STATE OF CONNECTICUT
DEPARTMENT OF CHILDREN AND FAMILIES

Public Hearing Testimony of
Commissioner Susan I. Hamilton, M.S.W., J.D.

Select Committee on Children
February 23, 2010

S. B. No. 154 - AN ACT AUTHORIZING A DIFFERENTIAL RESPONSE BY THE DEPARTMENT OF CHILDREN AND FAMILIES TO REPORTS OF CHILD ABUSE.

The Department of Children and Families has submitted S. B. No. 154 - AN ACT AUTHORIZING A DIFFERENTIAL RESPONSE BY THE DEPARTMENT OF CHILDREN AND FAMILIES TO REPORTS OF CHILD ABUSE to the Select Committee on Children for your **favorable consideration** and we would like to take this opportunity to thank you for raising this bill on our behalf.

This proposal would permit the creation of an innovative and improved way to deliver child welfare services known as Differential Response System (DRS). The Differential Response System is an approach that allows child protection agencies to differentiate their response to accepted reports of child abuse and neglect based on such factors as the type and severity of the alleged maltreatment, the number of previous reports, and the motivation and cooperation of the parent in addressing safety concerns. Integral to this approach is its multiple focus on child safety, family engagement, and community response. The process begins with a thorough exploration of a family's strengths and needs. At any time, the case can be returned to the Child Protective Services investigative track, if appropriate.

Implementation plans are well underway, but the effort has had to be governed by fiscal realities and a staged implementation strategy is now emerging To effectively account for the complexity, size and scope of this change in practice, the next phase of implementation will carefully examine the community readiness for a Differential Response System in each of DCF's five regions. This regional planning process was launched in follow-up to a Request for Information (RFI) issued by the Department on August 1, 2008 seeking information and feedback regarding the design and potential statewide implementation of a Differential Response System approach to working with families following receipt of a report of abuse or neglect. Through this RFI process the basic framework of a Differential Response System model emerged and the work of refining that model is close at hand.

As this model emerges, constant are several key points underlying the philosophy of the Differential Response System and include:

1) The primary goal is serving low risk families who come to the attention of the child welfare system in a strengths-based, solution focused, and culturally competent manner. The process must be family-driven aimed at assessing needs, without compromising child safety.

2) Families eligible for the Differential Response System will be those who meet statutory requirements of abuse and neglect.
3) Differential Response System services will be provided at the family's discretion following a determination that all children in the home are safe.
4) Differential Response System services will best be delivered through a collaborative partnership including families, DCF, and community providers.
5) Although initially guiding the safety and needs assessment processes, the Department's role diminishes as linkage to services and community supports aimed at addressing identified needs occurs.
6) Cases will be handed over to the community as soon as possible.
7) DCF will close cases as soon as families are deemed safe and receiving all needed services.
8) Families need a comprehensive, coordinated network of community services.
9) Communities must work together to ensure a seamless, coordinated system of services for families.
10) A clearly established service coordination model must be secured and functioning.

The regional planning groups are composed of a cross section of community representatives including, but not limited to parents, schools, police, employment agencies, social services, community based organizations, local health departments, local housing authorities and youth service bureaus. In addition to these entities, coordination shall include the Departments of Children and Families, Social Services, Mental Health and Addiction Services and Labor, and consideration shall be given to their community infrastructures.

Anticipated Planning Process Timeline

Date	Activity
September 30, 2009	Contract Executed
October 15, 2009	Identify and engage initial group membership
November 15, 2009	First Large Group Meeting
December 15, 2009	Second Large Group Meeting
January 15, 2010	Third Large Group Meeting
February 15, 2010	Fourth Large Group Meeting
March 15, 2010	Draft Plan Submitted to Community
April 15, 2010	Fifth Large Group Meeting
May 1, 2010	Final plans submitted
June 1, 2010	Final consultation period

Formal implementation of the Differential Response System, following this planning process, is also dependent on the promulgation of regulations and the availability of resources.

S. B. No. 156 - AN ACT CONCERNING THE TRANSFER OF EDUCATIONAL CREDITS.

The Department of Children and Families has submitted S. B. No. 156 - AN ACT CONCERNING THE TRANSFER OF EDUCATIONAL CREDITS to the Select Committee on Children for your **favorable consideration** and we would like to take this opportunity to thank you for raising this bill on our behalf.

