Youth Homelessness in the Era of Extended Foster Care

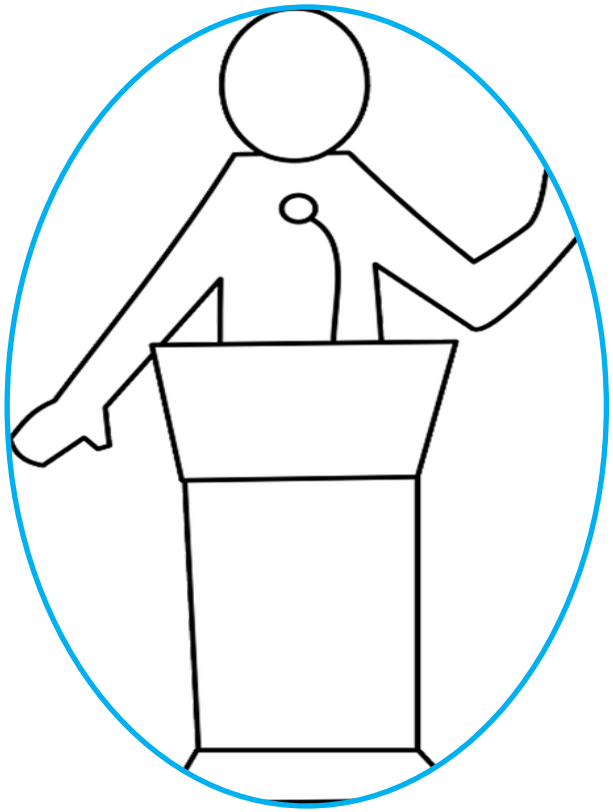
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Today's Speakers

- Brian Blalock, Tipping Point Community
- Reed Connell, Social Change Partners
- Erin Palacios, Bay Area Legal Aid



Logistics

- Webinar will be recorded and archived at www.stepupforkin.org/trainings
- All attendees will be on mute – type any questions you have into the chat box or if you experience technical difficulties email Adina Kuncz at a.kuncz@kids-alliance.org
- A certificate of participation will be posted online after the webinar at www.stepupforkin.org/trainings
- We will be answering your questions – please submit questions using the “questions” function on your GotoWebinar dashboard

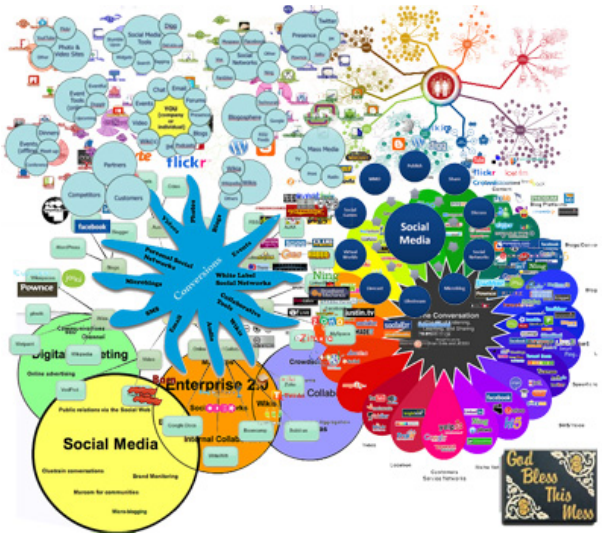
Today's Agenda



- How do kids become homeless?
- Who are we talking about?
- How to build a civil legal services program to work with homeless youth?
    - Overview of intake, clinics, partnerships and collaborations, strength based, client centered, LISTEN
- What does it mean to be a zealous advocate for a youth who is homeless?
- What does it mean to practice law for youth who are homeless?
- Policy solutions for youth homelessness.

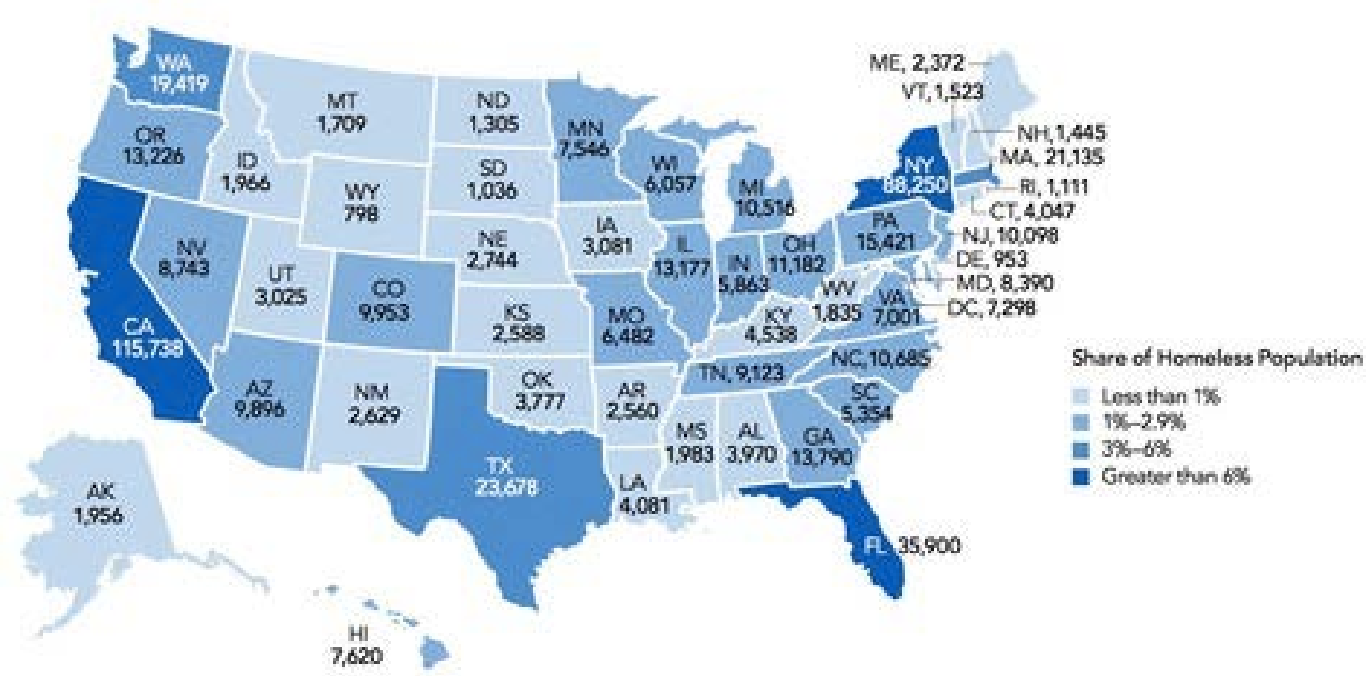
Robert Horn's Social Mess

- No unique "correct" view of the problem;
- Different views of the problem and contradictory solutions;
- Most problems are connected to other problems;
- Data are often uncertain or missing;
- Multiple value conflicts;
- Ideological and cultural constraints;
- Political constraints + economic constraints;
- Often a-logical or illogical or multi-valued thinking;
- Numerous possible intervention points;
- Consequences difficult to imagine;
- Considerable uncertainty, ambiguity;
- Great resistance to change; and,
- Problem solver(s) out of contact with the problems and potential solutions.



California Youth Homeless Numbers

- 10,416 homeless unaccompanied youth on a single night
  - 28% of the national total
  - New York is second with 2,626 youth
- 76% of homeless youth in CA are unsheltered



2015 Annual Homeless Assessment Report (AHAR) to Congress (2015)

Running Away from What?

