

MINUTES

JOINT COMMITTEE ON CHILDREN'S ISSUES

June 23, 2004
Room 313-S—Statehouse

Members Present

Senator Nick Jordan, Chair
Representative Brenda Landwehr, Vice Chair
Representative Sue Storm, Ranking Minority Member
Senator David Corbin
Senator Henry Helgeson
Senator David Jackson
Senator Janis Lee
Representative Willa DeCastro
Representative Roger Toelkes

Member Absent

Representative Patricia Berberi-Lightner

Staff Present

Emalene Correll, Kansas Legislative Research Department
Hank Avila, Kansas Legislative Research Department
Norman Furse, Revisor of Statutes
Mike Corrigan, Revisor of Statutes Office
Ann McMorris, Secretary

Others Present

See attached list.

Wednesday, June 23

The meeting was called to order by the Chair who noted the first conferees had been delayed so the Committee would proceed with other issues until the conferees were available.

Schedule of Meetings

After checking on the schedules of the members and discussing the items to be included on the committee agenda, the following dates were scheduled for 2004 meetings of the Joint Committee on Children's Issues.

Monday, July 12, 2004
Thursday, August 5, 2004
Thursday and Friday, November 4 and 5, 2004
Thursday and Friday, December 2 and 3, 2004

Meetings in 2004 require approval of the Legislative Coordinating Council.

Round Table Topics

In 2003, the round table discussed the challenges of providing mental health services for children in foster care and support for foster parents were identified as continuing issues that need improvement. It was suggested roundtable participants be requested to address the concerns that were identified last year and report on improvement, changes that may have been made, and any additional problems that may have arisen.

It was recommended a subcommittee be appointed to study funding of various children's programs over a ten-year period. Key programs should be the first consideration in providing funding, and new programs should be the subject of considerable study before funding is made available.

In terms of round table discussions, it was suggested mental health and foster care be considered at the same roundtable and that system issues be addressed by judges. In preparation for a roundtable on children's programs, it was recommended a Legislative Post Audit study be requested to include an analysis of funding and identification of the agencies involved in designating funding. At issue is the potential for duplication in programs leading to the same child receiving benefits from more than one program. Those programs that are federally mandated should be identified. Information is needed on how programs are working. Information is also needed on program coordination with Medicaid. For example, immunization reports indicate Kansas is falling behind, and followup on the immunization program is needed. Senator Helgerson volunteered to provide a listing of data needed for committee discussion.

Staff called the committee's attention to a table in the committee folders that provides information about programs that affect children by agency, activity, and numbers served as well as expenditure information. The table is a part of the current Children's Budget prepared by the Division of the Budget as directed by Kansas law. Reference to the table will be made at the time staff presents information on children's programs that serve children ages 0 to 5 ([Attachment 1](#)).

Foster Youth Agenda

Kathie Ledbetter-Williams, Executive Director, Foster Youth Agenda, introduced the other conferees from Wyandotte County and indicated the group wanted to present issues involving foster youth in Wyandotte Country ([Attachment 2](#)).

Ian Abbott, age 18, is President of the Foster Youth Agenda, which he identified as a way for foster youth to make life better for other foster youth. The Board is comprised of 12 foster and former foster youth from Kansas between the ages of 15 and 21 who have been in care for at least one year. The conferee noted the Foster Youth Agenda mission is accomplished by:

- Increasing public awareness of the challenges faced by foster youth and the policies that affect the delivery of services to this neglected population;
- Providing opportunities for open communication between all parties in the foster care community, including foster youth, foster parents, mental health workers, state and contract social service workers, and local and state decision makers;
- Informing foster youth about services that are available in their communities and how to get connected to the services;
- Providing youth friendly information on how local, state, and national systems work, and how decisions are made at each level that impact the success of youth exiting foster care; and
- Encouraging youth who are aging out of the foster care system to understand and fulfill leadership responsibilities to other youth who are in foster care.

Mr. Abbott noted the group communicates with people in the Statehouse in order to get foster care issues identified all across Kansas so all foster youth can be helped, not just those in the metropolitan area. They advise foster youth about funding that may be available to them in the form of tuition grants, education, training, financial literacy, and other programs that may help them to be successful in life.

The next conferee was Angela Penix, age 17, who noted she had been in foster care for four or five years. She reviewed the health problems she has experienced, along with reasons these problems have limited her ability to work. She receives disability payments, but no financial support from her foster parents or caretakers who are supposed to be taking care of her. Her father has been paying child support for many years, but all the child support funds have gone to the state and she has received none of the money. She is anxious to take care of herself and has always paid for her clothes, being reimbursed for half the cost by a social worker when she submits a claim. She has to reapply for disability benefits periodically, and usually it takes about three months for payments to be made.