This bill builds upon Public Act 09-82 - An Act Concerning the Readmission Students, by extending the same provisions regarding the transfer of education credit that currently exists for Unified School District # 1 (Department of Correction) to Unified School District # 2 (Department of Children and Families). Unified School District # 2 provides educational services in the three DCF-operated facilities: Riverview Hospital; Connecticut Children's Place; and the Connecticut Juvenile Training School and we want to ensure that the children and youth who transition from our care receive the appropriate education credit when they transfer to other school districts.

We understand that the Department of Correction has suggested a change on line 7 to change "enrolls" to "registers." We have no objection to this proposed amendment.

S. B. No. 152 - AN ACT CONCERNING TECHNICAL CHANGES TO THE GENERAL STATUTES CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES.

The Department of Children and Families has submitted S. B. No. 152 - AN ACT CONCERNING TECHNICAL CHANGES TO THE GENERAL STATUTES CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES to the Select Committee on Children for your **favorable consideration** and we would like to take this opportunity to thank you for raising this bill on our behalf.

This bill would repeal several obsolete reporting requirements and various advisory boards and commissions. It would also make various modifications to DCF statutes.

Section 1 repeals a reporting requirement in § 17a-98a regarding the Kinship Navigator Program. The Department participated in the establishment of the Kinship Navigation Program with the Department of Social Services and did submit the initial required report on January 1, 2008; however, we are not the custodian of the data maintained by the 211 Infoline, which operates the program. While we believe that it was important to submit the initial report, we do not think that it makes sense going forward. Please note we are not recommending repeal of the program, only the reporting requirement.

Section 2 amends § 17a-6b to add "a review of safety and security issues which affect" Middletown to the responsibility of the Connecticut Juvenile Training School (CJTS) Advisory Board. Section 6 deletes a requirement of a separate CJTS Public Safety Committee contained

in § 17a-27f, which we believe is a responsibility that can be capably handled by the CJTS Advisory Board.

Section 3 amends § 17a-101h to clarify that DCF has the authority to interview a child without the consent of a parent when "neglect" by that parent or a member of the household is suspected. The existing statute only permits an interview without the consent of a parent when "abuse" is suspected. The Department believes, and national data supports, that many incidents of child neglect can be even more harmful to the physical well-being of a child than incidents of physical abuse. It is important to note that the protections of the existing statute remain: consent will continue to be required if the parent is not the suspected perpetrator, and interviews conducted without consent will occur in the presence of a disinterested party, except in cases of emergency.

Section 4 amends § 17a-126 to make technical modifications to DCF's subsidized guardianship program. This modification will make our statutes compliant with federal requirements allowing maximization of federal revenue for subsidized guardianship expenses.

Section 6 includes the elimination of the following obsolete mandated reports or advisory bodies:

- § 17a-22m - annual evaluation of Behavioral Health Partnership;
- § 17a-27f - a committee that is currently required to make quarterly reviews of safety and security issues at CJTS that affect Middletown (the responsibility of this committee is incorporated into the CJTS Advisory Board in section 2); and
- § 17a-91 - report on the status, (1) as of the January first preceding, of all children committed to the commissioner's custody, including in such report the date of commitment with respect to each child, and (2) of the central registry and monitoring system.

S. B. No. 155 - AN ACT CONCERNING THE EDUCATIONAL PLACEMENT OF CHILDREN IN THE CARE AND CUSTODY OF THE DEPARTMENT OF CHILDREN AND FAMILIES.

The Department of Children and Families **supports the concept behind** S. B. No. 155 - AN ACT CONCERNING THE EDUCATIONAL PLACEMENT OF CHILDREN IN THE CARE AND CUSTODY OF THE DEPARTMENT OF CHILDREN AND FAMILIES, **but urges support of the educational stability bill introduced by the Governor, S.B. NO. 31** - AN ACT IMPLEMENTING THE BUDGET RECOMMENDATIONS OF THE GOVERNOR CONCERNING THE EDUCATIONAL PLACEMENT OF CHILDREN IN THE CARE AND CUSTODY OF THE DEPARTMENT OF CHILDREN AND FAMILIES. This bill contains similar language to the Governor's bill, which was heard earlier today in the Human Services Committee.

