

# Review of National Group Care Best Practices

Washington Department of Children, Youth,  
and Families

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## D.S. AGREEMENT AND SETTLEMENT ORDER

In January 2021, a [class action complaint](#) was brought against the State of Washington Department of Children, Youth, and Families (DCYF) alleging that DCYF has failed to 1) ensure children with disabilities receive the necessary child welfare services and supports to allow them to return promptly and safely to their own families and communities, and 2) develop an adequate array of placement options to support the individualized needs of children in foster care with disabilities and instead relies on harmful hotel, one-night, and out-of-state placements.<sup>1</sup> As a result, in June 2022, the U.S. District Court Western District of Washington at Seattle filed an [Agreement and Settlement Order](#) to ensure DCYF develops a plan and processes to transform child safety and well-being practices to increase placement stability for children and youth with behavioral health and developmental disabilities, their families and caregivers, as well as develop a youth and family centered, culturally and trauma-informed system of placement supports and services.<sup>2</sup>

The Agreement and Settlement Order identified eight areas of improvement to support class members.<sup>3</sup> One system improvement, [Revising Licensing Standards](#) mandates that DCYF amend contracts and policies, and engage in negotiated rulemaking, to amend licensing requirements for foster care placements to be more developmentally appropriate and/or flexible to meet individual youths' needs. The amendments will at a minimum define and require the following:

1. Developmentally appropriate autonomy and privacy, including but not limited to developmentally typical access to mobile phones and support or resources necessary to engage in normal social activities with peers;
2. Obligations to facilitate connections to immediate, extended, and chosen family members, in accordance with the youth's case plan, including but not limited to potential long-term or permanent placements;
3. Responsibility to support youth to remain in their school of origin in accordance with the youth's case plan;
4. Expectations to provide education, training, and coaching to families of origin and other potential long-term or permanent placements about how best to support the child;
5. Expectations to engage in service or discharge planning;
6. Standards for providing sufficient nutrition and satisfaction of dietary needs; and
7. Training requirements and expectations for providing culturally responsive, LGBTQIA+ affirming and trauma-informed care.

To aid in these efforts, in December 2023, DCYF contracted with Public Consulting Group (PCG) to assist with national research and analysis to identify best practice guidelines for group care to include, data associated with the D.S. Settlement requirements listed above, as well as graduation rates, law enforcement requests, and youth abscondence. This report includes federal regulations and recommendations, as well as statewide group care policies and practices that pertain to statewide practices related to the topics identified in the Agreement and Settlement Order.

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<sup>1</sup> D.S. v. WA DCYF, 2:21-cv-00113 (U.S. District Court Western District of Washington at Seattle 2021). [Complaint-Filed-1.29.21.pdf](#) ([disabilityrightswa.org](#))

<sup>2</sup> Public Consulting Group. (2023, April 21). Stakeholder Facilitation for Systemic Improvements. [D.S.EngagementFindingsRecommendations\\_stage1.pdf](#) ([wa.gov](#))

<sup>3</sup> Class action members include individuals who are or in the future will be under the age of 18, in DCYF's placement during a dependency proceeding until the proceeding is dismissed, and one or more of the following: 1) have experienced five (5) or more placements, excluding trial return home, in-home dependencies, and temporary placements, or 2) have been referred for or are in out-of-state group care placement, or 3) have experienced a hotel or office stay in the past six (6) months, or 4) are awaiting a Children's Long-Term Inpatient Program (CLIP) bed.

## METHODOLOGY

Federal and state regulations and child welfare agency policies and practices were reviewed to identify best practice guidelines for group care.

### CHARACTERISTICS OF STATES REVIEWED

Group care policies and practices from the 17 jurisdictions listed below were reviewed. These states and district were selected based on one or more of the following characteristics: 1) similar statewide population to Washington, 2) similar number of children and youth in foster care, 3) proximity to Washington State, and 4) national attention for child welfare system reform in agency policies and practices related to the eight (8) areas of improvement in the D.S. Settlement. The states and districts below are the primary sources of information; however, additional states are cited when more information on the topics identified was needed.

- Arizona
- California
- Colorado
- Illinois
- Kansas
- Los Angeles County
- Massachusetts
- Michigan
- Missouri
- New Jersey
- New York City
- Ohio
- Oregon
- Tennessee
- Texas
- Utah
- Washington, D.C.

#### *State Population*

Arizona and Tennessee were selected for this review because of a comparable state population of approximately 7.5 million people.<sup>4</sup> Although Arizona has a similarly sized state population, there are approximately 6,000 more children and youth in foster care, prompting interest to review Arizona's state regulations, policies, and practices related to group and group care.<sup>5</sup>

#### *Number of Children and Youth in Foster Care*

Michigan, Tennessee, and Washington all have approximately 9,000 children and youth in foster care, as seen in Table 1.<sup>6</sup> Tennessee has placed on average approximately 1,500 youth in group care settings over the past several years, which is approximately three times the average number of young people who were placed in group care in Michigan and Washington during the same timeframe.<sup>7</sup>

<sup>4</sup> United States Census Bureau. *Annual Estimates for the Resident Population for the United States, Regions, States, District of Columbia, and Puerto Rico: April 1, 2020 to July 1, 2023*. (2023, December 19). [Census Bureau Annual Estimates of the Resident Population of the U.S.](#)

<sup>5</sup> The Annie E. Casey Foundation. (2023). Kids County Data Center. [Children in Foster Care in the United States](#)

<sup>6</sup> Ibid.

<sup>7</sup> The Imprint. (2023) *Foster Youth Living in Congregate Care 2011-2020*. [Foster youth living in Congregate Care](#)

**TABLE 1. STATES WITH SIMILAR NUMBER OF CHILDREN AND YOUTH IN FOSTER CARE**

State	2019	2020	2021
Michigan	11,671	10,661	9,529
Tennessee	9,290	8,839	9,227
Washington	10,909	9,616	8,894

### Location

Oregon, California, and Utah were chosen due to their proximity to Washington State.

### National Attention

Several states and the District of Columbia (D.C.) were included in this review due to receiving national attention for recent or ongoing reform efforts to improve their child welfare systems. Several states included in this review have been a party to child welfare class action litigation that prompted ongoing reforms to the state's child welfare system policies and practices in areas closely related to the D. S. Settlement Agreement.

- **District of Columbia Child and Family Services Agency:** Exited over three decades of court oversight after undertaking major reforms to create its “Four-Pillar framework” on child safety and well-being.<sup>8</sup>
- **Tennessee Department of Children’s Services:** Exited a court ordered settlement agreement in 2016 related to the *Brian A. v. Haslam* lawsuit. Reforms that resulted from the lawsuit included: increased staff training, increased access to public education for youth in group care, and increased collaboration between the state agency and private providers to improve the experience of youth in group care.<sup>9</sup>
- **Kansas Department of Children and Families:** Currently engaged in ongoing child welfare system regulation, policy, and practice reforms in response to a settlement agreement created by the 2018 *M.B. v. Howard* litigation. The Kansas Department of Children and Families has been working to improve practices and outcomes in the areas of missing youth, extreme placement instability, and inadequate housing practices.<sup>10</sup>
- **Los Angeles County, California:** In 2023, California became the defendant in the *Ocean S. v. LA County* litigation. The complaint alleged county and state agencies are failing to provide access to critical housing and meaningful services to young people in foster care, particularly LGBTQIA+ youth and youth with special needs.<sup>11</sup>

<sup>8</sup> D.C. Child and Family Services Agency. (2021, June 1). *Mayor Bowser Announces the End of Court Oversight of the DC Child and Family Services Agency*. [End of Court Oversight of the DC Child and Family Services Agency](#)

