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Committee on Human Services
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Child and Family Services Agency

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INTRODUCTION

Good morning Chairperson Nadeau and members of the Committee on Human Services. My name is Judith Sandalow. I am the Executive Director of Children's Law Center¹ 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 loving family, good health and a quality education. With 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. We serve as guardians *ad litem* for hundreds of children in foster care and represent foster parents and relatives caring for children who are in or at risk of entering the District's child welfare system.

With Director Brenda Donald back at the helm, Child and Family Services Agency (CFSA) is planning to make significant changes to its structure and programs. We appreciate Director Donald's inclusive style and the efforts she and her leadership team have made to solicit input from Children's Law Center (CLC) and other stakeholders as they implement these changes.

CLC is concerned, however, that the proposed FY18 budget does not provide CFSA with adequate funding to properly implement these changes or to respond to the unanticipated challenges which accompany all projects of this scope, especially ones with such aggressive timelines for implementation.

CFSA's proposed FY18 budget includes \$6.1 million in cuts.² This accelerates a pattern of budget reductions: in FY17, CFSA's budget was reduced by \$3.3 million.³ Although CFSA points to fewer children in foster care to explain this change,⁴ CLC regularly sees children's well-being compromised by a lack of supports and services which these funds could be used to address. In short, CLC is concerned that this budget will not allow CFSA to adequately protect the well-being of children who are abused, neglected or at-risk of abuse or neglect.

Foster Care

CFSA plans to restructure its foster care program during FY18. Currently, CFSA contracts with private licensing agencies in DC and Maryland to provide foster homes and case management for approximately 50% of the children in CFSA legal custody.⁵ This effort, which they have branded the Temporary Safe Haven Re-Design, will: (1) bring all DC foster homes under the direct licensing and case management of CFSA, and (2) bring all Maryland foster homes in which the District places youth under the single private agency selected by competitive bid.⁶ Additionally, the agency will eliminate the "therapeutic" foster home category, reducing the stipend for foster parents who take youth with more significant physical and behavioral health needs, pledging instead to make a wider array of supportive services for youth with special needs available to foster parents across all homes in both the District and Maryland.⁷

This is not the first time that CFSA has ended contracts with private agencies. In December 2014, CFSA ended its contracts with two private licensing agencies that provided a combined 185 foster families for children, many of whom were designated therapeutic and welcomed youth with significant challenges. The immediate consequence was that CFSA experienced a significant shortage of foster families. As a result of the shortage, dozens of children in CFSA custody were forced to sleep at CFSA offices, emergency respite placements, or hotels.⁸ CLC sees the continued impact of that crisis today as CFSA is unable to find appropriate placements for many of our clients. We are concerned that the Temporary Safe Haven Re-Design will result in another placement shortage if foster parents are not adequately supported.⁹

It is critical that the agency have sufficient funds to recruit, train and -- most importantly -- support foster families during this restructuring. To be successful, CFSA will have to manage this change for foster families currently working with seven private agencies. Approximately half of all the children in the agency's custody could be required to move to new agencies. Earning the trust of these foster parents and convincing them to change agencies is one hurdle. Having adequate placement, licensing, clinical, and administrative resources to develop and support additional foster homes is another hurdle. Failure to clear either hurdle could result in a costly placement crisis and traumatic disruptions in the lives of some of DC's most vulnerable children.

The FY18 budget proposes a net \$2.7 million cut to Agency Programs, which provides direct and indirect services for children in foster care.¹⁰ CLC is concerned that this leaves CFSA without adequate funds to fully protect children and families.

In the past, CFSA has justified cuts to this program because they anticipated fewer children entering foster care.¹¹ However, this year CFSA is projecting that approximately 1000 youth will be in care during FY18,¹² which is essentially the same number of children it had in care during FY16.¹³

Despite being in the midst of a complex redesign of its foster care system, CFSA is proposing to spend less money on foster care related services than was budgeted in FY16.¹⁴ We are specifically concerned about the cuts to the Child Placement program¹⁵ and the Family Resources program.¹⁶ These programs, both of which are nested under CFSA's Agency Programs budget, pay for the cost of placements and the supportive services necessary to support foster children and foster families.

Even if CFSA was not redesigning its foster care system, we would be concerned that the proposed budget does not include the funds necessary to meet the needs of the children who will be in foster care. This is especially true because CLC guardian *ad litem* attorneys report that the children and families who have entered foster care since CFSA started "narrowing of the front door" have more significant and chronic needs than in previous years.

We do not foresee how the agency will be able to give children stable, caring foster families and the necessary services to heal from the trauma of abuse while decreasing its Agency Programs budget, without short changing children in some respect.

