

Testimony in Support of S.B. 154: An Act Authorizing a Differential Response by the Department of Children and Families to Reports of Child Abuse and S.B. 155: An Act Concerning the Educational Placement of Children in the Care and Custody of the Department of Children and Families

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Select Committee on Children
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Senator Musto, Representative Urban and distinguished Members of the Select Committee on Children:

We submit this written testimony on behalf of Connecticut Voices for Children, an independent, research-based nonprofit organization dedicated to speaking up for children and youth in the policymaking process that has such a great impact on their lives.

I. Connecticut Voices for Children strongly supports the implementation S.B. 154 which allows for a differential response system at the Department of Children and Families in order to respond to reports of child abuse and neglect.

Differential response is a child protective services practice that allows for more than one method of initial response to a reported case. Currently when a report of abuse or neglect comes to the attention of the Department of Children and Families (DCF), the main objective of the social worker is to gather evidence to determine whether a child is at risk of maltreatment or has experienced abuse or neglect. This process often leads families to view DCF as an adversary, and many times family are resistant to working with the agency.

Differential response is sometimes referred to as an “alternative track” or a “multiple tracks” approach, as, depending on the details of an initial screening, it allows for a reported case to be diverted to a more service-based response. In a conventional differential response system (DRS), there are two tracks: the traditional investigation and the alternative assessment track. There are a number of states that have added a third track, often referred to a “prevention track” for families with no clear substantiated abuse but identifiable risk factors, to better respond to community need.¹ DCF’s current proposal involves pursuing the more traditional two-track system.² When a case is reported and appears to be of low- or moderate-risk, a worker will replace the original investigation

¹ Child Welfare Information Gateway. (2008). Differential Response to Reports of Child Abuse and Neglect. Washington, DC: U.S. Department of Health and Human Service at page 2.

² See DCF’s Power Point Presentation on its Differential Response Model, which can be viewed on their website at: http://www.ct.gov/dcf/lib/dcf/drs/pdf/drs_model_overview.pdf.

model with an assessment of a family's needs. In this model a formal determination of child abuse or neglect may still occur; however it is not required in order for a family to access supports.³

A total of sixteen states are utilizing a statewide system of differential response; twelve of these states have the system codified in statute.⁴ There are an additional seven states that have a differential response system on the regional or county level.⁵ Evaluations of these programs have shown that with a DRS, assessments have improved, service delivery has been enhanced, and that families are more likely to actively engage with services.⁶

The Child Welfare Information Gateway has published an issue brief on using Differential Response System in a state's child welfare department, which includes guiding principles for successful execution of the system.⁷ While Connecticut Voices for Children fully supports the implementation of DRS, we know that it is critical for the proper supports to be in place in order for this new system to be effectively utilized.

We ask that when your committee works with the Department in putting a differential response system into place that you take the following guiding principles into consideration:

- 1. Utilize assessments that identify true need.** The idea of differential response is that families receive a greater benefit when a more thorough look into strengths and needs is performed. It is essential that the program the Department puts into place truly evaluates a family and a service plan is developed that is responsive to what the family requires.
- 2. Ensure service availability.** The success of a differential response model is dependent on the availability of services to meet the identified needs of the families in their community. The Department has identified this as a key to the program's success and has laid out a plan to engage community programming. The Department states in their "Community Readiness and Service Array" plan that they are intent on working with states that have already successfully implemented a DRS to come up with ideas for service models. They have also indicated in this plan their intent to provide RFQs to the community service providers.⁸ We encourage the Committee to continue to work with the Department through this critical part of implementation.
- 3. Staff training.** Evaluations of both North Carolina's and Virginia's DRS program included recommendations that program expansion be linked with additional training for frontline staff and administrators.⁹ Research has shown that child protection staff in states

³ See Child Welfare Information Gateway. (2008). *Differential Response to Reports of Child Abuse and Neglect*. Washington, DC: U.S. Department of Health and Human Service at page 6.

⁴ *Id.* at page 22-23.

⁵ *Id.*

⁶ *Id.* at page 3.

⁷ *Id.* at page 9.

