



The Florida Senate

Interim Report 2011-105

October 2010

Committee on Children, Families, and Elder Affairs

DIFFERENTIAL RESPONSE TO REPORTS OF CHILD ABUSE AND NEGLECT

Issue Description

With the number and type of child abuse and neglect reports being accepted by child protection systems increasing throughout the 1970s and 1980s, the 1990s saw a developing awareness in the child welfare community that not all forms of child maltreatment are best addressed with a single response option.¹ While some reports with clear safety concerns or allegations of a criminal nature are appropriate for an investigative response and the determination of a perpetrator and a victim, other reports may be more appropriately addressed by a less adversarial response that includes assessment and the offer of services.²

Differential response systems have been implemented in more than two dozen states across the country. Some jurisdictions are still in the early stages of implementation with just a few pilot sites, while others are expanding or institutionalizing their systems statewide.³ Florida's Department of Children and Family Services (DCF) has proposed legislation to implement a statewide differential response system for responding to reports of child abuse and neglect for the past two legislative sessions.⁴

Background

General

Differential response is a child protection services practice that allows more than one type of initial response to reports of child abuse and neglect. Also called "dual track," "multiple track," or "alternative response," this approach recognizes variation in the types of reports and the value of responding differently to different types of cases. This approach is guided by the assumption that the use of a differential response system would allow agencies to protect children and support families in a less adversarial manner, while reserving agency resources for the more intensive, high-risk cases.⁵

While definitions and approaches vary from state to state, a differential response system typically consists of two major types of response to reports of child abuse and neglect. The type of response chosen for each report begins with some entity determining how a call to the hotline will be handled. The report will either rise to the level of

¹ Alternative Responses to Child Maltreatment: Findings from NCANDS. U.S. Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation. July 2005. Available at: <http://aspe.hhs.gov/hsp/05/child-maltreat-resp/report.pdf>. (Last visited July 26, 2010.)

² American Humane Association, *Differential Response*. Available at: <http://www.americanhumane.org/protecting-children/programs/differential-response/>. (Last visited September 1, 2010.)

³ Child Information Gateway. (2008). Differential Response to Reports of Child Abuse and Neglect. Washington, D.C.: U.S. Department of Health and Human Services. Available at: http://www.childwelfare.gov/pubs/issue_briefs/differential_response/differential_response.pdf. (Last visited August 11, 2010.)

⁴ See SB 2288 (2009) and SB 2676 (2010).

⁵ Zielewski, E.H., Macomber, J., Bess, R. and Murray, J. (2006). Families' Connections to Services in an Alternative Response System. The Urban Institute: Washington, D.C. Available at: http://www.americanhumane.org/assets/docs/protecting-children/PC-AR-families-connections_ui.pdf. (Last visited August 11, 2010.)

severe maltreatment or maltreatment that is potentially criminal and will receive an investigation response, or the report will involve low or moderate risk to the child and receive an assessment response.⁶

The Child Welfare League of America (CWLA) and The American Humane Association (AHA) identified core elements in a differential response system in an attempt to achieve definitional clarity and distinguish among the multitude of child protection reforms across state and county child welfare systems.⁷ These core elements include:

- The use of two or more discrete responses for intervention.
- The creation of multiple responses for reports of maltreatment that are **screened in and accepted** for response.
- The determination of the response assignment by the presence of imminent danger, level of risk, the number of previous reports, the source of the report, and/or presenting case characteristics such as type of alleged maltreatment and the age of the alleged victim.
- The ability to change the original response assignment based on additional information gathered during the investigation or assessment phase.
- The establishment of multiple responses is codified in statute, policy and/or protocols.
- The ability of families who receive a non-investigatory response to accept or refuse the offered services after an assessment without consequence.
- No identification of perpetrators and victims when alleged reports of maltreatment receive a non-investigation response and services are offered without a formal determination of child maltreatment.⁸

While the use of a differential response system promises to better enable child protection agencies to protect children and strengthen families, implementing a differential response system poses many challenges. Crucial considerations for an efficient and successful differential response system include use of the most promising standardized tools; training and reinforcing the worker's use of a strength-based and non-adversarial model; and the availability of an adequate network of community services providers.⁹