Prevention and In-Home Services

CFSA is rethinking its efforts to prevent abuse and neglect and to support children who can stay safely with birth parents despite prior abuse and neglect. Director Donald has named this effort the Safe and Stable Families Program Re-Design.¹⁷ We understand that the agency is still acquiring stakeholder input and that the details of the Safe and Stable Families Program Re-Design are being developed. However, Director Donald has indicated that the agency will modify the “community hub” model that it uses to deliver prevention services to families that are at-risk of experiencing child abuse and neglect.

We support the agency’s efforts to shift its model towards one that serves families without removing children or jeopardizing their safety. However, our guardian *ad litem* attorneys are finding that many of the parents whose children came into foster care after receiving in-home services had difficulty consistently accessing high-quality preventions services. Many parents did not receive in-home assistance in a manner appropriate for the parent’s situation. Keeping children safe and families together will

require that the agency has the funding it needs to expand the quantity, quality and variety of prevention and in-home services.

CLC is concerned that the \$1.67 million cut to the Community Partnerships Division will impede the agency's ability to offer quality community services. The Community Partnership Division is comprised of Community Partnership services, In-Home services, and Prevention services. While I applaud the decision to invest an additional \$1 million into In-Home services, the cuts to the rest of the Community Partnerships Division total over \$2.8 million.¹⁸ Given the many ways that the federal government has threatened to disrupt the stability of DC families, CFSA's budget should account for the possible increase in demand for prevention and community services that may accompany further changes to federal immigration practices or the Affordable Care Act. While we anticipate that the community services re-design will generate some streamlining and efficiency improvements, the total cost of the re-design is unknown. We are concerned that deep cuts to the agency's prevention and community services will limit the quality of services that CFSA's community partners will be able to offer DC families.

College and Career Services

Lastly, in FY17 CFSA initiated its two-year plan to implement recommendations contained in its report: *Current Educational Services and Career Planning at the Child and Family Services Agency Comprehensive Analysis*. The report recommended that the agency

invest \$1 million and 5 FTEs in its tutoring services and expand its funding for pre-college and career planning services and supports to start providing these services to youth during their 8th grade year.¹⁹ In its responses to the Committee's Pre-Hearing Questions for the FY17 Budget, CFSA stated that it "is committed to implementing the recommendations from the Educational and Career Planning Comprehensive Analysis."²⁰

Consistent with the commitment it voiced during the FY17 budget cycle,²¹ CFSA tutoring budget was \$1 million during FY17.²² Additionally, in September 2016, CFSA began college and career planning with 8th graders.²³ Although CFSA promised that by the end of FY17 it would prepare a progress report and assess whether additional tutoring resources will be needed,²⁴ prior to the completion of the assessment CFSA is only planning to allot \$750,000 to tutoring services during FY18.²⁵ This is a \$250,000 decrease from FY17 and appears contrary to the CFSA's commitment to fully implement the recommendations in the report.

Conclusion

During a time of great uncertainty and change— in our country, our city, and at CFSA – CLC is concerned that CFSA's FY18 proposed budget will not fully support the improvements and reforms that are needed to keep our children safe.

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

¹ Children’s Law Center fights so every child in DC can grow up with a loving family, good health and a quality education. Judges, pediatricians and families turn to us to be the voice 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 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. And, we multiply this impact by advocating for city-wide solutions that benefit all children.

² CFSA Proposed Budget FY18, Table RL0-1, p. E-19.

³ Although CFSA Proposed Budget FY17 Table RL0-1 shows a reduction of \$13.26 million, during its FY17 stakeholder budget briefing, agency leadership explained that \$10 million of the net loss of intra-district funds was due to the termination of an annual federal/local funds swap between Department of Human Services and CFSA. The termination of the fund swap did not impact services.

⁴ CFSA. *FY18 Proposed Budget: CFSA Overview for the Community*. Presented on April 19, 2017, slide 4.

⁵ Calculated from CFSA FY17 Performance Oversight Responses to the Committee on Health and Human Services, Q84.

⁶ E-mail from Brenda Donald, Director, CFSA, “From the Director, CFSA: Announcing New Directions.” February 6, 2017.

⁷ See E-mail from Brenda Donald, Director, CFSA, “From the Director, CFSA: Announcing New Directions.” February 6, 2017.

⁸ Eight children stayed in hotels during FY15 and the early part of FY16. See, CFSA FY15 Performance Oversight Responses, Q83. In addition to the children who stayed in hotels and at CFSA, in FY15, 69 children stayed in respite or emergency placements while awaiting placement, with 15 more children doing so in the first quarter of FY16. See, CFSA FY15 Performance Oversight Responses, Q87. Oversight responses do not indicate how many of the children in these settings in FY15 were placed there after the onset of the placement crisis, but CFSA has noted that increasing the number of respite homes and emergency placement options is one of the steps it has taken to ensure that children do not stay in hotels. See, CFSA FY15 Performance Oversight Responses, Q89.

