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**Testimony before the District of Columbia Council  
Committee on Human Services  
April 14, 2014**

**Agency Budget Oversight Hearing:  
Child and Family Services Agency**

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Executive Director  
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Good morning Chairman Graham and members of the Committee. My name is Judith Sandalow. I am the Executive Director of Children's Law Center<sup>1</sup> (CLC) and a resident of the District. I am testifying today on behalf of CLC, the largest non-profit legal services organization in the District and the only devoted to children. Last year, we provided services to more than 5,000 low-income children and families, with a focus on abused and neglected children and on those with special health and educational needs.

I am testifying today in support of the Mayor's proposed FY15 budget for the Child and Family Services Agency (CFSA). The proposed budget represents a slight increase, 4.9% percent, over FY14 and,<sup>2</sup> importantly, reinvests savings from the decline in the District's foster care population into two areas: services that will prevent children from entering foster care and improving supports for children still in foster care. CFSA is at a critical stage in its reform effort. The Agency has made meaningful gains, which we have all applauded, but it is still building the collection of core services and programs that will put the District's child welfare system on stable footing. CFSA needs to maintain its current funding level in order to prevent its reforms from collapsing and the progress of the last two years from slipping away. For this reason, I urge the Committee and the Council to approve the proposed budget for CFSA without any cuts.

### **Introduction**

Over the last two years, the Child and Family Services Agency has instituted reforms that are fundamentally changing the District's child welfare system. Director Brenda Donald has set ambitious goals for CFSA, seeking to transform it into an agency that reaches vulnerable

families before the point of crisis, removes fewer children from home, and, for children who must enter foster care, focuses on maintaining and improving children's wellbeing while they are in care. These are the right goals for our child welfare system and already, in meaningful and positive ways, today's child welfare landscape is quite different from the one that existed prior to Director Donald's tenure. The foster care population has decreased by more than 600 children in less than 3 years,<sup>3</sup> meaning that fewer children experience the trauma of being torn from their families and the distress of languishing in foster care for years on end. Increasing numbers of vulnerable families are served through the District's differential response system and through in-home cases, allowing families to work through challenges while remaining intact. Even for children who must be taken into CFSA custody, the experience of foster care is – slowly but surely – beginning to change, with more children being placed with relatives,<sup>4</sup> and new supports available to children and caregivers. Director Donald and her staff have dedicated themselves to taking on the big and longstanding challenges of reforming child welfare in the District, and I applaud their continued work.

For all of the progress of the last two years, however, there remain a number of significant challenges that the Agency still needs to overcome. Although CFSA is just one agency, it serves multiple populations, including families in crisis, families at-risk, and foster children who are in CFSA custody due to abuse and neglect. The needs of these populations are deep and varied, and many of the highly specialized services needed to serve them were not in existence prior to Director Donald's tenure. Building agency and community capacity to provide these services is just beginning. This is why Agency's success so far is checkered, with some areas showing meaningful progress and others still underperforming. Children and

families are entering the Agency's differential response system and remaining together at home, for example, but the Agency has not fully built up a network of community-based services to which it can connect them.

Meanwhile, although the foster care population has declined, there are still more than a thousand children in care, and their experiences in the foster care system are mixed. While some children are able to move quickly to lasting and meaningful permanency, many remain in care for years. The Agency's past failures and existing service gaps still need to be remedied. Too many exit the system unemployed and unprepared for adulthood. Foster children of all ages continue to underperform academically, and many youth have experienced trauma and continue to experience mental health problems in care. If not fully addressed, these problems will ultimately cripple reform and children will not be safe and thrive.

If CFSA is to have any chance of building a fully functional child welfare system – one that consistently produces meaningful outcomes for neglected children and vulnerable families, the Agency's budget must equip Director Donald to complete the work that she has begun. At minimum, the budget must keep sufficient resources within the Agency to fully build its core services and supports for both the Agency's community and foster care populations. Further, it must position the Agency to make programmatic adjustments throughout the year, as staff, families, and on-the-ground child welfare professionals identify new needs and service gaps.