The need for a skilled workforce trained in strength-based and collaborative interventions with manageable workloads is central to differential response system implementation. Because much of family assessment work depends on the ability to engage with families on an individual basis, workers are left with broad discretion in determining what services best fit the families' needs and how to link families to those services. Workers must have the appropriate skill set, support, and confidence to effectively do the work that a differential response system requires.¹⁰

Florida

In 1992, the Florida House of Representatives Aging and Human Services Committee decided that incremental changes made in the past relating to child protective investigations had not remedied perceived problems with the process and wanted a more systematic approach to reforming the child protection system.¹¹ Legislation was

⁶ Child Information Gateway. (2008). Differential Response to Reports of Child Abuse and Neglect. Washington, D.C.: U.S. Department of Health and Human Services. Available at:

http://www.childwelfare.gov/pubs/issue_briefs/differential_response/differential_response.pdf. (Last visited August 11, 2010.) However, not all jurisdictions that employ a differential response system focus simply on choosing an assessment or investigation response. In some areas, there is more variation in types of response. Additional responses may include a resource referral/prevention response for reports that do not meet screening criteria for child protective services but suggest a need for community services, or a law enforcement response for cases that may require criminal charges.

⁷ Merkel-Holguin, L., Kaplan, C. and Kwak, A. (2006). National Study on Differential Response in Child Welfare, American Humane Association and Child Welfare League of America. Available at:

<http://www.americanhumane.org/assets/docs/protecting-children/PC-DR-national-study2006.pdf>. (Last visited August 15, 2010.)

⁸ *Id.*

⁹ Richardson, J. Differential Response: Literature Review, University of Illinois School of Social Work, Children and Family Research Center. November 2008.

¹⁰ *Id.*

¹¹ Final Bill Analysis and Economic Impact Statement, CS/HB 593, Florida House of Representatives, Committee on Aging

enacted that directed the Florida Department of Health and Rehabilitative Services (HRS or department)¹² to prepare a strategic plan to establish a clear and consistent direction for policy and programs for the child protection system, including goals, objectives, and strategies.¹³

Recommendations in the completed strategic plan included creating the statutory authority for developing and demonstrating the efficacy of a service-oriented response system to reports of child abuse and neglect.¹⁴ With the creation of Part III of chapter 415, F.S., entitled Family Services Response System (FSRS)¹⁵ in 1993, Florida was one of the first two states to implement a differential response system.¹⁶ The provisions in Florida law relating to the FSRS constitute the assessment response of a differential response system. The approach provided for a nonadversarial response to reports of abuse and neglect by assessing for and delivering services to remove any determined risk, while providing support for the family. The legislation allowed local HRS service districts the flexibility to design the FSRS to meet local community needs¹⁷ and required an ongoing community planning effort to include the approval of the recently established Health and Human Service Boards.¹⁸

The department began steps toward the implementation of FSRS in districts statewide. Despite positive findings reported in the 1996 outcome evaluation¹⁹ in some districts, difficulties identified during the course of the evaluation had a negative effect on the viability and support for FSRS.²⁰ In addition to problems identified in the outcome evaluation, an assessment of dependency cases by Florida's Dependency Court Improvement Program (DCIP)²¹ revealed enough judicial concern with the inconsistent implementation of the FSRS, and compromised child safety as a result of decisions being made by the HRS/DCF staff, that the DCIP recommended that Florida return to the use of a traditional protective investigation for all reports.²²

During the 1998 session, legislation was enacted that incorporated all of the recommendations of the DCIP, as well as the mandated provisions of the newly enacted federal Adoption and Safe Families Act, and Florida's version of a differential response system was repealed.²³ As a result, all districts returned to the investigation of

and Human Services, April 3, 1993.

¹² Chapter 96-403, L.O.F. The Department of Health and Rehabilitative Services was renamed the Department of Children and Family Services (DCF or department) in 1996.

¹³ Chapter 92-58, L.O.F. In developing the plan, HRS was required to engage a broad spectrum of individuals and groups and look at the child protection system in its entirety.

¹⁴ Final Bill Analysis and Economic Impact Statement, CS/HB 593, Florida House of Representatives, Committee on Aging and Human Services, April 3, 1993.

