attends school less often after entering foster care placement.⁵²

In some ways, low expectations are made explicit. New York City policy is that young people “aging out” of foster care (who may be as old as 21) must have only an *eighth grade* competency in reading and math.⁵³ This appears to be in conflict with the New York State Constitution.⁵⁴ In practice, such exceedingly low educational standards mean that the young person who wants to go to college gets little support from the agency, which has no incentive (with no mandate) to help the teen gain admission to and graduate from college.

“When I was in the group home, I was a sophomore in high school. I was advised that it would be best to leave high school and join a GED program designed by the agency to work around the group home meeting schedules, where people would sit around and discuss their feelings about one another. I refused to drop out of high school. One staff member began to tell other staff and residents that I felt [I was] better than all of them. She went on to say that she obtained her GED and was very satisfied with her education.”

The dubious value of a GED (high school equivalency degree)⁵⁵ suggests that it is inappropriate for foster care custodians and workers to encourage teens to pursue GEDs rather than high school degrees.

Even though teens report having little respect for their child care workers, they appear to be immensely influenced by their workers’ attitudes toward them. In many cases these are the only adults in a position to give regular encouragement and support for future goal plans. Their minimal expectations go a long way toward diminishing a teen’s belief that she or he can achieve personal goals.

Lack of Recognition for Achievement. We have run challenging educational after-school programs that teens in foster care attended for 12 consecutive weeks, completing homework, going on interviews, and passing exams. We have had many experiences where we report these achievements to the agencies with custody of the teens and hear nothing back. This lack of response is consistent with what we have heard regularly from teens.

The absence of recognition from the system crushes teens’ abilities to identify and communicate their accomplishments and positive attributes to others. In our work with teens, we are constantly impressed with their strengths and achievements, yet we find that they don’t know how to communicate them unless subjected to careful, tenacious, and sympathetic questioning.

“It’s your high school graduation, and no one from the agency comes. There was a kid in my group home who spent five years studying for his GED. He finally passed, and no one in the house even said congratulations. I [a recent graduate of the system] ended up taking him out to dinner.”

Poor Role Modeling. Agencies themselves, in their own limited programming for teens, fail to offer role models or set standards that value the importance of education. Most independent living workshops are not a serious learning environment. At many agencies, there is no requirement that teens attend class, be prompt, pay attention, learn anything, or be tested on anything. The message is often that fun activities like ice-breaking games and trips to amusement parks are more valuable than learning substantive information.

Disinterest in Teens Working and Preparing for Careers. Foster care programs tout some graduates of foster care as “success stories” even though they are barely surviving—living in temporary housing, holding low-paying, short-term jobs. Young people resent this attitude. If foster-care teens do receive encouragement from the system, it is to focus on jobs that have little future. There is rarely the expectation that they will pursue a college education and a career related to their individual aspirations, nor is there much encouragement to do so.

“No one at the agency knew about our career goals or what we wanted to do when we were older.”

Early experience in the work environment, either through internships or job experiences, is essential to help teens understand what is involved in planning for the future and to help them focus and develop goals for themselves.

While some foster care agencies’ independent living departments strive to help teens find jobs, many teens leave care without any work experience, which is a significant impediment to future success. The foster care environment can actually undermine teens’ efforts to prepare for and hold jobs. Teens and independent living workers report that group homes sometimes interfere with teens holding jobs, saying that the teen will then miss mandatory group home meetings that are held to discuss behavior of residents in the home.

One 20 year-old recently told us about her experience trying to hold a job in a law firm while living in a group home:

“When I left for work in the morning at about eight o’clock, I did not always have time to complete morning chores, sweeping the halls and stairs and cleaning the kitchen. Those residents who were home often refused to do these chores because they would not get paid. When I left for work without completing a chore, I was marked AWOL. I was placed on restriction, so I could not go on home visits. I thought it was unfair because I was leaving the group home to go to a job!

“I came home from work one day and all of my things were packed into garbage bags. I was called into the office and told I was placed on serious house restriction. I would have to call my job in the morning and notify them I could not continue my employment. I would wear only my pajamas. I would be allowed to change out of them at the discretion of staff. One staff member got out her gloves and began to take my clothing off me. She told me that I could leave and sign myself out of care, or do things her way.”

This story parallels research conducted on the attitudes of front-line welfare caseworkers toward clients. One study of a welfare “life-skills” class noted:

“Two women [welfare recipients] who enrolled in education programs independently of their caseworkers sought supportive services (day care and transportation costs) to which [they] are manifestly entitled. Their caseworkers rejected their claims on the grounds that the clients were not enrolled in programs appropriate to their needs. One woman was told that her activities were not appropriate because the caseworker judged practical nursing to be a field in decline. The other client was informed that she was not entitled to computer training because she was already qualified to work as a cashier. Although when pressed, the caseworker acknowledged that as a cashier, her client could not earn enough to leave welfare, she argued (without apparent irony) that the state was not obligated to help her do that.”⁵⁶

Neglect of Family Relationships for Teens

Standard child welfare placement policy clearly favors family placements over other options. ACS policy recognizes that “to thrive and transition into healthy and self-sufficient adulthood, an adolescent needs connections with a family or caring adults.”⁵⁷

Yet in foster care practice, teens’ relationships with families are neglected. Little effort is made to reconnect teens with parents and relatives or to find permanent foster or adoptive families for them where there are no relatives. Once a teen’s goal is changed to “independent living,” many in the system seem to feel it is no longer necessary to do any work that is typically a part of “permanency planning.”

Family members have a vested interest in their teens succeeding in the future, but the foster care system does not. In our society, family is really the safety net for anyone 18 to 25 (and often beyond) who is heading toward independence. To neglect the development of family resources for teens in care is to cut them off from that support system, relegating them to failure.

Teens and “Biological” or “Birth” Families, or “Families of Origin”

While in care, some teens stay in contact with their parents, siblings, grandparents, aunts, uncles, and cousins. Common practice in the foster care system ignores or discourages teens’ relationships and associations outside the system. Some workers withhold contact with families, by phone or visits, as punishment. Where contact is not actively prevented, it is not encouraged:

“I would say that I was going to my grandmother’s house, but instead of calling her I would call a friend or I would just come down into the city until the bus came to take us back. No one checked if we were really visiting family or not.”