The Agency's proposed budget for FY15 meets these criteria. It uses hard-won savings that the Agency has generated by reducing its foster care population to continue building community-based services. It also uses a portion of these savings to maintain and expand

current investments in the District's foster children, ensuring that even as the Agency moves to a more community-based model for serving families, children in foster care are not left behind.

Mr. Chairman, in previous hearings you have noted that, as CFSA has seen its foster care population fall, the Agency's budget has been used as a "piggy-bank" for other agencies to fund non-child welfare initiatives. As you know, I share this concern, and this is why I am pleased to see that the Administration has made the wise decision in this budget to invest CFSA's savings in CFSA. I will use my testimony today to highlight the areas in which there are the highest levels of need for reinvestment, as well as how the proposed budget represents an important step in addressing these needs. Specifically, I will focus on the need for expansion of community-based services, the need for the Agency to better serve its older foster youth population, and the need for expanded educational and mental health supports for children in foster care.

#### **CFSA Will Make New Investments in Community-Based Services**

As this Committee is aware, CFSA launched its differential response system in 2011. The system allows the Agency to respond to relatively low-risk hotline reports by referring families to Family Assessment Units, where social workers identify needs, link families to service providers in the community, and connect children and parents to resources for housing, transportation, substance abuse treatment, and other urgent needs. In addition to launching differential response, the Agency also revised its internal decision-making tool at the hotline stage to more precisely identify families who would benefit from in-home supports as opposed to removal and to identify the types of services that these families need to be safely maintained

in the community. As a result of these reforms, more families are now being served through Family Assessment,<sup>5</sup> and the number of children removed has dropped significantly.<sup>6</sup>

As CFSA has worked to keep more families together, it has had to confront the challenge of how to effectively serve families in their homes and communities. Community-based supports specifically for families at-risk of child welfare system involvement are often unavailable or difficult to obtain. In September, 2013, the Agency received a Title IV-E Waiver from the Federal Government, granting it flexibility to spend federal funds to improve prevention and in-home services, and the Agency is now preparing to implement two evidence-based service models: Homebuilders, an in-home crisis intervention and family treatment program that will target families with young children or young mothers, and Project Connect, an in-home services model that will provide reunification and post-reunification services to families who already have children in foster care, so children can return home safely and stay there.<sup>7</sup> In addition, the Agency has made further investments in prevention services, such as home visiting and fatherhood programs, to better support the parents of young children and link families to supports offered by other District agencies and private providers.<sup>8</sup>

These are not the only programs that are needed to support children safely at home with their families. The Agency, in collaboration with stakeholders, has identified a range of service needs, including mental health, substance abuse, and maternal and early childhood health services.<sup>9</sup> Additionally, as I noted during CFSA's Oversight hearing, the Agency needs to evaluate the effectiveness of its Family Assessment program so that further service needs can be identified and addressed.<sup>10</sup> Although CFSA made the right decision to shift its emphasis away

from disruptive removals and toward serving children at home, it needs to have funds available to provide the services that will keep these children safe.

The Agency's proposed budget recognizes this need, investing over \$6.4 million in new funding in an array of community-based services.<sup>11</sup> Funding will support the initial implementation of Homebuilders and Project Connect in Wards 7 and 8, fund the co-location of infant/maternal health specialists and mental health clinicians at the Collaboratives, fund family coaches to help parents navigate services in their communities, and support existing prevention services.<sup>12</sup> It will also fund an evaluation of Title IV-E Waiver services and provide additional flexibility for the Agency to fund "gap services" – that is, new supports in response to newly-identified needs.<sup>13</sup>

The Agency's proposed re-investment in community-based supports is a smart and necessary decision – one that will preserve the Agency's progress in serving children while keeping them with their families.

