

Vermont Department of Social
and Rehabilitation Services

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Citizen Advisory Board for Child Protection Services

First Annual Report on Activities
January 2000

Charge to Advisory Board

For several years the Department of Social and Rehabilitation Services (SRS) has been working to increase consumer and citizen involvement in the department's activities through such efforts as teen advisory boards and consumer advisory boards. These efforts were supported by the federal Child Abuse Prevention and Treatment Act (CAPTA), which requires that each state have at least one Citizen Advisory Board. CAPTA requires that the Board:

- ◆ Be made up of volunteer members who are broadly representative of the community, including members with expertise in the prevention and treatment of child abuse and neglect.
- ◆ Meet at least every three months.
- ◆ Examine policies and procedure, look at specific cases where appropriate, or any issues they feel important, including foster care and adoptions to ensure the protection of children.
- ◆ Review child fatalities and near fatalities
- ◆ Prepare and make public an annual report summarizing the Board's activities.

CAPTA requirements were consistent with the department's plans to increase citizen input to issues related to child protections. Commissioner William M. Young was pleased to convene the board.

Membership

The members of the Vermont Citizen Advisory Board for Child Protection Services represent a many different areas of interest and expertise. Members were chosen based on their ability to advise the department on a variety of efforts to assess and improve the quality of child protection services in Vermont. The members are:

Joseph Hagan, M. D., co-chair, pediatrician

Kathleen Moroz, D.S.W., co-chair, University of Vermont Department of Social Work

Steve Berry, Foster and Adoptive Parent

Charles Biss, Director of Children's Services, Vermont Department of Developmental and Mental Health Services

Richard Bingham, Partners in Service program

Mary Buffum, Foster and Adoptive Parent

Hon. George Belcher, Judge, Washington Probate Court

Susan Cano, Vermont Department of Education

Anne-Marie Caron, Baird Center for Children and Families

Stacey Heuer, Parent

Linda Johnson, Prevent Child Abuse Vermont

Peter Lee, Office on Alcohol and Drug Abuse Programs

Annie McCullough, Vermont Network Against Domestic Violence

Ralph Provenza, United Counseling Services of Bennington

Nick Ruggiero, Director of Criminal Investigations, Vermont Department of Public Safety

Betsy Shuey, Children's Services Director, Lamoille County Mental Health

Alice Siegriest, Vermont Children's Aid Society

Board members are currently serving a term of one year. After that time, terms of variable length will be considered in order to promote continuity for the board.

Board meetings are attended by William M. Young, Commissioner; Tom Moore, Deputy Commissioner; Fred Ober, Director of the Division of Social Services; Cindy Walcott, Policy and Practice Chief and Penny Watson, Administrative Secretary.

Meetings

Meetings for the Citizen Advisory Board are held quarterly. The first six meetings were held on:

September 30, 1998

December 1, 1998

March 3, 1999

June 9, 1999

September 1, 1999

December 8, 1999

Desired Outcomes

At its first meeting on September 30, 1998, board members decided that the board's success will be measured by answering the following questions:

- ◆ Does Board feel informed and understand the Department in the broad sense?
- ◆ Does the Department get leadership from the Board and feel that it is a good use of time?
- ◆ Has Board reviewed child fatalities or near fatalities and/or other issues referred?
- ◆ Has the Board examined at the strengths and weaknesses of the SRS system and made recommendations for improvement?

- ◆ Has the Board evaluated at data around trends/issues and discussed implications for future planning?
 - ◆ Has Board offered useful and significant recommendations to the department?
 - ◆ Has Board produced annual report?
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Issues Addressed in the First Year:

The primary task during the first several meetings of the Advisory Board was to orient the board to the department's mission, organizational structure, policies, planning documents and finances, as well as to applicable state and federal law.

The board is empanelled as a Child Protection Team under Vermont state statute. This allows the department to discuss confidential matters related to specific children and families when necessary.

The board shares certain responsibilities to advise the department with the Child Fatality Review Board, which has been in existence for over a decade. The board meets as needed to review all child deaths in Vermont. The Child Fatality Review Board also issues an annual report and recommendations.

In March of 1999, Commissioner Young requested input from the Citizen Advisory Board on use of Vermont's Child Abuse Registry for pre-employment checks, as the issue was then before the legislature. Currently, the child abuse registry can be used to check people applying for anything that SRS regulates (i.e. foster homes, child placing agencies, adoptive homes, and childcare facilities). It cannot be used for employment purposes. The primary rationale for this is that standards for substantiation of child abuse and neglect are lower than standards of proof in court. After discussion, the board concluded that any change to the statute guiding use of the child abuse registry should be made only after comprehensive study of the issue. The committee voted to send a letter to Senator Sears to that effect.

The Board reviewed and discussed the American Humane Association's report on the consistency of the department's application of law and policy in the areas of intake and evaluation as well as on a variety of issues related to quality of decision-making. The Board was please to learn that overall, the American Humane Association rated the department's decision-making of consistently high quality. The Board reviewed the department's plan for addressing issues raised during the study, such as the department's role with children other than the named victim in the family, the role in risk of harm, and the system of documenting the investigation (including the role of automation in such documentation).

During the spring of 1999, the board provided input into department's Child and Family Services Five Year Plan, which was to be submitted to the U. S. Department of Health and Human Services in June of 1999.

In June of 1999, Commissioner Young reviewed the facts related to a high profile child death that recently occurred in February. At that time, the department was already in the process of reviewing policy related to risk of harm. This case prompted further evaluation and review of

that policy. The board reviewed several drafts of the policy and provided useful suggestions for change and clarification. The board was particularly helpful in raising issues related to the department's role when risk is caused by parental substance use and abuse. The board also expressed concerns about whether the department is adequately staffed to provide comprehensive interventions in matters of risk of harm.

The board discussed the issue of the use of traditional healing techniques by Southeast Asian cultures. The department is in the process of determining the appropriate response to these practices, some of which leave bruises to the skin. A variety of opinions were expressed. The department committed to researching how other state child protection agencies are regarding these reports.

In December of 1999, the board reviewed the final policy on risk of harm, issued 11/8/99 as well as the department's recent efforts to increase publicity about the importance of reporting child abuse.

Dr. Moroz informed the board about a contract the department has recently signed with the University of Vermont to significantly increase resources for foster parent training. In the first year of the contract, both content and delivery methods will be reviewed for foster parent training. Dr. Moroz also presented concerns about liability raised by foster parents. Concerns focus primarily on damage to property by foster children.

The board reviewed the department's proposal to the legislature to allow the Commissioner to publicly disclose information about child abuse or neglect that resulted in a near fatality. Dr. Hagan is working with department on a working definition of near fatality. The department will also research how other states have defined this.

Recommendations

Much of the Board's first year was spent becoming acquainted with the department's operations and policies, state and federal statutes, and a specific tragedy. In the future, we expect the Board to make more specific recommendations. At this time, the Board is pleased to make the following recommendations:

1. No changes to the use of the Child Abuse Central Registry should be made without careful study of the issue.
2. In making changes to statute or policy, not only should the impact of the change on the protection of children be considered, but also whether the department has the capacity to carry out the amended mandates.
3. In general, the department should be adequately resourced to carry out its critical mission of child protection.

4. The state should continue to focus resources on comprehensive programs and services targeted on high risk families, in order to prevent child abuse and neglect.
5. The department should work with the Vermont Foster and Adoptive Parents Association and the Commissioner of Banking and Insurance to address concerns about liability for property damage.

Respectfully submitted by the co-chairs:

Joseph Hagan, M. D.

Kathleen Moroz, D. S. W.