

Interim Report of the Governor's Child Welfare Action Committee

**Presented to:
Governor Bill Ritter, Jr.
October 31, 2008**



Colorado Department of Human Services
people who help people

**Prepared By:
The Colorado Department
of Human Services**

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Introduction

On April 16, 2008, Governor Bill Ritter, Jr. issued an Executive Order B 006 08 creating the Governor's Child Welfare Action Committee (Committee) (Executive Order attached). The Committee began meeting in July 2008. The charge of the Executive Order is to provide recommendations on how to improve Colorado's child welfare system. Because the protection of children is the responsibility of many parties including parents, relatives, neighbors, foster parents, schools, law enforcement, courts, providers and many organizations within our communities, the members of the Committee were selected based on their knowledge, geography, experience, diversity and energy required to successfully address the challenges of the child welfare system. This document represents an interim report, as required by Executive Order, of the policy, budgetary and legislative recommendations that have been adopted by the Committee.

The Committee identified values and principles to guide them in their decision making process (Values and Principles Statements attached). The goals of the Committee were articulated in the Executive Order. The Committee focused upon making recommendations for the October 2008 "Interim Report" that will immediately improve the child welfare system in Colorado and infuse a sense of urgency in assuring the well-being of children. The Committee is forward thinking and committed to addressing the systemic issues identified.

Governor's Child Welfare Action Committee Membership

Karen Beye, Executive Director Colorado Department of Human Services (Chair)

Cyril (Skip) Barber, Colorado Association of Family and Children Agencies

Phyllis Bigpond, Denver Indian Family Resource Center

Steve Burgess, Lincoln County Commissioner

Shirley Chapman, Early Childhood Development

Kenneth Crichlow, D.D.S., General Dentistry

Katherine Delgado, 17th Judicial District Judge

Barbara Drake, Director, El Paso County Department of Human Services

Linda Fairbairn, Director Prowers County Department of Social Services

John Faught, Kempe Foundation/Attorney

Megan Ferland, Colorado Children's Campaign

Rebecca Hobart, Ariel Clinical Services for Children

Mary Lewis, Foster Parent/School Board Member

James Martin, Executive Director Colorado Department of Public Health and Environment

Jose Mondragon, Director, Pueblo County Department of Social Services

Adrienne Pederson, Denver Public Schools

Kathay Rennels, Larimer County Commissioner

Patricia Schene, American Humane Association

Barbara Shaklee, City and County of Denver Attorney

Shari Shink, Rocky Mountain Children's Law Center

Theresa Spahn, Office of Child's Representative

Representative Debbie Stafford, State Representative House District 40

Deborah Valentine, Colorado State University School of Social Work

Lindy Wallace, Colorado Department of Health Care Policy and Financing

Kathryn Wells, M.D., Denver County Family Crisis Center

Mission and Scope

The mission of the Governor's Child Welfare Action Committee is to provide recommendations to the Governor on improving the Colorado child welfare system. The ultimate goal is to reduce the neglect, injury and fatality rates for Colorado's children. The Executive Order charged the Committee to make policy, budgetary and legislative recommendations. The Governor's Child Welfare Action Committee work, as designated in the Executive Order, includes:

- A. Analyzing the state-county organizational capacity and structure to determine whether this system is the most effective option for protecting children:
- B. Examining the quality and quantity of training that child care professionals should receive when working in the child protection field:
- C. Evaluating public access to state-county human services departments:
- D. Exploring the role that independent oversight committees can play in ensuring that human service agencies are held accountable for actions that might negatively impact families, children and the community at large:
- E. Developing recommendations as to how public/private partnerships can improve the services and care provided to children who reside within the welfare system:
- F. Reviewing evidence-based best practice standards to the extent practicable when recommending changes to the child welfare system.

Subcommittees of the Governor's Child Welfare Action Committee

The Committee convened four subcommittees to address the scope of work outlined in the Executive Order. As the Committee's work continues, the scope and priority of subcommittee work may change. The initial four subcommittees providing recommendations to the Committee included:

- **Administrative Structure:** This subcommittee will evaluate the workforce needs of the state and counties; study the strengths and challenges of the state/county system; identify possible alternative structures; make recommendations regarding improving the current system or creating a new system; and develop a statewide workload analysis. Ms. Jenise May, Deputy Executive Director of Employment and Regulatory Affairs, is the State Lead and Commissioner Kathay Rennels, Larimer County, is the Co-Chair on this subcommittee.
- **Child and Family Outcomes:** This subcommittee will develop core outcome/performance indicators; establish an analytical framework for public child welfare; identify basic practice domains and service arrays necessary to meet the needs of children and families served by public child welfare; consider progressive incentives and sanctions based on performance, and define accountability mechanisms for consumers. Mr. Lloyd Malone, Director of Child Welfare, is the State Lead and Ms. Patricia Schene, American Human Association, is the Co-Chair on this subcommittee.
- **Cultural Competency:** This subcommittee will identify the underlying issues of disproportionate representation and disparate outcomes for children of color in the public child welfare system; identify strategies for improving outcomes for children of color, and enhance the cultural competency of caseworkers, supervisors, providers and the courts. Ms. Sharen Ford, Manager of the Permanency Unit, is the State Lead and Mr. Jose Mondragon, Director of Pueblo County Department of Social Services, is the Co-Chair on this subcommittee.
- **Training:** This subcommittee will identify core and advanced training curricula for caseworkers and casework supervisors; identify a process to recruit, train and retain a competent, credentialed workforce; and consider a Training Academy for these purposes that joins the efforts of public child welfare, public institutions of higher education, and experts in the field. Mr. Art Atwell, Director of Workforce Development Services, and Ms. Deborah Valentine, Colorado State University School of Social Work, is the Co-Chair on this subcommittee.

