



State Custody Issue

The Advocate

Vol. 10 No. 3

A newsletter on children's issues

September 2000

Most Children Doing All Right in State Custody

The state of Tennessee cared for 11,800 children last year. Often failed and betrayed by their families, these children depend upon the state, contract agencies, foster parents, teachers, and others to provide for their daily needs and prepare them for the future. The care provided by the state also contributes to the future of the state because successful outcomes for the children mean they will be able to contribute to, rather than depend on, the state's communities and economy.

Critics of the nation's foster care system point to studies that show that as many as 30 to 40 percent of homeless young adults had been in foster care as children. A Wisconsin study of dependent and neglected children who had been in foster care found that 12 to 18 months after leaving state custody, 37 percent of the young adults had not yet completed high school, and 19 percent of the females had given birth. Twelve percent of the group had been homeless since leaving foster care, and 22 percent had moved four or more times. Only 61 percent of the group was employed.

Although research on long-term outcomes of foster and out-of-home care have been handicapped because of small sample sizes and high dropout rates, the studies present a picture for concern. "The findings of most of the studies providing this information suggest that children enter out-of-home care behind in their

Children in State Custody in Tennessee

- Overwhelmingly children in custody were in a positive status (87 percent).
- Improvements have been made in addressing the emotional well-being of children in custody (90 percent adequate).
- The physical well-being of children was adequately addressed at the time of the review (98 percent).
- Most children were placed with adequate caregivers (96 percent).
- Most children were in the least restrictive, most appropriate placement to meet their needs (93 percent).
- Most children were in stable placements, not likely to disrupt (93 percent).
- For most children, the system had identified an appropriate permanent goal (89 percent).

CPORT REPORT

CPORT Process

The Tennessee Commission on Children and Youth conducts a yearly external review of children in state custody. Since 1994, TCCY has evaluated a statistically significant sample of children in state care. This study is authorized by state law. The evaluation process pulls together information from all people

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Process

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involved in the case, including children and parents. The structured interviews are conducted in each of the 12 Tennessee Department of Children's Services regions.

The evaluation rates the status of the individual child and system functioning. For the overall status of the child to be rated as positive, the review must find that the child is safe, is having emotional and physical well-being needs met, and is being cared for by an caregiver who is capable of meeting the child's needs. The reviews also evaluate the status of the system as it affects the children.

During the calendar year 1999, the Tennessee Commission on Children and Youth's Children's Program Outcome Review Team program intensively reviewed 583 cases. The state sample of 348 is the number needed to assure that results from the sample reviewed could be assumed to describe the entire population of children in care with a 95 percent certainty or confidence level. The other 235 cases reviewed were made to provide regional validity of the results at the 85 percent confidence level in each of the Tennessee Department of Children's Services 12 regions.

Status of Child/Family is determined based on the following categories. The child must be functioning adequately on the first four categories for the child's overall status to be considered positive.

1. Safety*
2. Emotional Well-being*
3. Physical Well-being*
4. Caregiver Functioning*
5. Stable Home
6. Permanence
7. Appropriateness of Placement
8. Educational Progress
9. Family Unification
10. Independent Living
11. Child Satisfaction
12. Family Satisfaction
13. Overall Status

Service System Functioning is determined based on the following categories. The system must be functioning adequately on the first eight categories for the system's overall status to be considered positive.

1. Assessment*

Critical Issues: Risk Factors for Custody

- ◆ 64 percent of the children had parents with substance abuse issues.
- ◆ 63 percent of the children had little or no relationship with their fathers.
- ◆ 55 percent of the children reviewed had parents who were or had been incarcerated.
- ◆ 42 percent of the children were from homes below poverty level.
- ◆ 29 percent of the children had experienced domestic violence in the home.
- ◆ 1 in 4 children had been allegedly sexually (26 percent) or physically (25 percent) abused.