### **CFSA Will Maintain Current Investments in Older Foster Youth**

As the number of children in foster care declines, CFSA is left with a foster care population that has a sizable number of teenagers and young adults. As of December 31, 2013, 529 of the 1215 children in foster care (44%) were age 15 or older<sup>14</sup> and almost a quarter of children removed by CFSA in FY13 were teenagers.<sup>15</sup> The District will continue to have a sizeable cohort of older youth in its foster care population for the foreseeable future, so how well the District serves its foster children must be measured, in large part, by how well it prepares the young adults in its care to successfully transition to adulthood.

As the Committee is aware, data regarding older youth in the foster care system raises significant concerns. 128 youth turned 21 and aged out of foster care in FY13 and half were unemployed.<sup>16</sup> Data suggest fairly low enrollment in college among youth in care,<sup>17</sup> and that foster youth who begin college have difficulty progressing past their freshman year,<sup>18</sup> let alone graduating on time. The Agency also has a small but substantial population of pregnant and parenting youth who need additional supports to transition to adulthood,<sup>19</sup> as well as a number of older youth who have had multiple placements,<sup>20</sup> making planning for independent living difficult.

In response to these concerns, Director Donald has made improving services for older youth one of her highest priorities. In the last year, the Agency's Office of Youth Empowerment (OYE) has launched the Career Pathways program to connect 18-21 year old youth with vocational training and employment and the Generations program to support pregnant and parenting teens.<sup>21</sup> Even with these reforms, however, outcomes for older youth continue to be extremely uneven, as OYE's programming is not yet reaching all youth who could benefit from it. For example, while 62 youth participated in OYE's pre-college services program in FY13,<sup>22</sup> this was a tiny percentage of the 407 foster children in high school that year.<sup>23</sup> Career Pathways has a slightly higher enrollment, with 105 youth so far this fiscal year,<sup>24</sup> but there are 320 youth in care who are in Career Pathways' target age group.<sup>25</sup>

From a budgeting standpoint, CFSA needs to retain funding to reach more teenagers. This includes increased outreach to children, caregivers, and case carrying social workers; removal of obstacles to enrollment in OYE programs; and, if necessary, shifting resources to accommodate larger enrollment numbers as more youth learn what is available to them.

Additionally, as with prevention services, as CFSA continues to work closely with youth and stakeholders, it will continue to identify new service needs and service gaps, so budgetary flexibility to expand existing programs or implement new ones is important as well.

Although the foster care population is declining, Director Donald has wisely chosen to maintain funding for teen services at nearly identical levels to FY14, allowing spending on older youth to be spread over a smaller population. The Agency reports that in the coming year, it will allocate \$895,000 for college preparation and college support (including a contract with a private provider to work with high school juniors and seniors and college students), \$954,000 on the Career Pathways Program, and \$498,000 on transition services.<sup>26</sup> As a result of its work with stakeholders, the Agency will also be changing its policies to expand eligibility for pre-college services in order to reach high school freshmen and sophomores.<sup>27</sup>

We understand that the Agency also plans to propose new services to improve employment outcomes for foster youth and perhaps additional new services for older youth. With new services and expanded eligibility for existing services, older youth services may ultimately require funding above FY14 levels. However, the current proposed budget for older youth is an important first step to addressing the immediate issues confronting teens and young adults in foster care.

### **CFSA Will Make New Investments in Educational Supports for Foster Children**

As with older youth, data regarding the educational performance of youth in foster care show that the Agency has a great deal of work to do in the coming year. During the summer of 2013, the Agency conducted educational assessments of 494 school-age foster children in

reading and math.<sup>28</sup> The results showed that 57% of children tested below grade level in reading, while 68% were below grade level in math<sup>29</sup>. Obviously, these results are troubling.

