

HB

27

<TARGET><BILL>HB 27</BILL><SUBJECT>HB
27</SUBJECT><COMM>SHSS29</COMM></TARGET>

SENATE COMMITTEE REPORT

DATE: 4/4/16

FURTHER: Judiciary

DATE TURNED
IN TO OFFICE: 4/13/16

Health and Social Services Committee considered CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 27(JUD) am

HB 27-DHSS DUTIES;CINA; FOSTER CARE; ADOPTION

"An Act relating to the duties of the Department of Health and Social Services; relating to hearings on and plans for permanent placement of a child in need of aid; relating to school placement and transportation for children in foster care; relating to foster care transition programs; relating to emergency and temporary placement of a child in need of aid; relating to transitional living arrangements for children in foster care; and amending Rule 17.2, Alaska Child in Need of Aid Rules of Procedure."

and recommends:


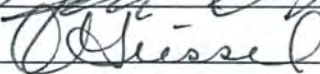

- be replaced with SCS SCS/CS- Forthcoming Same Title Technical Title Change
 New Title/SCR No. _____
- adopt previous SCS _____ (_____) Same Title Technical Title Change
 New Title/SCR No. _____
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

Dept Abbr.	
ADM	LWF
CED	LAW
COR	LEG
EED	MVA
DEC	DNR
DFG	DPS
GOV	REV
DHS	DOT
AJS	UA

NEW FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #
Fiscal Info Forthcoming				

PREVIOUS FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	Do PASS	Do NOT PASS	NO REC	AMEND
	STOLTZE	✓			
	Giessel	✓			
CHAIR: 	STEIMAN	✓			

Fiscal Note

State of Alaska
2016 Legislative Session

Bill Version: HB 27
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB027SCSCSSS(HSS)-DHSS-FP-4-12-16
Title: DHSS DUTIES;CINA; FOSTER CARE; ADOPTION
Sponsor: GARA
Requester: Senate HSS

Department: Department of Health and Social Services
Appropriation: Children's Services
Allocation: Family Preservation
OMB Component Number: 1628

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2017 Appropriation Requested	Included in Governor's FY2017 Request	Out-Year Cost Estimates					
			FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None								
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time								
Part-time								
Temporary								

Change in Revenues

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Estimated SUPPLEMENTAL (FY2016) cost: 0.0 (separate supplemental appropriation required)
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2017) cost: 0.0 (separate capital appropriation required)
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed? N/A

Why this fiscal note differs from previous version:

Update fiscal note to reflect provisions contained in SCS CS SS HB027(HSS).

Prepared By: <u>Christy Lawton, Director</u>	Phone: <u>(907)465-3011</u>
Division: <u>Office of Children's Services</u>	Date: <u>04/11/2016 04:55 PM</u>
Approved By: <u>Sana Efird, Asst. Commissioner, Finance and Management Services</u>	Date: <u>04/12/16</u>
Agency: <u>Health and Social Services</u>	

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2016 LEGISLATIVE SESSION

BILL NO. HB027

Analysis

If enacted into law as drafted would materially change or expand the duties of the Department of Health and Social Services and to a lesser extent, the Alaska Court System, in dealing with foster placement of children and permanency planning and placement of children in Child-In-Need-Of-Aid (CINA) proceedings.

The bill directs the department to take a more proactive approach on certain issues, requires sharing of information under certain criteria with Alaska Native villages or organizations and requires the department to take more proactive measures to provide for education and safety measures, including underwriting of costs, associated with temporary placements.

The bill does not specifically address or alter any mission or activity of the Office of Public Advocacy, but, since the Guardian Ad Litem (GAL) program and the Court Appointed Special Advocate (CASA) program are both housed within that agency, it is to be expected that the duties and workloads of the individual staff and volunteers will expand and become more complex in response to the need to ensure that the department complies with the new requirements. The Office of Public Advocacy will absorb the workload with existing staff and submits a zero fiscal note.

Fiscal Note

State of Alaska
2015 Legislative Session

Bill Version: HB 27
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB027-DOA-OPA-02-06-15
Title: CINA; FOSTER CARE; ADOPTION
Sponsor: GARA
Requester: House Health and Social Services

Department: Department of Administration
Appropriation: Legal and Advocacy Services
Allocation: Office of Public Advocacy
OMB Component Number: 43

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2016 Appropriation Requested	Included in Governor's FY2016 Request	Out-Year Cost Estimates				
			FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
OPERATING EXPENDITURES	FY 2016	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues							
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Estimated SUPPLEMENTAL (FY2015) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2016) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Not applicable; initial version.

Prepared By: <u>Richard Allen, Director</u>	Phone: <u>(907)269-3504</u>
Division: <u>Office of Public Advocacy</u>	Date: <u>02/06/2015 12:00 AM</u>
Approved By: <u>Sheldon Fisher, Commissioner</u>	Date: <u>02/06/15</u>
Agency: <u>Department of Administration</u>	

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2015 LEGISLATIVE SESSION

BILL NO. HB027

Analysis

If enacted into law as drafted would materially change or expand the duties of the Department of Health and Social Services and to a lesser extent, the Alaska Court System, in dealing with foster placement of children and permanency planning and placement of children in Child-In-Need-Of-Aid (CINA) proceedings. The bill directs the department to take a more **proactive approach** on certain issues, requires sharing of information under certain criteria with Alaska Native villages or organizations and requires the department to take more **proactive measures** to provide for education and safety measures, including underwriting of costs, associated with temporary placements.

The bill does not specifically address or alter any mission or activity of the Office of Public Advocacy, but, since the Guardian Ad Litem (GAL) program and the Court Appointed Special Advocate (CASA) program are both housed within that agency, it is to be expected that the duties and workloads of the individual staff and volunteers will expand and become more complex in response to the need to ensure that the department complies with the new requirements.

As such the Office of Public Advocacy submits a zero fiscal note.

Fiscal Note

State of Alaska
2015 Legislative Session

Bill Version: HB 27
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB027-DHSS-FP-02-07-15
Title: CINA; FOSTER CARE; ADOPTION
Sponsor: GARA
Requester: House Health & Social Services Committee

Department: Department of Health and Social Services
Appropriation: Children's Services
Allocation: Family Preservation
OMB Component Number: 1628

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2016	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2016 Request	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
OPERATING EXPENDITURES	FY 2016	FY 2016					
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits	1,200.0		1,200.0	1,200.0	1,200.0	1,200.0	1,200.0
Miscellaneous							
Total Operating	1,200.0	0.0	1,200.0	1,200.0	1,200.0	1,200.0	1,200.0

Fund Source (Operating Only)

1002 Fed Rcpts	300.0		300.0	300.0	300.0	300.0	300.0
1003 G/F Match	900.0		900.0	900.0	900.0	900.0	900.0
Total	1,200.0	0.0	1,200.0	1,200.0	1,200.0	1,200.0	1,200.0

Positions

Full-time	6.0		6.0	6.0	6.0	6.0	6.0
Part-time							
Temporary							

Change in Revenues

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Estimated SUPPLEMENTAL (FY2015) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2016) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? yes
If yes, by what date are the regulations to be adopted, amended or repealed? 01/01/16

Why this fiscal note differs from previous version:

Not applicable, initial version.

Prepared By:	Christy Lawton	Phone:	(907)451-2096
Division:	Office of Children's Services	Date:	02/06/2015 05:20 PM
Approved By:	Sarah Woods, Deputy Director Finance & Management Services	Date:	02/07/15
Agency:	Health & Social Services		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2015 LEGISLATIVE SESSION

BILL NO. HB027

Analysis

HB 27 would amend AS 47.14.100(a) to allow the department, for a child 16 years of age or older, to authorize another transitional living arrangement, including student dormitory residence at a postsecondary educational institution, that adequately meets the child's needs and is designed to assist the child's transition to independent life.

It would further amend AS 47.14.100(b) to require the department to pay the costs associated with this other transitional living arrangement, including the costs of maintenance, including food, lodging, and other necessities of life, to the child. Currently, this section requires the department to pay costs of maintenance that are necessary to assure adequate care of the child, and allows the department to accept federal funds for that purpose. This section specifies the department's duty to pay costs for this particular arrangement, but this is not necessary given the department's preexisting duty to pay such costs. Further, youth over 18 years of age would not be eligible for federal Title VE reimbursement of education costs.

