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# CHILDREN WITH INCARCERATED PARENTS INITIATIVE

Institute for Municipal & Regional Policy

CTCIP Supports S.B. 461: AN ACT PROMOTING EQUITABLE ACCESS TO HIGHER EDUCATION FOR CHILDREN UNDER THE GUARDIANSHIP OF GRANDPARENTS OR OTHER RELATIVES.

## **Formal Kinship Care**

In formal kinship care, children are placed in the legal custody of the State by a judge and part of the child welfare system. A child welfare agency will then place the children with kin who are deemed as acceptable guardians. In these situations, the child welfare agency, acting on behalf of the State, has legal custody of the children, and the kin have physical custody<sup>1</sup>. The child welfare agency is also responsible for ensuring the children receive health care and attend school. In formal kinship care, children's kin caregivers are often not fully licensed, certified, or approved under the State's laws or policies. Consequently, these families may not have access to monthly foster care maintenance payment or other support services<sup>1</sup>.

## **Informal Kinship Care**

One form of informal kinship care is voluntary kinship care. This refers to situations in which children live with kin; however, the State does not take legal custody<sup>1</sup>. The child welfare agency is still involved, but parents may agree to voluntary placements to prevent the child welfare agency from going to court to pursue involuntary placements. In some voluntary kinship care, children have been placed with kin by a court, and in other cases an arrangement is made by the child welfare agency with no court involvement<sup>1</sup>.

Other forms of informal kinship care depend on the state. There are many legal relationships that kin caregivers can pursue privately or with the help of an agency. These include temporary guardianship, limited guardianship, standby guardianship, permanent guardianship, guardianship by probate court, and de facto custody<sup>1</sup>.

## **Kinship Care in CT**

Connecticut's Department of Children and Families has reported the percentage of children in the state placed with kin is approximately 43%<sup>2</sup>. This is compared to the national average which remains around 33%<sup>2</sup>.

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<sup>1</sup> Child Welfare Information Gateway. (2022). Kinship care and the child welfare system. U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau. <https://www.childwelfare.gov/pubs/f-kinshi/>

<sup>2</sup> *Kinship Data*. CT.gov. (n.d.). <https://portal.ct.gov/dcf/spotlight/2021/september/kinship-data>

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## Parental Incarceration & Kinship Care

Nearly half of the 1.25 million people in state prisons are parents of minor children, and about 1 in 5 of those children are age 4 or younger<sup>3</sup>. The challenges of parenting from prison are most likely to affect women<sup>3</sup>. The Bureau of Justice Statistics conducted a 2016 Survey of prison inmates which was released as a limited public dataset in late 2020 and revealed women in state prisons are more likely than men to be a parent of a minor child (58% of women compared to 46% of men)<sup>4</sup>. Also, women were more likely to have been living with their children prior to their imprisonment: about 52% of women with minor children living with their children at the time of their arrest compared to 40% of men<sup>4</sup>. Women were also more likely to lead a single-parent household, as 39% of incarcerated mothers of minor children lived with their children, but had no spouse, compared to 21% of incarcerated fathers<sup>4</sup>.

Incarcerated parents who lived with their minor children at the time of their arrest reported that their children are now in the care of the other parent or stepparent (71%)<sup>4</sup>. Another 13% and 4% of survey participants stated their children were in the care of a grandmother or grandfather, respectively<sup>4</sup>. Lastly, 5% of respondents reported 5% of their children were in the care of other relatives<sup>4</sup>.

## How Kinship Care Impacts Educational Outcomes

A 2021 study conducted by Casey Family Program offered insight on how kinship care impacts academic achievement. The study found that children in formal kinship care achieved math scores on par with their peers in the general population<sup>5</sup>. Children in both formal and informal kinship care had higher achievement in math than children placed in non-kin foster care<sup>5</sup>.

