

**SANTA CLARA COUNTY  
DISPROPORTIONALITY IN CHILD WELFARE:  
2008 PLAN**

In 2007, the Social Services Agency developed an action plan to address issues of racial disproportionality in the Child Welfare program. That plan is attached as an appendix. This document reviews the extent to which progress was made in implementing the 2007 plan, and sets out goals for 2008.

Year-to-year data comparisons are not yet available for 2007 to the base year of 2005, thus it is not possible to determine whether overall patterns in referrals, substantiations and entries have changed. Instead the data presented in this review is limited to the implementation activities and to trend data the Agency has been developing.

**Implementation of the 2007 Plan:**

Program Activities:

1. Referral Screening:
  - a. The Agency will continue to identify “evaluated out” referrals for inclusion in the Path 1 Differential Response program.

*353 “evaluated out” reports were referred to the Path 1 contractor – 59% were Latino, 16% Asian/Pacific Islander (A/PI), 13% White, 7% African-American, and less than 1% Native American. Acceptance/engagement of services was highest among Latinos and Whites, lower among African-Americans, and lowest among A/PI referrals.*

*Less than 14% of Path 1 families have been re-referred to child welfare, and this is considered a positive outcome.*

2. Joint Response:
  - a. The Joint Response program with law enforcement has been expanded to the whole county.

*There were 520 Joint Response activations in 2007, a 25.3% increase over 2006. As a result of these joint*

*responses, 50% of A/PI families were diverted from entry to out-of-home care, and 46% of Latino, 45% of African-American, and 44% of White families were diverted.*

3. Emergency Response and Dependency Investigation:
  - a. The Emergency Response program will begin full utilization of the Comprehensive Assessment Tool as a standardized instrument in March 2007. The instrument's use will be monitored.

*The CAT instrument was implemented on schedule, and analysis of utilization data to determine practice fidelity is underway but incomplete at this writing.*

- b. The Emergency Response program will implement Team Decision Making procedures in the first half of calendar 2007.

*TDM's have begun, but more slowly than hoped for, in Emergency Response. In total, 23 TDM's were held (48% Latino, 22% African-American, 17% White, 13% Native American) in Emergency Response, compared to 315 (53% Latino, 27% White, 10% African American, 6% A/PI, and 4% Native American and Other) in Dependency Investigation. While the use of TDM's can be expected to serve as a check against possible individual bias it is not clear how effectively it is being used to involve parents in case planning.*

- c. The Agency's Sibling Protocol will be reviewed...to ensure that siblings...are not unnecessarily included in protective activities.

*The Sibling Protocol was revised in July 2007 to require that justification for removal of each sibling must be made on an individual basis. In the 4<sup>th</sup> Quarter of 2007 (October-December, 2007) the rate of removal of all siblings was 1.91% compared to 3.23% in the 2<sup>nd</sup> Quarter (April-June 2007).*

- d. The Agency will continue to identify substantiated cases that can be referred safely to Differential Response Path 2 or other voluntary services, and will assign a social work coordinator to provide overall Path 2 direction.

*In 2007, 123 substantiated reports were referred to the Differential Response Path 2 contractor (70% Latino, 16% White, 5% African American, 5% A/PI, 4% Other/Unidentified.) In addition, 74 high-risk families were referred to the Family Strength-Based Services program (76% Latino), and approximately 1,300 families were referred to in-house Voluntary Family Maintenance and Informal Supervision services. Overall, voluntary services show an increase of 4.5% over 2006, and African American children showed a 16% increase in in Voluntary Family Maintenance and Informal Supervision services, but were inadequately represented in both the Path 2 and FSBS programs.*

- e. Requests for DFCS court recommendations for Bypass of Family Reunification Services will continue to be subject to case-by-case approval.

	2005	2006	2007
<i>Full Bypass<sup>1</sup> Recommended</i>	21	29	6
<i>Partial Bypass Recommended</i>	83	63	30
<i>Total Bypass Recommended</i>	104	92	36

- 4. Reunification Services:
  - a. The Comprehensive Assessment Tool will be utilized in all cases for the development of the family reunification plan.

*The CAT instrument has been implemented (see comment under 3.a.).*

- b. Referral of parents for behavioral health services.

