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**Testimony before the District of Columbia Council
Committee on Human Services
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**Agency Performance Oversight Hearing:
Child and Family Services Agency**

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Good afternoon Chairman Graham and members of the Committee. My name is Judith Sandalow. I am the Executive Director of Children's Law Center¹ (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 such organization devoted to a full spectrum of children's legal services. Every year, we represent over 2,000 low-income children and families, including 500 children in foster care, dozens of children at risk of entering foster care, and several hundred foster parents and relatives of children in or at risk of entering foster care.

Introduction

Over the last year, the Child and Family Services Agency (CFSA) has made significant progress in re-shaping the District's child welfare system for the benefit of our children. Under the leadership of Director Brenda Donald, CFSA has continued implementation of reforms to create a child welfare system that removes fewer children from home, places more children with kin, and ensures shorter stays for children who ultimately must be removed and placed into foster care. Additionally, the Agency has pressed ahead with initiatives to improve services for children in foster care, especially in the areas of education and services for older youth, as well as making the child welfare system as a whole more informed by best practices in trauma research. The Agency has maintained a high level of transparency and stakeholder involvement in its efforts, a key part of the success for such dramatic change.

Many of the Agency's ongoing initiatives show great promise, and some of Director Donald's earliest reforms have already brought fundamental changes to the child welfare system. In a little over two years, the number of children in foster care in the District has dropped from 1,827 at the end of FY 11 to 1,215 as of December 31, 2013.² In the same

timeframe, the number of children the Agency removes each year has dropped by a third.³ And within the foster care system, 24% of youth are now living in placements with kin, a significant increase from previous years.⁴ However, these reforms are in their earliest stages. In order to make lasting change for the District's abused, neglected, and at-risk children, there is more work to be done, particularly in four areas that I will address today: CFSA's differential response system and the children diverted from foster care, services for older foster youth, educational supports for youth in care, and mental health screenings and services. Today I will highlight some key initiatives that have real promise for children and families, as well some challenges that the Agency must confront on the road ahead.

Before I begin, however, I would like to note for the Committee that in FY 13, more than \$21 million in funds were reprogrammed away from CFSA to other agencies.⁵ This is not a new situation – as this Committee is aware, in FY 12, over \$13 million was reprogrammed out of the Agency, followed by a cut to CFSA's budget for FY 13.⁶ We are deeply concerned by this continuing depletion of CFSA's funds and urge that this practice end now. The transition to a system in which at-risk children are served in their homes and communities requires a strong and sustained financial commitment, and these children will not be safe nor will CFSA's ongoing reforms survive if funds continue to be drained from the Agency. As I have noted before, while children and families may be disappearing from the District's foster care rolls, their needs remain as striking as ever. Whether or not the child welfare system meets these children's needs will depend, in part, on CFSA having the resources to accomplish its work.

Ongoing Initiatives

Several of CFSA's ongoing initiatives are particularly noteworthy.

Consistent with its goal of making in-home services more available to at-risk families, in September 2013, the Agency received a Title IV-E Waiver.⁷ The result of an extensive application process that began early last year, the waiver grants the Agency greater flexibility to use federal funds for programming that serves families in their homes and communities and, ultimately, prevents children from coming into foster care. Under the waiver, CFSA will contract for evidence-based family preservation services, as well as reunification and post-reunification services for families with a youth returning home from foster care.⁸ The Agency will utilize two specific evidence-based models: Project Connect, an intensive in-home service model for high-risk families affected by parental substance abuse, mental illness, and/or domestic violence and involved in the child welfare system; and Home Builders, a model for expedited reunification services.⁹

In addition to this programming under the waiver, CFSA also will partner with community providers to expand prevention services, which will be available to families involved in Family Assessment and in-home cases. Prevention services will include home visiting and father-child attachment services (in partnership with Mary's Center for Maternal and Child Care), as well as parent education and parent support programming.¹⁰

CFSA has also worked with its sister agencies to bring additional services needed to help fragile families. Next quarter, with the help of the Department of Behavioral Health (DBH), CFSA plans to co-locate four mental health specialists in the Collaboratives, to conduct assessments for both mental health and substance abuse issues and to connect families to

resources. With assistance from the Department of Health (DOH), CFSA plans to locate infant and maternal health specialists in all five Collaboratives.¹¹