Recommendations

The subcommittees reviewed data, heard expert testimony and considered incentives, benefits, efficacy and cost of many of the issues identified in the Executive Order. Those suggestions were heard and discussed by the Committee and the following recommendations are presented in this report in no specific order of priority:

1. Mandatory Reporters of Child Maltreatment

Background Information: Current rules permit county departments of social/human services (county departments) to provide “appropriate referral information” to the reporting party in those situations in which there are inadequate grounds to constitute assignment for assessment and investigation. Many mandatory reporters, such as teachers and doctors, are unable to obtain information relating to whether reports of suspected abuse or maltreatment led to an assessment and investigation by the county department. There is concern that confidentiality may be breached, thus information may not be provided. The Committee received information from the public, including mandatory reporters, about not receiving feedback from county departments.

Purpose: Current rules do provide for notice to mandatory reporters who make referrals. Requiring feedback information to mandatory reporters will strengthen the partnership between the county departments and mandatory reporters. Providing feedback will also encourage mandatory reporters to make referrals and enhance the transparency and accountability of the system. During the remaining 15 months of this Committee, further discussion will occur on related issues to this topic.

Recommendation: The Colorado Department of Human Services (Department) shall amend the rules that specify how and when counties and the state provide case progress or dispense information to mandatory reporters of specific referrals of child abuse or neglect within 90 days of the Governor’s acceptance of this recommendation. This recommendation would amend the rules so that mandatory reporters will be notified of the decision made to accept or not accept the report for assessment, unless they waive the follow-up action.

Expected Outcomes:

- Mandatory reporters will have the opportunity to further elaborate on the information provided in the event the report is not accepted for assessment.
- This proposed amendment would require that mandatory reporters receive information regarding the decision to accept or not accept the report for assessment.
- The relationship with mandatory reporters and county departments is enhanced.

Information Used to Reach This Recommendation: The Department sought an opinion from the Attorney General's Office, as well as researched other state processes in providing information. This recommendation applies only to mandatory reporters as specified in statute and shall not compromise the confidentiality of case information.

Legislation/Rule/Budget Decision Item: The Department shall work with counties to develop systems for a response to mandatory reporters. The Department will amend current rules by adding language to require written notice to the mandatory reporter within five business days after the receipt of the report, unless waived by the reporter. The notice would include the decision to accept or not accept the report for assessment; and if not accepted, the reasons for that decision.

2. Quality Assurance and State Leadership on Cultural and Diversity Issues

Background Information: The issue of racial disproportionality in the child welfare system is not just a national issue, but also a Colorado issue. The Child Maltreatment Fatality Report 2007 (April 2008), the Report on Ethnic Disproportionality and Child Welfare issued by the Colorado Social Services Director's Association (September 2008) and the Minority Over-Representation in Child Welfare Preliminary Examination Jefferson County 2001-2006 Report all confirm the racial disproportionality in Colorado.

The Children's Bureau report, "Overrepresentation of Minority Children: How the Child Welfare System Is Responding" (2004) suggested a variety of reasons why children of color are overrepresented in the child welfare system, including:

- **Poverty:** Poverty and poverty-related circumstances are major contributors to the overrepresentation of children of color.
- **Visibility:** Poor families are more likely to use public services such as public health clinics and receive TANF, making any problems they may be experiencing more visible to the community.
- **Over Reporting:** Disproportionality is the result of discriminatory practices within society; specifically, school and hospital personnel report parents of color for child abuse and neglect more frequently than non-minority parents.
- **Lack of Experience with Other Cultures:** Many of those interviewed felt that lack of understanding of the cultural norms of minority populations, along with racial bias, often interfered with good decision-making on the part of the caseworkers.

The Child Maltreatment Fatality Report 2007 indicated that a large percentage of the child maltreatment fatality victims in Colorado over the past five years claimed Hispanic ethnicity (ranging from 27% to 39%). The demographic information of all 13-child maltreatment fatalities reviewed in March 2007 indicated that 7 of the 13 were children of color.

Purpose: The Committee reviewed information which clearly identifies disparate treatment and outcomes for children of color throughout public systems. The Department will strive to become a model for other state agencies within Colorado.

Recommendation: The Department will show leadership and accountability in the area of cultural competency. The Department will develop and implement a program and request appropriate staff and funding. Staff will report to the Deputy Executive Director of Children, Youth and Families to work with counties, other agencies and communities on issues related to culture and diversity. The staff will lead internal and external discussions that promote organizational change.

Expected Outcomes:

- The Department will show leadership and accountability in cultural competency.
- Develop performance measures to reduce cultural disparities within the Department.
- Safety, permanency and well-being outcomes for children and families of color are improved.
- Public systems throughout Colorado will benefit from the exchange of the cultural competency model in delivering services to children.
- Public systems will be encouraged to serve everyone on an equitable basis.

Information Used to Reach This Recommendation: The Committee reviewed the Child Maltreatment Fatality Report 2007 and received information from the TRAILS (Colorado's Automated Case Management System) system data. Data indicate an over-representation of children of color in child fatalities and in the child welfare system.

Legislation/Rule/Budget Decision Item: The Department will develop a funding request to support this recommendation.

The Department will promulgate rules to require a supervisory review of cases at critical intervals to address disparity and delivery of culturally appropriate services. A rule change will be initiated within 90 days of the Governor's acceptance of this recommendation.

3. Pre-Service Training for Child Welfare Caseworkers, Supervisors and Case Aides

Background Information: Department rules require that newly hired child welfare caseworkers complete 30-hours of computer based training prior to receiving cases, and complete new worker core training series within their first year of employment. In addition, the rules require that the newly hired or promoted child welfare supervisors complete the supervisor core series within six months of assuming their position.

The new caseworker core series is comprised of four sessions that are offered 10 times during the year:

- New Caseworker Core 1: Family-Centered Child Welfare, a 4-day session that must be completed within 3 months of hire date.
- New Caseworker Core II: Case Planning & Family-Centered Casework, a 4-day session.
- New Caseworker Core III: The Effects of Abuse & Neglect on Child Development, a 3-day session that must be completed within 6 months of hire date.
- New Caseworker Core IV: Separation, Placement, & Reunification, a 3-day session that must be completed within one year of hire date.