*While parents are referred for services, development of expedited access has been impeded by budget constraints and by continued planning for expanded*

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<sup>1</sup> "Full Bypass" refers to denying services to both parents, "Partial Bypass" to denying services to one parent but providing it to the other.

*services. The data systems of the multiple agencies do not support cross-agency client tracking. SSA has contracted with a vendor who will assist in developing a methodology to obtain the needed information.*

- c. The Agency will maintain its support of the Juvenile Dependency Drug Court.

*Agency support to the Dependency Drug Court has been maintained, and in late 2007 a five-year, \$3.7 million grant was received by the Agency to support a 0-3 Dependency Drug Court ("Family Wellness Court") that will begin services in Spring 2008.*

- d. The Agency will strengthen linkages between DFCS and the CalWORKs program to address income needs of families.

*Staffs from the two departments are participating in the "Linkages" model project under the auspices of the Child and Family Policy Institute of California to develop methods of cross-referencing families. Pilot implementation involving South County bureaus is scheduled for March 2008, with county-wide roll-out later in the year.*

5. Placement:

- a. In cases where out-of-home care is necessary, the Agency will make it a priority...to maintain the high level of placements with relatives or non-relative extended family members (NREFM's).

	<i>Relative/NREFM Placement</i>		
	<i>Jan 06</i>	<i>Jan 07</i>	<i>Jan 08</i>
<i>Santa Clara (per I.S. data)</i>	45.9%	47.9%	49.6%
<i>Santa Clara (per UCB data)</i>	43.2%	45.1%	N/A
<i>California (per UCB data)</i>	35.3%	36.0%	N/A

*Santa Clara Rel/ NREFM by Race*

	<i>Jul 05</i>	<i>Jul 06</i>	<i>Jul 07</i>
<i>African-American</i>	40.2%	44.0%	46.7%
<i>Asian/P.I.</i>	35.5%	26.4%	35.5%
<i>Latino</i>	44.0%	44.9%	49.0%
<i>White</i>	39.7%	36.6%	41.4%

6. Reunification:

- a. To increase the numbers of safe reunifications and reduce the numbers of children who return to foster care after failed reunification, the Agency will implement a Differential Response Path 4, to provide supportive services to reunified families after the expiration of time limited Family Maintenance services. Path 4 services will commence by December 2007.

*Path 4 was implemented for families with children under age 5 on January 1, 2008. Services are provided by the FIRST 5 system of care.*

7. Permanency:

- a. In cases where reunification is not possible, the Agency's priority for permanent placement is adoption or guardianship by relatives or NREFM's.

*Overall, 51% of all adoptions are with relatives. By race, over three quarters:*

	<i>Q1 06</i>	<i>Q1 07</i>	<i>Q4 07</i>
<i>African-American</i>	54%	60%	64%
<i>Asian/PI</i>	42%	32%	39%
<i>Latino</i>	55%	47%	54%
<i>White</i>	38%	25%	35%

### Staff Activities:

1. All social work staff will complete Comprehensive Assessment Tool training by March 1, 2007. Refresher training will be provided on an as-needed basis to ensure effective utilization.

*The CAT training was completed as scheduled. Analysis of utilization data is underway, and refresher training will follow that activity.*

2. All social work staff will complete special training on factors of race, class and culture...in the first half of calendar 2007. The subject matter will be integrated into induction training.

*Mandatory training for all staff was conducted, and although evaluations were positive, closer linkage to practice decisions is needed.*

3. All social work staff will receive updated training on availability of alternative services to dependency, and on accessing behavioral health services in the first half of calendar 2007.

*Training on resources was integrated into required monthly training and the On-Line Policies and Procedures manual.*

### Management Oversight:

1. By July 1 2007, the Agency will develop a system of monthly data reporting to track outcomes and trends, by unit and worker related to the following:
  - a. Substantiation rates by ethnicity;
  - b. Inclusion of siblings in dependency activity;
  - c. Rates of referral to Differential Response and other non-court alternative services by ethnicity;
  - d. Penetration rates and speed of service for referrals to behavioral health services; and
  - e. Reunification rates by ethnicity.

*Data tracking has been developed for all except 'd', which is discussed under 4.b above.*

2. The Agency will continue to emphasize research into evidence-based practice, and will include dissemination of best or promising practices in ongoing staff training.

