



National Association of Public
Child Welfare Administrators

an affiliate of the American Public Human Services Association

How States are Implementing the Fostering Connections Act

Kansas's At-Risk Children

On May 31, 2009, there were about 5,100 children in out of home placement/ foster care in Kansas.¹ The number of children removed into out of home placement statewide decreased 16 percent from 1,591 children from July to November 2007 to 1,341 children from July to November 2008. Kansas's removal rate of children into out of home placement is slightly higher than national rates, but Social and Rehabilitation Services Regions are working with community projects to maintain families and prevent state custody.²

The number of adoptions has increased to over 700 per year in SFY 2006 and 2008. Children ages 5 and younger in Kansas have the greatest placement stability and exceed the national median of 83.3 percent. Among the seven CFSR outcomes, Kansas continues to rank highest in safety of children, along with appropriate educational services and preserving connections, all ranking at 90 percent or higher. In addition, Kansas served over 500 young adults through the Self-Sufficiency/Independent Living program in SFY 2008.³

Kansas's Budget Landscape

During the 2009 legislative session, funding for child and family programs in the SFY 2010 budget was adjusted with a reduction of \$3.8 million. A short fall of \$100 million is projected for the state in state fiscal year 2010. However, if the Kansas unemployment rate continues to go up, that estimate is likely to increase. The state unemployment rate increased from 6.7 to 6.9 percent from April to May 2009. Though the rate varies across the state, Wichita, with its heavy air craft industry, may soon be at 10 percent unemployment.⁴

With the current economic downturn, every state agency is facing challenges. In SFY 2009, however, Kansas's child welfare system has not needed to layoff or furlough its workforce. The court system is \$11 million short, and has laid off all temporary staff. It also anticipates 30 day furloughs for all staff. Kansas courts, like all agencies, expect to manage challenges responsibly, and the Child and Family Services division does not anticipate court delays impacting permanency for children.⁵

P.L. 110-351 State Options

Kansas does not plan to implement the Guardianship Assistance Program (GAP) option. Kansas has a state funded permanent custodianship assistance program in place already, and the federal GAP requirements do not match state requirements. In particular, given the 6 month federal requirement and the fact that Kansas does not require relatives to become licensed, there are very few families that would meet federal requirements for funding.⁶

Currently, Kansas has three options for relatives: relatives can become licensed and receive the standards rates, relatives can apply for TANF, or relatives can negotiate a rate with private contractors based on the needs of the child. As a privatized state, Kansas contracts out foster care and case management services. The state pays a general rate to a contractor, and the contractor covers all expenses for children except medical and educational. All placements have a home study and background checks.⁷

Kansas plans to maximize all federal match dollars to implement the federal option to support eligible youth aged 19, 20 or 21. Effective July 1, 2009, older youth in Kansas end custody in foster care at age 18 unless there is no court approved transition plan. Specifically, jurisdiction ends in June of the year a child turn 18 or on his or her 18th birthday. There are approximately 180 older youth between the ages of 18 and 19 in state custody. Former foster care participants do not have to remain under state care to receive educational and medical benefits. Kansas offers a tuition waiver program, continues Chafee benefits, and extends Medicaid to age 21.⁸

In addition, Kansas plans to implement the federal option to support eligible youth who exit care to guardianship or adoption after age 16. Procedures and eligibility forms will be changed to maximize federal funds, and staff instructions will be reviewed to make sure they are correct.⁹

Kansas's Tribes

The state has four federally recognized tribes: Iowa, Kickapoo, Prairie Band Potawatomi, and Sac& Fox.¹⁰ Kansas provides these tribes family preservation and Chafee state grants, but there are no Title IV-E agreements in place. The tribes have quarterly meetings with the state and work directly with Federal Region Office VII.¹¹

P.L. 110-351 Mandatory Provisions

As a matter of protocol, Kansas did request an extension for the mandatory provisions. Regarding the mandatory provisions under the new law, Kansas is working to align with federal requirements. The state expects very little fiscal impact.¹²

On the point of relative notification, current state law requires that grandparents be notified within 72 hours of placement, and, as a matter of practice, known relatives are contacted. Optimally, this is done prior to placement in order to avoid state custody. The state anticipates possible changes in their initial letters to relatives and expects to have some challenges locating and notifying "all relatives" as stated in the federal provision.¹³

Education stability is currently managed in Kansas on an aggregate level using the American Bar Association's indicators of success. One such indicator being: How many children are attending the same school as they were prior to entering care? Such indicators ensure that the state is prepared for federal support as they speak directly to stability.¹⁴

For health oversight and coordination, the state's Medicaid program is in a separate department. However, there is coordination and data analysis between Medicaid and Child Welfare to understand and ensure the well-being of Kansas's children. The state has just submitted a Title IV-B plan for approval which addresses procedures and performance measurement.¹⁵

Kansas already has procedures, practices, and documentation in place to ensure continued connection between siblings. In particular, there are success indicators in place to document sibling placement, and Kansas is in the 70% range in terms of keeping siblings together.¹⁶

Finally, plans for children transitioning out of foster care begin at age 16. These plans include preparations for housing, education, employment, mental health, and recreation. As of July 1, 2009, Kansas will have a definition of transition plan in its state law and plans to submit it to ACF for approval.¹⁷

Family Connection Grants

Kansas will not apply for the family connection grants due to the match requirement. Currently, Kansas has two small kinship navigator programs. These programs are targeted in rural counties and are used to aid in family group decision making. The state does not have an intensive family finder program. Family-based substance abuse treatment programs may be utilized in parts of the state, but there is no over-arching state practice in place.¹⁸

Opportunities and Challenges

Kansas does not foresee any major challenges in implementing P.L. 110-351. Though, the state does have questions about the "all relatives" language mentioned in relative notification, specifically, the type of accountability required. Kansas is interested in any further clarification. The state hopes to ensure that the requirements get down to the implementation level as swiftly as possible so that Kansas's children can benefit from federal assistance.¹⁹

Conclusion

In the past 15 months, the number of children entering care has decreased 17 percent state-wide. In addition, the number of children in care has decreased 9 percent. Kansas is eager to assist children and families further through P.L. 110-351, and it will continue to work with its community partners. Particularly, the state understands the importance of preventing the need for foster care on a community level. Through the actualization of many new practices and changes, Kansas anticipates a savings of \$15 million, which will return to the general state fund, thus assisting Kansas families through other departments and programs.²⁰

¹ Tanya Keys, email message to NAPCWA, June 22, 2009.

² Kansas Department of Social and Rehabilitation Services, *Child Welfare Portrait*, 1-2.

³ Ibid, 1-2.

⁴ Tanya Keys, interview with NAPCWA, June 22, 2009.

⁵ Ibid.

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

¹⁰ United States Environmental Protection Agency, *Federally Recognized Tribes in Region 7*, http://www.epa.gov/region7/tribal/federally_recognized_tribes.htm (May 12, 2009).

¹¹ Tanya Keys, interview.

¹² Ibid.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Ibid.