¹⁵ Chapter 93-25, L.O.F. The legislation not only created Part III of chapter 415, F.S., entitled Family Services Response System, but also created Part IV, entitled Protective Investigations which resulted in a clear statutory delineation between the two types of responses to reports of child abuse and neglect. The legislation also required an outcome evaluation and three annual status reports to be submitted to the legislature beginning January 1, 1995.

¹⁶ The other state was Missouri. Missouri decided to expand its approach statewide after trying a pilot program in 14 counties. The approach has served as a model for differential response in other states. Crane, K. *In Brief: Taking a Different Approach*. National Conference of State Legislatures, January 2010. Available at: <http://www.ncsl.org/?tabid=19395>. (Last visited August 3, 2010.)

¹⁷ Section 415.5018, F.S. (1993).

¹⁸ *Id.*

¹⁹ Hernandez, M. and Barrett, B. *Evaluation of Florida's Family Services Response System*, Florida Mental Health Institute, University of South Florida, December 1996.

²⁰ *Alternative Response System Design Report*, Prepared for the Florida Department of Children and Family Services by the Child Welfare Institute, December 2006.

²¹ Florida's Dependency Court Improvement Program (DCIP) was established in 1995 when Congress funded a comprehensive research initiative to assess judicial management of foster care and adoption proceedings. The mandate to the highest court in every state was to assess the court's management of dependency cases to determine the level of compliance with the Adoption Assistance and Child Welfare Act and to develop an action plan to effect positive change in legislation, policy, judicial oversight, representation, and practice and procedure.

²² Conversation with Kathleen Kearney, Chair of the Dependency Court Improvement Program (1996-1997), September 7, 2010.

²³ Chapter 98-403, L.O.F. CS/HB 1019. Part III of chapter 39, F.S., entitled Protective Investigations, was created and all calls accepted by the hotline as reports were required to be investigated.

all child protective reports culminating in a finding associated with a child victim and perpetrator. Currently, Florida law does not allow for the use of a differential response system.

In 2003, the Protective Investigation Retention Workgroup (PIRW) was formed under the direction of DCF for the purpose of examining a number of the issues relating to retention of protective investigators.²⁴ The product of the workgroup was a comprehensive set of recommendations, including development of a framework for a differential response system to be piloted in multiple sites.²⁵ In 2005, the DCF Family Safety program office issued a Request for Proposal (RFP) for assistance in designing a differential response system pilot project in Florida. The program office limited the scope of the project to Bay, Duval, and Seminole counties.²⁶ The pilots ran for six months, beginning in mid 2008, with mixed results.²⁷

Findings

General

Evaluative data on the use of differential response continue to become available in jurisdictions around the country. Overall, differential response approaches are yielding positive results in many states. A number of states have completed comprehensive pilot studies of their differential response systems utilizing independent researchers to evaluate systems prior to statewide implementation. Other states and individual jurisdictions have maintained continuing internal monitoring and evaluation.²⁸ Evaluations of practices have found child safety was not compromised. Families and caseworkers are also satisfied with the assessment of need and the services offered, demonstrating that offering a differential response to families can have a positive effect on the relationship between child protection service workers and families.²⁹ Nonetheless, issues still remain, including:

the best way to track families that are referred to community services, how to engage families in voluntary services, the availability of resources in the community, and who will be liable if a child is injured or even killed while receiving services. Those will be key issues for legislators as they continue to craft effective differential response approaches and provide oversight to ensure child safety.³⁰

A cost analysis was done as part of an overall evaluation of the Minnesota differential response system, to determine whether the cost of implementing a differential response system exceeded the cost of a traditional response system. The analysis tallied the direct and indirect costs for samples of families receiving either a traditional investigative response or an alternative assessment response during the initial processing of the case and during a follow-up period after the case had ended. The use of a differential response system was shown to be more costly during the initial case than the traditional system that required an investigation for every report, but less costly during the follow-up period, primarily because fewer new reports were received and fewer children

²⁴ See Interim Project Report 2003-110, *Retention of Protective Investigators and Protective Investigative Supervisors*, Committee on Children and Families, The Florida Senate, January 2003. Available at: http://www.flsenate.gov/data/Publications/2003/Senate/reports/interim_reports/pdf/2003-110cf.pdf. (Last visited August 13, 2010.) and ²⁴ Interim Project Report 2003-110, *Retention of Protective Investigators Phase II*, Committee on Children and Families, The Florida Senate, January 2003. Available at: http://www.flsenate.gov/data/Publications/2004/Senate/reports/interim_reports/pdf/2004-113cf.pdf. (Last visited August 13, 2010.)

