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Testimony Before the District of Columbia Council  
Committee on Human Services  
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Budget Oversight Hearing  
Child and Family Services Agency

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## **Introduction**

Good morning Chairperson Nadeau and members of the Committee. My name is Tami Weerasingha-Cote. I am a Senior Policy Attorney at Children's Law Center<sup>1</sup> and a resident of the District. I am testifying today on behalf of Children's Law Center, which fights so every DC child can grow up with a stable family, good health, and a quality education. With nearly 100 staff and hundreds of pro bono lawyers, Children's Law Center reaches 1 out of every 9 children in DC's poorest neighborhoods – more than 5,000 children and families each year.

I appreciate the opportunity to testify today about the Mayor's proposed FY2022 budget for the Child and Family Services Agency ("CFSA"). CFSA's core mission is "to improve the safety, permanence, and well-being of abused and neglected children in the District of Columbia and to strengthen their families."<sup>2</sup> To this end, CFSA plays a critical role in identifying children and families in the District with the greatest needs and providing them with the supports and services they need to stay safe, stable, and whole. For CFSA to successfully accomplish its mission, the agency needs the full support of the Mayor and the Council, which should be reflected in a thoughtful budget that provides sufficient resources for all CFSA programs and services.

The Mayor's FY2022 proposed budget for CFSA keeps funding for the agency essentially flat.<sup>3</sup> While we are pleased that the Mayor did not make major cuts to the agency's overall budget and sustained investments in key prevention programs, we are

concerned that the agency's budget appears to reduce funding to critical programs impacting services for CFSA-involved children and families.

My testimony will first discuss the investments the Mayor's proposed budget makes in important prevention programs – including the newly-established Family Success Centers and caregiver subsidy programs. My testimony will then discuss several program areas where it appears the Mayor's proposed budget makes significant cuts, including: placement, behavioral health services, and teen services. As we discussed in detail in our recent performance oversight testimony, these are all areas where CFSA is already struggling to meet the needs of CFSA-involved children and families.<sup>4</sup> CFSA's budget briefing for community stakeholders indicated some of these programs might receive federal dollars in lieu of local dollars – but it is unclear whether and to what extent federal dollars may impact funding for these programs.

We therefore urge this Committee to seek clarification from the agency and the Mayor on the extent to which the proposed budget makes cuts to these essential program areas. Where program budgets are being cut, the Committee must find out how the agency expects these cuts to impact services to children and families. Where recurring local dollars are being replaced by one-time federal dollars, the Committee must ask how the agency plans to sustain funding in future years.

## **The Mayor's Proposed Budget Continues Investments in Important Prevention Programs: Family Success Centers and Caregiver Subsidy Programs**

### *Family Success Centers*

Since opening in October 2020, DC's ten Family Success Centers have reached nearly 2,800 families, and more than 350 families have engaged in ongoing services.<sup>5</sup> These new centers reflect CFSA's focus on prevention and are part of a neighborhood-based, neighborhood-driven approach to reducing disparities and creating stronger, more resilient families through meaningful access to District services.<sup>6</sup>

Family Success Centers are intended to both: (1) support better integration and delivery of existing services to their community, and (2) develop new initiatives to deliver previously unavailable services that meet the specific needs of their community. Locations for Family Success Centers were selected based on a review of social determinants of health data, violence prevention data, substantiated reports of child abuse and neglect, and Office on Neighborhood Safety and Engagement data.<sup>7</sup> Services are focused on residents residing in the target areas, with an emphasis on families not yet involved with the child welfare system.<sup>8</sup> The top requested services across all Family Success Centers in 2020 were employment, parental support, food, youth activities, and educational workshops and support.<sup>9</sup>

The Mayor's proposed budget includes approximately \$3.6 million for the Families First D.C. budget line, which covers the Family Success Centers (budget line 8040).<sup>10</sup> This significant investment includes a slight increase of \$151,000 compared to

last year.<sup>11</sup> We appreciate and wholeheartedly support the Mayor's investment in Family Success Centers. We share CFSA's hope that Family Success Centers will strengthen DC's most vulnerable families and prevent children from entering the child welfare system in the long run.

### *Caregiver Subsidy Programs*

As part of its prevention efforts, CFSA offers several programs to provide financial and other supports to caregivers who take in children who would otherwise likely enter foster care. These programs include:

- The Grandparent Caregivers Program, which provides a monthly subsidy to low-income residents who are raising their grandchildren, great-grandchildren, great-nieces, or great-nephews;<sup>12</sup> and
- The Close Relative Caregivers Program, which provides a monthly subsidy to low-income residents who are raising their siblings, nieces, nephews, and cousins.<sup>13</sup>

The Mayor's proposed budget increases the Grandparent Subsidy Activity (budget line 4012) by \$313,000 and, for the first time, includes a separate line for the Close Relative Caregivers Program (budget line 4013), which is funded with \$502,000.<sup>14</sup> These exciting investments in caregiver subsidies are substantial – and we applaud the Mayor and CFSA for prioritizing these programs in the proposed budget.

