



TASK FORCE ON CHILD WELFARE DATA REPORTING

FINAL REPORT



December 2, 2022

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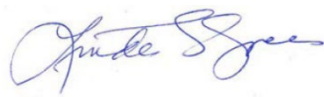
Pursuant to *Section 129 and 152 of Chapter 47 of the Acts of 2017*, we are pleased to submit this final report of the Task Force on Child Welfare Data Reporting to the Massachusetts Legislature. This report is the culmination of an extensive effort that began in September 2017, when members of the Legislature convened a working group in partnership with the Department of Children and Families (DCF). The FY18 General Appropriations Act (GAA) formally codified the goals of this working group into law, by creating the Task Force on Child Welfare Data Reporting and charging it with developing basic data measures, progress measures, and key outcome measures to inform the Legislature and the public about the status and demographics of DCF's caseloads and progress in achieving child welfare goals. This group is also known as the "Data Work Group" (DWG) and will be referred to this name throughout this report.

We were privileged to chair and facilitate this historic Work Group, which provided a critical opportunity to bring expert voices together to promote oversight, transparency, and public accountability of the Commonwealth's child welfare agency. In this report, we reflect on the achievements of this Work Group and the hard work of its members. We are grateful for the valuable service they performed on behalf of children and families in the Commonwealth. The DWG successfully spearheaded the creation of DCF's Annual Report along with the redesign of DCF's Quarterly Profile, Fair Hearing, and Foster Care Review reports. Once this work was completed, the DWG members prioritized exploration of DCF's data on racial and ethnic disparities, sexual orientation and gender identity (SOGI), and outcomes.


We submit this final report as a summary of the DWG's efforts, accomplishments, and legislative recommendations, along with a description of the data reporting work that remains. The DWG achieved consensus on a significant body of work, and while there were areas of disagreement, the members remained committed to coming to the table each meeting to collaborate, communicate and deliberate in a steadfast effort to strengthen the Legislature's and the public's understanding of the Commonwealth's child welfare service delivery, and the opportunities for improvement. For this, DCF and the OCA are truly grateful.

Finally, we would like to thank the members of the Massachusetts Legislature for their shared commitment to this critical effort. The Legislature created the DWG because it understood the value strong data can bring to sound public policymaking and strengthening services for families, especially in underserved communities. We look forward to continuing to work with you on implementing the DWG's recommendations and ensuring the Commonwealth's most vulnerable children and families have the supports they need to reach their greatest potential.

Sincerely,



Linda Spears
Commissioner, Department of Children and Families



Maria Mossaides
Director, Office of the Child Advocate

Members of the Data Work Group

Member Name	Affiliation/Appointing Organization
Director Maria Mossaides, Co-Char	Office of the Child Advocate
Commissioner Linda Spears, Co-Chair	Department of Children and Families
Senator Adam Gomez	Senate Chair of the Joint Committee on Children, Families, and Persons with Disabilities
Representative Michael Finn	House Chair of the Joint Committee on Children, Families, and Persons with Disabilities
Michael Dsida, Deputy Chief Counsel Children and Family Law Division*	Committee for Public Counsel Services
Rachel Gwaltney, Executive Director	Children's League of Massachusetts
Susan Elsen, Staff Attorney*	Massachusetts Law Reform Institute, Inc.
Julie Wilson, Harvard University, Kennedy School of Government	1 person with expertise in child welfare data and outcome measurement
Ruben Ferreira, DCF Deputy Commissioner, Quality Improvement	1 person with expertise in the Department of Children and Families' information technology, data collection, and reporting systems
The DWG wishes to thank Tammy Mello, former Executive Director to the Children's League, State Representative Kay Khan, State Senator Joan Lovely, and State Senator Sonia Chang-Diaz, former Chairs of the Joint Committee on Children, Families, and Persons with Disabilities, all of whom participated in the DWG.	
*Member voted against submission of the report on December 2, 2022.	

The Data Work Group was staffed by:

Lian Hogan, DCF Deputy Commissioner, Field Operations
 Paola Ferrer, DCF Chief-of-Staff (until Feb 2022)
 Ryan Fitzgerald, DCF Chief-of-Staff & Chief of Operations and Organizational Improvement
 Andrew Rome, DCF General Counsel (until 2021)
 Cristina Tedstone, DCF General Counsel (beginning in 2021)
 Matthew Liber, DCF Legislative Director (until 2020)
 Emily Hajjar, DCF Legislative Director (beginning in 2021)
 Jessie Brunelle, OCA Legislative and Communications Director (beginning in 2021)
 Kristi Polizzano, OCA Juvenile Justice Program Manager (beginning in 2020)
 Jean Clements, OCA Office Manager

Other Offices and Organizations who Participated:

Bay State Community Services
 Bridges Homeward (Formally Cambridge Family and Children's Services)
 Citizens for Juvenile Justice (CFJJ)
 Children's Law Center of Massachusetts
 Department of Public Health, FIRST
 Freitas & Freitas, LLP
 Friends of Children
 GLBTQ Legal Advocates & Defenders (GLAD)
 House Ways and Means Committee
 Institute for Health and Recovery
 Judge Baker Children's Center

MA Commission on LGBTQ Youth
 Massachusetts General Hospital for Children HOPE Clinic
 Massachusetts Society for the Prevention of Cruelty to Children (MSPCC)
 Mental Health Legal Advisors Committee
 Office of State Representative Denise Garlick
 Office of the Attorney General, Child & Youth Protection Unit
 Office of the State Auditor Suzanne M. Bump
 Senate Ways and Means Committee

Guide to Acronyms

Acronym	Definition
CB	Children’s Bureau
CFPD	Children, Families, and Persons with Disabilities
CFSR	Child and Family Services Reviews
CQI	Continuous Quality Improvement
DCF	Department of Children and Families
DWG	Data Work Group
EOHHS	Executive Office of Health & Human Services
OCA	Office of the Child Advocate
OMS	Online Monitoring System
OSRI	Onsite Review Instrument
PIP	Program Improvement Plan
RED	Racial and Ethnic Disparities
RoD	Rate of Disproportionality
RRI	Relative Rate Index
SOGI	Sexual Orientation and Gender Identity
SWI	Statewide Data Indicators

Executive Summary

The people of Massachusetts have an enduring interest in the Commonwealth's progress towards keeping children safe from abuse and neglect, facilitating permanency for children who have been removed from their homes, and promoting children's well-being. In partnership with families and communities, the Commonwealth works diligently so that children can grow and thrive in a safe and nurturing environment. The Department of Children and Families (DCF) is the lead agency in delivering and overseeing child protection and related services for children and families.

Over the last two decades, the Legislature has expanded the scope and number of statutorily required reports for DCF as a part of their oversight responsibilities. During this time, new data reports and requirements have often come in response to specific events, changing needs and emerging concerns regarding the wellbeing of children served by DCF. As new reports were added older reports are not always revisited. As a result, old reports have remained on the books, even though they were no longer relevant.

In recent years, DCF has transitioned between administrations, and undergone major reforms and organizational changes. Updated reporting requirements provide the Department the opportunity to share critical and current information describing the nature and impact of its service improvements with members of the Legislature and the public. Generating reports that may no longer be responsive to current child welfare issues and concerns drains resources and limits the Department's capacity to use data and information effectively to support continued improvements. The FY18 budget created a child welfare data task force to tackle this challenge through a review of the current list of DCF's legislatively mandated reports, and development of recommendations for which reports could be eliminated, how others could be streamlined, and what new reporting was needed. The Task Force on Child Welfare Data Reporting was established in Section 128 of Chapter 47 of the Acts of 2017 (See Appendix A). This group is also known as the "Data Work Group" (DWG) and will be referred to by this name throughout this report.

The stated objectives of the DWG as outlined in legislative language were:

"The task force shall develop basic data measures, progress measures and key outcome measures to inform the legislature and the public about the status and demographics of the caseload of the department of children and families, the department's progress in achieving child welfare goals, including safety, permanency and well-being, the status of proceedings in the juvenile court department that involve children in the department's caseload and the status of children who are or have been involved in both the child welfare and juvenile justice systems."

The DWG consists of the following members or their designees:

- Executive Branch Agencies: DCF (Co-Chair), and the OCA (Co-Chair)
- Legislative Branch: Senate and House Committees on Children, Families and Persons with Disabilities
- Independent Agency Within the Judicial Branch: Committee for Public Council Services
- Advocacy Entities: Children's League of Massachusetts & Massachusetts Law Reform Institute
- Child Welfare Experts: Harvard Kennedy School Faculty/Researcher

The budget provision creating the task force specified that the Chief Justice of the Juvenile Court would be a member of the group. The Juvenile Court, however, determined that it would not be appropriate for them to participate in the DWG., The Chief Justice indicated that the court would nonetheless review and comment on the drafts if requested. The Department has since shared the new DCF reports with the Juvenile Court.

The DWG began meeting in September 2017. Section 129 and 152 of Chapter 47 of the Acts of 2017 established an end date for the DWG effective February 1, 2022. The DWG's meeting materials can be found at: <https://www.mass.gov/lists/data-work-group-meetings>.

Throughout the course of the four and a half years that the DWG met, the members identified their individual priorities, along with the priorities and deliverables they hoped the DWG would achieve. To accomplish this, the DWG had to develop a shared understanding of existing requirements for federal and state data reporting requirements. This involved obtaining an overview of data currently being collected, its availability based on data entry timelines, which data may be collected in the future, and discussing what information was needed to make informed public policy decisions. The DWG completed the following:

- a review of federal child welfare reporting
- a review of current state reporting requirements
- the redesign of DCF's Quarterly Profile, Fair Hearing, and Foster Care Review reports
- the creation of DCF's Annual Report
- a review of data provided by DCF regarding the impact of the COVID-19 pandemic on its work
- a review of data provided by DCF on racial and ethnic disparities, sexual orientation, and gender identity (SOGI), and outcome measures

The DWG makes the following recommendations for future work in this area:

1. The Legislature should repeal certain reporting requirements, and revise others, currently contained in Massachusetts General Laws (M.G.L.s) and General Appropriations Act (GAA) to reflect the newly designed report created by the DWG
2. DCF should continue to produce the annual and quarterly reports as outlined throughout this report
3. DCF and the OCA should continue their work to further improve data collection and reporting on newly designed reports and special topics, including 18+ Youth Services, Racial Disproportionality, SOGI, and Education
4. DCF should continue work to implement a data visualization tool for internal and public reporting

Summary of the DWG's Work

In 2008, the Legislature added statutory reports requiring that DCF document the outcomes of child protection reforms associated with several tragedies involving children. Eventually, representatives from DCF, OCA, Joint Committee Chairs and other stakeholders concluded that certain of these reporting requirements were no longer needed and, for many years, numerous reports went unsubmitted. Beginning in 2014, the House Chair of the Joint Committee on Children, Families and Persons with Disabilities (CFPD) in the Massachusetts Legislature, State Representative Kay Khan (Rep. Khan), hosted

discussions with the Executive Office of Health and Human Services (EOHHS), DCF, the Office of the Child Advocate (OCA) and the Massachusetts Law Reform Institute (MLRI) on the need to amend the General Laws to reflect the DCF data and information the Legislature needed for real-time decision-making purposes. This group found the statute had duplicative and unclear reporting requirements, including inconsistent submission deadlines, and unclear data definitions. Consequently, some reports were difficult or impossible for DCF to produce. The information that was produced was not as informative as the Department or the Legislature thought it could be. It became clear that further discussions were needed, with all the relevant parties present, to design a new public reporting structure for DCF.

In 2017, State Representative Kay Khan and former State Senator Jennifer Flanagan¹ secured the inclusion of language in the FY18 General Appropriations Act (GAA) establishing the task force on child welfare data reporting (which later became known as the “DWG”) to facilitate those further discussions and examine these issues in greater detail (See Appendix A).

DWG Phase 1: 2017 – 2019

The first meeting of the DWG was convened on September 26 2017, and was co-chaired by the DCF Commissioner and the Child Advocate. The DWG met monthly to discuss goals and scope of work, existing federal reporting requirements, and how to use data reporting to share the characteristics of the caseload and outcome measures for children involved in DCF cases.

At the first meeting of the DWG, the DCF Deputy Commissioner for Quality Improvement gave a presentation on child welfare data reporting nationwide, including what data is required by various federal funding sources. He provided an overview of the National Child Abuse and Neglect Data System (NCANDS), the Adoption and Foster Care Analysis and Reporting System (AFCARS), and the Child & Family Services Reviews (CFSR) and their measures. Some of these include point-in-time counts of consumers at different decision points in the child welfare service delivery process, timeliness measures from one decision point to another, trend data, and various performance and outcome measures. (More detail on Federal child welfare reporting can be found in Appendix B.) This presentation led to many discussions on how to streamline efforts to develop datasets and utilize the federal metrics to inform state level policy making. By using federal reporting data and progress milestones, the Department could provide the Legislature information about national standards and the complexities of child welfare reporting given differences in state statutes and resources.