<sup>9</sup> Center for the Study of Social Policy. (2019, February). *Lessons Learned from Child Welfare Class Action Litigation: A Case Study of Tennessee’s Reform*. [Lessons Learned from Child Welfare Class Action Litigation: A Case Study of Tennessee’s Reform](#)

<sup>10</sup> Imprint News. (2018, November 20). *Beleaguered Kansas Child Welfare Hit with Class-Action Lawsuit*. [Imprint news: Kansas child-welfare class-action-lawsuit](#)

<sup>11</sup> The Imprint. (2023, August 23). *Los Angeles County Sued Over ‘Foster Care to Homelessness Pipeline’*. [LA sued over foster care to homelessness pipeline](#)

## NORMALCY

### DEVELOPMENTALLY APPROPRIATE AUTONOMY AND PRIVACY, INCLUDING BUT NOT LIMITED TO DEVELOPMENTALLY TYPICAL ACCESS TO MOBILE PHONES AND SUPPORT OR RESOURCES NECESSARY TO ENGAGE IN NORMAL SOCIAL ACTIVITIES WITH PEERS

The Preventing Sex Trafficking and Strengthening Families Act (Act), enacted in 2014, established new standards for caregivers of youth in out-of-home placements with the goal of helping youth in foster care have more normal, routine experiences<sup>12</sup> similar to the experiences of youth not in care. Prior to this act, caregivers were required to obtain approval prior to the youth in their care participating in “normal” childhood/adolescent activities, such as going on trips or sleeping over at a friend’s house. The changes made in the Act give greater discretion to the caregiver when it comes to making these types of decisions.

#### *Reasonable and Prudent Parenting Standard: Social Activities with Peers*

The Reasonable and Prudent Parenting Standard (RPPS) was included in The Preventing Sex Trafficking and Strengthening Families Act to be used as a tool by foster caregivers when making decisions regarding the child(ren) in their care. This standard is used to normalize the experiences of a youth in care whenever possible while also considering their health, safety, and best interests.<sup>13</sup> State standards include:

- **New Jersey Department of Children and Families:** Caregivers should approach making decisions regarding youth in their care in the same way that they would approach making decisions for their own children. The Normalcy and RPPS Guidance for Child Welfare Professionals states that caregivers should gather and consider all available information when making a decision. The decision caregivers makes cannot conflict with the requirements of the case plan or court order but should take into account the wishes of the youth in care.<sup>14</sup>
- **Arizona Department of Child Safety:** Caregivers shall ensure, when possible, that youth in care are able to participate in the same or similar types of experiences as their peers who are not in care.<sup>15</sup>
- **Kansas Department for Children and Families:** Residential care facilities are required to apply the RPPS when making decisions regarding whether to allow a child in care to participate in various enrichment, extracurricular, enrichment, cultural, and social activities. The Placement Service Standards Manual defines the RPPS as the “careful and sensible parental decisions that maintain a child’s health, safety, and best interests while at the same time encouraging the child’s emotional and developmental growth”.<sup>16</sup>
- **State of Utah:** In addition, The Utah Division of Child and Family Services, Out-of-Home Services Practice Guidelines states the goal of normalcy is allowing youth in care to participate in the types of activities that youth not in care are able to participate in as a part of a “normal” childhood, such as “recreation, extra-curricular school activities, sports, school club participation and other activities that promote healthy development”.<sup>17</sup>

<sup>12</sup> Capacity Building Center for States. (n.d.). *About Normalcy and the Reasonable and Prudent Parent Standard*. [About Normalcy and the Reasonable and Prudent Parent Standard \(childwelfare.gov\)](#)

<sup>13</sup> Ibid.

<sup>14</sup> State of New Jersey Department of Children and Families. (n.d.). *Normalcy and the Reasonable and Prudent Parenting Standard Guidance for Child Welfare Professionals*. [DCF | Normalcy and the Reasonable and Prudent Parenting Standard Guidance for Child Welfare Professionals \(nj.gov\)](#)

<sup>15</sup> Arizona Department of Child Safety. (2016, February 12). Chapter 4: Section 11. Reasonable and Prudent Parent Standard. [Reasonable and Prudent Parent Standard \(azdcs.gov\)](#)

<sup>16</sup> Kansas Department for Children and Families. (2020, July 1). *Department for Children and Families Placement Service Standards Manual*, 26. [PlacementServiceStandardsManual.pdf \(ks.gov\)](#)

<sup>17</sup> Utah’s Division of Child and Family Services. (2016, June). *Out-of-Home Services Practice Guidelines*, 17. [Purpose \(utahfostercare.org\)](#)

- **California Department of Social Services:** Group homes apply the RPPS specifically when determining whether a child in care may participate in extracurricular enrichment, and social activities. When applying RPSS, the group home administrator or designee should consider the appropriateness of the activity as it relates to the youth's age, maturity and developmental level.<sup>18</sup>

### Mobile Phone Access

Child welfare agencies recognize that mobile devices serve as a primary method for communication and many youth who enter care may have and/or wish to use such devices. The policies and guidance found in this review encompass access to and the use of both mobile phones and social media. When examining the standards for mobile phone use, social media is included due to the accessibility of these types of applications via mobile phones.

- **District of Columbia Child and Family Services Agency:** Recognizes that cell phones are the standard communication tool, stating that a mobile device shall be provided to youth in care who are in sixth grade or higher (unless the youth are residing somewhere with a clinical program model prohibiting the use of mobile devices). Agency directors have discretion when allowing youth younger than sixth grade to have a mobile device. In addition:<sup>19</sup>
  - Mobile devices and associated fees are provided by the agency.
  - Mobile devices issued by the agency are subject to electronic and GPS monitoring, and is reflected in the written agreement.
  - Youth in care may opt out of receiving an agency-issued mobile device.
- **Arizona Department of Child Safety:** Requires that “youth in care should have the same opportunity to possess, or use, a cell phone (or access a landline phone) as youth who are not in care”. Determination of whether the youth are allowed to have a cell phone is based on the reasonable prudent parent standard.<sup>20</sup>
  - Age-appropriate rules and parameters for cell phone usage are developed by the caregiver. Access to cell phones may be temporarily curtailed or denied for disciplinary purposes; however, this cannot interfere with the youth's ability to communicate with relevant professionals and their family/friend support system.
- **Illinois Department of Children and Family Services:** Allows youth to keep and use electronic devices with which they enter into care. In addition, all youth in care age 10 and older and their caregiver sign a Social Media/Mobile Technology Safety Agreement, as well as any youth under the age of 10 who use this technology.<sup>21</sup>
  - Youth may have social media accounts if they meet the minimum age requirement required by the specific site.
  - Caregivers may utilize parental controls and set reasonable limits on the use of technology using the normalcy parenting standards.
- **Utah Division of Child and Family Services:** Allows for the use of technology and social media with appropriate supervision. Accessing technology for non-educational purposes is viewed as a privilege and can be limited or lost if the technology is not used appropriately.<sup>22</sup>

<sup>18</sup> California Department of Social Services. (n.d.). *Reasonable and Prudent Parent Standard*. [Reasonable and Prudent Parent Standard \(ca.gov\)](#)

<sup>19</sup> DC Child and Family Services Agency. (2018, June 27). *Issuance and Use of Mobile Devices for Youth in Foster Care*. [Program Mobile Phones for Youth Final July 2018.pdf \(dc.gov\)](#)

<sup>20</sup> Arizona Department of Child Safety. (2020, November 25). *Telephonic Access for Youth in Care*, 4. [DCS 18-04 Telephonic Access for Youth in Care \(azdcs.gov\)](#)

