

October 2, 2023

The Honorable Senator Robyn K. Kennedy
Senate Chair, Joint Committee on Children,
Families, and Persons with Disabilities

The Honorable Representative Jay D.
Livingstone
House Chair, Joint Committee on Children,
Families, and Persons with Disabilities

Dear Chair Kennedy, Chair Livingstone, Vice Chairs, and Committee members,

The Children's League of Massachusetts (CLM) is a statewide, non-profit organization of almost 60 members, comprised of children and family services providers, advocates, and individuals. Our Task Forces and Coalitions, particularly for Foster Care and Transition Age Youth, and members with lived experience know how critical this bill is to enhance the rights of children in the child welfare system. Collectively, we urge you to advance **the Bill of Rights for Children in Foster Care** (S.68/H.164) out of Committee and toward passage.

Last session, the Legislature took the applaudable action of passing the Bill of Rights for Foster Parents. It is past time for children in the Commonwealth's care to gain the legal protections they deserve. The Bill of Rights for Children in Foster Care's contains important safeguards for children in the child welfare system with broad support from individuals with lived experience, state officials, legislators, and experts in the field.

In FY2022, Massachusetts had 8,143 children in foster care.¹ Each removal of a child from their biological family is a highly traumatic experience for children and their families. That trauma leads to other issues that can negatively impact all aspects of life from mental health to employment,

¹ MA Dept. Of Children and Families, Annual Report, Dec. 2022 <https://www.mass.gov/doc/fy-2022/download>
361 Newbury St., 5th Floor | Boston, MA 02115 | p. 617-695-1991 | www.childrensleague.org

education, housing, and substance use. As the state takes on the responsibility for a child's safety and well-being, it also bears the responsibility to center the needs of those impacted by the system.

Codifying and expanding existing rights for children in foster care is imperative to protecting children who are in care today and will also aid some who have moved on.

Key components of the Bill of Rights support evidence-based best practices, such as:

- Maintaining connections to the youth's family, community, and identity, including prioritizing extended family as the first placement option;
- Clearly defining and upholding duration and frequency of visits,
- Maintaining positive contacts and languages
- Maintaining access to health care,
- Maintaining the right to attend one's school of origin and receive necessary education supports,
- Upholding the right to age-appropriate activities and to achieve age-related milestones,
- Keeping the youth informed of support and services available,
- Facilitating open access to the youth's case worker/attorney and certain documents at particular times,
- Prioritizing youth participation in planning, notice, records, and complaints.

These are common sense needs and benchmarks that should be the minimum standard of care we provide to youth whom the state removes from their biological family.

To further promote stability in foster care, this bill increases emphasis on foster care

placements with relatives and sibling connections, requiring DCF to first consider placements with siblings, to place children in close proximity to their siblings if unable to be placed in the same setting, and to facilitate frequent and meaningful contact regardless of geographic barriers. We know instinctively and with the backing of research that supporting these connections benefits all aspects of an individual's wellbeing and mental health, which in turn promotes better stability and educational and employment outcomes. Every child in foster care has experienced trauma and the rate of attachment disorders is much higher for children who have experienced abuse and neglect. The more attachment injuries, such as through placements with strangers and multiple placements, the more likely an attachment disorder is to form. Reactive attachment disorder, for example, will cause persistent, pervasive issues with healthy relationships. By keeping children with known relatives and siblings, we can reduce their trauma and do our best to support healthy attachments.

This bill also preserves and promotes cultural, racial, ethnic, religion, and linguistic identities. We know that connecting with cultural roots is crucial for a child's identity development. A child can form a healthy sense of self with immersion in placements matching their present identities, as it is a huge comfort to feel a sense of belonging which can build a strong family foundation as well.

Please note we also support the inclusion of the Bill of Rights for Children in Foster Care within the Child Welfare Protections (Omnibus) Bill. We ask that you support the final passage of these life-changing, life-enhancing rights for children in the foster system (and those with lived experience interested in accessing their records) this session, without delay.

Sincerely,



CHILDREN'S
LEAGUE
OF MASSACHUSETTS

PROMOTING THE WELFARE OF CHILDREN AND THEIR FAMILIES THROUGH PUBLIC POLICY

Rachel Gwaltney
Executive Director
Children's League of Massachusetts

Supporting Members of the Children's League

18 Degrees
Brandon School and Residential Treatment Center, Inc.
Communities for People
Citizens for Juvenile Justice
Devereux Advanced Behavioral Health
Fall River Deaconess Home
Family Continuity
Gándara Center
HopeWell
Justice Resource Institute
Massachusetts Adoption Resource Exchange
Plummer Youth Promise
Roxbury Youthworks, Inc.
The Home for Little Wanderers, Inc.
Youth Villages