²⁵ Protective Investigator Retention Workgroup, Report to the Legislature, Department of Children and Family Services, December 31, 2003.

²⁶ Florida's Alternative Response Pilot Final Summary Report, Florida Department of Children and Family Services, Family Safety Program Office, February, 2009.

²⁷ *Id.*

²⁸ Carpenter, C. *Alternative Response*, Children, Families and the Courts, Ohio Bulletin, Volume 3, Number 3. (2007.)

²⁹ Crane, K. *In Brief: Taking a Different Approach*. National Conference of State Legislatures, January 2010. Available at: <http://www.ncsl.org/?tabid=19395>. (Last visited August 3, 2010.)

³⁰ *Id.*

were later removed and placed. Combining all costs, using the differential response system was on average less expensive than the traditional approach.³¹

Child Welfare Practices in Florida

The following discussion highlights certain child welfare practices in Florida over the last quarter century which impact the implementation of a differential response system. Concerns have been raised over that period about the use of a differential response system, including the role of law enforcement in a differential response system, the availability of resources for families, and the competency of staff working with those families. Based on current evidence, it would appear that some of these concerns continue to exist.

Family Services Response System – 1993

In 1993, the Florida legislature created the FSRS to provide for a less adversarial response to some reports of abuse and neglect by allowing a risk assessment and the delivery of services to remove that risk, while providing support for the family.³² In addition to the response system framework, the legislation also required an outcome evaluation and three annual status reports to be submitted to the legislature beginning January 1, 1995.³³

- The February 1995 report outlined the steps the department had taken to begin the process of implementing the FSRS and laid out a statewide implementation schedule, with specific dates established for 51 of the 67 counties, from prior to October 1994 through March 1995. The system in the remaining 16 counties was to become operational sometime during 1995.³⁴
- The January 1996 report summarized activities relating to the implementation of the FSRS, including changes in program operations, program accomplishments, and highlights from several districts.³⁵ The role of law enforcement to implement criminal investigations was also reported as being improved³⁶ and a preliminary proposal to enhance staff competencies was detailed in the status report.³⁷ The Position Classification and Pay Grade Workgroup recommended that positions be consolidated, competency-based job descriptions be established, a new training curriculum be implemented, job coaches be provided, and recruitment and hiring practices be changed so that at the end of five years at least 50 percent of all new unit staff hired each year would have either a BSW or MSW. Reportedly, the department and the schools of social work at Florida colleges and universities began work on creating a partnership to place more degreed social workers in the public child welfare agency.³⁸
- The third and final update due to the legislature in January 1997 was either not completed or could not be located and provided by DCF for this review.
- The 1996 outcome evaluation was conducted by the Florida Mental Health Institute (FHMI) at the University of South Florida. In order to determine progress toward reaching FSRS goals, values, and principles, all DCF districts were assessed relative to the level of their program implementation and local stakeholders' perceptions. There were significant differences in the degree to which districts had

³¹ Merkel-Holguin, L., Kaplan, C. and Kwak, A. (2006). National Study on Differential Response in Child Welfare, American Humane Association and Child Welfare League of America. Available at: <http://www.americanhumane.org/assets/docs/protecting-children/PC-DR-national-study2006.pdf>. (Last visited August 15, 2010.)

³² Chapter 93-25, L.O.F.

³³ *Id.*

³⁴ Department of Health and Rehabilitative Services, Family Services Response System, Status Report, February 1995.

³⁵ Department of Health and Rehabilitative Services, Family Services Response System, Status Report, January 1996. For example, district 15 developed working agreements with the county public health unit to all public health nurses to respond to reports of substance abused newborns; district 4 staff negotiated a statement of community support; and in district 5 the Salvation Army agreed to be the first agency to contact families and assess children on certain types of reports.