On another front, CFSA has made significant strides this past year removing barriers to placing children with relatives when they must enter foster care. The Agency has entered into a new border agreement with Maryland that streamlines the Interstate Compact on the Placement of Children (ICPC) process for placement with kin in Maryland.¹² Additionally, CFSA's Kinship Administration has put into place new procedures for identifying kin and conducting emergency licensing, making it easier to place children with kin quickly after removal. We have noticed a real change in practice and increased willingness by CFSA staff to work with families to identify kinship resources. The Agency's efforts have resulted in a substantial increase in the percentage of children placed with kin from 16% in FY 12 to 24% in FY 13.¹³

Finally, the Agency has adopted Trauma Systems Therapy as a model for making the District's child welfare system more trauma-informed.¹⁴ Throughout the year, the Agency has trained social workers, foster parents, guardians *ad litem*, and other professionals and stakeholders on the model, with the goals of promoting a greater awareness of the impact of trauma in the lives of abused and neglected children and, eventually, preparing professionals to adapt their approach to working with children served by the child welfare system. We look forward to learning what the next steps of implementation will be and how trauma-informed practices will be incorporated into the child welfare system's daily operations.

Challenges

While we are pleased with the initiatives discussed in our testimony and optimistic about their potential, there are still areas of challenge ahead for CFSA as it work to address the needs of children both in and out of the foster care system.

Differential Response & Family Assessment Referrals

In 2011, CFSA established a differential response model that allows it to respond to low-risk reports (e.g., educational neglect, inadequate clothing or food, inadequate shelter) by referring families to Family Assessment Units. Family Assessment Unit social workers identify the families' needs, refer families to appropriate service providers in the community, and can connect them to resources for housing, transportation, substance abuse treatment, and other urgent needs.

Since 2011, CFSA has continually increased the number of Family Assessment Units within Child Protective Services (CPS) – including converting traditional Investigation Units to Family Assessment Units.¹⁵ CLC supports CFSA's increased focus on serving lower risk families through Family Assessment rather than traditional investigations, which can quickly turn adversarial and disrupt the lives of the children that CPS is supposed to serve. However, it is important to ensure that services provided to these families are effective in alleviating the concerns that triggered agency involvement.

While we recognize that CFSA's differential response system is still relatively new, we are concerned about how few data are available regarding which providers families are being referred to, which services they are receiving, and what outcomes families experience. For, example, the most recent *LaShawn* Court Monitor's Report notes that in the Monitor's review of

Family Assessment cases closed between September 6, 2011 and June 17, 2013, 11% of families were referred to a Collaborative or other community-based agency.¹⁶ However, there were no data available on engagement, services referrals, or outcomes.¹⁷ In addition, there were no data on where, if anywhere the other 89% of families were referred.¹⁸ We urge the Agency to develop a process for evaluating how well the differential response system is working and to share the results of any evaluations with stakeholders on an ongoing basis. As part of evaluating differential response, CFSA should track which specific providers families are referred to, monitor whether services provided by each provider are effective in addressing the concerns that brought the family to CFSA's attention, and gather data on outcomes for families referred to Family Assessment.

CFSA has advised CLC that it is working on an evaluation plan and is hoping to get support from experts in this process. Development and implementation of this plan should be a top priority for the Agency this year. Linkage to effective and appropriate community services is the way a differential response model succeeds. Without a way to monitor the success of referrals, it is impossible to tell if the model is working.

Services for Older Youth

At the end of FY 13, roughly 44% of youth in foster care were age 15 or older.¹⁹ While we share CFSA's hope that a greater focus on permanency for both younger and older youth will prevent youth from lingering in foster care into their late teens, because of the significant number of youth who enter care as teenagers, there will likely continue to be a sizable cohort of older youth in the District's foster care population for the foreseeable future.²⁰ To ensure that this subpopulation of foster youth is able to transition to a stable adulthood, it is critical that

CFSA offer a mix of high-quality services to older youth, including post-secondary educational supports (for both college and non-college-bound students), assistance in finding and maintaining employment, transition planning, supports for pregnant and parenting youth, and aftercare services for youth who age out of care.

In FY 13 and early FY 14, CFSA has responded to the challenges faced by older youth by making several changes to its older youth programming. CFSA's Office of Youth Empowerment (OYE) launched the Career Pathways Unit, which uses specialized staff to provide career planning, employment support, and information about vocational programs to youth ages 18 or older who are not college-bound.²¹ OYE also launched the Generations Unit, which provides case management for pregnant and parenting youth in congregate care placements and CFSA foster homes, as well as linkages to services for youth whose cases are managed by private agencies.²² At the beginning of the current fiscal year, CFSA also began working with CLC and other stakeholders to review and revise its program policies and administrative issuances regarding services for older youth, many of which have not been updated for several years. Once new written policies are complete, CFSA and stakeholders will continue to work together to ensure that there is increased outreach by OYE to youth, foster parents, and private agency social workers, as we have found that many of these professionals do not know about the services that OYE offers.

