



# Care-ful

HOW DOES THE FOSTER CARE SYSTEM IMPACT NEW YORKERS?



# Foster care

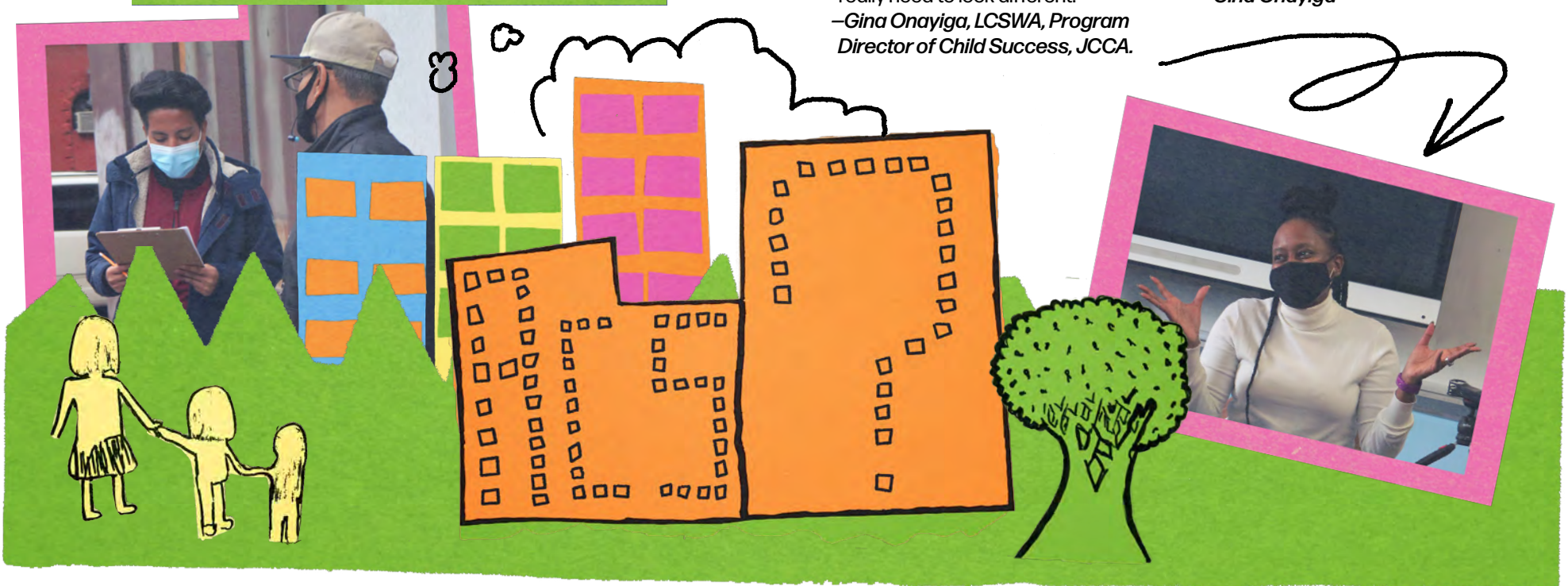
is a system that places children in another home. This could be with someone they know, with another family member they don't know, or with a group home. **As of December 2021, there were almost 8,000 children in NYC's foster care system.**

There are many cases in which children being harmed are moved into safer foster care settings. However, some people think that foster care negatively impacts youth and families.

**WHY DO SOME PEOPLE THINK THE FOSTER CARE SYSTEM HARMS FAMILIES AND COMMUNITIES?**

**WHAT ARE YOUTH AND FAMILY RIGHTS IN THE FOSTER CARE SYSTEM?**

**HOW CAN WE BETTER SUPPORT IMPACTED FAMILIES?**



In the winter of 2021, Teaching Artist Fielding Hong collaborated with Ms. Akilah Clarke and the seniors at the International Community High School (ICHS) in the Bronx, to investigate New York City's foster care system. The group created collaborative poems, made collage posters, talked to community members, and interviewed stakeholders working on the issue.