Larry Brown, a national expert in child welfare outcomes and data, attended the second meeting in October of 2017 and gave a presentation on data-driven decision making and using data to drive change in public child welfare agencies. He then returned in March of 2018 to help facilitate a discussion on the framework for public reporting on child welfare data in Massachusetts.

Nationally, there has been an evolution in the use of data that begins with the use of database systems to house case information to support the day-to-day case level work of child welfare agencies. Throughout the course of these monthly discussions, DCF staff described the data contained in its federally mandated statewide automated child welfare information system (SACWIS), called i-FamilyNet. This information system houses case information including thousands of structured fields that are filled out by DCF social workers every day. Structured and mandatory data fields allow the agency to generate a range of data points that are useful for day-to-day oversight as well as planning for resource and policy

¹ Senate Chair of the Joint Committee on Children, Families and Persons with Disabilities for the first half of the 190th session.

needs. The DWG spent time building a shared understanding of how information at the level of individual cases entered by social workers and staff could be transformed into aggregated information that provides context for and insights into complex questions.

Understanding the current limitations of unstructured information in i-FamilyNet provided clarity to DWG members who had not been familiar with the process previously.² While social workers and staff are mandated to complete many structured data fields in i-FamilyNet, not all case information is structured and not all structured data elements are required fields for completion. Attempts at summarizing such data can result in an incomplete or inaccurate picture, limiting the usefulness of the data for policy decision-making. Likewise, unstructured narrative information cannot be easily aggregated and may necessitate qualitative analysis.

Some measures are relatively easy to define (e.g., number of 51A reports), but many members of the DWG highlighted differences in the definitions and assumptions as to what was being reported and how to interpret the reported data. To develop a shared understanding DCF presented information on how it generally employs federal definitions and methodology when responding to requests for information. The DWG agreed that, going forward, a data dictionary is required to provide a common understanding of a measure or data element. The DWG also acknowledged the importance of clarifying when a DCF report utilizes a Massachusetts-specific definition rather than a federal definition.

In subsequent meetings, the group discussed data required in current statutes and budget language. With a base knowledge of existing child welfare data and the Department's capabilities, the DWG could perform an informed assessment to determine what reports should be eliminated (See Appendix C). These included reports where an underlying rationale could not be identified, where the information was already included in another report, and where the original issue prompting the report requirement appeared to be resolved. By creating a new and refreshed slate of reports, the DWG felt it could adequately and efficiently address the information needs of the legislature and the public.

From this point the group decided to focus on delineating which types of data would best provide stakeholders with the understanding of how to weigh the quality of data versus its level of detail. The focus would be seven measurement domains determined to be the most informative and appropriate for public policy making on a regular/permanent basis. Special initiative topics would be reviewed, and it was understood that they would vary over time and would not need to be permanent reports once the work was completed. These seven measurement domains included:³

- demographics of those served
- volume data describing the level of activity at key casework decision-points
- safety measures
- permanency outcomes
- well-being measures
- management-level performance data/departmental operations measures
- program level capacity and utilization information of DCF purchased services

² Unstructured data are those data that may be captured in a format currently unable to be aggregated and pulled into a report. Structured data are those data that are specific and held in a pre-defined format making them more easily reportable.

³ For definitions of the seven measurements, see DCF's Annual Report: <https://www.mass.gov/doc/dcf-annual-reportfy2021/download>

The DWG planned to begin applying its shared understandings and priorities to improve an existing report that was frequently used by the Legislature and the public. The DCF Quarterly Profile report produced had historically provided a snapshot of the Department's consumers at statewide, regional and area office levels. DCF would then begin the development of a new comprehensive Annual Report.

DCF Quarterly Report

DCF historically prepared a Quarterly Profile⁴ report that provided varying levels of demographic and caseload data, client status at a point in time as well as decision point and outcome data. This report reflected structured data in i-FamilyNet broken down by DCF Regional and Area Offices. The goals of this report were to provide legislators with data to inform policy and appropriations decisions, including information on the communities they serve, and data on caseload characteristics and DCF service delivery. This report provides the public with data in a geographical context throughout the fiscal year.

The DWG reviewed this report and discussed data elements and the allowable values for each data element with DCF's systems and program staff. Potential updates to the quarterly profile were reviewed and refined over several months. This iterative process produced an expanded Quarterly Report containing a more robust set of data elements, including data for clients over 18 years of age. A glossary of terms was added to the report to ensure a shared understanding of the state and federal definitions for each metric. The new Quarterly Profile Report was approved by the DWG and published for the first time in Quarter 3 of FY18. These reports are in active production and posted on the DCF website each quarter.⁵

Interim DWG Report

As the DWG arrived at its one-year anniversary, the Office of the Child Advocate authored an Interim Report on behalf of the OCA and DCF. The report was submitted to the Legislature on September 7, 2018, and highlighted the initial work of the DWG, including the updating of the Quarterly Report, and laid out the topics the group hoped to cover as it developed the Annual Report.

DCF Annual Report

After the DWG concluded with the improvement to the Quarterly Report it began developing an annual report that was informed by earlier discussions on federal data measures and the interests and concerns of the legislature. This deliverable would ultimately achieve many of the goals of the DWG. The DWG members agreed that the iterative process used for the Quarterly Report update would be a helpful structure for developing this report. DCF staff created report samples that presented data in tabular and chart format to spark feedback opportunities. This process informed discussions on the different approaches to presenting data and information that tell a story of services and outcomes. Augmenting counts and rates visually and combining several types of data on one visual provide more nuanced information than one dimensional data (such as caseload growth and budget change over multiple fiscal years). These sample tables and charts provided a foundation for the scope of the Annual Report and guided the next phase of discussing outcome measures.

⁴ Example of previous Quarterly Report: <https://www.mass.gov/doc/dcf-quarterly-data-profile-fy2015-q1/download>

⁵ DCF Commonly Requested Documents: <https://www.mass.gov/lists/dcf-commonly-requested-documents>

Consolidating information into a comprehensive annual report with clearly delineated time periods, the DWG achieved many of its goals. The DWG had discussions on operational considerations and best practices that informed the structure and content of the annual report. They included:

- DCF's data is organized based on the state fiscal year, July 1 to June 30, so the DWG determined that all the data in this report would be displayed in fiscal year time periods.
- Data needs to age sufficiently to allow for data entry, preparation, reconciliation, and accuracy. This informed the timeline for when this report could be written and approved for submission.
- To ensure trends could be monitored, the Annual Report would contain data from five fiscal years. This would assist legislators in identifying emerging trends and issues.
- The Annual Report would also include many federal measures detailing how Massachusetts compares to federal standards and analysis as to why data over time has changed.

The DWG continued to use the iterative process until it developed a completed Annual Report. On December 30, 2019, the Department released its first Annual Report providing trends for the years FY15 through FY19⁶. Once the first report was published the DWG and the Department received additional feedback that was considered for the FY20 Annual Report. The Department has since published two subsequent Annual Reports, for FY2020⁷ and FY2021⁸, adding new data elements informed by the discussions described below.

Fair Hearing Report

As part of the discussions of the new Annual Report and proposed legislative reform, the group focused on a special report on the Department's Fair Hearing Unit. The purpose of the fair hearing process is to enable clients dissatisfied with certain decisions by the Department or providers under contract with the Department to receive a just and fair decision from an impartial hearing officer based on the facts and applicable state regulations. The process is governed by M.G.L. c.30A, and by 110 CMR 10.00-10.36. This report was added to Line Item 4800-0015 in FY2013 in response to concerns of a growing backlog of fair hearing requests and unresolved dockets.

In February of 2019 a subgroup of the DWG composed of the Child Advocate, General Counsel for DCF, the Director of the Fair Hearing Unit, and representatives from CPCS and MLRI began meeting. This subgroup refined the language to be included in the proposal to the Legislature. They focused on matching the metrics in the state reporting requirement to the ways the Fair Hearing Unit tracked its dockets from one decision point to another to ensure accuracy. The full DWG worked to ensure the original purpose of the legislative intent was being fulfilled so it could effectively monitor the caseload of the Department's Fair Hearing Unit. The first revised standalone Fair Hearing Report which covered FY2020 was published in May of 2021⁹ and included a supplemental attachment with a de-identifiable docket list¹⁰.

Benchmarking

As part of the DWG's review of child welfare data across the country, the committee identified examples of dashboards that child welfare agencies in other states published in partnership with institutions of

⁶ FY19 Annual Report: <https://www.mass.gov/doc/dcf-annual-reportfy2019/download>

⁷ FY20 Annual Report: <https://www.mass.gov/doc/dcf-annual-reportfy2020/download>

⁸ FY21 Annual Report: <https://www.mass.gov/doc/dcf-annual-reportfy2021/download>

⁹ FY20 Fair Hearing Report: <https://www.mass.gov/doc/fy2020-fair-hearing-report/download>

¹⁰ FY20 Fair Hearing Attachment: <https://www.mass.gov/doc/fy2020-fair-hearing-report-attachment/download>

higher education. DWG members became interested in the development of a system for establishing a public benchmarks dashboard with the Department's goals and progress achieving those goals. A dashboard has been used internally at DCF for many years to inform and track improvements being made by various systemic reforms. This example was presented to the DWG on October 25, 2019. Further discussions on this topic were disrupted by the onset of the COVID-19 pandemic and the focus on other priorities. The DWG agreed to include language in the legislative proposal filed in 2019, H.4083, that would require the Department to issue a three-year plan each year that includes numerical targets for the Department's performance in each year and in each of its regions in the areas of safety, permanence and well-being. The DWG further agreed that the plans should include a description of how the Department will measure its progress toward meeting the numerical targets. The Legislature has not yet acted to codify this requirement¹¹.

DWG Phase 2: 2020 – 2022

Redesigned Foster Care Review Report

With the Quarterly, Annual and Fair Hearing Reports complete the DWG continued its work to develop informative special reports on core functions of the Department. One of these core functions, as required by the Federal Government, is Foster Care Review.

The Foster Care Review (FCR) serves a critical purpose, monitoring the Department's efforts to plan for and achieve permanency for a child, meet a child's needs while they are in foster care, and engage with parents working to reunify with their child or children. Federal law requires that Foster Care Reviews (referred to in the law as "case reviews") be conducted by a court or a panel of reviewers at least once every six months on behalf of children in placements. Under Massachusetts state law, DCF's Foster Care Review Unit (FCRU) conducts these reviews. In FY20, the DWG redesigned a report dedicated to the FCR process. This report includes data related to new federal guidance that led to DCF's overhaul of its Foster Care Review process in 2018. To operationalize these revisions, the Department made corresponding changes to its i-FamilyNet system to automate scheduling and establish metrics for measuring outcomes of and adherence to the revised policy.

The DWG supported the Department in identifying reportable outcomes related to the policy revisions. In October of 2020, DCF published the first revamped Foster Care Review Report¹². It encompassed the first full fiscal year (FY20) following implementation of the FCR reforms and includes data reviewed as part of the federal government's routine oversight of child welfare agencies. The Department plans to release the Foster Care Review Report annually.

COVID-19 Data Presentation

As a result of the developing public health crisis, the DWG did not meet during the spring and summer of 2020. Meetings resumed, virtually, in September of 2020. The Department utilized this meeting to share how the Department was using data to monitor the impact of the pandemic on the Commonwealth's child welfare agency. With in-person schooling for children suspended in the early months of the COVID-19 pandemic, child welfare agencies across the country saw a steep decline in reports of abuse and neglect. In May 2020, the Department posted a slide deck including a variety of metrics and compared them to the same metrics prior to March 2020. The metrics included were: 51A Intakes, 51As by mandated reporter type, children (0-17) in placement, placements by type, placement stability, home

¹¹ H.4083 from the 191st Session: <https://malegislature.gov/Bills/191/H4083>

¹² FY20 Foster Care Review Report: <https://www.mass.gov/doc/foster-care-review-report-fy2020/download>

removals, exits to reunification and placements with kin. This slide deck was also submitted to the OCA and Legislative Leadership so they could monitor the situation alongside the Department. When the DWG resumed in September 2020, DCF staff presented an updated slide deck of this data and adding information on case closures.¹³ This data was posted monthly on DCF's COVID-19 Resource webpage¹⁴ and DCF continued to update it until September of 2021¹⁵. The Department also added appendices to the FY2020 and FY2021 Annual Reports with this type of COVID impact data.

The COVID-19 pandemic was an example of a crisis that prompted the Department to shift quickly and use data to monitor a fast-changing situation. It was a reminder to the DWG that it was important to have reporting requirements that provided the Department with the flexibility to provide information that was informative to the moment and crisis at hand.

Continued Work Post- Initial Report Redesign: Racial and ethnic disparities, sexual orientation and gender identity and outcome measurements

As a result of this group fulfilling its original goals to review all prior mandated reports, redesigning the Department's quarterly report, and creating the Annual Report, the DWG shifted its focus during its remaining months. During the report redesign process, the DWG members identified five topics for future exploration and data availability discussions:

1. Racial and ethnic disproportionality and disparities data
2. Sexual orientation and gender identity (SOGI) data
3. Outcome measurements
4. Service provision and service costs
5. Visitation data

In September 2020, the Department presented information on the availability of relevant data elements for some of these topics of interest as well as the current feasibility of collecting those data. The Department explained that in order to routinely report each data element, it would need to make changes in its IT operations, train staff, add additional resources, and/or change Department policy.¹⁶ This informed the DWG on how it could proceed with its next set of deliverables.