Given that children within the foster care system tend to have worse academic outcomes than their peers in the general population, the finding that children living in formal kinship care achieved math scores on par with their peers in their general population is promising. This finding underscores the importance of continued efforts to place children with kin. However, formal kin caregivers represent a small fraction of all kinship placements.

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<sup>3</sup> Wang, L. (2022, August 11). *Both sides of the bars: How mass incarceration punishes families*. Prison Policy Initiative. [https://www.prisonpolicy.org/blog/2022/08/11/parental\\_incarceration/](https://www.prisonpolicy.org/blog/2022/08/11/parental_incarceration/)

<sup>4</sup> *Survey of prison inmates (SPI)*. Bureau of Justice Statistics. (2016). <https://bjs.ojp.gov/data-collection/survey-prison-inmates-spi>

<sup>5</sup> Washington, T., Stewart, C.J., & Rose, R. A. (2021). Academic trajectories of children in formal and informal kinship care. *Child Development*, 92(6), 2299-2316.

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Children living in informal kin placements need more resources to support their academic performance, as do children living in non-kin foster care.

## **Why S.B. 461 is Important**

The Connecticut Children with Incarcerated Parents Initiative supports S.B. 461: An Act Concerning Equitable Access to Higher Education for Children Under the Guardianship of Grandparents or Other Relatives due to the benefits it would have on children who are under kinship care that are affected by parental incarceration.

Currently in our state, children in kinship care receive less equitable opportunities for financial assistance to attend post-secondary institutions. According to CT general statutes (Sec. 17a-126)<sup>6</sup>, a guardianship subsidy may be offered to those in kinship care to achieve a postsecondary education only until the recipient reaches the age of 21 and the monetary amount received will be a continuation of the monthly subsidized payment (about \$850). However, those in non-subsidized kinship care do not receive any subsidies to attend postsecondary institutions.

Reports show the issue of mass incarceration disproportionately affects low-income communities<sup>7</sup>. Meaning, families taking on the responsibilities of kinship care have less room for economic mobility in society. These families are in fixed-income households and in most kinship care cases, there are no subsidies from the state. Studies show children with an incarcerated parent are more likely to be placed with a relative than in non-kin foster care, placing them in multiple economic and systemic disadvantages.

S.B. 461 would provide more financial assistance to those in kinship care, in turn creating more equitable opportunities for children impacted by parental incarceration. According to the U.S. Department of Health and Human Services, the average graduate with a bachelor's degree will earn double what the average individual without a degree will earn in their lifetime<sup>8</sup>.

As stated above, children placed in kinship care are academically on par with their peers in the general population. S.B. 461 gives children in kinship care who are also impacted by

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<sup>6</sup> Chapter 319A - Child Welfare. (n.d.). [https://www.cga.ct.gov/current/pub/chap\\_319a.htm](https://www.cga.ct.gov/current/pub/chap_319a.htm)

<sup>7</sup> Nazgol Ghandnoosh, Ph. D. (2024, January 16). *One in five: How mass incarceration deepens inequality and harms public safety*. The Sentencing Project. <https://www.sentencingproject.org/publications/one-in-five-how-mass-incarceration-deepens-inequality-and-harms-public-safety/>

<sup>8</sup> *Enrollment in higher education*. Enrollment in Higher Education - Healthy People 2030. (n.d.). <https://odphp.health.gov/healthypeople/priority-areas/social-determinants-health/literature-summaries/enrollment-higher-education#:~:text=The%20average%20graduate%20with%20a,will%20make%20in%20their%20lifetime.&text=Higher%20education%20helps%20people%20secure,jobs%20with%20fewer%20safety%20hazards>

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parental incarceration to be set up for success along with their peers when it has been proven they have the same academic capabilities as their peers. These children deserve the chance to be functional, contributing members of our society and have equitable access to post-secondary institutions to help them do so.