The group teamed up with CUP's Fellow for Change in Design, Marisa Hetzler, to design this booklet and teach others about the NYC foster care system and how to better support all youth and their families!

## WHAT IS FOSTER CARE?

"Foster care is a system that makes sure that children have somewhere to go if things are not working out in their home. I think foster care sounds nice in broad terms, but it's not always such a beautiful thing. I know that there are parts of this system that really need to look different."

—Gina Onayiga, LCSWA, Program Director of Child Success, JCCA.

## WHAT IS ACS?

"ACS stands for the Administration for Children Services... They make sure that people and organizations are doing what they need to do to protect and care for children... There are different foster care agencies that carry out the policies that ACS creates."

—Gina Onayiga

# How does...

## A CHILD END UP IN THE FOSTER CARE SYSTEM?

**START  
HERE**

1.

"A child ends up in foster care because someone makes a call to ACS to report a case of suspected abuse or neglect."

—Rocio Martinez, ICHS College Counselor for 12th grade; Former social work supervisor for a NYC foster care agency

"Everyone who works in schools are mandated reporters.

That means if we find out that someone is hurting you and that person is someone who's supposed to be taking care of you, we are obligated to report it."

—Berena Cabarcas, Principal, ICHS

3.

An ACS investigator visits the home within 48 hours of a report and talks to people who know the child.

If ACS finds evidence that the child is not safe, they may demand that the parent take some action such as attend parenting classes or go to counseling. If ACS believes that the parent has not made enough improvement, they may take the case to family court.

5.

If the judge believes the child is not safe at home and there is not another safe place for them to stay, the judge may decide to place the child in foster care.

"Foster care agencies are responsible for making sure the children are safe in the foster home that they're in. One of the ways in which you do that is you visit them in the foster home once a month."

—Rocio Martinez

6.

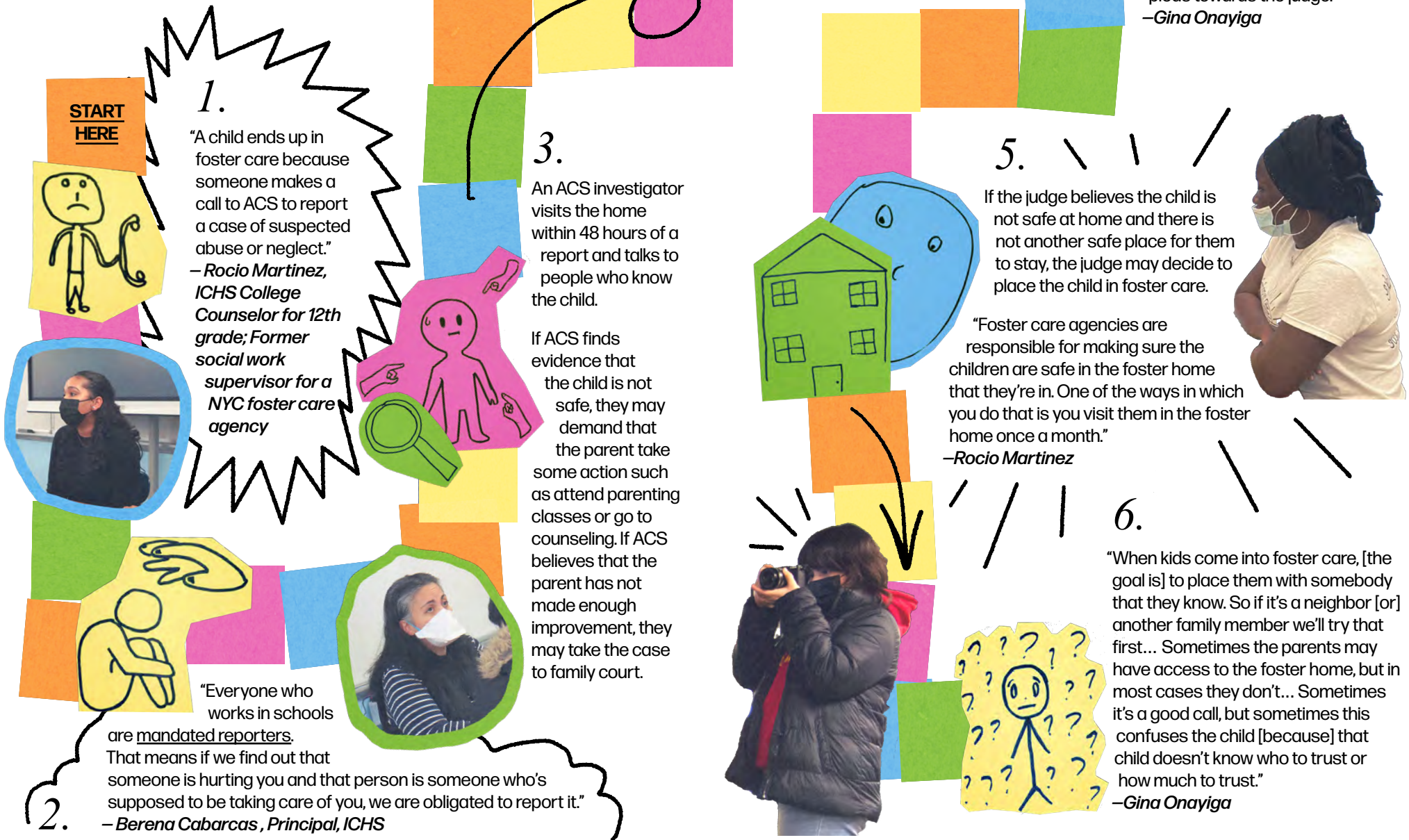
"When kids come into foster care, [the goal is] to place them with somebody that they know. So if it's a neighbor [or] another family member we'll try that first... Sometimes the parents may have access to the foster home, but in most cases they don't... Sometimes it's a good call, but sometimes this confuses the child [because] that child doesn't know who to trust or how much to trust."