Assumptions:

- Federal @ 25%, GF Match @ 75%
- Number of children eligible under proposals in HB 27 version "W" = 60

Assumptions for Costs:

- Grants: average price of \$20.0 for a full-time student, living on campus (tuition \$4.6, student fees \$0.8, books and supplies \$1.3, room \$7.4, board \$3.8, transportation \$0.5, personal misc. \$1.7)

ALASKA STATE LEGISLATURE



REPRESENTATIVE LES GARA

House Bill 27

Sponsor Statement

HB 27: Child Protection and Opportunity Act

House Bill 27 aims to improve the lives of foster youth in an effective, but cost-efficient manner.

Reducing the Amount of Time Children Linger in Foster Care Hoping for a Permanent Home

This bill aims to speed the process for placing a foster child in a permanent home to meet national standards. The bill provides that at existing court hearings, the court shall determine all reasonable steps are being taken to secure permanency. Bouncing children between foster homes is harmful, and the national standard is that a permanent home be found within 12-24 months. On a per capita basis Alaska has more children ready and waiting for permanent adoptive homes than 48 other states.

Ensuring Children Are Prepared to Leave Foster Care

This bill requires the Office of Children's Services to demonstrate in court that releasing a foster child from custody prior to age 21 is in the best interests of the child. This provision reflects the fact that many foster youth are not ready to leave care at age 18 or 19, and are being released before they are able to stand on their own.

Providing Foster Children with Quality Educations

This bill revises the requirement under AS 47.18.320(a)(2) requiring the state to provide "basic" education and training. Instead, the statute will say the state should provide "educational and vocational training."

Increasing the Number of Foster Parents

This bill also works to increase the number of foster and adoptive parents by requiring the Department of Health and Social Services to work to recruit foster/adoptive parents. Currently there is a great shortage of foster and adoptive parents while 700 youth are awaiting adoptive homes.

Ensuring that Relative Placements are sought when a child is moved to a new OCS placement

This bill also requires Office of Children's Services to continue to seek potential relative placements after the initial 30-day relative search period where appropriate. Often a relative placement is the healthiest placement for a child, and should be sought whenever a child is

moved to a new foster home. The bill requires a relative search when children are moved out of an existing placement.

Increasing Stability in Schools

This provision works to reduce the number of times a foster child moves from one school to another. Youth will be allowed to finish their school term in the same school when a family moves, and this is important to help youth avoid delay in their academic progress. This provision only applies if it is the “best interest” of the child.

ALASKA STATE LEGISLATURE



REPRESENTATIVE LES GARA

Sectional Analysis to CSSH B 27(JUD) Version G

Section 1 This Act may be known as the Child Protection and Opportunity Act.

Section 2 formally adds recruiting foster parents when there is a shortage of foster parents to the duties of the Department of Health and Social Services ("the department").

Section 3 amends AS 47.10.080(l) to require the department to demonstrate in existing hearings that the department is making reasonable efforts to find a permanent placement for a child.

Section 4 requires that during status hearings the department demonstrate that it is taking reasonable efforts to find a permanent home for a child.

Section 5 requires that when the department transfers a child from one out-of-home placement to another, the department shall search for an appropriate placement, if in the child's best interests, with an adult family member or a family friends who meets the foster care licensing requirements established by the department.

Section 6 requires that when a child is transferred from one placement setting to another, and it is reasonable and in the child's best educational interests, the department shall coordinate with the school the child is attending to ensure the child is permitted to remain in that school through the end of the school term if the child's new placement is in the same municipality and connected by road to the school. Where the Department does a Team Decision Meeting involving a new home placement for a child, the participants must be invited to offer input on whether a school change is or is not in the child's best interests.

Section 7 amends AS 47.10.142 by adding a new subsection requiring that when the department takes emergency custody of a child, the department shall, to the extent feasible and consistent with the best interests of the child, place the child according to the criteria specified under AS 47.14.100(e).

Section 8 amends AS 47.14.100(a) to allow the department to authorize a transitional living arrangement, including a student dorm at a postsecondary educational institution, in order to adequately meet the child's needs and assists the child in transitioning to independent living.

Section 9 changes the age when the department is no longer required to continue searching for a suitable adoptive or permanent legal guardianship for a child from 18 to 21 years of age.

LS
REWRITES
THIS
SECTION

Section 10 requires that before a child is released from the Office of Children's Services custody before age 21 the department demonstrate at the court proceeding that releasing the child out of care is in the youth's best interests.

Section 11 amends AS 47.18.320(a) to state that the Office of Children's Services should work towards not just a "basic education", but towards "educational and vocational training." Word "basic" removed.

Section 12 requires the department, if appropriations are insufficient to meet the purposes of the foster care transition program, to submit a report to the legislature advising the legislature of the extent of the insufficiency, the department's efforts to use the funds efficiently, and the services the department cannot provide under existing appropriations.

Section 13 identifies the section of the bill that would result in indirect amendments to the Alaska Child in Need of Aid Rules of Procedure relating to permanency hearings.

ALASKA STATE LEGISLATURE



REPRESENTATIVE LES GARA

ADOPTED

Summary of Changes to CSSSHB 27(JUD) from Version G.A to Version S

Page 7, Line 12:

Remove:

(x) If the department transfers a child from one placement setting to another and it is reasonable and in the child's best educational interests, the department shall immediately, and in advance of the transfer if possible, coordinate with the school the child is attending to ensure the child is permitted to attend that school through the end of the school term if the child's new placement is in the same municipality and connected by road to the school.

(y) The department shall hold a meeting not more than 30 days after the date the child is transferred from one placement setting to another to provide an opportunity for the child's parents or guardian, grandparents, and foster parent or out-of-home caregiver to give input regarding whether it is in the child's best interest for the child to continue to attend the child's current school. The department shall notify the child's parents or guardian, a grandparent who is entitled to notice of hearings under AS 47.10.030(d), and the child's foster parent or out-of-home caregiver at least seven days before the meeting. The department may conduct a meeting under this section in person, by telephone, or through electronic communication.

Page 7, Line 12:

Insert:

(x) In any team-decision meeting the department holds to address the potential or actual transfer of a child from one placement setting to another, the department shall ask the participants for input regarding whether it is in the child's best interest for the child to remain in the child's current school for the remainder of the school term.

(y) If the department transfers a child from one placement setting to another and it is reasonable and in the child's best educational interests, the department shall immediately, and in advance of the transfer if possible, coordinate with the school the child is attending to ensure the child is permitted to attend that school through the end of the school term if the child's new placement is in the same municipality and connected by road to the school. If federal funds and school district transportation funds are not available to pay

for the cost of transportation for the child, the department shall pay the costs of transporting the child to school. The department shall work with the family or agency where the child is placed to arrange for transportation. The department shall consult with the school district regarding the child's best interests, but the school district may not override the department's decision to allow a child to remain in the current school through the end of the school term.

29-LS0176S
Glover
4/5/16

SENATE CS FOR CS FOR SS FOR HOUSE BILL NO. 27(HSS)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY THE SENATE HEALTH AND SOCIAL SERVICES COMMITTEE

**Offered:
Referred:**

**Sponsor(s): REPRESENTATIVES GARA, Muñoz, Ortiz, Tuck, Gruenberg, LeDoux, Lynn, Claman,
Drummond, Spohnholz, Josephson, Millett, Herron, Tarr**

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the duties of the Department of Health and Social Services; relating**
2 **to hearings on and plans for permanent placement of a child in need of aid; relating to**
3 **school placement and transportation for children in foster care; relating to foster care**
4 **transition programs; relating to emergency and temporary placement of a child in need**
5 **of aid; relating to transitional living arrangements for children in foster care; and**
6 **amending Rule 17.2, Alaska Child in Need of Aid Rules of Procedure."**

7 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

8 *** Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
9 to read:

10 **SHORT TITLE.** This Act may be known as the Child Protection and Opportunity Act.

