

**Testimony Regarding S.B. 894:
An Act Establishing the State Oversight Council on Children and Families
Testimony Regarding H.B. 7111:
An Act Concerning the Restraint, Seclusion and Placing in Time Out of Students by School
Employees**

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Committee on Children
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Senator Moore, Senator Suzio, Representative Urban, Representative Zupkus, and the esteemed members of the Committee on Children:

My name is Lauren Ruth, and I am testifying today on behalf of Connecticut Voices for Children, a research-based child advocacy organization working to ensure that all Connecticut children have an equitable opportunity to achieve their full potential. I am submitting testimony today regarding two bills: S.B. 894: An Act Establishing the State Oversight Council on Children and Families and H.B. 7111: An Act Concerning the Restraint, Seclusion and Placing in Time Out of Students by School Employees.

Testimony Regarding S.B. 894

At Connecticut Voices for Children, we strongly support the intent of this bill, which is to create a child welfare oversight council. We believe that an independent oversight council with diverse and multi-disciplinary membership will help to strengthen the state's ability to protect and provide for its most vulnerable children.

As stated in the testimony we submitted on February 7th,¹ we applaud the state for having a number of mechanisms for understanding and reporting on outcomes for children who have been abused, neglected, or otherwise maltreated and children who have extraordinary mental and behavioral health needs. This framework includes the Office of the Child Advocate, which conducts deep investigations into the circumstances that surround exceptional cases of neglect and abuse as well as systemic problems within agencies that serve children; the Children's Report Card, which reports on various data regarding the health, wellbeing, and success of children across the state; the State Advisory Council, which advises the Department of Children and Families regarding services for children and families in the state and budgetary issues²; and the Regional Advisory Councils, which advise the Department of Children and Families regarding services on a regional basis.³ We believe that facilitating conversations between the agencies, providers, and advocates that serve children and increasing coordination among these bodies will help not only to maintain the progress made under

¹ Ruth, Lauren K. "Testimony Supporting S.B. 637: An Act Establishing a Child Welfare Oversight Council." *Connecticut General Assembly Committee on Children*. (February 7, 2017). Retrieved from: http://www.ctvoices.org/sites/default/files/020717_children_sb637_hb6099_hb6297_chwelfeoversight_grouphomes_dcf.pdf.

² Section 17a-3 of the general statutes.

³ Section 17a-30 of the general statutes.

the Juan F. Consent Decree but to further improve the systems that serve our most vulnerable children.

We have the following concerns regarding converting the State Advisory Council into a Child Welfare Oversight Council as proposed in S.B. 894;

- 1) **We believe that in order for the Oversight Council to fully consider issues impacting vulnerable children and for the public to have confidence that the Council's recommendations are made in the best interests of the children, membership must be broader than currently provided and *independent* from the Department of Children and Families.** The language in S.B. 894 allows for up to half of the members of the council to be comprised of persons employed by state agencies. Further, it appoints six members from the regional advisory councils. Members of these councils are appointed by the Commissioner of the Department of Children and Families or her designee. We believe that the most effective Oversight Council should include enough advocates and voices independent of the Department of Children and Families to advise on making reforms when necessary.
- 2) **We believe that in order for the Oversight Council to complete its duties effectively, it must maintain full membership.** To date, the State Advisory Council has been unable to maintain full membership. In January of 2016, the State Advisory Council only had nine active members out of nineteen spots on the Council.⁴ This may be due to the council membership being comprised of over 40% parents and youth; while these are essential voices, youth who attend school and parents who work outside of their homes are unlikely to be able to attend meetings during working hours. Opening membership to advocacy organizations is a possible solution to ensure more consistent attendance while representing the interests of children, youth, and families.
- 3) **We believe that the actual duties of the Oversight Council and the required expertise to fulfill these duties should be considered when determining appropriate membership.** One of the duties of the Oversight Council is to issue quantitative and qualitative reports regarding numerous topics including the effectiveness of risk assessments and the appropriateness of legal arrangements such as voluntary services. In order to fulfill this duty, members must be multi-disciplinary. As a whole, the group membership needs expertise in collecting and evaluating quantitative data; knowledge of the numerous child welfare systems and services within the Department of Children and Families; knowledge of the other state systems that serve children including education and juvenile justice; expertise in legal processes and matters pertinent to the children and families served by the Department of Children and Families; content expertise related to child development, child and family physical and behavioral health, education, poverty, and racial equity; expertise in legislative matters; and first-hand knowledge provided by youth and parents regarding the services provided by the Department of Children and Families.

Although we appreciate the progress the State Advisory Council has made toward improving services for children and families, we believe that the structure and goals guiding the Juvenile Justice Policy and Oversight Committee⁵ will provide for a more effective Child Welfare Oversight Council. The Juvenile Justice Policy and Oversight Committee has members across all three government branches and in multiple disciplines. Its workgroup structure has proven successful for forwarding

⁴ DCF State Advisory Council Membership as Determined by 17a-4 (January, 2016). Retrieved from: [http://www.ct.gov/dcf/lib/dcf/sac/\(2016\)/march/attach_1_sac_list_&_terms_jan_2016.pdf](http://www.ct.gov/dcf/lib/dcf/sac/(2016)/march/attach_1_sac_list_&_terms_jan_2016.pdf).

⁵ Section 46b-121n of the general statutes.

ambitious goals to reduce the number of children within the juvenile justice system and improving services provided for children who have already entered this system. We urge the Committee on Children to consider this structure for the Child Welfare Oversight Council, and we would welcome the opportunity to work with members of the Committee on Children to further strengthen the language defining the Child Welfare Oversight Council.

Testimony Regarding H.B. 7111

Connecticut Voices for Children also supports the intent of H.B. 7111 to reduce the use of restraint and seclusion as disciplinary procedures in schools. However, as voiced within the testimony of the Office of the Child Advocate and the Alliance for Children's Mental Health, we are deeply concerned by *any* use of restraint or seclusion for children. We support the proposed clarification to the definition of restraint to include forcible movement of a child, but we think a stronger clarification would include that *any use of force* with a child constitutes a restraint.

We also urge the Committee to further clarify the definition of "time out" so that it is not confused with "planned seclusion." At minimum, this should include four additional mandates:

- 1) A definition of spaces that can be used for "time outs" to ensure that children are not being enclosed in closets and other cell-like spaces;
- 2) A method for documenting the use of "time outs" and compliance with state laws;
- 3) A requirement that students will be assessed for unmet educational needs following the use of a "time out," and documentation of recommended supports to meet these needs;
- 4) And a method for documenting that the educator or administrator recommending the "time out" for that student has expertise in trauma-informed behavioral supports and special education.

Thank you for allowing me the opportunity to testify regarding S.B. 894 and H.B. 7111. I am happy to answer any questions you may have. I can be reached at lruth@ctvoices.org or (203)498-4240 x 112.