“No one ever said, ‘Oh, how is your mom?’ Even to verify, if you didn’t push it or if you get a letter from your mother it wasn’t like, ‘Oh, how nice.’ Instead it was no big deal.”

“I think that for the teenagers that expressed interest in going home and had those types of relationships with their family, there was a slight push or help around going back home. But if you didn’t have that relationship there was no moves made to make their relationship. I mean they definitely wanted to always make sure all the beds in the group home were full.”

Some graduates of the system express regret over separation from their parents:

" I don't think anyone ever helped my mother or tried to help my mother. In my case my mother died as I was going through the system."

"I feel like I wasted a lot of time. Once I left [the system] and made the decision on my own to have a conversation with my mother and my father, the relationship changed. It's just that the conversation needed to happen. Sometimes as a really young person you only see what's right in front of you and so you don't see the possibility of those bridges being burned.... you are very set in your ways, you're angry, you're pissed off, so you don't want to make any moves. I feel like the relationship I have with my mother now could have happened back then."

At YAC, as part of the self-advocacy curriculum, we ask teens to identify positive values they hold and where they got them. They typically write something like, "the desire to help others," "education is important," "honesty," and often say they got these values from a family member, often a parent or grandparent. The connection with family is important to teens in care, and offers them sustenance that may not be replaceable with relationships to their temporary custodians in foster care.

"I always wanted to be a respected person and to be known to be an intellectual. I needed to feel that I was educated and I know how to read books. That did not come from the system at all....That really came from myself, my mom, and how I wanted to be and respected."

Many young people leaving the system rely on family. ACS cites research that says 54 percent of young people reported living with their families upon leaving foster care, and two and a half years later, 40 percent continued to live with family members.⁵⁸

One study found that a large percentage of discharged youth return to their families after care:

"The fact that youth return to the families that they were taken away from because of abuse or neglect poses some interesting questions and indicates that more research needs to be done in this area. *In many instances youth seem to do better if they return home after care than if they try to make it on their own.*"⁵⁹ (Italics added.)

Teens and Non-Biological Families

Despite perceptions to the contrary, teens also have other adults in their lives who might be willing to provide a home for them. These resources are rarely explored by agencies as potential permanent homes.

There are some small-scale efforts to find permanent families for teens. One agency⁶⁰ seeks to “identify and reach out to those attachments in the child’s life and explore with these persons the possibility of learning about what it might be like to parent the child on a long term permanent basis,” and has placed teens not just with relatives, but also with social workers, agency volunteers, maintenance staff at a group facility, cooking staff at a group facility, clergy, school teachers, CASA workers and law guardians, among others.

The Crisis Focus Produces Maladaptive Behavior

Individuals working at all levels in foster care feel that they are deluged with mandates and not given sufficient resources. There are too few workers, everyone has too many cases, and there is too much paperwork. Everyone is trying to catch up on his or her work or keep one step ahead of becoming overwhelmed by it. The natural result is that they give priority to crises and immediate problems over long-term planning.

Problems Are Given More Emphasis Than Strengths

In this environment, teens are forced to create a crisis in order to get attention. And because of the system’s bias against future achievement, it teaches survival skills that work in the welfare system environment but backfire at school, in families, or on the job.

“There were other kids in the group home who were louder, who fought more and who got in more trouble, and those were the ones that got most of the attention. If you were quiet, people really didn’t pay attention to you.”

Invariably, the “worst case” gets the most attention—in the group home, at the agency office, in the courtroom. Teens learn that “acting out” is an effective tool for getting necessary attention when they need an extra allowance to attend an educational event, help in transferring to a better school, or to increase the number of visits allowed with their biological family.

Young people who learned in care that acting out and demanding their rights was a way to get attention are surprised to find that in the real world of college or work, these strategies are not effective and are often counterproductive.

The System Does Not Recognize or Reward Personal Responsibility⁶¹

Many adults complain that teens in care are irresponsible. They miss appointments, they don't call when they say they will, they don't follow through on what they said they would. But in fact, these behaviors are reinforced in the foster care system.

Teens in care frequently live in environments where their custodians continuously give mixed messages about personal responsibility. Intimate relationships and bonds are created and then broken by staff transfers, and barriers are put in place to defend the "professional" nature of the relationships. Appointments with the teens are cancelled or delayed without explanation. Cases are lost and confused. Frustrated workers lash out at teenagers and create irrational punishments.

Confidentiality is repeatedly broken, along with the accompanying expectation of trust.

Additionally, teens in care may be punished when they try to take responsibility for their own lives. The foster care system often fails to help a teen solve a problem—the teen's school might be unsuitable, or the foster home unsafe. Perhaps the youth needs help with immigration status, or in getting a driver's license. Motivated teens sometimes take matters into their own hands to resolve the problem. We have seen that instead of recognizing and rewarding these efforts, the system ignores, criticizes and sometimes punishes teens' attempts to take responsibility for their own situations.

Learning Requires Making Mistakes and Failing

When it comes to important skills like budgeting money or time, for example, the system gives teens very little opportunity to fail.⁶² Most young people learn this after foster care, when their checks bounce, when they run up huge credit card bills, when they spend their money on clothes, entertainment and junk food and have nothing left for groceries. Workers tell us they discourage teens from enrolling in challenging programs because they fear that the teens might not succeed and be overcome by failure. While this might seem benevolent, it backfires when a teen experiences failure for the first time without the safety net of the foster care environment.

"At the group home, it was really easy for me not to do anything [to prepare for the future]....No one was really on my back to do anything. Then reality hit and I have to start paying my own bills and doing everything on my own all of a sudden. It was like a setup."

Teens Are Segregated From the Broader Society

"...you need to break away from the system and seek the outside because that's the world that you are now going to live in and that you are to deal with. Those are the people that will be able to tell you and measure what you have and what you can do."