⁹ CLC submitted a list of questions to the Committee on Human Services can inform a cost assessment of the 2015 placement shortage and make projections of the funding needed to support the Temporary Safe Haven Re-Design.

¹⁰ CFSA Proposed Budget FY18, Table RL0-4, p. E-19.

¹¹ See CFSA. *FY18 Proposed Budget: CFSA Overview for the Community*. Presented on April 19, 2017, slide 8. At the CFSA FY18 Proposed Budget Briefing, Director Donald stated that \$680,000 of the anticipated cuts are to “supportive services” and are based on the reduced number of children who will be in foster care during FY18.

¹² At the CFSA FY18 Proposed Budget Briefing, Director Donald explained that although the population of children in foster care has been significant decreasing as the agency has made efforts to “narrow the front door” over the past years, the agency believes that significant decline has leveled out during FY15 and FY16. She stated that the agency projects to have 1000 children in care during FY18.

¹³ CFSA. *FY18 Proposed Budget: CFSA Overview for the Community*. Presented on April 19, 2017, slide 4.

¹⁴ In FY16, CFSA was approved to spend \$81.39 million on Agency Programs, and the proposed budget allots \$80.96 million to Agency Programs. See CFSA Proposed Budget FY18, Table RL0-4. In addition to the cut, we are concerned the agency will again fail to use all those resources. CFSA in the past has under spent its program funds. CFSA under spent its Agency Program budget in FY16 by \$2.61 million even as CFSA was failing to identify and make timely and appropriate placements for children in foster care. See Children’s Law Center Testimony on CFSA’s FY17 Proposed Budget.

¹⁵ The Child Placement program is budgeted to undergo a \$3.3 million and 35 FTE cut. This program funds the living arrangements for children in foster homes, group homes, and independent living

program. In FY16, when CFSA had 996 children in foster care, the Child Placement program spent 95% (i.e. \$50.22 million) of the approved \$52.37 million. *See* CFSA Proposed Budget FY18, Table RL0-4, p. E-22 and CFSA Proposed Budget FY17, Table RL0-4, p. E-16. At the FY18 CFSA Budget Briefing, Director Donald explained that the agency projects to spend 88% (i.e. \$47.8 million) of the proposed Child Placement program's budget on 1,005 beds over the course of the coming fiscal year. Calculated from CFSA. *FY18 Proposed Budget: CFSA Overview for the Community*. Presented on April 19, 2017, slide 12. This calculation is troubling, because the agency is planning to spend less per child on placement when it remains to be seen how the Temporary Safe Haven Re-Design will impact the cost of beds or the types of beds that CFSA must acquire in order to meet the needs of the children that come into foster care during the fiscal year. In the event that there is a placement emergency, we are concerned that there will not be a fiscal margin available nor sufficient personnel on hand to help minimize placement disruptions.

¹⁶ CLC is also concerned that the Family Resources Program will not have resources it will need in order to recruit and support an appropriate array of placement options. The Family Resources Program is responsible for the recruitment and support of foster and adoptive parents. The program budgeted to undergo a \$2.15 million cut and a 14 FTE reduction. *See* CFSA Proposed Budget FY18, Table RL0-4, p. E-22-23. We are particularly concerned about the impact the Temporary Safe-Haven Re-Design will have on the number and quality of placement options for children with special physical, behavioral, or psychological needs who are currently placed in Maryland's therapeutic foster homes. We anticipate that the agency will need additional resources in order to secure enough appropriate, fully-resourced foster placements for these children. The Temporary Safe Haven Re-Design aims to make sure all its foster homes are able to provide care to children with a range of needs, but it is unclear how CFSA will be able to conduct the trainings and recruitment necessary complete the Re-Design while the Family Resources Program serious cuts.

¹⁷ E-mail from Brenda Donald, Director, CFSA, "From the Director, CFSA: Announcing New Directions." February 6, 2017.

¹⁸ CFSA Proposed Budget FY18, Table RL0-4, p. E-23.

¹⁹ CFSA. *Current Educational Services and Career Planning at the Child and Family Services Agency Comprehensive Analysis*. December 2015. This report was made in response to a directive by the Committee on Health and Human Services.

²⁰ CFSA FY17 Responses to Proposed Budget Oversight Pre-Hearing Questions, Q16.

²¹ "CFSA is committed to implementing the recommendations from the Educational and Career Planning Comprehensive Analysis. CFSA will develop a two-year plan to fully implement recommendations in the report." CFSA FY17 Responses to Proposed Budget Oversight Pre-Hearing Questions, Q16.

²² CFSA FY16 Performance Oversight Responses, Q46a.

²³ CFSA FY16 Performance Oversight Responses, Q39b.

²⁴ CFSA FY17 Responses to Proposed Budget Oversight Pre-Hearing Questions, Q16.

²⁵ CFSA. *FY18 Proposed Budget: CFSA Overview for the Community*. Presented on April 19, 2017, slide 13.