³⁶ The reference to "criminal" investigations appears to be significant because the cooperative agreement between HRS and the Child Abuse Coordination Committee CACC) in district 10 states that as a result of efforts to implement the family services response system, law enforcement will no longer be involved in Part III family services response system investigations. A similar agreement in district 4 involves law enforcement only in reports alleging high risk situations.

³⁷ Department of Health and Rehabilitative Services, Family Services Response System, Status Report, January 1996.

³⁸ *Id.* Also, Presentation to the House Select Committee on Child Abuse and Neglect, January 25, 1996.

implemented the FSRS demonstrations; as a result three districts were rated as “high implementors”; seven districts were rated as “medium implementors”; and four districts were rated as “low implementors”.³⁹ Problems encountered included:

- Inconsistent implementation across districts;
- Wide variations in outcomes and satisfaction level among child welfare staff and families;
- Presence of multiple models leading to difficulty isolating key components for evaluation or replication;
- Insufficient services resources;
- Insufficient start-up and follow-up training and on-going technical assistance;
- High profile fatalities that were associated with FSRS;⁴⁰
- Insufficient emphasis placed on the primacy of child safety; and
- Under-developed model of child safety assessment, decision-making and response.⁴¹

Alternative Response Pilots – 2008

At the recommendation of the PIRW, a framework for a differential response system was developed and Bay, Duval, and Seminole counties were selected as pilot sites because as a group they represented elements of a rural-urban population base.⁴² The six-month pilots ran from mid-April through mid-October 2008 with mixed results. The primary distinction between the sites was how the community-based care (CBC) family assessment component was to be introduced to the families chosen for an assessment response. At the conclusion of the pilots, Bay, Duval, and Seminole counties had handled 9 percent, 32 percent, and 10 percent respectively of calls accepted as reports through an assessment response.⁴³ While the majority of staff in Bay and Duval Counties had a positive perception of differential response, support for the approach by the Seminole County CPI and Seminole County CBC staff was mixed:

- The sheriff’s office saw integration of the collaborative model they chose to implement as very challenging;⁴⁴
- CPIs generally did not like the differential response model; and
- CPIs felt a joint response was not productive, and challenges included disagreements about case handling between CPI and CBC staff and delays in response time when CPIs had to wait for their CBC counterpart.⁴⁵

In 2009, the DCF Family Safety office subsequently recommended the use of a differential response system be expanded statewide after analyzing pilot criteria, pilot site performance, and methods for improvement. The Family Safety office also suggested that this objective would best be served by convening a statewide workgroup to examine research and evaluation of best practice models from around the country, lessons learned from Florida’s 1993 history, and incorporation of participant feedback from the recent pilot sites.⁴⁶ It does not appear that this workgroup was ever established.

³⁹ Hernandez, M. and Barrett, B. *Evaluation of Florida’s Family Services Response System*, Florida Mental Health Institute, University of South Florida, December 1996.

⁴⁰ For example, Lucas Ciambrone, murdered by his adoptive parents on May 13, 1995 at the age of seven years.

⁴¹ *Alternative Response System Design Report*, Prepared for the Florida Department of Children and Family Services by the Child Welfare Institute, December 2006.

⁴² Florida’s Alternative Response Pilot Final Summary Report, Florida Department of Children and Family Services, Family Safety Program Office, February, 2009.

⁴³ *Id.*

⁴⁴ The collaborative model involved having “family assessors” accompany the sheriff’s child protective investigators to the home during the initial visit.

⁴⁵ *Id.*

⁴⁶ *Id.*

Role of Law Enforcement in Child Protective Investigations

In 1993, the legislature amended the law relating to child protection to create the FSRS. In so doing, a clear statutory split between two types of responses to reports of child abuse and neglect – assessment and investigative – was created.⁴⁷ The January 1996 implementation update provided to the legislature reported that the role of law enforcement in conducting criminal investigations had been improved.⁴⁸ The reference to “criminal” investigations appears to be significant because the earliest cooperative agreements between HRS and local law enforcement entities were clear that law enforcement would not be involved in cases receiving an assessment response.⁴⁹

With the return of Florida child protective services to an investigation-based system in 1998, the legislature required the department to enter into cooperative agreements with local law enforcement that required law enforcement to assume the lead in conducting potential criminal investigations arising from allegations of abuse and neglect.⁵⁰ Further, in 1998, the legislature required the department to transfer all responsibility for child protective investigations to the sheriff’s offices in Pinellas, Manatee, Broward, and Pasco counties.⁵¹ Since that time sheriff’s offices in Citrus, Hillsborough, and Seminole counties have also assumed responsibility for child protective investigations.