CPORT 1999 REPORT

2. Long-term View*
3. Child Participation*
4. Family Participation*
5. Service Plan Design*
6. Service Plan Implementation*
7. Service Coordination*
8. Monitoring/Change*
9. Advocacy
10. Early Child and Family Intervention
11. Home and Community Resources
12. Placement Resources
13. Supportive Interventions to Achieve Goal
14. Urgency Response
15. Progress Achieved-Child
16. Progress Achieved-Family
17. Overall Adequacy

Resources

Child Welfare: Complex Needs Strain Capacity to Provide Services (Letter Report, 09/26/95, GAO/HEHS-95-208), General Accounting Office.

Foster Care: Parental Drug Abuse Has Alarming Impact on Young Children (Letter Report, 04/04/94, GAO/HEHS-94-89).

(GAO reports available at www.access.gpo.gov).

Bureau of Justice Statistics Special Report: Incarcerated Parents and Their Children, August 2000, NCJ 182335 (available at www.ojp.usdoj.gov/bjs/).

Administration for Children and Families, 70 L'Enfant Promenade S.W., Washington, DC 20447

Foster Youth Transitions to Adulthood, University of Wisconsin-Madison, July/August 1998.

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educational achievement and do not catch up while in care,” according to a Child Welfare League report.

Critics cite reports in other states that from 60 percent to 75 percent of young people in the state’s justice system were once in foster care; other studies put the figure at from 25 to 40 percent. This underscores both the need to keep improving foster care services and the similarities between children in the foster care and juvenile justice systems.

Federal legislation was passed in 1999 to provide assistance to those aging out of the system to help improve their short- and long-term outcomes.

Children in state custody have been confronted with severe disruptions. Nearly 64 percent of the children whose cases were reviewed in the Tennessee CPORT process had families with substance abuse issues. U.S. General Accounting Office (GAO) reports found that the number of children in foster care rose dramatically from the mid-1980 to the mid-1990s. A GAO study from the early 1990s found that more of the children entering foster care were arriving with problems caused by prenatal drug exposure. The report called for increased funding for drug treatment.

Nearly two-thirds of the children in the Tennessee CPORT evaluation had little or no relationship with their fathers; nearly three-fourths of all children younger than age six and three-fourths of African-American children had no relationship with their fathers. Children who grow up without their fathers may be more likely to be poor. Some studies have found that the presence of fathers also assists children in achieving appropriate gender-role identification and improved cognitive functioning.

Forty-four percent of the children in the Tennessee CPORT evaluation lived in families headed by single mothers prior to entering care. During the 1990s, the

Strengths Identified Statewide

- Most children were appropriate for custody at the time of custody.
- The number of unruly children in custody decreased.
- Overwhelmingly children in custody were in a positive status.
- Improvements have been made in addressing the emotional/mental health needs of children in custody.
- Most children were in the least restrictive, most appropriate placement to meet their needs.
- Efforts were made to place siblings together.
- More children were in placements closer to home.
- The great majority of foster homes are high quality and very committed to children, and many are willing to adopt.

CPORT Report, 2000

percentage of all the state’s children living in single-parent households has hovered around 30 percent, according to KIDS COUNT reports. Nearly half of all single-mother households in Tennessee have incomes below the poverty line, and only 37 percent of female-headed households receive child support or alimony.

Nearly three-fourths or 72 percent of the children in the CPORT sample had been adjudicated dependent/neglected because of the absence of parents or caregivers, the refusal or inability of parents to provide proper care or because of abuse. The other children were found to be unruly or delinquent by the court.

More than half, 55 percent, of the children in the Tennessee CPORT study had parents who had been or were currently imprisoned. Nationally, in 1999, 2.1 percent of all children (1.5 million children) had a parent in state or federal prison. The number of U.S. children with a mother in prison nearly doubled between 1990 and 1999, and the number of children with a father in prison grew by 58 percent during the same time.

Nationally, 46 percent of all inmate parents and 64 percent of all female parents incarcerated reported

To receive a copy of the CPORT 1999 Evaluation Report , contact TCCY at (615) 741-2633 or download it from the TCCY website (www.state.tn.us/tccy/cport99.html).