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## CTCIP Supports H.B. 6182: AN ACT EXTENDING FINANCIAL ASSISTANCE FOR THE POSTSECONDARY EDUCATION EXPENSES OF FOSTER YOUTH

### Parental Incarceration & Foster Care

According to the Adoption and Foster Care Analysis and Reporting System (AFCARS), parental incarceration was a reason for entry for 7% of children who entered foster care in 2019<sup>9</sup>. However, this data likely underestimates the true extent that foster care and parental incarceration overlaps. Caseworkers will often only record one reason for entry, meaning parental incarceration may not show as a reason for removal even if it was a contributing factor. A 2017 study estimated that 40% of children who have been in foster care have also experienced parental incarceration in their lifetime<sup>10</sup>. Researchers have identified four of the most common pathways to a family's simultaneous involvement with the child welfare and criminal justice systems<sup>9</sup>:

1. A parental arrest coincides with child welfare system involvement, either the arrest exposing maltreatment (more likely) or a maltreatment investigation resulting in parental arrest (less likely)
2. The criminal record of the parent has been found to compromise the child's safety
3. Relatives who are considered as placement options are found to have criminal records
4. A child whose parent or parents are already incarcerated no longer has a safe living arrangement

It is important to note that incarceration for child abuse or neglect is extremely rare and only occurs in roughly 3% of all referrals to child protective services<sup>9</sup>. This includes cases against parents and others.

### Foster Care in CT

According to the national Kids Count Data, in 2021, there were 3,488 children in foster care in the state of Connecticut<sup>11</sup>, 149 (10%) of them were between the ages of 16-20<sup>12</sup>.

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<sup>9</sup> Child Welfare Information Gateway. (2021). Child welfare practice with families affected by parental incarceration. U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau.

<sup>10</sup> Turney, K., & Wildeman, C. (2017). Adverse childhood experiences among children placed in and adopted from Foster Care: Evidence from a Nationally Representative Survey. *Child Abuse & Neglect*, 64, 117–129. <https://doi.org/10.1016/j.chiabu.2016.12.009>

<sup>11</sup> *Children in foster care: Kids count data center*. Children in foster care | KIDS COUNT Data Center. (2021). <https://datacenter.aecf.org/data/tables/6243-children-in-foster-care?loc=1&loct=1#detailed/2/8/false/2048/any/12987>

<sup>12</sup> *Children exiting foster care by age group: Kids Count Data Center*. Children exiting foster care by age group | KIDS COUNT Data Center. (2021). <https://datacenter.aecf.org/data/tables/6274-children-exiting-foster-care-by-age-group?loc=1&loct=1#detailed/2/8/false/2048/1889,2616,2617,2618,2619,122/13044,13045>

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In 2022, young adults ages 18-24 who were enrolled or had completed college in Connecticut was 211,000 (60%)<sup>13</sup>. That same year, young adults ages 18-24 not attending school, not working, and no degree beyond high school in Connecticut was 37,000 (10%)<sup>14</sup>.

However, according to the latest Kids Count data, the data on the highest level of educational attainment in Connecticut by youth transitioning out of foster care paints a different picture. In 2021, 215 (96%) foster youth aged 17, transitioning out of the foster care system, did not graduate from high school, have a GED, or any type of postsecondary education<sup>15</sup>. One hundred and eight (68%) foster youth aged 19 transitioning out of the system only graduated from high school or had obtained their GED while 50 (31%) did not have any secondary or postsecondary education<sup>15</sup>. Finally, 99 foster youth aged 21 transitioning out of the system had graduated from high school or obtained their GED while 20 (15%) did not finish any secondary or postsecondary education<sup>15</sup>.