With one of the primary goals of a differential response system being the creation of a less adversarial approach to intervention by the child protection system, it would appear to be counterintuitive to have law enforcement responding to reports selected for an assessment response. Also, one of the 2008 pilot sites was in Seminole County, a county that uses child protective investigators employed by the sheriff’s office, and that county reported the highest level of dissatisfaction with the differential response system model.⁵²

Availability of Services

Since the repeal of the FSRS in 1998, Florida has outsourced all foster care and related services statewide through a system known as community-based care.⁵³ One critical reason given for the implementation failure of the FSRS in the 1990s was inadequate availability of services.⁵⁴ An evaluation of DCF’s community-based care initiative indicates that this may remain an issue as the department considers establishing a differential response system:

As the first point of contact for a family being referred for allegations of abuse or neglect, Child Protective Investigators require access to community prevention and intervention services. A lack of adequate services was reported as having a critical impact on the success of the investigation process and Community-Based Care. Even in areas in which services were reportedly available, factors such as timely initiation of services and follow up concerning a family’s participation with services were identified as important.⁵⁵

Staff Competency

The need for a skilled workforce trained in strength-based and collaborative interventions with manageable workloads has also been identified as being central to successful implementation of a differential response

⁴⁷ Chapter 93-25, L.O.F.

⁴⁸ Department of Health and Rehabilitative Services, Family Services Response System, Status Report, January 1996.

⁴⁹ *Id.*

⁵⁰ Chapter 98-403, L.O.F.

⁵¹ Chapter 98-180, L.O.F.

⁵² Florida’s Alternative Response Pilot Final Summary Report, Florida Department of Children and Family Services, Family Safety Program Office, February, 2009.

⁵³ Chapter 98-180, L.O.F.

⁵⁴ *Alternative Response System Design Report*, Prepared for the Florida Department of Children and Family Services by the Child Welfare Institute, December 2006.

⁵⁵ Armstrong, M.I., Vargo, A.C., Jordan, N. and others. Report to the Legislature, Evaluation of the Department of Children and Families Community-Based Care Initiative, Fiscal Year 2006-2007. University of South Florida, January 15, 2008.

system.⁵⁶ During the first half of the 20th century, the U.S. Children's Bureau, in cooperation with universities and local agencies, established a child welfare system staffed by individuals with professional social work educations. As a result, the preferred standard for employment in child welfare became the master's of social work degree (MSW). Child welfare came to be viewed as a prestigious specialty within the social work profession.⁵⁷

As the increased recognition of child abuse led to enactment of state child abuse and neglect reporting laws that resulted in an avalanche of child abuse reports, resources for the preparation and support of additional staff needed to respond to the reports were inadequate. States moved quickly to reduce staff qualifications in order to hire enough employees. Subsequent to this "deprofessionalization," agencies began to structure child welfare work differently, attempting to reduce its complexity and make it possible for people with fewer qualifications to adequately perform required tasks.⁵⁸

Education is the variable that child welfare workforce researchers have explored most often in relation to performance.⁵⁹ Much of the research on the effect of education has focused on the agency-university partnership programs that have been established over the past decade using federal funding provided by Title IV-E of the Social Security Act. While there is variation among these programs, they generally aim to increase educational opportunities for agency staff to add to the pool of potential child welfare employees and enhance the relevance of curricula in schools of social work. Research to examine their effects found that students score significantly higher on measures of job-related competencies. Graduates of the specialized child welfare program in New York State, for example, had higher levels of skills, confidence, and sensitivity to clients.⁶⁰

In Florida, a number of commissions and task forces established over the past 20 years have recommended a review of the qualifications of child welfare staff.

- The Study Commission on Child Welfare was established by the Florida legislature in November 1989, after several children died while in state care.⁶¹ The legislature asked the commission to review state laws and programs and make recommendations which would ensure that children are protected. One issue

⁵⁶ Richardson, J. *Differential Response: Literature Review*, University of Illinois School of Social Work, Children and Family Research Center. November 2008.

