



TESTIMONY OF MIKE FONKERT  
JUST CAMPAIGN DIRECTOR  
KANSAS APPLESEED CENTER FOR LAW AND JUSTICE

SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE  
**IN SUPPORT OF HB 2115**  
MARCH 17, 2021

Members of the Senate Committee on Public Health and Welfare:

My name is Mike Fonkert; I am a Campaign Director for Kansas Appleseed Center for Law and Justice, a nonprofit, nonpartisan organization dedicated to the belief that Kansans, working together, can build a state full of thriving, inclusive, and just communities.

**Kansas Appleseed supports HB 2115.** Establishing a joint committee on child welfare system oversight is an important step in providing the accountability the foster care system needs.

The foster care system in Kansas is in crisis.<sup>1</sup> Too many Kansas children are in the foster care system and they are entering at racially disproportionate rates. Kansas children are staying in foster care for too long and they often experience dangerously high instability in their placements. It is too difficult for Kansas children in foster care to find permanency.

Less than 17% of children attend the same school as they did prior to their entry into the foster care system.<sup>2</sup> The graduation rate for foster care kids who aged out of the system this fiscal year is only 34.1%.<sup>3</sup> Racial disparities among kids in the foster care system are continuing to rise. In state fiscal year 2021, black children in Kansas were 2.08 times more likely than white children to be in foster care.<sup>4</sup> This disparity in Kansas has risen every year since 2015.<sup>5</sup> More than 11% of kids leaving the system are re-entering within 12 months.<sup>6</sup>

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<sup>1</sup> Strengthen Families Rebuild Hope. "Addressing the Foster Care Crisis in Kansas - Update: December 2019."  
[http://www.rebuildhopekansas.org/uploads/2/1/9/2/21929892/sfrh\\_2019\\_update\\_report.pdf](http://www.rebuildhopekansas.org/uploads/2/1/9/2/21929892/sfrh_2019_update_report.pdf)

<sup>2</sup> Kansas Department for Children and Families. "Attending Same School Success Indicator FY 2021."  
[http://www.dcf.ks.gov/services/PPS/Documents/FY2021DataReports/FCAD\\_ContractOutcomes/Same%20School\\_Success%20Indicator\\_FY2021.pdf](http://www.dcf.ks.gov/services/PPS/Documents/FY2021DataReports/FCAD_ContractOutcomes/Same%20School_Success%20Indicator_FY2021.pdf)

<sup>3</sup> Kansas Department for Children and Families. "Adults Ending Custody with the Secretary will have Completed Grade 12 SFY2021."  
[http://www.dcf.ks.gov/services/PPS/Documents/FY2021DataReports/FCAD\\_ContractOutcomes/Completed\\_grd12\\_FY2021.pdf](http://www.dcf.ks.gov/services/PPS/Documents/FY2021DataReports/FCAD_ContractOutcomes/Completed_grd12_FY2021.pdf)

<sup>4</sup> Analysis by Kansas Appleseed using linear forecast of population from Census Bureau (<https://www2.census.gov/programs-surveys/popest/tables/2010-2019/state/asrh/sc-est2019-alldata5.csv>) and demographic data from DCF (<http://www.dcf.ks.gov/services/PPS/Pages/FosterCareDemographicReports.aspx>)

<sup>5</sup> Id.

<sup>6</sup> Kansas Department for Children and Families. "Re-entry to Foster Care in 12 months FY2021."  
[http://www.dcf.ks.gov/services/PPS/Documents/FY2021DataReports/FCAD\\_ContractOutcomes/ReenteredFC\\_12\\_months\\_FY2021.pdf](http://www.dcf.ks.gov/services/PPS/Documents/FY2021DataReports/FCAD_ContractOutcomes/ReenteredFC_12_months_FY2021.pdf)

The system is not going to improve if there is not adequate oversight. This will require independent oversight of the Department of Children and Families as well as legislative oversight. There is an abundance of evidence that shows legislatures can make a significant difference in reducing the number of children in out of home placement and improving outcomes for children in the system.<sup>7</sup> The joint committee can continue to examine these legislative solutions and help implement the fixes the system in Kansas needs - such as improving access to safety net programs, focusing on prevention and early intervention, addressing racial disparities, tracking educational problems, and improving stability and mental health services for the kids who are in the system.

Recent news reports also make clear the need for strong oversight of the foster care system in Kansas. Allegations of significant mismanagement regarding foster care contractor St. Francis Ministries were only brought to light by independent journalism long after a whistleblower complaint had been filed.<sup>8</sup> Documents from a Saint Francis investigation show they invested \$11 million in the business of the CEO's friend for software that crashed and destroyed the organization's financial records. St. Francis also spent millions on lavish food, travel, and entertainment. A whistleblower complaint was filed in November 2019 with the Department of Children and Families, and nothing was done about the situation for over a year.<sup>9</sup>

The foster care system in Kansas is not working for too many children. It needs more oversight, accountability, and legislative problem solving. HB 2115 alone will not solve the problems we face, but it provides another mechanism to help.

Kansas Appleseed supports the passage of HB 2115. Thank you for your time and consideration regarding this bill.

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<sup>7</sup> Freundlich, M. "Legislative Strategies to Safely Reduce the Number of Children in Foster Care." National Conference of State Legislatures. 2010.

[https://www.ncsl.org/documents/cyf/strategies\\_reducing\\_the\\_number\\_of\\_children\\_in\\_foster\\_care.pdf](https://www.ncsl.org/documents/cyf/strategies_reducing_the_number_of_children_in_foster_care.pdf)

<sup>8</sup> Smith, S. "Kansas foster care leader charged \$469K to credit cards, hid financial losses." Kansas Reflector. 2020. <https://kansasreflector.com/2020/12/20/kansas-foster-care-leader-charged-469k-to-credit-cards-hid-financial-losses/>

<sup>9</sup> Smith, S. "Financial scandal intensifies interest in independent oversight for Kansas foster care." Kansas Reflector. 2021.

<https://kansasreflector.com/2021/01/10/financial-scandal-intensifies-interest-in-independent-oversight-for-kansas-foster-care/>