### The Trauma of Foster Care & Parental Incarceration

Children and youth who enter the child welfare system are often placed due to extreme cases of neglect, maltreatment, and abuse. Therefore, children and youth with child welfare experience are more likely to be at an elevated risk symptoms associated with trauma exposure. A study assessing foster care alumni found that 30% of respondents met lifetime diagnostic criteria for PTSD compared with 7.6% of a general population sample with similar demographics<sup>16</sup>. Likewise, two studies focusing on adolescents, aged 17–18 years, preparing to exit the child welfare system reported lifetime prevalence rates for PTSD of 14% and 16% based on structured diagnostic interviews<sup>16</sup>. In contrast, the lifetime prevalence of PTSD among older youth in the general population, also aged 17–18, was found in two studies to be 6 to 7%. A similar lifetime prevalence of 7% was reported for a large sample of lower income urban adults aged 19–23<sup>16</sup>. Therefore, the lifetime prevalence of PTSD for transition-age youth with foster care experience appears to be roughly twice that of same-age counterparts in the general population.

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<sup>13</sup> *Young adults ages 18 to 24 who are enrolled in or have completed college: Kids Count Data Center.* Young adults ages 18 to 24 who are enrolled in or have completed college | KIDS COUNT Data Center. (2022). <https://datacenter.aecf.org/data/tables/77-young-adults-ages-18-to-24-who-are-enrolled-in-or-have-completed-college?loc=1&loct=1#detailed/2/8/false/1095,2048,1729,37,871,870,573,869,36,868/any/388,389>

<sup>14</sup> *Young adults ages 18 to 24 not attending school, not working, and no degree beyond high school: Kids count data center.* Young adults ages 18 to 24 not attending school, not working, and no degree beyond high school | KIDS COUNT Data Center. (2022). <https://datacenter.aecf.org/data/tables/5063-young-adults-ages-18-to-24-not-attending-school-not-working-and-no-degree-beyond-high-school?loc=1&loct=1#detailed/2/8/false/1095/any/11484,11485>

<sup>15</sup> *Youth transitioning out of foster care: Highest level of educational attainment: Kids Count Data Center.* Youth transitioning out of foster care: Highest level of educational attainment | KIDS COUNT Data Center. (2021). <https://datacenter.aecf.org/data/tables/11859-youth-transitioning-out-of-foster-care-highest-level-of-educational-attainment?loc=1&loct=1#detailed/2/8/false/1698,1697,1690/6287,6288,6289,5975,6290,6291,6292,6261,6262/23237,23238>

<sup>16</sup> Salazar, A. M., Keller, T. E., Gowen, L. K., & Courtney, M. E. (2012). Trauma exposure and PTSD among older adolescents in Foster Care. *Social Psychiatry and Psychiatric Epidemiology*, 48(4), 545–551. <https://doi.org/10.1007/s00127-012-0563-0>

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Children with incarcerated parents can face tremendous challenges due to the associated economic strain, household churning and instability, and trauma that parental-child separation by incarceration often brings<sup>17</sup>. Children or young adults who have had an incarcerated parent are more likely to have educational, economic, mental and physical health problems than those unexposed<sup>17</sup>. Parental incarceration has been classified as a particularly stigmatizing Adverse Childhood Experience (ACE), disproportionately impacting children of color and children in poverty<sup>17</sup>. The more ACEs a child suffers, the more likely this is to impact negatively on outcomes in terms of health, school attainment and later life experiences<sup>18</sup>. Children with a parent in prison may experience low self-esteem, depression, disturbed sleeping patterns and symptoms of post-traumatic stress<sup>18</sup>.

### Impacts on Education Readiness

Research shows that youth in foster care experience poor academic performance and disciplinary actions in school more frequently than non-foster care youth. One study found the average 17- to 18-year-old in the foster care system is reported to be reading at a seventh-grade level, while only 44% of these students are reading at a high school level<sup>19</sup>. Youth in foster care are more likely to perform lower on state assessments and on average miss twice the amount of school within one academic calendar year compared to their peers<sup>19</sup>. Another study found that 33% of students in foster care have failed a grade or had been held back a grade(s)<sup>19</sup>. Unsurprisingly, 65% of youth in foster care graduate high school by 21 years of age, compared to the national graduation rate of 84%<sup>19</sup>. Roughly only 3% of foster youth will earn a college degree by the age of 26<sup>20</sup>.