The new supervisor core series has three sessions that are offered three times during the year. All of the sessions are three days in length. The sessions are:

- Supervisor Core 1: Administrative Supervision: Supervisor as Manager
- Supervisor Core 2: Educational Supervision: Supervisor as Coach
- Supervisor Core 3: Supportive Supervision: Supervisor as Team Leader

The State does not currently offer a core series for newly hired case services aides. Current training is delivered through personal services contracts and inter-agency agreements with professional organizations and universities. Under the existing system new caseworkers are carrying full caseloads and new supervisors are assuming their duties prior to receiving the necessary knowledge and training to proficiently carry out their duties. As technological advances occur throughout the state, consideration will be given to providing training via both traditional and virtual classroom methods.

Purpose: The goal of pre-service training is to deliver competency-based, family-centered training that provides the participants with the knowledge, skills, attitudes and behaviors to ensure the safety, well-being and permanency of children and families. These training requirements will ensure that all counties are using the same best practices and provide statewide consistency.

Recommendation: The Department will create and provide pre-service training for new child welfare caseworkers, new or promoted child welfare supervisors and new child welfare case services aides. A variety of training strategies and technologies will be employed to deliver training throughout the state, such as video conferencing or train the trainer. The training will be offered a minimum of twenty times throughout the year.

At a minimum training should include:

- Computer Based Training, approximately 30 hours.
- Caseworkers, 4 weeks of classroom and 3 weeks of field training.
- Supervisors, 3 weeks of classroom and 2 weeks of field training.
- Case Aides, 2 weeks of classroom and 1 week of field training.

Expected Outcomes:

- Uniform interpretation, integration and implementation of federal and state statues, federal and state regulations and generally accepted practice standards.
- The training will be instrumental in improving outcomes of safety, permanency and the well-being of children and families.
- The training is focused on the knowledge, skills and abilities that workers need to provide quality services to children and their families.
- Training will improve staff retention.
- The training is designed to meet federal requirements allowing the State to continue earning federal Title IV-E revenue and avoiding federal fiscal penalties.

Information Used to Reach This Recommendation: Research of national studies and an investigation on how other states are responding to the educational needs of new employees were conducted. Preliminary findings are that at least 15 to 20 states have a formalized pre-service training program. About 50% are associated with a university and the remaining are associated with the department. The survey of other states is an ongoing initiative.

Legislation/Rule/Budget Decision Item: Legislation is required to establish training requirements and appropriate funding.

The Department will promulgate rules to set minimum qualifications for case services aides.

4. Pre-Service Training for Child Abuse/Neglect Hotline Staff

Background Information: Establishing and maintaining a 24-hour child abuse/neglect reporting system is the responsibility of all county departments. Each county department has established an emergency calling system for mandatory reporters and concerned citizens to express their concerns for the safety and well-being of Colorado's children.

A child abuse/neglect hotline is frequently the first point of contact to county departments when there are concerns about children. It is critical that hotline staff possess the necessary knowledge, skills, attitudes and behaviors to gather accurate and detailed information from reporting parties. The information gathered during these initial reports is used to determine whether further investigation is needed; and if so, the timeframes of the investigation.

Currently, the Department has not established minimum qualifications for staff performing these critical functions. In addition, the Department does not offer pre-service training for hotline staff to ensure statewide uniform standards and implementation.

Purpose: The goal of pre-service training is to deliver competency-based training that provides the participants with the knowledge, skills, attitudes and behaviors to effectively gather detailed and accurate information from reporters on their concerns about the safety and well-being of children.

Recommendation: The Department will create and provide pre-service training for newly hired hotline staff. The training will be completed prior to job assignment.

At a minimum there will be:

- 2 weeks of classroom and 1 week of field training.

Hotline staff will use standardized screening questions and methods to gather information upon which a decision will be made regarding the acceptance of an incident referral. These training requirements will ensure that all counties are using the same best practices, provide statewide consistency and enhance the safety and well-being of children.

Expected Outcomes:

- Uniform interpretation, integration and implementation of federal and state statutes, federal and state regulations and generally accepted practice standards for gathering child/abuse reports.
- Hotline staff will be able to consistently demonstrate active listening, critical thinking and interviewing skills; and also be able to gather clear, accurate, and culturally competent information thus ensuring that the county department can respond appropriately to concerns expressed about Colorado's children.

Information Used to Reach This Recommendation: The Committee examined the findings in the Child Maltreatment Fatality Report 2007 that related to intake screening and assessment. They also listened to the testimony from county staff about diversity in practice, skill level and educational background of child abuse/neglect hotline staff.

Legislation/Rule/Budget Decision Item: Legislation is required to establish training standards for newly hired child abuse/neglect hotline staff to complete pre-service training and receive certification from the State prior to assuming the duties for which they were hired.

The Department will promulgate rules to set minimum qualifications for hotline staff.

5. Expansion of the Child Welfare Educational Stipend Program

Background Information: Educational stipends have proven to be an effective recruitment and retention strategy that also improves the diversity of the workforce. Stipends have demonstrated a consistent positive effect on both reducing turnover and improving continuity of services being provided to children and their families. Currently, Colorado offers approximately 5 Bachelor of Science degrees (BSW) stipends through Metropolitan State College and 16 Master of Social Work degrees (MSW) stipends through the University of Denver. Each student who accepts an educational stipend is required to sign a binding payback contract which obligates the student to work for a county department one calendar year for every academic year that educational assistance is provided.

The current stipend program has been in existence for 12 years. Following is an example of the success of the stipend program through Metropolitan State College. After having completed their work requirement, 67% of the stipend students are still employed in county departments. Of these graduates, 25% have been employed for 10 years, 15% for 9 years and 45% from 4 to 8 years. As to the ethnic and geographic diversity of the students, 19% are African American, 25% are Hispanic and 23% are employed in rural counties.

Purpose: Expanding the number of educational stipends will positively address the current recruitment and retention challenges that many of the county departments are facing especially in rural areas of the state. One of the recruitment strategies is to increase the recruitment of people of color. The stipends will assist in the recruitment and retention of a well-qualified and diverse workforce that will improve the safety, permanency and well-being of children.

Recommendation: The Department will work with institutions of higher education, which have an accredited school of social work, to expand, develop and implement an educational stipend program for 150 social work students.