“Runaway” should be a value neutral term. The follow up question should always be running away from **what?**

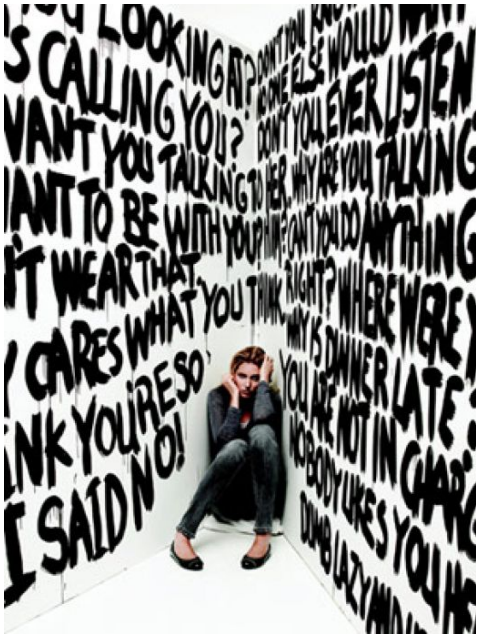


Running Away from What?

National estimates are that 1.6 million children and youth (12-17) experience homelessness without a parent or guardian.

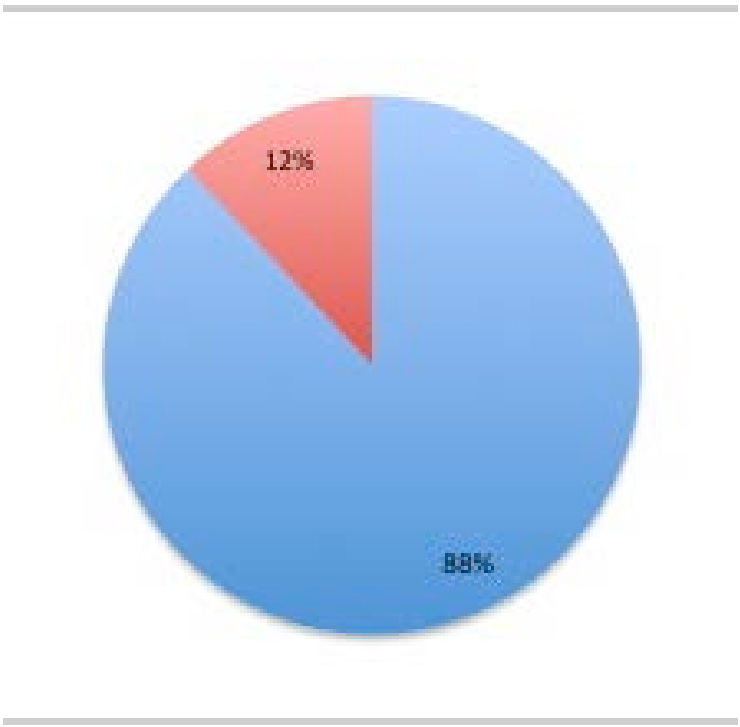
- 43% report being beaten by a caregiver
- 25% have had caregivers request sexual activity
- 20% had conflicts with parents around sexual orientation which caused them to leave

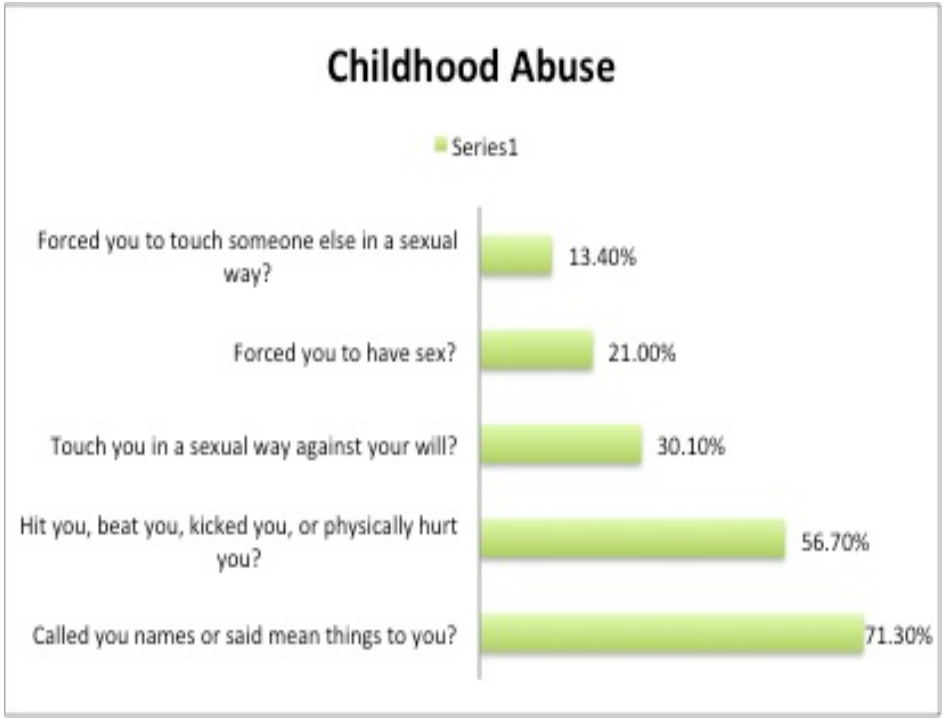
- **In the San Francisco Bay area:**
  - 43% report neglect
  - 37% report domestic violence in the home
  - 15% report physical or sexual abuse
  - 86% report “problematic dynamics”



Fleeing Abuse

88% of Homeless Youth Report Experiencing Physical, Emotional and Sexual Abuse Prior to Becoming Homeless





Drawing a Picture of Homeless Youth

San Francisco Demographics	***22%*** *of the total homeless population*[1] ***93%*** *unsheltered and* ***42%*** *homeless for one or more years*[3] ***48%*** *identify as LGBTQ*[3]
The safety and well-being of homeless youth is compromised	***43%*** *assaulted or attacked in the last year*[3] ***83%*** *chance of exposure to a violent event while homeless*[4*] ***40%*** *of all sexually exploited*[5] *youth exploited first time when looking for a safe place to sleep*[2*]
Many homeless youth experienced abuse prior to homelessness	***37%*** *report emotional abuse and* ***22%*** *report physical abuse prior to becoming homeless*[3] ***88%*** *report experiencing physical, emotional or sexual abuse prior to becoming homeless*[4*] ***43%*** *of LGBT youth report becoming homeless after disclosing sexual orientation or gender identity and being kicked out*[4*]
The need for focused services	***39%*** *report not using any government assistance*[3] *Homeless youth are* ***5x*** *more likely than peers to become homeless adults*[4*]

1. HUD PIT Count 2015 2. Data from West Coast Children's Clinic 3. ASR PIT self-reported survey data 2015, n=171 4. Administration for Children and Families, Family and Youth Services Bureau, Street Outreach Program. April 2016 5. HUD PIT 2015 6. The Roadmap. Coalition on Homelessness. June 2015. 5. Those that are Commercial Sexual Exploitation of Children youth.
Note: Slide shows both San Francisco and National statistics. National statistics are indicated by an asterisk.