After resuming the work of DWG following the onset of the COVID-19 pandemic, the Child Advocate conducted interviews with DWG members and other interested individuals during the Fall of FY20 to determine prioritization of these topics for group discussion. Almost every member identified racial disproportionality and disparities data as a priority for the next phase of work. As a result, the DWG spent a considerable amount of time reviewing racial disproportionality and disparities data, as discussed in the next section. SOGI data was also a high priority for DWG members. The following sections summarize that work.

Racial Disproportionality and Disparities Data

Nationally, and in Massachusetts, data show that children and families of color are disproportionately represented in reports of abuse and neglect (51A reports in MA) and across certain child welfare

¹³ See the DWG September 2020 meeting materials posted online: <https://www.mass.gov/doc/data-work-group-9232020-dcf-powerpoint/download>

¹⁴ DCF's COVID-19 Resource Page: <https://www.mass.gov/info-details/dcf-covid-19-resources-and-support>

¹⁵ DCF COVID-19 from March 01,2020 to September 30, 2021 <https://www.mass.gov/doc/dcf-data-030120-to-093021-0/download>

¹⁶ See the DWG September 2020 meeting materials posted online: <https://mass.gov/doc/dwg-september-222020-meeting-presentation/download>

decision points.¹⁷ Following the murder of George Floyd in May 2020, many organizations (governmental and others) paused to reflect on the impact of institutional and systemic racism within their own work. The DWG prioritized reporting data that can speak to any racial and ethnic disparities in Massachusetts' child welfare system. In these meetings, the Department presented current and historical data regarding the race and ethnicity of the children in its care. The Department also presented measures of racial and ethnic disparities using two main measures:

- Rates of Disproportionality (RoD)- the ratio that compares the percent of each race at a decision point with the same race percent in a base population
- Relative Rate Index (RRI)- compares rates of disproportionality between race categories

Four DWG meetings in 2021 were dedicated partially or fully to discussing racial disproportionality data. Data was presented in these meetings and topics discussed included:¹⁸

- DCF decision points for children by race/ethnicity;
- 51As filed per youth by race/ethnicity at the area office level and by mandated reporter type;
- DCF process points by rates of disproportionality (RoD) and relative rate index (RRI)¹⁹ using both Massachusetts youth population numbers²⁰ and DCF subpopulation numbers;
- and data field updates for the DCF FY21 Annual Report, including additional datasets on racial disproportionality

Expanding on what the Department included in the FY19 and FY20 Annual Reports, in the FY21 Annual Report, DCF expanded racial and ethnic disproportionality data which includes the following data disaggregated by race/ethnicity and RRI/RoD measures:

- Placement length of stay
- Placement moves/1000 placement days
- Care Exit Reasons
- Exits From Care to Aging-Out
- 51A intakes
- Protective intakes by screening decision
- Screened in responses by emergency screening or not
- Determination at conclusion of response

Based on feedback from the FY2021 Annual Report, DCF will incorporate race and ethnicity data for additional metrics in the FY2022 Annual Report.

SOGI Data Reporting

SOGI data fields were added to i-FamilyNet in FY18, with the help of the Department's LGBTQ+ Liaisons. These fields are available for any person (including all consumers and foster parents) in i-FamilyNet. Part of the feedback that the DWG received on the FY19 Annual Report was that it had not included data on gender identity and sexual orientation (SOGI) for the youth the Department served. Representatives

¹⁷ For example, see: https://www.childwelfare.gov/pubpdfs/racial_disproportionality.pdf

¹⁸ Meeting materials can be found here: <https://www.mass.gov/lists/data-work-group-meetings#december-16,-2021-meeting-materials->

¹⁹ Rate of Disproportionality (RoD) is the ratio of the percent of each race at a decision point with the same race percent in a base population. The Relative Rate Index (RRI) compares rates of disproportionality between race categories.

²⁰ US Census Data

from the Massachusetts LGBTQ Youth Commission²¹ and GLAD attorneys²² started joining these meetings and provided the DWG with feedback related to these demographics. The Department provided the DWG with information on how and when SOGI data was added to i-FamilyNet to inform what next steps could occur. The DWG discussed demographic data collection regarding the SOGI of children, families, and foster families; whether completing these fields should be optional or mandatory for each case; and points in the case where the data should be collected or updated.

SOGI data were presented in the annual report for the first time in FY20. While there were still significant unknown/missing data for this field because these i-FamilyNet entries were not mandatory, the Department expanded reporting in the FY21 Annual Report. The Department's FY21 annual report includes available demographic data on birth sex, gender identity and sexual orientation data for ages 0-17 and 18+ children and youth in placement. This data is broken down into age groupings 0-10, 11-14, 15-17, and 18+.

DCF presented to the DWG its plans to enhance the quality and reliability of its SOGI data. This included updating its existing SOGI demographic fields, building the capacity to fill in these data fields at specific decision points and making some of those mandatory, and an update to the existing practice guide for staff to understand the importance of SOGI data collection. The Department shared that it would continue to meet with the Massachusetts LGBTQ Youth Commission as additional IT changes, policies and guidance are implemented. Since the last official meeting of the DWG, SOGI demographic information became a mandatory field in i-FamilyNet's Family Assessment and Action Plan process in May of 2022 and were updated. Then in September 2022 the Department added pronoun fields. These changes apply to all consumers, including children, parents, and foster parents. Table I shows the Department's current data fields for birth sex, sexual orientation, gender identity, and pronouns.

Table I: DCF SOGI Data Collection		* Prior to May 2022 mandatory field in i-FamilyNet
Variable	Options	
Birth Sex*	Female Male Intersex	
Gender Identity	Androgynous Female Gender Nonconforming Genderqueer Male Non-Binary Questioning Transgender (Male to Female) Transgender (Female to Male) Two Spirit Does not wish to answer Not Listed	
Sexual Orientation	Asexual Bisexual Gay	

²¹ For more information visit: <https://www.mass.gov/orgs/massachusetts-commission-on-lgbtq-youth>

²² For more information visit: <https://www.glad.org/>

	Lesbian Pansexual/Omnisexual Queer Questioning Straight/Heterosexual Does not wish to answer Not Listed
Pronouns	He/him/his He/they She/her/hers She/they They/them/theirs Ze/zir/zirs Any pronouns Do not wish to answer Just my name please Pronouns not listed

Outcome Measurements

In the final months of meeting, DWG members discussed outcome measurements and recommendations for further improvement to the Department’s Annual Report.

The Department presented the current federal process for collecting child welfare data from the 50 states, the District of Columbia and Puerto Rico.²³ The data collected in the federal process is referred to as the “Child and Family Service Review (CFSR) outcome data.”²⁴ The CFSR was developed and is administered by the U.S. Children’s Bureau (CB) in response to federal legislation. The CFSR is a mechanism to determine whether jurisdictions are promoting safety, permanency, and well-being for children served. The CFSR process includes a Statewide Assessment (SWA) and an Onsite Review period. When jurisdictions do not meet the standards set by the CB on any given metric, jurisdictions enter a “Program Improvement Plan” (PIP) to address areas requiring improvement. The entire process takes a minimum of three years to complete. The overall goals of the CFSR are to:

1. Ensure conformity with Title IV-B and IV-E Funding and related program requirements
2. Determine what is happening to children and families as they are engaged in child welfare services (including the legal and judicial process)
3. Assist state child welfare systems in helping children and families achieve positive outcomes through continuous quality improvement (CQI)

The group discussed the importance of aligning outcome measurement reporting with the federal system, as well as inclusion of other measurements. For example, the group recommended that the Department report additional educational outcome data.

²³ More detail on Federal child welfare reporting can be found in Appendix B.

²⁴ All CFSR reports can be found online: https://library.childwelfare.gov/cwig/ws/cwmd/docs/cb_web/SearchForm

Remaining Items

The COVID-19 pandemic interrupted the groups' meetings, and as a result, the group did not spend substantial meeting time on data related to service costs or family visitation with children in foster care. Additionally, other circumstances impeded the Department's ability to show relevant data related to service costs and visitation.²⁵ The Department recognizes the importance of these topics and will revisit them.

- **Service cost data:** As part of the Department's plan to enhance i-FamilyNet and implement the requirements of the Family First Prevention Services Act²⁶, the concurrent redesign of the Department's Congregate Care Network, and the anticipated re-procurement of the Department's Family Support and Stabilization contracts in 2023, service cost data will go through a major redesign. This revamp will allow the Department to better collect data to understand service utilization questions the DWG discussed.
- **Family Time Visitation data:** Discussion on this topic has focused on whether there is data to show that all required/recommended parent-child visits are occurring. The frequency and duration of parent-child visits is tailored to individual children and families and there is currently no structured mechanism for identifying the required/recommended frequency and quantity of family time visits. At present, a qualitative review may provide a more meaningful understanding of Family Time Visitation rather than structure data reporting.
- **Benchmarking:** At the last DWG meeting the Department shared that it was exploring platforms to host a data dashboard that could present data from the quarterly and annual report in a more interactive way. It could also be used for benchmark data. The Department is also underway with Round 4 of the Federal benchmarking process, Child and Family Services Reviews. This process includes implementation of program improvement plans based on the review of the Department. The State Legislature has not yet set criteria for its benchmarking requirements.

The DWG was also charged with analyzing data related to youth with both child welfare and juvenile justice system involvement (referred to in this report as "crossover youth"). While this was not a topic discussed with the DWG (see page 7), this work has continued through number of fronts:

- DCF works with the Department of Youth Services (DYS) to regularly identify and share information regarding youth with active child welfare involvement at the time of a DYS detention or commitment.
- The work of reporting crossover youth data has been a focus of the Juvenile Justice Policy and Data (JJPAD) Board, which was created by the Legislature in 2018 and is chaired by the OCA.²⁷ The membership of this Board (namely the Juvenile Court and other juvenile justice system

²⁵ See Appendix D on what data is able to be collected/reported regarding these topics.

²⁶ The Family First Prevention Services Act (FFPSA) was enacted as part of the Bipartisan Budget Act (HR. 1892), signed into law in February 2018: <https://www.congress.gov/bill/115th-congress/house-bill/1892> ; <https://www.childwelfare.gov/topics/systemwide/laws-policies/federal/family-first/>

²⁷ <https://malegislature.gov/Laws/SessionLaws/Acts/2018/Chapter69> ; Click [here](#) for more information on the JJPAD Board: <https://www.mass.gov/juvenile-justice-policy-and-data-boardchildhood-trauma-task-force>

entities) is better equipped at analyzing crossover youth data availability, collection, and report. DCF is a member of the JJPAD Board and actively participates in the Board's work on this topic.

Legislative Proposals

In December of 2018, a subgroup of the DWG was formed, including staff from the Joint Committee on CFPD, the OCA and DCF to discuss the statutory and budget language that mandates reports from DCF. The group was tasked with taking the shared understanding of child welfare data and best practices discussed by the larger group and creating a new structure for DCF's reporting requirements that could stand the test of time. As a result, the subgroup drafted a legislative proposal that would codify the new data reporting structure that the DWG had developed that included provisions for future improvements and continuity. The subgroup presented its draft to the DWG in February and March of 2019 and incorporated feedback from additional members of the group. The legislative proposal was then agreed upon by the full DWG.

This proposal codified the new Quarterly and Annual Reports, while providing flexibility in the language for future improvements and additions to the report without legislative changes. It also codified changes to the Fair Hearing report, added a report on DCF Youth (age 18+), streamlined notifications on changes to DCF policy and regulations, and eliminated current reporting requirements no longer needed in the GAA and MGLs. It also required the Department to set targets for various safety, permanency, and well-being measures, updated the membership and objective of the DWG, and included language requiring the group to convene every two years to gather feedback and public comments on DCF data and reporting.

This legislative proposal was as introduced as H.4083, An Act relative to DCF Legislative Reporting Reform. While the DWG advocated for the swift passage of H.4083, this legislation was not enacted into law during the 191st session. For the full text and legislative history of H.4083, please visit:

<https://malegislature.gov/Bills/191/H4083>

Several bills introduced at the beginning of the 192nd session were informed by the DWG proposal and priorities of House and Senate leadership. These proposals are currently pending before the Massachusetts Legislature. For the full text and status of these bills, please visit the following links:

- H.88, *An Act relative to accountability for vulnerable children and families*:
<https://malegislature.gov/Bills/192/H88>
- H.239, *An Act relative to accountability for vulnerable children and families*:
<https://malegislature.gov/Bills/192/H239>
- S.32, *An Act relative to accountability for vulnerable children and families*:
<https://malegislature.gov/Bills/192/S32>
- H.4787, *An Act Enhancing Child Welfare Protections*:
<https://malegislature.gov/Bills/192/H4787>

For additional information on the legislative history, please see Appendix E.

Recommendations

The DWG recommends the following items.

