

Testimony of:

Tina Woods

Testimony on: Senate Bill No. 37

I want to thank the Chair and the committee for the opportunity to testify on Senate Bill 37.

I am Tina Woods, the past President of the Kansas Youth Advisory Council (KYAC). KYAC is comprised of a group of current and former foster youth from across the State of Kansas who advocate for the rights of youth in care and to improve the child welfare system.

I spent six years in foster care before I “aged out” and these experiences drastically improved my life and afforded me a number of opportunities I would not have otherwise had. One of the biggest supports I had during this time was my foster mother who not only has supported me while I was placed in her home, but to this day, and has taken the role of my family. For this I am grateful. It is my desire for other youth to have similar support and a positive experience as well.

This past year, I have served on a workgroup to develop a Kansas Foster Parents’ Bill of Rights. My role was to provide feedback to ensure a foster parent bill of rights did not conflict, but supports the Foster Youth Bill of Rights.

Today I am offering a testimony in opposition of a statutory foster parent bill of rights. Foster parents are important and necessary to ensure the needs of youth in care are met. However, I do not believe legislation is necessary to meet the request of foster parents.

Senate Bill 37 was created as a resolution to foster parents who have concerns about their rights within the system. I am familiar with this concern. Foster youth also faced concerns that they did not have rights within the child welfare system. As we began to explore resolutions to this issue, we realized youth did have rights within the child welfare system. However, youth were not aware of these rights, and it was a matter of educating them in a way that was clear and concise for everyone to understand. KYAC developed a one-page document outlining the rights of youth in care and the grievance process if a youth believed their rights were being compromised. The Youth Bill of Rights document was then designed in a comprehensive manner. This has proven to be an effective approach to educating our youth. Just as the youth already had rights, but were not aware, so do our foster parents. They also need a document that specifically outlines their rights and the grievance procedure, should it be necessary for further action.

Most policies and procedures are developed in a manner to allow for flexibility as all cases of youth in care are different and need to be treated on a case by case manner. Placing the foster parents’ rights within statute is much more limiting, as it needs to be specific to allow for the appropriate repercussions, should these laws be violated.

Specifically, in the first paragraph at the top of page 2 of Senate Bill 37, it suggests that the Kansas Department for Children and Families (DCF), should provide foster parents with

information regarding the previous placements for our youth, including reasons for removal and contact information, if permitted, of these former placements. This is not beneficial for any persons in the youth's life. Foster parents are provided with pertinent information regarding a youth's case that is necessary to provide care to the youth, as detailed in K.S.A 38-2212.

Providing a new placement with details concerning the reasons for a youth's move does not allow the youth or the placement to begin their relationship in an unbiased manner. If the reasons for removal concern the well-being or safety of the foster family, the foster parents already have a right to be informed of this information.

Lastly, foster youth do form relationships with their foster parents. When a youth moves, should it be to reintegrate with their family, or to ensure the youth is placed with a sibling or biological family member, they will maintain contact with the foster family naturally if there were close emotional ties. Maintaining contact with the previous foster family should be left to the decision of the youth and their families. Should the youth and/or the foster family placement disrupt, there are logical reasons for contact not to continue due to the best interest of the child.

In conclusion, although I do not support the passage of Senate Bill 37, I do believe DCF should work with foster parents to develop a Foster Parents' Bill of Rights document. The development of a comprehensive document that allows foster parents to understand their rights is good for the child welfare system and all the children within that system.

Again, thank you, and I will now stand for questions.

DO YOU KNOW YOUR RIGHTS AS A KANSAS FOSTER YOUTH?

YOU HAVE SCHOOL RIGHTS:

- to have all appropriate school supplies, services, tutoring, extra-curricular, cultural, and personal enrichment activities
- to attend school daily
- to receive your high school diploma if you have earned the 21 standard credits

YOU HAVE THE RIGHT TO HAVE YOUR PRIVACY PROTECTED AS LONG AS IT'S SAFE:

- to send and receive unopened mail and phone calls (unless court ordered)
- to have regular contact from and access to case managers, attorneys, and advocates and be allowed private conversations with such individuals
- by workers and foster parents who should share information about you that is accurate and necessary for your well being

YOU HAVE THE RIGHT TO:

- as few changes in workers as possible
- to contact your worker's supervisor if you have a conflict with your worker that can't be worked out between the two of you

YOU HAVE RIGHTS IN COURT, YOU CAN:

- be notified of all hearings, when age and developmentally appropriate
- attend all court hearings
- attend all court hearings if deemed appropriate by case planning team if less than 10 years old
- go to court and tell the judge what you think about any placement or placement change that is proposed
- have your "best interests" represented in court by a GAL
- ask for a lawyer who will tell the court what you want, not necessarily your "best interest"

WHEN AGING OUT OF CARE, YOU HAVE THE RIGHT TO:

- be an active participant in developing a transition plan
- have services and benefits explained
- have a checking or savings account (when appropriate)
- learn to manage money (if right for your age, development level, and it's in your case plan)
- learn job skills for your age
- be involved in life skills training and activities

YOU HAVE THE RIGHT TO LIVE IN A SAFE, COMFORTABLE PLACEMENT:

- where you live in the least restrictive environment
- where you are treated with respect, have a place to store your things and where you can receive healthy food, adequate clothing and appropriate personal hygiene products
- with siblings when possible unless ordered by the court
- with a relative that should be the first placement to be investigated and considered. If family is not an option then you may request that someone from your community with similar religion or ethnic heritage be investigated and considered for placement
- and have visits with family unless ordered otherwise by the court
- with as few moves as possible
- and make a list of items you want to take with you when you are placed out of home and give to your case manager
- and have all your belongings move with you
- where your belongings are packed in a suitcase or duffle bag if moved or going on a visit

DO YOU THINK YOU ARE BEING TREATED DIFFERENTLY?

If you feel you are being harassed or treated differently for any reason that has nothing to do with your care or safety, you should call your provider's constituency services person [1-844-279-2306](tel:1-844-279-2306) for assistance.