<sup>21</sup> Illinois Department of Children and Family Services. (2021, February 10). *Administrative Procedure #28. Social Media/Mobile Technology for Youth in Care*, 4. [Administrative Procedure #28 Social Media/Mobile Technology For Youth In Care \(illinois.gov\)](#)

<sup>22</sup> Utah's Division of Child and Family Services. (2016, June). *Out-of-Home Services Practice Guidelines*. [Purpose \(utahfostercare.org\)](#)



- **New Jersey Department of Children and Families:** States that youth in care should have the same “opportunity to have a cell phone as youth who are not in care”. The ability of youth to have a cell phone and to use social media is determined by the caregiver using the RPPS.<sup>23</sup>
- **Oregon Department of Human Services:** Allows youth in care to use cell phones and, if at the minimum age required by the platform, social media. Restriction of cell phone use is allowed if it relates to behavioral/mental health concerns, the youth’s functioning at school or home, or court restrictions. A collaborative “Suggested Use Agreement” template is available for foster parents and youth to use as a tool when establishing a plan for youth access to technology.<sup>24</sup>
- **California Foster Care Ombudsperson:** Allows youth in care have the right to own a cell phone and use electronic communication unless determined otherwise by a judge. It also states that caregivers are not required to pay for a cell phone, and caregivers are allowed to have reasonable rules surrounding cell phone use.<sup>25</sup>

## CONNECTIONS

### OBLIGATIONS TO FACILITATE CONNECTIONS TO IMMEDIATE, EXTENDED, AND CHOSEN FAMILY MEMBERS, IN ACCORDANCE WITH THE YOUTH’S CASE PLAN, INCLUDING BUT NOT LIMITED TO POTENTIAL LONG-TERM OR PERMANENT PLACEMENTS

Youth in care who have frequent contact with their families experience an increased sense of normalcy and better outcomes.<sup>26</sup> This contact extends past visitation and should include the family in the decision-making process to build a partnership with the well-being of the youth.

- **Oregon Administrative Rules:** Youth in care have the right to “visit and communicate with a parent or guardian, siblings, members of their family, and other significant people within reasonable guidelines as set by the case plan, the visitation plan, and the court”.<sup>27</sup>
- **Tennessee Department of Children’s Services Standards for Regulated Institutions:** Staff must work to strengthen youth’s ties with their family, and that youth’s feelings towards their family must be respected while recognizing that it is challenging for youth to be away from their family members while in care.<sup>28</sup>
- **Massachusetts Foster Child Bill of Rights:** Youth in care “shall have involvement as appropriate with family members and siblings and should participate in the development of visitation plans.”<sup>29</sup>
- **Los Angeles County, California Department of Children and Family Services Policy:** Family time is essential to maintaining and improving parent-child attachment and preserving the relationships between siblings. Family Time Plans are developed to set expectations regarding how and when family time will occur.<sup>30</sup>
- **Utah Administrative Rules:** Group care programs shall ensure that youth in care have weekly communication with family.<sup>31</sup>

<sup>23</sup> State of New Jersey Department of Children and Families. (n.d.). *Normalcy and the Reasonable and Prudent Parenting Standard Guidance for Child Welfare Professionals*. [DCF | Normalcy and the Reasonable and Prudent Parenting Standard Guidance for Child Welfare Professionals \(nj.gov\)](#)

<sup>24</sup> Oregon Department of Human Services (2023, August 23). *ODHS Child Welfare Procedure Manual*. [DHS 2789 Child Welfare manual \(state.or.us\)](#)

<sup>25</sup> California Foster Care Ombudsperson. (2020). *Foster Youth Rights Handbook*, 16. [Foster Youth Rights Handbook \(ca.gov\)](#)

<sup>26</sup> Child Welfare Capacity Building Collaborative. (2021). *Congregate Care in the Age of Family First: Family Engagement*.

[Congregate Care in the Age of Family First: Family Engagement - Center for States - Child Welfare Capacity Building Collaborative](#)

<sup>27</sup> Child Welfare Programs. OAR 413-010-0180(1)(k). (n.d.). [Oregon Secretary of State Administrative Rules](#)

<sup>28</sup> Tennessee Standards for Residential Child Caring Agencies. 0250-4-5-.08(1)(a)-(c). [0250-04-05.doc \(tnsosfiles.com\)](#)

<sup>29</sup> Massachusetts Department of Children & Families. (n.d.). *Foster Child Bill of Rights*. [billorrights:Layout 1.qxd \(mass.gov\)](#)

<sup>30</sup> Family Time. 0400-504.00 (2021, March 22). [Family Time - 0400-504.00 - DCFS Policy Institute Website \(lacounty.gov\)](#)

<sup>31</sup> Residential Program Additional Administration and Direct Services Requirements. (2023, December 19). R501-1-7(4). [Utah Office of Administrative Rules](#)

## SCHOOL

### RESPONSIBILITY TO SUPPORT YOUTH TO REMAIN IN THEIR SCHOOL OF ORIGIN IN ACCORDANCE WITH THE YOUTH'S CASE PLAN

Recognizing the unique needs of youth in foster care, Federal and State governments have enacted legislation throughout the past 60 years to increase the educational stability and outcomes for youth in care.<sup>32</sup> This legislation includes:

- **Elementary and Secondary Education Act (ESEA):** Sought to “provide all children significant opportunity to receive fair, equitable, and high-quality education, and to close educational achievement gaps.”<sup>33</sup> ESEA required collaboration between state and local educational and child welfare agencies to ensure the educational stability of children in foster care, assuring the youth remained in the school of origin unless it was determined not to be in the best interest of the youth. If such a determination was made, the child would be immediately enrolled in a new school, the newly enrolled school would obtain relevant academic records, and a state educational employee would serve as a point of contact for the child welfare agency and oversee implementation.<sup>34</sup>
- **Fostering Connections to Success and Increasing Adoptions Act (Fostering Connections Act):** Requires a plan for ensuring the educational stability of child in foster care, including assurances that each placement of the child in foster care takes into account the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement, the State agency has coordinated with appropriate local educational agencies to ensure that the child remains in the school in which the child is enrolled at the time of each placement, or if remaining in such school is not in the best interests of the child, immediate and appropriate enrollment in a new school, with all of the educational records of the child provided to the school.<sup>35</sup>
- **Every Student Succeeds Act (ESSA):** Reauthorized ESSA and required state and local child welfare agencies to develop and implement procedures governing the transportation of children in foster care to their school or origin when in the child’s best interest.<sup>36</sup>

States have implemented the following practices to ensure educational stability for youth.