⁸ The Department's "Community Readiness and Service Array" Plan can be viewed on their website at:

http://www.ct.gov/dcf/lib/dcf/drs/pdf/community_readiness_and_service_array.pdf

⁹ See Virginia Department of Social Services. (1999). *Final report on the multiple response system for children protective services in Virginia*. Richmond, VA: Author and U.S. Department of Health and Human Services, Administration children and Families Office of Assistant Secretary for Planning and Evaluation. (2003a). *National study of child protective services systems and reform efforts*. Report can be viewed at: <http://aspe.hhs.gov/hsp/CPS-status03/summary/index.htm>.

with DRS are extremely supportive of the differential response method;¹⁰ however training is critical as caseworkers are being asked to engage with families in a new way. The Department of Children and Families has completed training models in conjunction with the implementation of DRS and is working with their training academy to include family engagement training.¹¹ We hope that the committee will continue to support these efforts.

4. Monitor caseworker workload. A critical finding in the evaluation of Minnesota's Pilot DRS system was that burdensome caseloads prevented children and families from receiving the full benefit of the program. Workers in that evaluation reported dissatisfaction with the number of cases assigned.¹² The requirements of a comprehensive family assessment, which includes building relationships in the community and linking families to services, can be substantially more time consuming than the traditional child protective services model. It is essential for system success to frequently evaluate and adjust workloads. The Department has stated in its plan that it intends to implement DRS within their existing workforce. We hope the Committee will continue to work with the Department to ensure it has access to the staffing and resources it needs to effectively execute the system.

5. Track outcomes. We are extremely encouraged that the Department has already identified a series of evaluations and outcomes that it is planning to track as DRS is implemented.¹³ We hope that the legislature will work with the Department to ensure that this data is collected and shared. We would recommend including a reporting requirement in the DRS legislation in order to provide the General Assembly an opportunity to monitor the Department's progress on this program.

6. Address child safety risk. The underlying concern in any DRS program is the safety of the children involved. In evaluations conducted of DRS, the research has shown that children can be just as safe, or safer, without an investigation intervention.¹⁴ A multi-state study of DRS conducted in 2005 found the likelihood of a subsequent report to child protective services after the original assignment to a track was comparable, regardless of the track originally chosen.¹⁵ In an experimental study conducted in Minnesota, families that were randomly assigned to the "assessment" track were far less likely to be re-reported than families who were randomly assigned to receive an investigation.¹⁶ The Department has acknowledged this concern in many of its communication pieces and we hope that you will work with them to continue to address the issue of child safety as DRS is rolled out.

¹⁰ See Loman, A. & Siegel, G. (2004b). *Minnesota Alternative Response Evaluation: Final Report*. St. Louis: MO: Institute of Applied Research.

¹¹ The Department's "DRS Status of Work Matrix", which details efforts to train staff on the different components of DRS, can be viewed on their website: http://www.ct.gov/dcf/lib/dcf/drs/pdf/drs_status_of_work_matrix.pdf

¹² See Missouri Final Evaluation 198-200 (full citation to come).

¹³ The Department's Evaluation and Outcome measures can be viewed on their website at: http://www.ct.gov/dcf/lib/dcf/drs/pdf/drs_outcomes.pdf.

¹⁴ U.S. Department of Health and Human Services, Administration children and Families Office of Assistant Secretary for Planning and Evaluation. (2003a). *National study of child protective services systems and reform efforts*. Report can be viewed at: <http://aspe.hhs.gov/hsp/CPS-status03/summary/index.htm>.

¹⁵ Shusterman, G.R., Hollinshead, D., Fluke, J.D., and Yuan, Y.T. (2004). *Alternative responses to child maltreatment: Findings from NCANDS*. Washington, DC: U.S. Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation. The report can be viewed at: <http://aspe.hhs.gov/hsp/05/child-maltreat-resp/>.

¹⁶ See Loman, A. & Siegel, G. (2004b). *Minnesota Alternative Response Evaluation: Final Report*. St. Louis: MO: Institute of Applied Research.