We note, however, that in its performance oversight responses this year, CFSA stated that 64 eligible families were waitlisted for the Grandparent Caregivers Program due to the program running out of funds in FY2020, and in FY2021 to date, there were 53 families on the waiting list.<sup>15</sup> We hope that the additional \$815,000 the Mayor has allocated for these programs will ensure every eligible family receives these benefits in FY2022 – and urge the Committee to confirm this with the agency.

### **Decreased Budgets for Placement, Behavioral Health, Education, and Older Youth Services May Exacerbate Existing Problems for DC’s Foster Children**

Our recent CFSA performance oversight testimony provides detailed information on several program areas where we believe CFSA is not meeting the needs of children and families, including placement, behavioral health, education, and preparation for independent living (teen services).<sup>16</sup> Based on the experiences of our foster care clients, we believe the services and outcomes CFSA currently provides for DC’s foster children reflect a lack of long-term vision and big-picture perspective regarding our foster children’s futures. Long-term investments in both the effective implementation of existing CFSA programs and the development of new strategies are needed to ensure DC’s foster children have the opportunity to achieve physical and mental health, succeed in school, live independently as adults, and build stable families of their own.

Unfortunately, the Mayor's proposed budget appears to decrease funding for the same program areas we identified as requiring improvement in order to meet the needs of children in care:

- The proposed budget for Child Placement (budget line 2066) is \$2,045,000 less than it was in FY2021 (although some or all of this may be offset by one-time federal dollars);
- The proposed budgets for several line items related to behavioral health and education services are lower than FY2021, including:
  - Clinical Health Services (budget line 3090), which is reduced by \$143,000,
  - Healthy Horizons Clinic (budget line 3092), which is reduced by \$152,000, and
  - Well-Being (budget line 7020), which is reduced by \$591,000; and
- The proposed budget for Teen Services (budget line 2030) is \$220,000 less than it was in FY2021.<sup>17</sup>

Although not all problems can be solved with funding, it is hard for us to understand how allocating fewer resources to these essential program areas will help the agency perform better in these areas. We urge this Committee to seek answers from the agency regarding how the agency expects the reduction in resources to impact services to children and families and how the agency plans to make sustained progress in each of the program areas discussed below.

*Placement: Despite Efforts to Address the Placement Crisis, Placement Array Is Still Not Sufficient to Meet the Needs of DC's Foster Children*<sup>18</sup>

Although it may seem intuitive that funding for Child Placement should decrease as the number of children in care goes down,<sup>19</sup> this decision must be weighed in the context of CFSA's struggle to build an adequate placement array to meet the needs of DC's foster children. CFSA has made several important steps towards improving its placement array over the past year – however, critical gaps persist.<sup>20</sup>

As a result, CFSA's placement array is still not sufficient to meet the needs of DC's foster children. In FY2020, 22 children stayed overnight at CFSA's offices while waiting for a licensed placement.<sup>21</sup> In FY2020, approximately 20 percent of the children in CFSA's care experienced three or more placement changes.<sup>22</sup> In FY2020, 50 children stayed at the Sasha Bruce homeless shelter – with the majority of these children staying at the shelter for more than a week and three children staying at the shelter for more than a month.<sup>23</sup> In its most recent report, CFSA's court monitor noted that “challenges



remain and the system as a whole has struggled to ensure that there is a sufficient and appropriate array of placements to meet the unique needs of every child.”<sup>24</sup>

Further, DC’s foster children are also experiencing other types of placement instability, including instances where foster children are sent for extended home visits or are kept in hospitals or residential treatment facilities past their discharge dates because of CFSA’s inability to find an appropriate placement for them.<sup>25</sup> High levels of placement disruption and instability reflect continued problems with matching children with appropriate placements, poor communication with and preparation of resource families, and inadequate services to support placement.<sup>26</sup>

The Mayor’s proposed budget decreases spending on Child Placement (budget line 2066) by \$2,045,000 compared with FY2021.<sup>27</sup> During CFSA’s budget briefing for community stakeholders, Director Donald indicated that some portion of these dollars may be offset by one-time federal dollars – although the extent to which the reduction would be offset is unclear.<sup>28</sup> Given CFSA’s continued struggle to build an adequate placement array that fully meets the needs of all children in the agency’s care, it is hard to understand the decision to reduce spending on child placement.

We therefore urge this Committee to ask CFSA to clarify the extent to which the reduction in local dollars will be offset by federal dollars, to explain how these funding changes will impact placement services for foster children in the upcoming year and beyond, and to provide details regarding how the agency intends to improve its

placement array and reduce placement instability for foster children with fewer resources.

*Behavioral Health Services: CFSA Recognizes the Need for Behavioral Health Supports, But Is Still Unable to Fully Meet These Needs*<sup>29</sup>

Adequate behavioral health supports are critical to placement stability – children with unmet behavioral health needs are the most likely to experience placement disruption. CFSA recognizes the importance of behavioral health services and has worked to provide access to these services for foster children and their families (resource and birth) over the past year.<sup>30</sup>

Despite CFSA’s efforts, however, the behavioral health needs of DC’s foster children are not being met. High rates of placement disruption and instability reflect high levels of unmet behavioral health needs amongst our foster population. In both FY2020 and FY2019, CFSA reported that approximately half of the middle-school-aged children in CFSA’s care were psychiatrically hospitalized.<sup>31</sup> Our own clients’ experiences confirm that it is a struggle for foster children to access behavioral health services. Many of our clients in foster care struggled to access behavioral health services over the past year – ranging from individual and family therapy sessions, to medication management appointments, to intensive outpatient mental health services.

