



Texas Child Protection Roundtable Legislative Consensus Agenda for the 83rd Legislative Session

Child Abuse Prevention Priorities

SB 939 by West / HB 2489 by Parker // Child Protection Act

- Require institutions of higher education to provide professional personnel training on preventing, recognizing, and reporting child abuse.
- Require institutions such as schools, charter schools and child care facilities to adopt and implement internal recognition and reporting policies consistent with state mandatory reporting law.
- Enforce that professionals are to directly report. They cannot abdicate their duty by reporting to a superior or administrator within the professional's organization.
- For schools and charter schools require training of all staff, in addition to new professional staff, on reporting suspected child abuse.

HB 1698 by Farrar // Define School Social Workers in the Education Code

Schools and students deal with complex issues: bullying, child abuse, drug and alcohol abuse, domestic and gang violence, teen pregnancy, drop-outs and suicide prevention.

- These issues require professionals who are trained to recognize these problems and work with teachers and administrators to address them.
- Current school social workers have communicated that their role is not commonly understood among school administrators and principals.
- Adding a social work definition to the Education Code would bring more clarity and give administrators the flexibility they need to employ social workers as needed within schools.
- Legislation would stress that social workers would provide behavioral health referrals and their role in child abuse identification and prevention.

SB 384 by Carona / HB 1205 by Parker // Enhance penalty for failure to report child abuse

- The current penalty for failure to report is a Class A misdemeanor. However, the penalty for false reporting is a state jail felony.
- In the wake of the Penn State scandal, there are several states moving to enhance their penalty for failing to report child abuse and neglect.
- The recommendation is to allow a range of penalties for professionals who with the intent to deceive seek to hide or cover-up child abuse and neglect from the current Class A misdemeanor to a state jail felony.

SB 426 by Nelson // Home Visitation Accountability Act

- Ensure Home Visiting programs set clear standards, are accountable for their outcomes, implemented with fidelity to the research model and evaluated for QI and QA.
- Create a framework that ensures at least 75% of state revenues invested in Family Home Visiting are invested in evidence-based programs and allow 25% funds invested in "Promising Practices".

Budget Priorities:

Restore Funding to the Prevention and Early Intervention Division to 2010-2011 biennium levels.

- The Prevention and Early Intervention division of DFPS suffered a 30% reduction to its budget during the 82nd legislative session.
- Restoration of child abuse prevention funding is a priority.
- Restoration of child abuse prevention funding for programs that are exclusively child abuse prevention programs should be directed to communities with the capacity to target those children ages 0 to 5 who are most vulnerable to abuse and neglect and caregivers most vulnerable to abusing or neglecting children.
- An objective needs assessment and gap analysis should be utilized.
- DFPS should seek provider input on the criteria to be used to determine the target areas to be served.
- Support DFPS Exceptional Item #6.

Retain PEI Funding

- The LBB has issued a report recommending that funding in the amount of \$26.6 million which currently funds STAR (Services to At-Risk Youth), CYD (Community Youth Development), and Other At-Risk Prevention Programs be transferred to the Texas Juvenile Justice Department.
- Funding for these services must be retained at PEI.

Maintain current state GR funding for the Nurse-Family Partnership Program to ensure that Texas meets the required maintenance of effort (MOE) that is needed to draw down federal Maternal, Infant, and Early Childhood Home Visiting Program (MIECHV) funds.

- MIECHV funds have been awarded to Early Head Start - Home Based, Home Instruction for Parents of Preschool Youngsters, Nurse-Family Partnership, and Parents as Teachers.
- MIECHV funds are funding 22 sites across Texas that impact over 2000 families

Support a Home Visiting Continuum

- Serve at least 30% more families across the state with home visiting by investing an additional \$27.5 million during the 2014-15 biennium.

Support an Early Childhood Comprehensive System that focus on prenatal to 5

- An early childhood comprehensive system is a collaboration implemented by communities to coordinate multiple early childhood service to better promote child development by supporting families and communities.
- A comprehensive system seeks to ensure that children are healthy and ready to learn at school entry by reducing disparities in access and quality of early care and improving services for those at highest risk.
- Ensure that the system includes child abuse prevention programs.
- The Health and Human Services Commission and the Texas Early Learning Council have provided funding to 10 communities to implement a data driven process to improve evaluation of a community's needs and coordination.

Revenue Generation Idea:

Fees derived from revenue generation ideas should go solely to the Children's Trust Fund.

- **Heirloom birth certificates**
 - 50% of the revenue derived from heirloom birth certificates should go to child abuse prevention funding.
- **Donations from marriage licenses and birth certificates**
 - A check off box in the amount of \$5.00 will be added.
 - There will also be an option for any amount.

Child Protective Services Priorities

SB 1404 by Patrick and Uresti / Educational success for foster children

- Allow greater flexibility in order to graduate (student could graduate from previous school), ensure a high school student is on track to graduate upon enrollment in new school, award partial credit for coursework completed, and excuse school absences related to students being in foster care with an opportunity for appropriate makeup work.

SB 330 by Huffman /1922 by Thompson // Access to CPS records for court appointed evaluators

- Allow court-appointed evaluators access to Child Protective Services records in order to provide comprehensive assessments for children in custody cases.

