# Disproportionality in Child Protective Services

Statewide Reform Effort Begins With Examination of the Problem

Texas Health and Human Services Commission Department of Family and Protective Services January 2, 2006

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# **Executive Summary**

Numerous studies and nearly all available statistical evidence indicate that African-American children are overrepresented in child welfare systems across the nation. Senate Bill 6, passed by the 79<sup>th</sup> Texas Legislature and signed by Governor Rick Perry, directed a study to document this issue in Texas and begin developing systemic solutions to ensure appropriate care and better outcomes for all Texas children.

Specifically, SB 6 directed the Texas Health and Human Services Commission (HHSC) and the Department of Family and Protective Services (DFPS) to determine whether Child Protective Services (CPS) enforcement actions are disproportionately initiated against any racial or ethnic group after accounting for other relevant factors. The report examined data at both the state and regional level.

The findings generally confirm the dominant views found in the child welfare research literature regarding disproportionality in the CPS system:

- In Texas, even when other factors are taken into account, African-American children spend significantly more time in foster care or other substitute care, are less likely to be reunified with their families, and wait longer for adoption than Anglo or Hispanic children.
- Among families investigated for child maltreatment, poverty is a strong predictor of whether a child is removed from the home. More than 60 percent of child removals in Texas involve families with annual incomes of about \$10,000 or less. This is a factor in disproportionality because poverty rates are higher among African-American families.
- The statewide analysis does not reveal a significant association between African-American race and a CPS decision to remove a child from the home when controlling for factors including income, age of the victim, type of abuse or neglect allegation, source of report, and region of the state. The analysis did find that Hispanic children are significantly less likely than Anglo children to be removed from the home while Native-American children are significantly more likely.
- African-American families are less likely than Anglo families to receive in-home family services to help prevent child removal in three areas of the state, while Hispanic families are less likely than Anglo families to receive such services in four areas.
- Other factors, such as poverty, family structure, age of the alleged victim, type of alleged abuse, and the source of report play a significant role in the final decision of child maltreatment cases investigated by CPS.

The reasons for disproportionality are multifaceted and complex. Solutions in Texas are likely to involve a range of policies, some of which may target the issue of race directly and some of which focus on bringing about general improvements to the system. Because poverty appears to be a significant part of the problem, policies that provide resources to support poor families' parenting efforts are likely to promote improved outcomes.

DFPS already has recognized the problem of disproportionality. In February 2005, DFPS announced a partnership with Casey Family Programs and other national child welfare experts to design solutions to address racial disparities in the CPS system and improve outcomes for all children and families in Texas. This effort will enhance programs that seek family input and guidance to keep abused or neglected children within the home of a family member instead of entering the foster care system.

With passage of SB 6, Texas has taken a proactive step to promote parity and improve outcomes for all Texas children. HHSC and DFPS are committed to examining all policies and procedures that may contribute to disparities in the CPS system and developing a remediation plan to address the problems identified in this report. A follow-up report will be provided to the Legislature in July 2006, as mandated by SB 6.

# **Disproportionality Report: Texas Child Protective Services**

# **Background**

Senate Bill 6 (SB 6), passed by the 79th Texas Legislature and signed by Governor Rick Perry, requires comprehensive reform of the Child Protective Services (CPS) system in Texas. One aspect of that reform is to address issues of disproportionality or overrepresentation of a particular race or ethnic group in a program or system. This report is prepared in response to Section 1.54 of SB 6, which requires the Texas Health and Human Services Commission (HHSC) and the Texas Department of Family and Protective Services (DFPS) to "analyze data regarding child removals and other enforcement actions taken by the department [DFPS] during state fiscal years 2004 and 2005" and "determine whether enforcement actions were disproportionately initiated against any racial or ethnic group, in any area of the state, taking into account other relevant factors, including poverty, single parent families, young parent families and any additional factor determined by other research to be statistically correlated with child abuse or child neglect."

If the analysis reveals that disproportionality is present in Texas, HHSC and DFPS are required to submit a second report by July 1, 2006 to evaluate the policies and procedures DFPS uses in deciding to take enforcement actions to determine why racial or ethnic disparities exist and develop and implement a remediation plan to prevent racial or ethnic disparities from affecting the decision to initiate enforcement actions.

This report presents the results of the initial analysis to determine whether enforcement actions were initiated disproportionately among racial and ethnic groups.

# National Disproportionality Research

Disproportionality has been documented for decades nationwide in child welfare, special education, juvenile justice, criminal justice and other systems. In the child welfare system, disproportionality affects multiple racial and ethnic groups at different points in terms of decisions made and services provided.

Research suggests that there are more disparities in child welfare services for African-American children compared with Hispanic and Anglo children (Barth, 2005). U.S. Census Bureau statistics show that in 2000, African-American children comprised 15 percent of the U.S. child population. However, 45 percent of the children in substitute care<sup>1</sup> were African-American (Derezotes and Poertner, 2005). According to the Center for the Study of Social Policy, 46 states, including Texas, have a disproportionate rate of African-American children in their foster care system relative to the general population (2004).