Although CFSA has some policies and programs in place to address foster children’s behavioral health needs, these policies are not consistently followed. For example, CFSA has detailed policies and procedures regarding the collection,

documentation, and distribution of behavioral health information between biological families, social workers, and resource families.<sup>32</sup> In practice, however, resource families are often left in the dark about the behavioral health histories and needs of their foster children. This results in children not receiving the treatment and intervention services they need. Further, because resource parents are not adequately prepared to meet the needs of their foster children, this often results in disruption as well.

Further, CFSA's in-house behavioral health team and contracts with MBI and other services providers are intended to ensure all children in CFSA's care receive timely mental health screenings, assessments, and services. Yet CFSA's oversight responses reveal that some children are not receiving the screenings and assessments they are supposed to, that there are long delays between screenings and the delivery of services, and that some children are deemed ineligible for assessments and services provided by CFSA (without clarity as to why).<sup>33</sup>

The Mayor's proposed budget reduces spending across all programs that provide behavioral health supports to foster children:

- Clinical Health Services (budget line 3090), which includes behavioral health screenings, expert consultation services, and 24/7 on-call support for mental health services, is reduced by \$143,000;
- Healthy Horizons Clinic (budget line 3092), which includes expert consultation services, is reduced by \$152,000; and

- Well-Being (budget line 7020), which provides comprehensive well-being services for children in CFSA's care (including connections to substance abuse and domestic violence services) and implements CFSA's trauma-informed practice, is reduced by \$591,000.<sup>34</sup>

Director Donald confirmed the proposed budget reduces spending on psychiatric services and explained that this decrease is due to fewer children being in foster care.<sup>35</sup>

Similar to placement, however, we question whether CFSA should decrease spending in an area where foster children are consistently struggling to get their needs met.

We therefore urge this Committee to ask CFSA to explain how these spending reductions will impact foster children's ability to access behavioral health services in a timely and consistent manner and to provide details regarding how the agency intends to improve its ability to meet the behavioral health needs of foster children with fewer resources.

*Education: Foster Children Experience Persistent Engagement and Achievement Struggles<sup>36</sup>*

While we recognize the many ways in which CFSA pivoted to support youth in foster care throughout pandemic learning, we must also recognize the persistent achievement gap that too often leaves foster youth behind. Consistently, foster youth have high truancy rates,<sup>37</sup> low graduation rates,<sup>38</sup> low GPAs,<sup>39</sup> and low engagement with aftercare services.<sup>40</sup> One of CFSA's central responsibilities is to prepare youth in its care

for successful adulthood. A key element of this transition is an education sufficient to enter post-secondary education and/or the workforce.

Evidence from CFSA's oversight responses in previous years shows how the academic needs of students in care predates the pandemic. In FY2019, among foster children in grades 3-8, only 5% met or exceeded expectations in math, and only 12% met or exceeded expectations in reading.<sup>41</sup> The data are even worse for older youth. Among high school students in foster care, only 2% met or exceeded expectations in math, and only 5% met or exceeded expectations in reading.<sup>42</sup>

The pandemic and the resulting learning loss experienced by children across the city has likely only worsened the education challenges faced by foster children. Now more than ever, CFSA must invest in helping foster children reengage in school and find paths to success. We know this is possible – for example, in FY2019, foster youth who received at least six months of in-home tutoring saw significant academic gains in both reading and math.<sup>43</sup>

We hope to see CFSA increase offerings of high-dose and in-home tutoring for foster youth in the coming months. The Mayor's proposed budget, however, decreases spending on both programs that provide educational services to foster children:

- Well-Being (budget line 7020), which provides comprehensive well-being services for children in CFSA's care (including educational services) is reduced by \$591,000; and

- Teens Services (budget line 2030), which includes vocational and educational support services for older youth, is reduced by \$220,000.<sup>44</sup>

Again, we struggle to understand why the agency is reducing spending in an area where the agency is consistently failing to meet the needs of foster children. Particularly in light of the pandemic and the devastating impact it has had on learning for all students – let alone our most vulnerable at-risk students – we would expect the agency to devote more resources, not less, to helping foster children reengage with their education and recover from the learning loss they have experienced over the last two school years.

We therefore urge this Committee to ask CFSA to explain how these spending reductions will impact CFSA’s ability to provide education services for foster children and to provide details regarding how the agency intends to improve education outcomes for foster children with fewer resources.

*Independent Living: Youth Who Age Out Are Often Not Sufficiently Prepared to Live Independently*<sup>45</sup>

This past year, thanks to the leadership of this Committee and Chairperson Nadeau and with the support of CFSA, the Council passed legislation that gives youth who would otherwise “age out” of care during the pandemic the option of staying in foster care for up to 90 days after the end of the public health emergency.<sup>46</sup> Giving older

youth additional time to prepare for this critical transition during this exceptionally challenging time has provided much relief for many of our clients.