Correlation between interaction with child welfare and homelessness

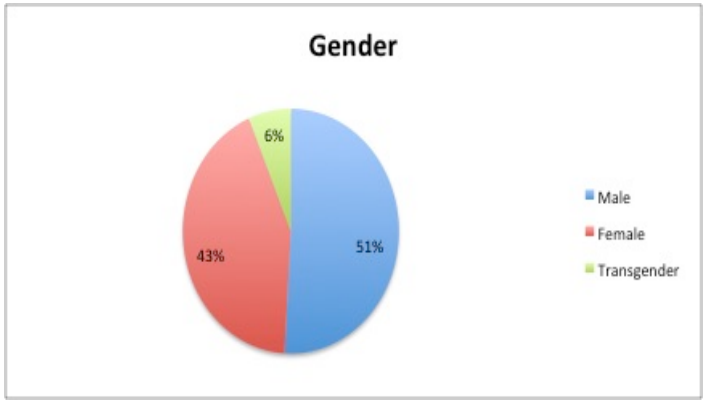
SF homeless youth (18-24) had been reported to child welfare services as minors...	...for childhood maltreatment: 55% ...for neglect 41% ...for physical abuse: 32% ...for sexual abuse: 18%[3]
Homeless with history of foster care or delinquency involvement	**1 in 4** U.S. foster youth will be homeless within 4yrs of exiting the system[1] **27%** of SF homeless youth report a history of foster care, and **33%** report a history of juvenile delinquency system involvement[2] Nationally, almost **40%** of homeless youth report a history of foster care[6]
Criminal justice and Child Welfare interaction	**28%** of CA prisoners under 30yrs had a Child Welfare case or placement history[4] **80%** of Midwestern young men in foster care were arrested by age 24 (**60%** convicted)[5]

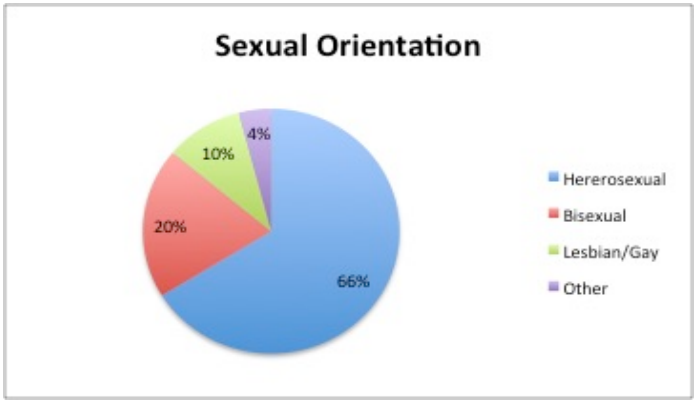


1. US Interagency Council on Homelessness (2012) 2. 2015 San Francisco PIT Survey data 3. Children's Data Network report: "A Retrospective Examination of Child Protection Involvement among Young Adults Receiving Homeless Services, quoted with permission from Bridgette Levy, SF HSA, data from '11-14, of youth 18-24 who received homeless services in SF county. 4. CA Dept of Social Services "CA State Prison-Child Welfare Data Linkage Study" 2014. 5. NPR "Foster Kids Face Tough Times After Age 18" 2010. 6. Administration for Children and Families, Family and Youth Services Bureau, Street Outreach Program. April 2016.