*This is underway, and key staff is participating in process development in concert with the Bay Area Social Services Consortium. Social worker induction training has been modified, and for the first time includes a practicum on family assessment. The preliminary stage of a research project on evidence on Foster Care Re-Entry has been completed by BASSC, and it is expected to produce additional practice innovations.*

#### Agency Advocacy:

1. The Agency will continue to work with the FIRST 5 High Risk Design initiative to implement preventive services in neighborhoods of high cumulative risk factors.

*The Differential Response program works very closely with the FIRST 5 family partnership agencies and FIRST 5 has agreed to have specialized services made available to the clients of the Agency's Differential Response contractor.*

2. The Agency will work with interested parties on plans to develop preventive programs and intervention to address the problem of Substance Exposed Infants.

*This is a continuing activity in concert with FIRST 5, the Juvenile Court, and related County agencies and health providers.*

#### **Trends**

Although Calendar Year 2007 data that would reflect most of the implementation activity is not yet available, Fiscal Year data (July 2006 to July 2007) suggests there is still a very high level of ethnic disproportionality in the child welfare system. The following chart compares percentages of the child population as a whole, with the percentage of substantiated referrals and new cases in Santa Clara County.

	Population	Substantiated Referrals	New Cases
African American	2.3% <sup>2</sup>	10.3%	9.0%
Native American	0.4%	1.2%	1.4%
Asian/P.I.	28.4%	8.3%	8.8%
Latino	37.2%	62.9%	63.9%
White	31.7%	16.0%	16.0%

First, the *under representation* of both White and Asian children compared to referral rates statewide suggests that there is either a lack of understanding of mandated reporter responsibilities in some communities of the county, or else there is a learned behavior of utilization of non-formal systems of protection and care. Whichever, it leaves an open question regarding child safety in those communities. It also has an extraordinary skewing effect on all other data.

However, even correcting for a hypothetical “normal” level of referrals from those communities, the over-reporting of African-American and Latino children continues to start a dynamic in which they are reported, substantiated, and have cases opened greatly disproportionate to their share of the population. While it may be reasonable to expect that the initiatives begun or continued with the 2007 plan will over time have some positive effect on trends, it is also likely that they will not by themselves sufficiently mitigate the tendency, and so additional steps will be undertaken as part of the 2008 plan.

### **2008 Goals**

The 2008 disproportionality goals assume continuation of all of the efforts from the 2007 plan, and add the following:

1. **Mandated Reporter training:** A contractor has been engaged to undertake training with mandated reporters. The goals of this training will be to familiarize reporters with the data illustrating overrepresentation, and also to suggest alternative services that may be suitable and less intrusive for families.

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<sup>2</sup> Due to rounding and exclusion of “other” categories, percentages do not add to 100.



In addition, the Agency will undertake research with reporters in those communities that appear to be under-reporting, to ensure that child safety issues are not being compromised.

2. **Differential Response for African-American families:** While there is increasing use of Voluntary Family Maintenance and Informal Supervision services (the in-house programs) for African-American families, they are not being referred or served at adequate rates in the Differential Response contracts. The Agency will identify a contractor able to obtain a higher level of penetration with African-American families.
3. **Pre-Detention Group Conferencing:** The review of substantiation cases gives rise to concern that subjective assessments of “cooperative” versus “uncooperative” parent behaviors may be disadvantaging African-American families in early stages of contact with the child welfare system. Jurisdictions are experimenting with a variation of team decision-making, involving relatives and advocates, prior to the detention hearing to determine if more children can be maintained safely at home as a result of a wider process of engagement. The Agency will attempt to pilot this activity in 2008 to determine whether it affects in-home/out-of-home service choices.
4. **TDM Usage:** Reviewing utilization of Team Decision Making to ensure that it is being used to involve parents in case planning and service selection.
5. **Review of Cases Involving Emotional Abuse Allegations:** Preliminary data suggests that African-American children are twice as likely to have substantiated allegations relating to emotional abuse as all other groups. To ensure that subjective factors are minimized, the Agency will require a higher level of management review of all substantiations involving this allegation and African-American children.
6. **Continued Staff Training:** The Agency will continue to require all social work staff to participate in training on the issues of racism, class bias and poverty as it directly affects child welfare practice.