

STATE OF KANSAS

SENATE

14TH DISTRICT  
STATE CAPITOL  
TOPEKA, KS 66612  
(785) 296-7678  
forrest.knox@senate.ks.gov



17120 UDALL RD.  
ALTOONA, KS 66710  
(785) 783-5564  
senatorforrestknox@gmail.com

FORREST J. KNOX

House Standing Committee on Judiciary

Testimony Supporting SB 410

March 15, 2016

Chairman Barker,

Is foster care in Kansas adequate?

**Background** - This past interim, the Special Committee on Foster Care Adequacy was established to study this question. The tasks assigned the committee included:

- Study the proper selection of foster parents and *the qualifications of foster parents*; and
- Review the *duties of those individuals responsible for foster children*.

A committee recommendation was: *In considering the best interest of a child, evidence-based peer-reviewed research on family structure be considered a high priority in making foster care placement decisions.*

A quote from testimony –

**“We need foster homes waiting on children, instead of children waiting on foster homes,”**

The Kansas code for the care of children; Chapter 38, Article 22 states that the policies of the state are to;

- “*Consider the safety and welfare of a child to be paramount...*”
- “Provide for the protection of children who have been subject to physical, mental or emotional abuse.”

People who work with children in need of care in Kansas tell me that *the system is broken*. National leaders tell me that what we’re doing now in America *is not working*. Most believe foster care in Kansas is not adequate. This is not an indictment of all foster homes in Kansas. Many are doing a good job. But we don’t have enough of these homes.

We need to have enough homes available that we can pick the home that will best meet a certain child’s needs, *matching the home to the child*. That child needs a home *in his community*, where he can keep attending *his own school*. That child needs a home of *similar culture* to his home. That child needs a

home where his safety and welfare is of paramount concern. We don't have this today. Kids are often placed in communities and in schools far from their homes, in cultures they don't understand.

We need many families stepping up to open their homes, because they want to help kids.

Frankly, we have too many professional foster homes, making a business out of fostering children. And, we have too many childless parents wanting babies to foster to adopt. What we need are foster parents *whose primary objective is not their own needs*, but to meet the needs of these children. Real parents love their kids, and meet their kids' needs, above their own interests. They raise their kids to grow up and leave the nest.

What CINC kids have lost is their home, their parents, and their stability. They have been taken, usually suddenly and unexpectedly, from the only home they have known. They have been abused or neglected; physically, emotionally, sexually. Often this has been because of substance abuse in the home, by the parent(s). They have lost all stability in their lives, all security.

What they need are loving parents and the security they provide. They don't need the court, or a judge. They don't need lawyers. They don't need a social worker's visit once a month or a CASA worker's visit. While all these may very well be necessary for the system to work, the kids need parents. Foster parents are the only persons in the system that could step in as interim parents.

Presently, foster parents are treated by the state as babysitters. I've heard many such stories from foster parents, that if they love their foster kids and try to do what is right for them and advocated for their foster kids, if they get too outspoken, the kids are taken from them. The system won't allow them to love the kids. The system is afraid that they will get too attached, so the kids are moved to a new placement.

Many foster parents, when they learn this, quit, or never begin. I believe this is why many families will not even consider being foster parents.

SB 410 is a completely different approach, intended to get more people to step up and volunteer to help kids. It is my belief that if people had the correct knowledge, training, and skills; and they had the authority and freedom to actually make a difference in a child's life, to parent the child; perhaps many Kansas homes would be willing to sacrifice to help kids.

SB 410 would enable the DCF Secretary to structure such a pilot program.

CARE homes are homes that do not exhibit the typical problems that existed in the homes where the kids came from: homes with two people to help guide the children, where one is always there to help, not working outside the home, where substance abuse, or the presence of addictive substances, is just not part of the equation, where a good, loving marital relationship exists, where education is important and parents are a part of this, and where the family is a part of a larger community and the support it gives.

SB 410 does not change the present foster care system in any way.

This is about meeting the needs of vulnerable children in Kansas who have lost their families.

I ask for your favorable consideration of SB 410.