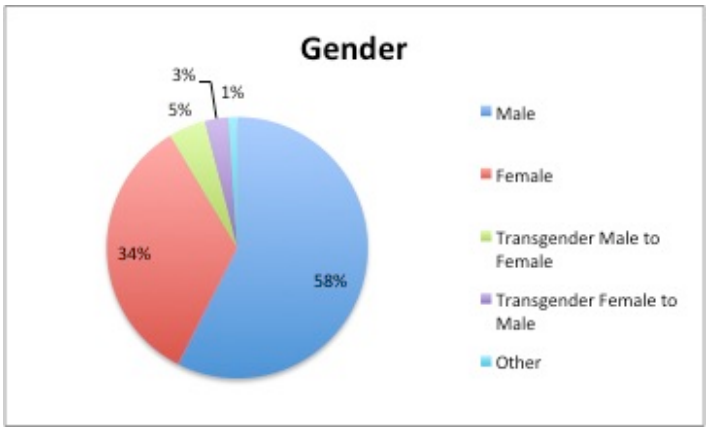
Gender and Orientation

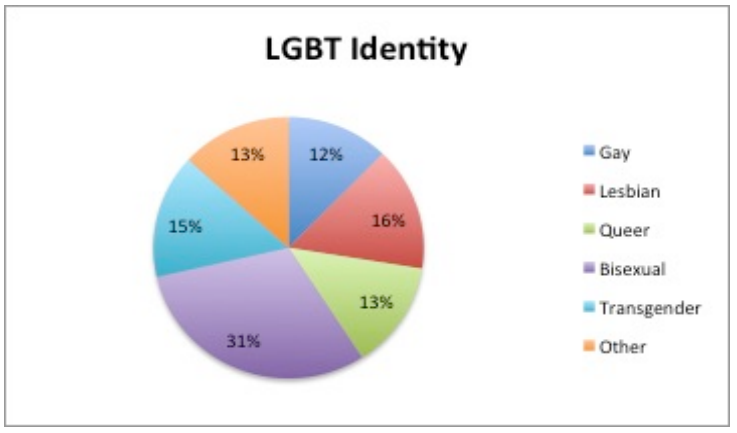
Nationally





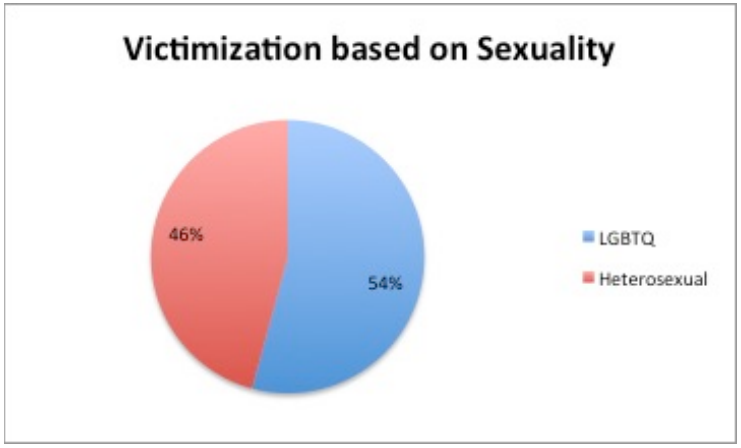
San Francisco

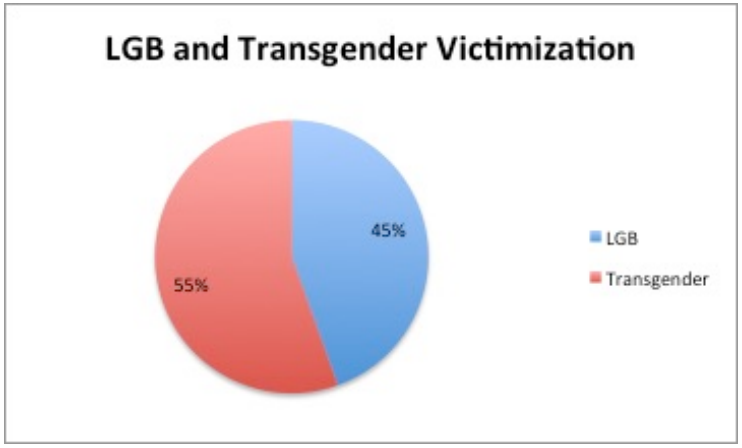




Victimization Based on Gender and Sexual Orientation



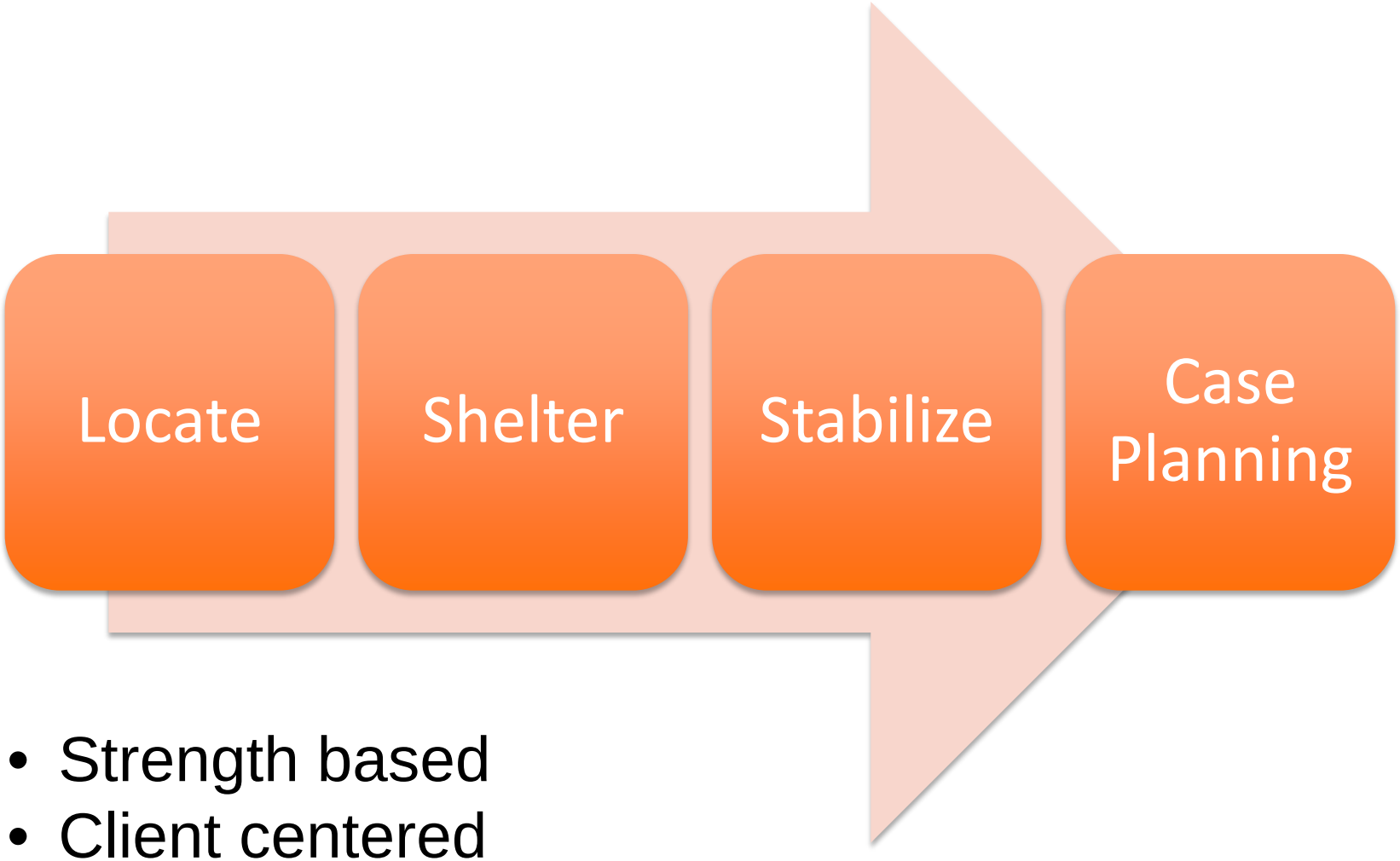




Best Practices in Working with Homeless Youth

- Meeting youth where they are
- Develop access points
- Build a net of referral sources – homeless shelters, probation officers, mental health clinicians, case managers, school security officers, McKinny-Vento liaisons
- Build the eyes and arms of the system – community trainings with government agencies, court appointed attorneys, youth centers, youth providers.





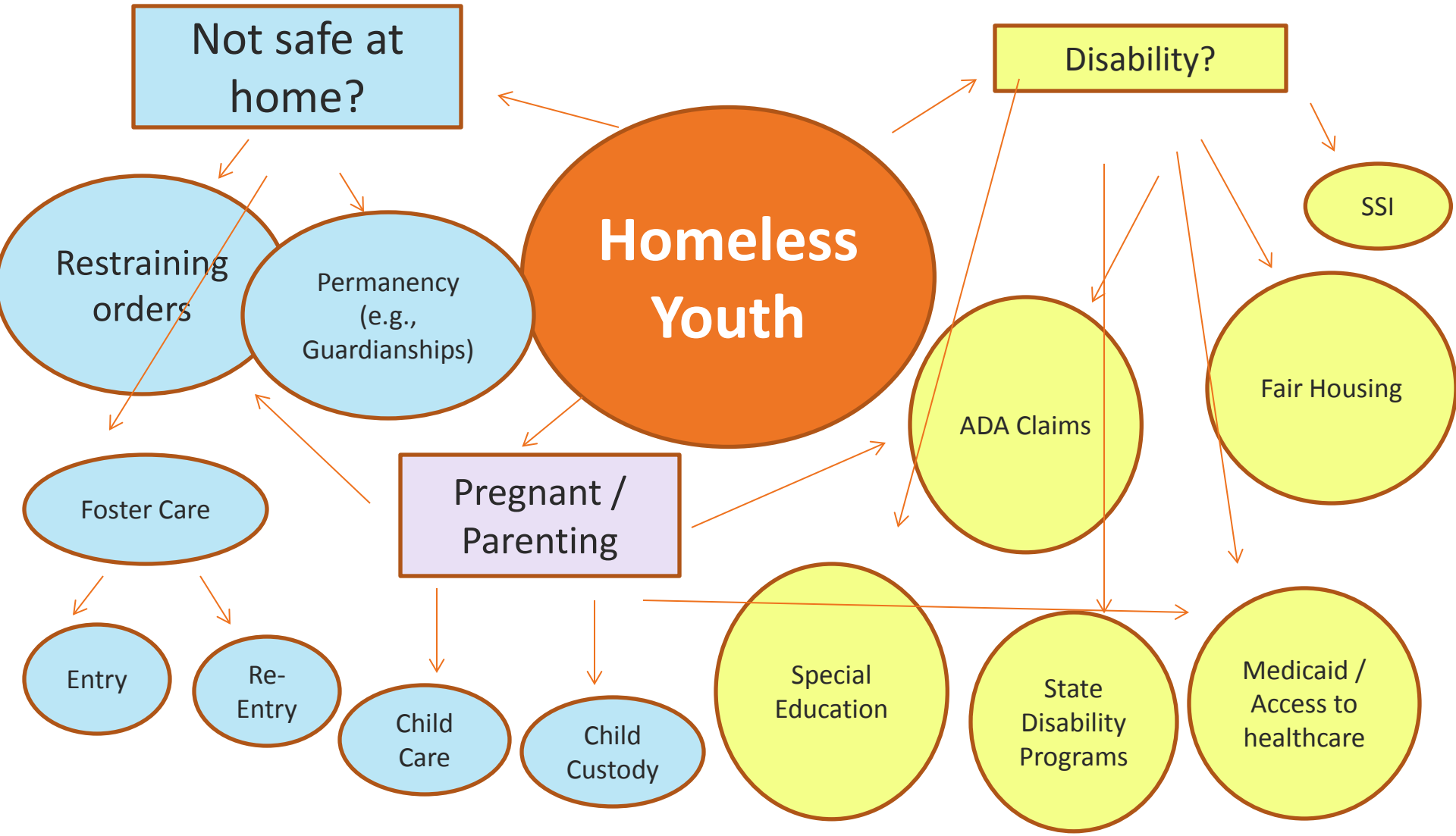
- Strength based
- Client centered
- Active listening

What is Homeless Youth Law Anyway?