In the event of the passage of Amendment 50 – Limited Gaming in Central City, Black Hawk, and Cripple Creek, which designates gaming tax revenue for student financial aid at community colleges, it is recommended that funds from this source be dedicated to the stipends of students in the field of child welfare with an emphasis on recruitment, retention and rural job placement.

In the event of the passage of Amendment 58 – Severance Taxes on the Oil and Natural Gas Industry, which designates tax revenue to fund scholarships for Colorado residents attending state colleges and universities, it is recommended that funds from this source be dedicated to the stipends of students in the field of child welfare with an emphasis on recruitment, retention and rural job placement.

Expected Outcomes:

- **Retention:** Students who complete the stipend program with an emphasis in child welfare are required to work for a county department for at least one calendar year for every academic year in which funding was received.

- **Recruitment:** The number of persons who choose child welfare as a career choice will be increased and the ability to predict the future availability of competent and knowledgeable workers will be enhanced. In addition, at a minimum 20% of the educational stipends will be designated as rural stipends. This would require recipients to complete their work payback in a rural county department.
- **Rural Recruitment:** The development of additional field placement sites within the state with an emphasis on rural county departments for a BSW and an MSW.
- **Job Performance:** Satisfactory job performance for new workers will be significantly increased, as new employees will have a firmer grasp of the expectations and challenges of the job resulting in improved outcomes for the permanency, safety and well-being for children and their families.
- **Diverse Workforce:** Development of student recruitment activities and strategies that are targeted toward diverse communities which are reflective of the human services client base. In addition, offering funded educational opportunities to diverse communities will assist agencies in achieving diversity in the workforce.

Information Used to Reach This Recommendation: The Committee received information from other states and agencies that have successfully used federal and state training dollars to form partnerships with universities to train current caseworkers and better prepare students entering into the child welfare profession. Educational stipends provide the essential stability and the cornerstone for transformative work performed by child welfare caseworkers and social workers.

Legislation/Rule Action: Legislation is required to appropriate funding to increase the number of stipends.

The Department will promulgate rules to define the criteria that will be used for granting stipends.

6. Evaluation of Training Effectiveness

Background Information: A multileveled evaluation of pre-service and continuing education is necessary to assure that the training objectives are congruent with practice standards and guidelines. An evaluation ensures that participants in the training programs are applying the skills and knowledge acquired to achieve the outcomes of permanency, safety and well-being for children and families.

Currently, the Department uses an independent contractor to evaluate the effectiveness of the training. The Department conducts regular ongoing process evaluations of the training. The strategies used are participant onsite evaluations, participant knowledge, follow-up evaluations and subject matter expert curricula review.

Purpose: Evaluating the training program will determine whether the content of the training addresses the knowledge and skills that workers need to produce positive outcomes of permanency, safety and well-being for children and their families. In addition, the evaluation will inform the Department of future training content needs.

Recommendation: The Department will expand the training evaluation process to assure that the training objectives are congruent with practice standards and guidelines. The training evaluation will be conducted by an independent evaluator and will cover all of the mandatory pre-service training.

Expected Outcomes:

- Annual evaluations of training will identify gaps in the training curriculum.
- Annual evaluations of training will provide information about the competency, knowledge and skills of the training staff.
- Annual evaluations will determine if workers demonstrate on the job competency as an outcome of the training.
- Annual evaluations of training will determine the appropriateness of training to job responsibilities.
- Annual evaluations of training will determine if child and family outcomes of safety, permanency and well-being improve.

Information Used to Reach This Recommendation: The Committee received information from national studies, research and publications on training evaluation. The studies and publications pointed out the critical role evaluation plays in demonstrating that training programs are meeting expected outcomes and that knowledge and skills taught are reflective of best practices. In addition, evaluations verify that training participants are acquiring the knowledge and skills necessary to perform their jobs.

Legislation/Rule/Budget Decision Item: A budget request is required to secure funding for this independent evaluation.

7. Domestic Violence Representation in Collaborative Management Programs

Background Information: Domestic violence was a significant factor identified in the Child Maltreatment Fatality Report 2007 issued by the Department. The report indicates that domestic violence is a co-occurring issue reported in 30-40% of all child maltreatment cases. Law enforcement officers and domestic violence professionals intervene in situations where domestic violence is present with children living in the home. However, not all of these situations are reported to county departments unless the child is injured or directly present during the violence. Children living in homes where domestic violence is occurring are exposed to an increased threat of physical and emotional harm.

Purpose: Coordinated intervention across agencies, especially first responders, is necessary in domestic violence situations to improve early identification of child maltreatment that would otherwise go unreported.

Recommendation: Require that all Collaborative Management Programs created under HB04-1451 include a domestic violence representative on the Interagency Oversight Group.

Expected Outcomes:

- The addition of a domestic violence representative on the Interagency Oversight Group will provide the guidance to identify the cause and action necessary to decrease the number of recurrent child abuse and neglect reports involving domestic violence where children are living in the home.

Information Used to Reach This Recommendation: Information reviewed by the Committee included national incidence studies on the co-occurrence of child abuse and domestic violence, Child Maltreatment Fatality Report 2007 and the El Paso County Greenbook Report.

Legislation/Rule/Budget Decision Item: Legislation is required to amend current statutes to include a representative of domestic violence requirement.

8. Assessing Domestic Violence in Child Abuse and Neglect Reports

Background Information: The Child Maltreatment Fatality Report 2007 issued by the Department reported domestic violence as a co-occurring reason for child maltreatment in 30-40% of all cases. The Colorado Works (TANF) program is operated in each of Colorado's 64 counties. Domestic violence is a factor considered in the assessment and case planning of TANF families. Linkages between child welfare and poverty, poverty and domestic violence are connections to be considered in child welfare assessments.

Purpose: Child welfare and Colorado Works have an opportunity to provide cross program integration, service delivery and collaboration. This recommendation would enhance and support this integration effort.

Recommendation: Child welfare staff will collaborate and coordinate with the Colorado Works programs regarding the use of the domestic violence assessment tool available in the Family Violence Option Waiver to support victims of domestic violence in their efforts to become self-sufficient. The Department shall consider efforts to support and/or require additional coordination of Child Welfare and Colorado Works in the delivery of services.