—Gina Onayiga

4.

"In Family Court, the child's attorney is at one end, and the parents' attorneys are over at the other end. ACS's attorney is at the table. All of the attorneys are making their pleas towards the judge."

—Gina Onayiga



# Why do...

## SOME PEOPLE THINK THE FOSTER CARE SYSTEM HARMS FAMILIES AND COMMUNITIES?

### SUDDEN SEPARATIONS

Almost **50%** of child removals in NYC happen without a court order because an ACS supervisor decides that a child is in immediate danger.

"We do have to be conscious that there are some cases where that child is in immediate danger. But in cases where possible, I think the system could probably do a better job at giving families the support that they need to make sure that the children can stay with their parents in a safe manner."

—*Rocio Martinez*

### TRAUMA

"There's a lot of trauma for children, especially young children that don't understand why they need to be removed from the care of their parents or why what was happening in their home wasn't safe for them."

—*Rocio Martinez*

### PUNISHED FOR POVERTY?

"There's two [main] reasons why families get separated. One is physical abuse. The other—about 86%–90% of cases—is called **neglect**. Most of the reasons that constitute neglect are related to people's inability to provide—poverty. Your inability to have the light on in the house is neglect. Not having enough food is neglect. Not being able to wash clothes in a timely fashion is neglect."