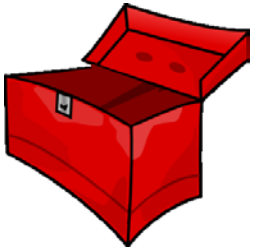



Not Safe at Home
Probation Involvement
Trauma
Disability
Pregnant / Parenting
LGBTQ
CSEC
Homeless Youth Attributes

Homeless Youth Law



Civil Legal Services – Adding a tool to the toolbox



- **Foster Care –** Reentry for NMDs, reconnection to foster care, assistance with initial entry, administrative/ benefits work to stabilize placements
- **Health Access –** Assist youth by removing barriers to healthcare coverage due to wrongful coverage suspension, termination, or denial
- **Supplemental Security Income (SSI)** – Prepare and submit SSI applications and handle appeals for denied applications.
- **Education** – Advocate for youth who are inappropriately disenrolled from their local school or placed in self-study programs, in need of an initial special education assessment, or lacking an appropriate and current Individualized Education Program (IEP).

Civil Legal Services Toolbox (con't)

- **Housing** – Habitability claims with local housing agencies to remedy substandard housing conditions, fair housing enforcement, unlawful detainers (eviction)
- **Immigration –** SIJS, U-Visas, T-Visas, VAWA
- **Family Law –** Restraining orders, custody, & child support for survivors of domestic violence
- **Economic Safety Net Benefits –** TANF, food stamps, GA, SSDI, Cash Aid, Refugee Assistance, and administrative appeals
- **Consumer Law –** Debtor's rights and fair credit reporting work
- **Employment –** Civil legal advocacy to remove barriers to employment including criminal record sealing and expungement, driver's license suspensions and traffic/ parking ticket amnesty applications

Disability



- **SSI**
  - Benefit for youth and adults with a disability who meets income and other requirements
  - To appeal: federal administrative hearing process
- **Special Education**
  - Benefit for youth up to age 22 with a disability that prevents her from benefiting from her education
  - To appeal: federal administrative hearing process

Medicaid and EPSDT Mental Health

- Medicaid / EPSDT services can provide important mental health services for youth in both informal and formal care
  - System of Care – child focused, family driven, and community based
  - Wraparound services, such as: in-home therapy, respite for kin caregivers, in-home crisis intervention, and mentors.



What Happens When There are NO Community Based Mental Health Services?

- **Comprehensive Federal Entitlement for Youth:** EPSDT services include: “such other necessary health care, diagnostic services, treatment, and other measures … to correct or ameliorate defects and physical and mental illnesses and conditions …
- *Katie A. v. Bonta* – federal class action lawsuit filed on behalf of California foster youth and children at risk of out-of-home placement
  - Settlement provides Intensive Home-Based Services and Intensive Care Coordination to eligible children under Medicaid in CA.

Not Safe to Go Home



Abuser in the home?

- Civil restraining order
- Permanency with relative or non-relative caregiver
  - May come with additional benefits but probably not
- Foster care
  - May come with many supports but also may be most fraught
  - Almost always option of last resort
  - Legal process: advocacy directly with the Child Welfare Department
    - Some states have a court process in which the child or other interested party may file directly with the court.

Homeless Youth Demonstration Project

a partnership between:







And in collaboration with Alameda County's Health Care Services, Juvenile Probation, and Social Services Departments

Alameda County Homeless Youth Demonstration Project

- Began as a partnership between Bay Area Legal Aid, DreamCatcher's Youth Shelter, and the Foster Youth Alliance
- One of the project's most successful components was the establishment of a weekly civil legal clinic on-site at the youth shelter
- To date the project has provided civil legal services to over 300 youth on more than 450 separate legal matters
- Building on the success of the project in Alameda County, Bay Legal expanded its homeless youth advocacy and now serves clients in the counties of Contra Costa, San Mateo, Santa Clara, San Francisco, and Sonoma



Project History (cont.)

- DreamCatcher “held” the understanding of the interaction between the shelter and the foster care system
- Project designed to integrate legal representation with HY services and leverage every available resource to transition them from homelessness
- Premise: AB12 can transform our systems response to youth homelessness



Project Methodology

- Emergency Safety Planning
- DreamCatcher or other provider
- Case Planning
- Stability / Reunification
- Permanency
- Foster Care



Experiences and Needs of Project Youth

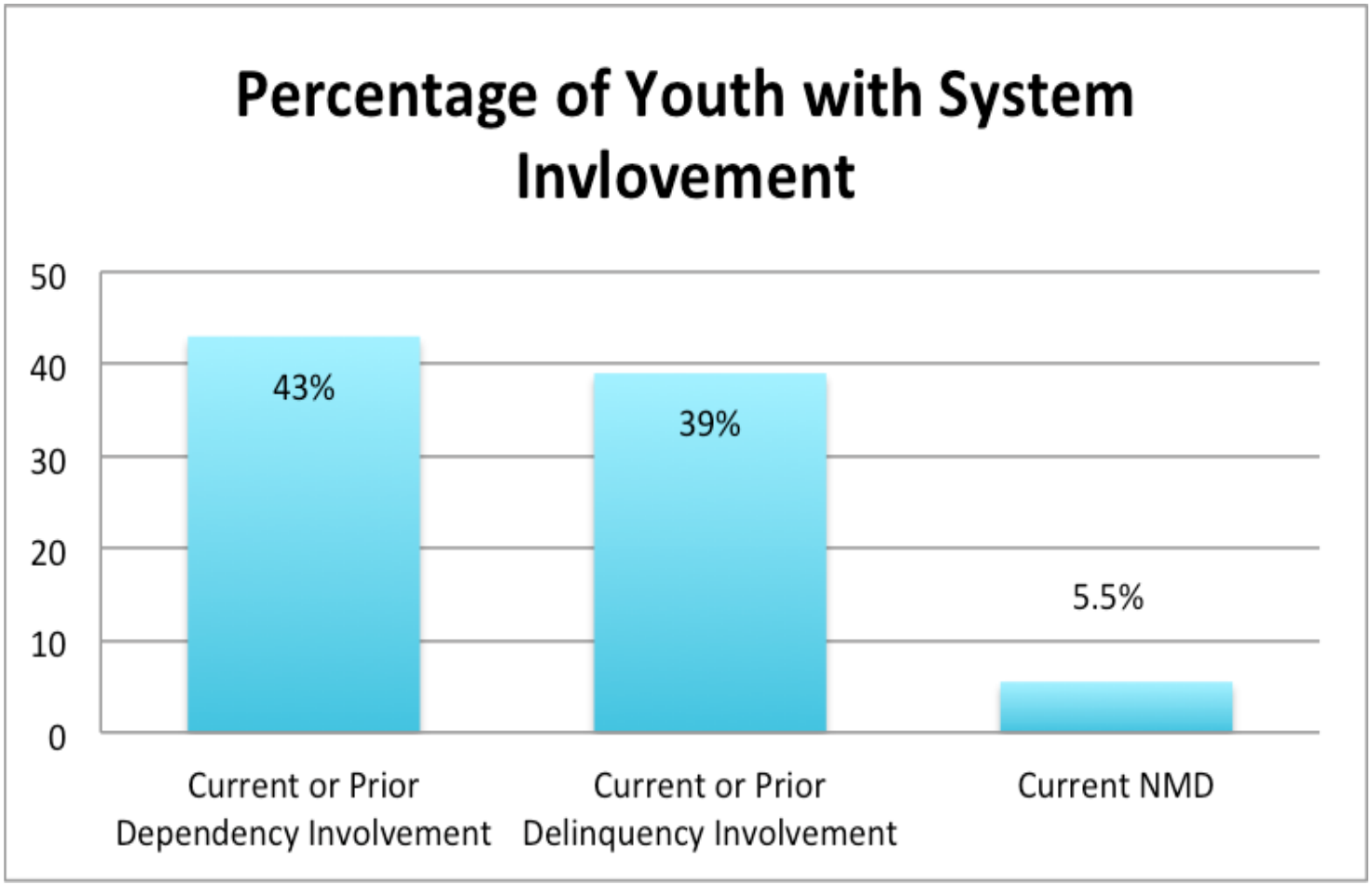
- Over 440 youth served from 7/1/11 – 6/30/14
- All youth homeless or at extreme risk of homelessness
- Disruptions in the family home (youth self-reporting):
  - 95% unemployment
  - 86% “problematic dynamics”
  - 37% domestic violence
  - 29% substance abuse
  - 43% neglect
  - 14% physical/sexual abuse
  - 7% conflict arising from sexual identity