Expected Outcomes:

- Evaluation of the efficacy of the domestic violence assessment tool used in the Family Violence Prevention Waiver Option for incorporation into the assessment of child welfare referrals.
- Information provided at the beginning of the investigation regarding domestic violence will provide early identification and intervention resulting in preventing child abuse and strengthening family capacity.
- The domestic violence assessment tool may be integrated in child abuse and neglect investigations as a method used to identify domestic violence in client families.

Information Used to Reach This Recommendation: The Child Maltreatment Fatality Report 2007 and information on national incidence studies on the co-occurrence of child abuse and domestic violence.

Legislation/Rule/Budget Decision Item: Legislation or rule is required based upon the evaluation of the assessment tool including planning and strategies to implement increased coordination with county departments.

9. Utilizing Judicial Records

Background Information: Currently, counties do not routinely utilize or research judicial records to make informed decisions at the point of referral and assessment. In the Child Maltreatment Fatality Report 2007 it was identified that record reviews were not consistently utilized to provide information regarding family backgrounds. The judicial data systems are able to provide this important information which is helpful in making safety assessments.

Purpose: To provide consistent background research to make improved decisions about referrals and assignment in child abuse and neglect cases.

Recommendation: County staff shall be required to access judicial records through existing available data systems such as LexisNexis. The Department shall coordinate training with the Colorado State Judicial Branch on LexisNexis.

Expected Outcomes:

- Improved outcomes of permanency, safety and well-being for children and their families.
- Reduced recurrence of maltreatment.
- Cross system coordination

Information Used to Reach This Recommendation: Committee members representing judicial and other entities, such as the Office of Child's Representative, discussed the viability of child welfare staff using LexisNexis.

Legislation/Rule/Budget Decision Item: The Department will promulgate rules to require counties to access and utilize information found in judicial data systems including LexisNexis.

The Department will coordinate training and funding mechanisms with the Colorado State Judicial Branch.

10. Utilize Temporary Assistance for Needy Families Reserves to Support Domestic Violence Intervention and Prevention.

Background Information: Senate Bill 08-177 signed into law by Governor Bill Ritter, Jr. in June 2008 reformed Colorado Works (TANF) by promoting a broader use of statewide initiatives to stabilize families in Colorado. A portion of the Temporary Assistance to Needy Families (TANF) reserves that are unspent at the county level will revert back to the Department creating the Strategic Use Fund which becomes available in January 2009. TANF funds can be used for domestic violence prevention and intervention, as well as for child welfare services. County departments currently have the ability to provide these services in their annual TANF allocation.

The Colorado Department of Public Health and Environment (CDPHE) indicated that domestic violence is a societal issue and the prevention of domestic violence is a public health initiative.

Purpose: The Committee recognizes these funds as a method to improve and enhance domestic violence services, initiatives and research in Colorado.

Recommendation: The Department shall apply for a grant from the Strategic Use Fund. The Department will work with CDPHE to implement a public education program regarding domestic violence. County departments are strongly encouraged to use existing TANF block grant allocations to promote early intervention and prevention such as parenting enhancement workshops.

Expected Outcomes:

- Colorado will use evidence-based practices in the provision of domestic violence services.
- An increase in public awareness will result in early detection and prevention of domestic violence.
- Cross agency cooperation and collaboration.

Information Used To Reach This Recommendation: SB 08-117 and TANF rules and requirements. Information received from a representative from the CDPHE regarding public health initiatives.

Legislation/Rule/Budget Decision Item: Not applicable.

11. Child Welfare Organizational Study and Workload Analysis

Background Information: The Committee is presently undertaking, with funds appropriated under HB 08-1404, an organizational study. The purpose of this study is to determine the efficacy of child welfare services provided to children and families and to evaluate and provide recommendations related to the state/county structure.

The Foster Care and Permanence Task Force report dated May 31, 2008 also recommended that the Department conduct a workload study for county caseworkers and state agencies. Colorado has not performed a workload or time study since the 1970's. The last caseload standard used for child welfare was the Child Welfare Settlement Agreement. The family caseload ratio for the agreement was 17:1. Currently most states use the children to worker ratio rather than the family caseload ratio. Since that time, the child welfare system has changed dramatically through federal and state requirements.

Purpose: The purpose of the workload analysis is to determine the necessary amount of time child welfare staff to provide effective and efficient services and functions; and will provide the foundation for child welfare staffing needs.

Recommendation: The Department will request legislation and funding strategies in order to conduct a workload analysis and codify the workload standards identified in the completed workload analysis.

Expected Outcomes:

- The workload analysis will provide information necessary to evaluate and make recommendations regarding staffing and resource needs for child welfare.
- The workload analysis is intended to be dynamic so that it may be updated to evaluate future demands for services and changes in statutory or regulatory requirements.

Information Used to Reach This Recommendation: The Administrative Structure Subcommittee had a presentation by an expert from the American Humane Association regarding the differences between a caseload study and workload analysis. The subcommittee reviewed six different state child welfare workload studies that have been recently conducted to use as guidelines for elements that should be included in the workload analysis. The subcommittee also reviewed several request for proposals to assist in further defining components for the workload analysis. It could be determined that a national trend was identified with states determining or modifying their workload impacts.

Legislation/Rule/Budget Decision Item: Legislation is required to codify the workload standards and provide necessary funding, as well as to allow for future evaluation and updating based on demands for services and changes in statutory or regulatory requirements.

12. Child Welfare Division Research and Performance Improvement Team

Background Information: The Division of Child Welfare (Division) has 3.5 FTEs dedicated to providing data, program information and reports to a wide array of internal and external users. Data reports are primarily limited to required foster care and adoption data (AFCARS, NCANDS, and CFSR) to the federal government, TRAILS data and fiscal data (Medicaid and CFMS). The unit also produces required reports, newsletters and ad hoc reports as directed by management.

The need for increased capacity for enhanced analysis was a factor in the 2007 Foster Care Legislative Audits and in the Child Maltreatment Fatality Report 2007. The Division does not have the capacity to perform sophisticated research and analysis. This lack of capacity has been linked to inefficient and poor program performance, an inability to provide evidence-based programs and services, and does not allow for timely, informed decisions for case related actions. The lack of research and evaluation capacity has also been linked to poor case management and inefficient services delivery, leading to concerns about child safety and barriers to permanency.