Foster care teens are kept segregated from outside contact and experiences. Although ACS principles recognize the importance of community supports and involvement, we have found that they are sorely lacking for teens in care. Even when agencies operate *both* foster care programs and non-foster care programs for children and youth, they generally do not successfully integrate foster care teens into those other community programs, or into other valuable programs for young people available in the city.

Foster care program workers and administrators must fulfill so many mandates that they simply don't have the time to connect teens with other programs. And individuals interested in working creatively with teens may be deterred by the system's crisis orientation and focus on mandates.

Teens suffer when not involved in activities outside their agencies:

"The reason why it is important to use outside services [is] so you can always have a place to go back to if ever things don't work out. The agency is done once you have aged out."

In many instances, the system discourages teens from reaching out to others by reinforcing the idea that it reflects shame and stigma, not resilience:

"My social worker told me from the beginning, from when I started working, that maybe it [being a foster care teen] is something that I shouldn't tell my employer. They might start asking questions that might make you feel uncomfortable, so then I thought that made sense."

“Independent Living” Programs Alone Cannot Help Teens Overcome the Foster Care Environment

The Legal and Policy Context of Independent Living

Federal laws passed to help teens in care make the transition out of foster care have been in place since the 1980s,⁶³ yet they have not yet been translated into effective practice. In 1999, the General Accounting Office testified before Congress that:

- The few studies available show that a substantial portion of former foster care youth don't complete high school, are dependent on welfare, become homeless, and generally have trouble becoming self-sufficient;
- State and local program administrators acknowledge that independent living services fall short in key areas; and
- Few evaluations link program objectives to outcomes.⁶⁴

In 1999, the Foster Care Independence Act increased annual appropriations to the states for services—such as housing, education, and employment assistance—from \$70 million to \$140 million.⁶⁵ In addition, the Act gives states the option of expanding Medicaid coverage to foster care youth 18 to 21 who are moving out of the system. This act is an occasion for careful examination of independent living programs.

Observations of Independent Living Programs in New York City

We have observed independent living (IL) programming firsthand for over ten years. We have sat in on IL workshops offered in New York City at about 25 foster care agencies, several of them more than once. We also have had discussions with hundreds of teens in foster care about their preparations for the future. Many of those discussions were specifically about the services they were offered at their foster care agencies, and what they felt they got from them. In addition, we have run training seminars for independent living coordinators from about ten agencies, and have attended and made presentations at training workshops and conferences about independent living.

The IL Worker Has a Difficult, If Not Impossible, Job. Alone or with a small staff, an agency's independent living worker (who might be called an independent living director or coordinator, depending on the agency and whether or not he or she has a staff) is responsible for all the teens in the agency, in some cases more than 150. The coordinator helps them find apartments, apply for college and financial aid, find jobs, apply for rent subsidies and discharge grants, and so on. The state requires IL workers to give "formalized instruction, including supervised performance in job search, career counseling, apartment finding, budgeting, shopping, cooking, and house cleaning."⁶⁶

Typically, it is the teens most persistent in efforts to build a relationship with their agency's IL director who benefit from this assistance. For IL staff, working with even the most motivated teens is very time-consuming. Helping the less involved teens, who may in fact need the most intensive assistance, therefore becomes difficult.

The IL worker's job might be feasible if she or he had support from others in the foster care agency. Many IL workers and directors complain that agency social workers, foster parents, and group home staff look to the IL worker to fill every conceivable need of teens but don't offer the support necessary for them to do so. As we have described above, overall foster care practice does not facilitate a structured or consistent focus on a teen's future, but rather promotes a focus on behavior management and placement issues.

Independent Living Workshops Can Play a Role. The primary IL offering at most agencies is the IL workshop. Agencies are required to offer a total of only *14 hours per year* of independent living training. Most do this by offering teens workshops once a month or so. These are often held at the agency's main office on a Saturday or occasionally after school. Sometimes they are held in group homes. At residential treatment centers, workshops are held on campus. Usually the independent living director presents or leads the workshop, though sometimes he or she also invites outside speakers.

Topics of the workshops are mandated by regulations. In actuality, we have observed a heavy, and sometimes exclusive, emphasis on lecturing to teens about drug and alcohol abuse and sexually transmitted diseases. We have observed few workshops about planning for the future, whether education planning, career planning, or relationship building.

Only a small percentage of eligible teens attend IL workshops. This is confirmed by teens, agency staff, directors, and an independent study by the Citizens' Committee for Children of New York, which found that only two agencies out of the ten it surveyed knew what proportion of their youth charges attended IL classes. In those two agencies attendance was 20 percent and 50 percent.

"If the workshop was supposed to start at 2:30, people wander in at 2:45, 3 o'clock, even 3:30."

"Staff walk in to pull kids out for meetings. The IL coordinator might start off by playing some ice-breaker games. With soda and snacks, the atmosphere is like a party. There are kids from ages 14 to 21 in the class, all with different issues."

"Sometimes the workshop was in a crowded classroom where somehow the kids were forced to show up. Then there were other times where there was practically no one there. There was never any consistent thing taught."

"When I first went to the agency the social worker told me, 'Oh, we have independent living. Come once a month and they'll send you a check.' I never went but I still got the \$20."

"It's not real because you would go to some, get paid, go to none and get paid. There wasn't a good amount of respect put on the money."

At most programs, attendees range in age from 14 to 21. They all sit in the same workshop, without regard for whether this is their first time in a particular lecture or whether they've heard it before.

Rarely does the IL workshop environment reflect the seriousness of the subject. While the required "life skills" lessons are critical for the teen's survival post-foster care, the curricula rarely require teens to interact with the material in a serious manner. At many agencies, attendance is voluntary, so many youth don't attend. For those teens that do, no requirement exists that they arrive on time. Teens wander in and out of workshops, show up late, or come just at the end to pick up their stipends. Some say they go just to get the stipend, and some are mailed a stipend even if they don't attend.