11 *** Sec. 2.** AS 47.05.010 is amended to read:

12 **Sec. 47.05.010. Duties of department.** The Department of Health and Social
13 Services shall

1 (1) administer adult public assistance, the Alaska temporary assistance
2 program, and all other assistance programs, and receive and spend money made
3 available to it;

4 (2) adopt regulations necessary for the conduct of its business and for
5 carrying out federal and state laws granting adult public assistance, temporary cash
6 assistance, diversion payments, or self-sufficiency services for needy families under
7 the Alaska temporary assistance program, and other assistance;

8 (3) establish minimum standards for personnel employed by the
9 department and adopt necessary regulations to maintain those standards;

10 (4) require those bonds and undertakings from persons employed by it
11 that, in its judgment, are necessary, and pay the premiums on them;

12 (5) cooperate with the federal government in matters of mutual
13 concern pertaining to adult public assistance, the Alaska temporary assistance
14 program, and other forms of public assistance;

15 (6) make the reports, in the form and containing the information, that
16 the federal government from time to time requires;

17 (7) cooperate with the federal government, its agencies, or
18 instrumentalities in establishing, extending, and strengthening services for the
19 protection and care of homeless, dependent, and neglected children in danger of
20 becoming delinquent, and receive and expend funds available to the department by the
21 federal government, the state, or its political subdivisions for that purpose;

22 (8) cooperate with the federal government in adopting state plans to
23 make the state eligible for federal matching in appropriate categories of assistance, and
24 in all matters of mutual concern, including adoption of the methods of administration
25 that are found by the federal government to be necessary for the efficient operation of
26 welfare programs;

27 (9) adopt regulations, not inconsistent with law, defining need,
28 prescribing the conditions of eligibility for assistance, and establishing standards for
29 determining the amount of assistance that an eligible person is entitled to receive; the
30 amount of the assistance is sufficient when, added to all other income and resources
31 available to an individual, it provides the individual with a reasonable subsistence

1 compatible with health and well-being; an individual who meets the requirements for
2 eligibility for assistance shall be granted the assistance promptly upon application for
3 it;

4 (10) grant to a person claiming or receiving assistance and who is
5 aggrieved because of the department's action or failure to act, reasonable notice and an
6 opportunity for a fair hearing by the office of administrative hearings (AS 44.64.010),
7 and the department shall adopt regulations relative to this;

8 (11) enter into reciprocal agreements with other states relative to
9 public assistance, welfare services, and institutional care that are considered advisable;

10 (12) establish the requirements of residence for public assistance,
11 welfare services, and institutional care that are considered advisable, subject to the
12 limitations of other laws of the state, or law or regulation imposed as conditions for
13 federal financial participation;

14 (13) establish the divisions and local offices that are considered
15 necessary or expedient to carry out a duty or authority assigned to it and appoint and
16 employ the assistants and personnel that are necessary to carry on the work of the
17 divisions and offices, and fix the compensation of the assistants or employees, except
18 that a person engaged in business as a retail vendor of general merchandise, or a
19 member of the immediate family of a person who is so engaged, may not serve as an
20 acting, temporary, or permanent local agent of the department, unless the
21 commissioner of health and social services certifies in writing to the governor, with
22 relation to a particular community, that no other qualified person is available in the
23 community to serve as local welfare agent; for the purposes of this paragraph, a
24 "member of the immediate family" includes a spouse, child, parent, brother, sister,
25 parent-in-law, brother-in-law, or sister-in-law;

26 (14) provide education and health-related services and referrals
27 designed to reduce the number of out-of-wedlock pregnancies and the number of
28 induced pregnancy terminations in the state;

29 (15) investigate reports of abuse, neglect, or misappropriation of
30 property by certified nurse aides in facilities licensed by the department under
31 AS 47.32;

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(16) establish state policy relating to and administer federal programs subject to state control as provided under 42 U.S.C. 3001 - 3058ee (Older Americans Act of 1965), as amended, and related federal regulations;

(17) administer the older Alaskans service grants under AS 47.65.010 - 47.65.050 and the adult day care and family respite care grants under AS 47.65.100;

(18) actively seek to recruit quality foster parents and adoptive parents when a shortage of quality foster parents or adoptive parents exists.

* Sec. 3. AS 47.10.080(c) is amended to read:

(c) If the court finds that the child is a child in need of aid, the court shall

(1) order the child committed to the department for placement in an appropriate setting for a period of time not to exceed two years or in any event not to extend past the date the child becomes 19 years of age, except that the department, the child, or the child's guardian ad litem may petition for and the court may grant in a hearing

(A) one-year extensions of commitment that do not extend beyond the child's 19th birthday if the extension is in the best interests of the child; and

(B) additional one-year extensions of commitment past 19 years of age that do not extend beyond the person's 21st birthday if the continued state custody is in the best interests of the person and the person consents to it;

(2) order the child released to a parent, adult family member, or guardian of the child or to another suitable person, and, in appropriate cases, order the parent, adult family member, guardian, or other person to provide medical or other care and treatment; if the court releases the child, it shall direct the department to supervise the care and treatment given to the child, but the court may dispense with the department's supervision if the court finds that the adult to whom the child is released will adequately care for the child without supervision; the department's supervision may not exceed two years or in any event extend past the date the child reaches 19 years of age, except that the department or the child's guardian ad litem may petition for and the court may grant in a hearing

1 (A) one-year extensions of supervision that do not extend
2 beyond the child's 19th birthday if the extensions are in the best interests of the
3 child; and

4 (B) an additional one-year period of supervision past 19 years
5 of age if the continued supervision is in the best interests of the person and the
6 person consents to it; or

7 (3) order, under the grounds specified in (o) of this section or
8 AS 47.10.088, the termination of parental rights and responsibilities of one or both
9 parents and commit the child to the custody of the department; [, AND] the
10 department shall report quarterly to the court **and shall demonstrate in its report**
11 **that the department is making reasonable** [ON] efforts [BEING MADE] to find a
12 permanent placement for the child.

13 * **Sec. 4.** AS 47.10.080(l) is amended to read:

14 (l) Within 12 months after the date a child enters foster care as calculated
15 under AS 47.10.088(f), the court shall hold a permanency hearing. The hearing and
16 permanent plan developed in the hearing are governed by the following provisions:

17 (1) the persons entitled to be heard under AS 47.10.070 or under (f) of
18 this section are also entitled to be heard at the hearing held under this subsection;

19 (2) when establishing the permanent plan for the child, the court shall
20 make appropriate written findings, including findings related to whether

21 (A) and when the child should be returned to the parent or
22 guardian;

23 (B) the child should be placed for adoption or legal
24 guardianship and whether a petition for termination of parental rights should be
25 filed by the department; and

26 (C) there is a compelling reason that the most appropriate
27 placement for the child is in another planned, permanent living arrangement
28 and the department has recommended the arrangement under AS 47.14.100(p);
29 the findings under this paragraph must include the steps that are necessary to
30 achieve the new arrangement;

31 (3) if the court is unable to make a finding required under (2) of this

1 subsection, the court shall hold another hearing within a reasonable period of time;

2 (4) in addition to the findings required by (2) of this subsection, the
3 court shall also make appropriate written findings related to

4 (A) whether the department has made the reasonable efforts
5 required under AS 47.10.086 to offer appropriate family support services to
6 remedy the parent's or guardian's conduct or conditions in the home that made
7 the child a child in need of aid under this chapter;

8 (B) whether the parent or guardian has made substantial
9 progress to remedy the parent's or guardian's conduct or conditions in the home
10 that made the child a child in need of aid under this chapter;

11 (C) if the permanent plan is for the child to remain in out-of-
12 home care [OUT-OF-HOME-CARE], whether

13 (i) the child's out-of-home placement continues to be
14 appropriate and in the best interests of the child; and

15 (ii) the department is making reasonable efforts to
16 find a permanent placement for the child; and

17 (D) whether the department has made reasonable efforts to
18 finalize the permanent plan for the child;

19 (5) the court shall hold a hearing to review the permanent plan at least
20 annually until successful implementation of the plan; if the plan approved by the court
21 changes after the hearing, the department shall promptly apply to the court for another
22 permanency hearing, and the court shall conduct the hearing within 30 days after
23 application by the department;

24 (6) if the court finds, under (4)(C)(ii) of this subsection, that the
25 department is not making reasonable efforts to find a permanent placement for
26 the child, the court shall order the department to make reasonable efforts to find
27 a permanent placement for the child unless the current placement is in the best
28 interests of the child.