- **Oregon Department of Human Services:** Caseworkers must:<sup>37</sup>
  - Consider recommendations from the youth, their parents or legal guardian, tribes, attorney, Court Appointed Special Advocates (CASA), school, substitute caregiver, and surrogate parent, if one has been appointed, in making the decision on school enrollment.
  - Seek a finding from the juvenile court that it is not in the best interest of the youth to continue attending the school of origin or any other school in the school district of origin, and ensure the youth is enrolled in a new school.
  - Enroll youth in a new school without a juvenile court finding if the school or school district of origin places the youth in a different school or educational setting, or the child’s Individual

<sup>32</sup> U.S. Department of Education and U.S. Department of Health and Human Services. (2016, June 23). *Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care*. [ED and HHS Foster Care Non Regulatory Guidance June 22, 2016 \(PDF\)](#)

<sup>33</sup> Elementary and Secondary Education Act of 1965, Title I – Improving the Academic Achievement of the Disadvantaged, §1001. (2024, March 19). [COMPS-748.pdf \(govinfo.gov\)](#)

<sup>34</sup> Elementary and Secondary Education Act of 1965, Title I – Improving the Academic Achievement of the Disadvantaged. §1111(g)(1)(E)(i)-(iv). (2024, March 19). [COMPS-748.pdf \(govinfo.gov\)](#)

<sup>35</sup> Fostering Connections to Success and Increasing Adoptions Act of 2008, Title II – Improving Outcomes for Children in Foster Care, §204(a)(1)(B). (2008, October 7). [Text - H.R.6893 - 110th Congress \(2007-2008\): Fostering Connections to Success and Increasing Adoptions Act of 2008 | Congress.gov | Library of Congress](#)

<sup>36</sup> Every Student Succeeds Act, Title I – Improving Basic Programs Operated by State and Local Educational Agencies. §1112(c)(5)(B). (2015, December 10). [Text - S.1177 - 114th Congress \(2015-2016\): Every Student Succeeds Act | Congress.gov | Library of Congress](#), page 55

<sup>37</sup> Ensure a Child or Young Adult’s Enrollment in School or Educational Setting. OAR413-105-0030(2)(d). (2021, June 8). [OAR 413-105-0030 – Ensure a Child or Young Adult’s Enrollment in School or Educational Setting \(public.law\)](#)

- Education Plan (IEP) team decides the youth should attend a different school or educational setting.
- Ensure enrollment in the school or program is consistent with the youth’s permanency plan.
  - **Kansas Department of Children and Families:** “Residential facilities shall contact the appropriate school, or equivalent educational program of origin, to begin the enrollment process immediately upon accepting placement of the youth. Documentation of all contacts and steps taken with educational facilities to enroll the youth shall be maintained in the youth’s file. Youth shall be immediately enrolled in a new school if it is not in their best interest to stay in the school of origin. Immediate enrollment means that a youth shall be enrolled in a new school as soon as possible in order to prevent educational discontinuity. Residential facilities shall ensure routine communications between the staff and any educational program in which a youth is placed and shall participate in the development of an Individual Education Plan (IEP) for youth, when appropriate.”<sup>38</sup>
  - **Missouri Department of Social Services:** Requires the child placing agency to promote the educational stability of youth in care by considering the youth’s school attendance when making placement decision. In addition:<sup>39</sup>
    - Youth in care have the right to remain enrolled in and attend their school of origin or to return to a previously attended school in an adjacent district.
    - School districts will accept credit for full or partial course work satisfactorily completed by a youth in care while attending a public school, non-public school, or non-sectarian school in accordance with district policy or procedure.
    - School districts of residence will issue a diploma to a youth in care under the jurisdiction of the juvenile court providing the student completes the district’s graduation requirements.
    - School districts will ensure that if a youth in care is absent from school because of a change in placement made by a court or child placing agency, or because of a verified court-appearance or court-ordered activity, the grades and credits of the student will be calculated as of the date the student left school, and the student’s grades shall not be lowered as a consequence of the absence.
    - School districts will permit access of a youth in care’s student records to any child placing agency for the purpose of fulfilling educational case management responsibilities required by a juvenile officer or by law and to assist with the school transfer and placement of a student.
  - **Utah Division of Children and Family Services:** When a youth is placed in the custody of Utah Division of Child and Family Services, and whenever a youth changes placement, efforts are made to maintain the youth’s enrollment at their existing school. If safety, transportation, and other issues can be adequately addressed, youth should remain in their existing school to allow for consistency in their education. The process for determining the youth’s educational placement includes the caseworker:<sup>40</sup>
    - Assessing and documenting any existing safety concerns at the school of origin.
    - Gathering input from educational staff and Child and Family Team members.
    - Determining, along with the Family Team, whether remaining enrolled in the school of origin is the youth’s best interest. If deemed in the youth’s best interest, the caseworker will consider placements allowing the youth to continue attending their school of origin.

<sup>38</sup> Kansas Department of Children and Families. (2020, July 1). *Department for Children and Families Placement Service Standards Manual*, 24-25. <https://www.dcf.ks.gov/services/PPS/Documents/CWHandbookofServices/PlacementServiceStandardsManual.pdf>

<sup>39</sup> Missouri Department of Social Services. (2020, April). *Missouri Education Support Resources*. [education-support-resources.pdf \(mo.gov\)](https://www.mo.gov/education-support-resources.pdf)

<sup>40</sup> Utah’s Division of Child and Family Services. (2016, June). *Out-of-Home Services Practice Guidelines*, 76. [Purpose \(utahfostercare.org\)](https://www.utahfostercare.org/purpose)

- Informing the school the youth entered state custody and working with educational staff ensuring safety concerns are addressed.

## EDUCATION

### EXPECTATIONS TO PROVIDE EDUCATION, TRAINING, AND COACHING TO FAMILIES OF ORIGIN AND PERMANENT PLACEMENTS

Per the instruction of DCYF, this section is not included as part of this literature review.

## DISCHARGE PLANNING

### EXPECTATION TO ENGAGE IN SERVICE OR DISCHARGE PLANNING

Per the instruction of DCYF, this section is not included as part of this literature review.

## NUTRITION

### STANDARDS FOR PROVIDING SUFFICIENT NUTRITION AND SATISFACTION OF DIETARY NEEDS

The foods and beverages children and young people consume (ages 2 through 18) impact long-term health, such as obesity and risk of chronic disease. Young children are fully reliant on others, such as families, caregivers, and institutions to provide meals and snacks. As children become more independent, they are exposed to more food choices and begin having autonomy over what foods and beverages they consume. Influences, such as peer pressure, social supports, and food marketing, can impact eating behaviors. Therefore, being exposed to healthy dietary patterns can create healthy behaviors that may be extended throughout life.<sup>41</sup> Child caring agencies throughout the country have implemented standards that institutions must follow regarding providing adequate nutrition to the youth in their care.

#### *Meal Planning*

States require that group care facilities plan meals in advance and keep records of the menus that were offered.

- **Tennessee Department of Children’s Services:** Facilities must prepare weekly menus in advance, must be followed, and vary week-to-week. Menus must be kept on file for at least one month.<sup>42</sup>
- **District of Columbia Child and Family Services Agency:** Facilities must develop and follow a written plan for nutritional services, including planning and budgeting for the resident’s dietary needs, and purchasing, storing, preparing, and serving food. In addition, the facility shall maintain copies of menus for thirty (30) calendar days and records of food purchased for ninety (90) calendar days.<sup>43</sup>
- **Oregon State Administrative Rules:** Menus are prepared in advance in accordance with the USDA guidelines, food is served in adequate amounts for each child at each meal, including

<sup>41</sup> U.S. Department of Agriculture and U.S. Department of Health and Human Services. (2020, December). Dietary Guidelines for Americans, 2020-2025. 9<sup>th</sup> Edition. [Dietary Guidelines for Americans, 2020-2025](#)

<sup>42</sup> Tennessee Standards for Residential Child Caring Agencies. 0250-4-5-.07(8)(e). (1999, March). [0250-04-05.doc \(tnsosfiles.com\)](#)

<sup>43</sup> Child and Family Services Agency and Department of Human Services. Notice of Final Rulemaking, §6238. (n.d.). [Microsoft Word - Group Home Rules.doc \(dc.gov\)](#)

snacks, and adjusted for seasonal change. Residential centers must save records of menus for at least six months.<sup>44</sup>

- **Kansas Department of Children and Families:** Menus served for one month shall be kept on file and available for inspection.<sup>45</sup>
- **Arizona Administrative Code:** Residential centers must have a written, dated menu of planned meals. The menu shall be available at the facility at least one week before meals are served. The menu shall be posted in the dining area or in a location where youth may review it. The center must keep a copy of the menu and any menu substitutions on file for one year.<sup>46</sup>

## Staffing

Some state and district regulations include guidance on staffing requirements.