Most educators support the idea that learning occurs when students have the opportunity to engage with the material. But all too often, IL workshops do not require individuals to do homework. In fact, they rarely use exercises that create the kinds of challenges that promote learning.

Therefore, IL workshops in many cases become entertainment. Fun activities such as ice-breaking games, trips to arcades and amusement parks are common components of IL programs. We wouldn't find fault with taking teens on social trips *if* the agency were also providing guidance in preparing for the future. Instead, these activities undermine the importance of preparing for the future by learning IL skills. Under these circumstances, it's difficult to expect students to take the workshops or the program seriously.

Q: Did your IL coordinator help you for IL?

A: "Not by a long shot. I think that the things that I have learned have been through trial and error."

Q: Like what?

A: "Like saving money and what it means if you do not save money. How to shop. When you get a job and walk into a supermarket for the first time you buy all the things that you like. I learned by trial and error that you couldn't do that. I don't feel like I was prepared at all. I am turning 24 this year and I still have issues about holding onto money and using it for what it needs to be used for. I think that had that been a consistent thing throughout the times that I was in group homes it would have been ingrained in me. Now slowly it's becoming that way but I would have had a heads up on it."

FLAWED PHILOSOPHY AND POLICIES REGARDING TEENS IN CARE

Years of representing teens in the courts, training them to be self-advocates, working with child welfare policy makers and practitioners, and holding discussions with teens and a broad range of professionals have led us to conclude that detrimental foster care policies and practices for teens are based on a philosophy of foster care that is unsuitable and inappropriate for teens.

The Protection/Treatment Philosophy Has Not Worked For Teens in Care

The basic purpose of foster care is to provide children with temporary safe havens from dangerous and neglectful home situations. When it comes to teens, this philosophy falls short. Protection and safety are two important elements of foster care for teens, but over time, as they grow and their developmental needs change, the system must integrate additional goals and concerns. For one thing, children need a different sort of protection and care than adolescents do. Treating them equally shortchanges and even handicaps teens. But while policy adjustments and improvements have been made in the foster care system, they have not created a mission that is specifically about serving teens in care.

The current philosophy says, essentially, that teens need protection from their families and treatment for harm suffered, whether in their families or while in foster care (government custody). This protection/treatment philosophy assumes that:

- Teens are safer away from their families;
- Both family and foster care experiences have made teens into deeply impaired and damaged individuals;
- The intensity and scale of their problems precludes a constructive focus on the future; and
- Self-sufficiency is the best that teens in foster care can hope for in life.

In addition, the protection/treatment philosophy is focused on past experiences and how they affect present functioning, not on the future. In this context, it is difficult to support the developmental needs of teens and appropriately differentiate between their needs (and capacities) and those of children in the system.

In keeping with this philosophy, the goal of the system's independent living policies for teens is self-sufficiency, or, in actual practice, the skills of survival. As we have seen in our own work, defining "independent living" and "self-sufficiency" so narrowly demeans foster care teens and belittles their potential for making positive contributions to society. It is not surprising that this philosophy does not translate into effective programs or positive results for young people.

Agencies Are Not Held Accountable for Young People Leaving Foster Care

Another major flaw in care for teens is that foster care agencies are not held accountable for what happens to young people who leave their custody. Regardless of how many teens leave a particular agency's care and become homeless, for example, that agency will be allowed to continue to take children and teens into its care. There is little scrutiny into what happens to young people while in the care of agencies, and none at all into what happens to them after they leave.

Given this, we strongly approve of ACS efforts to collect additional data from agencies on whether youth are discharged from care with medical coverage, at least an 8th grade competency in reading and math, a job, and adequate housing.⁶⁷

The Per Diem Funding Structure Maintains Teens in Temporary Placement

In 2001, New York City will spend almost one billion dollars on foster care,⁶⁸ with most of it disbursed to foster care agencies on a per diem basis.⁶⁹ In the current payment structure, foster care agencies are paid a certain amount for every day a child or teen spends in their care. Agencies are not rewarded for achieving desired outcomes: preparing teens to live independently or reuniting teens with their families, for example.

Teens often point out that they are a revenue source for foster care agencies: "*I've been told many times I'm nothing but a paycheck.*" This perception is somewhat based in reality, since the agencies do get paid for every day they keep that teen in care. And once ACS and the agencies change a teen's official goal from reunification with his or her biological family or adoption to "independent living," at many agencies the only services provided to that teen beyond room and board is the required two days (14 hours) a year of so-called training in independent living. While some agencies do offer more of an environment that supports acquisition of independent living skills, this is because of an agency director's personal commitment and philosophy rather than because of government requirements.

RECOMMENDATIONS TO SUPPORT THE POTENTIAL OF EVERY TEEN IN CARE

New York City's foster care system, like many throughout the country, needs a major reevaluation of the way that it provides care to teenagers, and of the beliefs underlying that care. Laws and policies have failed to adequately serve the needs of young people leaving foster care. Teens in the foster care system suffer deprivations today and face great risks tomorrow. While we feel this is true of both younger and older adolescents, we specifically address the needs of older teens in these recommendations because our experience and research is with teens age 16 and over.

A New Future-Oriented Philosophy for Older Teenagers In or At Risk of Foster Care

Every teen in foster care or at risk of care has the potential to become a participating citizen.

We recommend that this future-oriented philosophy become the basis for fundamental changes in law, policy, and practice for older teens in or at risk of foster care. While some would argue for maintaining a philosophy that focuses primarily on protection for teens and on treatment for past harm to them, we see little evidence that this approach helps teens successfully prepare for the rest of their lives.

A formal redefinition of the approach to foster care for teens is an ambitious goal and will take a long time. We recommend some shorter-term changes that will help the system advance in the right direction and also provide today's teens in care with needed options. These shorter-term changes will:

- Move practice away from concern with temporary placement issues and behavior management of teens toward long-term planning for education and employment;
- Create mechanisms for staff and foster parents to support teens;
- Connect teens with a network of adults to help them with education and employment;
- Give family members and teens opportunities to build relationships by focusing together on the future; and
- Integrate foster care teens into the larger community.