The Department's program and management staff, county departments and child welfare stakeholders cannot readily provide, access or utilize information to assist in management, fiscal, program or client decisions.

Purpose: The establishment of a Child Welfare Division Research and Performance Improvement Team (Team) would improve the connections between practice and outcomes for children in the system. The Team would provide research and analysis for program planning, fiscal and administrative decisions.

Further, the Team would begin to establish a framework for evidence-based program and service information, linking service outcomes to performance improvement strategies. This will also allow for timely dissemination of demographic, client and service trends to management and program staff, budget analysts, auditors, county staff and other stakeholders.

The Team would be able to project service needs based on historical patterns and trends, link decisions made during the life of a case to individual outcomes of children and families and assist in the development of a model for effective prevention and early intervention.

Major goals of the Team would be to increase our understanding of the impacts of policy and program decisions; to increase capacity to understand what is working and what is not working to help families and keep children safe; and to create a comparative, analytical database for progressive sanctions, interventions and incentives for county practices.

Recommendation: The Department will develop a decision item to add staffing and funding for a Research and Performance Improvement Team to the Division of Child Welfare.

Expected Outcomes:

- Improved safety and permanency outcomes for children.
- Increase effectiveness and efficiency of programs and services.
- Greater understanding of child welfare trends and projected needs.
- More transparency for the public and for stakeholders.
- Enhanced accountability for programs.
- Provide timely and needed information to decision-makers.
- Development of evidence informed services.
- Better utilization of resources.

Information Used to Reach This Recommendation: The Committee made this recommendation because the lack of availability of research and analysis is an urgent issue. The Division needs to analyze longitudinal trends; create evidence-based, informed practices; and support improved outcomes for children and families with basic research. The National Association of Public Child Welfare Administrators includes professional research and analysis capacity as a core function of a model child welfare system.

Legislation/Rule/Budget Decision Item: The Department will request a budget decision item to request FTEs and funding for the Team.

13. Foster Care and Permanence Task Force Recommendations

The Foster Care and Permanence Task Force (SB 07-64) report dated May 31, 2008 submitted to the Governor, Chief Justice of the Colorado Supreme Court, The Judiciary Committee, and the Health and Human Services Committees identified four recommendations to be considered by the Governor's Child Welfare Action Committee. These recommendations are integrated into the work of the four subcommittees:

A. Task Force Recommendation # 5: Oversight of Counties Compliance and Workload Study

(a) Support the Colorado Department of Human Services in strengthening its existing enforcement mechanism for oversight of counties' compliance with the rules promulgated by the State Board of Human Services (Volume 7 and other related rules). (b) Conduct a workload study for county caseworkers and state agencies and recommend workloads that reasonably and realistically support casework compliance with the Colorado Department of Human Services rules and ability to enforce rules.

Committee Vote:

- Send this recommendation to the Administrative Structure Subcommittee for further study.

B. Task Force Recommendation # 11: Youth Will Be Adequately Prepared for Emancipation

Youth who are in foster care at the age 18 are emancipated from the system. There have not been adequate supports provided to the youth and ultimately they are not always prepared to live independently. To ensure every county department of human services provide youth with life skills as a preparation for emancipation and have access to the appropriate documents and support system at the time of emancipation. Each emancipated youth leaving the foster care system must have access to the following:

- Birth Certificate
- Social Security Number (and card)
- Photo Identification
- Medical Passport
- Education History
- Community Connection

Committee Vote:

- Support legislation on emancipation that might be introduced in the 2009 legislative session by an entity outside of the Committee.
- The Department will promulgate rules to require emancipated youth leaving foster care have access to the above listed documents and support system within 90 days of the Governor's acceptance of this recommendation.

C. Task Force Recommendation # 13: Provide Increased Support and Services to Kinship Caregivers for Children in Out-of-Home Placements

Committee Vote:

- Emancipation and kinship care are included in recently passed federal legislation in the Fostering Connections to Success and Increasing Adoptions Act of 2008.
- The Department will engage in a crosswalk matrix to determine the steps necessary to implement legislation, signed by the President on October 7, 2008.
- The Department will develop an options plan for fiscal years 2009 – 2011 to identify what provisions are best for Colorado.
- The Committee will study these issues in more detail at a later date and provide recommendations necessary to implement new federal legislation.

D. Task Force Recommendation # 15: Develop a Funding Strategy to Support Casework Staff Training on the Colorado Safety Assessment Instrument

(a) If after a caseworker has completed the Colorado Safety Assessment (described in 12 CCR 2509-3, Volume 7, Section 7.202.53, "Safety Plan Rule"), a viable safety plan cannot be implemented and the child(ren) is not safe in his/her current environment and must be removed, then it is recommended that the county initiate legal proceedings appropriate to ensure safety issues of the child.

Committee Vote:

- Not addressed and will be evaluated at a later date.

(b) The Colorado Department of Human Services should create formal trainings for county workers on how to utilize and implement the Colorado Safety Assessment Instrument.

The Child Maltreatment Fatality Report 2007 indicated that inconsistent training of staff on the use of the Colorado Safety Assessment Instrument impacted

worker's judgment. This recommendation addresses recent concerns and confusion regarding the Safety Assessment Instrument. The Denver Department of Human Services has publicly acknowledged that workers are confused about how to use the Instrument and that this confusion is jeopardizing the safety of children. The safety and well-being of children will be improved by clarifying how to utilize and apply the Colorado Safety Assessment Instrument.

Committee Vote:

- Create a formal training on how to effectively utilize this instrument.
- The Department will review and analyze available data to determine whether or not children remained safe after the Safety Assessment Instrument was implemented and the case closed.
- The Department will also develop a funding strategy to support continued training on the Assessment Instrument.

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Bill Ritter, Jr.
Governor

B 006 08

EXECUTIVE ORDER

Creating the Governor's Child Welfare Action Committee

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I, Bill Ritter, Jr., Governor of the State of Colorado, hereby issue this Executive Order creating the Governor's Child Welfare Action Committee ("Committee").