Extended care, however, only delays the point in time at which these youth will have to face the significant challenges of transitioning out of foster care and into independent living – challenges which include finding employment, securing housing, and paying for rent and transportation. Unfortunately, many of the programs and services offered to foster youth through CFSA’s Office of Youth Empowerment (OYE) simply fail to sufficiently prepare them for independent living. For example, of the 42 youth who aged out in FY2020, 5 had full-time jobs, 9 had part-time jobs, and the remaining 28 youth were unemployed.<sup>47</sup> Also, very few of these 42 youth were able to find independent living situations. Excluding the 17 who stayed in extended care, only 3 had their own apartment, and another 3 were in a college dorm or in a DDS placement.<sup>48</sup> The rest were all in temporary situations – including staying with family and friends, living in transitional housing, in abscondence, and incarceration.<sup>49</sup> In particular, we believe OYE needs to re-evaluate its approach to financial literacy, workforce readiness, and housing stability for foster youth.

The Mayor’s proposed budget decreases spending on Teen Services (budget line 2030) by \$220,000.<sup>50</sup> Teen Services provides permanency support, consultation, technical assistance, training, and case management for older foster youth (between the ages of 15 and 21). Teen Services seeks to provide older foster youth with “life skills

training, vocational and educational support, and transitional assistance to prepare them for independence after leaving foster care.”<sup>51</sup> We are at a loss to understand why the agency would reduce spending on these essential services for older youth when so many youth aging out of care are struggling to find housing or stable employment.

We therefore urge this Committee to ask CFSA to explain how this spending reduction will impact CFSA’s ability to prepare older youth to live independently upon aging out of care and to provide details regarding how the agency intends to improve outcomes for youth aging out of care with fewer resources, particularly with respect to housing and employment.

We would also like to bring to the Committee’s attention that additional funds are available this year to help support older youth in CFSA’s care through the federal Consolidated Appropriations Act.<sup>52</sup> Through this federal legislation, CFSA will receive \$541,461 in additional funds for the John H. Chafee Foster Care Program for Successful Transition to Adulthood (Chafee), as well as \$78,701 in additional funds for Education and Training Vouchers (ETV).<sup>53</sup> As we understand it, this money must be spent by September 30, 2021.<sup>54</sup> We believe these funds provide CFSA with a unique opportunity to provide direct financial supports for older youth (especially those in extended care) that could make the difference in whether they are able to secure housing and a path to stable employment before they age out of care or their extended care protection expires. We further urge this Committee to ask CFSA to provide details regarding how these



federal funds will be used to support youth aging out as they prepare for independent living.

## Conclusion

Thank you for the opportunity to testify today. I welcome any questions the Committee may have.

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<sup>1</sup> Children’s Law Center fights so every child in DC can grow up with a stable family, good health, and a quality education. Judges, pediatricians, and families turn to us to advocate for children who are abused or neglected, who aren’t learning in school, or who have health problems that can’t be solved by medicine alone. With nearly 100 staff and hundreds of pro bono lawyers, we reach 1 out of every 9 children in DC’s poorest neighborhoods – more than 5,000 children and families each year. We multiply this impact by advocating for city-wide solutions that benefit all children.

<sup>2</sup> CFSA has eight core values: (1) All children and youth have the right to be safe; (2) Families have the right to be understood, valued, encouraged, and empowered. Families always have a voice in decisions that affect them; (3) Community partnerships are essential to keeping children and youth safe; (4) Our child welfare practice and services draw on inherent strengths to help children, youth, and families achieve positive outcomes; (5) Children and youth deserve opportunities to grow, develop, be physically and mentally healthy, learn, and prepare for successful adulthood; (6) Children and youth have an urgent need to achieve permanence as quickly as possible with a family who loves them unconditionally; (7) Children, youth, and families deserve understanding and respect within the context of their history, traditions, and culture; and (8) Best practices and continuous quality improvement throughout the child welfare system support making a positive difference in the lives of those we serve.

Child and Family Services Agency, About CFSA, *available at*: <https://cfsa.dc.gov/page/about-cfsa>.

<sup>3</sup> FY2022 CFSA Budget Chapter, Table RL0-1, p. E-1.

<sup>4</sup> Tami Weerasingha-Cote, Children’s Law Center, Testimony Before the District of Columbia Council Committee on Human Services, (February 25, 2021), *available at*:

[https://www.childrenslawcenter.org/sites/default/files/attachments/testimonies/TWeerasingha-Cote\\_Children%27s%20Law%20Center%20Testimony%20for%20Feb.%2025%2C%202021%20CFSA%20Oversight%20Hearing\\_FINAL.pdf](https://www.childrenslawcenter.org/sites/default/files/attachments/testimonies/TWeerasingha-Cote_Children%27s%20Law%20Center%20Testimony%20for%20Feb.%2025%2C%202021%20CFSA%20Oversight%20Hearing_FINAL.pdf).