⁵⁷ Child Welfare Workforce, Research Roundup, Child Welfare League of America, September 2002. Available at: <http://www.cwla.org/programs/r2p/rnews0209.pdf>. (Last visited September 6, 2010).

⁵⁸ Jones, L.P. and Okamura, A. *Reprofessionalizing Child Welfare Services: An Evaluation of a Title IV-E Training Program*, Research on Social Work Practice, Vol. 10 No. 5, September 2000 and Zlotnik, J.L., Preparing Social Workers for Child Welfare Practice: Lessons from an Historical Review of the Literature, *Journal of Health & Social Policy*, Vol. 15, No. 3/4, 2002.

⁵⁹ *Id.* Several studies have found evidence that social work education, at either the bachelor's of social work (BSW) or MSW level, positively correlates with performance. A study conducted in Maryland public child welfare agencies found an MSW to be the best predictor of overall performance as measured by supervisory ratings and employee reports of work related competencies. A national study that measured competencies related to 32 job-related duties found that both MSW and BSW staff were better prepared for child welfare work than their colleagues without social work education. Research conducted with staff in Kentucky's public child welfare agency also revealed that staff with social work degrees scored significantly better on state merit examinations, received somewhat higher ratings from their supervisors, and had higher levels of work commitment than other staff. A Nevada study showed that caseworkers who had a social work degree were significantly more likely to create a permanent plan for children in their caseloads within three years than their colleagues without social work education.

⁶⁰ *Id.* Also see Lewandowski, K. (1998). *Retention outcomes of a public child welfare long-term training program*. Professional Development: International Journal of Continuing Social Work Education, 1 and Zlotnik, J.L. *Enhancing Child Welfare Service Delivery: Promoting Agency-Social Work Education Partnerships, Policy and Practice*, 2001. Although the evidence related to educational qualifications is not unequivocal, it provides support for social work education as the best preparation for practice in child welfare. These findings tend to be most consistent with regard to graduates of specialized education programs offering enhanced child welfare content and internships in child welfare settings.

⁶¹ Chapter 89-546, The Bradley McGee Act. The commission was created during a special session in November, 1989 and was directed to specifically review chapters 39, 63, 402, 409, and 425, F.S., relating to dependency, delinquency, adoption, the guardian ad litem program, child abuse and neglect, child care facilities, human services, and social and economic services.

considered by the commission was the role of child protective investigators in abuse and neglect investigations:

Of all HRS staff, Child Protective Investigators (CPIs) play the most significant role in the life of an abused or neglected child. They are the first to see a child ... They make the critical decisions about whether the environment is so dangerous that the child must be removed, or whether law enforcement or the state attorney should be involved in the investigation. The quality of their training, their workload, and the degree to which they believe themselves to be supported by administrative and management staff are several of the factors which may affect how well they make these decisions. The commission is particularly interested in CPIs because they have the highest annual turnover rate (45.7%) of the HRS staff serving children.⁶²

- Working CPIs reported that prior to employment as a CPI, they worked most frequently in social service/welfare, law enforcement, and in education positions (54%); the rest previously held positions as sales personnel, law clerks, real estate agents, and members of the U.S. military.⁶³ The commission made a number of recommendations relating to CPIs, including that HRS must revise the training and experience requirements to target recruitment of entry level professional staff with bachelor's degrees in social work, child development, and guidance and counseling.⁶⁴
- On April 25, 2002, DCF revealed that a child in its care, 5-year-old Rilya Wilson, had disappeared 15 months earlier from her custodial home and had not been seen since. In response, Gov. Jeb Bush on May 6 appointed a four-member Governors Blue-Ribbon Panel on Child Protection to quickly investigate and report on the situation. The panel was asked to focus on the safety of children in the child welfare system and specifically focus on the adequacy of oversight and accountability within the department.⁶⁵ In addition to many identified immediate priorities, the panel also specified a number of longer term priorities, including the following:

The department will compare the performance and longevity of child welfare staff with degrees in social work or other behavioral sciences vis-a-vis other degreed staff. DCF also ought to review caseworker job descriptions vis-a-vis actual practice to determine if these are in keeping with national standards for social and child-welfare work. The Panel has heard testimony suggesting that employees with social work degrees are frequently better prepared to work with, and more attuned to the needs of, children and their families. We also suggest that DCF work with all Florida universities toward a program where graduates could receive certification as a child welfare specialist.⁶⁶