Recommendation #1: The Legislature Should Repeal Certain Reporting Requirements, and Revise Others, Currently Contained in the M.G.L.s and GAA to Reflect the Newly Designed Reports Created by the DWG

Significant progress has been made to provide the Legislature and the public with timely and informative information on the Commonwealth's child welfare agency. That progress has not yet codified in the statute and will require the Legislature to repeal certain reporting requirements, and revise others, currently contained in the M.G.Ls. and the GAA.

The DWG recommends the following:

Table 2: DWG Recommendations – Reports to Repeal
Regulation Change Report in 4800-0015
Fair Hearing Report in 4800-0015
February 28 th Staffing Report in 4800-0015
Caseload Forecasting Report in 4800-0015
Children in Residential Care Report in MGL Ch18B, S23
Foster Care, Adoptive, and Guardianship Assistance Payments Report in MGL Ch119, S23(h)
Legislative Report on Safe Haven Act in MGL Ch119, S39 1/2
51D Report in MGL Ch119, S51D
Advancements and Disbursements Report in MGL Ch18B, S20
Wait Time for Inpatient Psychiatric Services Report in MGL Ch18B, S23
Quarterly Adoption Report in MGL Ch210, S5E
Caseload Report (F.K.A. Quarterly Caseload Report) in 4800-0015
Multiple 51As Report (F.K.A. Quarterly Report on Multiple 51As) in MGL Ch18B, S25
Section 24 Report (F.K.A. Report on High-Risk Children, Racial Disparity, and Procurement Services) in MGL Ch18B, S24
Post-Age 18 Services Report in MGL Ch119, S23(f)
Annual Foster Care Review Unit Report in MGL Ch18B, S6A
Commissioner's Report (F.K.A. Multiple 51As Report) in MGL Ch18B, S7(e)

Many of the requirements in these statutes have been consolidated and streamlined in the DWG proposed reporting structure. Please see Appendix C for more detailed information.

In addition to repealing the language above, the DWG recommends codifying the work products developed by this group. Consolidating relevant reporting mandates into a single statute that corrects and improves outdated statutory language will add more clarity and consistency. For example, H.4083 from the 191st Session, comprehensively redesigned the DCF data reporting requirements to ensure that valuable information was communicated in an effective manner. While this legislation was not adopted in the 191st session, many of its sections could be referenced if the Legislature takes steps towards reforming DCF's reporting requirements. This legislation failed to mention the need for SOGI demographic data, racial and ethnic disparities at key decision points, and educational outcomes. The DWG recommends that the Legislature include these data measures in future legislative efforts.

The most impactful data is information that is understandable to those without prior knowledge of DCF. Quality data should provide a lens through which legislators can identify service needs statewide as well as in their districts. It is the view of the DWG that a reporting obligation exists in the law; it should reflect current trends, demographics, and challenges in child welfare; and it should include relevant metrics to measure DCF's performance in carrying out its mission.

Recommendation #2: DCF Should Continue to Produce the Annual Reports and Quarterly Reports as Outlined throughout this Report

The Department should continue to release the following new or redesigned reports:

1. Quarterly Profile (quarterly)
2. Fair Hearing Report (annually)
3. Foster Care Review (annually)
4. Annual report (annually)

The Department should follow the recommendations made by the DWG on the redesign of these reports and continue to improve them whenever possible.

The DWG also recommends keeping the following reports currently in the GAA, the Family Resource Center Report in 4000-0051 and the Foster Care Recruitment Campaign Report in 4800-0058.

Recommendation #3: DCF and the OCA Should Continue their Work to Further Improve Data Collection/Reporting on Newly Designed Reports and Special Topics

There is a commitment to continue working on ongoing improvements to all child welfare data collection and visualization. Given that legislation was not enacted into law by the conclusion of the 192nd formal session period, the OCA announced it would voluntarily facilitate the gathering public input on suggested improvements, changes, and additions to DCF data reporting following the publication of the Department's future annual reports.

DCF should improve its data collection and reporting regarding:

- *Youth Age 18+:* DCF should include information in its annual report or produce a special report on services provided to young adults over the age of 18 that reflects the details included in the original legislative proposal²⁸. This includes information on the process by which a young adult may continue to receive services from the Department upon reaching the legal adult age of 18, the number of youth who sustain connection with the Department, the number of youth who decide not to sustain connection, and information on payments and services provided to youth.
- *Racial and Ethnic Disproportionality:* Based on the DWG conversations, the Department should continue to report on racial and ethnic disparities across decision points. Additionally, the Department should review when it is appropriate to provide data regarding racial and ethnic disparities using both the Massachusetts child population as the comparison group, when it is appropriate to use children and youth in child welfare as the comparison group, or when it is appropriate to use both groups.
- *Sexual Orientation and Gender Identity:* DCF should continue to work with the Department's LGBTQ liaisons and the LGBTQ Youth Commission to monitor the implementation of the new

²⁸ H.4083 from the 191st Session

mandatory SOGI demographic fields and relevant training. This will help improve the data collection and validity for SOGI data fields as indicated in previous sections. DCF should continue to expand SOGI data reporting in the Annual Report.

- *Educational Outcome Data*: DCF should report out educational attainment metrics, including, MCAS scores, graduation rates, school stability, school discipline, IEP/504 plans, and attendance.

The Department should continue to work to improve its data collection and reporting capacity for the topics outside of the DWG mandate, which are discussed in the *Remaining Items* section of this report.

Recommendation #4: DCF Should Continue Work to Implement a Data Visualization Tool for Internal and Public Reporting

Although, the current reporting structure requires substantial resources, specifically, when designing, updating, and conducting analysis, DCF also recognizes the importance of improving the data and information in these reports. To modernize some of the reporting, the Department is currently selecting a data visualization tool that will allow researchers to input their datasets and use intuitive program methods to create visualizations of different data permutations. Once data is uploaded, researchers can create parameters and selections for users to explore data on their own. Benefits of data visualization tools include:

- Expanding access to data reports and visualizations
- Helping people see and understand data
- Facilitating exploration and use of data to solve problems
- Speeding up the process of discovery and insight building

In the long term, this software can help the Department use available resources to develop and analyze data, respond to data requests, and answer pressing research questions.

In partnership with the OCA, DCF has begun assessing data visualization software that can meet Department's unique needs. By the end of CY2022, the Department will select the software and begin designing a dashboard for external and internal use. Ultimately, the Department will be able to create publicly reported dashboards hosted online through a secure server with no personally-identifiable data available. The public dashboards could eventually replace the static quarterly reports and allow members of the public and Legislature to ask and answer their own research questions with the dashboard visualizations. The Department will continue to update the Legislature on the progress of these dashboards.

Conclusion

A significant amount of work has been generated by and stems from the Data Work Group. The Department's public reports have benefited from this group's input, critical evaluation, and discussion of child welfare data. Still, work remains to reform the Department's legislatively mandated reporting requirements. The Department will continue to prioritize data collection and reporting to monitor the equity, safety, well-being and permanency of children involved with the Department. Furthermore, the OCA and DCF are firmly invested in data collection, reporting improvements and continuing to solicit feedback to continue producing data that helps advance best outcomes for the children and families of the Commonwealth.

Minority Report: Massachusetts Law Reform Institute and the Committee for Public Counsel Services

As members of the legislatively created Task Force on Child Welfare Data Reporting, the Massachusetts Law Reform Institute (MLRI) and Committee for Public Counsel Services (CPCS) submit this report regarding the Task Force's work. This report is intended to ensure that the Commonwealth has the data it needs to monitor the work of the Department of Children and Families (DCF) – including its work in promoting safety, permanence, and well-being of children. It is also intended (to use the Department's words), to "promote accountability...[and] make [DCF's] operations and performance more transparent and accessible to the public."²⁹

Our report is based on the following concerns:

1. The Task Force has failed to fulfill the Legislature's mandate or complete work it committed to undertake in 2019 to meet core elements of that mandate, and the report [adopted by] the majority of Task Force members does not map out a plan for completing that work. Unfinished work (which the Task Force unanimously committed to addressing) includes data reporting about service provision, children's contact with family members, racial and ethnic disparities in DCF's functioning in different areas of the Commonwealth, and other key metrics.
2. The Task Force has not developed a system to foster the development of other reports to ensure that DCF adheres to applicable laws and to good social work practices for children and families.
3. The Juvenile Court elected not to participate at all in the Task Force's work, leaving the Commonwealth with limited data regarding the court's impact on children and families and with a limited ability to see what court practices are working well and which need improvement.
4. The sunset of the Task Force is eliminating one of the Commonwealth's few mechanisms for promoting accountability and collaboration in the child welfare system and will prevent key stakeholders, including communities and individuals who are most affected by DCF's operations, from having a voice in promoting accountability.

To be sure, the Task Force's work has led to some improvements in DCF's data reporting. Despite those improvements, however, the Task Force's work has not completed the work assigned to it by the Legislature, nor has it completed projects that its members jointly agreed to undertake. The Commonwealth still needs significant improvements in child welfare data reporting in order to monitor DCF's all-important work with children and families, and the Task Force's final report does not contain enough assurances that those improvements will occur- or that they will occur with appropriate stakeholder input.

The Legislature's Mandate and the Task Force's Work

²⁹ Department of Children and Family Services, [Annual Report FY2021](#) (December 2021) at ix.

The Legislature created the Task Force in 2017 through the FY18 budget bill. The Legislature directed the Task Force to:

- Develop criteria for measuring outcomes for children and families relating to safety, permanency, and well-being³⁰;
- Make recommendations to improve DCF’s annual, biannual, and quarterly reports, to eliminate reports that are no longer needed, and to ensure that reports are submitted on time and posted on the department’s website;
- Make recommendations about periodic reports from the courts on cases, children, and families involved with DCF; and
- Submit recommendations annually to the Legislature, along with drafts of legislation needed to implement those recommendations. (See [Section 128 of Chapter 47 of the Acts of 2017](#), Attached as Appendix A to the Majority Report.)

As directed by the Legislature, the Task Force began meeting regularly in 2017. Unfortunately, the Juvenile Court elected not to participate in the Task Force’s work from the start, so the Task Force was unable to make any recommendations regarding much-needed reporting from the courts. Nevertheless, the Task Force made progress in its efforts to improve DCF’s quarterly and annual data reports. But after its first year-and-a-half of work, significant other aspects of the Legislature’s mandate had barely been addressed.

In an effort to meet its mandate in its remaining three years,³¹ in early 2019 Task Force members agreed to recommend that legislative reporting mandates – including reports on critically important topics – be eliminated. The “2019 Agreement,” however, was conditioned on the Task Force developing more useful reporting requirements regarding those topics and on other critical issues over the next three years. Moreover, the Task Force agreed to recommend legislation to codify that agreement. The agreement would also have required DCF to issue a three-year plan every year, setting numerical targets for the department’s performance for each year and in each of its regions in the areas of safety, permanence, and well-being, with a description of how DCF will measure its progress in reaching those targets. The Task Force included all of this and other substantive aspects of its 2019 Agreement in draft legislation that it recommended to the Legislature. That agreement was also included in nearly all significant bills relating to child welfare data reporting in the 2019-20 and 2021-22 legislative sessions – with the goal of enabling the Task Force to make significant progress in meeting the Legislature’s mandates.

To date, the Task Force has not completed the work – and in some cases has not done much at all – on what was called for in the 2019 Agreement – which, again, was aimed at enabling the Task Force to meet its legislative mandate. The status of that work is described in Minority Report Appendix A on p.

³⁰ The legislation specified that the Task Force’s work on outcome measurement should address ten specific categories – namely, “(i) protecting children from abuse and neglect; (ii) safely maintaining children in their own homes whenever possible and appropriate; (iii) achieving stability and permanency for children in their living situations; (iv) preserving the continuity of family relationships; (v) enhancing the capacity of families to provide for the needs of children; (vi) ensuring that children receive appropriate services to meet their educational needs; (vii) ensuring that children receive the services necessary to meet their physical and mental health needs; (viii) achieving permanency and opportunity for young adults; (ix) complying with timeframes and deadlines for court hearings; and (x) minimizing the incidence of juvenile justice system involvement for children involved with the department of children and families.” [Acts of 2017, c. 47, § 128](#).

³¹ The FY18 budget had set a sunset date for the Task Force of February 1, 2022. [Acts of 2017, c. 47, §§ 129, 152](#)

27.³² Moreover, the Task Force has not adopted a concrete plan for DCF, either on its own or in collaboration with others, to finish the work required by the Legislature. In fact, the Task Force’s final report calls for repealing a number of specified reporting requirements without specifying any to be revised or any new reporting requirements to replace them. And while the final report refers to the legislative language agreed upon in 2019, and subsequently and repeatedly filed as legislation, it does not explicitly recommend its adoption.