At the beginning of this calendar year, Director Donald announced that improving educational supports for foster children would be the Agency's newest priority, and we are pleased to see that the Agency's budget proposal reflects this decision. The Agency reports that within its Office of Wellbeing budget, it will allocate \$972,000 in new spending on educational supports for children in care.<sup>30</sup> The Agency has again raised its budget for tutoring,<sup>31</sup> and plans to work with foster parents to increase enrollment of foster children in early childhood education programs so that they do not begin school behind their non-foster care peers.<sup>32</sup> Finally, the Agency continues to work with consultants from the ABA to generate a comprehensive new education strategy.<sup>33</sup> While we are awaiting the release of this strategy, our understanding is that the proposed budget ensures that that Agency will have the resources to begin implementation of the strategy as soon as it is finalized.

Positioning children in foster care to succeed academically is essential for all children in care. The Agency's proposed budget recognizes this and builds a foundation for higher quality educational supports in the coming years.

### **CFSA Needs to Make New Investments in Mental Health Supports for Foster Children**

In my Oversight testimony, I highlighted mental health as an area where Agency data revealed some troubling signs. We know that a significant percentage of children in foster care have mental health needs,<sup>34</sup> and yet, the percentage of children receiving timely mental health screenings within 30 days of entering foster care<sup>35</sup> is only 34%.<sup>36</sup> Meanwhile, the number of children who are hospitalized for mental health episodes remains stubbornly high,<sup>37</sup> even as the

overall number of children in care has declined sharply.<sup>38</sup> From our work with hundreds of children in foster care, we know that failure to identify and treat mental health problems in a timely fashion can have significant consequences for children, including the disruption of foster care placements and delays in achieving permanency. In fact, while we do not know what is driving the high placement disruption rates among older youth, we suspect that mental health needs may be a strong contributing factor. As I noted during Oversight, the continuing decline in the foster care population gives the Agency an opportunity to closely examine what it could be doing better, and to consider new investments to update how the Agency handles the mental health needs of its foster children.<sup>39</sup>

During my oral Oversight testimony, one of the proposals I suggested the Agency consider was the adoption of an evidence-based professional foster parent model to support high-needs children in foster care. We have advocated for evidence-based therapeutic foster parenting for years,<sup>40</sup> and continue to believe that bringing an evidence-based model to the District could significantly reduce placement disruptions, while providing high-needs youth with increased levels of supervision and support in family-like settings. My understanding is that Director Donald is open to this idea, and I hope that, with the fiscal stability that this proposed budget would provide if approved, she and the Agency will consider this and other proposals to improve mental health supports for youth in care.

More immediately, I also expect the Agency to fully comply with its own policies for mental health screenings of children in foster care, and to take all available approaches (including allocating additional resources if necessary) to ensure timely identification of mental

health issues for all children in care. The Agency must also ensure timely connection to mental health services.

## Conclusion

Thank you for the opportunity to testify, Mr. Chairman, and I welcome any questions.

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<sup>1</sup> Children’s Law Center works to give every child in the District of Columbia a solid foundation of family, health and education. We are the largest provider of free legal services in the District and the only to focus on children. Our 80-person staff partners with local pro bono attorneys to serve more than 2,000 at-risk children each year. We use this expertise to advocate for changes in the District’s laws, policies and programs. Learn more at [www.childrenslawcenter.org](http://www.childrenslawcenter.org).

<sup>2</sup> CFSA Proposed Budget FY15, E-17.

<sup>3</sup> CFSA FY14 Responses to the Human Services Committee’s Oversight Questions, Q31.

<sup>4</sup> CFSA FY14 Responses to the Human Services Committee’s Oversight Questions, Q7.

<sup>5</sup> During the first six months of calendar year 2013, the Agency made 276 referrals to Family Assessment. *LaShawn A. v. Gray* Court Monitor’s Progress Report, November 21, 2013, p. 76. This was an increase from 225 referrals during the last 6 months of 2012. *LaShawn A. v. Gray* Court Monitor’s Progress Report, May 21, 2013, p. 63.