29 * Sec. 5. AS 47.10.080(s) is amended to read:

30 (s) The department may transfer a child, in the child's best interests, from one
31 placement setting to another, and the child, the child's parents or guardian, the child's

1 foster parents or out-of-home caregiver, the child's guardian ad litem, the child's
2 attorney, and the child's tribe are entitled to advance notice of a nonemergency
3 transfer. A party opposed to the proposed transfer may request a hearing and must
4 prove by clear and convincing evidence that the transfer would be contrary to the best
5 interests of the child for the court to deny the transfer. A foster parent or out-of-home
6 caregiver who requests a nonemergency change in placement of the child shall provide
7 the department with reasonable advance notice of the requested change. **When the**
8 **department transfers a child from one out-of-home placement to another, the**
9 **department shall search for an appropriate placement with an adult family**
10 **member or a family friend who meets the foster care licensing requirements**
11 **established by the department.**

12 * **Sec. 6.** AS 47.10.080 is amended by adding new subsections to read:

13 (x) In any team-decision meeting the department holds to address the potential
14 or actual transfer of a child from one placement setting to another, the department
15 shall ask the participants for input regarding whether it is in the child's best interest for
16 the child to remain in the child's current school for the remainder of the school term.

17 (y) If the department transfers a child from one placement setting to another
18 and it is reasonable and in the child's best educational interests, the department shall
19 immediately, and in advance of the transfer if possible, coordinate with the school the
20 child is attending to ensure the child is permitted to attend that school through the end
21 of the school term if the child's new placement is in the same municipality and
22 connected by road to the school. If federal funds and school district transportation
23 funds are not available to pay for the cost of transportation for the child, the
24 department shall pay the costs of transporting the child to school. The department shall
25 work with the family or agency where the child is placed to arrange for transportation.
26 The department shall consult with the school district regarding the child's best
27 interests, but the school district may not override the department's decision to allow a
28 child to remain in the current school through the end of the school term.

29 * **Sec. 7.** AS 47.10.142 is amended by adding a new subsection to read:

30 (i) When the department takes emergency custody of a child under this section
31 or a court orders a child committed to the department for temporary placement under

1 this section, the department shall, to the extent feasible and consistent with the best
2 interests of the child, place the child according to the criteria specified under
3 AS 47.14.100(e).

4 * **Sec. 8.** AS 47.14.100(a) is amended to read:

5 (a) Subject to (e), (f), and (i) - (m) of this section, the department shall arrange
6 for the care of every child committed to its custody by placing the child in a foster
7 home or in the care of an agency or institution providing care for children inside or
8 outside the state. The department may place a child in a suitable family home, with or
9 without compensation, and may place a child released to it, in writing verified by the
10 parent, or guardian or other person having legal custody, for adoptive purposes, in a
11 home for adoption in accordance with existing law. **For a child 16 years of age or**
12 **older, the department may authorize another transitional living arrangement,**
13 **including student dormitory residence at a postsecondary educational institution,**
14 **that adequately meets the child's needs and is designed to assist the child's**
15 **transition to independent living.**

16 * **Sec. 9.** AS 47.14.100(n) is amended to read:

17 (n) Except as provided in (o) and (p) of this section, the department shall
18 continue to search for a suitable adoptive or permanent legal guardianship for a child
19 **or person** who is in the custody of the state and who is under **21** [18] years of age.

20 * **Sec. 10.** AS 47.14.100(p) is amended to read:

21 (p) The department may release from state custody a child **or person** who has
22 been committed to the custody of the department, before the custody is ordered to end,
23 only if **the person, if the person is 19 years of age or older, consents, or**

24 (1) the child **or person**, if the child **or person** is over 16 years of age
25 and available, and the guardian ad litem are notified not less than 30 days before a
26 motion for release is filed unless the parties agree to a shorter notice period;

27 (2) the department files a motion with the court for release of state
28 custody that describes the reasons the release is in the best interest of the child **or**
29 **person**; and

30 (3) a court makes a written finding that release from state custody is in
31 the best interest of the child **or person**.

1 * **Sec. 11.** AS 47.18.320(a) is amended to read:

2 (a) Subject to the availability of an appropriation made for the purposes of
3 AS 47.18.300 - 47.18.390, the program may provide

4 (1) education and vocational training;

5 (2) assistance in obtaining educational [BASIC EDUCATION] and
6 vocational training;

7 (3) career and employment services;

8 (4) training in basic life skills;

9 (5) housing and utility assistance;

10 (6) mentoring and counseling; and

11 (7) other appropriate services to complement the efforts of former state
12 foster care recipients to achieve self-sufficiency.

13 * **Sec. 12.** AS 47.18.320 is amended by adding a new subsection to read:

14 (c) If appropriations to meet the purposes of this section are insufficient, the
15 department shall submit a written report to the legislature advising the legislature of

16 (1) the department's efforts to use existing funds efficiently; and

17 (2) the opportunities and services the department cannot provide under
18 the existing appropriation level.

19 * **Sec. 13.** The uncodified law of the State of Alaska is amended by adding a new section to
20 read:

21 **INDIRECT COURT RULE AMENDMENTS.** AS 47.10.080(*l*), as amended by sec. 4
22 of this Act, has the effect of amending Rule 17.2, Alaska Child in Need of Aid Rules of
23 Procedure, relating to permanency hearings, by adding a requirement for the court to make
24 findings relating to the permanent placement of a child in need of aid and to the efforts of the
25 Department of Health and Social Services to find a permanent placement for a child.



**Children in Public Foster Care on September 30th of Each Year Who Are Waiting to Be Adopted
FY 2005–FY 2014**

State	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
Alabama	2,128	1,658	1,824	1,751	1,475	1,271	1,297	1,156	1,077	1,027
Alaska	520	698	766	769	720	696	720	805	866	704
Arizona	2,478	2,648	2,516	2,323	2,792	2,673	2,822	2,914	3,579	3,641
Arkansas	1,191	945	780	872	850	1,604	1,414	1,023	994	1,034
California	16,700	21,202	20,830	17,847	15,665	14,892	14,630	13,136	15,667	14,098
Colorado	1,785	2,100	1,762	1,897	1,506	1,246	1,098	917	896	1,008
Connecticut	1,377	945	1,122	1,389	1,355	1,261	1,344	1,385	1,158	1,227
Delaware	274	302	311	304	239	253	244	243	218	202
District of Columbia	620	667	560	493	486	419	357	303	268	243
Florida	7,379	7,480	7,927	7,942	6,364	5,022	4,994	5,129	3,465	5,558
Georgia	2,370	2,305	2,162	2,245	1,802	1,690	1,567	1,648	1,799	1,983
Hawaii	980	808	733	555	428	351	296	223	154	187
Idaho	373	555	593	576	498	389	334	278	328	322
Illinois	3,408	5,746	5,598	4,608	2,728	2,944	3,272	2,936	3,103	2,854
Indiana	3,194	3,345	3,210	3,090	3,224	3,192	2,886	2,451	2,437	2,731
Iowa	1,265	1,419	1,299	1,158	1,003	1,068	1,088	961	964	1,050
Kansas	1,811	2,004	1,812	1,960	1,852	1,825	1,817	1,853	1,843	2,116
Kentucky	2,125	2,091	2,153	2,101	2,048	1,951	1,918	1,999	2,224	2,420
Louisiana	1,162	1,079	1,137	1,069	1,093	1,091	1,162	1,089	961	1,033

State	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
Maine	787	679	614	619	571	575	511	480	564	590
Maryland	1,954	1,626	1,660	1,506	1,221	883	772	559	498	464
Massachusetts	2,925	2,705	2,868	2,846	2,839	2,758	2,675	2,469	2,492	2,771
Michigan	7,061	6,164	6,116	5,674	4,902	5,235	4,237	3,586	3,337	3,584
Minnesota	1,579	1,638	1,674	1,393	1,227	1,073	1,143	1,191	1,219	1,188
Mississippi	858	903	898	996	975	843	880	955	1,000	1,184
Missouri	3,532	2,722	2,853	1,788	2,214	1,992	2,056	2,067	2,162	2,325
Montana	646	606	597	521	537	495	460	403	498	587
Nebraska	916	972	805	881	831	768	831	904	705	690
Nevada	1,701	1,786	1,936	2,200	2,098	2,094	1,970	1,880	1,957	2,059
New Hampshire	272	252	325	297	272	227	167	182	189	159
New Jersey	4,845	4,725	3,262	3,009	2,694	2,464	2,294	2,227	2,443	2,593
New Mexico	711	860	963	907	870	777	786	834	880	990
New York	9,238	8,039	7,659	7,014	6,890	6,603	6,417	6,061	5,843	5,463
North Carolina	3,137	3,116	3,095	2,903	2,722	2,427	2,234	2,071	2,172	2,416
North Dakota	344	321	337	288	298	227	230	211	237	262
Ohio	4,350	4,086	3,762	3,477	3,380	3,013	2,789	2,655	2,976	2,942
Oklahoma	3,504	3,657	4,022	3,766	3,429	2,872	2,956	2,803	3,241	3,975
Oregon	3,441	2,776	2,527	2,206	1,840	1,827	1,830	1,873	1,854	1,783
Pennsylvania	3,679	3,559	3,408	3,525	2,943	2,551	2,066	1,924	1,908	1,896
Rhode Island	407	405	400	415	333	309	267	222	250	212
South Carolina	1,819	1,771	1,781	1,823	1,862	1,699	1,415	1,336	1,226	1,211

