

Executive Director's Report February 2025



I have no information to suggest that legislation has yet been filed in the 119th Legislative Session that would sanction the use of a “cottage family home.” As you may recall, previous proposed legislation made a “cottage family home” a viable resource for children needing out of home care for which IV-E funding could assist in covering the cost of care. Under current legislation, children not needing residential treatment for severe

behavioral and/or emotional issues, cannot be placed for more than a two-week period in any environment other than a foster family home.

During the 118th Legislative Session, H.R. 3851 – Creating Accountable Respectful Environments (CARE) for Children Act was filed. That legislation would have put cottage family homes back into the continuum of care for children. When the 118th Legislative Session ended on January 3, 2025, it automatically was erased as pending legislation.

I talked with Maria Knapp, Chair for the CORE Legislative Committee, this week. She has been told by a Legislative Assistant for a U.S. Representative from Florida that his office will file legislation that mirrors H.R. 3851 which was filed in the previous legislative session.

CORE Board members were on Capitol Hill on January 31, 2025, reaching out to legislators asking for their support in filing similar legislation. Passage of this legislation is critical in increasing the number of resources for children. In addition, cottage family homes have the ability for sibling groups to be placed together. Historically during the last two legislative sessions, many children have been provided care in CPS offices, hotel rooms, make-shift emergency shelters located in churches, and unlicensed placement resources.

As you may recall, there was not a companion bill to H.R. 3851 filed on the Senate side in the 118th Legislative Session. A Republican Senator was open to filing the legislation, but only if it could be filed as a bipartisan bill. Throughout the 118th Legislative Session, a Senator from the Democratic Party could not be located that was willing to co-sponsor the legislation.

One of the challenges we face in getting the legislation we perceive is needed, it to overcome the partisan platform that divides Congress. Sadly, from my assessment of the body language and the behavior of Congressional representatives that gathered on

the evening of March 4, 2025 to hear President Trump's State of The Union Address, a "house divided" is descriptive of the 119th Congress.

From my opinion, the same was also true of the 117th and 118th Legislative Sessions. This represents an environment that will not evaluate proposed legislation on its merit of representing the best interests of others, but will solely rely on the Party-platform to govern votes.

This represents a major hurdle in facilitating passage of legislation that we believe is in the best interest of children and families from hard places.

On GovTrackers [March 3, 2025], Daniel Schuman posted: **"This week, plus the big picture for Congress: Funding the Government by March 14 and the next fiscal year."**

Schuman suggests that Congress is dealing with three major issues:

"First, the 'continuing resolution' that most recently provided **funds for the government to operate runs out on March 14**. Continuing resolutions put funding levels on autopilot for a short time instead of enacting comprehensive full-year funding legislation. Congress could do another "CR," either for a few months again or lasting through the end of the fiscal year, which is October 1. Given recent actions in the executive branch, we might see Congress add new provisions to give the President more discretion to make funding policy changes --- i.e., to slash funding --- that Congress doesn't have the votes for itself. If Congress doesn't pass something by March 14, a government shutdown would occur.

"Second, the House and Senate are working out a budget resolution, which we've discussed before. In essence, it's a short-cut that allows **spending and tax cut legislation to be passed in the Senate with a 51-vote threshold** (rather than the higher filibuster threshold). The Republican plan currently calls for \$1.5 trillion in spending cuts and \$4.5 trillion in tax cuts both over 10 years, plus an increase in the debt ceiling by \$4 trillion (which makes sense since the tax cuts are larger than the spending cuts).

"Third, Congress needs to begin work on the **full-year funding legislation for Fiscal Year 2026**, which runs from October 1, 2025 until September 30, 2026. Drafting comprehensive full-year funding with the votes to pass takes months so it must start soon. If it doesn't, we're back to where we started with a continuing resolution or a government shutdown.

Republicans are not united in what they want on these issues, but they are strongly motivated to place what they perceive as Trump's agenda into law.

And Democrats have little incentive to negotiate given Trump's sweeping "reduction in force" at statutory agencies like USAID, CFPB and NOAA. When the president will undo any agreement after it has been signed into law, Democrats may not provide votes to pass these appropriations bills if they think nothing they negotiate will stick."