# **Straight Talk from Senator Knox**

## **Abused & Neglected Children**

March 7, 2016

In Kansas we have about 6000 children in state custody, children who have suffered abuse or neglect. Compared to other states, that number is a high, very high. The number suffering serious injuries and fatalities is small, but any number is too high.

In 2012 federal legislation was passed establishing the Federal Commission to Eliminate Child Abuse and Neglect Fatalities. Since then, the commissioners have been traveling the country meeting with key players, trying to find solutions.

Last December, in Washington, DC, I moderated a session of the National Council of State Legislatures' Health & Human Services Committee, where I serve as vice-chair. The speakers included the chairman of the federal commission, Dr. David Sanders, and also commissioner Susan Dreyfus. Their credentials are impressive, having served at the top of large executive branch agencies and also heading up large nonprofit think tanks, all trying to find answers to help these children.

In private conversation with the commissioners, upon hearing of my personal and legislative experience and ideas, I was struck by their comment, "Well what we're doing now certainly isn't working. We need to try altogether different approaches, something outside of the box."

This past fall, when I chaired the Special Committee on Foster Care Adequacy, one takeaway was this quote, "We need foster homes waiting on children instead of children waiting on foster homes."

We don't have enough foster homes.

When children must be removed from their family, the goal is, and has always been, to place them in culturally similar settings, in their home communities and schools. However, presently it is much more common to send kids across the state to find a foster home for them. Southeast Kansas seems to be a common destination for foster kids. One large town in Southeast Kansas seems to have spawned a cottage industry of foster homes. The local superintendent of schools told me that 20% of the district is comprised of children in out-of-home placement, with many of these displaced from Johnson County.

Many of the foster homes in the state fall in one of two categories; a business, doing it for the money, or childless couples looking for children to adopt. There's not necessarily anything wrong with these, but we must find more homes where the motivation is to help kids in need. DCF, for years now, has been reaching out to community groups, trying to find more homes, but without sufficient success.

What's the solution? How do we find more foster homes?

Pay more money? That would probably work, but would they be the homes we want? Lower our standards and make it easier to qualify? This is not ideal either.

How do we find people who would open their homes to foster because they care about helping children? What is keeping such families from stepping up now?

SB 410 was introduced to try an altogether new approach; a pilot program, for finding families who would open their homes to help children in need; with zero pay, stricter family requirements, much stiffer and more extensive training, but with more freedom, more flexibility, and more authority to actually be temporary parents, to make a difference in these children's lives.

This new category of volunteer foster parent would have knowledge of the legal processes involved and have standing before the court, similar to CASA volunteers. They would have training and knowledge to help meet the unique mental and emotional needs of children who have lost the security of their own homes. They themselves would be the educational advocates for the kids. In traditional foster care, these highly trained volunteers have periodic contact with the kids, usually monthly. Here the foster parents fill these roles, but are in contact with the children every day.

Many of these kids have never had a father in their life and often mom has not been engaged. That's why in this new category of foster home one of the parents is required to be there for them, not working outside the home, and the parents are required to have been married in a stable relationship for seven years minimum.

Substance abuse is often a leading contributor to these kids' situation; that's why addictive substances are required to be absent in this foster home. We expect this foster home to be involved in the community giving additional social interaction for the family and the foster children, and also providing another level of accountability.

Stability has been missing in these children's lives. The goal is to fill the needs in their lives and help get their families back together. It's time to center on the children and I believe there are many families in Kansas who would step up to help if they saw they could make a real difference.

I recently spoke with a couple of retirees from SRS who had worked with children in state custody. They both assured me that I would find no one who would step up and volunteer to serve in this new foster category. This caused me to think about creativity, and what stifles it. If your fear of failure or of making a mistake causes you not to be willing to take a chance, you'll never find a new answer.

The point is that no one has any answers, or even any ideas. That's what I heard from the federal commissioners; that's what I've seen in Kansas. There is little to risk, and hopefully much to gain, from trying this volunteer pilot. I'm hoping the House will follow the Senate's lead and enable the Secretary to initiate this program. I'm trusting many ordinary, big hearted Kansans will step up and make the sacrifice to help children in need.