While we have been pleased with many of the reforms that OYE has made over the last few months, as well as CFSA's overall willingness to work closely with stakeholders in this area, there is a great deal of work that needs to be done. We are particularly concerned that, at present, older youth do not receive information about a full range of post-secondary options –

both college and vocational – early enough to make meaningful plans for education and training after high school. OYE is currently expanding its pre-college services program to serve youth as young as age 15 (for most youth, this corresponds to the freshman or sophomore year of high school).²³ However, youth who are interested in non-college options do not become eligible for the Career Pathways Unit until they are 18 – an age which, for many youth, corresponds to the second half of their senior year of high school. This presents a problem. Youth who discover during their junior years (after taking the SAT and receiving most of their junior year grades) that they are not likely to satisfy college admission requirements must wait several months before becoming eligible to even receive information from OYE about vocational options. Additionally, youth who are not able to attend college directly after high school (for example, due to significant special needs or substantial interruptions in school attendance) are similarly ineligible for Career Pathways until age 18, even if such programming would benefit them. Finally, Career Pathways offers support in the areas of career planning and employability skills – areas in which all youth, whether college-bound or not, should receive services and support before exiting foster care.²⁴ Over the years, we have seen too many youth scramble at the ages of 19 and 20 to find training programs and employment because of a lack of information and planning earlier in their teenage years. As CFSA moves forward with implementation of reforms for older youth, we urge the Agency to avoid creating case planning and programming gaps in the area of post-secondary education and training.

Educational Needs of Youth in Foster Care

During FY 13 and early FY 14, CFSA has taken important steps to assess and address the educational needs of foster youth. According to a program summary provided by CFSA, the

Agency has partnered with Alternatives for Crime Scholarship Foundation, Inc. (AFC) and, during the summer of 2013, the Agency and AFC conducted educational assessments of 494 school-aged foster youth for proficiency in reading and math.²⁵ Results of these assessments revealed that 57% of youth tested were below grade level in reading, while 68% were below grade level in math. Based on this data, CFSA is implementing targeted educational interventions for students in 2nd, 3rd, 8th and 9th grades, including team meetings convened by Educational Specialists in the Office of Well Being and tutoring offered through its relationship with AFC.²⁶ These interventions are aimed at bringing students up to grade level in math and reading.

We understand that in the coming year, CFSA plans to make the educational needs of foster youth a priority and we look forward to working with the Agency on solutions to some of the problems that have made educational achievement difficult for our clients in foster care. CFSA and AFC's data-gathering is an important first step – it gives the Agency and stakeholders a snapshot of DC foster youth's academic performance, which helps us to understand the scope of the problem. Further, targeted interventions to improve reading and math proficiency are important, foundational steps that will help prevent youth from falling further behind as they move through their academic careers. However, based on our observations from FY 13 and FY 14 to date, there are certain challenges to which Agency should pay specific attention as it continues to make reforms.

First, our clients continue to experience sporadic disruptions in school stability and continuity, as well as disruptions in school attendance and instructional time due to events beyond their control. These disruptions have range of causes, including placement changes that

make it difficult to maintain children's schools of origin, occasional difficulty accessing and maintaining school stability transportation, and delays in school enrollment that lead to missed instructional time and complicate the implementation of special education services.

During the summer prior to the 2013-2014 school year, CFSA took an important step in addressing school stability issues by announcing a new process in which the Office of Well Being would review new placements and placement changes for transportation needs. This process has been tremendously effective in linking youth with transportation resources, as currently, most requests for transportation that reach the Office of Wellbeing are granted.²⁷ However, because there is not a single cause of school stability and attendance disruptions, several additional steps need to be taken to ensure that youth do not continue to experience disruptions in school attendance and unnecessary school changes. These include:

- Ensuring that there is a sufficient number of foster homes available throughout the DC area so that CFSA and private agencies can make placement matches that preserve school stability;
- Ensuring that social workers at both CFSA and private agencies are aware of the availability of school stability transportation offered by CFSA and that there are no unnecessary barriers to accessing and maintaining this service.
- Ensuring that social workers, particularly those at private agencies, are fully aware of the processes for enrolling students in District public and charter schools, as well as schools in the Maryland school districts where DC foster youth are most often placed (this was a source of several enrollment delays for our clients at the beginning of the 2013-2014 school year).