Specifically, we recommend practice and policy changes to support:

- Self-advocacy education for older teens in or at risk of foster care;
- Custodial arrangements that support teens developing detailed plans for the future (for example, the Y25 model described later in this report); and
- Exploring alternatives to traditional foster care placements for teens over the age of 16.

Self-Advocacy Education for Older Teens In or At Risk of Foster Care

Teens in care must set their sights beyond foster care, toward the future. Every teen in foster care should be offered the opportunity to learn and practice self-advocacy in supportive environments. Self-advocacy is a means for teens to negotiate present problems, focus on their future education and career goals, learn planning concepts and skills, and build bridges to the world outside foster care.

Teens use self-advocacy to cope with present stresses and crises, putting themselves into a “bigger picture” perspective. For example, an immigrant teen who is angry that her agency has not helped her get a green card work permit is taught to structure a persuasive argument about why this problem relates to her long-term goals, and to identify other resources to help herself, rather than to blow up at the first caseworker she sees.

Self-advocacy education teaches teens:

- Setting goals, short and long term;
- Researching—how to find facts and relevant information;
- Analyzing facts and information;
- Understanding and analyzing the goals of “the other side”;
- Connecting personal goals with others’ goals;
- Identifying allies and supporters;
- Critical analysis of situations;
- Identifying one’s own strengths and weaknesses;
- Planning strategy;
- Planning written and oral presentations;
- Dealing with setbacks and rejection;
- Building on successes;
- Reviewing and adjusting goals and strategies;
- Making effective presentations to seasoned professionals; and
- Analyzing the effectiveness of these presentations.

Based on our experience creating curricula for teens and foster care staff and foster parents, we recommend that self-advocacy education be taught to foster care teens:

- In a group of about ten students in a classroom setting similar to a college class;
- By qualified instructors who can successfully role model self-advocacy and who are trained to teach self-advocacy as a means for becoming a participating citizen;
- Using the case study and Socratic method, which supports both individual and group work and written and oral presentations;
- With explicit standards that require regular attendance and homework completion, class participation, and passing written and oral exams; and
- Using the individual goals and aspirations of each teen to develop long and short term plans for the future.

Informational Interviews

We recommend that teens in foster care who are taught self-advocacy be prepared to go on informational interviews with seasoned professionals in fields of interest to the teens. Informational interviews are critically important. Through them teens learn about what education or training is required to reach their goals, practice presentation skills, and begin to develop relationships with individuals, organizations, and institutions in the community outside foster care.

Joe, 18, likes to draw and also likes computers. During the self-advocacy course, he develops the goal of becoming a "computer graphics artist," but does not really know what that means. For a final project at the end of the self-advocacy course, the instructor sets up an informational interview with Marco, a partner in a graphics design firm. Using self-advocacy concepts and skills, Joe works on writing and presenting an agenda for the interview that describes his interests and strengths relevant to computer graphics, and asks questions about the types of jobs available in the field, the education and training needed to do those jobs, and other resources he should look into. He practices the agenda in class before the interview. At the interview, because he's impressed by Joe's preparedness, Marco takes more time than he had planned to hear Joe's presentation and to share his own experiences in the field and give advice to Joe, which includes concrete information about internships.

Every agency with custody of teens in New York City, through its board of directors and other links to the community, should arrange for professionals from a range of fields to be available for informational interviews with teens from that agency. These professionals are a major community resource for teens in care; it is not difficult to engage them in sharing time and information with teens in foster care.

Demanding Standards Mean That Not Every Teen Is Ready for Self-Advocacy Education

Not every teen is able to meet the demands of the self-advocacy education course. Yet that is no reason to lower the standards. Those teens who can meet the high standards should be supported and their achievements recognized.

For some teens, personal problems—which may be related to their placement, to their family situations, or to their own mental health needs—preclude participation in or completion of a self-advocacy course. The course requirements are similar to those of a college class or an entry-level job. Therefore, for these teens, every effort at social work intervention and treatment should be geared toward ensuring their eventual participation in a self-advocacy course as a precursor to those other types of programs.

Foster Care Placements That Support Teens in Developing Plans for the Future

Self-advocacy education is a concrete tool teens can learn and use to plan for their futures. For it to work effectively, foster care teens need placement environments that support planning for the future and practicing self-advocacy. Therefore, we recommend that foster care agencies with custody of teens adapt their mission to reflect an ultimate goal of preparing youth for a future in which they are participating citizens. This change in mission and goals would be reflected in new accountability measures and funding structures.

In effect, these changes would make it possible for the development of a plan for the future to take priority over temporary custody issues. Where the teen is placed, whether with a family member, in a group home, or in a foster home, should depend on that teen's plan for the future. Issues of behavior management, past traumas, and temporary custody should be considered only in the context of answering the important question, "How can we support this individual to develop and reach his or her aspirations?"

A Blueprint for the Y25 Program— a Demonstration Program In Which the Living Environment Is Focused On Future Planning

In our work helping teens develop self-advocacy skills, we have found the outline of an entirely new model for teen foster care practice. Based on the principles and skills developed in self-advocacy, this model would create an overall environment that supports teens in planning for the future and developing the skills they need to implement their future plans. We call it "Y25" because it requires that participants develop a detailed plan for goals to reach before their 25th birthday.

The goal of the Y25 program is to promote and support each teen's potential as a participating citizen. Its structure would allow the teen to develop his or her potential, and allow the foster care agency to support the teen's efforts. Every single element of the program would be built around that goal and structure.

This demonstration program could be implemented in a group home, an agency that operates foster homes, a preventive services program, or a community-based agency. In any setting, all adults who have contact with teens would play an important role in supporting the program's success.

Rationale. The Y25 Program would change the bias of foster care for older teens away from short-term crises and temporary placement issues, and toward constructive future planning and development of skills and resources. At the same time, it would support youth in fully developing and fulfilling their potential.

Youth Would Gain Important Skills From Participation in Y25.