MLRI’s and CPCS’s Recommendations

In view of the Commonwealth’s continuing need for data regarding the performance of the state’s child welfare system and the Task Force’s lack of substantial progress on many of the goals that the Legislature originally set for it, MLRI and CPCS recommend the following:

1. The Legislature should insist upon a plan for the replacement of certain reports before agreeing to DCF’s request to eliminate existing requirements. These include reports regarding:
 - a. The status, safety, and well-being of the children in DCF custody who reside in residential care programs³³ – This is particularly important given documented safety issues and poor outcomes for children in residential care³⁴ and the department’s decision to forego federal Title IV-E funding to avoid having to comply with federal standards for safety and appropriate placement standards for children in residential care.³⁵
 - b. High-risk youth in the foster system – Children regularly experience trauma when DCF removes them from their homes, and DCF certainly needs to be “trauma- aware” when providing care for them. But some children – for example, children with significant disabilities, children who run away or are involved in the juvenile justice system, or children who experience other trauma while in DCF’s care – are even less likely to have their needs met while in the Department’s custody.
 - c. Youth aging out of the DCF system – DCF does report some information about young people for whom DCF remains responsible after their 18th birthday, but it does not report other data (including data on youth who request services beyond age 18 but are declined, and the number of youth receiving which type of services, nor does it provide contextual data to explain Massachusetts’ comparatively very high rates of youth aging out of its foster system without permanency. Moreover, DCF does not use other data (including data available from other government agencies) to report on outcomes for

³² While the COVID-19 pandemic limited the ability of the group to meet in person and required DCF to report on pandemic-related data, it did not bring the work of the Task Force to a standstill, does not explain the lack of progress on these items.

³³ The Task Force’s final report identifies certain challenges with reporting some of this data. But rather than dismiss this mandate, DCF should work with the Legislature and others on an alternative requirement for it to collect and report that is responsive to the Legislature’s legitimate concerns.

³⁴ See, for example: [Child neglect in group homes rises](#), Kay Lazar, Boston Globe, Nov. 21, 2019, [Group home worked accused of selling teen in program for sex](#), WCVB5, October, 2018, [Police say problems persist at Haverhill group homes](#), Peter Francis, The Eagle Tribune, April 10, 2017, U.S. Department of Health and Human Services, [Some Massachusetts Group Homes for Children in Foster Care Did Not Always Comply With State Health and Safety Requirements](#), December 13, 2017; Office of the State Auditor, Commonwealth of Massachusetts, [Official Audit Report, Department of Early Education and Care for July 1, 2016 – June 30, 2018](#), May 5, 2020 (finding EEC did not always initiate or review investigations of reports of suspected abuse and neglect of children in its licensed programs.)

³⁵ The federal Family First Prevention Services Act required that by October 1, 2021, states had to comply with federal safety and appropriateness of placement standards to qualify for federal Title IV-E reimbursement for any child placed in a congregate care. This meant that, among other things, as a condition of federal funding, the facility must be licensed and accredited and that an independent review be conducted to determine if the child needed to be placed in a residential treatment facility.

youth who are no longer connected to DCF (for example, regarding educational attainment, un- or under-employment, involvement in the criminal justice system, or homelessness).

- d. Kinship guardianship subsidies
2. The Legislature should require DCF to collect data and develop and submit reports regarding:
 - a. DCF's delivery of support and stabilization services and other services to keep children safely at home and to reunify children safely with their parents, and the effectiveness of such services.
 - b. Racial disparities at all critical stages in the DCF process – At the urging of the Task Force, DCF is now providing more data in its annual report regarding racial and ethnic disparities. That data, however, should also be provided regarding other decision points, outcomes, and programs.³⁶ (These include placement of children in DCF-supported kinship guardianships, placement of children with their siblings, children adopted by kin, educational achievement, and timely receipt of medical care. Data should also be broken down by area office as stated in the 2019 agreement. In addition, beyond providing race and ethnicity data using the RoD and RRI methodologies, DCF should also provide it with a single denominator – the share of the racial/ethnic group within the state's population – to avoid creating the impression that at certain decision points, racial disproportionality and disparities are lower than they are.³⁷
 - c. Data regarding sexual orientation and gender identity and expression (SOGIE data). See letter from CPCS, MLRI, GLAD and Citizens for Juvenile Justice dated September 27, 2021, attached as Minority Report Appendix B on p. 30. While some progress has been made, much work remains to be done to achieve the changes recommended in this letter and meet the needs of LGBTQ youth.
 - d. Data regarding parenting and family time – Making it possible for foster children to see their parents, siblings, grandparents, and other family members (also referred to as “family time” or “parenting time”) is one of the most important services that any child welfare agency provides. It is also one of the best ways to reduce the trauma that children experience when DCF separates them from their homes, schools, and communities – particularly when children are placed with strangers – and to facilitate successful family reunification. Conversely, visits also enable DCF to determine when reunification may be unlikely. DCF has stated repeatedly that there is currently no structured mechanism for reports regarding what DCF's work in this area. The Legislature should require DCF to begin collecting, at the very least, data regarding the plans they establish for those visits and to report on that data.³⁸

³⁶ Outcomes include placement with siblings, duration of stay in foster care, multiplicity of placements, educational achievement, and timely receipt of medical care. Programs include subsidized kinship guardianship and adoption by kin.

³⁷ The final report states that DCF has agreed that it should *consider* reporting using this methodology but has made no commitment to actually doing so.

³⁸ While the Legislature may not need to do anything about it in this context, CPCS and MLRI also wish to call to the Legislature's attention a glaring misstatement in the Task Force's final report. Contrary to the report's assertion, in most cases, DCF does NOT tailor the frequency and duration of parent-child visits to meet the needs of individual children and families or to promote what is best for children. Instead, its caseworkers generally offer children and parents no more than one hour per week of supervised time in a DCF office, regardless of the nature of the case, the number of children involved and their ages, whether, in the case of an infant, the parent has been breastfeeding the child, the parents' work schedule, and the wishes of the child. CPCS has sought legislative changes to address this major problem. See, e.g., [2019 H.3777](#).

3. The Legislature should re-engage the Juvenile Court in the vital task of reporting regarding its proceedings in cases involving DCF.
4. Consistent with the Task Force's 2019 Agreement, the Legislature should establish a permanent task force on child welfare data reporting to achieve the goals that the Legislature established in 2017 and to provide data needed to improve outcomes for children and families.³⁹

The Legislature has already established a permanent group to promote better data reporting and the better use of data in the Commonwealth's juvenile justice system.⁴⁰ In fact, the Juvenile Justice Policy and Data Board has a much broader reach for a system that serves far fewer youth than the child welfare does, and it has no sunset date. Given DCF's shortcomings, we should have a permanent Child Welfare Policy and Data Board – or at least a permanent Child Welfare Data Board – to allow citizens of the Commonwealth and its policymakers to understand and confront the myriad problems in our state's child welfare systems.

The permanent version of the task force should include individuals with lived experience who represent the diversity of individuals who are impacted by the child welfare system. Membership should be racially and ethnically diverse and include representatives of people with disabilities and the LGBTQ community, including a member of the Massachusetts Commission on LGBTQ Youth or its appointee, to ensure the progress on data transparency and a 21st century child welfare system that Massachusetts deserves.

Federal guidance notes, correctly, that child welfare policymaking must include those who have been directly impacted by those policies, as they have both the most direct stake and a lived expertise that is essential for best policy.⁴¹ This includes policymaking regarding data collection and reporting. People with lived experience can help the Commonwealth identify data needed to help replicate successful experiences they have had and to avoid the system's failures that they encountered. Their participation will also ensure that people to whom the agency is accountable have the information they need to assess DCF's performance and ensure that DCF meets its mandate with equity and justice.

Conclusion

We look forward to working with the Legislature, the next administration, and other stakeholders to ensure that the Commonwealth has the necessary data to meet the needs of children and families involved in its child welfare system.

³⁹ The reporting requirements recommended here are limited to those that the Task Force has previously considered. Needless to say, there is other data relating to DCF's and the Juvenile Court's work that should be available to the public and policymakers. For example, there is no data available regarding DCF case plans (which DCF calls "action plans"), even though those plans rarely meet the requirements of federal law. They typically do not contain:

1. a written plan for ensuring the child's educational stability;
2. a discussion of the appropriateness of the services that have been provided to the child under the plan (not just a listing of the services);
3. the reasons for any separation of siblings during placement;
4. for a child who has attained 14 years of age or over, a written description of programs and services to help the child prepare for the transition from foster care to a successful adulthood; and
5. a document that describes the rights of the child with respect to education, health, visitation, and court participation, the right to be provided relevant documents, and the right to stay safe and avoid exploitation.

42 U.S.C. s. 675(1). A permanent task force on child welfare data reporting could explore the need for regular reports regarding DCF's compliance (or non-compliance) with these and other aspects of federal or state law.

⁴⁰ [Acts of 2018, c. 69, § 89](#).

⁴¹ See, for example, [Administration for Children Youth and Families, Information Memorandum ACYF-CB-IM-19- 03](#), August 1, 2019.

Minority Report Appendices

Appendix A

The following is the list of reports that the Task Force agreed in the 2019 Agreement to develop or recommend and a summary of the Task Force's progress on each of these items between January 2019 and February 2022 when the Task Force sunsetted:

1. **Item: The continued development of the reports and profiles required under G.L. c. 18B, § 26**

Progress made: the Task Force did not further develop and update many of the reports to be required under the proposed new G.L. c. 18B, § 26. The Task Force proposes to eliminate existing reports that information on residential care, high-risk children, racial disparities, and procurement services without replacing or updating them.

2. **Item: The resources required of the Department to produce such reports and profiles**

Progress made: Discussions as to the resources DCF would need to produce the reports and profiles required under G.L. 18B, § 26 did not take place. The major reason DCF gave for being unable to produce these reports was that it did not maintain "structured data" on those topics, meaning that DCF did not require its staff to collect and input relevant data in retrievable formats. Instead, to the extent the data is maintained, it is kept in narrative reports in individual case files. DCF presented a useful chart describing the current barriers to providing important data. (See Appendix D to the Majority Report – referring to the reports it committed to designing in the 2019 Agreement as "Parking Lot Issues"). The Task Force did not discuss as agreed, however, the resources required to begin to convert unstructured data into structured data on selected topics of greatest importance to lawmakers and the public. The Task Force did not make progress on this essential problem-solving conversation.

3. **Item: Questions underlying legislative reporting requirements relative to:**

- foster care review,
- residential care,
- services for young adults over the age of 18,
- educational and placement stability,
- kinship guardianship subsidies, and
- any other reporting requirements not included in the reports and profiles under G.L. 18B, § 26

Progress made: Reports were not developed on residential care, educational and placement stability, kinship guardianship subsidies and other reporting requirements not included in the reports and profiles the task force proposed to include in G.L. 18B, § 26. The Task Force did produce a report on the foster care review system. The new annual report that the Task Force developed includes some quantitative data on transition age youth (ages 18-22). However, these reports are of limited utility because they do not explain to legislators and the public why

Massachusetts has the sixth highest rate in the nation of youth aging out of the foster system,⁴² nor do they contain data on numbers of youth requesting services who are declined, on the numbers of youth receiving which type of service, or on the outcomes for youth who age out of the foster system.

4. Item: Questions the department is currently unable to address with existing departmental data including but not limited to families with multiple siblings in the department's care

Progress made: This refers to questions that require data that DCF does not currently collect. (See item 2 above). A report on multiple siblings was not developed.

5. Item: Questions concerning the department's delivery of services including Support and Stabilization services to keep children safely at home and to reunify children safely with their parents, and the effectiveness of such services

Progress made: The Task Force did not address the Department's delivery of services to keep children safely at home although it was consistently raised by advocates on the Task Force as central to the mission of the Task Force. (See items i. – vii. of the Task Force's mandate listed in footnote 2 above.) Reporting on this data is crucial because providing these services and supports to keep children safely at home and out of the foster system whenever possible is the core mission of the Department of Children and Families under Massachusetts law. See G.L. c. 119, § 1. These services are also required to meet DCF's legal mandate to make reasonable efforts to keep children safely with their families before removing them into the foster system and to make reasonable efforts to return children safely home from the foster system. See G.L. c. 119, § 29C. *DCF currently does not publicly report on what Support and Stabilization Services it provides, the effectiveness of, or the outcomes achieved by the services it provides.*

6. Item: questions concerning the department's outcomes and the development of accurate benchmarks to measure those outcomes

Progress made: The Task Force did recommend a benchmarks report be produced, but upon information and belief, no such report has been designed or produced.

7. Item: Racial disproportionality at decision points in the departmental process by area office

Progress made: The Department separately shared with the Task Force data showing the relative rates at which white, Black, Latinx and other groups of children are reported to DCF. That data showed significant racial disparities in reporting to DCF, with Latinx children being reported to DCF at 4.3 times the rate and Black children 3.1 times the rate of white children. In some areas these disparities were even starker: in Boston, Latinx children were reported at 6 times the rate and Black children at almost 9 times the rate of white children during the period reported. The Department included in its FY 21 Annual Report data which showed the extent to

⁴² Aging out of the foster system without a permanent home is considered a very negative child welfare outcome. 15% of the youth in the Massachusetts Child Welfare System age out without permanent families, according to the most recent publicly available data. [Annie E. Casey Kids Count Data Center](#) (2018 data – most recent available data).

which this significant racial disproportionality at the reporting stage changed as families penetrated deeper into the system, e.g., screening of the reported, substantiation the report, etc.