Shannon Broadnax, age 17, was the next conferee from the Foster Youth Agenda. She has been in foster care since she was 12. She told the Committee of her efforts to obtain benefits from her mother's estate through Social and Rehabilitation Services since her mother's death. She has been told she should be getting \$750 a month, but has received nothing and is very frustrated and discouraged. She posed a question to the Committee, *i.e.*, what can children do to get help from the state?

Ms. Ledbetter-Williams concluded the presentation by suggesting benefits children and youth should be receiving from the estates resulting from their parent's deaths be put into a special account to be used for paying expenses at school, etc. This would help those leaving foster care to get established and to take of themselves.

Committee members questioned representatives from Social and Rehabilitation Services about payments made to foster parents, guidelines for the expenditure of such funds, reports required from foster parents, and followup interviews with youth in care. In response, agency representatives said there are no guidelines on expenditures other than the training given foster parents prior to becoming a part of the system. No monthly report is required, but if the child receives dependent payments from Social Security, the Social Security Agency audits the account.

The Committee requested a report from Social and Rehabilitation Services explaining how the foster care system works, where the money comes from and how it is distributed. There is considerable concern about these issues. The report, requested for presentation at a future meeting, is to be compiled on a statewide basis.

Child Welfare System Request for Proposals

Sandra Hazlett, Director, Children and Family Services, Social and Rehabilitation Services, provided an update on the requests for proposals for contractual child welfare services (Attachment 3). She reviewed the time schedules for the new contracts now being submitted. Contracts will be awarded in January of 2005, with a July 1, 2005, start date after evaluation of proposals and negotiation. The original contract period will be four years, with one two-year extension option. The contract areas will match with the five Social and Rehabilitation regions as shown on the map which is a part of Attachment 3.

Ms. Hazlett provided information on the bidding process, background, future child welfare contracts, and the payment structure. She noted, in order to address concerns raised about contractor accountability, strong program outcomes directed toward achieving safety, permanency, and child well being have been incorporated into the request for proposals. The outcome requirements are based on federal and state legal and policy mandates and recognize best practices in child welfare. If contractors do not meet the outcomes, the state agency will work with the contractor to develop corrective action plans and may withhold payment if the contractor fails to meet the outcomes, to provide data in a timely manner, or fail to work with other contractors and community partners to achieve the best interests of the child.

Members of the Committee expressed concern about the payment system. Questions were raised about the structured payments to the contractor and a possible backlash that would affect foster children; about the number of requests for proposals and the responsibilities of each type of contractor (family preservation which could include integrated foster care and adoption services, integration foster care contract, and possibly adoption services, and adoption recruitment); about the reasoning behind the boundaries; and about how the new system would be integrated with the judicial process.

Ms. Hazlett stated Social and Rehabilitation Services is not ready to address the question of the judicial process as they will be working with the judges. A committee member noted the judicial process moves slowly and all the players should be on board to make this new system work. It was noted that it could not be accomplished within the time schedule that has been set.

Chris Howell, Deputy Director of the Division of Purchasing in the Department of Administration, was present to respond to any questions the Committee might have, but there were no questions.

Programs for Children 0-5

Sylvia Robinson, PhD, Education Policy Director, Office of the Governor, reported on early childhood programs, what is currently in place in Kansas, and how early childhood education programs are being promoted. She cited a number of resources that show the advantages of early childhood programs for young children who have access to such programs at home, in child care settings, and in pre-kindergarten programs. Dr. Robinson referred to a table listing all programs for families with children age 0 to 5 supported by state and federal dollars (Attachment 4). The conferee stated early education programs need to be evaluated and coordinated to obtain best results, citing several research projects that have studied early child development and found from birth to age five

children rapidly form the foundation of emotional, educational, social, cognitive, and moral skills. These foundations set the stage for further development. To achieve the greatest gain from early childhood programs, program and policy leaders must recognize that programs must be affordable, be culturally appropriate, and be provided in a manner that accommodates the work schedules of parents. According to Dr. Robinson, there is a need to take a close look at what is being done currently, to evaluate the early childhood education programs in place; to see where we are making the most impact; and to begin coordinating with each other.

Ms. Ness noted she was part of a team that went to Florida in December to look at what is going on around the country relative to investment in early childhood learning. Across the country many resources are being focused on how to do a better job. She noted there is progress being made in Kansas in the realm of early learning and a more intense dialogue on how funds are being spent. The Children's Cabinet is asking themselves who needs to be at the table in terms of making a good investment of resources and if funds are being spent in the best way. One of the areas of focus is local providers and how they spend their dollars in early learning. Within this framework, a broader group will be convened to discuss a cross collaborative effort.

Ms. Ness noted, as a result of a proviso inserted in an appropriation bill, the Children's Cabinet is producing a report for the Finance Council that will address not only Smart Start, but how programs that receive Children's Initiative funds through the Children's Cabinet are evaluated. In response to a question she stated the majority of Children's Initiative funds are allocated by the Legislature although, the Children's Cabinet makes recommendations on allocations.