<sup>5</sup> CFSA FY2020 Performance Oversight Responses, response to Q58(a), *available at*:

[https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses\\_FINAL.pdf](https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses_FINAL.pdf); For more information on Family Success Centers, including a list of locations, *see* CFSA, Families First DC (Accessed June 8, 2021), *available at*: <https://cfsa.dc.gov/page/families-first-dc>.

<sup>6</sup> CFSA Putting Families First in DC, *Families First DC Snapshot* (Accessed February 19, 2021), *available at*: [https://cfsa.dc.gov/sites/default/files/dc/sites/cfsa/page\\_content/attachments/FFDC\\_Fact%20Sheet\\_wgrantees.pdf](https://cfsa.dc.gov/sites/default/files/dc/sites/cfsa/page_content/attachments/FFDC_Fact%20Sheet_wgrantees.pdf).

<sup>7</sup> *Id.* Family Success Centers Ward 7 neighborhoods/grantees: (1) Benning Terrace/Benning Park: East River Family Strengthening Collaborative; (2) Clay Terrace: Sasha Bruce; (3) Mayfair/Paradise: North Capital Collaborative (Project Uplift); (4) Stoddart Terrace/37th St.: Life Deeds; and (5) Benning Rd. & Minnesota Ave.: East River Family Strengthening Collaborative. Family Success Centers Ward 8

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neighborhoods/grantees: (1) Woodland Terrace: Smart from the Start; (2) Anacostia: Martha's Table; (3) Congress Heights: Far Southeast Family Strengthening Collaborative; (4) Washington Highlands: A Wider Circle; and (4) Bellevue: Community of Hope.

<sup>8</sup> Services that CFSA provides at the Success Centers, *see* CFSA FY2020 Performance Oversight Responses, response to Q59(a), *available at*: [https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses\\_FINAL.pdf](https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses_FINAL.pdf).

<sup>9</sup> CFSA FY2020 Performance Oversight Responses, response to Q59(c), *available at*: [https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses\\_FINAL.pdf](https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses_FINAL.pdf).

<sup>10</sup> FY2022 CFSA Budget Chapter, Table RL0-4, p. E-5.

<sup>11</sup> *Id.*

<sup>12</sup> CFSA, Grandparent Caregivers Program, *available at*: <https://cfsa.dc.gov/publication/program-grandparent-caregivers-program>.

<sup>13</sup> CFSA, Close Relative Caregiver Pilot Program, *available at*: <https://cfsa.dc.gov/publication/ai-close-relative-caregiver-pilot-program>.

<sup>14</sup> FY2022 CFSA Budget Chapter, Table RL0-4, p. E-4.

<sup>15</sup> CFSA FY2020 Performance Oversight Responses, response to Q73, *available at*: [https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses\\_FINAL.pdf](https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses_FINAL.pdf).

<sup>16</sup> Tami Weerasingha-Cote, Children's Law Center, Testimony Before the District of Columbia Council Committee on Human Services, (February 25, 2021), *available at*: [https://www.childrenslawcenter.org/sites/default/files/attachments/testimonies/TWeerasingha-Cote\\_Children%27s%20Law%20Center%20Testimony%20for%20Feb.%2025%2C%202021%20CFSA%20oversight%20Hearing\\_FINAL.pdf](https://www.childrenslawcenter.org/sites/default/files/attachments/testimonies/TWeerasingha-Cote_Children%27s%20Law%20Center%20Testimony%20for%20Feb.%2025%2C%202021%20CFSA%20oversight%20Hearing_FINAL.pdf).

<sup>17</sup> FY2022 CFSA Budget Chapter, Table RL0-4, p. E-4.

<sup>18</sup> Tami Weerasingha-Cote, Children's Law Center, Testimony Before the District of Columbia Council Committee on Human Services, (February 25, 2021), p. 15-19, *available at*: [https://www.childrenslawcenter.org/sites/default/files/attachments/testimonies/TWeerasingha-Cote\\_Children%27s%20Law%20Center%20Testimony%20for%20Feb.%2025%2C%202021%20CFSA%20oversight%20Hearing\\_FINAL.pdf](https://www.childrenslawcenter.org/sites/default/files/attachments/testimonies/TWeerasingha-Cote_Children%27s%20Law%20Center%20Testimony%20for%20Feb.%2025%2C%202021%20CFSA%20oversight%20Hearing_FINAL.pdf).

<sup>19</sup> In FY18, CFSA reported there were 839 children in care. That number has decreased in both FY19, with only 796 children in care, and in FY20, with 693 children in care. *See* FY2018 CFSA Performance Oversight Responses, response to Q79, *available at*: <https://dccouncil.us/wp-content/uploads/2019/02/cfsa19.pdf>; FY2019 CFSA Performance Oversight Responses, response to Q91, *available at*: <https://dccouncil.us/wp-content/uploads/2020/02/cfsa20.pdf>; and FY2020 CFSA Performance Oversight Responses, response to Q81, *available at*: [https://dccouncil.us/wp-content/uploads/2021/03/FY20-21\\_CFSA\\_POH\\_PreHearing\\_Responses\\_FINAL2.pdf](https://dccouncil.us/wp-content/uploads/2021/03/FY20-21_CFSA_POH_PreHearing_Responses_FINAL2.pdf).