The problems we face legislative are many, but it is up to professional groups like the Coalition of Residential Excellence to advocate that the best interest of children and families from hard places are served.

One legislation is filed, it is important the CORE members exercise a united effort to advocate for passage of the legislation with Congressmen representing their district.

Possible Policy Shift Regarding a Child's Removal From Family

Most states place rhetoric on the importance of a child remaining with their family or extended family if abuse/neglect/harm necessitates placement with someone other than the parent(s).

Kinship care has historically been one of the primary sources for consideration anytime a child needs to be removed from their family because of harm or imminent peril. Recent legislation in many states now place responsibility on child welfare to meet the "burden of proof" that they have exhausted all kinship alternatives before children are placed outside their extended family.

According to recent reports, states like Maryland and Wisconsin are leading the way with legislation that prioritizes placing children removed from their homes with kinship caregivers, essentially adopting a "kin-first" approach in child welfare policy; this includes expanding the pool of potential kinship caregivers beyond immediate family to include individuals with strong emotional connections like family friends or coaches.

Key points about this trend:

- **Focus on kinship care:**

These states are actively pushing legislation that mandates considering relatives as the first option when placing children in foster care.

- **Broader kinship definition:**

Some states are expanding the definition of "kinship" to include individuals who have a significant emotional bond with the child, not just traditional family members.

- **Policy shift:**

This movement signifies a shift in child welfare practice, aiming to minimize trauma by keeping children connected with their family network when removed from their homes.

As a side note, most states have requirements that individuals not related to children needing placement be licensed as foster homes before they assume responsibility for providing care for a child or children. Years ago, Texas coined the term "fictive care" and basically considered almost anyone with whom a child had a relationship as potentially falling into that category. They sidestepped the need for regulation or licensure by fabricating the fictive care approach.

Historically, Native American Children have had protection of the Indian Child Welfare Act. It was up to the tribe to determine best interest for children and any decisions regarding out of home placement had to pass the sanctions of the tribe.

I am friends with a family in Oklahoma who accepted placement of an infant. Initially there were some medical issues that needed to be addressed. The foster/adoptive mom is a registered nurse and seemed like an exceptional resource for the needs of this child. The foster/adopt family was open to becoming a forever family if the mother chose to relinquish her ties. They were also willing to provide care for whatever period was needed, if the plan was for the child to be returned to the mother. There was not a known father in the picture.



Under the auspices of the Indian Child Welfare Act, the tribe determined that a family outside the tribe could not be a forever resource for the child. In fact, at their insistence a tribal family was found to fill the gap until a decision could be made regarding parental rights and possible forfeiture of parental rights by the child's mother.

A Texas Legislator, Rep. Lacey Hull has filed House Bill 2216 - Relating to procedures and grounds related to the removal and placement of children, including for terminating the parent-child relationship, for taking possession of a child, and for certain hearings in a suit affecting the parent-child relationship involving the Department of Family and Protective Services.

The bill is intended to ensure that children who potentially could be removed from their homes for abuse or neglect, are afforded a safety net to ensure that removal does not take place until the burden of proof is placed on the state to substantiate beyond "a reasonable doubt," that their children would otherwise be in danger.

The legislation also requires the state to conduct or causing to be conducted a diligent search for the child's extended family members and contacting and consulting with extended family members to provide family structure and support for the child and the child's parents.

It is the bill's intent that children remain with or near family. The bill incorporates provisions of the 1979 Child Welfare Act. It highlights a child's right to be placed with their own families and kin.

CORE Annual Membership Dues

CORE Annual Membership Dues – Please be reminded that annual membership dues to the Coalition of Residential Excellence were due January 31, 2025. Perhaps some of you inadvertently overlooked the need to process your payment. If you need another copy of the invoice, please let me know.

CORE
COALITION OF RESIDENTIAL EXCELLENCE

Save the Date!
(Registration Details Coming Soon)



2025 NATIONAL CORE CONFERENCE
OCT. 21 - 23 | WACO, TX

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