I. Background and Purpose

The protection of children from abuse and neglect must be one of Colorado's highest public policy priorities. It is our responsibility to assure that Colorado's youngest citizens have the opportunity to be safe and nurtured and to achieve their full potential. If even one child dies due to neglect or abuse it is one too many. We must commit ourselves to continually improving our child welfare system, assuring that efforts are made to better assess and serve this at risk population of children and their families.

To put our care of vulnerable children in context, it is important to look at the numbers of families that are currently involved in the child welfare system:

- In 2007 the child welfare system received 70,216 referrals for abuse and neglect;
- Of those, 57,545 cases were opened for assessment; and
- Of those assessed, 41,536 cases were opened by the county departments for full review.

A spike in the number of child fatalities statewide led to the Colorado Department of Human Services' recent review of child fatalities due to child abuse or neglect. This review identified several ways in which Colorado's child welfare system can be improved. My administration is taking steps to immediately implement many of these necessary improvements. This review also identified issues that will involve longer term planning and solutions.

The protection of children in Colorado is the responsibility of many parties including parents, relatives, neighbors, foster parents, schools, law enforcement, courts, providers,

guardians *ad litem*, and many other organizations within each of Colorado's communities. In Colorado we have a public social service system that is "state supervised and county administered." This means that both the state and county departments of human services provide vital services to children and families in need. The county departments directly provide the services that aid children and families everyday. The State department provides the supervision and oversight to the counties as they administer the child welfare programs. This dual system creates challenges in assuring that there is consistency across counties in decision making, supervision, and training in human service offices. It is this same system, however, that allows each individual county to specifically tailor assistance to meet the needs of their community.

It is urgent that we examine the State's child welfare system so that we can better protect children from abuse and neglect. We also need to enhance the public confidence in the child welfare system. The system must be more transparent in order to provide assurance to the public that when they have concerns about a child's well being and they report these concerns to authorities that the situation will be responded to in a timely manner by highly trained professionals.

II. Mission and Scope

The mission of the Governor's Child Welfare Action Committee shall be to provide recommendations to the Governor on how to improve the Colorado Child Welfare System. The Committee must be guided by data and must rely upon evidence of best practices when available. The ultimate goal will be to reduce the neglect, injury, and fatality rates for Colorado's children. I am establishing this Committee for eighteen months. It is expected that the committee will make policy, budgetary, and legislative recommendations.

The Committee's work shall include, but not be limited to:

- A. Analyzing state-county organizational capacity and structure to determine whether this system is the most effective option for protecting children:
 1. Define the role of the Colorado Department of Human Services in monitoring, oversight, consultation, and technical assistance with child welfare staff in county departments of social/human services;
 2. Consider an array of progressive incentives and sanctions to be utilized with county departments and providers to assure they are in compliance with legal rules and regulations;
 3. Assess county workload, caseload and staffing levels to determine what level of resources are required to ensure the safety of children; and

4. Investigate child welfare models throughout the country and whether there are other organizational structures that would better ensure the safety of Colorado's children.
- B. Examining the quality and quantity of training that child care professionals should receive when working in the child protection field:
1. Define basic qualifications and training requirements for staff and supervisors who are part of the state-county funded child welfare system;
 2. Consider the benefits of a worker certification program for child welfare workers and supervisors; and
 3. Consider the efficacy, cost and benefits of a State Training Academy for Child Protection.
- C. Evaluating public access to state-county human services departments:
1. Assess how human services agencies can be more accessible and responsive to community members who want to report child maltreatment; and
 2. Make recommendations for systems, protocols, and programming that allow the public to make reports more easily and to develop a tracking system in which citizens can be assured that their concerns will be followed up in a responsible and timely manner.
- D. Exploring the role that independent oversight committees can play in ensuring that human service agencies are held accountable for actions that might negatively impact families, children, and the community at large:
1. Evaluate the effectiveness of agencies like the Child Ombudsman Office in which an independent body is authorized to intervene when an agency's action or inaction may be placing a child at risk;
- E. Developing recommendations as to how public/private partnerships can improve the services and care provided to children who reside within the welfare system:
1. Develop forums that encourage state agencies and divisions to collaborate across systems to improve child welfare resources and practice. These departments should include but be not limited to the Colorado Department of Public Health and Environment and

the Colorado Department of Health Care Policy and Financing, as well as the Judicial Branch; and

2. Include business partners from the private sector who serve families in a wide array of programs. These individuals should bring expertise on how to change and improve business practices by incorporating effective management skills and efficiency methodologies.
- F. Reviewing evidence-based best practice standards to the extent practicable when recommending changes to the child welfare system.

III. Membership

The Committee shall be composed, as follows:

- A. The Committee shall consist of up to twenty-five (25) voting members who shall be appointed by and serve at the pleasure of the Governor.
- B. The following individuals shall serve as members of the Committee:
 1. The Executive Director of the Department of Human Services, who shall serve as chair of the Committee;
 2. The Executive Director of the Department of Public Health and Environment, or his designee; and
 3. The Executive Director of the Department of Health Care Policy and Financing, or her designee;
- C. Other members of the Committee shall include:
 1. County commissioners and county social services representatives;
 2. Individuals with judicial experience;
 3. Individuals with experience in early childhood development and/or K-12 educational representatives;
 4. Children's representatives serving in a private or non-profit entity dedicated to the protection of children;
 5. Families or children who are current and/or former recipients of child welfare services in Colorado; and

- 6. Members from the business community who bring management and business planning experience.
- D. The Committee shall be appointed to assure broad-based regional, ethnic, and professional distribution of membership.
- E. The Committee shall meet regularly at the direction and discretion of the chair.
- F. The Committee may establish working groups or subcommittees from within its membership or outside its membership to assist it in its work or to address specific issues.