- **District of Columbia Child and Family Services Agency:** Facilities must identify one staff person who is responsible for implementing the nutritional service plan.<sup>47</sup>

## Meal Schedule

Below are state and district guidelines regarding meal schedules.

- **Tennessee Department of Children's Services:** Three meals and snacks are provided daily with no more than a 14-hour span between a substantial evening meal and breakfast the following day.<sup>48</sup>
- **District of Columbia Child and Family Services Agency:** Facilities must provide each resident at least three regularly scheduled meals per day and snacks that meet the National Research Council's recommended dietary allowance as adjusted for the age and sex of each resident. Facilities must also provide food to residents who miss regularly scheduled meals.<sup>49</sup>
- **Oregon Administrative Rules:** Residential care agencies must provide meals daily, consistent with normal mealtimes that occur during hours of operation, and provide snacks between mealtimes.<sup>50</sup>
- **Kansas Department of Children and Families:** Meals and snacks must meet the nutrient needs of the residents according to recommended dietary allowances for age and sex.<sup>51</sup>
- **Arizona Administrative Code:** Facilities must provide each youth with at least three meals per day, with no more than 14 hours between the evening and morning meals. Snacks shall not replace regular meals. Meal portions must remain consistent with each youth's caloric needs.<sup>52</sup>

## Dietary and Special Needs

- **Tennessee Department of Children's Services:** Food of adequate quality and quantity must be served and meet the youth's dietary allowances as recommended by the USDA. All special diets must be prepared as prescribed by the physician or recommended by a dietician.<sup>53</sup>
- **District of Columbia Child and Family Services Agency:** Food will be provided in accordance with a residents' religious beliefs, reasonable dietary preferences, including vegetarianism, or medical or specially prescribed dietary needs. For facilities that serve food to staff, the facility will

<sup>44</sup> Office of Training, Investigations and Safety. OAR419-470-0070(1)(b). (n.d.). [Oregon Secretary of State Administrative Rules](#)

<sup>45</sup> Kansas Department for Children and Families. (2022, March). *Kansas Laws and Regulations for Licensing Residential Centers and group Boarding Homes for Children and Youth*, 45. [GBH and RC Laws and Regulations Book 2022.pdf \(ks.gov\)](#)

<sup>46</sup> Nutrition, Menus, and Food Service. R6-5-7446. (2019, March 31). [6-05.fm \(azsos.gov\)](#)

<sup>47</sup> Child and Family Services Agency and Department of Human Services. Notice of Final Rulemaking, §6238.2. (n.d.). [Microsoft Word - Group Home Rules.doc \(dc.gov\)](#)

<sup>48</sup> Tennessee Standards for Residential Child Caring Agencies. 0250-4-5-.07(8)(b). (1999, March) [0250-04-05.doc \(tnsosfiles.com\)](#)

<sup>49</sup> D.C. Child and Family Services Agency and Department of Human Services Notice of Final Rulemaking. [Microsoft Word - Group Home Rules.doc \(dc.gov\)](#)

<sup>50</sup> Office of Training, Investigations and Safety. OAR419-470-0070(1)(a). (n.d.). [Oregon Secretary of State Administrative Rules](#)

<sup>51</sup> Kansas Department for Children and Families. (2022, March). *Kansas Laws and Regulations for Licensing Residential Centers and group Boarding Homes for Children and Youth*, 45. [GBH and RC Laws and Regulations Book 2022.pdf \(ks.gov\)](#)

<sup>52</sup> Nutrition, Menus, and Food Service. R6-5-7446. (2019, March 31). [6-05.fm \(azsos.gov\)](#)

<sup>53</sup> Tennessee Standards for Residential Child Caring Agencies. 0250-4-5-.07(8)(c). (1999, March) [0250-04-05.doc \(tnsosfiles.com\)](#)

serve food to residents that is substantially the same as that served to staff, unless religious beliefs, dietary preferences, or medical or special dietary needs require differences in the diet.<sup>54</sup>

- **Kansas Department for Children and Families:** Special diets will be provided to residents as ordered by attending physicians. Efforts should be made to accommodate religious practices.<sup>55</sup>
- **Arizona Administrative Code:** Registered nutritionists or dietitians shall prepare or approve the menus, as well as maintain a copy of the approval for one year. Facilities must develop and follow specialized menus for youth with special nutritional needs. Menus shall reflect religious, ethnic, and cultural differences of youth in care. Allow youth to eat at a reasonable rate to encourage social interaction and conversation during meals.<sup>56</sup>

## Punishment

States may not deny youth in care food as a form of punishment.

- **Tennessee Department of Children's Services:** Denial of a nutritionally adequate diet must not be used as punishment.<sup>57</sup>
- **District of Columbia Child and Family Services Agency:** Food cannot be denied for any reason other than as medically directed and facilities will not force-feed or otherwise coerce a resident to eat against their will except when medically prescribed.<sup>58</sup>
- **Kansas Department for Children and Families:** Withholding or forcing foods is a prohibited punishment.<sup>59</sup>
- **Arizona Administrative Code:** Facilities shall not threaten a youth or allow any youth to be subjected to maltreatment, abuse, neglect, or cruel, unusual, or corporal punishment, including force-feeding, except as prescribed by a licensed medical practitioner.

## Food Storage and Preparation

States also provide guidance on proper food storage and preparation.

- **District of Columbia Child and Family Services Agency:** Facilities must store, prepare, and serve all food in a manner that is clean, wholesome, free from spoilage or pest infestation, and safe for human consumption.<sup>60</sup>
- **Oregon Administrative Rules:** All food and drink provided by the residential care agency must be stored, prepared, and served in a sanitary manner. All employees who handle food served to youth in care must have a valid food handlers' card pursuant to Oregon regulations. In addition, all food products served must be obtained from commercial suppliers, including grocery stores, farmer markets, and food banks, except fresh fruits and vegetables frozen by the residential care agency can be served.<sup>61</sup>

<sup>54</sup> Child and Family Services Agency and Department of Human Services. Notice of Final Rulemaking, §6238.5 & §6238.7. (n.d.). [Microsoft Word - Group Home Rules.doc \(dc.gov\)](#)

<sup>55</sup> Kansas Department for Children and Families. (2022, March). *Kansas Laws and Regulations for Licensing Residential Centers and group Boarding Homes for Children and Youth*, 45. [GBH and RC Laws and Regulations Book 2022.pdf \(ks.gov\)](#)

<sup>56</sup> Nutrition, Menus, and Food Service. R6-5-7446. (2019, March 31). [6-05.fm \(azsos.gov\)](#)

<sup>57</sup> Tennessee Standards for Residential Child Caring Agencies. 0250-4-5-.07(8)(d). (1999, March) [0250-04-05.doc \(tnsosfiles.com\)](#)

<sup>58</sup> Child and Family Services Agency and Department of Human Services. Notice of Final Rulemaking, §6238.6. (n.d.). [Microsoft Word - Group Home Rules.doc \(dc.gov\)](#)

<sup>59</sup> Kansas Department for Children and Families. (2022, March). *Kansas Laws and Regulations for Licensing Residential Centers and group Boarding Homes for Children and Youth*, 17. [GBH and RC Laws and Regulations Book 2022.pdf \(ks.gov\)](#)

<sup>60</sup> Child and Family Services Agency and Department of Human Services. Notice of Final Rulemaking, §6238.8. (n.d.). [Microsoft Word - Group Home Rules.doc \(dc.gov\)](#)

<sup>61</sup> Office of Training, Investigations and Safety. OAR419-470-0070. (n.d.). [Oregon Secretary of State Administrative Rules](#)

## LGBTQIA+

### TRAINING REQUIREMENTS AND EXPECTATIONS FOR PROVIDING CULTURALLY RESPONSIVE, LGBTQIA+ AFFIRMING AND TRAUMA-INFORMED CARE.