Specifically, it would help them:

- Transform an interest or desire to do something in the future into a detailed road map;
- Develop and improve upon their goals;
- Obtain a realistic understanding of the challenges involved in reaching their goals;
- Recognize and rectify poorly conceived goals;
- Take responsibility for themselves and their futures; and
- Become integrated into community structures and institutions.

Specific Elements. At the center of the program is the Y25 Plan, a focused document that each teen participant develops with the assistance and support of peers and adults.

The Y25 Plan's major elements would be:

- Overall personal and career goals up to age 25;
- Education and training plans, with specific details of where, when and how;
- Income and expense projections for each year from emancipation to age 25;
- Identification of family members and/or adult friends who support the plan, including one key adult—the Y25 Coach;
- Living arrangements until age 25; and
- Contingency plans.

In addition to the Y25 plan, the program would have the following elements:

- ***Staff Participation***—The Y25 Plan should be the principal focus for all foster care agency staff and professionals, including child care staff and foster families. All staff should be trained to work with teens' future goals and Y25 Plans.

- *Program Admission Process* – Teens in foster care should not automatically be enrolled in Y25. An application and interview process would help ensure their commitment to participating and completing the program.
- *Participation Incentives* – Program elements like Y25 certificate ceremonies, Y25 graduation ceremonies, and post-secondary school tuition stipends would provide teens with incentives.
- *Participation Standards* – Because the Y25 program is rigorous and demanding, participating teens would need to meet certain standards for participation to make sure they are truly committed. There should be standards for attendance, behavior toward peers and adults in the program, and for developing and meeting goals. The standards should be administered fairly and allow second chances.
- *Intensive Youth Participation* – Successful implementation would require development of a course of participation that includes frequent group meetings among enrolled youth for discussions and presentations by those with information and experiences to share, individual consultations and planning with Y25 advisors, and achievable milestones to measure progress.
- *Biological Family Participation* – Constructive interactions and development of relationships with biological family members and adult friends is an important part of planning for the future and therefore of the program.
- *Community Participation* – A key element would be committed participation from individual adults, organizations, and institutions in the community outside the teen's immediate living environment. These should provide teens and Y25 staff with solid information about careers, education, budgeting, and living arrangements.
- *Agency accountability* – Another key element would be the development of specific outcome measures and incentives for foster care agencies to help teens successfully implement their Y25 plans. These must be financial and structural. Ideally, agencies would be paid to work with and track youth until age 25.

Alternatives to Foster Care for Older Teens

Teens in foster care or at risk of placement who are over 16 should have options other than the traditional foster care placements now available. We recommend that the City create a process to explore the development and subsidizing of these alternatives, similar to the development of alternative high schools for public school students.

Alternative situations could take many shapes and forms, all of which should be explored. One possibility is placements that provide both housing and an environment of future career and education guidance based around themes of interest to teens: culinary arts, performing arts, four year college prep, etc.

Teens could apply to enter the programs. Adults working in the programs would have some professional or lay experience in the field on interest, as opposed to simply being “child care staff.”

Another alternative is to create transitional housing options for young people between 18 and 25 that emphasize “learning by doing” in an environment with real-world consequences.⁷⁰ Looking at models used around the country for populations re-entering society, the city could develop a program of subsidized apartments that allow young people to learn what it is to live on their own, giving them the opportunity to make mistakes and learn from them.

These are only two suggestions. Our experience at Youth Advocacy Center is that leaders from many communities and backgrounds are interested in supporting teens in care, and can provide insight into developing alternative placements like these or others. We recommend that community leaders and professionals representing varied disciplines be convened to 1) explore existing alternative placements, and 2) explore new alternatives that will support young people in foster care in becoming participating citizens.

To start, the list of people consulted might include:

- Leaders in high school and college education, to explore the possibility of educational options like boarding schools and early college admissions;
- Financial and legal experts, to explore financial planning and establishment of trust funds for teens in care;
- Leaders in business, the arts, and trades, to explore employment opportunities, internships, and apprenticeships;
- Real estate and community development experts, to explore the full range of affordable housing options;

- Health care professionals, particularly those specializing in adolescent development and those with experience in family counseling, to explore what can be done to establish or repair teens' permanent family relationships;
- Community leaders, to explore options for integrating youth into the larger community while maintaining a focus on academic achievement and career preparation; and
- National service and military leaders with experience in training and challenging teenagers.

Opening up the debate about foster care for teens to include a broader range of individuals, organizations, and institutions will help bring about much-needed system change. New voices and perspectives will open up a range of alternatives to help teens in foster care better prepare to reach their potential as participating citizens.

ENDNOTES

¹This report was written by Betsy Krebs, Esq. and Paul Pitcoff, Esq. Betsy Krebs is co-founder and Executive Director of Youth Advocacy Center, Inc. Ms. Krebs is an Individual Project Fellow of the Open Society Institute. She graduated from Harvard Law School and afterward worked as an attorney representing foster care children in Manhattan Family Court. She has authored articles and publications for and about teenagers in foster care and about self-advocacy.

Paul Pitcoff is co-founder and the Director of Education of Youth Advocacy Center. He has worked with young people for most of his professional life. Prior to receiving his law degree from Cardozo School of Law, Mr. Pitcoff was the founding chair of the Department of Communications at Adelphi University. For over 20 years he guided the development of an academic program from inception to an established department in the College of Arts and Sciences. At the same time, Mr. Pitcoff was an active filmmaker, producing and directing over 25 award-winning documentaries for various national and local organizations.

²YAC recruits teens directly through independent living coordinators at foster care agencies. Peer Leaders (teens who have completed YAC's program) make presentations about self-advocacy, their own goals and the plans they are making and actions they are taking to reach those goals. Teens must complete a written application and interview concerning their goals for the future. YAC focuses on career and education goals, as every young person has aspirations and in our culture is expected to work eventually. Students are chosen primarily for their willingness to commit to a rigorous program. Students with educational deficiencies are not rejected on that basis.

³CCRS data, provided by the NYC Administration for Children's Services. Nationally, 45 percent of 547,000 children in care were 11 or older as of March 31, 1999 (National Resource Center for Youth Development).