SB 130 by Nelson // Greater access to protective orders

- Clarify that a prosecuting attorney who represents a party in obtaining a protective order is not precluded from representing the Department of Family and Protective Services.

SB 429 by Nelson / HB 1684 by Raymond // Review of dismissal orders in CPS cases

- Before approving the dismissal of a CPS suit, judges should consider whether any child support, visitation, or other orders affecting the children should be entered.

HB 969 by Dukes /SB 737 by Watson // Loan Repayment Program

- For CPS front-line INV, FBSS and CVS.
- Qualified caseworkers would be eligible to receive up to \$5,000 for repayment of student loans for each year that they served in a front-line or first-level supervisory position at CPS.
- Maximum benefit amount would be \$20,000.

SB 1789 by Uresti / Placement Stability and Permanency for Foster Youth

- A second placement failure would automatically initiate administrative action, including a placement stability conference and potential judicial review.

SB 1758 by Uresti // Task Force on Recruitment and Retention of CPS Caseworkers

- Establish a task force made up of external business consultants and others, who are innovators and human resource specialists, to examine hiring and retention of CPS caseworkers.

SB 424 by Nelson /HB 915 by Kolkhorst // Psychotropic Medication Usage for Foster Youth

- Strengthen informed consent, judicial review and transition plans for youth to provide more oversight of use of psychoactive medications to treat children in foster care.

Budget Priorities:

Restore cuts in 2012-13 Budget

- FTE cuts to direct delivery staff
- Substance abuse services (CPS Purchased Client Services)
- Foster day care
- Elimination of Enhanced In-Home Support program for families in FBSS
- Pre and post adoption services (Providers asked to assume 25% match)

Maintain funding and fund projected caseload growth for critical services

- Foster and protective day care
- Relative caregiver support
- CPS Purchased Client Services

Increase recruitment and retention of high quality CPS case workers

- Increase starting salary and increase salary classification of CPS program personnel, specifically CVS, INV and FBSS caseworkers, supervisors and program directors (must provide incentive to move to supervisory and PD position to help retention).
- Establish a performance-based compensation system that rewards:
 - Quality casework with objective performance measures;
 - Including measures of casework processes; and
 - Child outcomes that are within the control of the caseworker.
 - Appropriation would be contingent upon a certain percentage reduction in re-referrals and hitting targeted turnover goals.
 - The compensation award or bonus must be of meaningful size in order to encourage improved casework.
 - The bonuses would be annual and directed to those program areas experiencing the highest turnover.
 - The rewards would be based on overall unit performance and individual caseworker performance (to encourage workers in a unit to assist one another when experiencing the common situation of individual overload).
 - The decisions regarding the bonus amount each unit would receive would be based on Program Directors with Program Administrator input.
 - Decisions on which/ how much caseworkers would receive a bonus would be made by the Supervisors with program director input.
- Loan Repayment Program
 - For Child Protective Services (CPS) front-line INV, FBSS and CVS.
 - Qualified caseworkers would be eligible to receive up to \$5,000 for repayment of student loans for each year that they served in a front-line or first-level supervisory position at CPS.
 - Maximum benefit amount would be \$20,000.
- Make the CPS case workers job more doable and less stressful:
 - Restore the 126 case aides and 178 admin techs that have been cut.
 - Faster repayment of travel expenses for caseworkers.
 - Reimbursement can take up to 20 working days.
 - Large out-of-pocket expense due to amount of travel.
 - Reimbursement should take no more than 12 to 15 days.
 - Increase access to community resources for families by ensuring that caseworkers have access to the Texas Connector project by OneStar Foundation.

Increase Statewide Intake capacity in order to reduce hold time from the average recent rates of 8-9 minutes per call by increasing staff to keep up with population and call increases.

Invest \$1 million to help sustain transition centers.

Support the following DFPS Exceptional Items:

- Exceptional Item #1a CPS and SWI direct delivery staff to maintain caseloads.
- Exceptional Item #1b caseload growth for the Relative Caregiver program.
- Exceptional item #1c caseload growth of foster/protective day care.
- Exceptional item #1d caseload growth for CPS Purchased Client Services and to bring back the state match for PAL services, purchased adoption services and post-adoption services.
- Exceptional Item #2a Targeted pay increases and a salary increase for supervisors I-III to address salary compression with the high end caseworker positions.
- Exceptional Item #2b to strengthen leadership skills.
- Exceptional Item #2c on-call pay.
- Exceptional Item #3b to reduce CVS caseloads.
- Exceptional Item #4a to add more supervisor positions so that the worker to supervisor ratio is lowered.
Note: Exceptional Item #4a should be implemented with careful consideration to the impact of additional realignment to ensure minimal disruption to caseworkers, caseloads and overall functionality of units. Those units with a history of lower worker turnover and currently functioning effectively under the realignment efforts should not be disrupted. Each unit supervisor should be consulted to determine if change in worker ratio would be in the best interest of the unit and the caseloads maintained by the unit. If the supervisor of a unit doesn't want to decrease the supervisor to worker ratio and the unit has lower turnover and referrals than average the unit should be left alone.
- Exceptional Item #5a to reduce kinship caseworkers' caseloads.
- Exceptional Item #5b to increase the amount of money paid to families in the relative caregiver program. Instead of getting \$1000/sibling group a family would receive \$1000/child.

For questions or additional information, please contact:

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