Experiences and Needs of Project Youth

- Almost no youth had employment income
- Very low rates of educational participation and attainment
- 40% of girls Sexually Exploited Minors (SEMs)
- 50% of all youth with DSM diagnosis
- Shelter staff report high rates of substance abuse and unmet mental health needs

Project Eligible Youth with System Involvement

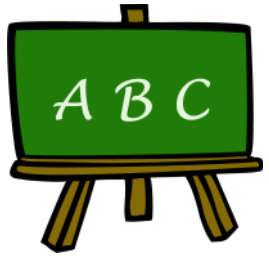


Outcomes of Legal Representation: Equitable Access to AB12 Benefits

- Project collaboration with Probation
- Joint planning on AB12 implementation
- Fifteen trainings specifically for juvenile justice staff throughout the Bay area
- Partnership with Probation has led to better utilization of less restrictive placements for older 602 foster youth (e.g., THPP, THP+FC, SILPs) and the development of protocols to increase permanency and access to other foster youth protections



Lessons Learned



- Youth agency – how to build youth voice into the processes in order to better serve youth
- CPS procedures for older youth
- Foster care specific protocols for delinquency involved youth
- Existing federal and state funding streams are often underutilized and can be made available to help these youth

The Value of Youth Advocacy – Bay Area Youth Homeless Legal Project

- Youth served from 7/1/11 – 1/30/16
- **447** youth aged 13-21 provided legal representation on **665** separate legal matters.
- Recovered over **$7 million** in entitlements with **the vast majority** coming from federal funding streams.
- Helped youth obtain housing, disability benefits, food, and safety

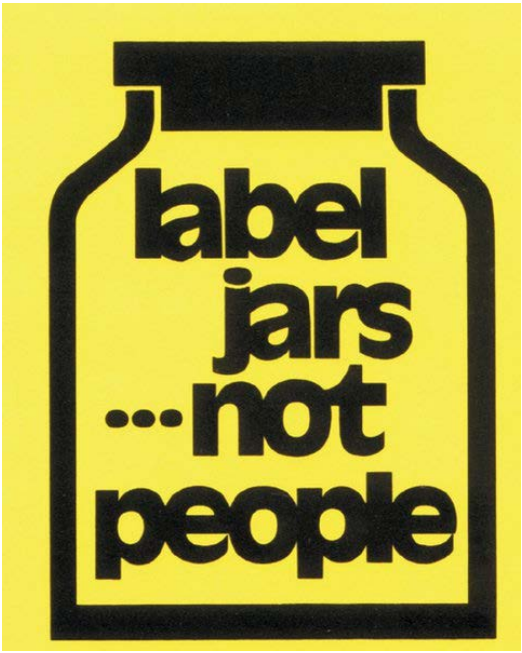


Systemic Issues When Working with Youth



Identification versus Labeling

- Important to find and support
- Important NOT to label
- CPS and Probation protocols for crossover youth
- Following youth – not all TAY make good decisions the first time
- Collaboration among systems partners is vital.



Ignoring Youth's Voice

- Youth may be silenced or have their voice minimized
- Youth are in the best position to know what they need.



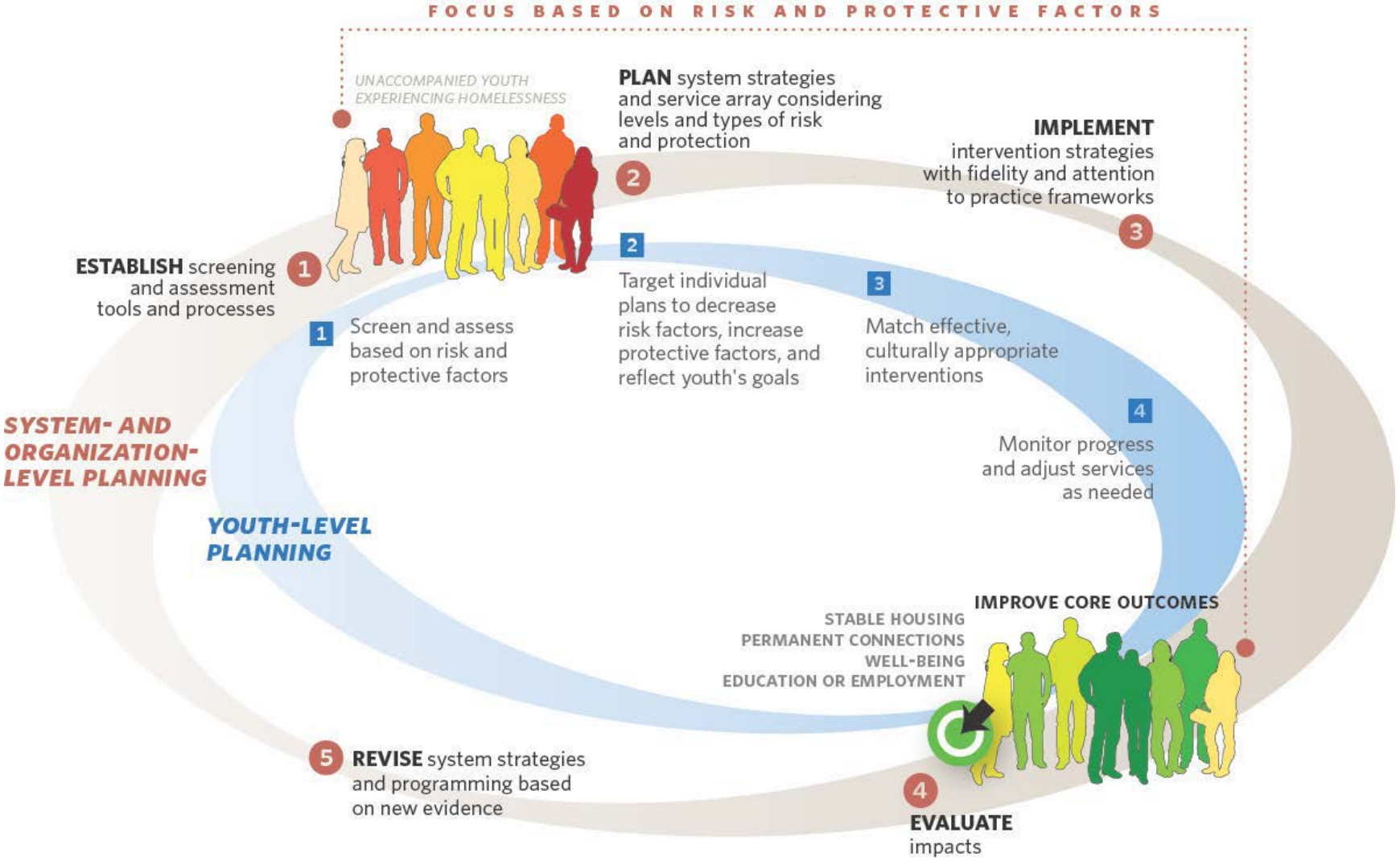
Proposed Policy Solutions for Homeless Youth