State	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
South Dakota	472	507	452	423	380	418	376	397	354	336
Tennessee	1,717	1,788	1,622	1,477	1,326	1,692	2,027	2,517	2,668	2,652
Texas	10,948	12,542	13,552	13,414	12,844	13,108	13,481	13,154	12,991	13,238
Utah	436	475	574	553	565	553	567	570	612	629
Vermont	265	251	257	225	231	180	196	226	213	232
Virginia	1,823	1,783	1,834	1,769	1,617	1,563	1,372	1,519	1,503	1,532
Washington	2,168	2,360	2,837	3,035	3,147	3,089	2,783	2,860	3,101	3,213
West Virginia	1,312	1,204	1,278	1,300	1,220	1,241	1,474	1,407	1,364	1,388
Wisconsin	1,365	1,237	1,284	1,329	1,256	1,159	1,163	1,129	1,153	1,147
Wyoming	103	149	154	113	98	111	130	115	85	81
Puerto Rico	1,542	1,615	1,148	1,071	39	83	746	822	797	688
Total	130,997	135,276	133,649	125,712	113,799	108,747	106,561	102,058	104,493	107,918

NOTE: There is no federal definition for a child waiting to be adopted. For analytical purposes, the definition used in the table above includes children in foster care on the last day of the Federal Fiscal Year who have a goal of adoption and/or whose parental rights have been terminated. It excludes children 16 years old and older, whose parental rights have been terminated and who have a goal of emancipation. The number of children waiting to be adopted reported by individual States will likely differ somewhat from those in this table because State definitions vary according to State policies and practices.

Because AFCARS data are being continuously updated and cleaned, the numbers reported here may differ from data reported elsewhere. These data reflect all AFCARS submissions received by July of 2015.



Data Snapshot: Youth Outcomes

2014 (October 1, 2013 - September 30, 2014)

Alaska

Baseline Population Highlights

Includes demographic and outcomes information on youth in foster care who turned age 17 during 2014.

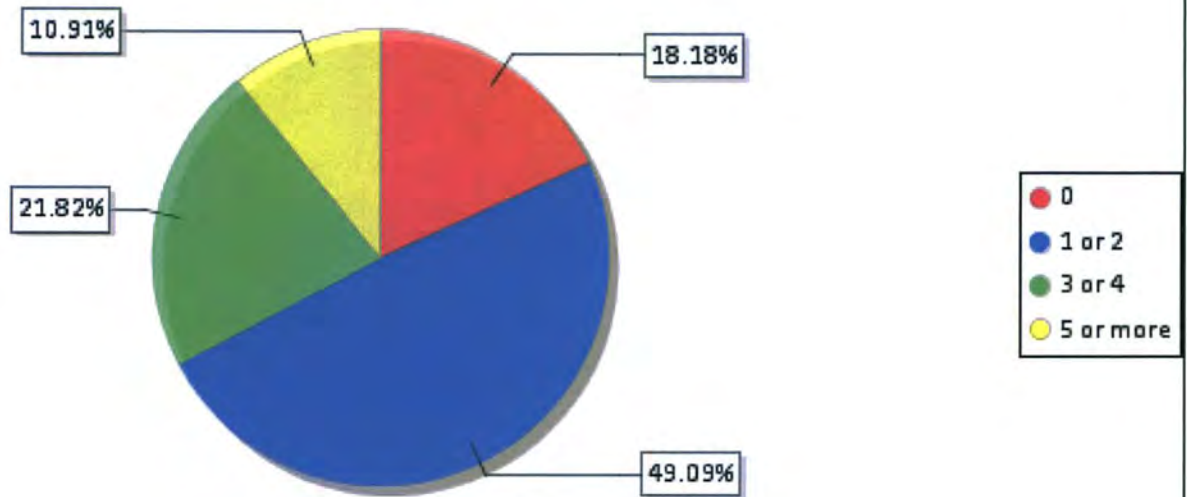
Baseline survey participation rate: 100%

Percent of baseline youth surveyed on time: 84.91%

Average number of days to survey: 34

(The NYTD Survey must be administered to baseline population youth within 45 days after turning age 17.)

Number of services youth received:



Reasons for Non-participation:

Youth declined	01.82%
Parent declined	00.00%
Incapacitated	01.82%
Incarcerated	00.00%
Runaway or missing	00.00%
Unable to locate/invite	00.00%
Death	00.00%

Characteristics of Survey Participants:

Sex

Male	49.06%
Female	50.94%

Race/Ethnicity

American Indian or Alaska Native	54.72%
Asian	01.89%
Black or African American	03.77%
Native Hawaiian or Other Pacific Islander	01.89%
White	52.83%
Unknown or Declined	00.00%
Hispanic or Latino ethnicity*	13.21%

<i>Receiving Services</i>	81.13%
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*Hispanic or Latino ethnicity is reported separately from race.

Outcomes Reported by Survey Participants:

Financial self-sufficiency

Reported current part-time or full-time employment	16.98%
Reported receiving employment-related training in the past year	11.32%

Educational attainment

Reported being enrolled and attending school	88.68%
Reported having completed high school or GED	03.77%

High-risk behaviors(in prior two years)

Reported ever receiving a substance abuse referral	37.74%
Reported ever having been incarcerated	24.53%
Reported ever having children	03.77%

Homelessness(in prior two years)

Reported ever having been homeless	18.87%
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Connection to adults

Reported having a current positive connection to an adult	100.00%
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Access to health insurance

Reported having Medicaid	98.11%
Reported having some other type of health insurance	35.85%

This data snapshot was generated using active data files submitted by the State for the report period(s) indicated above as of 12/05/2014

**breakthrough
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Improving Educational Continuity and School
Stability for Children in Out-of-Home Care

Introduction: Educational Challenges for Children in Foster Care



In a global economy where the most valuable skill you can sell is your knowledge, a good education is no longer just a pathway to opportunity, it is a pre-requisite...



—President Barack Obama

Address to Joint Session of Congress,
February 24, 2009

Most people will agree that a quality education is an essential ingredient for the future success of all children. For the nearly 800,000 children who enter the foster care system each year, a quality education assumes even greater importance. In light of the numerous disruptive experiences faced by youth who are placed in out-of-home care, educational continuity and school stability play a heightened role in paving the path to a successful future.

School success is a precursor for long-term positive outcomes for youth in out-of-home care. Such success contributes to:

- Enhanced well-being
- A successful transition into adulthood
- Increased chances for personal fulfillment and economic self-sufficiency
- Increased ability to contribute positively to society¹

Yet the reality is that all too often, children in out-of-home care do not have access to the school stability and educational continuity so essential for school success.

¹ National Working Group on Foster Care and Education (2008).

The implications for this can have a devastating impact on the long-term positive outcomes that all children deserve. A change in home placement frequently necessitates a change in school placement. For many children in care, interruptions in education due to school transfers result in their falling behind both academically and socially. After falling behind, it becomes very difficult to regain the lost ground. Studies have revealed disturbing longitudinal findings related to educational outcomes for youth in care. Researchers have suggested that it takes approximately 4-6 months for a child to recover academically after changing schools.² Furthermore, changing schools during high school diminishes the chances for graduation.³ Children in foster care have higher drop-out rates, are less likely to complete high school, and are less likely to complete post-secondary educational pursuits.⁴

Casey Family Programs' 2020 Strategy calls for comprehensive improvements in foster care, child welfare, and the systems that impact the 9 million children who will experience foster care by the year 2020 if nothing changes. Casey's 2020 Strategy identifies education among other critical factors that pave the path to self-sufficiency for children in foster care.

Casey 2020 Strategy

- Safely reduce the number of children in foster care by 50 percent by the year 2020.
- Reinvest savings to strengthen families and improve the child welfare system.
- Improve the path to self-sufficiency for youth in foster care through a focus on well-being—specifically education, employment, and mental health.