Both bills enact the provisions of Public Law 110-351, the federal Fostering Connections to Success and Increasing Adoptions Act. A key component of this act requires, as a condition of continued receipt of federal IV-E funds, that states take steps to insure the educational stability of foster children by permitting each child, if it's in his or her best interest, to remain in the schools of origin even if the foster or relative placement is in a different town. There are additional

requirements as well for children whose best interests require that they move to new schools, including immediate enrollment and immediate transfer of school records. Connecticut is required to implement the federal law by July 1, 2010.

We believe strongly that providing a child with a stable educational environment is an important consideration when removing a child from his or her home and into foster or relative care. By far the biggest challenge will be funding the transportation component. Transporting children back to their home school will present some logistical challenges but the Department is preparing to solicit proposals to accomplish this in the most cost-effective manner.

Failure to enact this legislation will jeopardize the state's ability to seek federal Title IV-E reimbursement for children in out-of-home care. Connecticut receives over $100 million in Title IV-E funds annually. The Governor's recommended budget adjustment includes funding of $2.8 million in FY 11 to begin implementation of this new federal mandate. The annualized cost in future years could potentially exceed $10 million. While this legislation will make Connecticut eligible for partial federal reimbursement, it is estimated that it will be approximately 25 cents on the dollar.

The Judicial Branch has suggested a technical modification to clarify further that the parents' and child's rights to appeal a decision made pursuant to this bill is first to the agency, not to the Superior Court, utilizing the Uniform Administrative Procedures Act. This clarification is necessary to ensure that the appeal is handled as expeditiously as possible. The Department has already committed to an expedited hearing, which the Superior Court cannot guarantee due to docket constraints. We therefore support this suggestion.

H. B. No. 5041 - AN ACT CONCERNING CROSS-REPORTING OF CHILD ABUSE AND ANIMAL CRUELTY.

The Department of Children and Families **appreciates the intent behind** H. B. No. 5041 - AN ACT CONCERNING CROSS-REPORTING OF CHILD ABUSE AND ANIMAL CRUELTY, but is concerned that appropriate resources are not available to train DCF staff regarding their responsibilities under this bill to report suspected harm, neglect or cruelty of an animal. We are also concerned regarding that the specificity of the information to be reported by DCF employees may conflict with the confidentiality provisions of section 17a-28 of the General Statutes.

The American Humane Association has published a considerable amount of information documenting the correlation between animal abuse, family violence and other forms of community violence. As some of you may be aware that the American Humane Association is, in addition to their advocacy regarding the protection of animals, a national leader in the child welfare arena. In fact, DCF has worked with American Humane on our differential response initiative.

We do endorse adding animal control officers as mandated reporters of child abuse or neglect under section 17a-101 of the General Statutes. DCF provides training free of charge to mandated

reporters to provide them with a better understanding of the child abuse and neglect reporting process in Connecticut. The program contains information on:

- Connecticut law addressing child abuse and neglect;
- Definitions;
- Key indicators to look for in recognizing cases of suspected child abuse and neglect;
- Legal issues and concerns about mandatory reporting;
- Procedures for making a report of abuse or neglect; and
- An explanation of what happens when a report is made.

The Department provides over 300 trainings annually with approximately 8,000 to 10,000 participants.

S B. No. 53 - AN ACT REQUIRING THE DEPARTMENT OF CHILDREN AND FAMILIES TO NOTIFY NONCUSTODIAL PARENTS OF CERTAIN ABUSE AND NEGLECT INVESTIGATIONS.

The Department of Children and Families **offers the following comments regarding** S.B. No. 53 - AN ACT REQUIRING THE DEPARTMENT OF CHILDREN AND FAMILIES TO NOTIFY NONCUSTODIAL PARENTS OF CERTAIN ABUSE AND NEGLECT INVESTIGATIONS.

The Department does not object to sharing information regarding a notice of substantiation to the non-custodial parent, but does have concerns sharing the information notwithstanding the best of interest of the child.