

# MEMO

To: Joint Finance Committee

From: Marissa L. Band, Esq., on behalf of the following organizations:

Disabilities Law Program, Community Legal Aid Society, Inc.  
Developmental Disabilities Council  
Governor's Advisory Council for Exceptional Citizens  
State Council for Persons with Disabilities

Date: February 20, 2014

RE: Division of Family Services ("DFS") FY 2015 Budget

Please allow this document to memorialize the presentation made by Marissa L. Band, Esq., on behalf of the Disabilities Law Program ("DLP")<sup>1</sup>, the Developmental Disabilities Council ("DDC"), Governor's Advisory Council for Exceptional Citizens ("GACEC") and the State Council for Persons with Disabilities ("SCPD"). We take an interest in the Governor's Recommended Budget requests for DFS, as youth with disabilities are disproportionately represented in the child welfare system. It is estimated that between 20 and 60% of young children entering the foster care system have a developmental disability or delay.<sup>2</sup> Past research regarding foster care alumni experiences revealed greater rates, compared to the general population, of mental health problems (about 50%; compare to about 22 % in the general population), including post-traumatic stress disorder (25%; compare to about 4 % in the general population) and major depression (20%; compare to about 10 % in the general population).<sup>3</sup> In light of these alarming statistics, it is essential that DFS be adequately funded to both prevent and mitigate disabilities amongst youth in the foster care system. To that end, we support the Governor's Recommended Budget request to fund a second cohort of youth to receive the Ready by 21 stipends.

We fully support funding a second cohort of youths to receive the Ready by 21 Program stipends. This program includes a needs-based stipend program, with Independent Living case management, for youth aging out of foster care. The program assists eligible youths with basic living expenses such as utilities and transportation, and would help them to promote stability and independent living. The Ready by 21

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<sup>1</sup> The DLP serves on the DFS Advisory Council and collaborates with DFS staff on behalf of our mutual clients.

<sup>2</sup> Leslie, L. K., Hurlburt, M. S., Landsverk, J., Rolls, J. A., Wood, P. A., & Kelleher, K. J. (2003). Comprehensive assessments for children entering foster care: A national perspective. *Pediatrics*, 112(1), 134-142.

<sup>3</sup> National Council on Disability (2008). *Youth with Disabilities in the Foster Care System: Barriers to Success and Proposed Policy Solutions* (citing Peter J. Pecora et al., *Assessing the Effects of Foster Care: Early Results from the Casey National Alumni Study*, Casey Family Programs (2003)); available at <http://www.ncd.gov/publications/2008/02262008>. Other studies have estimated rates of mental and behavioral health problems as high as 50 – 80%, Children's Rights and United Cerebral Palsy (2006). *A Case for Action for Children and Youth with Disabilities in Foster Care*; available at: <http://www.childrensrights.org/policy-projects/foster-care/children-with-disabilities-in-foster-care/2/> (citing Clausen, Landsverk, Ganger, Chadwick & Litronik, 1998; Dore, 1999; Delfabbro, 2004; dosReis, Owens, Puccia & Leaf, 2004; dosReis, Zito, Safer & Soeken, 2001; Garland, Hough, Landsverk, McCabe, Yeh, Ganger et al, 2000; Halfon, Zepeda & Inkelas, 2002; Holland & Gorey, 2004; Leslie, Hurlburt, Landsverk, Barth & Slymen, 2004; Rubin, Alessandrini, Feudtner, Mandell, Localio & Hadley, 2004; Shin, 2005).

Program was developed in response to House Joint Resolution 18 of the 146<sup>th</sup> General Assembly, which found that extending foster care services and programs was needed to support young adults transitioning to adulthood, finishing school, and achieving independence.<sup>4</sup> This is consistent with federal policy recommendations; in fact the National Council on Disability recommends funding transition programs through the age of 24.<sup>5</sup>

Further, the Ready by 21 Program is consistent with the State's goals to improve the transition from youth to adulthood for individuals with disabilities. The Delaware legislature has expressed a commitment to improving this transition for individuals with disabilities, via Senate Concurrent Resolution No. 34 of the 146<sup>th</sup> General Assembly, which established the State Transition Task Force for Emerging Adults with Disabilities and Special Health Care Needs. The Ready by 21 Program is an important step to realizing the goals of SCR 34, as well as HJR 18. This additional support and means toward stability will, importantly, help students with disabilities whose education continues beyond age 18 through the federal Individuals with Disabilities Education Act (IDEA). Without the Ready by 21 Program, students with disabilities may find themselves unable to complete their secondary education due to problems related to maintaining their housing and transportation. Likewise, the Ready by 21 Program supports our State's efforts to promote employment of individuals with disabilities, including the recent Employment First legislation. Such efforts helps to ensure that transitioning youths with disabilities do not experience everyday living barriers to gaining and maintaining employment. The Ready by 21 Program enables youths with disabilities to live productive and independent lives; therefore we endorse funding a second cohort of youths to receive these stipends.

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<sup>4</sup> The Ready by 21 Program was developed and endorsed by the HJR 18 Committee, which included members of the legislature, judiciary, DFS, Youth Advocacy Council, and other community organizations (See Beyond 18: Ready by 21 Services for Delaware's Youth Who Have Experienced Foster Care. Response to House Joint Resolution 18, 146th General Assembly; Report to Governor Jack Markell and the Delaware General Assembly, September 2012).

<sup>5</sup> National Council on Disability, pg. 142.