In line with Casey Family Programs' 2020 Strategy is a commitment to helping youth in foster care succeed in school and complete their education. To that end, Casey's Improving Educational Continuity and School Stability for Children in Out-of-Home Care Breakthrough Series Collaborative (BSC) convened in 2006 with the goal of providing child welfare and educational systems across the nation with a unique and historic opportunity to collaboratively strategize around challenges. Historically, child welfare and education systems have had difficulty in communicating. These are two diverse systems, but each can directly impact the educational success of children and youth in foster care. This BSC brought together nine public child welfare agencies and their associated school systems to test practice changes that would ultimately improve educational continuity and school stability for children in out-of-home care. This work required innovative and courageous action and leadership to address complicated cross-systems challenges and make a lasting difference. The nine participating jurisdictions demonstrated a commitment to testing practice strategies and tools on a small scale, sharing lessons learned, and implementing the most successful of these strategies throughout their

² Yu, Day, & Williams (2002).

³ Rumberger, Larson, Ream, & Palardy (1999).

⁴ National Working Group on Foster Care and Education (2008, December), pp. 5-6.

Establish School Stability and Seamless School Transition Procedures

- a). Develop written protocols for school staff on any policy for allowing children in foster care to remain in their school of origin when possible.
- b). Develop written protocols for school staff about what to do when a child who is in foster care is moved into a new school.
- c). Inform the old and new school as soon as possible once a decision is made that a child must change schools.
- d). Require that complete school records are immediately transferred to the new school once a placement change is needed.
- e). Eliminate (or waive for students in foster care) school policies that require records to be transferred prior to a child's enrollment in a new school.
- f). Ensure that course credits are easily transferred between schools (even from other districts or states).

Implement Best Practices to Maintain School Continuity and Manage Transitions

- a). Provide transportation for students to their schools of origin.
 - b). Place children in out-of-home settings that are within the boundaries of their current schools.
 - c). When school transfers are necessary, they should, if possible, occur during a natural academic break, i.e., summer or school vacations.
 - d). Establish procedures in schools to make sure children get needed services immediately.
 - e). Ensure that youth of color are assessed appropriately when transferring to a new school.
 - f). Establish age-appropriate welcome strategies to integrate children socially into the new school.
 - g). Have an advocate for the child check in with the child during the first week at a new school to ensure that everything is going smoothly.
 - h). Ensure that caseworkers address the educational needs of youth in out-of-home care and track educational progress particularly when placement changes are required.
-

Sec. 47.10.080. Judgments and orders. (a) An adjudication hearing shall be completed within 120 days after a finding of probable cause is entered unless the court finds good cause to continue the hearing. When determining whether to grant a continuance for good cause, the court shall take into consideration the age of the child and the potential adverse effect that the delay may have on the child. The court, at the conclusion of the hearing, as the circumstances of the case may require, shall find and enter a judgment that the child is or is not a child in need of aid.

(b) *[Repealed, Sec. 55 ch 59 SLA 1996].*

(c) If the court finds that the child is a child in need of aid, the court shall

(1) order the child committed to the department for placement in an appropriate setting for a period of time not to exceed two years or in any event not to extend past the date the child becomes 19 years of age, except that the department, the child, or the child's guardian ad litem may petition for and the court may grant in a hearing

(A) one-year extensions of commitment that do not extend beyond the child's 19th birthday if the extension is in the best interests of the child; and

(B) additional one-year extensions of commitment past 19 years of age that do not extend beyond the person's 21st birthday if the continued state custody is in the best interests of the person and the person consents to it;

(2) order the child released to a parent, adult family member, or guardian of the child or to another suitable person, and, in appropriate cases, order the parent, adult family member, guardian, or other person to provide medical or other care and treatment; if the court releases the child, it shall direct the department to supervise the care and treatment given to the child, but the court may dispense with the department's supervision if the court finds that the adult to whom the child is released will adequately care for the child without supervision; the department's supervision may not exceed two years or in any event extend past the date the child reaches 19 years of age, except that the department or the child's guardian ad litem may petition for and the court may grant in a hearing

(A) one-year extensions of supervision that do not extend beyond the child's 19th birthday if the extensions are in the best interests of the child; and

(B) an additional one-year period of supervision past 19 years of age if the continued supervision is in the best interests of the person and the person consents to it; or

(3) order, under the grounds specified in (o) of this section or AS 47.10.088, the termination of parental rights and responsibilities of one or both parents and commit the child to the custody of the department, and the department shall report quarterly to the court on efforts being made to find a permanent placement for the child.

(d) An order issued under (c)(3) of this section authorizes the commissioner of health and social services or a designee or the guardian of the person of the child to consent to the adoption of the child.

(e) If the court finds that the minor is not a child in need of aid, it shall

immediately order the minor released from the department's custody and returned to the minor's parents, guardian, or custodian, and dismiss the case.

(f) A child found to be a child in need of aid is a ward of the state while committed to the department or the department has the power to supervise the child's actions. For an order made under (c)(1) of this section, the court shall hold a permanency hearing as required by (l) of this section and at least annually thereafter during the continuation of foster care to determine if continued placement, as it is being provided, is in the best interest of the child. The department, the child, and the child's parents, guardian, and guardian ad litem are entitled, when good cause is shown, to a permanency hearing on application. If the application is granted, the court shall afford these persons and their counsel reasonable advance notice and hold a permanency hearing where these persons and their counsel shall be afforded an opportunity to be heard. The persons entitled to notice under AS 47.10.030(b) and the grandparents entitled to notice under AS 47.10.030(d) are entitled to notice of a permanency hearing under this subsection and are also entitled to be heard at the hearing. The child shall be afforded the opportunity to be present and to be heard at the permanency hearing. After the permanency hearing, the court shall make the written findings that are required under (l) of this section. The court shall review an order made under (c)(2) of this section at least annually to determine if continued supervision, as it is being provided, is in the best interest of the child; this review is not considered to be a permanency hearing and is not governed by the provisions of this subsection that relate to permanency hearings.

(g) *[Repealed, Sec. 55 ch 59 SLA 1996].*

(h) *[Repealed, Sec. 55 ch 59 SLA 1996].*

(i) A child or the child's parents, guardian, or guardian ad litem, or attorney, acting on the child's behalf, or the department may appeal a judgment or order, or the stay, modification, setting aside, revocation, or enlargement of a judgment or order issued by the court under this chapter. Absent extraordinary circumstances, a decision on the appeal shall be issued no later than 90 days after the latest of the following:

(1) the date oral argument, if any, is heard on the appeal; or

(2) 45 days after the last date oral argument could have been timely requested if oral argument was not requested.

(j) *[Repealed, Sec. 29 ch 63 SLA 1977].*

(k) *[Repealed, Sec. 69 ch 99 SLA 1998].*

(l) Within 12 months after the date a child enters foster care as calculated under



18 August 2015

Dear Representatives and Senators

I am writing to urge your support for House Bill 27, the Child Protection and Opportunity Act. Alaska Children's Trust (ACT) is the lead statewide organization focused on the prevention of child abuse and neglect.

One of our greatest assets is our children. We know that children who experience abuse, neglect, and other traumas (Adverse Child Experiences, or ACEs) are more likely to have poor school performance, use mental health resources at a higher rate, end up incarcerated, and experience health issues. We also know that the best way to help children deal with trauma are resilience factors including good relationships with competent care givers, social and emotional health, and social connections.

House Bill 27 will help reduce the impact of trauma by taking steps to get youth out of foster care, into loving homes, reduce new incidences of ACEs and build resilience among Alaska's Children.

Specifically, the bill helps connect children with their relatives by directing the Office of Children's Services to prioritize family placements. The bill also works to reduce the length of time children wait for a permanent home and number of times a child moves between schools.

House Bill 27 works to ensure children are prepared to leave state care by requiring the Office of Children's Services to demonstrate that it is in the best interest of the child to leave foster care prior to age 21 and before that child is sent out on their own. Currently roughly 40% of foster youth leaving care end up homeless or couch-surfing at some point.

Finally, the bill aims to remedy the current shortage of qualified foster parents by requiring the Department of Health and Social Services to coordinate with the Governor's Office to recruit foster/adoptive parents.

I encourage the legislature to support this bill and reduce the burden of child abuse and neglect on Alaska's children and communities.