An American study showed that children with incarcerated parents are a vulnerable population who experience disadvantages across an array of health outcomes, including learning disabilities, attention deficit disorder and attention deficit hyperactivity disorder, developmental delays, speech or language problems<sup>21</sup>. The impact of parental incarceration on children's outcomes at school are particularly important to consider,

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<sup>17</sup> Boch, A. A. and S., Boch, S., Nye, J., Georgiana, P., & Dattner, L. (2021, April 8). *Andrew Axelson and Samantha Boch, Phd. Pediatrics Nationwide*. <https://pediatricsnationwide.org/2019/09/18/a-hidden-epidemic-parental-incarceration-and-what-to-do-when-it-affects-your-patients/>

<sup>18</sup> Beresford, S., Loucks, N., & Raikes, B. (2020). The health impact on children affected by parental imprisonment. *BMJ Paediatrics Open*, 4(1). <https://doi.org/10.1136/bmjpo-2018-000275>

<sup>19</sup> Somers, C. L., Goutman, R. L., Day, A., Enright, O., Crosby, S., & Taussig, H. (2020). Academic achievement among a sample of youth in Foster Care: The role of school connectedness. *Psychology in the Schools*, 57(12), 1845–1863. <https://doi.org/10.1002/pits.22433>

<sup>20</sup> Balistreri, E. (2023). *What happens to kids who age out of foster care?*. House of Providence. <https://www.hopearmy.org/articles/what-happens-to-kids-who-age-out-of-foster-care>

<sup>21</sup> Turney, K. (2014). Stress proliferation across generations? examining the relationship between parental incarceration and childhood health. *Journal of Health and Social Behavior*, 55(3), 302–319. <https://doi.org/10.1177/0022146514544173>

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given the long-lasting implications of school success for adult adjustment across a variety of domains, including employment, physical health, substance use, incarceration. One study examined school performance among adolescents (13 to 20 years old) with currently incarcerated mothers and found that when compared to their best friends, adolescents with an incarcerated mother were more likely to be suspended, fail classes, drop out of school, and have extended absences from school<sup>22</sup>.

## **Why H.B. 6182 Is Important**

The Connecticut Children with Incarcerated Parents Initiative supports H.B. 6182: An Act Extending Financial Assistance for the Postsecondary Education Expenses of Foster Youth due to positive outcomes it would have on foster youths transitioning out of the system who have also been impacted by parental incarceration.

As the facts show, there have been multiple studies which prove being a product of parental incarceration and the foster care system, separately, negatively affects school readiness in youth. The trauma of parental incarceration combined with the trauma of foster care could take years to heal, meaning those impacted by both parental incarceration and the foster care system could be well into adulthood before they have the mental capacity to attend college.

Extending the age range for financial assistance for foster care youth attending a postsecondary institution from 23 to 28 gives those who have been the most impacted by the carceral and child welfare systems more of a chance to positively interact with society and have the room for economic mobility. Currently, Federal Workforce programs allow out-of-school youth up until the age of 24 with some programs extending to the age of 26<sup>23</sup>. Raising the age of DCF financial assistance for postsecondary education would be on par with federal trends.

H.B. 6182 allows financial assistance to be extended to those who have been failed by multiple systems and who may not have the chance to seek higher education otherwise. Connecticut Children with Incarcerated Parents Initiative strongly urges the Committee to move the bill forward to help Connecticut's youth.

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<sup>22</sup> Shlafer, R. J., Reedy, T., & Davis, L. (2017). School-based outcomes among youth with incarcerated parents: Differences by school setting. *Journal of School Health*, 87(9), 687–695. <https://doi.org/10.1111/josh.12539>

<sup>23</sup> American Job Centers Information for Families of Youth with Disabilities. (n.d.). <https://ncrtm.ed.gov/sites/default/files/library/3279/NPC-61.pdf>