Federal Goal to End Youth Homelessness by 2020

- What is the definition of ending homelessness?
- Rare, brief, one-time
- Core Outcomes
- Stable housing
- Permanent connections
- Education Employment
- Social-emotional well-being
- Strategies at the Federal Level
- Improving data
- Increasing capacity to deliver effective services
- Coordinated Entry Requirement

USICH Unaccompanied Youth Intervention Model



Framework to End Youth Homelessness: A Resource Text for Dialogue and Action
https://www.usich.gov/resources/uploads/asset_library/USICH_Youth_Framework__FINAL_02_13_131.pdf

Coordinated Entry Systems (CES)



- HUD funded Continuums of Care must “establish and operate either a centralized or coordinated entry system that provides an initial, comprehensive assessment of the needs of individuals and families for housing and services.” 24 CFR § 578.7 (a)(8).
- Defined as a “process designed to coordinate program participant intake assessment and provision of referrals…” 24 CFR 578.3
- 2012 Opening Doors amendment

Collaboration & Interaction with Child Welfare Systems

- Prevention & Early Identification
- High percentage of homeless youth have been the subject of at least one child welfare allegation
- Coordinated Entry and Assessment
- Immediate assessment and provision of services to unaccompanied minors reporting abuse, abandonment or neglect
- Identification of TAY eligible to receive extended foster care supports and services or other foster care related benefits
- Services & Housing Solutions
- Utilize foster care placement options for eligible and interested TAY youth
- Partner with homeless services to provide related services to former foster youth



Prevention & Early Intervention

- Older adolescents have a more difficult time accessing foster care
- Characterized as willful, uncooperative, or as “runaways”
- Told that child welfare is powerless to act unless parent relinquishes rights
- Youth who are trying to enter foster care are viewed with suspicion as trying to take advantage of “benefits”
- New Opportunities
- Partnerships with McKinney-Vento liaisons
- Relationships with drop in centers for youth



Coordinated Entry & Assessment

- Child welfare refuses to investigate because “safe” at homeless shelter
- Youth may also be denied access to emergency benefits
- After reports are made to child welfare, youth remain at shelters for long periods of time without speaking to a social worker
- Shelter staff become frustrated and discouraged with the child welfare system and make fewer reports based on a belief that nothing will result from their efforts
- New Opportunities
  - Partner with CoC at the coordinate entry points
  - Dedicated child welfare liaison for youth homeless providers
  - Screen youth seeking homeless services for extended foster care eligibility
  - Streamline the process for unaccompanied minors seeking homeless services to receive a child welfare investigation in order to reduce the number of days any minor spends alone in a shelter, on the street, couch surfing, or with strangers because of abuse, abandonment or neglect



Services & Housing Solutions

- Youth eligible for extended foster care are spending long periods time homeless and in shelters
- Failure to help youth optimize their housing benefits and plans
- Many youth struggle despite the availability of services, benefits or supports
- New Opportunities
  - Reduce the number of TAY requiring shelter beds through appropriate and robust use of extended foster care options
  - Create opportunities for eligible youth to easily and quickly move out of shelters and into appropriate foster care placements
  - Utilize the lessons and findings of homeless youth providers to develop foster care housing models that will better support the population
  - Assist eligible youth to better understand and take advantage of foster care related benefits and services even if they do not choose to remain in extended foster care
  - Partner with homeless youth providers and other youth serving agencies to create emergency housing solutions for homeless foster youth and former foster youth who wish to reenter care

SSI Trusts

County and/or State protocols to locate, screen, and assist with applications for SSI benefits.

- E.g.: California's AB 1331 requirements for foster and probation youth.
- Some current pilots have found this work to be cost neutral or cost positive for local government
- Success is often greater when local government contracts this work out to legal organizations.

Immediate Access to Emergency Benefits

Make survival benefits available to homeless youth without requiring onerous application processes or parental consent



- Benefits applications may be delayed by duplicate cases in the database or by lack of training.
- When youth are not able to access survival benefits, they may be pushed into alternative economies.
- Legal advocacy: state administrative hearing process to contest delay or denial in benefits.

Child Welfare Front Door Policies

Create no-wrong-door protocols adopting a stabilize, permanency, and foster care framework.

- Investigations should be immediate for unaccompanied youth with no parent or guardian support.
- Legal advocacy: advocacy with child welfare departments or file petitions directly in juvenile court if allowed.



Appropriately Implement Extended Foster Care to Prevent Homelessness

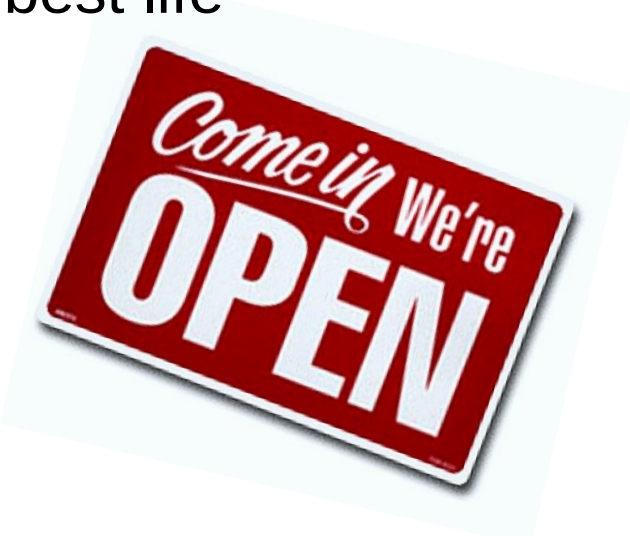
- Youth who are eligible for extended foster care are eligible for housing until 21.
  - Housing options may include apartments or rental stipends provided directly to the youth paid through AFDC-FC (foster care) benefits.
  - Older youth who are otherwise eligible for foster care because of abuse or neglect need to be in foster care on their 18th birthday to be eligible for extended foster care.