Building a sense of self-identity is critical in youth development. Birth families are a formative and key source of information for cultural, gender, racial, and other forms of primary personal identity development. Youth placed in foster care are often disconnected from their birth family, friends, social supports, school, and community of origin, and must rely on other caregivers, including their case workers and group care staff to provide access to information, resources, and a safe affirming environment that promotes the formation of a positive sense of esteem and identity. Youth who are placed in foster care are at higher risk of developing mental health and behavioral challenges because of the trauma experienced surrounding placement in foster care, and LGBTQIA+ youth are at even greater risk when they are placed in living environments that are not trained, prepared, or able to support their LGBTQIA+ identity.<sup>62</sup> The below excerpts from state child welfare agency policy manuals or state administrative codes or regulations include specific language about expected practices when serving LGBTQIA+ youth in group care and the types of required training when providing culturally competent support and services.

#### *Practice Recommendations for Court Professionals*

In 2017, the National Conference on Juvenile Justice published best practices for judges and legal partners regarding how to engage in more meaningful oversight of services and experiences of youth placed in group care, including:<sup>63</sup>

- Ensuring that residential staff training is based on current trauma-informed best practices for positive identity development.
- Ensuring the presence of a diverse, prepared, and culturally competent workforce that promotes a living environment where youth and families feel emotionally and physically safe.
- Expecting providers to demonstrate how youth are supported in exploring their cultural identities towards a positive sense of self.

#### *Practice Recommendations for Child Welfare Agencies and Contracted Providers*

Several state public child welfare agencies have published policy guidance for child welfare agency staff to implement specific practices when working with LGBTQIA+ children and youth served by the agency.

- **Utah Department of Children and Family Services Out-of-Home Services Practice Guidelines:** Staff practice instruction include:<sup>64</sup>
  - Providing youth who identify as LGBTQIA+ with clinicians who are aware of the needs and best practices for this population.
  - Referring to youth by their preferred pronouns and periodically checking with youth to determine whether using the youth's preferred name and pronoun continues to be safe.
  - Not disclosing a youth's gender identity or sexual orientation without the youth's permission unless there is a circumstance related to child safety where sharing is necessary.

<sup>62</sup> Fraser B, Pierse N, Chisholm E, Cook H. LGBTQIA+ Homelessness: A Review of the Literature. *Int J Environ Res Public Health*. 2019 Jul 26;16(15):2677. doi: 10.3390/ijerph16152677. PMID: 31357432; PMCID: PMC6695950.

<sup>63</sup> Building Bridges Initiative. (2017, February). *Best Practices for Residential Interventions for Youth and their Families: A Resource Guide for Judges and Legal Partners with Involvement in the Children's Dependency Court System*. [Executive Summary - Best Practices for Residential Interventions for Youth and their Families A Resource Guide for Judges and Legal Partners - Final - 2-9-17 \(ncjfcj.org\)](#)

<sup>64</sup> Utah's Division of Child and Family Services. (2016, June). *Out-of-Home Services Practice Guidelines*. [Purpose \(utahfostercare.org\)](#)

- Informing youth with whom the information is shared before it is shared, whenever possible.
- **California Department of Social Services Sexual Orientation, Gender Identity & Expression Resource Guide:** Published a resource guide for its contracted children’s residential providers and caregivers to inform and provide best practices relating to Sexual Orientation, Gender Identity, and Expression (SOGIE).<sup>65</sup>

### Grooming and Clothing Preferences

**Utah Department of Health and Human Services:** Youth in foster care are permitted to use approved forms of personal grooming and clothing consistent with their personal identity. This includes youth:<sup>66</sup>

- wearing clothing consistent with their gender identity.
- wearing undergarments of their choice.
- having safety parameters established regarding outer attire congruent with the occasion (such as swimwear) and age appropriateness.

### Placement Decisions

Several state child welfare agencies have policies that provide guidance for staff when making placement decisions for youth who identify as LGBTQIA +.

- **20 states<sup>67</sup> and Washington, D.C.** require that placement decisions address the specific needs of youth who identify as LGBTQIA+.<sup>68</sup>
- **Seven states<sup>69</sup>** require child-placing agencies to consider the sexual orientation or gender identity expressed by youth when making a placement regardless of the gender or sex listed in their case record.<sup>70</sup>
- **Seven states<sup>71</sup>** allow assigning individual sleeping quarters to transgender youth.<sup>72</sup>
- **Seven states<sup>73</sup>** require facilities to arrange for youth to use private bathrooms and showers to allow for safety and privacy.<sup>74</sup>
- **Utah Division of Child and Family Services:** Staff are to make every effort in ensuring that housing decisions for transgender non-conforming youth are based on individual needs.<sup>75</sup>
- **California Welfare and Institutions Code:** Youth are to be placed in out-of-home care according to their gender identity, regardless of the gender or sex listed in their court or child welfare records.<sup>76</sup>

<sup>65</sup> California Department of Social Services. (2020, April 23). *Sexual Orientation, Gender Identity & Expression Resource Guide*. [CRP SOGIE Guide \(ca.gov\)](#)

<sup>66</sup> Utah’s Division of Child and Family Services. (2016, June). *Out-of-Home Services Practice Guidelines*. [Purpose \(utahfostercare.org\)](#)

<sup>67</sup> Arizona, California, Colorado, Connecticut, Florida, Illinois, Maryland, Massachusetts, Minnesota, Nevada, New Jersey, New Mexico, North Carolina, Oregon, Rhode Island, South Carolina, Tennessee, Utah, Vermont, and Virginia

<sup>68</sup> Child Welfare Information Gateway. (2023). *Protecting the rights and providing appropriate services to LGBTQIA2S+ youth in out-of-home care*. U.S. Department of Health and Human Services, Administration for Children and Families, Children’s Bureau. <https://www.childwelfare.gov/topics/systemwide/laws68policies/statutes/LGBTyouth/>

<sup>69</sup> California, Colorado, Connecticut, Illinois, Nevada, South Carolina, and Tennessee

<sup>70</sup> Child Welfare Information Gateway. (2023). *Protecting the rights and providing appropriate services to LGBTQIA2S+ youth in out-of-home care*. U.S. Department of Health and Human Services, Administration for Children and Families, Children’s Bureau. <https://www.childwelfare.gov/topics/systemwide/laws70policies/statutes/LGBTyouth/>

<sup>71</sup> Colorado, Connecticut, Illinois, Maryland, Massachusetts, Tennessee, and Utah

<sup>72</sup> Child Welfare Information Gateway. (2023). *Protecting the rights and providing appropriate services to LGBTQIA2S+ youth in out-of-home care*. U.S. Department of Health and Human Services, Administration for Children and Families, Children’s Bureau. <https://www.childwelfare.gov/topics/systemwide/laws72policies/statutes/LGBTyouth/>

<sup>73</sup> Illinois, Maryland, Massachusetts, Minnesota, South Carolina, Tennessee, and Utah

<sup>74</sup> Child Welfare Information Gateway. (2023). *Protecting the rights and providing appropriate services to LGBTQIA2S+ youth in out-of-home care*. U.S. Department of Health and Human Services, Administration for Children and Families, Children’s Bureau. <https://www.childwelfare.gov/topics/systemwide/laws74policies/statutes/LGBTyouth/>

<sup>75</sup> Utah’s Division of Child and Family Services. (2016, June). *Out-of-Home Services Practice Guidelines*, 11. [Purpose \(utahfostercare.org\)](#)

<sup>76</sup> California Department of Social Services. (2020, April 23). *Sexual Orientation, Gender Identity & Expression Resource Guide*, 16. [CRP SOGIE Guide \(ca.gov\)](#)



- **Kansas Department for Children and Families:** Rooms are assigned based on multiple factors, including LGBTQIA+.<sup>77</sup>
- **Oregon Department of Human Services:** Youth referrals for a contracted Behavioral Rehabilitative Services (BRS) placement are to focus on programs that provide a “safe and affirming environment if the child or young adult identifies as LGBTQIA2s+.”<sup>78</sup>

## Training

States have policies requiring agency and residential facility staff to complete training on LGBTQIA+ topics.