⁴Chapter .596 of the Laws of 2000.

⁵In New York State, teens enter pursuant to PINS petitions, voluntary placement agreements pursuant to SSL 358-a, or abuse/neglect petitions pursuant to Family Court Act Article X. The report *Adolescent Pathways, Exploring the Intersections Between Child Welfare and Juvenile Justice, PINS, and Mental Health* (M. L. Armstrong, The Vera Institute of Justice, May 1998), looks in detail at the different ways teens enter care.

⁶NYC Administration for Children's Services, *Progress on ACS Reform Initiatives*, Status Report 3, March 2001, page 89. Every child in foster care has to have a "permanency planning goal." Under the federal Adoption and Safe Families Act (ASFA) the choices are: return to parent, adoption, legal guardianship, permanent placement with a fit and willing relative (custody by a relative), and "another planned permanent living arrangement," which includes independent living.

⁷*Id.* at p. 89.

⁸CCRS data provided by the Administration for Children's Services, for the end of 2000.

⁹ ACS says that from 1994-1999 about 800 to 1,000 young adults left foster care for independent living every year. NYC Administration for Children's Services, Progress on ACS Reform Initiatives, *supra*, at p. 87.

¹⁰ Sengupta, Somini, "Youths Leaving Foster Care System With Few Skills or Resources," *The New York Times*, Mar. 28, 2000, at A1; see also *Can They Make it on Their Own? Aging out of Foster Care—a Report on New York City's Independent Living Program*, Citizens Committee for Children of New York, January 2000.

¹¹ Most recently, Nina Bernstein's book, *The Lost Children of Wilder: The Epic Struggle to Change Foster Care* (Pantheon Books, New York, 2001), traces recent decades of foster care reform efforts.

¹² Distributed with a memorandum from ACS Commissioner Scoppetta on 10/31/00.

¹³ Established as part of the settlement of the Marisol litigation, the panel issued a series of reports both giving recommendations to NYC's Administration for Children's Services and analyzing the City's efforts toward reform.

¹⁴ "The Race Factor in Child Welfare," *Child Welfare Watch, Spring/Summer*, 1998 No. 3. ACS identifies "51 percent of children in care as black, 26 percent 'unknown', 20 percent Hispanic, 3 percent white, and less than 1 percent each Asian, interracial, and other." Most child welfare professionals believe the 26 percent unknown are also African-American and Latino children.

¹⁵ See, e.g., Males, Mike, *Framing Youth*, Common Courage Press, Monroe, ME, 1999.

¹⁶ 45 CFR Section 1356(h)(3)(i).

¹⁷ From foster care teens' applications to Youth Advocacy Center self-advocacy seminar in 2000.

¹⁸ The Youth Development Institute of the Fund for the City of New York is one good source of information about effective youth programs based on strength-based models.

¹⁹ See, e.g., Hine, Thomas, *The Rise and Fall of the American Teenager*, HarperCollins Publishers, New York, 1999.

²⁰ Earl Shorris, in *Riches for the Poor, The Clemente Course in the Humanities* (W.W. Norton & Company, Inc., New York, 2000) explores the meaning of citizenship for the poor in ancient Greece as it relates to present struggles by people in poverty in the United States.

²¹ *Campaign for Fiscal Equity v. The State of New York*, 719 NYS2d 475 (Supreme Court, New York County, 2001).

²² *EDUCATIONAL NEGLECT, The Delivery of Educational Services to Children in New York City's Foster Care System*, Advocates for Children, Inc., New York, July 2000.

²³ Kools, Susan, Ph.D., RN, University of California, San Francisco, "Adolescent Identity Development in Foster Care," *Family Relations*, Minneapolis, MN, July 1997

²⁴ Curran, Mary C., and Pecora, Peter J., "Incorporating the Perspectives of Youth Placed in Family Foster Care: Selected Research Findings and Methodological Challenges," *The Foster Care Crisis, Translating Research into Policy and Practice*, University of Nebraska Press, in association with the Child Welfare League of America, at p. 115.

²⁵ Barth, Richard P., Ph. D., "On Their Own: The Experiences of Youth After Foster Care," *Child and Adolescent Social Work*, Volume 7, Number 5, October 1990.

²⁶ Where New York statistics are available, we cite them, otherwise referring to research from other parts of the country. For a full review of the literature, see Loman and Siegel, "A Review of Literature on Independent Living of Youths in Foster and Residential Care," *A Report of the Institute of Applied Research*, St. Louis, MO, 2000, and McDonald, Thomas P., Allen, Reva I., Westerfelt, Alex, and Piliavin, Irving., *Assessing the Long-Term Effects of Foster Care*. CWLA Press, Washington, DC 1996.

²⁷ Williams, Carol W., *The Independent Living Program: Today's Challenge*, Preparing Youth for Long-Term Success, CWLA Press, Washington, DC, 2001.

²⁸ Courtney, Mark E., and Piliavin, Irving, *Foster Youth Transitions to Adulthood*, School of Social Work and Institute for Research on Poverty, University of Wisconsin-Madison, 1998

²⁹ Williams, *supra*, note 27.

³⁰ Courtney & Piliavin, *supra*, note 28, p. 7.

³¹ Colca, Louis A., "Transitional Independent Living Foster Homes: A Step Toward Independence; A Program for Foster Adolescents," *Children Today*, June 1996, at p. 7; Courtney & Piliavin (1998), p.7.

³² Cook, Ronna, *Executive Summary of National Evaluation of Title IV-E Foster Care Independent Living Programs for Youth: Addressing the Finds of Phase II of the Evaluation* Westat, Inc., 1990.

³³ Barth, Richard P., "On Their Own: The Experiences of Youth After Foster Care." *Child and Adolescent Social Work Journal*, Vol. 7, 5, 419-439, 1990.

³⁴ Boothe, Georgia, Director of Advocacy, Covenant House, New York, Testimony to the New York State Office of Children and Family Services, hearing on Implementation of the Foster Care Independence Act of 1999, New York, August 7, 2000.