There was discussion on the structure of early childhood programs, including the potential for one child to be enrolled in more than one program; differing eligibility standards, some of which result from federal requirements; concern for the needs of children who come from low-income families; and the role families and family situations play in whether or not children participate in programs designed to reach those ages 0 to 5.

Jim Redman was introduced as the Interim Executive Director of the Children's Cabinet, and spoke to the Committee, providing an overview of Smart Start which is viewed not as a program, but as a strategy. It is seen as a framework for community planning and decision making by requiring a community to look at local data, identify the community needs in the zero to five population, and make decisions about the types of programs they would like to see offered in the community. Under the Smart Start strategy, a community must decide where funding in the form of grants from the Children's Cabinet should be allocated and provide for an evaluation of the effectiveness of the use of the grants.

Responding to concerns expressed earlier about duplication of services, Mr. Redman indicated that in his visits with county health department employees he learned they offer many programs for children ages 0 to 5, but none of the counties receive reimbursement from the state. Further responding to earlier comments and discussion he noted there are over 40 early childhood preschool programs; federally funded programs have definite guidelines which must be adhered to; programs are integrated so it is possible there may be duplication in the children served.

The Committee discussed the appointment of a subcommittee to consider the benefits of programs being offered for children ages 0 to 5.

Review of Programs Serving Ages 0 to 5

Kansas Legislative Research staff presented a memorandum that provides background on the reasons for committee review of early childhood programs, identification of and brief description of those programs that serve children five and under exclusively, and identification of those programs

that serve children and youth including those ages 0 to 5 (Attachment 5). In presenting the memorandum, staff noted much of the data had come from the Children's Budget prepared pursuant to KSA 75-3717 by the Division of the Budget. KSA 75-3717 requires the Director of the Budget each year to prepare a children's budget and, in paragraph (a) (2), sets out the guidelines for information that is to be included. State funded, state assisted, and federally funded programs that serve children are described in the children's budget where they are classified as being in one of eight categories; education and training programs; medical and health services; maintenance services; correctional activities; social services; child care services; institutional and treatment services; and prevention services. Staff called the Committee's attention to Attachment 1 noted earlier which is a copy of the table appended to the most recent children's budget, noting the pie chart at the beginning that shows the allocation of expenditures to the various eight categories. Staff noted, while the most recent children's budget was the source of much of the information in the memorandum, other sources were also used and are noted in the memorandum. It was also noted there are additional programs included in the children's budget that are not included in the memorandum, primarily because they are not aimed at young children such as juvenile correction programs or because programs for young children are not a primary focus of the agency.

Staff provided background explanations and additional details on the programs listed in Attachment 5. It was noted it would be of interest to know how the numbers of children served was developed by each of the agencies that contribute information for compilation in the children's budget and the degree to which data is comparable.

Update on Previous Committee Recommendations

Kathy Porter, Office of Judicial Administration, provided an update on the parent advocacy projects authorized by legislation drafted by the Joint Committee and enacted in 2003 (Attachment 6). The 18th and 21st Judicial Districts were selected as the two pilot sites. Progress is noted in the written material. The conferee noted this is a very complex area of the law and it was felt the projects presented an opportunity to help parents through support and education. A step-by-step explanation of the child-in-need-of-care process has been recorded on a CD which is available at public libraries and other sites and, in the near future, will be available on the Internet.

Ms. Porter noted the two pilots have taken somewhat different approaches. In the 21st District, they have decided they want additional materials and have added an acknowledgment form and a designation form for parents to complete. Materials in the 21st Judicial District are made available at the library and the Office of the County Attorney. The brochure is attached to the summons. In the 21st the pilot is known as the Parent Support Program. In the 18th Judicial District they are looking at assigning responsibility for who will distribute the materials and will move forward when this determination has been made. It was noted the reference manual and the glossary are tools that can be helpful to all who are involved in the child-in-need-of-care system. It was further noted some of the funds derived from a grant from Social and Rehabilitation Services have been set aside for evaluation of the two pilots. A manual and a copy of the CD were made available to those members of the Committee who requested them. Copies are on file in the Kansas Legislative Research Department. These were developed using federal Children's Justice Act funds and a grant from the Department of Social and Rehabilitation Services.

In response to Committee questions, it was stated that no program of this type had been found to exist previously, although North Carolina did have some material they were making available to parents. No programs were identified that were directed at parent advocate support.

Approval of Minutes

*It was moved and seconded that the minutes of the January 23, 2004 meeting be approved.
The motion carried.*

The next meeting will be July 12.

The meeting was adjourned.

Prepared by Ann McMorris
Edited by Emalene Correll

Approved by Committee on:

July 12, 2004