—*Joyce McMillan*

### RACIAL DISPARITIES

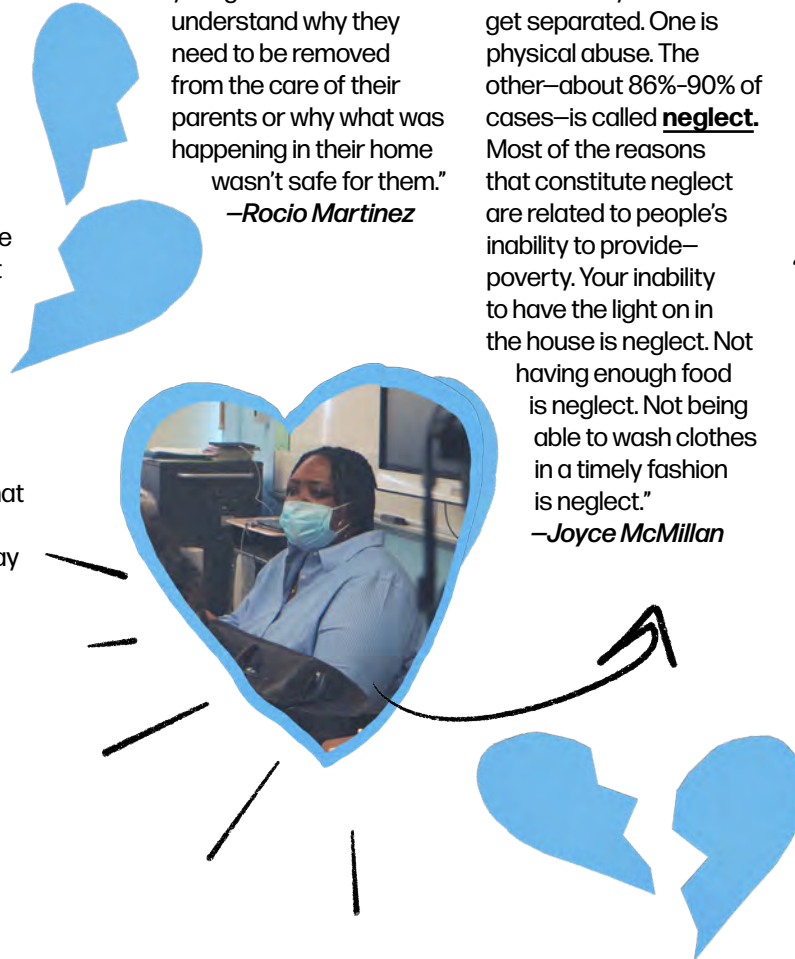
In 2019, **22%** of children in NYC were Black. However, **56%** of children that were removed from their families and placed in foster care were Black. **36%** of children removed from their families were Latinx.

"Black and brown kids are forced into this system every day. Their families don't want them there and they don't want to be there. The outcome for these children are horrific. They're less likely to graduate high school. They're more likely to be incarcerated. They're more likely to become teenage parents, more likely to be drug addicted, more likely to be homeless and everything else that children don't grow up aspiring to be."

—*Joyce McMillan*

"I was impacted in 1999, when my two children were snatched from me by ACS. I continued to have interactions with ACS until I quit my job to do some research and to begin organizing around changing this system. I believe this system is not broken, but is doing exactly what it was meant to do."

—*Joyce McMillan, Executive Director, JMacForFamilies*



# What rights...

## DO YOUTH AND FAMILIES HAVE IN THE FOSTER CARE SYSTEM?

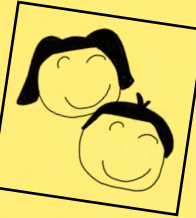


### Parent Rights

#### □ PARENTS' RIGHT TO AN ATTORNEY

"When ACS goes to court to prove information, parents also have the right to an attorney too. [Parents also] have a right to all the information that people are reporting against them. They have a right to know."

—Gina Onayiga

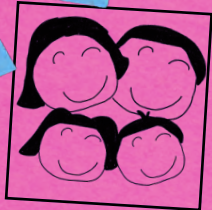


### Child Rights

#### □ CHILDREN'S RIGHT TO AN ATTORNEY

"Children have their own attorneys... But, a lot of children don't know how honest to be [with their attorney]. That attorney is going to advocate for whatever the child wants."

—Gina Onayiga



### Family Rights

#### □ RIGHT TO FAMILY VISITS

"98% of the time, it doesn't matter what a parent did to have their child removed from their care, they have a right to visit. Only a judge has the right to stop those visits."

—Rocio Martinez

#### □ EDUCATIONAL OPPORTUNITIES

"If you are a youth in foster care who goes to college in New York City, the city government will cover your cost of tuition. You'll also get a stipend around \$900 a month to cover your needs."