³⁵ Williams, *supra*, note 27.

³⁶ Institute for Children and Poverty, www.homesforthehomeless.com.

³⁷ Courtney and Piliavin, *supra*, note 28.

³⁸ Barth, *supra*, note 33, p. 430.

³⁹ Courtney and Piliavin, *supra*, note 28, p. 8.

⁴⁰ *Ibid.*, p. 10.

⁴¹ Barth at p. 433.

⁴² Kools, Susan, "Self-Protection in Adolescents in Foster Care," *Journal of Child and Adolescent Psychiatric Nursing*, Oct. 1999, at p. 139.

⁴³ As noted in section I, at least 4,100 teens in New York City foster care have been in care for over four years. One study (of 2,653 California youths discharged from care after age 17, who had spent at least 18 months in care) found that 17.4 percent had experienced six or more placements before final discharge. Courtney and Barth, "Pathways of older adolescents out of foster care," *Social Work*, volume 41, Number 1, January 1996.

⁴⁴ New York State Budget Briefing Paper, SFY:00-01, "Voluntary Agency Child Welfare Direct Care Workforce."

⁴⁵ Timberlake, Elizabeth, and Verdick, Mary Jeanne; National Catholic School of Social Service, the Catholic University of America; "Psychosocial Functioning of Adolescents in Foster Care," *Social Casework: The Journal of Contemporary Social Work*, Family Service America, Washington DC, 1987, p. 213.

⁴⁶ E.g., lack of privacy, possessions being stolen, limited clothing allowance, restrictions on telephones, access to food, etc.

⁴⁷ M. L. Armstrong, *Adolescent Pathways: Exploring the Intersections Between Child Welfare and Juvenile Justice, PINS, and Mental Health*. The Vera Institute of Justice, May 1998.

⁴⁸ 347 US 483, 493 (1954).

⁴⁹ © July 2000.

⁵⁰ Curran, Mary C., and Pecora, Peter J., *supra*, note 27, at p. 115.

⁵¹ *Educational Neglect: The Delivery of Educational Services to Children in New York City's Foster Care* (*supra* at note 24) summarizes the research on foster care and educational achievement, describes the legal framework for the delivery of educational services to children in foster care in New York City, documents systemic barriers to achievement, and sets forth recommendations for change to better serve these academically at-risk children.

⁵² NYC Administration for Children's Services, "Progress on ACS Reform Initiatives Status Report 3," New York, March 2001, at p. 57.

⁵³ "Can They Make It on Their Own? Aging Out of Foster Care—A Report on New York City's Independent Living Program," Citizens' Committee for Children of New York, New York, January 2000, at p. 15.

⁵⁴ *Campaign for Fiscal Equity, et al v. The State of New York, supra* in which the court rejected an argument that “the Constitution requires only that graduates of New York City’s high schools receive a ninth grade education.”

⁵⁵ *Id.* at p. 99: “GED recipients are the functional equivalents of drop-outs,” because of evidence that “the job prospects and lifetime earnings [are]...equal or close to that of high school dropouts.”

⁵⁶ Brodtkin, Evelyn Z., “The Organization of Disputes, The Bureaucratic Construction of Welfare Rights and Wrongs,” *Studies in Law Politics, and Society*, Volume 12, page 68, JAI Press Inc., 1992

⁵⁷ New York City Administration for Children’s Services , DRAFT, *A Renewed Plan of Action for the Administration for Children’s Services*, May 2001, p. 81.

⁵⁸ “Service Data” distributed by ACS March, 2001.

⁵⁹ Courtney and Barth, “Pathways of older adolescents out of foster care,” *Social Work*, volume 41, Number 1, January 1996.

⁶⁰ You Gotta Believe! The Older Child Adoption and Permanency Movement, Inc., in New York City, directed by Pat O’Brien, CSW. Other advocates of finding permanent family connections for teens are Robert G. Lewis and Maureen S. Heffernan.

⁶¹ Krebs, B., and Pitcoff, P., *Personal Responsibility in Foster Care*, to be published in *Uncertain Futures-Foster Youth In Transition*, ed. Edmund V. Mech, Ph.D., CWLA Press, Washington, DC 2001.

⁶² The Citizen’s Committee for Children report specifically criticized the lack of practical opportunities in the IL programs.

⁶³ The Adoption Assistance and Child Welfare Act (1980), and later the Adoption and Safe Families Act (1997).

⁶⁴ Fagnoni, Cynthia M., GAO, Director of Education Workforce and Income Security Issues, statement before the Subcommittee on Human Resources, Committee on Ways and Means, House of Representatives, Washington DC, May 13, 1999.

⁶⁵ Foster Care Independence Act of 1999, Pub. L. No. 106-169 (H.R. 3443), 113 Stat. 1822 (1999).

⁶⁶ NYCRR 430.12 (f)(2)(i)(a).

⁶⁷ “Can They Make It on Their Own? Aging Out of Foster Care—A Report on New York City’s Independent Living Program,” Citizens Committee for Children of New York, New York City, 2000, page 9.

⁶⁸ For FY 2001, the proposed mayor’s executive budget for the Administration for Children’s Services was \$1.549 billion (\$416 million city; \$461 million state, and \$673 million federal). The proposed budget for foster care was \$930.1 million (\$261.9 million city; \$269 million state; \$399 million federal). The proposed budget for preventive services was \$152.2 million (\$40 million city; \$45.5 million state, and \$66.7 million federal).

⁶⁹ Daily rates range from \$16 for a child in a foster home to \$150 for a child in congregate care. An individual agency's rates are set based on the amount it spent to provide the service "historically," which is interpreted as the prior two years.

⁷⁰ Kroner, Mark J., *Housing Options for Independent Living Programs*, Child Welfare League of America, Washington DC, 1999, is a handbook of alternatives for transitional living.



Youth Advocacy Center, Inc.
281 Sixth Avenue * New York, New York 10014 * 212.675.6181
www.youthadvocacycenter.org
© 2001 Youth Advocacy Center, Inc