II. Connecticut Voices for Children strongly supports S.B. 155, which would bring Connecticut into compliance with new federal legislation which requires states to provide educational stability for children in the care of the Department of Children and Families.

In October of 2008, the federal Fostering Connections to Success and Increasing Adoptions Act was signed into law.¹⁷ This landmark legislation included a requirement that all states adopt an educational stability program by July 1, 2010. The legislation specifically obligates states to factor the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled into all placement decisions.¹⁸ Further, in the event that a child is moved into a placement that is outside of the district of his school of origin, the legislation requires the child welfare department to coordinate with local education agencies to keep the child in his school of origin, as long as it is in the child's best interest.¹⁹ The legislation puts the responsibility of arranging the transportation and paying for it on each state's child welfare agency.²⁰ The Governor appropriated almost \$2.9 million dollars in her budget to be used to cover this cost. Portions of Title IV-E, a section of the Social Security Act that provides federal reimbursement to states for the costs of children placed out-of-home by court order, are amended by the legislation to allow for states to collect on reasonable costs associated with the implementation of this new requirement.²¹

The federal legislation also provides that in cases in which remaining in the school of origin is not in the child's best interest, the child welfare department and the local education agencies are required to immediately and appropriately enroll the child in the new school and assure the prompt transfer of educational records.²²

Studies show that school disruptions have a devastating effect on the educational achievement of children, and that these disruptions are especially traumatic for children in foster care. Researchers from the University of California found that students who changed schools even once during high school were less likely to graduate than their peers who remained in the same school.²³ Testing on seventh grade students has showed that school mobility can create large learning deficits for younger children as well. Researchers compared students who had been at the same school since first grade

¹⁷ See Pub. L. 110–351, Oct. 7, 2008, 122 Stat. 3949, 42 U.S.C. § 1305

¹⁸ See Section 204, Part A, Paragraph 1 of the Fostering Connections to Success and Increasing Adoptions Act. (“[provides] assurances that the placement of the child in foster care takes into account the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement.”)

¹⁹ See Section 204, Part A, Paragraph 1 of the Fostering Connections to Success and Increasing Adoptions Act. (“[provides] assurances that the placement of the child in foster care takes into account the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement.”)

²⁰ *Id.* (“[provides] an assurance that the State agency has coordinated with appropriate local educational agencies (as defined under section 9101 of the Elementary and Secondary Education Act of 1965) to ensure that the child remains in the school in which the child is enrolled at the time of placement; or if remaining in such school is not in the best interests of the child, assurances by the State agency and the local educational agencies to provide immediate and appropriate enrollment in a new school.”)

²¹ See Pub. L. 110–351, Oct. 7, 2008, 122 Stat. 3949, 42 U.S.C. § 1305

²² See Section 204, Part A, Paragraph 1 of the Fostering Connections to Success and Increasing Adoptions Act. (“[provides] an assurance that the State agency has coordinated with appropriate local educational agencies (as defined under section 9101 of the Elementary and Secondary Education Act of 1965) to ensure that the child remains in the school in which the child is enrolled at the time of placement; or if remaining in such school is not in the best interests of the child, assurances by the State agency and the local educational agencies to provide immediate and appropriate enrollment in a new school.”)

²³ See Linda Jacobson, *Moving Targets*, Education Week, April 4, 2001, Vo. 20, Issue 29, p. 2.

to students who had moved at least once and found that the non-mobile group was outscoring the mobile group by an average of one year and six months in reading.²⁴

Not surprisingly, the educational cost of multiple transfers is even more devastating. Extensive research links frequent school changes to an increased risk of failing a grade, repeated behavior problems, and dropping out.²⁵ For these reasons, foster care experts have identified ensuring school stability as “perhaps the single most important” method of improving educational outcomes for foster children.²⁶

The costs of frequent school transfers are most dramatic when viewed through the eyes of those who experience it. Current and former foster youth have testified before the Connecticut Legislature on multiple occasions to explain the challenges they face from educational disruptions. Indeed, youth in Connecticut’s system have consistently identified school stability as one of their top priorities for policy reform.