- **15 states<sup>79</sup> and Washington, D.C.** require LGBTQIA+ training for foster caregivers and related staff.<sup>80</sup>
- **Kansas Department of Children and Families:** Placement Services Standards Manual requires facility staff is mandated to complete comprehensive LGBTQIA+ and residential rights training.<sup>81</sup>

## RUNAWAY

Youth in residential care run away or abscond for many different reasons, especially when dysregulated. Youth that run are at higher risk for additional trauma, victimization, substance abuse, and violence. There is a wealth of research compiled and specifically cited by the American Academy of Pediatrics related to runaway youth, specifically youth in foster care<sup>82</sup>. For instance, in 2013, Benoit-Bryan reported that older youth in foster care were more than 2.5 times more likely to run away than youth who do not live in foster care. Another study found that most foster youth who run away run to their family of origin and/or their friends out of a desire to maintain relationships with their community of origin.<sup>83</sup> Child welfare system–related characteristics, including the type of placement, permanency plan while in care, reason for placement, number of placements, and the quality of care received in placements were also found to be factors associated with runaway behaviors.<sup>84</sup>

In 2014, Congress passed the Preventing Sex Trafficking and Strengthening Families Act (Strengthening Families Act), requiring states to implement protocols for locating any youth missing from foster care as a condition of receiving federal foster care funding. State agencies must report information on missing or abducted youth immediately—and in no case later than 24 hours after receipt—to law enforcement authorities, so that authorities can enter information into the National Crime Information Center (NCIC) and to the National Center for Missing and Exploited Children databases. Additionally, states are required to develop policies and procedures to identify, document, and determine services for youth in foster care who

<sup>77</sup> Kansas Department for Children and Families. (2020, July 1). *Department for Children and Families Placement Service Standards Manual*, 31. [placementservicesstandardsmanual.pdf \(ks.gov\)](https://www.ks.gov/ksdhs/child-welfare/placement-services/placement-service-standards-manual)

<sup>78</sup> Oregon Department of Human Services. (2024, May 29). *ODHS Child Welfare Procedure Manual*, 805. [DHS 2789 Child Welfare manual \(oregon.gov\)](https://www.oregon.gov/odhs/child-welfare/procedure-manual)

<sup>79</sup> California, Connecticut, Delaware, Florida, Illinois, Maryland, Massachusetts, Minnesota, Nevada, New Mexico, New York, North Carolina, Rhode Island, Tennessee, and Utah

<sup>80</sup> Child Welfare Information Gateway. (2023). *Protecting the rights and providing appropriate services to LGBTQIA2S+ youth in out-of-home care*. U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau. <https://www.childwelfare.gov/topics/systemwide/laws80policies/statutes/LGBTyouth/>

<sup>81</sup> Kansas Department for Children and Families, (2020, July 1). *Kansas Department for Children and Families Placement Service Standards Manual*, 28. [placementservicesstandardsmanual.pdf \(ks.gov\)](https://www.ks.gov/ksdhs/child-welfare/placement-services/placement-service-standards-manual)

<sup>82</sup> Gambon, T.B., et al., (2020). Runaway Youth: Caring for the Nation's Largest Segment of Missing Children. *Pediatrics*, 145(2) e20193752. [Runaway Youth: Caring for the Nation's Largest Segment of Missing Children | Pediatrics | American Academy of Pediatrics \(aap.org\)](https://doi.org/10.1542/peds.20193752)

<sup>83</sup> Benoit-Bryan J. (2013) Family characteristics and runaway youth. Available at: <https://www.1800runaway.org/wp-content/uploads/2015/05/Family-Characteristics-and-Runaway-Behavior-final2.pdf>

<sup>84</sup> Lin C-H. (2012). Children who run away from foster care: who are the children and what are the risk factors? *Child Youth Serv Rev.*, 34(4):807–813

are, or are at risk of becoming, victims of sex trafficking. The information below is a sample of policies and regulations from other states related to runaway youth.<sup>85</sup>

- In the 2022 Colorado legislative session, lawmakers passed House Bill 22-1375 Concerning Measures to Improve the Outcomes for Those Placed in Out-Of-Home Placement. This statute required the Office of Colorado’s Child Protection Ombudsman to enter into an agreement with an institution of higher education to examine the issue of youth running away from out-of-home placements from a lived experience perspective. This report contains the results of five focus groups, two with out-of-home placement providers, and three with youth ages 12-17 currently residing in out-of-home placement. “Providers and youth provided their perspectives on (1) “What conditions led to running from an out-of-home placement? (2) What efforts were made to locate a youth after a running incident? (3) What services were provided to the youth after a running incident? and (4) What programmatic and systemic barriers make it difficult to prevent a run from occurring? In addition to the questions required by statute, the results also provide insight into what happens right before a running incident, the impact of childhood trauma on running behaviors, a lived experience perspective on prevention efforts, and the importance of connectedness for youth in out-of-home placements.”<sup>86</sup>
- Kansas implemented a multi-agency Special Response Team comprised of Department of Children and Families staff and case management employees to find youth who have run from their foster care placement, and to determine root causes of their run behavior to prevent future occurrences.<sup>87</sup>

## SCHOOL ACHIEVEMENT

National research shows that youth in foster care are at higher risk of dropping out of school and are unlikely to attend or graduate from college compared to youth not in foster care. Data shows that foster youth are more likely to experience barriers that lead to negative outcomes including low academic achievement, grade retention and lower high school graduation rates. One study in California found that youth in foster care experience much higher levels of residential and school instability than their peers; 75 percent of youth in foster care made an unscheduled school change in one school year, compared to less than 40 percent for children not in foster care.<sup>88</sup>

Research also shows that youth in group care have more difficulties performing successfully in academic settings and are more likely than youth in a family setting placement to receive special education services. It is also suggested that group care produces negative outcomes for youth, resulting in inadequate education, lack of independent living skills, and intensified behavior concerns.<sup>89</sup> Schools must consider how the group care environment might influence the school environment. Schools must also consider how they can work together with group care placements to ensure that the student can successfully function and excel in both environments.<sup>90</sup> Interventions such as Trauma-Focused Cognitive Behavior Therapy (TF-CBT) and Skills Training in Affective and Interpersonal Regulation for Adolescents (STAIR-A) are two

<sup>85</sup> Preventing Sex Trafficking and Strengthening Families Act (2014, September 29). [H.R.4980 - 113th Congress \(2013-2014\): Preventing Sex Trafficking and Strengthening Families Act | Congress.gov | Library of Congress](#)

<sup>86</sup> Myers, K., Wimmer, L., and Klopfenstein, K. (2023, April 1). University of Denver. *Strengthening Connections: Youth and Provider Perspectives on Youth Running from Out-of-Home Placements*, i. Report Number: 23-05A. [Timothy-Montoya-Report\\_Final\\_033023.pdf \(coloradolab.org\)](#)

<sup>87</sup> Kansas Department for Children and Families. (2022, February). *Prevention and Protection Services Policy and Procedure Manual*, 329. [CFS PPM2 \(ks.gov\)](#)

<sup>88</sup> Frerer, K.; Sosenko, L.D.; Pellegrin, N.; Manchik, V.; & Horowitz, J. (2013). Foster youth stability: A study of California foster youths' school and residential changes in relation to education outcomes. Retrieved from [http://www.iebcnow.org/IEBCPublicFiles/iebc\\_public/67/67e52ff2-4b46-4afa-8133-ba223aa80c33.pdf](#)

<sup>89</sup> Armstrong, K.; Duren Green, T.; Kruger, A. (2020). Educational Outcomes for Foster Youth in Congregate Care: What School Helping Professionals Need to Know. *Journal of Foster Care*. Volume 1. Issue 1.