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living with their minor children at the time of incarceration. Inmate parents in state prisons in the United States reported that 2.4 percent of their children were in institutional or foster care; for mothers, it was 10 percent.

Under the new federal Adoption and Safe Families Act (ASFA), states must file a petition to terminate parental rights and, concurrently, identify, recruit, process, and approve a qualified adoptive family on behalf of any child, regardless of age, that has been in foster care for 15 out of the most recent 22 months.

Despite the fact that in 1998 16,571 children received preventive services in Tennessee, approximately 6,500 children were placed in state custody from July 1, 1998, to June 30, 1999. Nationally, 1.4 million children received preventive services, and an estimated 144,000 child abuse or neglect victims and 33,000 other children were placed in foster care.

Status of Children in Tennessee State Custody. The status of an overwhelming number of children, 87 percent, was positive, and 93 percent of all children

were in the least restrictive, most appropriate placement to need their needs. The physical well-being was adequately addressed for 98 percent of the children. However, family unification services were adequate in only 26 percent of the cases, and family satisfaction was adequate in 30 percent.

In almost all regions, the majority of the children in foster and group placements were placed either in their home county or within the region. The number of children residing in family and foster placements increased in 1999.

Only 20 percent of the children were living with two parents at the time they entered custody. Fifty-one percent were living with their mother (41 percent with their single mothers, and 10 percent with their mother and a stepfather). Twelve percent lived with other relatives, and 17 percent with other.

Health Issues. The U.S. General Accounting Office reported that “young children in foster care have or are

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Who Are the Children in State Custody

- ◆ Annual household income for 53 percent of the families of children in custody ranged from less than \$5,000 to \$14,999.
- ◆ Thirty-nine percent of the parents of children in custody had some 9th-12th grade education but had not graduated from high school.
- ◆ The greatest number of petitions was filed by the Department of Children’s Services/ Department of Human Services (50 percent).
- ◆ Nearly three-fourths (72 percent) of the children were adjudicated Dependent/Neglect. The remainder were adjudicated unruly (5 percent) or delinquent (22 percent).
- ◆ The main reasons for children to enter custody were:
 - ◆ Children exhibiting behavior problems, including delinquent and unruly behavior (32 percent), and
 - ◆ Neglect by caretaker (28 percent).
- ◆ A substantial number of children were in foster placements (46 percent).
- ◆ Children in care was primarily age 13 and older (55 percent), but the average age was 12.
- ◆ More than half of children in custody were white (58 percent).
- ◆ More than half of children in custody were male (53 percent).
- ◆ More than one in three children (36 percent) had a formal mental health diagnosis, a 31 percent increase from last year.
- ◆ Children ages 6-12 were remaining longer in custody, an average of 1,202 days.

Problems Faced By Children in Care

	1996	1997	1998	1999
Children having little or no relationship with father	54%	65%	61%	63%
Children of parents with substance abuse issues	54%	63%	65%	64%
Children from single parent families (mother)	44%	50%	46%	41%
Children from homes below poverty level	38%	40%	41%	42%
Children had a reported formal mental health diagnosis	53%	42%	31%	36%

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at high risk for a wide range of health problems.”

In Tennessee children in foster care receive treatment for their physical and mental health problems through TennCare, Tennessee’s Medicaid managed care program. Under federal law, state Medicaid programs must provide “well-child” or Early and Periodic Screening, Diagnosis and Treatment Services. In 1998, the state settled a lawsuit challenging its provision of these services. By mid-1999, CPORT reviews found that most children were receiving EPSDT screenings, but a need for better understanding of the program was identified. Most TennCare issues were confined to five CSA regions across the state (Southeast, Mid-Cumberland, Northwest, Davidson County, and Upper Cumberland). The primary issues in those regions were:

- ◆ Inadequate provider network for dental services.
- ◆ Inadequate provider network for medical services.
- ◆ Providers not paid/coverage denied, including prescription medications, special services, and special medical supplies.
- ◆ Refusals or delays replacing glasses/contact lenses.