According to the department, the minimum education and background requirements for child protective investigators are not specified in statute or rule.⁶⁷ DCF's internal hiring practices have set educational requirements for new protective investigators with candidates having any Bachelor's Degree and one year of child welfare related experience, or any Master's degree, which can substitute for the one year of child welfare experience. Preference is given to candidates with a human services related degree. The department is not involved in the

⁶² Report of the Study Commission on Child Welfare, Part Two, Background and Findings, March 1991.

⁶³ *Id.*

⁶⁴ Report of the Study Commission on Child Welfare, Part One, Recommendations, March 1991.

⁶⁵ Governor's Blue Ribbon Panel on Child Protection, May 2002. Available at: <http://archives.cnn.com/2002/US/05/27/florida.child.report/>. (Last visited August 23, 2010.)

⁶⁶ *Id.* In spite of continuing dialog with the Schools of Social Work statewide, the department does not appear to have made progress towards increasing the number of staff with degrees in social work.

⁶⁷ Rule does, however, require that personnel working in child placing agencies are required to have either a BSW, an MSW, or a degree in a related area of study depending on their job responsibilities. 65C-15.001, F.A.C.

hiring practices or standards established by the sheriff's offices.⁶⁸

Currently, the department reports that they do not track the educational experience of protective investigators or CBC staff, but will be including that information in a future build of their learning management system. Anecdotally, the department believes that less than 25 percent of line staff have either BSWs or MSWs and less than 10 percent of supervisors have MSWs. CBCs report that they give preference to applicants who have social work degrees.⁶⁹ There are, however, minimum training requirements that must be met in order to become Certified as a Child Welfare Professional, which is a requirement for being a protective investigator, regardless of whether the protective investigator is an employee of the Department or of a Sheriff's Office.⁷⁰

It would appear that in spite of the department's training and certification programs, the qualifications of child protective personnel to adequately work with families may still be questionable. In a December 2009 presentation of the final recommendations of the Gabriel Myers Work Group to the Senate Committee on Children, Families, and Elder Affairs, it was reported, that:

We've got a lot of well-meaning folks throughout the system that (a) don't know what to do and (b) don't communicate effectively... We were concerned about the widgets, not concerned about the impact on children... There is a whole lot of confusion in roles and responsibilities; there is a failure throughout the system to not only define roles and responsibilities, but also to hold people accountable... This is not only at the department level but at the CBC level and with the folks they subcontract with... There is not sufficient enough evidence-based practice.⁷¹

Options and/or Recommendations

Based upon the findings in this report, the Legislature may wish to consider the following options:

- Require the department to update and finalize the work plan that was designed by the Child Welfare Institute in 2006 as informed by operation of the 2008 pilots, and provide to the legislature a detailed list of tasks and a timeline for future implementation of a differential response system. The work plan should include the requirements and expectations for participation by the CBCs; a plan to integrate the use of the sheriff's offices to conduct child protective investigations within the less adversarial concept of differential response; and a survey of services available to families.
- Require the department to work with Florida schools and universities that are members of the Florida Association of Deans and Directors of Schools of Social Work to develop recommendations and a plan, including a timeline, that would result in the statewide reprofessionalization of all child welfare staff.

⁶⁸ Communication from the Department of Children and Family Services, Family Safety Office, September 16, 2010. Copy on file with the Committee on Children, Families, and Elder Affairs.

⁶⁹ Communication from the Department of Children and Family Services, Family Safety Office, September 16, 2010. Copy on file with the Committee on Children, Families, and Elder Affairs.

⁷⁰ This training represents approximately 25 percent of the hours spent by a student in a BSW program with and Child Welfare Certificate. Information obtained from the College of Social Work, Florida State University, September 14, 2010. Copy on file with the Committee on Children, Families, and Elder Affairs.

⁷¹ Dr. Jim Sewell, Presentation of final recommendations of the Gabriel Myers Workgroup to the Senate Committee on Children, Families, and Elder Affairs, Committee Meeting, December 8, 2009.