<sup>20</sup> Recognizing the need for specialized therapeutic placements for children with high behavioral health needs, in December 2019, CFSA contracted with Children's Choice, a Maryland-based provider, to provide therapeutic placements for children with diagnosed behavioral health needs who are at risk of placement instability. CFSA FY2019 Performance Oversight Responses, responses to Q88(e), Q97(l), Q106(d), *available at*: <https://dccouncil.us/wp-content/uploads/2020/02/cfsa20.pdf>. Children's Choice provides foster parents with specialized training and additional resources to support placement stability, including an in-house mental health services support team, in-house transportation services, and crisis intervention services available over the phone. As part of the settlement agreement in *LaShawn v. Bowser*, CFSA also committed to: (1) increase the number of placements available in professional foster homes; (2) develop a specialized psychiatric residential treatment facility (PRTF) for children and youth in foster care; (3) establish a ten percent built-in surplus of foster care beds to facilitate better matching of children to appropriate homes; and (4) dedicate a full-time staff person to building an appropriate placement array that will meet children's needs and reduce placement instability. *LaShawn A. v. Bowser*, Civil Action No.

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89-1754 (TFH) Settlement Agreement (August 2020), *available at*: [https://cfsa.dc.gov/sites/default/files/dc/sites/cfsa/publication/attachments/Aug%202020\\_LaShawn%20A%20v%20Bowser%20Settlement%20Agreement%20%28Fully%20Executed%29.pdf](https://cfsa.dc.gov/sites/default/files/dc/sites/cfsa/publication/attachments/Aug%202020_LaShawn%20A%20v%20Bowser%20Settlement%20Agreement%20%28Fully%20Executed%29.pdf). *LaShawn A. v. Bowser*, Civil Action No. 89-1754 (TFH) Addendum to Settlement Agreement (April 2021), *available at*: [https://cfsa.dc.gov/sites/default/files/dc/sites/cfsa/release\\_content/attachments/Addendum%20to%20Settlement%20Agreement.pdf](https://cfsa.dc.gov/sites/default/files/dc/sites/cfsa/release_content/attachments/Addendum%20to%20Settlement%20Agreement.pdf).

<sup>21</sup> CFSA FY2020 Performance Oversight Responses, response to Q87, *available at*: [https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses\\_FINAL.pdf](https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses_FINAL.pdf).

<sup>22</sup> CFSA FY2020 Performance Oversight Responses, response to Q82, *available at*: [https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses\\_FINAL.pdf](https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses_FINAL.pdf).

<sup>23</sup> CFSA FY2020 Performance Oversight Responses, response to Q88, *available at*: [https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses\\_FINAL.pdf](https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses_FINAL.pdf).

<sup>24</sup> Center for Study of Social Policy, *Lashawn A. v. Bowser Progress Report for The Period January 1 – December 31, 2020*, p. 56-57, *available at*: <https://cssp.org/wp-content/uploads/2021/04/LaShawn-A-v.-Bowser-Report-for-Period-Jan-Dec-2020.pdf>.

<sup>25</sup> We reviewed over 400 CLC cases from the past year or so and found instances of “unofficial” placement instability in nearly a quarter of them – including over 50 children who absconded from their placement (18 of these children absconded three or more times), 14 children placed in respite care because no other placement was available, 10 children sent for extended home visits because no other placement was available, and nine children kept at a residential facility past their discharge date due to a lack of placement options.

<sup>26</sup> For years, we have shared with this committee the research about the traumatic impact that placement disruptions can have on youth in care. It is not uncommon for youth in care to experience significant behavioral and emotional health decline when they must move to a new foster parent. When foster children are bounced from foster home to foster home, they struggle to form healthy attachments to adults, which in turn makes it harder for them to be open to the prospect of reunifying with their parents or being adopted by their foster parents. For the sake of the permanency and wellbeing of the children in its care, CFSA must improve placement stability. *See* Judith Sandalow, Children’s Law Center, *Testimony Before the District of Columbia Council Committee of Human Services*, (February 12, 2020), *available at*: <https://www.childrenslawcenter.org/sites/default/files/attachments/testimonies/JSandalow%20CFSA%20FY2019%20Oversight%20Testimony%20FINAL.pdf>; *see also* Center for Study of Social Policy, *Lashawn A. v. Bowser Progress Report for The Period April 1 – December 31, 2019*, p. 54-57, *available at*: <https://cssp.org/wp-content/uploads/2020/06/LaShawn-A-v.-Bowser-Report-for-the-Period-of-April-1-December-31-2019.pdf>.

<sup>27</sup> FY2022 CFSA Budget Chapter, Table RL0-4, p. E-4.

<sup>28</sup> *See* CFSA, Budget Engagement Forum Slide Deck (June 4, 2021), slide 10, on file at the Children’s Law Center. (Slide 10 states that \$3.8 million in fed funds will go to “placement and other services”).