Sincerely,

Trevor J Storrs
Executive Director

3201 C Street, Ste 110
Anchorage AK 99503
P (907) 248-7676

alaskachildrenstrust.org

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- Com. Valerie Davidson
- Com. Michael Hanley
- Carley Lawrence
- Tlisa Northcutt
- Ivy Spohnholz
- William Streur
- Marcus Wilson





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January 14, 2015

Representative Les Gara
State Capital
Juneau, AK 99810

RE: House Bill 27 and House Bill 28 Letter of Support

Dear Representative Gara,

I commend you for your work on improving services for Alaska children and their families, who experience abuse and neglect, in the many years you have served as a State Legislator. These two new pieces of legislation continue your work, and will enhance the reactive system that the State provides when children are at risk. HB 27 focuses upon reducing the trauma experienced by the abused and neglected child by seeking substitute care to be provided by family members or people previously know to the child. It also seeks to insure that children obtain permanency as quickly as possible and that movement among foster parents and schools are minimal. The trauma of children receiving multiple placements and attending numerous schools adds to the abuse and neglect that they already are experiencing. This represents system abuse

HB 28 seeking additional resources for children transitioning out of foster care must occur. Services must continue into the person's 20s. The average age of a majority of youth in the U.S. reaching self-sufficiency has extended into the mid 20s. Many of these youth have not experienced the trauma of the foster child. Some non-profit agencies are working with youth in transition to independence programs, and these need to be extended to all youth who are transitioning from foster care. If insufficient resources are provided to the youth, failure is guaranteed. A college degree or skilled training certification will lead to self-sufficiency. There is an abundance of data that supports this.

The lack of adequate services and resources compound the problem resulting in high caseloads, heavy turnover of staff, and the lack of support from other organizations serving children, including law enforcement. The Office of Children's Services remains isolated from other State, municipal, for profit and non-profit resources that must enter the arena of child protection. All of these players need to participate in the intake and assessment, placement in substitute care, removal of the conditions of abuse and neglect, reunification or adoption, treatment of trauma, and transition to functional adulthood. To rely solely on the Office of Children's Services does not work and has never worked. Recently OCS has entered into contracting with other organizations for some services but needs to do much, much more. The active recruitment of foster and adoptive parents will be more effective if it is outsourced to other organizations with built in incentives for success. More emphasis is needed in recruitment of parents that are the same ethnicity/culture of the child.

As you are aware, our child protective service system is strictly reactive. To eliminate child abuse and neglect in Alaska the following interventions are required. Eliminate all children living in poverty. Eliminate the use of violence as a problem solving method, and replace with more effective interventions to remedy problems. Provide adequate nutrition and health care to all children. Provide mentors to at risk parents and parental effectiveness training, with incentives. Eliminate classism and discrimination toward vulnerable populations regarding housing, education, and employment. Provide universal education from pre-school through PhD. programs.

Sincerely yours,

Patrick M Cunningham, DSW, MSW
Associate Professor of Social Work



FIRST FOCUS
CAMPAIGN FOR CHILDREN

The Honorable Les Gara
Alaska House of Representatives
Alaska State Capitol, Room 400
Juneau, Alaska 99801

February 3, 2015

Dear Representative Gara,

On behalf of the First Focus Campaign for Children (FFCC), a bipartisan advocacy organization committed to making children and their families a priority in federal policy and budget decisions, I would like to share our support for House Bills No. 27 and No. 28 introduced on January 21, 2015. At FFCC, we believe that promoting the safety, permanency and well-being of children and youth whose lives are impacted by child welfare should be a top priority for all States. These two bills have the potential to significantly improve outcomes for Alaska's most vulnerable children in each of these areas.

A substantial body of research has demonstrated that children and youth do best and are most able to cope with and overcome trauma when they have permanent connections to caring and supportive adults. For most children, their parents, supported by extended family and communities, provide this stable care and support. Sadly, for children and youth in foster care, these critical family and community connections have often been disrupted. While these disruptions have devastating and lasting effects on a child or youth's cognitive, social, emotional and identity development, such effects can often be mitigated through effective child welfare programs and services that connect children and youth to families and support them in forging a successful transition to adulthood.

Research has also shed light on the dismal outcomes facing youth who age out of foster care, often disconnected and unprepared for adult life - outcomes that have been shown to have much higher long-range costs than earlier investments that can be made to prevent them. Alaska's child welfare programs and services can be greatly strengthened by the provisions in House Bills No. 27 and No. 28 and ensure that those in or leaving foster care are connected to family, to a community, and that they are being prepared to not only survive but to thrive in adulthood as healthy, productive Alaskan citizens.

First Focus stands prepared to work with you to ensure swift passage of both House Bills No. 27 and No. 28, which take critical steps to improve the lives of children and youth in the care of the State of Alaska. If you have any questions or comments, need additional information, or would like us to provide testimony please contact Dianna Walters at DiannaW@FirstFocus.net.

Sincerely,

Bruce Lesley
President

Dear Representative Gara,

I am writing to offer you my complete support for the Child Protection and Opportunity Act (HB 27), currently under consideration in the House.

Children in state custody, have, by definition, been traumatized by their early life experience. If they are to develop into responsible members of society they require tender care and excellent guidance. All over the United States child protective services agencies are understaffed and overworked and there is a high rate of burn-out and turn-over in case managers. This means that the most vulnerable children in our society are once again being neglected, this time by the very agency that is supposed to protect them.

All of the provisions of the bill are well-founded and they will go a long way to providing better care for foster children and youth. Until changes are made, like those required by HB 27, hard-working, dedicated social workers, like myself, will not enter the child protection field. Not only is the work very demanding and stressful, but every day you must worry about the safety of children for whom you do not have the time nor the allotted resources to provide adequate care.

Thank you for taking a stand, once again, for the youngest Alaskans, and the hope for our future — the children.

Sincerely,

Deborah Bock

Deborah Bock, MSW, LCSW
13211 Mountain Pl.
Anchorage, AK 99516
(907) 345-6611
bockdebbie@gmail.com

Peace may cost as much as war, but it is a better buy. ~Anon.

**Facing Foster Care in Alaska
PO Box 92644
Anchorage, AK 99509**



**Representative Les Gara
Alaska State Capitol, Room 400
Juneau, Alaska 99801**

February 1, 2015

Representative Les Gara:

As current and former foster youth of Alaska's child welfare system, we would like to express our support for House Bill 27. This bill offers improvements to the child welfare system for the more than 2,400 children and youth in foster care in Alaska. We believe all aspects of this bill could significantly improve the lives of vulnerable children in Alaska.

Relative and Community Placements

The requirement that the Office of Children's Services (OCS) find a relative placement or a community placement when feasible, for emergency placements can help avoid placing children with strangers in foster care or even outside of their home communities. We believe that every child deserves to remain with family to avoid being re-traumatized and bounced between homes in a broken system. Relative placements provide for a child's need for safety, well-being and permanency, and can play a pivotal role in achieving reunification.

Timely Permanency

We know all too well, the repercussions of long term foster care. This bill requires that if a child has not been placed in a permanent home after 1 year, OCS must show to a Court that it is taking all feasible steps to secure permanency. After 2 years without permanency, there will be court hearings every 6 months to establish that all feasible steps are being taken. When reunification is not an option, we want to ensure OCS is working to find a forever family for all children lingering in the system.

Aging out of Foster Care

Many of our members have been released from foster care without stable housing, a high school diploma, and minimal skills to be self-sufficient. This bill requires OCS to establish in court that a release from custody before a youth turns 21 is in their best interests.

Education and Training

Many foster youth have a desire to complete their education and start a career. This bill requires AS 47.18.320(a)(2) to go from providing "basic" education and training to "education and training, including education and training that are consistent with the

individual's work and educational potential." This section also requires OCS to make a report to the legislature if it does not have adequate resources to meet this requirement.

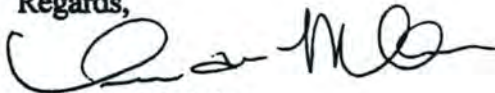
Foster/Adoptive Parent Recruitment

There are more than 2,400 children in foster care. That's more than 1% of our overall child population. HB 27 requires the Department of Health and Social Services to work with the Governor's Office to recruit foster/adoptive parents when needed. It also requires adequate staffing to ensure caseworker have the time and resources to meet the needs of thousands of Alaskan families.

Information Sharing Between OCS and Tribes

OCS often receives multiple reports of abuse and neglect before they need to take action and intervene with a family. Tribes have a variety of resources to offer families, to prevent further intervention from the state. Allowing the release of cases that OCS does not pick up to tribal leaders, as a sort of early-warning system could prevent the removal of and placement of children in foster care. It's important that we catch families early and work to build healthier communities.