MLRI and CPCS wrote to DCF asking that, in addition to the way data was currently being reported in the FY20 Annual Report about decision points within the DCF process, racial disproportionality and disparity data also be reported at each decision point rather than just the change in the disparity. This would be accomplished by using a single denominator at each decision point –the percentage of the child population of the racial/ethnic group within the state’s population. This would avoid masking the significant disproportionality and disparities⁴³ that persist throughout most stages of the DCF process. (See MLRI and CPCS letter to Ruben Ferreira, Assistant Commissioner for Continuous Quality Improvement at DCF, dated May 19, 2021, attached as Minority Report Appendix C on p. 33) The Task Force declined to adopt that recommendation and, as a result, the data in the report issued masks the extent of racial disproportionality in DCF’s decisions to substantiate reports of abuse and neglect, (FY21 Annual Report Table 27a and Figure 27a) and at other key points such as youth aging out of the foster system with no permanent homes (Table 24d).⁴⁴

In addition, Task Force members asked that racial disproportionality and disparity data be reported at other key decision points including, but not limited to, children placed in kinship foster care, children in DCF-supported kinship guardianship, children placed in foster homes with their siblings, and children in the foster system who graduate from high school.

Finally, MLRI and CPCS asked that this data be broken out by area office as the Task Force agreed in 2019.

None of those suggestions were adopted in DCF’s 2021 Annual Report.

⁴³ Because the distinctions between the terms are important in data reporting, we clarify here that “disproportionality” refers to the overrepresentation or underrepresentation of a racial or ethnic group compared with its percentage in the total population, while “disparity” refers to unequal outcomes of one racial or ethnic group compared with outcomes for another racial or ethnic group.

⁴⁴ For example, the FY21 Annual Report states that Latinx youth age out of the foster system with no permanent homes at a rate of disproportionality that is 1.1 times their rate in the general population and 1.2 times the rate that white youth age out, and that Black youth age out at a rate of disproportionality that is 1.2 times their rate in the general population and 1.3 times the rate of white youth. But these rates of disproportionality and disparity are as low as they are only because the “general population” they are compared to is youth exiting from the foster system. Since the racial composition of the foster system is racially skewed, and the cohort of youth exiting the foster system is also racially skewed, the rates of disproportionality, and the rates of disparity (which are calculated based on the rates of disproportionality) will also be much lower than if they were compared to the general Massachusetts child population. If that comparison is made, it would show that the rate of disproportionality for both Black and Latinx youth aging out of the foster system is 1.9 times their presence in the MA population and over three times the rate of white children aging out. This information must be included, at all the key stages listed in this report, to give the public a complete understanding of the status of Black and Latinx DCF-involved children and youth.



40 COURT STREET
SUITE 800
BOSTON, MA 02108

617-357-0700 PHONE
617-357-0777 FAX
WWW.MLRI.ORG



Committee for Public Counsel Services
Children and Family Law
Division
100 Cambridge Street 14th Floor
Boston, MA 02114
Tel: (617) 482-6212 • Fax: (617) 988-8495

May 19, 2021

Sent via email

Ruben A. Ferreira
Assistant Commissioner
Continuous Quality Improvement
Department of Children and Families
600 Washington Street, #6318
Boston, MA 02211

Re: Decision Points Report

Dear Ruben,

Thank you again for the excellent reports you consistently create to bring DCF data to the public. It was helpful to see the data on 51A reports, and particularly the new reports on 51A filings.

We had a few follow-up thoughts and suggestions about the data that you shared in DCF's February proposed Decision Points for Children/Youth by Race/Ethnicity Report. We wanted to make these suggestions as you think about the next stage and reporting data on the Area Office level.

We understand that these reports focused on arriving at the Relative Rate Index, since that measures to what extent racial disproportionality is emerging at each stage. We also understand that in order to arrive at the RRI at a given stage, the Rate of Disproportionality (RoD) needs to be calculated using as the denominator the number of children in the cohort facing the particular decision being assessed. For example, to arrive at the RRI for children with a home removal episode, the RoD needs to be calculated using as a denominator the number of children in the caseload who are facing that decision.

At the same time, in order to give a more complete picture, it would also be useful to provide information on the Rate of Disproportionality at each stage holding the denominator steady. While you use the race and ethnicity of the general Massachusetts population as the denominator in the report for 51A intakes, we request you also use that same denominator (the

Ruben A. Ferreira
May 19, 2021
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share of the racial/ethnic group within the MA population) for all measures in the Decision Points for Children/Youth by Race/Ethnicity Report. In other words, in addition to reporting data sets by the rate of the DCF population facing that decision, we ask that DCF also report with a comparison against the racial and ethnic group in the Massachusetts population. That will dispel the misperception that disproportionalities in relationship to a group's presence in the Massachusetts population diminish the longer the child is involved with DCF. It would also be helpful if you could provide the disparity index at each stage so that people viewing the data can see how different racial groups compare with respect to the likelihood that they will experience each outcome at issue.

We would also suggest adding some additional decision points to the report as described above (providing RRI, RoD and disparity data):

- Children aging out of foster care without a permanent caregiver – The current report contains a chart for children exiting care, but this seems to encompass both those who age out with and without permanency. Additional reporting could be provide the data described above for youth leaving DCF care with a permanency plan of APPLA or “unspecified as of run date.”
- Children placed in kinship foster care
- Children in DCF-supported kinship guardianship
- Children adopted by kin
- Children in foster care placed in a home with one or more siblings (see Table 17 of Annual Report)
- Children in foster care with a length of stay under 15 months
- Children in foster care who have been placed in three or more placements
- Children in foster care who graduate high school
- Children who receive timely (7 and 30 day) medical care upon entering foster care (as defined by Table 38 in the Annual Report)

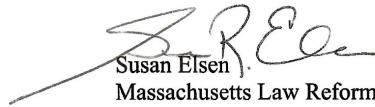
DCF's separate race and equity report, in which all the information discussed in this letter is reported, will supplement the current Annual Report. We encourage you, as a next step, to consider adding racial disproportionality and disparity reporting for *each* metric in the Annual Report. DCF's proposed separate race equity report (a/k/a the racial and ethnicity “deep dive”) can contextualize the Annual Report information further, providing further explanation or additional reporting as needed.


Finally, can you please confirm that the chart for the stage “Children with a 51B Response (Support)” refers only to children who had a supported 51A allegation, as opposed to all children who had any response decision (which would also include unsupported and substantiated concerns)?


Ruben A. Ferreira
May 19, 2021
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Thank you. We're happy to discuss this at any time.

Sincerely,


Susan Elsen
Massachusetts Law Reform Institute


Michael Dsida
Committee for Public Counsel Services


Ann Narris
Committee for Public Counsel Services



Massachusetts Department of Children and Families
Commissioner Linda Spears
600 Washington Street
6th Floor
Boston, MA 02111

Office of the Child Advocate
OCA Director Maria Mossaides
1 Ashburton Place
5th floor
Boston, MA 02108

Members of the Child Welfare Data Workgroup

September 27, 2021

40 COURT STREET 617-357-0700 PHONE
SUITE 800 617-357-0777 FAX
BOSTON, MA 02108 WWW.MLRI.ORG

Via e-mail

RE: Recommendations for DCF SOGI Data Collection and Reporting

Dear Commissioner Spears and Child Advocate Mossaides,

We, the undersigned members of the Child Welfare Data Work Group and community advocates, submit the following recommendations to the Child Welfare Data Workgroup (DWG) to improve the collection and reporting of sexual orientation and gender identity (SOGI) data. Comprehensive SOGI data collection is critical to understanding the needs of DCF-involved LGBTQ children and youth, who are among the most vulnerable youth in the care and custody of the Department of Children and Families (DCF). As DCF has acknowledged, SOGI data in the current system are largely not collected and therefore incomplete, and the numbers do not reflect national or large city and county data collected from other states about child-welfare involved LGBTQ youth. Accordingly, the first step to achieving meaningful data reporting is to improve the data collection.

We suggest the following steps:

- 1) DCF should include in its work in this area the Massachusetts Commission on LGBTQ Youth, the DCF LGBTQIA+ Liaisons, GLAD, and any member of the DWG who wishes to

participate when developing and improving guidelines for collecting SOGI data. We recommend that DCF meaningfully establish this connection with these stakeholders within 30 days, and confirm that it has created this collaborative group with the above-referenced people to all DWG members. Working together, as evidenced in the SOGI recommendations issued by the JJPAD, will ensure the use of best practices, including with regard to definitions and questions asked. The desired outcomes are twofold: (1) understanding exactly what data are currently being collected, by whom, how and when; and (2) immediately correcting errors in the data fields and questions.

- 2) The DWG chairs should add a member of the Massachusetts Commission on LGBTQ Youth or the Commission's appointee to the DWG. This invitation to join the workgroup should be made as soon as possible. The desired outcome of this appointment is to ensure that, when planning for a more robust understanding of SOGI data collection needs, the DWG has the expertise and engagement of this government agency whose mission is to improve the well-being of LGBTQ youth.
- 3) DCF should correct errors in data fields in iFamilyNet as soon as possible, and no later than within 45 days, and report that those corrections have been completed to the DWG. As noted above, these corrections should happen through the work with expert stakeholders. The corrections should include:
 - a. Ensuring that SOGI data are collected and reported for all children and youth, including those over age 18.
 - b. Ensuring the SOGI fields are consistent and culturally affirming in every field/screen of iFamilyNet, looking to the JJPAD SOGI data element recommendations and to other stakeholders for guidance on these fields.
 - c. Ensuring that children, youth and adults are identified by their gender or gender identity and not their sex assigned at birth.
 - d. Ensuring that SOGI data are included in quarterly reporting, not just annually, and cross-tabulated with race and ethnicity the way other columns are.
 - e. Ensuring that the SOGI fields, along with the other demographic data fields, are mandatory fields.
 - f. Clarifying to DCF workers in data collection training that demographic data should be based on a person's voluntary self-report and not based on the worker's perception.
- 4) Beyond correcting the existing fields of data collection, DCF should create a process to publicly report data that is critical to understanding LGBTQ youth needs, including:
 - a. What their experiences and outcomes are while in the care and custody of DCF:
 - i. Verbal/physical/sexual assault; bullying/bias/discrimination; abuse and neglect in placement
 - ii. Bullying, and bias/discrimination in school
 - iii. Reasons for removal from their home
 - iv. Services that parents/foster parents/providers are getting to support LGBTQ youth

- v. Placement by gender identity, not sex assigned at birth
 - vi. Placement setting – foster home v. congregate care v. missing/absent
 - vii. Length of time in placement / placement stability
 - viii. Reasons for exit from care
 - ix. For transgender youth, access to gender-affirming health care
 - x. Services for LGBTQ youth – including therapy, access to GSAs, etc.
 - xi. Number of name/gender changes for transgender youth
 - xii. Number of CRAs
 - b. Important data on adults including:
 - i. Tracking of affirming homes
 - ii. Training on LGBTQ issues – what trainings, how often, mandatory or not
 - iii. Sexual orientation / gender identity demographic data of foster and pre-adoptive adults
- 5) DCF should ensure that all of its fields use gender-inclusive labelling of parent or caregiver rather than mother/father so that they are inclusive of LGBTQ families and caregivers.
- 6) DCF should present its SOGI data collection improvements about the experiences and needs of LGBTQ youth at a DWG meeting within the next six months.
- 7) Upon DCF providing a presentation about the improved DCF SOGI data collection, the DWG should reconvene to assess how these data might best be reported to answer important questions about LGBT youth and adults within the child welfare system in Massachusetts, and/or these recommendations should be presented to the legislature. In either event, Massachusetts Commission on LGBTQ Youth or the Commission's appointee, the DCF LGBTQIA+ Liaisons, GLAD, and any member of the DWG who wishes to participate should be included in this process.
- 8) Finally, comprehensive and continued training on culturally affirming SOGI data collection, including race/ethnicity data, is critically important for many reasons. Good data require consistent procedures, a common understanding of terms, and the ability to build trust with the person being asked questions. We recommend that DCF provide a public report in October 2022 and at the end of each fiscal year thereafter on its training for DCF social workers about collection of demographic data collection including SOGI, race, and ethnicity. This annual DCF data collection training report should include the frequency with which trainings are offered and the rate at which social workers attend. DCF's SOGI data collection social worker training should be developed and implemented with a DCF systems person and an expert on child welfare/race/LGBTQ issues.

Thank you for ensuring that careful and ongoing attention is paid to the collection of SOGI data, including best practice questions, more transparent and regular reporting, and comprehensive

Child Welfare Data Workgroup
September 28, 2021
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training. We look forward to hearing from you about next steps with regard to these critical data elements which will improve understanding of the needs of system-involved LGBTQ children, youth and their families.