Weaknesses Identified Statewide in Tennessee

- Separation/confusion regarding the roles and responsibilities of the Home County Case Manager and the Residential Case Manager resulted in no clear point of responsibility.
- Substantial turnover and vacancies in positions resulted in lack of continuity for children/families.
- Majority of caseworkers possessed 18 months or less experience.
- Children experienced multiple placements (four or

more).

- Children experienced excessive stays in detention, emergency shelter or diagnostic shelter.
- Many Permanency Plans were inadequate.
- Children stayed in custody too long.
- Children needing psychological evaluations failed to receive them.

Success Stories. Many foster parents in Tennessee go far beyond the call of duty to help the children in their care. One foster family in Hamilton County took in the teen mother of the child in their care to keep the family together. Foster parents in the Northwest Region recruited adoptive parents to help the child achieve a permanent home. Mid-Cumberland foster parents were willing to take children a hundred miles from their home to allow them to meet with siblings and continue to provide care for a teen after supportive services ceased when the teen reached legal age. Foster parents made major commitments for medically fragile children in Northeast Tennessee. A foster mother has been instrumental in facilitating timely reunification of a family and pushed for needed services for the family.

CPORT Findings: Adequacy of Service System Functions

- Service system functioned adequately to meet needs of child/family (46%).
- Most of the time the system was engaging children in the planning process (90%).
- In 4 out of 5 cases the system engaged the family in the planning process (83%).
- Advocacy continued to improve (77%).
- Almost 3 out of 4 children were adequately assessed (70%).
- Majority of Permanency Plans were adequate (63%), a considerable improvement from last year (48%).
- Majority of families were achieving progress (55%).
- Weak areas included service coordination (67%), monitoring change (74%), and supportive intervention to achieve the permanent goal (76%).
- Home/Community Resources and Placement Resource indicators improved, but children were staying longer in detention/emergency shelter/diagnostic shelter awaiting placement.

There were no major differences based on gender, race, or placement.

CPORT 1999 REPORT

2000 KIDS COUNT Report: Many Teen Outcomes Improved

Many outcomes for Tennessee teens have improved, according to a report about the status of children in Tennessee by TCCY, but Tennessee, which ranked 45th in the most recent national Kids Count data book, still has a long way to go.

The teen pregnancy rate has dropped steadily since 1991, according to KIDS COUNT: The State of the Child In Tennessee. The incidence of sexually transmitted diseases in Tennessee teens decreased by nearly 20 percent from 1995 to 1999.

“Increased awareness, fear of HIV/AIDS infection, and a variety of community strategies have contributed to these improvements,” said Linda O’Neal, executive director of the Tennessee Commission on Children and Youth, which released the report.

“In addition to abstinence efforts, family life education and programs like ‘Baby Think It Over,’ which uses electronic dolls that simulate what it is like to have a baby, have made a difference,” she said. “Hope for a bright future is the best prevention.”

Dropout rates for students declined from 1997 to 1998. The number of teen firearm deaths has fallen by 16 percent from a high in 1995. The number of students expelled from Tennessee schools has fallen since the 1997 school year, perhaps due in part to more common sense approaches to zero tolerance policies.

The percent of Tennessee’s children referred to juvenile court for all reasons dropped slightly from 1997 to 1998. While nearly 10,000 children were found to have been abused or neglected in 1998, indicated child abuse rates have dropped since 1995. The number of children committed to state custody also declined during that period.

“A variety of prevention and intervention efforts, including crisis intervention and family preservation services, have helped keep children out of state custody,” O’Neal said.

TennCare is serving Tennessee’s children: half of births are covered by the state’s public health insurance program, and 45 percent of all TennCare enrollees are under the age of 20. The percentage of Tennessee mothers receiving adequate prenatal care continues to rise.

“Improved prenatal care contributes not only to healthier babies, but also to children who are more likely to be ready for school when the time comes,” said O’Neal

However, disparities between groups continue. White teens 15 to 19 are three times more likely to die in motor vehicle accidents than African-American teens, but African-American teens are 16 times more likely to die by homicide. African-Americans and males were more likely to be expelled from school and to be disproportionately represented in juvenile court.