—Rocio Martinez

For more information about parent's rights, visit [we.cometocup.org/Projects/MakingPolicyPublic/WhatYouNeedToKnowAboutACS](http://we.cometocup.org/Projects/MakingPolicyPublic/WhatYouNeedToKnowAboutACS)

For more information about college resources for youth in foster care, visit [cuny.edu/academics/academic-programs/seek-college-discovery/youth-matter/foster-care-collaborative/](http://cuny.edu/academics/academic-programs/seek-college-discovery/youth-matter/foster-care-collaborative/)

# What are...

## SOME BETTER WAYS TO SUPPORT YOUTH AND FAMILIES?

### CREATE STRONG SCHOOL COMMUNITIES

"It's important to create a community of staff members who will support young people so that they don't feel alone. We also offer lots of different activities, where students can bond with each other, and make sure that all students are participating so that way they feel supported and connected [and] can build really strong relationships."  
—Berena Cabarcas

### IMPROVE PREVENTION SERVICES

"When families are at risk for losing their child, they can go and work with an agency that will assign social workers to help them keep the family together through a lot of training, visits, counseling, and other kinds of prevention services."  
—Berena Cabarcas

### IMPROVE ACCESS TO REPRODUCTIVE HEALTH RESOURCES

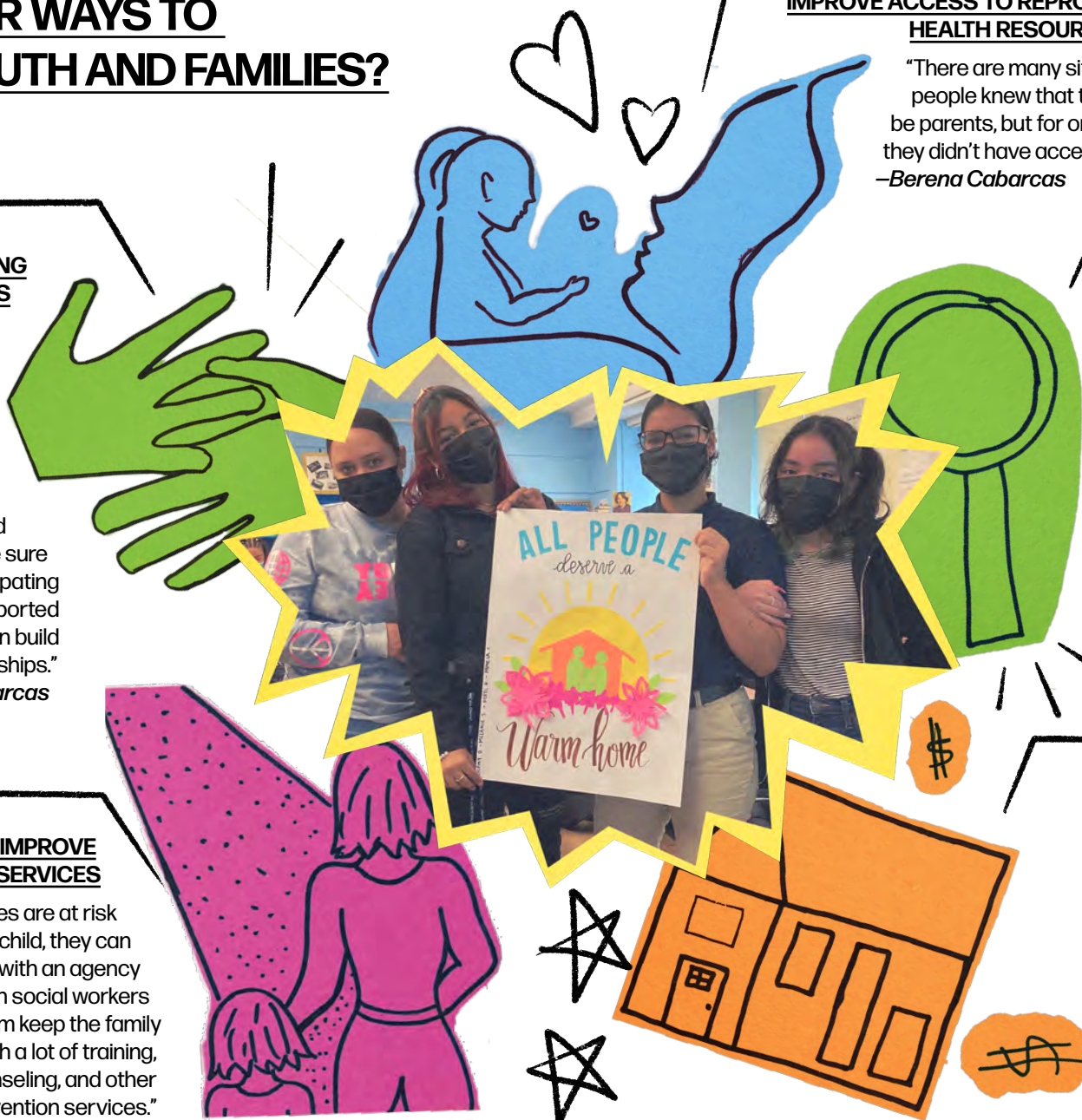
"There are many situations where young people knew that they weren't ready to be parents, but for one reason or another, they didn't have access to options."  
—Berena Cabarcas