<sup>6</sup> 613 children were removed in FY11. This decreased to 529 children removed in FY12 and 407 children removed in FY13. CFSA FY12 Responses to the Human Services Committee’s Oversight Questions, Q27; CFSA FY13 Responses to the Human Services Committee’s Oversight Questions, Q6; CFSA FY14 Responses to the Human Services Committee’s Oversight Questions, Q7.

<sup>7</sup> CFSA FY14 Responses to the Human Services Committee’s Oversight Questions, Q1.

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> Children’s Law Center’s Testimony Before the Human Services Committee, February 12, 2014, p. 6.

<sup>11</sup> CFSA FY15 Responses to the Human Services Committee’s Budget Questions, Q1. Please note that in its response, CFSA separated out funding it will be allocating to its Title IV-E Waive evaluation. As we believe that the evaluation is actually an important part of expanding community-based services in the District, we have included it above.

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> CFSA FY14 Responses to the Human Services Committee’s Oversight Questions, Q28. In fact, 52% of children in foster care (636 children) are teenagers or young adults (ages 13-21). *Id.*

<sup>15</sup> CFSA FY14 Responses to the Human Services Committee’s Oversight Questions, Q7.

<sup>16</sup> CFSA FY14 Responses to the Human Services Committee’s Oversight Questions, Q21.

<sup>17</sup> CFSA’s Oversight Responses did not include college enrollment statistics sorted by age, but during Oversight, the Agency reported 89 youth in college. Per the Agency’s most recent Oversight data, there are 219 youth in care who are ages 19 and 20, and when we include 18 year-olds, the total population of young adults in foster care is 320. Based on these numbers, the rate of college enrollment among 19 and 20 year-olds in DC foster care would almost certainly be under 40%, and is likely much lower (a 40% enrollment rate would require us to assume that all foster youth in college are at least 19, an assumption that – because 52 of the 89 CFSA college students are just freshmen – is highly unlikely to be true). *See*, CFSA FY14 Responses to the Human Services Committee’s Oversight Questions, Q28 (for the number of youth in care, sorted by age). *See*, CFSA FY14 Responses to the Human Services Committee’s Oversight Questions, Q16(c) (for the total number of youth enrolled in college).

<sup>18</sup> In FY13, 22 youth dropped out of college, 20 of them at the end of their freshman year. CFSA FY14 Responses to the Human Services Committee’s Oversight Questions, Q16(d). In FY12, the numbers were worse, as 43 youth dropped out, 35 of them at the end of freshman year. CFSA FY13 Responses to the Human Services Committee’s Oversight Questions, Q31(c). At the time of CFSA’s 2014 Oversight Hearing, just four months into FY14, 10 youth

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had already dropped out of college, all of them having completed only their first year. CFSA FY14 Responses to the Human Services Committee's Oversight Questions, Q16(d).

<sup>19</sup> CFSA reports a population of 60 youth who are pregnant or parenting. CFSA FY14 Responses to the Human Services Committee's Oversight Questions, Q60.

<sup>20</sup> Nearly one-third of 15-21 year-olds in care at the end of FY13 (32.3%) had 3 or more placement episodes. CFSA FY14 Responses to the Human Services Committee's Oversight Questions, Q29.

<sup>21</sup> *Office of Youth Empowerment: Career Pathways Unit Proposed Performance Outcomes*; CFSA FY 14 Responses to the Human Services Committee's Oversight Questions, Q19.

<sup>22</sup> CFSA FY14 Responses to the Human Services Committee's Oversight Questions, Q16(a).

<sup>23</sup> CFSA FY14 Responses to the Human Services Committee's Oversight Questions, Q15(d).

<sup>24</sup> CFSA FY14 Responses to the Human Services Committee's Oversight Questions, Q17(a).

<sup>25</sup> CFSA FY14 Responses to the Human Services Committee's Oversight Questions, Q28.