Second, while we are supportive of CFSA and AFC's targeted, proficiency-based interventions, as CFSA proceeds with its education-related reforms, it is important that the Agency take a comprehensive approach, including identifying the full range of supports that youth in care need in order to keep pace with their non-foster youth peers, as well as barriers to accessing these supports.

For example, while we support tutoring that brings students up to grade-level in reading and math, our guardians *ad litem* have found that their clients often also need subject matter tutors who can help them with specific classes (for example, the sciences or foreign languages). Currently, when our youth (or their foster parents) request subject-matter tutors, social workers often refer them back to the youth's schools for support – a strategy that is often unsuccessful.²⁸ Youth would benefit from CFSA contracting with a small number of tutoring providers across a range of subjects as a supplement to the patchwork of offerings available at the school level.

Similar to the tutoring issue, there are a number of areas in which foster youth could benefit from supports that would put them on equal footing with their non-foster peers. These include removing logistical and other barriers to participation in extracurricular activities, ensuring that foster youth receive home instruction when they suffer from extended absences from school due to illness or pregnancy, and training social workers and foster parents to work with youth and their families around accessing charter schools, out-of-boundary schools, and application-only schools. As important as proficiency is, CFSA's educational reforms will be

more productive and lasting if, across all domains, the Agency seeks to level the playing field for children in foster care.

Mental Health

It is extremely important that CFSA provide prompt and effective mental health services to help children heal from abuse and neglect and reunify safely with their families or find permanence with a new family. Mental health services can also help families better manage children's behavior and avoid the need for foster care.

As in other areas, CFSA has taken encouraging steps in the last year. As noted earlier, the Agency has begun implementation of Trauma Systems Therapy, which we hope will improve the ability of child welfare professionals in the District to carry out day-to-day case management and other activities in a trauma-informed way. However, there are areas of concern.

In our testimony last year, we noted a decline in the percentage of children who received a mental health screening within 30 days of entering foster care – specifically a decline from 56% in FY 11 to 25% in FY 12.²⁹ In FY 13, the percentage of youth receiving screenings stood at 34%, an increase, but still well below FY 11 levels.³⁰ Even when we account for the exclusions that CFSA urges in this year's answers,³¹ 50% of children did not receive timely mental health screenings. Failure to screen youth for mental needs has significant consequences for youth in care – it delays the identification of needed mental health services and leaves professionals working with youth unprepared to handle potential behavioral/emotional problems or crises. Indeed, CFSA's FY 11 statistics, which show that 60% of youth screened that year were

identified as needing some form of mental health services,³² suggest that the failure to screen appropriately leaves a large number of youth without needed treatment.

Further, during the same period that timely mental health screenings declined, there was a steady increase in the number of psychiatric hospitalizations of youth. Beginning in FY 10, when 76 youth were hospitalized, the number of hospitalizations rose to 117 in FY 11, then a peak of 141 in FY 12.³³ In FY 13, the number of hospitalizations declined slightly, to 127,³⁴ but this is still well above FY 10 and FY 11 levels. This rise in the number of hospitalizations is all the more notable because it occurred at the same time that the total number of youth in care has declined significantly – year-end censuses show that as of the end of FY 13, there were 500 fewer youth in care than there were in FY 11, and 200 fewer than in FY 12.³⁵

The significant decline in the size of the foster care population provides CFSA with an important opportunity to more fully assess the nature of the mental health challenges that foster youth face and improve mental health screening and linkage to services for youth in care. We are hopeful that the Agency will take advantage of this opportunity, and we look forward to working with the Agency at both the policy and case-carrying levels to improve on current performance.

Conclusion

Thank you again for the opportunity to testify and I welcome any questions.

¹ 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.