### IMPROVE MANDATORY REPORTING

"Unfortunately, the mandated reporter training is very vague... We have people reporting on poverty instead of real things that are happening to children. [For example] instead of calling ACS to say someone's family does not have food, that [reporter] should be referring that family to a pantry or a place where they could get food."  
—Joyce McMillan

### SUPPORT STRUGGLING FAMILIES

"86%–90% of children who are removed from their homes are in the foster care system for reasons related to 'neglect.' ACS takes children out of their home for neglect, but then they pay a foster family who may or may not care for the child properly. That money could have subsidized the family. Why give money to a foster family and leave the family struggling and separate?"  
—Joyce McMillan



# What does... OUR COMMUNITY THINK?

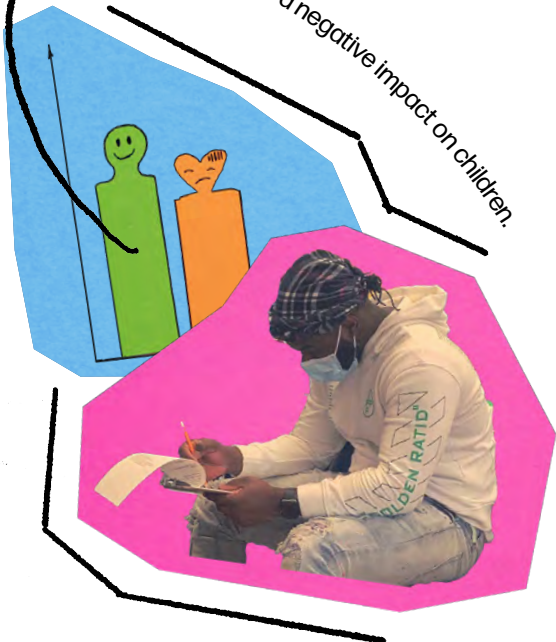
In the fall of 2021, ICHS students surveyed community members in the Bronx about foster care.

**OVER 1 IN 4** people surveyed said they knew someone who had been contacted by ACS.



\* 37% said foster care had a positive impact on children

\* 32% said foster care had a negative impact on children.



"We can better support youth and families by providing them with the resources they need."  
—Lerins Martinez, ICHS student

"I think foster care should be based on protecting and helping the kids and family without separating them."  
—Hasly Cortes, ICHS student

"I think there are both positives and negatives to foster care. Foster can protect the kids of parents that abuse them, or that do drugs. But it may make it more difficult for kids to find success."  
—Angel Dominguez, ICHS student

"I am still fighting to get my children back. My sister called ACS and told them lies. ACS does treat parents like criminals."  
—Bronx resident



"Foster care is not a perfect system, but at least it protects children who have been abused by family members."  
—Cheikh Bha, ICHS student



"Before taking a child away, you must be sure that they are being abused or the parent is on drugs!"  
—Bronx resident



Students designed *political posters*

to express their opinions about the issue.