<sup>29</sup> Tami Weerasingha-Cote, Children’s Law Center, *Testimony Before the District of Columbia Council Committee on Human Services*, (February 25, 2021), p. 19-23, *available at*: [https://www.childrenslawcenter.org/sites/default/files/attachments/testimonies/TWeerasingha-Cote\\_Children%27s%20Law%20Center%20Testimony%20for%20Feb.%2025%2C%202021%20CFSA%20Oversight%20Hearing\\_FINAL.pdf](https://www.childrenslawcenter.org/sites/default/files/attachments/testimonies/TWeerasingha-Cote_Children%27s%20Law%20Center%20Testimony%20for%20Feb.%2025%2C%202021%20CFSA%20Oversight%20Hearing_FINAL.pdf).

<sup>30</sup> CFSA contracted with Children’s Choice in order to have placement options with built-in behavioral health supports. Pursuant to the *LaShawn* settlement agreement, CFSA established an in-house behavioral health team that includes four therapists, a clinical supervisor, and a psychiatric nurse practitioner. *LaShawn A. v. Bowser*, Civil Action No. 89-1754 (TFH) Settlement Agreement (August 2020), *available at*: [https://cfsa.dc.gov/sites/default/files/dc/sites/cfsa/publication/attachments/Aug%202020\\_LaShawn%20A](https://cfsa.dc.gov/sites/default/files/dc/sites/cfsa/publication/attachments/Aug%202020_LaShawn%20A)

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[%20v%20Bowser%20Settlement%20Agreement%20%28Fully%20Executed%29.pdf](#); CFSA FY2020 Performance Oversight Responses, response to Q38, *available at*: [https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses\\_FINAL.pdf](https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses_FINAL.pdf). (In FY2020, this team provided individual therapy services for 90 foster children and conducted mental health evaluations for 67 children). CFSA also contracts with MBI to provide therapeutic services for foster children. *30-year old Class Action Case Wrapping Up in DC*, Child Welfare Monitor DC (Sept. 14, 2020), *available at*: <https://childwelfaremonitordc.org/2020/09/14/30-year-old-class-action-case-wrapping-up-in-dc/>. See also CFSA FY2019 Performance Oversight Responses, response to Q15, *available at*: <https://dccouncil.us/wp-content/uploads/2020/02/cfsa20.pdf>. CFSA also recently launched the REACH Support Line (RSL), which is a telephone-based intervention that provides after-hours support to resource parents and youth experiencing behavioral, emotional, or family dynamic challenges. RSL staff are trained to help in an engaging, collaborative, and advocacy-based manner. Crisis intervention services can be an effective way to support placement stability and help families address behavioral health challenges at home. CFSA, *Fostering Connections Monthly Newsletter* (Nov. 12, 2020), *available at*: [https://cfsa.dc.gov/sites/default/files/dc/sites/cfsa/page\\_content/attachments/OPI\\_11-12-2020\\_Fostering%20Connections%20newsletter%20%28November%202020%29.pdf](https://cfsa.dc.gov/sites/default/files/dc/sites/cfsa/page_content/attachments/OPI_11-12-2020_Fostering%20Connections%20newsletter%20%28November%202020%29.pdf). See also CFSA FY2020 Performance Oversight Responses, response to Q37(b)-(d), *available at*: [https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses\\_FINAL.pdf](https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses_FINAL.pdf).

<sup>31</sup> CFSA FY2019 Performance Oversight Responses, response to Q31(e), *available at*: <https://dccouncil.us/wp-content/uploads/2020/02/cfsa20.pdf>; CFSA FY2020 Performance Oversight Responses, response to Q36(e), *available at*: [https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses\\_FINAL.pdf](https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses_FINAL.pdf).

<sup>32</sup> See CFSA, *Family Team Meetings*, *available at*: <https://cfsa.dc.gov/publication/program-family-team-meetings> (“Family team meetings are structured planning and decision-making meetings that use skilled and trained facilitators to engage families, family supports, and professional partners in creating plans for children’s safety and in laying the groundwork for permanency.”); see also CFSA, *Placement and Matching Policy*, Section VII. Procedures, Procedure F: General Placement Procedures (11), 15, *available at*: [https://cfsa.dc.gov/sites/default/files/dc/sites/cfsa/publication/attachments/Program%20-%20Placement%20and%20Matching%20%28final%20-%202014%29\\_0.pdf](https://cfsa.dc.gov/sites/default/files/dc/sites/cfsa/publication/attachments/Program%20-%20Placement%20and%20Matching%20%28final%20-%202014%29_0.pdf).

<sup>33</sup> CFSA FY2019 Performance Oversight Responses, response to Q31, *available at*: <https://dccouncil.us/wp-content/uploads/2020/02/cfsa20.pdf>; CFSA FY2020 Performance Oversight Responses, response to Q36(b) and (d), *available at*: [https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses\\_FINAL.pdf](https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses_FINAL.pdf).

<sup>34</sup> FY2022 CFSA Budget Chapter, Table RL0-4, p. E-4.