Tennessee Commission on Children and Youth Regional Coordinators

Northeast Tennessee Council

Diane Wise
1233 Southwest Ave., Extension
Johnson City, TN 37604
(423) 979-3200 ext 105

East Tennessee Council

Robert Smith
531 Henley St., 7th Floor
Knoxville, TN 37902
(423) 594-6658

Southeast Tennessee Council

Marilyn Davis
540 McCallie Ave., Suite 643
Chattanooga, TN 37402
(423) 634-6210

Upper Cumberland Council

Kathy Daniels
435 Gould Drive
Cookeville, TN 38506-4194
(931) 432-4494

Mid-Cumberland Council

Debbie Wynn
710 James Robertson Parkway, 9th Floor
Nashville, TN 37243-0800
(615) 532-1579

South Central Tennessee Council

Elaine Williams
Post Office Box 397
Columbia, TN 38402-0397
(931) 388-1053

Northwest Tennessee Council

Kim McGehee
Post Office Box 505
Dresden, TN 38225
(901) 364-5000

Southwest Tennessee Council

Rodger Jowers
225 Dr. Martin Luther King Drive
Jackson, TN 38301
(901) 423-6545

Memphis/Shelby County Council

Gwendolyn Glenn
170 N. Main St., 9th Floor
Memphis, TN 38103
(901) 543-7657

Kids Count Major Findings

Healthy Babies

- ◆ In 1998, 37,301, or 48.2 percent, of all births in Tennessee were paid for by TennCare.
- ◆ Nearly half, or 45.2 percent, of all TennCare enrollees are under the age of 20.
- ◆ Of the 152,689 WIC participants in Tennessee nearly half, or 45.1 percent, are children ages one to five years; infants, 28.6 percent; and women, 26.3 percent.
- ◆ The pregnancy rate for African-American teens was about two and a half times higher than the rate of their white counterparts.
- ◆ Tennessee's rate of low-birth-weight babies is 15 percent higher than the national average.
- ◆ With an infant mortality rate of 15.1, African-American babies died nearly two and one half times more often than white babies, with a rate of 6.3.

Healthy Children

- ◆ In the 15 to 19 age group, the chance is three times greater that a white teen will die in a motor vehicle accident than an African-American teen.
- ◆ African-American teens ages 15 to 19 are 16 times more likely to die due to homicide than white teens.
- ◆ Comparison of state alcohol, tobacco, and other drug use for teens indicated that alcohol and tobacco are the two most frequently used drugs.
- ◆ Tennessee teens experienced a 19.8 percent decrease in the incidence of sexually transmitted diseases between the years of 1995 and 1999.

Healthy Minds

- ◆ Between 1998 and 1999 there has been an 8.6 percent increase in the number of regulated child care agencies in Tennessee.
- ◆ The average cost of one year of child care in Tennessee is one and a half times more than one year of tuition at a state university. Yet when it comes to paying for child care, families are on their own.
- ◆ 12 percent of Tennessee students receive special education services, slightly less than the national figure of 12.8 percent.
- ◆ Tennessee dropout rates for students decreased from 4.5 percent in 1996-97 to 4.2 percent in 1998-99.

- ◆ According to the USDA, Tennessee ranked 13th in the states for having the most food insecure households.

Healthy Families

- ◆ Tennessee ranked 41st in median income in the 50 states.
- ◆ The top fifth of the population (those making more than \$66,200 per year) makes 44 percent of all income in the state.
- ◆ In more than 95 percent of the Families First assistance groups, the caretaker is a female.
- ◆ Tennessee has seen nearly a 31 percent decline in food stamp participants since 1994.

Healthy Communities

- ◆ Male students in Tennessee schools are more than three time more likely to be expelled from school than females.
- ◆ Between 1997 and 1998 there was slightly more than a 1 percent reduction in child abuse in Tennessee.
- ◆ 83 percent of all indicated cases of child abuse involve "someone living in the home." Since 1995, the indicated child abuse rates have dropped incrementally.
- ◆ Between 1994-95 and 1998-99 the number of children committed to state custody declined by nearly one third (32.3 percent).