Sincerely yours,



Michael Dsida, Committee for Public Counsel Services



Ann Narris, Committee for Public Counsel Services



Susan R. Elsen, Massachusetts Law Reform Institute



Patience Crozier, Esq. GLBTQ Legal Advocates and Defenders



Leon Smith, Esq., Citizens for Juvenile Justice

cc: Data Work Group Members

DWG Report Appendices

Appendix A: Section 128 of Chapter 47 of the Acts of 2017

SECTION 128. There shall be a task force on child welfare data reporting. The task force shall develop basic data measures, progress measures and key outcome measures to inform the legislature and the public about the status and demographics of the caseload of the department of children and families, the department's progress in achieving child welfare goals, including safety, permanency and well-being, the status of proceedings in the juvenile court department that involve children in the department's caseload and the status of children who are or have been involved in both the child welfare and juvenile justice systems.

The task force shall develop criteria for measuring outcomes for children and families in the key child welfare domains of safety, permanency and well-being for children including, but not limited to, the outcomes of: (i) protecting children from abuse and neglect; (ii) safely maintaining children in their own homes whenever possible and appropriate; (iii) achieving stability and permanency for children in their living situations; (iv) preserving the continuity of family relationships; (v) enhancing the capacity of families to provide for the needs of children; (vi) ensuring that children receive appropriate services to meet their educational needs; (vii) ensuring that children receive the services necessary to meet their physical and mental health needs; (viii) achieving permanency and opportunity for young adults; (ix) complying with timeframes and deadlines for court hearings; and (x) minimizing the incidence of juvenile justice system involvement for children involved with the department of children and families.

The task force shall also make recommendations to: (i) ensure that department of children and families' annual, biannual and quarterly reports include appropriate data measures that are clearly defined, placed in the context of historical or other comparative data when necessary to convey the meaning of the reported data and include the department's current understanding as to why certain trends may be appearing in the data; (ii) eliminate reports that are no longer necessary; and (iii) ensure that reports are submitted on time and posted on the department's website. The task force shall also make recommendations about periodic reports from the courts on cases involving children involved with the department of children and families.

Not later than 45 days after the end of each quarter, the department of children and families shall publish on its website caseload profile reports that provide statewide, regional and area office summaries that include data covering the number of maltreatment reports received during the year; screen in and support decisions; number of children in placement; adoptions and guardianships legalized; consumer demographics including race and primary language; information relating to children that are in placement, including most recent intake, placement type, race, age group, continuous time in placement, gender, and service plan goal; and information relating to children that are not in placement, including most recent intake and age group.

The task force shall be comprised of the following persons or their designees: the child advocate who shall serve as co-chair; the commissioner of children and families who shall serve as co-chair; the senate and house chairs of the joint committee on children, families and persons with disabilities; the chief justice of the juvenile court department; the executive director of the Massachusetts Law Reform Institute, Inc.; the chief counsel of the committee for public counsel services; the executive director of

Children's League of Massachusetts, Inc.; 1 person with expertise in child welfare data and outcome measurement to be chosen by the child advocate; and 1 person with expertise in the department of children and families' information technology, data collection and reporting systems to be chosen by the commissioner of children and families. The task force shall consult with other individuals who have relevant expertise as needed.

The task force shall meet not less than quarterly and, in the first 6 months of its first year, the full task force or its working groups shall meet at least monthly. Annually, on or before January 31, the task force shall file its recommendations, together with drafts of legislation necessary to implement those recommendations, with the clerks of the senate and house of representatives and the clerks shall forward the report to the senate and house chairs of the joint committee on children, families, and persons with disabilities.

SECTION 129. Section 128 is hereby repealed.

SECTION 152. Section 129 shall take effect on February 1, 2022.

Appendix B: Federal Child Welfare Data Measures

The Administration for Children and Families- Children's Bureau (ACF-CB) publicly posts federal child welfare data on its website: <https://www.acf.hhs.gov/cb/data-research/child-welfare-outcomes>

The Adoption and Foster Care Analysis and Reporting System (AFCARS): AFCARS collects case-level information on children in foster care and children with Title IV-E involvement who have been adopted. Examples of data reported in AFCARS include demographic information on the foster child as well as the foster and adoptive parents, the number of removal episodes a child has experienced, the number of placements in the current removal episode, and the current placement setting. Title IV-E agencies are required to submit AFCARS data twice a year based on two 6-month reporting periods. ACF-CB uses AFCARS data for preparing the Child Welfare Outcomes report, conducting Child & Family Services Reviews (CFSR), allocating Chafee Foster Care Independence program funds, conducting trend analyses, and planning efforts, targeting technical assistance, discretionary service grants, research and evaluation, regulatory change, and responding to internal/external requests for data.

The National Child Abuse and Neglect Data System (NCANDS): NCANDS is a voluntary data collection system that gathers information about reports of child abuse and neglect from all 50 states, the District of Columbia, and Puerto Rico. NCANDS data are submitted once per federal fiscal year (10/1 – 9/30). NCANDS data is used to examine trends in child abuse and neglect across the country. Key findings from this data are published in the Child Maltreatment and Child Welfare Outcomes Reports.

The National Youth in Transition Database (NYTD) collects information about youth in foster care, including outcomes for those who have aged out of foster care. Data collection begins at age 17, and subsequently at 19, and 21 (i.e., Cohort Groups). Massachusetts was the first state to evidence full compliance and continues to exceed annual reporting requirements.

Child & Family Services Reviews (CFSRs): The Children's Bureau conducts the CFSRs, which are periodic reviews of state child welfare systems, to achieve three goals: ensure conformity with federal child welfare requirements; determine what is happening to children and families as they are engaged in child welfare services; and assist states in helping children and families achieve positive outcomes. After a CFSR is completed, states develop a Program Improvement Plan (PIP) to address areas in their child welfare services that need improvement.

Appendix C: Legislative Reports Currently in MGLs and GAA

*DWG Recommends Repealing

Report	Authority	Recipient	Due Date	Notes
Regulation Change Report*	4800-0015	WMs, CFPD	Annually on Nov 1	DCF currently communicates with Committee staff about all policy and regulation changes. DWG legislative proposal included codifying a notification to the Committee.
Fair Hearing Report *	4800-0015	WMs, CFPD	Twice a Year on Dec 27 and March 27	New report developed by the DWG and included it in the legislative proposal.
February 28th / Staffing Report *	4800-0015	WMs, CFPD	Annually on February 28	Information available to DCF is included in the new Annual Report. Information on staffing is regularly shared with the Chairs of the Children and Families Committee. All DCF social workers have a license, as required by the statute.
Caseload Forecasting Report *	4800-0015	ANF	Monthly	Data and narrative information on the Family Resource Centers is included in their own designated reports in 4000-0051. Caseload forecasting reports are being provided to ANF every month as a standard report.
Caseload Report (F.K.A. Quarterly Caseload Report) *	4800-0015	WMs, CFPD	Quarterly	Much of this data is either reported on in the annual report, quarterly report or is not in structured data and is extremely difficult to produce.
Family Resource Center Report	4000-0051	ANF, WMs, CFPD	Twice a Year on March 31 and Sept 29	Keep existing requirement in budget until the Legislature decides it is no longer needed.
Foster Care Recruitment Campaign Report	4800-0058	WMs, CFPD	Annually on March 31	Keep existing requirement in budget until the Legislature decides it is no longer needed.
Annual Foster Care Review Unit Report *	MGL Ch18B, S6A	Governor, OCA, CFPD	Annual (no date specified)	New report developed and is being produced. This expanded report provides more detail about the FCRU, timeliness of FCRs and who participates. The permanency data required by this statute is included in the annual report.
Commissioner's Report (F.K.A. Multiple 51As Report) *	MGL Ch18B, S7(e)	Clerks, OCA	(i) Annually; (ii) Semi-Annually; (iii) Quarterly No specific dates provided	(i) Data on youth in congregate care is in the new annual report as well as budget history for DCF services, contract types and all DCF line items. (ii) racial disproportionality data at key decision points is included in the annual report (iii) Data on re-entry into

				care after 12 months and before 12 months is a federal reporting requirement and is included in the Annual Report.
Advancements and Disbursements Report *	MGL Ch18B, S20	Comptroller	Monthly, no specific dates provided	This report is now being fulfilled by MMARS and the data is always accessible.
Wait Time for Inpatient Psychiatric Services Report *	MGL Ch18B, S23	EHS	Monthly No specific dates provided	EHS maintains a list that is updated daily that is used by EHS, DCF, DMH and DDS.
Children in Residential Care Report *	MGL Ch18B, S23	GOV, OCA, Clerks, WMs, CFPD	Annually on September 1	Data on the numbers of children and youth in congregate care is provided by area office in the Quarterly Report and is broken down by type. The Annual report includes data on congregate care program by type, age, and race/ethnicity as well as the FY budget information for all congregate care programs. Much of the other data elements required are not reportable data elements or could be detrimental to share on a regional level at risk of breaking confidentiality requirements.
Section 24 Report (F.K.A. Report on High-Risk Children, Racial Disparity, and Procurement Services) *	MGL Ch18B, S24	GOV, OCA, Clerks, WMs, CFPD	Semi - Annual No specific dates provided	DCF has produced racial disproportionality data in the Annual Report, and it plans to include more data in the upcoming reports. There is also data on youth who decide to continue with DCF after their 18th birthday and the percentage that do over the total number eligible. The report requires information on "at-risk" youth served by the Department, and this is not data that is captured in structured data. It is also very unclear what kind of information this report is asking for especially on procured services.
Multiple 51As Report (F.K.A. Quarterly Report on Multiple 51As) *	MGL Ch18B, S25	GOV, Clerks, CFPD, OCA	Quarterly	Data on the reoccurrence of maltreatment (federal requirement) is currently included in the quarterly reports. Data on re-entry into care after 12 months and before 12 months is a federal reporting requirement and is now included in the Annual Report. Data on 51As by type of Mandated Reporter is in the COVID-19 data slides. In many cases multiple 51As are filed because of the requirements on Mandated Reporters. There are also instances where 51As are filed where the children are already in DCFs

				custody. The purpose of the original multiple 51A report is being fulfilled by the reoccurrence of maltreatment.
Post-Age 18 Services Report*	MGL Ch119, S23(f)	OCA, WMs, CFPD	Annual (no date specified)	The annual report includes data on all youth 18 and older that it serves as well as the percentage of eligible youth who decided to remain with the Department after they turned 18. An additional report on youth age 18+ will be produced.
Foster Care, Adoptive, and Guardianship Assistance Payments Report*	MGL Ch119, S23(h)	WMs, CFPD	Annually on September 1	Budget data on allocations for foster care services, and adoptive and guardianship subsidies are now included in the annual report. Information on the Foster Care Rates are discussed during the budget cycles.
Legislative Report on Safe Haven Act*	MGL c.119, §39½	WMs, CFPD	Even Years Only on December 1	If there are babies surrendered in any give FY DCF is reporting those counts in the Annual report per the legislative proposal. It was discussed by the DWG that since this program has been instituted since 2008 the other required data is no longer helpful.
51D Report*	MGL Ch119, S51D	EHS, DAs, WMs, CFPD	Monthly	Aggregate data and information on 51B reports are being included in the Annual Report under the child maltreatment section. Counts, emergency/non-emergency counts, determinations, and timeliness of responses are included. The OCA also reports annually on Critical Incident Reports statewide including residential settings.
Quarterly Adoption Report*	MGLCh210, S5E	Rudd Adoption Research Program at UMass	Quarterly	Data on legalized adoptions is included in the new Quarterly Profiles which is accessible to the public online. Also includes guardians legalized. When this report was written it referred to the Adoption Research program at UMass Medical, since moving to the Amherst campus it is likely requests for data have not been made since it is regularly posted online.