Extended Foster Care

- Youth in extended foster care may also be eligible for
  - Medicaid until 26 regardless of income or assets (state option under the Affordable Care Act)
  - Other housing programs until 24 or 25
  - CHAFEE and ILP benefits
- Youth who are experiencing abuse and/or neglect before 18 but who are not in foster care at 18 receive none of these benefits.

Extended Foster Care Best Practices

- Re-entries after 18
  - Some jurisdictions allow for multiple re-entries back into foster care between 18 and 21 if the youth is otherwise eligible for extended foster care.
  - This is an important safety valve for 18-21 years olds who may not make the best life decision the first time.



Extended Foster Care for Youth

Youth must meet one of five participation conditions:

1. Completing secondary education or a program leading to an equivalent credential;

2. Enrolled in an institution which provides postsecondary or vocational education;

3. Participating in a program or activity designed to promote, or remove barriers to, employment;

4. Employed for at least 80 hours per month;

Extended Foster Care for Youth with Disabilities

Reasonable accommodation process embedded in extended foster care:

5. “Incapable of doing any of the activities described in subclauses (I) through (IV) due to a medical condition, which incapability is supported by regularly updated information in the case plan of the child”

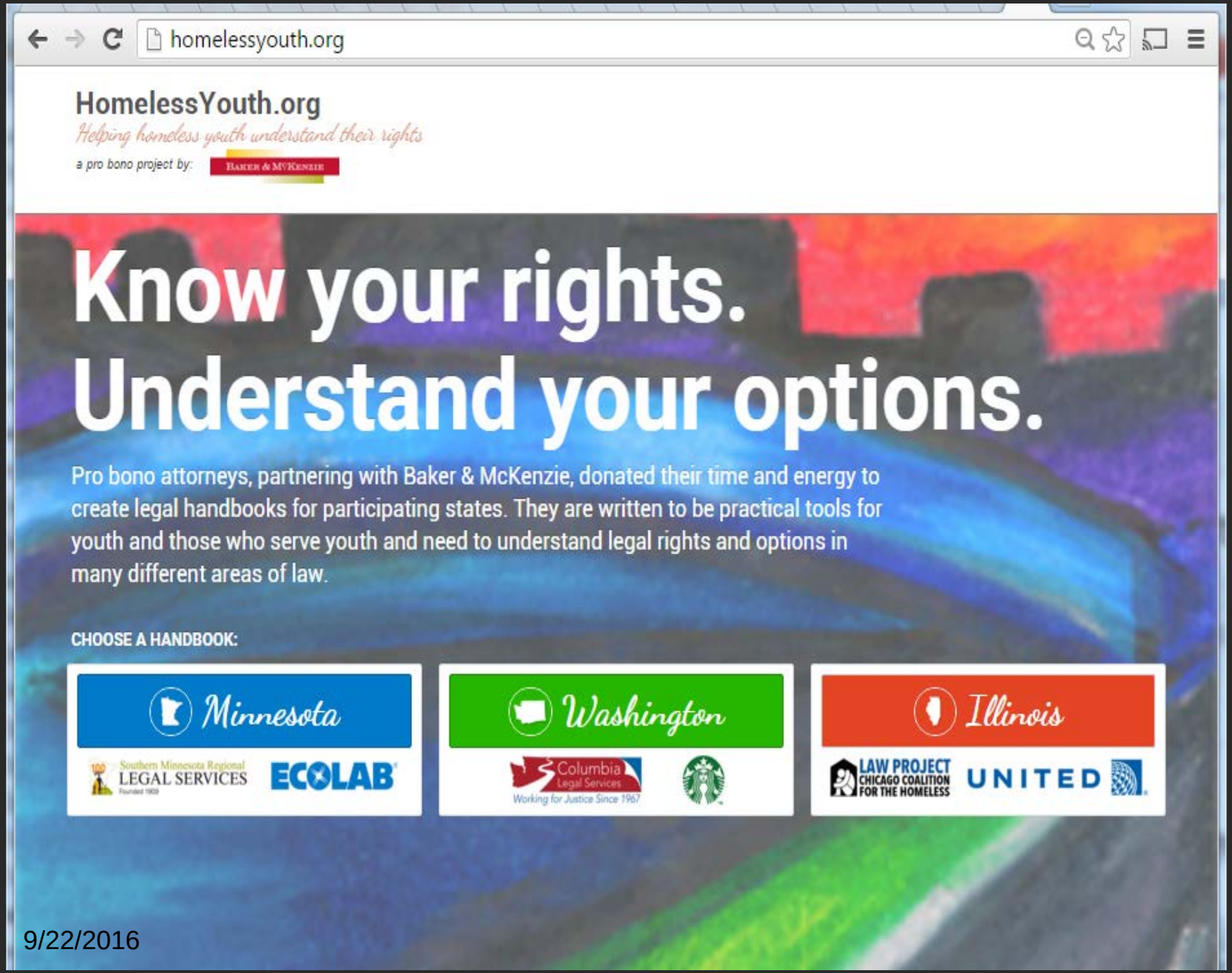
This is an important safety valve allowing youth with disabilities (and local government) to access needed resources and funding for housing and services until 21.

Access to Community Based Mental Health Services

Mental health services should be available in the community and in places where homeless youth can access them.

- Legal advocacy – individual Medicaid cases, consider larger litigation under EPSDT




homelessyouth.org
HomelessYouth.org
Helping homeless youth understand their rights
a pro bono project by: Baker & McKenzie
Know your rights.
Understand your options.
Pro bono attorneys, partnering with Baker & McKenzie, donated their time and energy to create legal handbooks for participating states. They are written to be practical tools for youth and those who serve youth and need to understand legal rights and options in many different areas of law.
CHOOSE A HANDBOOK:
Minnesota
Southern Minnesota Regional LEGAL SERVICES
ECOLAB
Washington
Columbia Legal Services
Working for Justice Since 1967
Illinois
LAW PROJECT CHICAGO COALITION FOR THE HOMELESS
UNITED

Themes for Policy Development

- HYDP data indicates the very significant overlap between the Child Welfare and Homeless Youth populations.
- Federal policy and State choices can maximize resources available to move youth out of homelessness.
- Some policy reforms currently under consideration aren't well-aligned with the needs of homeless youth and the successes of extended foster care.
- Any successful strategy will be build on youth voice.



EFC Policy Implementation That Works for Homeless Youth:

- Opt out System, not Opt In
- Easy reentry
- Incorporate reasonable accommodation process in EFC
- THP-Plus FC: Federal Funding for Guaranteed Housing to age 21
- Thoughtful utilization of Supervised Independent Living
- Leveraging EPSDT to support community placements

Current Policy Trends

- Goals of caseload reduction and deinstitutionalization drive current policy reform efforts.
  - Family First Prevention Services Act
  - California's Continuum of Care Reform
- Philosophical Debates and Political Constraints.
  - Fiscal Incentives
  - Cost neutrality pits "Prevention" against a continuum



Goals for Federal Policy for Homeless Foster Youth

Address the structural problems that constrain states' ability to innovate

- Build supports for youth with complex needs
- Raise the bar for the data and evidence base
- Encourage innovation
- Incentivize collaboration across systems



Child Welfare Financing Reform: The Limits of Flexibility and the Need for New Resources



ALLIANCE for CHILDREN'S RIGHTS

CH1LDREN NOW

Public Counsel

SCP

SHARING & QUESTIONS?