<sup>26</sup> CFSA FY15 Community Budget Briefing, April 7, 2014.

<sup>27</sup> Under current policy, the program starts at the end of a youth's junior year of high school. CFSA Program Policy: Educational Services, Procedure L. However, OYE has begun informing stakeholders that it will work with youth in earlier grades, and is in the process of updating its program policies to include youth from age 15 up (which would make most youth eligible at some point during their freshman year).

<sup>28</sup> Email from Michele Rosenberg, CFSA Chief of Staff, to Judith Sandalow. February 1, 2014.

<sup>29</sup> *Id.*

<sup>30</sup> CFSA FY15 Community Budget Briefing, April 7, 2014.

<sup>31</sup> CFSA FY15 Responses to the Human Services Committee's Budget Questions, Q12.

<sup>32</sup> CFSA FY15 Community Budget Briefing, April 7, 2014.

<sup>33</sup> At CFSA's request, we have submitted programmatic recommendations, many of which are aimed educational policy changes and supports to level the playing field between foster children and their non-foster care peers, with CFSA's educational consultant.

<sup>34</sup> Per the Department of Behavioral Health, 47% of foster children screened during FY13 showed some degree of mental health need. DBH FY14 Oversight Responses to the Committee on Health's Oversight Responses, Q49. This figure has been as high as 60% in the recent past. *See*, CFSA FY12 Responses to the Human Services Committee's Oversight Questions, Q30.

<sup>35</sup> For most children, mental health screening within 30 days of entry is required by CFSA policy: "All children ages one year and older will receive a standardized mental health screening administered by the Department of Mental Health Specialist co-located at CFSA." CFSA Program Policy: Initial Evaluation of Children's Health, Procedure F.

<sup>36</sup> In its Oversight Responses, CFSA reports a 30-day screening rate of 50%. CFSA FY14 Responses to the Human Services Committee's Oversight Questions, Q9(a). The Agency's response excludes children who are too young (age 0-1) for CFSA's mental health screening policy requirement to apply. However, the Agency also appears to classify certain children as "ineligible" for mental health screenings (and not count them for screening rate purposes) based on obstacles to the Agency obtaining parental participation. *Id.* It is unclear why children falling into the parental participation exclusion group would necessarily be classified as "ineligible" for screenings as opposed to simply "not screened" (with lack of parental participation as the reason). However, even if we accept the Agency's higher number, it means that during FY13, only half of children removed from their homes based on reports of abuse and neglect received mental screenings in the 30 days following their removal, far short of what CFSA's own policy requires.

<sup>37</sup> Beginning in FY10, when 76 youth were hospitalized, the number of hospitalizations rose to 117 in FY11, then a peak of 141 in FY12. CFSA FY12 Responses to the Human Services Committee's Oversight Questions, AttachmentQ30\_FY 11CFSA Programs Utilization Update Quarter 4, "Mobile Crisis Services (Child/Youth); CFSA FY13 Responses to the Human Services Committee's Oversight Questions, Q9(e). In FY13, the number of hospitalizations declined slightly, to 127, but this is still well above FY10 and FY11 levels. CFSA FY14 Responses to the Human Services Committee's Oversight Questions, Q9(s).

<sup>38</sup> At the end of FY11, there were 1,827 children in foster care (117 hospitalizations). By the end of FY12, the foster care population had dropped by 300 children to 1,541 (141 hospitalizations). The population would fall again, to 1,318 children at the end of FY13 (127 hospitalizations). For each end-of-year foster care census, *see*, CFSA FY14

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Responses to the Human Services Committee's Oversight Questions, Q31. For the number of hospitalizations, *see, supra*, Note 37.

<sup>39</sup> Children's Law Center's Testimony Before the Human Services Committee, February 12, 2014, p. 13.

<sup>40</sup> *See, e.g.*, Children's Law Center. *Improving the Children's Mental Health System in the District of Columbia*, May 9, 2012, pp. 36-38.