Appendix D: “Parking Lot” Topics’ Data Metrics and DCF Updates to Collection/Reporting

Disproportionality Decision Points Data

Metric	Existing Data	IT System Changes Required	Funding Presently Available	Policy Changes Required	Staff Training Required	Level of Effort	Notes	2022 Updates
Rates of Disproportionality by Race, Ethnicity...								
Intake	Structured	Yes	-	No	Yes	Low	<ul style="list-style-type: none"> Obtaining accurate and/or self-reported race/ethnicity is challenging at intake given that the Department is dependent on the reporter (mandated and non-mandated) Race/ethnicity is not a mandatory field at intake and likely needs to remain so—absent this, a push to inquire at intake is warranted Reliable rates require race/ethnicity to be a mandatory data element at intake 	<ul style="list-style-type: none"> DCF was able to provide the DWG with this data statewide by RRI and RoD
Response	Structured	Yes	No	No	Yes	Low	<ul style="list-style-type: none"> Reliable rates require race/ethnicity to be a mandatory data element during a response 	<ul style="list-style-type: none"> DCF partially provided this data by RRI and RoD. DCF reported Supported 51As but did not report Unsupported or Substantiated Concern reports.
Case Opening	Structured	No	-	No	No	-	<ul style="list-style-type: none"> Race/ethnicity is a mandatory data element during the FAAP 	<ul style="list-style-type: none"> DCF was able to provide the DWG with this data statewide by RRI and RoD

Placement	Structured	No	-	No	No	-	<ul style="list-style-type: none"> Race/ethnicity is a mandatory data element during the FAAP, including interim FAAPs 	<ul style="list-style-type: none"> DCF did not report RRI or RoD by placement (See HRE row for what they were able to report)
Exits to Permanency i.e., reunification, adoption, guardianship, emancipation	Structured	No	-	No	No	-	<ul style="list-style-type: none"> Reliability of race/ethnicity increases as children/youth/young adults move through/out of the agency 	<p>DCF presented disproportionality (RRI and RoD) data on these process points:</p> <ul style="list-style-type: none"> Reunifications Adoptions Guardianship Aging out
Home Removal Episodes								<ul style="list-style-type: none"> DCF was able to report this data by RRI and RoD
51A Reports								<ul style="list-style-type: none"> DCF was able to report RRI data for 51A reports by DCF Region and Area Office DCF was able to report RRI data for 51A reports by Reporter Type and Mandated Source statewide DCF was able to report RRI data for 51A reports by Reporter Type and Region

Outcome Data Related to CFSR 4: Statewide Data Indicators

Metric	Existing Data	IT System Changes Required	Funding Presently Available	Level of Effort	Policy Changes Required	Staff Training Required	Notes	2022 Update
Recurrence of Maltreatment	Structured	Yes	Yes	High	No	No	<ul style="list-style-type: none"> How likely is it that victims of a substantiated maltreatment report experience a recurrence of abuse within 12 months? 	<ul style="list-style-type: none"> CFRS2 Measure included in FY20 Report (Table 30)
Maltreatment in Foster Care	Structured	Yes	Yes	High	No	No	<ul style="list-style-type: none"> For children in care during the FY, what was the rate of victimization (per 100,000 days in care)? 	<ul style="list-style-type: none"> Same as CFRS3 Measure which was included in FY20 Report (Figure and Table 31b)
Permanency in 12 Months for Children Entering Foster Care	Structured	Yes	Yes	High	No	No	<ul style="list-style-type: none"> For children entering foster care, how likely are they to exit to permanency within one year? 	<ul style="list-style-type: none"> Same has CFRS2 Measure which was included in FY20 report (Table and Figure 32)
Permanency in 12 Months for Children in Care 12 to 23 Months	Structured	Yes	Yes	High	No	No	<ul style="list-style-type: none"> For children who have been in care between 12 and 23 months at the start of the year, how likely are they to exit to permanency by the end of the year? 	
Permanency in 12 Months for Children in Care 24 Months or More	Structured	Yes	Yes	High	No	No	<ul style="list-style-type: none"> For children who have been in care at least 24 months at the start of the year, how likely are they to exit to permanency by the end of the year? 	
Reentry to Foster Care	Structured	Yes	Yes	High	No	No	<ul style="list-style-type: none"> For children who entered care during the year and exited to permanency within 12 months, how likely is it that they re-enter care within one year of their exit? 	<ul style="list-style-type: none"> Same as CFRS2 Measure which was included in FY20 Report (Table and Figure 33)

Placement Stability	Structured	Yes	Yes	High	No	No	<ul style="list-style-type: none"> For children who entered care during the time period, what was the rate of placement moves (per 1,000 days in care) for the time period? 	<ul style="list-style-type: none"> Same as CFSR3 Measure which was included in FY20 Report (Table and Figure 21)
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Sexual Orientation and Gender Identity Data

Metric	Existing Data	IT System Changes Required	Funding Presently Available	Level of Effort	Policy Changes Required	Staff Training Required	Notes	2022 Update
SOGI Demographics of Served Child/Youth population	Structured	Yes	-	Moderate to High	LGBTQAI+ Practice Guide will be updated	Yes	<ul style="list-style-type: none"> The capacity to collect SOGI as structured data elements was introduced with the implementation of the FAAP Policy in 2017 Readiness to share their identity as an LGBTQ person with their social worker will likely change over time and vary from child to child Data is one driver in understanding the need for support and services for children who identify as LGBTQ The Department is working to improve the quality of data by developing a training to teach staff skills to engage children/youth in conversations about Gender Identity and Sexual Orientation Most important is the ability to understand and respond to the challenges LGBTQ children face in their biological families, in care, and in the community 	<ul style="list-style-type: none"> Data collection at FAAP is now mandatory as of May 2022. Additional edits made to SOGI categories. The Department will add additional capacity to collect SOGI data earlier in the process of a case.

							<ul style="list-style-type: none"> DCF will continue to strengthen training for staff and foster families and work with community partners that can provide specialized supports 	
SOGI Demographics of Served Child/Youth population - Placement								Once SOGI fields have been mandatory for at least 1 year there will be more reliable data to report.
SOGI Demographics of Served Child/Youth population – Permanency Outcomes								Once SOGI fields have been mandatory for at least 1 year there will be more reliable data to report.
SOGI data in the Quarterly Report								DCF data visualization dashboard will include this data.

Service Costs Data

Metric	Existing Data	IT System Changes Required	Funding Presently Available	Level of Effort	Policy Changes Required	Staff Training Required	Notes	2022 Update
Service Cost Including a Breakdown by Type of Services Provided	Structured	Yes	No	High	tbd	tbd	<ul style="list-style-type: none"> The annual report includes a section on service costs— placement and other (e.g., adoption/guardianship subsidies, foster care support services, placement add-on, respite, support and stabilization, and support services-other) Additional granularity will require, defining data elements and IT requirement; 	<ul style="list-style-type: none"> Likely will not have a full year of data on this until the end of FY23

							determining who enters the data and where; build, train, and rollout IT solution	
Families Receiving Each Type of Service	Structured	Yes	No	High	tbd	tbd	<ul style="list-style-type: none"> Define data elements and IT requirements Determine who enters the data and where Build, train, and rollout IT solution 	
Children Receiving Each Type of Service	Structured	Yes	No	High	tbd	tbd	<ul style="list-style-type: none"> Define data elements and IT requirements Determine who enters the data and where Build, train, and rollout IT solution 	

Visitation Decision Points

Metric	Existing Data	IT System Changes Required	Funding Presently Available	Policy Changes Required	Staff Training Required	Level of Effort	Notes	2022 Updates
Children Served by Supervised Visitation Centers	Unstructured	Yes	No	Yes	Yes	High	<ul style="list-style-type: none"> Define data elements and IT requirements Determine who enters the data and where Build, train, and rollout IT solution 	
Sibling Visits	Unstructured	Yes	No	Yes	Yes	High	<ul style="list-style-type: none"> There is no direct indicator of sibling relationship—siblings not in the same case may not be identifiable Structured mechanism for documenting sibling visits needs to be developed 	
Supervised Family Time Visits	Structured and Unstructured	Yes	No	Yes	Yes	High	<ul style="list-style-type: none"> Structured mechanism for identifying families and children requiring supervised FT visits needs to be developed (i.e., denominator) 	<ul style="list-style-type: none"> IT changes have been made.

							<ul style="list-style-type: none"> • FT visits supervised by assigned SWs are currently tracked in structured data (i.e., numerator) • Policy for tracking and documenting FT visits supervised by individuals other than the assigned SW needs to be developed /negotiated 	
Unsupervised Family Time Visits	Structured and Unstructured	Yes	No	Yes	Yes	High	<ul style="list-style-type: none"> • Structured mechanism for identifying families and children requiring unsupervised FT visits needs to be developed (i.e., denominator) • Structured mechanism for documenting unsupervised FT visits is available in i-FamilyNet (i.e., numerator) • Policy for tracking and documenting unsupervised visits needs to be developed/negotiated. 	

Appendix E: Legislative History

191st Session

In March of 2019, Representative Kay Khan, on behalf of the DWG, presented the final legislative proposal to the House Committee on Ways and Means, with the hopes that it could be included in the House Ways and Means FY2020 budget. It was decided that the language would be if filed as an amendment to the House Budget. This amendment⁴⁵ was filed by Rep. Khan and, ultimately, it was not included in the House Budget. Efforts then began again to prepare for the Senate budget process. Senator Chang-Diaz filed the amendment and worked with Senate Ways and Means to do a technical redraft of the language. This amendment⁴⁶ was adopted in the final Senate budget and, ultimately, was not accepted in the Conference Committee budget.

In September of 2019, Rep. Khan filed H.4083 - *An Act Relative to DCF Legislative Reporting Reform*⁴⁷, which combined the language redrafted by Senate Ways and Means and a proposal by the DWG. It was assigned to the Joint Committee on CFPD and received a public hearing on October 7, 2019. Many of the DWG members were in attendance and testified in support. The bill was reported out of Committee favorably as a redraft and renumbered to be, H.4163⁴⁸. This redraft included adding an emergency preamble, and other “Third Reading” edits recommended by House Counsel.

H.4163 was recommended ought to pass and referred to the Committee on House Ways and Means. The Committee on House Ways and Means, under the leadership of its Vice Chair, State Representative Denise Garlick, added to this bill and redrafted the sections on DCF’s reporting requirements. It was recommended ought to pass and a new draft, H.4841⁴⁹, was prepared for a Full Formal debate. On July 9, 2020, H.4841 was debated, and a variety of amendments were accepted. It was passed unanimously to be engrossed and then published as amended, see H.4852⁵⁰.

H4852 was referred to the committee on Senate Ways and Means and on July 31, 2020, was recommended “ought to pass” as redrafted, see S2884⁵¹. On the same day it was passed unanimously to be engrossed by the Senate and sent back to the House for enactment. Ultimately, the bill was not passed to be enacted at the end of the 191st Session.

192nd Session

H.87, An Act relative to accountability for vulnerable children and families filed by Representative Garlick and Representative Paul Donato, is a similar refile to the Omnibus DCF legislation (H.4852 and S.2884) that was debated and engrossed in the 191st session. H.87 was assigned to the House Committee on Ways and Means in March of 2021 and passed to be engrossed with an amendment on March 8, changed to H.88. H.88 was sent to the Senate and was assigned to the Joint Committee on CFPD on March 11. The House did not concur with this committee assignment.

H.88 includes establishing the new Annual Report and quarterly report, reorganizing existing reporting requirements in the statute into the new annual and quarterly reports, updates the existing statute for

⁴⁵ Amendment 787 to H.3800 filed by Rep. Khan – Withdrawn

⁴⁶ Amendment 662 to S.2228 filed by Sen. Chang-Diaz – Redrafted & Adopted

⁴⁷ <https://malegislature.gov/Bills/191/H4083>

⁴⁸ <https://malegislature.gov/Bills/191/H4163>

⁴⁹ <https://malegislature.gov/Bills/191/H4841>

⁵⁰ <https://malegislature.gov/Bills/191/H4852>

⁵¹ <https://malegislature.gov/Bills/191/S2884>

the DWG, creates special reports on transition-aged youth, the Fair Hearing Unit, contracted services, virtual and video technology services and a requires the creation of a DCF COVID-19 Data Dashboard. This bill also has many sections similar to H.4852, including, the foster parent bill of rights, restructuring of the child fatality review board, the internal review process for reunification, notice to counsel of children in DCF's caseload, review of case transfers between multiple social workers, a review by the Board of Registration of Social Workers on the licensure examination, and an additional task for the Mandated Reporter Commission.

S.32 filed by Senator Lovely resembles the Omnibus legislation (S.2884) that was debated in the 191st Session. S.32 was assigned to the Joint Committee on CFPD. The House companion bill, H.239 filed by Rep. Khan was also assigned to the Joint Committee on CFPD.

This bill includes establishing the new Annual Report and quarterly report, SOGI data, new operations data elements, COVID-19 data, a three-year goal setting plan for the Department, creating a system for the continued review of the Department's data after the DWG concludes in 2022, updates the existing statute for the DWG, eliminates existing language for DCF's reporting requirements, special reports on states of emergency impact data, transition-aged youth, and the Fair Hearing Unit. This bill also includes a few new sections that do not impact the DWG, including, the internal review process for reunification, notice to counsel of children in DCF's caseload, review of case transfers between multiple social workers, and a review by the Board of Registration of Social Workers on the licensure examination.

On February 7, 2022, S.32 and H.239 were filed with accompanied study orders in their respective chambers by the Joint Committee on CFPD. S.32 was later discharged to the Senate Committee on Ways and Means on May 25, 2022, where it was redrafted⁵². It was debated by the Senate and was passed to be engrossed on June 30, 2022⁵³. It was sent to the House Committee on Ways and Means, where it remained at the conclusion of the formal session on July 31, 2022.

On March 24, 2022, Representative Finn, House Chair of the Joint Committee on CFPD, filed H.4787, An Act enhancing child welfare protections⁵⁴. This legislation received a public hearing on June 1, 2022, and was released from the Joint Committee on Children, Families and Persons with Disabilities as redrafted⁵⁵. It was sent to the House Committee on Ways and Means, where it remained at the conclusion of the formal session on July 31, 2022.

⁵² S.32 was redrafted, and its bill number became S.2953 <https://malegislature.gov/Bills/192/S2953>

⁵³ The text of S.2953 was printed as amended with the bill number S2984 <https://malegislature.gov/Bills/192/S2984>

⁵⁴ <https://malegislature.gov/Bills/192/H4787>

⁵⁵ H.4787 was redrafted and its bill number became H.4974 <https://malegislature.gov/Bills/192/H4974>