IV. Directives

The Governor's Child Welfare Action Committee is hereby created. The Committee shall prepare and submit to the Governor an interim and a final report. The interim report shall be submitted by October 31, 2008, and a final report shall be submitted by December 31, 2009. In its interim report, the Committee shall report on its progress and, to the extent that any recommendations are finalized, make its recommendations regarding any policy changes, including but not limited to recommendations for legislative changes. In its final report, the Committee shall make its final recommendations regarding any policy changes, including but not limited to recommendations for legislative changes. The Committee shall make every effort to reach consensus on its interim and final reports. Recommendations contained in the Committee's reports shall only be adopted upon a two-thirds vote of the Committee members.

V. Staffing and Resources

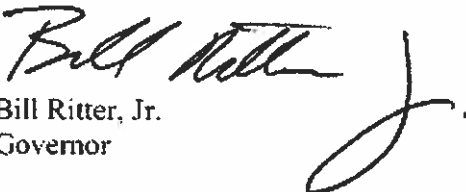
The Committee shall have the power to accept money and in-kind contributions from public and private entities, but only to the extent such donations are necessary to cover its expenses. These donated funds may be used for the purpose of providing administrative support for the Committee, which may include retaining a consultant to assist with the Committee's work, as well as paying for the Committee's actual expenses. Any money contributed to the Committee shall be directed to the Office of the Governor and deposited with the Treasurer of the State of Colorado in an account within the Office of the Governor's budget. Members of the Committee shall serve without compensation, but may, at the discretion of the co-chairs and upon the approval of the Office of the Governor, be reimbursed for any actual expenses incurred.

VI. Duration

This Executive Order shall remain in force until December 31, 2009, at which time the Committee shall be dissolved.



GIVEN under my hand and the
Executive Seal of the State of
Colorado this sixteenth day of
April, 2008.


Bill Ritter, Jr.
Governor



Attachment B

Child Welfare Action Committee Values and Principles Statements October 31, 2008

Values

Values are defined as what the children of Colorado deserve:

- Every child deserves to have a safe and permanent home environment.
- Every child has a right to have someone who wants and loves them and has a meaningful relationship with them.
- Every child has a right to be heard as they express their needs either verbally or through behavior.
- Every child deserves to have their basic needs met – shelter, food, education, medical care and caring support.
- Every child deserves to have the opportunity for quality early childhood development and a quality education.
- Every child deserves to have their needs considered in the context of family.
- Children are the responsibility of the family and community.
- Every child has a right to have a unique identity and is respected for their culture.
- Every child has a right to be free from harm while in the care of public systems.

Principles

The Committee identified principles of the group to guide their decision making process. The goals of the Child Welfare Action Committee were articulated in the Executive Order signed by Governor Bill Ritter, Jr. on April 16, 2008. The Action Committee focused upon making recommendations for the October 2008 "Interim Report" that will improve the child welfare system in Colorado immediately and will infuse a sense of urgency in assuring the well-being of children. The Action Committee is forward thinking and committed to addressing the systemic issues identified.

Values and Principles Statements

October 31, 2008

Page 2 of 2

Principles are defined as the guide to the decision making process and work of the Action Committee:

- Make a concerted effort to achieve consensus on recommendations. Provide opportunity for minority opinion should consensus not be possible. Twenty-five percent represents the minority. The minority opinion should be articulated in writing and approved by the Child Welfare Action Committee.
- Direct the work of sub-committees to provide concrete recommendations to the Action Committee that address systemic issues.
- Expect that recommendations provide a foundation that clearly defines accountability, increases transparency, is evidence based, uses data to support management decisions and inform practice, and recognizes the need for integration and cross system provision of services and assessments to assure safety and security of children.
- Make recommendations that are:
 - Child centered and family focused.
 - Give a voice to each child.
 - Considerate of diversity and culture.
 - Enforceable, monitored and standardized.
- Require competent staff who are supported through the development of standards, expectation of accountability, supervision, monitoring and training.
- Broaden the requirements of serving children to other systems, organizations and stakeholders in the provision of integrated service delivery.
- Identify actual needs of the child welfare system.
- Invest in early intervention and prevention.
- Participate fully in discussions in an open, honest, introspective manner that addresses bias in the system, differing opinions and the value of all children.
- Avoid blaming.
- Be bold, be action oriented, be focused on children as “our hope for the future.”
- Provide opportunities for participation of all stakeholders such as family, kin, foster families, youth, faith and other community agencies in collaboration to provide services to children within their community.
- The Colorado Department of Human Services shall comply with Colorado statute to administer, supervise and strengthen child welfare services. Activities must include assertive leadership, planning, training, monitoring and corrective action of those identified as agents of the State and contractors to assure competent, necessary and culturally appropriate child welfare services are delivered in all geographic regions of the state.



Attachment C

**Child Welfare Action Committee
Recommendation Matrix
October 31, 2008**

	Recommendation Title (In no specific order of priority)	Legislation	Rule	Budget Decision Item
1.	Mandatory Reporters of Child Maltreatment		X	
2.	Quality Assurance and State Leadership on Cultural and Diversity Issues		X	X
3.	Pre-Service Training for Child Welfare Caseworkers, Supervisors and Case Aides	X	X	
4.	Pre-Service Training for Child Abuse/Neglect Hotline Staff	X	X	
5.	Expansion of the Child Welfare Educational Stipend Program	X	X	
6.	Evaluation of Training Effectiveness			X
7.	Domestic Violence Representation in Collaborative Management Programs	X		
8.	Assessing Domestic Violence in Child Abuse and Neglect Reports	X	X	
9.	Utilizing Judicial Records		X	
10.	Utilize Temporary Assistance for Needy Families Reserves to Support Domestic Violence Intervention and Prevention			
11.	Child Welfare Organizational Study and Workload Analysis	X		

Attachment C

**Child Welfare Action Committee
Recommendation Matrix
October 31, 2008**

12.	Child Welfare Division Research and Performance Improvement Team				X
13. A.	Task Force Recommendation # 5: Oversight of Counties Compliance and Workload Study				
13. B.	Task Force Recommendation # 11: Youth Will Be Adequately Prepared for Emancipation			X	
13. C.	Task Force Recommendation # 13: Provide Increased Support and Services to Kinship Caregivers for Children in Out-of-Home Placements				
13. D.	Task Force Recommendation # 15: Develop a Funding Strategy to Support Casework Staff Training on the Colorado Safety Assessment Instrument				X