<sup>90</sup> Ibid.

evidence-based practices that can support youth residing in group care settings to address the underlying issues that affect school achievement.

Further compounding this issue is that in some states, youth in group care facilities are required to attend a charter school or alternative school on the same campus as the group care facility. This can create feelings of isolation from peers and society. Sometimes, these educational programs are not licensed or accredited, which can lead to credits for classes and diplomas not recognized by other high schools or colleges. This issue was a significant challenge in the state of Michigan. In 2022, the Michigan Board of Education adopted a resolution to improve educational opportunity for youth in foster care.<sup>91</sup>

Below are some strategies that jurisdictions have implemented to help support school achievement:

- **New York City:** Invested \$10 million of the city's fiscal year 2020 budget in the rollout of a program called Fair Futures that is designed to provide long-term, comprehensive support for youth in foster care from middle school into adulthood. The program is intended to provide long-term coaching, academic and career development as well as independent living support. In 2022, the program launched a pilot site in Buffalo, NY.<sup>92</sup>
- **California Department of Education:** Established a Community Schools Framework. A community school is an integrated K-12 school model with a focus on academics, health and social services, youth and community development, and community engagement. Some community schools are open all day for up to six days a week, serving as hubs in the community for students and their families to receive education, supports and connections to the larger community. This is particularly relevant for youth in foster care as they continue to navigate multiple systems, such as education settings and human service interventions. This holistic approach to caring for the whole student could provide the stable and integrative support structure that most youth in foster care need.<sup>93</sup>
- **Texas:** Exempts students in foster care from tuition and fees at institutions of postsecondary education for dual credit courses or other courses where students may earn joint high school and college credit. Students in foster care are also required to be notified about this tuition exemption upon transfer from one school to another.<sup>94</sup>
- **Oregon:** Provides financial support to current or former youth in foster care pursuing postsecondary education by waiving tuition and fees. Students may receive the waiver until the student has received four years of undergraduate education, and award amounts may be reduced by other financial aid scholarships and grants that the student receives.<sup>95</sup>
- **Ohio Department of Education and Workforce:** Implemented a comprehensive list of supports and best practices the state to support educational stability of youth in foster care.<sup>96</sup>

## LAW ENFORCEMENT CONTACT

Youth in the foster care system, particularly those placed in group care, are especially vulnerable to crossing into the delinquency system. While the body of research into law enforcement contact and group care is limited, there are some promising practices that are highlighted.

<sup>91</sup> State of Michigan State Board of Education. (2022, December 13). *Resolution to Improve Educational Opportunity for Youth in Foster Care*. [Resolution to Improve Educational Opportunity for Youth in Foster Care \(michigan.gov\)](#)

<sup>92</sup> The Center for Fair Futures. [Model & Outcomes \(fairfuturesny.org\)](#)

<sup>93</sup> California Department of Education. (2024, April 18). *California Community Schools Partnership Program*. [California Community Schools Partnership Program - High School \(CA Dept of Education\)](#)

<sup>94</sup> Texas Department of Family and Protective Services. (n.d.). *State College Tuition Waiver*. [DFPS - State College Tuition Waiver \(texas.gov\)](#)

<sup>95</sup> Foster Youth Tuition & Fee Waiver (HB2095). Frequently Asked Questions. (2013). [Tuition Waiver Process Questions \(oregonstudentaid.gov\)](#)

<sup>96</sup> Ohio Department of Education & Workforce. (2024, May 6). *Ensuring the Educational Stability of Students in Foster Care*. [Ensuring the Educational Stability of Students in Foster Care | Ohio Department of Education](#)

## Community-Based Diversion Programs

In recent years, California recognized there was a problem with group care facilities relying on law enforcement to intervene in behavior management. For instance, California group homes and shelters call law enforcement on vulnerable youth in their care at high rates. In 2016, of the 6,217 non-mandated calls statewide for youth behavior, 60% were for behavioral health emergencies, property damage, substance abuse, and theft. The calls resulted in 435 youth being cited, 527 youth being detained or arrested, and another 319 youth being booked into juvenile hall. In the 2016 annual report on dual status youth in Los Angeles, almost 40% of foster youth who crossed over into the delinquency system were residing in group care at the time of the delinquency referral.<sup>97</sup>

The state's solution was to invest \$7.5 million to develop community-based diversion programs and provide training to group care staff in 50 facilities that make over 100+ calls to law enforcement a year or counties with significant numbers of foster youth who crossover to the delinquency system while residing in group care, and provide training to local law enforcement in those areas.

## Mobile Crisis Response

Another approach is the use of mobile crisis response teams to respond to crisis events. Massachusetts created the Youth Community-Based Mobile Crisis Intervention (YMCI), also known as Mobile Crisis Intervention (MCI). YMCI provides a short-term service that is a mobile, on-site, face-to-face therapeutic response to youth under the age of 21 experiencing a behavioral health crisis and includes follow-up for up to seven days. Services are provided as mobile responses to the client (including private residences, group care programs, and residential settings for youth in the care and custody of the Commonwealth), and via telehealth when requested by the family and clinically appropriate.<sup>98</sup>

In New Jersey, one of the key services of the children's system of care is the Mobile Response and Stabilization Services (MRSS) team, which is available statewide 24 hours a day, seven days a week to respond within one hour of a request for assistance or support. MRSS is open to all children and families in crisis, including birth, kinship, foster, and adoptive families. The mobile response team also can assess whether the youth might need ongoing services and can refer the child to other CSOC-supported services. Based on the success of the MRSS team in stabilizing foster placements, DCF conducted a pilot study to evaluate the impact of providing MRSS to all new foster placements in a local area. The results were promising, and the agency now deploys an MRSS worker to meet with every youth entering foster care or in a new placement, as well as with the youth's resource family, to provide support, mitigate the trauma of placement, and prevent placement disruption.<sup>99</sup>

## CONCLUSION

The information gathered in this report from federal and state regulations and state child welfare policies reviews several states and Washington, D.C policies on group care as it relates to the D.S. Settlement requirements. In addition to these requirements, this report includes best practices on graduation rates, law enforcement requests, and youth abscondence.

<sup>97</sup> A Summary of Findings for the Los Angeles County 241.1 Multidisciplinary Team, Report to the Los Angeles County Board of Supervisors Denise Herz (September 2016) , p. 10.

<sup>98</sup> Massachusetts Behavioral Health Partnership. (2021, November 1). *Performance Specifications*. [EMERGENCY SERVICE PROGRAMS \(mass.gov\)](#)

<sup>99</sup> State of New Jersey Department of Children and Families. (n.d.). *Mobile Response and Stabilization Service Project*. [State of New Jersey | Department of Children and Families | Mobile Response and Stabilization Service Project \(nj.gov\)](#)