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- ² CFSA FY 14 Responses to the Human Services Committee’s Oversight Questions, Q31.
- ³ 613 children were removed in FY 11. This decreased to 529 children in FY 12, and most recently, 407 children in FY 13. CFSA FY 12 Responses to the Human Services Committee’s Oversight Questions, Q27; CFSA FY 13 Responses to the Human Services Committee’s Oversight Questions, Q6; CFSA FY 14 Responses to the Human Services Committee’s Oversight Questions, Q7.
- ⁴ CFSA FY 14 Responses to the Human Services Committee’s Oversight Questions, Q7(c).
- ⁵ CFSA FY 14 Responses to the Human Services Committee’s Oversight Questions, Q3.
- ⁶ CFSA FY 13 Responses to the Human Services Committee’s Oversight Questions, Additional Question, p. 51.
- ⁷ CFSA FY 14 Responses to the Human Services Committee’s Oversight Questions, Q1.
- ⁸ *Id.*
- ⁹ *Id.*
- ¹⁰ *Id.*
- ¹¹ *Id.*
- ¹² See, *Border Agreement Between The State of Maryland, Department of Human Resources and The District of Columbia, Child and Family Services Agency*, executed 2/7/2013, Article VIII.
- ¹³ CFSA FY 14 Responses to the Human Services Committee’s Oversight Questions, Q7(c).
- ¹⁴ In October 2012, the U.S. Department of Health and Human Services’ Administration for Children and Families awarded CFSA a 5-year, \$3.2 million grant to transform the District’s child welfare system into a trauma-informed system. TST is the chosen model for carrying out this grant. CFSA FY 13 Responses to the Human Services Committee’s Oversight Questions, Q 10.
- ¹⁵ CFSA FY 13 Responses to the Human Services Committee’s Oversight Questions, Q19.
- ¹⁶ *LaShawn* Court Monitor Report, November 21, 2013, p. 78.
- ¹⁷ *Id.* The Court Monitor continued on to note that it “remains concerned about the strength of engagement and identification and linkage to needed services.”
- ¹⁸ *Id.*
- ¹⁹ CFSA FY 14 Responses to the Human Services Committee’s Oversight Questions, Q28.
- ²⁰ In FY 13, youth ages 15-18 made up about 15% of new removals. 24% of removals in FY 13 were teenagers (ages 13-18). CFSA FY 14 Response, Q7.
- ²¹ *Office of Youth Empowerment: Career Pathways Unit Proposed Performance Outcomes.*
- ²² CFSA FY 14 Responses to the Human Services Committee’s Oversight Questions, Q 19.
- ²³ Under current policy, the program starts at the end of a youth’s junior year. CFSA Program Policy: Educational Services, Procedure L. However, OYE has begun informing stakeholders that will work with youth in earlier grades, and is in the process of updating its program policies to include youth from age 15 up.
- ²⁴ This is particularly important in light of the Agency’s Oversight Responses, which indicate that out of the 128 youth who aged out of foster care in FY 13, half were unemployed at the time of emancipation. CFSA FY 14 Responses to the Human Services Committee’s Oversight Questions, Q28.
- ²⁵ Email from Michele Rosenberg, CFSA Chief of Staff, to Judith Sandalow. February 1, 2014. CFSA has recently announced plans to schedule assessments for another 321 youth who were not captured in during summer, 2013 assessments.
- ²⁶ CFSA FY 14 Responses to the Human Services Committee’s Oversight Questions, Q12.
- ²⁷ In fact, per CFSA’s Oversight Answers, all 94 requests for school transportation in FY 13 were honored for some period of time. CFSA FY 14 Responses to the Human Services Committee’s Oversight Questions, Q11(c). While the percentage of requests granted in FY 14 to date is much lower (42 of 66 requests) (*Id.*), CFSA’s monitoring of cases for transportation needs represents a significant step towards addressing what has been a longstanding issue for District foster youth.
- ²⁸ For example, afterschool tutoring may only be offered at times when a youth has other, case-related, services (such as therapy or family visits) scheduled. The quantity and quality of available school-based tutoring also varies widely across the large number of D.C. and Maryland schools that our clients attend.
- ²⁹ CFSA FY 12 Responses to the Human Services Committee’s Oversight Questions, Q20; CFSA FY 13 Responses to the Human Services Committee’s Oversight Questions, Q9
- ³⁰ CFSA FY 14 Responses to the Human Services Committee’s Oversight Questions, Q9(a)
- ³¹ *Id.*

³² CFSA FY 12 Responses to the Human Services Committee’s Oversight Questions, Q30.

³³ CFSA FY 12 Responses to the Human Services Committee’s Oversight Questions, AttachmentQ30_FY 11CFSA Programs Utilization Update Quarter 4, “Mobile Crisis Services (Child/Youth); CFSA FY 13 Responses to the Human Services Committee’s Oversight Questions, Q9(e).

³⁴ CFSA FY 14 Responses to the Human Services Committee’s Oversight Questions, Q9(s).

³⁵ CFSA FY 14 Responses to the Human Services Committee’s Oversight Questions, Q31.