The Advocate is published by the Tennessee Commission on Children and Youth as an information forum on children's issues. The Tennessee Commission on Children and Youth, an independent state agency, serves as an advocacy agency and information resource for planning and coordination of policies, programs, and services on behalf of the state's children and youth. The 21-member Commission, appointed by the governor, works with other agencies and with regional councils on children and youth in each development district to collect information and solve problems in children's services. To receive *The Advocate*, contact Fay L. Delk, Publications Editor, Tennessee Commission on Children and Youth, 710 James Robertson Parkway, 9th Floor, Nashville, TN 37243-0800. Phone: (615) 741-2633. Fax No.: (615) 741-5956.

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No person shall on the grounds of race, color, national origin, sex, age, disability, or ability to pay, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity operated, funded, or overseen by the Tennessee Commission on Children and Youth (TCCY). It is the intent of TCCY to bind all agencies, organizations, or governmental units operating under its jurisdiction and control to fully comply with and abide by the spirit and intent of the Civil Rights Act of 1964.

Meetings and Events

Council Activities

Upper Cumberland

Oct. 25, 4th Annual Networking Conference, Cumberland Mountain State Park, Crossville, Mental Health, 8:30 a.m. to 12 noon.

Southeast

Oct. 18, Hiwassee Council Meeting, 1 p.m.
Oct. 25, Hiwassee Council Meeting, Bradley County Courthouse, Cleveland, 1:30 p.m.

Northeast

Nov. 17, Quarterly Meeting, Johnson City, 10 a.m.
Feb. 9, Quarterly Meeting, Johnson City, 10 a.m.
May 4, Quarterly Meeting, Kingsport, 10 a.m.

Mid-Cumberland

Oct. 16, Sumner County Meeting, 11:30 a.m. to 12:30 p.m.
Oct. 19, Cheatham County Meeting, 1:30 p.m. to 2:30 p.m.

Oct. 20, Professional Development Conference, Garden Plaza, Murfreesboro.
Nov. 9, Board Meeting at Therapeutic Interventions, 9 a.m. to 12 noon.
Nov. 16, Cheatham County Meeting, 1:30 p.m. to 2:30 p.m.
Nov. 17, Robertson County Meeting, 11:30 a.m. to 12:30 p.m.

Commission on Children and Youth

Dec. 13, Room 16, Legislative Plaza, Nashville. Call (615) 741-2633 for more information

C-PORT Review Schedule

Oct. 27, South Central Exit Conference, 10:30 a.m.
Nov. 29, Knox County Exit Conference, 10 a.m.

Special Events

Oct. 20, Tennessee Conference on Social Welfare (TCSW) North East Fall

Regional Training Conference, Holiday Inn, Johnson City. Contact Deb Schurger at (423) 279-1222 or tcsw@nash.tds.net.

Oct. 26, TCSW Middle Region Fall Conference, Inglewood Baptist Church, 3901 Gallatin Road, Nashville. Contact Scott Ridgway at (615) 741-2633 or tcsw@nash.tds.net.
Nov. 1, TCSW West and Middle West Fall Conference, Holiday Inn Select, 2240 Democrat Road, Memphis. Contact Sheronda Smith at (901) 577-2500 or tcsw@nash.tds.net.

Nov. 2, Youth Violence Conference, Maxwell House Hotel, 8:30 a.m. to 5 p.m. Call (800) 670-9882 or (615) 532-6510.

For more updated information on TCCY and child advocacy events, see the TCCY web Events Calendar at www.state.tn.us/tccy/events.html.



**The Tennessee Commission
on Children and Youth**
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Kate Rose Krull
Covington

Linda O'Neal,
Executive Director

Commission on Children & Youth
Andrew Johnson Tower, Ninth Floor
710 James Robertson Pkwy.
Nashville, TN 37243-0800
(615) 741-2633

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