## STUDENTS



Eduardo Aquino Nina, Enmanuel Arroyo, Adama Bah, Lisbeth Cedano, Maireny Corporan, Diana Cruz, Madiop Diop, Angel Dominguez, Hatouma Doucoure, Zenab Kaba, Zama Kabore, Thanwer Mahmud, Serigne Mbodj, Abimael Mercedes, Ashlier Merejildo, Yoni Miranda, Zabdly Orellana, Melany Ortiz, Melany Panchana Quinche, Joan Parada Franco, Enmanuel Paulino Alberto, Wilfred Quezada Chavez, Malory Quezada, Daniela Reyes, Geika Santos De La Cruz, Maria Santos, Silvia Wilson, Hisham Alamari, Mel Bravo, Claribelisa Catalan Gonzalez, Juan Cruz Baez, Erick Duarte Filpo, Jairo Fernandez, Yancrellin Francisco, Carolyn Guzman, Isarien Lopez, Lerins Martinez, Yovangely Mejia Lino, Leilany Ortiz, Michael Paredes, Náyelin Perez, Randy Polanco, Deryl Quezada, Lady Reyes Ojeda, Yenny Rodriguez Checo, Melanie Salvatierra, Mákale Toure, Derixander Vargas, Lidelis Vargas, Manuel Vargas, Pamela Vasquez, Gustavo Vazquez Pantoja, Lisbeth Acosta, Rasel Ali, Anabel Almanzar, Fatoumata Barry, Zakaria Billa, Renia Bonifacio Suazo, Rafael Candido-Juarez, Valenciano Chavez De Jesus, Hasly Cortes, Melany Del Carmen Diaz, Mirlemny Espino, Martin Espinoza, Danyeiris Garcia Rodriguez, Jean Guilengui Kiki, Habi Kane, Lesvi Orellana Mejia, Jency Palacios Arriola, Juana Pena Vasquez, Jarison Polanco, Wilber Quezada Chavez, Victor Rumaldo, Amy Samb, Mouhamed Samb, Romaldo Sanchez, Babacar Signate, Emelin Tavez, Manifer Triunfel Castillo, Oumarou Batchilly, Esperanza Cabal, Lauriany Del Rosario, Bassirou Diop, Anarosa Encarnacion Quezada, Winston Estevez, Rafael Guaba, Joselyn Guaraca Tisalema, Heily Guzman Rodriguez, Alexi Heredia, Yeuri Iven, Cheikh Ka, Jonnathan Leon Cela, Danny Mercado, Ouleye Mbow, Oumou Nantoume, Magby Orellana, Lidia Pujol, Willybert Quezada Chavez, Herlin Raxtun, Crismeiry Sanchez, Krystal Solano, Houlaimatou Sow, Syeda Sumaiya



## CUP

Teaching Artist & Project Lead: Fielding Hong  
Designer: Marisa Hetzler

## ICHS

Classroom Teacher: Akilah Clarke  
ICT Teacher: Hillevi Lovén  
Paraprofessional: Erica Beltre  
Paraprofessional: Clara Cabreja  
Paraprofessional: Nadia De Leon  
Paraprofessional: Nassira Hamdi  
Principal: Berena Cabarcas  
Assistant Principal: Eva Sievert-Schiller

## THANK YOU TO OUR INTERVIEWEES

Berena Cabarcas, Rocio Martinez,  
Joyce McMillan, Gina Onayiga



**NYC** Cultural Affairs



## **The Center for Urban Pedagogy (CUP)**

is a nonprofit organization that uses the power of design and art to increase meaningful civic engagement, in partnership with members from historically marginalized communities.

This project is part of **City Studies**, CUP's project-based, in-class and afterschool programs that use design and art as tools to research the city. To learn more, visit [welcometoCUP.org](http://welcometoCUP.org).

**The International Community High School** is a progressive public school for English Language learners in the South Bronx. To learn more, visit [ichs.weebly.com](http://ichs.weebly.com).

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