<sup>35</sup> CFSA, *Budget Engagement Forum Slide Deck* (June 4, 2021), slide 9, on file at the Children’s Law Center.

<sup>36</sup> Tami Weerasingha-Cote, Children’s Law Center, *Testimony Before the District of Columbia Council Committee on Human Services*, (February 25, 2021), p. 23-26, *available at*: [https://www.childrenslawcenter.org/sites/default/files/attachments/testimonies/TWeerasingha-Cote\\_Children%27s%20Law%20Center%20Testimony%20for%20Feb.%2025%2C%202021%20CFSA%20Oversight%20Hearing\\_FINAL.pdf](https://www.childrenslawcenter.org/sites/default/files/attachments/testimonies/TWeerasingha-Cote_Children%27s%20Law%20Center%20Testimony%20for%20Feb.%2025%2C%202021%20CFSA%20Oversight%20Hearing_FINAL.pdf).

<sup>37</sup> OSSE, *Attendance Report School Year 2019-2020* (Nov. 30, 2020), p. 27, *available at*: <https://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/2019-20%20Attendance%20Report.pdf>.

<sup>38</sup> CFSA FY2019 Performance Oversight Responses, response to Q130, *available at*: <https://dccouncil.us/wp-content/uploads/2020/02/cfsa20.pdf>; CFSA FY2020 Performance Oversight Responses, response to Q101, *available at*: [https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses\\_FINAL.pdf](https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses_FINAL.pdf). (In FY19, the graduation rate was 73% and in FY20, the graduation rate was 69%).

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<sup>39</sup> CFSA FY2019 Performance Oversight Responses, response to Q181, *available at:* <https://dccouncil.us/wp-content/uploads/2020/02/cfsa20.pdf>; CFSA FY2020 Performance Oversight Responses, response to Q101(e), *available at:* [https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses\\_FINAL.pdf](https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses_FINAL.pdf).

<sup>40</sup> CFSA FY2019 Performance Oversight Responses, response to Q137, *available at:* <https://dccouncil.us/wp-content/uploads/2020/02/cfsa20.pdf>; CFSA FY2020 Performance Oversight Responses, response to Q112, *available at:* [https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses\\_FINAL.pdf](https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses_FINAL.pdf).

<sup>41</sup> CFSA FY2019 Performance Oversight Responses, responses to Q46(a), (b), *available at:* <https://dccouncil.us/wp-content/uploads/2020/02/cfsa20.pdf>. Standardized testing data from Spring 2020 is not available due to the pandemic see CFSA FY2020 Performance Oversight Response, responses to Q50(a), (b), *available at:* [https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses\\_FINAL.pdf](https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses_FINAL.pdf).

<sup>42</sup> *Id.*

<sup>43</sup> CFSA FY2019 Performance Oversight Responses, response to Q46(c), *available at:* <https://dccouncil.us/wp-content/uploads/2020/02/cfsa20.pdf>.

<sup>44</sup> FY2022 CFSA Budget Chapter, Table RL0-4, p. E-4.

<sup>45</sup> Tami Weerasingha-Cote, Children’s Law Center, Testimony Before the District of Columbia Council Committee on Human Services, (February 25, 2021), p. 26-34, *available at:* [https://www.childrenslawcenter.org/sites/default/files/attachments/testimonies/TWeerasingha-Cote\\_Children%27s%20Law%20Center%20Testimony%20for%20Feb.%2025%2C%202021%20CFSA%20oversight%20Hearing\\_FINAL.pdf](https://www.childrenslawcenter.org/sites/default/files/attachments/testimonies/TWeerasingha-Cote_Children%27s%20Law%20Center%20Testimony%20for%20Feb.%2025%2C%202021%20CFSA%20oversight%20Hearing_FINAL.pdf).

<sup>46</sup> D.C. Code § 16-2303(b).

<sup>47</sup> CFSA FY2020 Performance Oversight Responses, response to Q113(c), *available at:* [https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses\\_FINAL.pdf](https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses_FINAL.pdf).

<sup>48</sup> CFSA FY2020 Performance Oversight Responses, response to Q113(d), *available at:* [https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses\\_FINAL.pdf](https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses_FINAL.pdf).

<sup>49</sup> CFSA FY2020 Performance Oversight Responses, response to Q113, *available at:* [https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses\\_FINAL.pdf](https://dccouncil.us/wp-content/uploads/2021/02/FY20-21-CFSA-Pre-Hearing-Responses_FINAL.pdf).

<sup>50</sup> FY2022 CFSA Budget Chapter, Table RL0-4, p. E-4.

<sup>51</sup> FY2022 CFSA Budget Chapter, Division Description Agency Programs, Teen Services, p. E-5.

<sup>52</sup> H.R.133 - Consolidated Appropriations Act, 2021 (December 27, 2020).

<sup>53</sup> Children’s Bureau, Memorandum ACY-CB-IM-21-05, Att. A & B (January 13, 2021), *available at:* <https://www.acf.hhs.gov/sites/default/files/documents/cb/pi2104.pdf>.

<sup>54</sup> *Id.*