Regards,



Amanda Metivier
Executive Director
Facing Foster Care in Alaska
Facing_fostercare@yahoo.com
(907) 230-8237

February 19, 2015

Tamara Dietrich
7857 Moose Run Circle
Anchorage, Alaska 99507

Representative Les Gara
State Capitol
Juneau, Alaska 99801

Dear Mr. Gara:

You have my full support of House Bill 27: Child Protection and Opportunity Act.

In writing this letter, it has become apparent how all aspects of HB 27 overlap in a myriad of ways. I have done my best to address each aspect in a logical progression. Where one aspect may seem lacking, may I suggest you consider the contents of this letter in whole, versus analyzing a standalone section please?

Please let me express my gratitude and thank you for all of your efforts to improve the lives of foster youth in our great state. My 16 year old niece entered foster care when she was three (3) years old. I will refer to her as my daughter from here on out.

Relative Placement – Our family met a lot of resistance from the Office of Children’s Services (OCS) when it was determined that my brother was not her biological father. The judge wanted to honor the inherent relationship; as my brother and sister-in-law were still married at the time, but OCS approached the bench. I do not know what was said, or why my family was not considered. We would have jumped through any hoop to prove ourselves. As it was, it took over eight months to become a foster parent and still OCS would not consider us a viable placement. When our daughter’s biological father was found, she was sent to the village. In both placements, she missed us dearly; to the point that her biological dad placed her in our care at the age of five (5).

Ensuring Foster Youth are Prepared to Leave Foster Care – In my heart, I felt that my daughter was not ready to enter middle school in the sixth grade. So we purchased a house in a school district where the elementary school still encompassed sixth grade. We wanted to give her the ability to be “Top Dog” and to experience the confidence boost which comes with that. She is in the 10th grade and on par with other kids her age now. However, she is terrified of “aging” out of our home. She feels like she has no safety net. Nothing we say or do can prove to her that she will *always* be our little baby.

Reducing the Amount of Time Foster Youth Wait for a Permanent Home – Due to the fact that her mother’s parental rights were not terminated while in OCS custody (two years), we have not been able to adopt her or become her *forever family*. Her father asked us to adopt her, but our lawyer encouraged him not to give up his rights because

Representative Les Gara
February 19, 2015
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then the biological mother would inherit all rights to the child. As long as he willingly placed his child in our home, we were able to become her legal guardians. Aside from adoption, legal guardianship is the best thing we could hope for in our case. Guardianship does NOT feel permanent to our daughter though.

Providing Foster Youth with Quality Educations - We have to break the cycle of poverty and homelessness. Success is not automatic. Even though I *thought* I was prepared to leave my parents house at the age of 18, I moved back in twice before I could fully support myself. It is imperative that we help foster youth in overcoming obstacles such as a lack of housing and low-wage jobs. Let us build in success by providing a stable home with a support system so that they can focus their energies on higher learning. Education is a major building block to success; education equalizes the playing field. We must work to eliminate the disparities between our foster youth and their peers. It is not enough to want our children to survive; we must help them to thrive.

Improving Collaboration with Alaska Native Communities – Where do I begin regarding this aspect of HB 27? I cannot stress enough how vital it is to encourage communication between Alaska Native entities and OCS. Our daughter had never been enrolled in a tribe prior to entering OCS custody; so no one else was fighting for her. Thankfully, after obtaining legal guardianship, we were able to enroll our daughter into her paternal tribe. This was fortunate because after her biological dad died, the maternal family tried to dissolve the guardianship. That is when her paternal tribe intervened on her behalf and stood behind their tribal member because he is the one who entrusted the care of his daughter to us. All children need someone looking out for their best interests. This is especially true for Alaska Native and American Indian children because their tribe not only provides a link to their past, but an important link to their future as well.

Thank you for your time.

Sincerely,



Tamara Dietrich
Legal Guardian, Fost-Adopt Parent, Child Advocate



AKCHILD & FAMILY

The Honorable Les Gara
Alaska House of Representatives
Alaska State Capitol, Room 400
Juneau, Alaska 99801

April 11, 2016

Dear Representative Gara,

Thank you for sponsoring House Bill 27, the Child Protection and Opportunity Act. AK Child & Family is in strong support of HB 27 and want to add our voice in support of the Act. Without exception, the children we treat on a daily basis have all experienced trauma in their young lives. Most often the trauma experienced requires an out of home placement that is exasperated by the well meaning, but often traumatic experience of the foster care system.

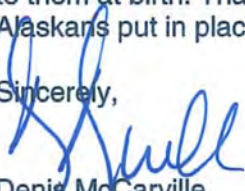
As one of the largest children's behavioral health organizations in the state of Alaska, our goal is to promote the safety, permanency, and well-being of children and youth whose lives we impact. We believe that HB 27 has the potential to significantly improve outcomes for Alaska's most vulnerable children.

A substantial body of research has demonstrated that children do best and are most able to cope with and overcome trauma when they have permanent connections to caring and supportive adults. Research has also shed light on the dismal outcomes facing youth who age out of foster care. These youth, who are often disconnected and unprepared for adult life, result in costing our state system even more than our earlier investments. Alaska's child welfare programs and services can be greatly strengthened by the provisions in HB 27.

On any given day, AK Child & Family works with dozens of youth to prepare them for adulthood. Our goal is to assure that children in the foster care system that we treat are ready for the transition to adulthood. Sadly, it is not uncommon that we work with "unresourced" youth who, for one reason or another, are no longer in the custody of Office of Children's Services, but still need our continued help. This unfortunate fact makes it even harder to secure the services needed for that help. Requiring OCS to demonstrate the best interest of the child will help to ensure these youth are actually prepared for a successful transition to adulthood.

In closing, please add AK Child & Family to the list of supporters who believe we can do more to assure that our greatest asset, our children, is recognized regardless of what cards were dealt to them at birth. Thank you very much for your pursuit of additional support to the system we Alaskans put in place to address these issues.

Sincerely,


Denis McCarville
President / CEO
AK Child & Family

Serving one child, one family at a time since 1890.

4600 Abbott Road
Anchorage, Alaska 99507

www.akchild.org

PHONE 907.346.2101
FAX 907.348.9230

Juneau Youth Services, Inc.

907.789.7610
907.789.2106 Fax

P.O. Box 32839
Juneau, AK 99803

April 12, 2016

Dear Senate HSS Committee Members,

I am writing to request your support for HB 27, the Alaska Child Protection and Opportunity Act. The following provisions will help strengthen the existing foster care system, and increase family-based care, educational stability, and movement towards permanency and independence for youth in care.

Foster Care Recruitment

There is currently a severe shortage of foster and adoptive parents in Alaska. Our agency has recently been licensed as a child placement agency for therapeutic foster care. We have had great difficulty in recruiting community members to become therapeutic foster parents. Requiring the Department of Health and Social Services (DHSS) to actively recruit foster and adoptive parents when a shortage exists will help ensure more appropriate placement options for the children and youth we serve.

Permanency

The bill requires DHSS to demonstrate in hearings that reasonable efforts are being made to secure a permanent placement for the child, and also grants the court the authority to so order the department if it determines that reasonable efforts are not being made. This provision is needed to help ensure that youth do not languish in foster care or move unnecessarily from one foster care setting to another.

Family Care

The bill places a positive emphasis on family-based care by requiring DHSS to search for an appropriate placement with a family member or family friend who meets licensing requirements when a child is being transferred from one out-of-home placement to another.

Transitional Living

The bill allows DHSS to authorize a transitional living arrangement for youth 16 years old or older to facilitate their transition to independence. Our agency provides a transitional living program for youth ages 16-21, and we have served many youth and young adults who could benefit from this provision.

Aging Out of Foster Care


The bill recognizes that many youth are not ready to leave foster care at 18 or 19 years old by requiring DHSS to search for a permanent placement until age 21. Similarly youth may not be released from custody before age 21 unless DHSS demonstrates to the court that that it is in the youth's best interest.

Educational Stability

The bill helps minimize the potential disruption to foster care youth's education by ensuring that the youth is able to complete their school term at their school of origin if they are moving from one placement to another, if it is in their best interests.

Thank you for your consideration and for your support of this important legislation.

Sincerely,



Walter Majoros
Executive Director