

A JOINT LEGISLATIVE EFFORT

E-Mail: HEDtestimony@Capitol.hawaii.gov
Regarding: House HED Hearing
Hearing on: February 5, 2008 @ 2:00 p.m. in room 309

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Date: February 1, 2008

To: House Committee on Higher Education
Honorable Jerry Chang, Chair
Honorable Joe Bertram, Vice Chair

From: Kelly M. Rosati, JD
Executive Director, Hawaii Family Forum

Re: **Strong Support for HB 2043 HD 1** Relating to Higher Education Board Allowance for Former Foster Youth

Honorable Chair and members of the House Committee on Higher Education, I am Kelly Rosati representing both the Hawaii Family Forum (HFF), a non-profit, pro-family education organization committed to preserving and strengthening families in Hawaii and the Hawaii Catholic Conference (HCC) which is the public policy voice for the Roman Catholic Church in the State of Hawaii. The HCC represents over 210,000 Catholics in the State of Hawaii.

As many of you know, both the HFF and the HCC work on a variety of family issues ranging from domestic violence, affordable housing, homelessness, Darfur divestment, children's access to health care, physician assisted suicide and traditional marriage preservation.

What you may not know is that finding families for Hawaii's legal orphans is also a top policy and direct service priority.

As such, HB 2043 HD 1 is among our top priorities because its passage will have a profound impact on the ability of Hawaii's legal orphans to be adopted into forever families – for life. **Failure to pass this bill will leave in place an unintended but perverse systemic disincentive that prevents older, waiting orphan children from being adopted.**

Please allow me to explain.

Hawaii Family Forum and HOPE In the Name of Christ (INC) foster care and adoption agency have a contract with the Department of Human Services to recruit, train, and support adoptive parents for Hawaii's 'difficult to place' foster children.

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These are children whose lives have taken a typically tragic path that looks something like the following scenario:

- They've been abused, neglected and/or abandoned by their birth parents, the very people who are supposed to protect them in life from such tragedy
- Their birth parents parental rights had to be terminated so they would have a chance at a safe and happy life
- They've been in more foster homes than anyone cares to count for more years than any child should ever endure
- They now live in temporary foster homes, waking up every day knowing that they could move that day and knowing that the family with whom they are living with won't adopt them.

These children are usually older and have special needs and challenging behaviors because of the trauma they have been through in their short lives. During the process of trying to find adoptive families for these minors, we have encountered countless cases where foster parents tell us that they won't adopt the minor in their care because "if we adopt, the child will lose the benefits they get by staying in the system as a foster kid." The primary benefit mentioned: higher education.

The failure to extend the higher education benefits to former foster children who get adopted is a policy literally trapping foster kids in the system. The policy operates like golden handcuffs, preventing too many of our foster kids from achieving the permanency and security of an adoptive family.

Let me tell you about a few of the children whose entire lives and futures are being adversely affected by this unjust policy: (Names are changed to protect confidentiality)

- 12 year old Krystal has been in foster care her whole life. Her foster parents refuse to adopt her, opting instead for guardianship because they don't want her to lose higher education benefits. Instead, she is losing her only chance for a permanent, forever family of her own. If we had adoption parity and the benefits followed into her adoptive family, Krystal would have a family.
- 17 year old Joshua's adoptive parents waited to adopt him until he was 18 so that he wouldn't lose his college benefits
- Social workers told us not to bother trying to find adoptive families for the young teens in their caseloads because they don't want them to lose their college benefits: so instead they lost their opportunity to be adopted

We urge you to change this unfair policy.

In addition to supporting the above change, we also support the other provisions in HB 2043 HD 1, increasing the time limit for application for a higher education board allowance and increasing the maximum age for the benefit from 21 to 26 years with a maximum benefit length of 60 months. Given the start these kids have had in life, many need a little extra time to finish their education. It is worthwhile giving them the extra time as higher education is among the key ingredients helping them rise above their traumatic beginnings.

Please support these changes and eliminate this inequity, promoting adoption parity by extending higher education benefits to foster kids blessed to find forever adoptive families.

Please do not hesitate to contact me for more information. Mahalo for the opportunity to testify.

TESTIMONY IN SUPPORT OF HB2043 HD1
RELATING TO HIGHER EDUCATION BOARD ALLOWANCES
FOR FORMER FOSTER YOUTH

February 5, 2008 at 2:00 p.m.

The Legal Aid Society of Hawaii hereby provides testimony before the Committee on Higher Education on HB2043 HD1 Relating to Higher Education Board Allowances for Former Foster Youth, in strong support of the bill.

The Legal Aid Society of Hawaii is the largest non-profit provider for direct civil legal services in the State. Further, since 1996, we have assisted over 2,000 children as guardian ad litem on Oahu, Maui, Hawai'i, Moloka'i and Lāna'i, a significant number of whom have aged out in foster custody.

Based on our experience, we believe that this bill is important to improving the prospects for former foster youth. Currently, former foster youth are at much higher risk than the general population of becoming homeless, incarcerated, involved in violence, or to re-enter the system as parents of abused and neglected children. Higher education board allowances have been a strong step in the right direction towards helping youth transition successfully. Higher education board allowances relieve much of the financial burden of going to college and relieve some pressure on youth to enter the job force with no training and few prospects. Utilization of these payments has helped many youth become successful adults.

Unfortunately, the narrow window on entering the program has left many youth out who would benefit from the payments. Many youth, on turning 18, leave with a desire for freedom and a reluctance to be involved with "the system" or, even more sadly, leave without even knowing what benefits and services are available. After a year or two of "freedom," they realize that they are not capable of surviving on their own—or are faced with homelessness. Expanding this program will enable those youth who didn't go to college or job training programs immediately after exiting to have avenues to escape the poverty that often accompanies a young adult with no training, no skills, and no support system. Passage of this bill will further the goal of transitioning our foster youth and helping them become healthy, productive adults.

For these reasons, we support HB2043.

Thank you for this opportunity to testify.

Sincerely,

M. Nalani Fujimori
Deputy Director

TO: Committee on Higher Education
Representative Jerry Chang, Chair
Representative Joe Bertram, Vice Chair

FROM: Hawaii Foster Parent Association
Judith Wilhoite, Executive Director

RE: HB 2043, HD1 Relating to Higher Education Board Allowance
for Former Foster Youth

HEARING: Tuesday, February 5, 2008
2:00 p.m.
Conference Room 309

The Hawaii Foster Parent Association (HFPA) is in strong support HB 2043. We believe that by improving the ability of the state to more adequately address the educational needs of youth emancipating from care that more of our youth will enjoy increase earning capacity, delay pregnancy as well as help alleviate our youth experiencing homelessness.

We also believe that one of the greatest hopes for a happy, productive life for our foster youth is for them to attain higher education. This bill goes a long way in helping assure more of our youth have that opportunity.

Additionally, this bill addresses a perverse choice some of our children must face while in foster care. Currently, if a child becomes available for adoption as a teen and there is a family who wants to adopt this child, the child would lose the higher ed board payment from DHS. We believe that no child should have to choose between a forever family and higher education funding. This bill will allow foster children aged 16 and older to chose adoption and retain their higher education payments.

Thank you for the opportunity to support this bill.