Aisha, a youth currently involved in care, told the General Assembly’s Education Committee, “In the abundance of schools I went to, there were different expectations in each, and now as a junior in high school, I am not even sure I have the right amount of credits to graduate because they didn’t always transfer. The curriculum was different in each school, which caused me to repeat some of the classes I already took.”²⁷

Shenice, another youth currently in the custody of the Department, shared the difficult decision that pitted her desire to live with a family member against her desire to attend school: “...Currently I’m living with my aunt. I was very happy when she asked me to come live with her, but it also meant that I would have to change schools yet again. I really loved Hamden High, where I spent my sophomore year, but I had to choose between a permanent home and a school I wanted. This was really hard, because most kids don’t have to make this kind of choice.”²⁸

Vanessa Gonzales, a 21 year-old former foster youth and current student at St. Joseph’s University in West Hartford, has been extremely active in the push for the creation of a school stability program at the Department of Children and Families (DCF). Vanessa was placed into the care of the department at four months and experienced over twenty placement changes and ten school moves during her time in the foster care system. She has said, “...the goal for most foster youth is to go on to college, and if you move you do not have a solid foundation.” She has also described the obstacles to student success when a child is constantly moving through a revolving door of teachers,

²⁴ See Kealey, Robert J. “Student Mobility and Its Effects on Achievement.” *The Phi Delta Kappan*, Vol. 63, No. 5 (Jan., 1982), pp. 358-359, (Jan., 1982). See also Linda Jacobson, *Moving Targets*, Education Week, April 4, 2001, Vo. 20, Issue 29, p. 2 which describes a study that found that by sixth grade, students who were highly mobile during elementary school had already fallen as much as a year behind their classmates.

²⁵ See Lily T. Alpert, *School Mobility and Issues of Educational Access for Children in Foster Care*, at 6 (School of Family Studies, University of Connecticut, 2005), citing studies associating “frequent school changes” with (1) “higher rates of absenteeism,” (2) “lower scores in reading and mathematics,” (3) “increased rates of high school dropout,” and (4) “elevated likelihood of retention and enrollment in special education”.

²⁶ See Casey Family Programs, *A Road Map for Learning: Improving Educational Outcomes in Foster Care* (2004), p. 9.

²⁷ Aisha’s testimony was submitted in support of S.B. 159, An Act Concerning Foster Care and Education, that was heard during a Committee on Children’s Public Hearing on 2/28/08.

²⁸ Cheniece’s testimony was submitted in support of S.B. 159, An Act Concerning Foster Care and Education, that was heard during a Committee on Children’s Public Hearing on 2/28/08.

classrooms and peer groups. Her experiences have led her to identify educational instability as “one of the most challenging problems facing Connecticut’s foster youth today.”²⁹

Under the new federal requirements, the failure of the state to implement educational stability by July 1, 2010 could be potentially catastrophic for the state’s budget. Without state legislation in place there is the potential to jeopardize federal Title IV-E dollars, which the federal government reimburses to the state for eligible child welfare expenses. Title IV-E reimbursement in 2009 was estimated to be over \$230 million dollars.³⁰

We ask the committee to adopt the language for this program that is included in Senate Bill 31, An Act Implementing the Budget Recommendations of the Governor Concerning the Educational Placement of Children in the Care and Custody of the Department of Children and Families, which is currently in the Human Services Committee. This language was crafted using the careful recommendations of a Joint Task Force on school stability, which was brought together by the State Department of Education and the Department of Children and Families, and is not substantively different from the language before your committee. This language meets the requirements of the federal law and reflects an agreement of the state agencies as well as children’s advocates. We thank you for your continued work on this important initiative for the state’s most vulnerable children.

Thank you very much.

²⁹ See testimonial of Vanessa Gonzales at <http://www.ctkidslink.org/stability.html> (Vanessa estimates that she changed schools at least ten times while in the custody of the Department of Children and Families).

³⁰ Number was obtained from Shelley Geballe, Distinguished Senior Fellow at Connecticut Voices for Children, in an email correspondence dated 2/25/09; email is on file with the author.