<sup>&</sup>lt;sup>1</sup> Substitute care services in Texas include an array of services provided to children once they are determined to be the legal responsibility of DFPS and are removed from the home. These include foster care, kinship care when DFPS has legal responsibility for the child, therapeutic foster care, emergency shelters, residential group care, post-placement supervision, adoption, independent living skills, and recruitment and training activities for foster and adoptive parents.

Research suggests that Native-American children are also overrepresented in the child welfare system. According to a 2005 report by the U.S. Department of Health and Human Services (DHHS), Native-American, Alaska Native, and African-American children were the most likely race/ethnic groups to have a maltreatment case confirmed by a child welfare agency, with rates of 21.4, 21.3, and 20.4 per 1,000 children, respectively. In contrast, Anglo and Hispanic children had lower rates of approximately 11.0 and 9.9 per 1,000, respectively. Asian children had the lowest rate, at 2.7 per 1,000 Asian children in the general population. In terms of in-home family services, data from the Children's Bureau show that in 1993, for children who were not referred to foster care, 40 percent of Hispanic children and 44 percent of African-American children received in-home family services compared with 72 percent of Anglo children (DHHS).

The causes for different patterns of service utilization are complex, and race appears to be only part of the issue. Several theories are currently under debate to explain the persistence of disproportionality. Although research documents higher levels of abuse and neglect in economically vulnerable families, the results of three National Incidence Studies of Child Abuse and Neglect (1980, 1986, and 1993) consistently suggest that there are no significant differences in overall child maltreatment rates between African-American and Anglo families. This finding implies that African-American children, although poorer than Anglo children as a whole, are actually at a lower risk of maltreatment compared with children in similar circumstances (Derezotes and Poertner, 2005).

Some researchers contend that disproportionality in foster care placements among African-American children results from the cumulative effects of risk factors and decisions that occur at different points both outside and within the child welfare system. According to this cumulative theory, the problem of disproportionality begins with societal and familial risks for abuse and neglect, such as poverty and single parenthood, which are more prevalent among African-American families. The Third National Incidence Study (NIS-3) showed that child abuse and neglect is more than 26 times higher in families earning less than \$15,000 per year compared to those earning \$30,000 or more. Moreover, most child welfare cases involve parental neglect, which is often intertwined with conditions related to poverty (Casey Foundation, 2002).

Data show that African-American families are up to twice as likely to be reported for child maltreatment than Anglo families. Whether or not the over reporting of African-American families is due solely to race/ethnicity or other related factors is unclear. Results from several studies that control for other factors such as prior history of CPS involvement, poverty, and severity of injury do not show a strong relationship between race/ethnicity and reporting (Hill, 2005, p. 188-189).

The rate at which children of different race/ethnic backgrounds exit the system can vary greatly, contributing to disproportionality. African-American children stay in foster homes longer, have more placements while in care, and wait longer to be adopted if adoption occurs at all. Studies have shown that African-American children exit the foster care system up to 45 percent more slowly than Anglo children, and when they do exit, they are less likely to be reunified with their families (Wulczyn, Hislop, and Goerge, 2000).

Researchers also have found small differences in the way child welfare agencies treat families during investigation. Although the results of removal studies are inconsistent, some note that child welfare agencies investigate and remove children from African-American families at

slightly higher rates than Anglo families, even when controlling for other relevant factors (Barth, 2005, p. 42).

Some experts believe that poverty is the primary source of disparity in child protective services. These researchers say that African-American, Hispanic, and Native-American families have a greater risk for involvement in the child welfare system because they tend to have lower incomes than Anglo families. As Duncan Lindsey (1994) explains, "inadequacy of income, more than any factor, constitutes the reason that children are removed."

Another theory (Barth et al, 2000) found that in almost all the studies which examine the relationship between race and when children exit the foster care system, a disproportionate number of African-American children are identified. Studies of disproportionality in the decision to remove children, however, do not consistently find overrepresentation of African-American children. These findings indicate that African-American children are staying in the system for longer periods of time and achieving permanency less often than other groups.

# **Texas Disproportionality Status**

Senate Bill 1 (79th Legislative Session) directed DFPS to report the number of CPS child removals by ethnicity in the seven largest urban regions of the state for fiscal year 2004. DFPS compiled data for both investigations and removals. There was a pattern of overrepresentation in counties with sizable African-American populations: Dallas, Bexar, Tarrant, Harris, and Travis counties. It is important to note that this analysis reflects raw data and did not take into account other factors such as poverty or single-parent status.

As part of the SB 6 reform effort, DFPS established a broad-based initiative to address disproportionality. The initiative was chartered May 10, 2005, to implement legislative requirements as well as HHSC and DFPS recommendations. Under this initiative, DFPS will hire disproportionality specialists, conduct cultural competency training, modify CPS policy as appropriate, and increase prevention activities in areas with high minority populations. The initiative will draw on experiences from existing pilot sites to develop a statewide model to promote positive outcomes for all children. Information from the initiative charter is included as Appendix I.

Even before the passage of SB 6, DFPS recognized the problem of disproportionality and partnered with Casey Family Programs, community leaders such as those represented by the faith-based communities and the Houston Leadership Council, legislative staff, as well as other child welfare experts. These stakeholders will assist DFPS in implementing research driven interventions to address disproportionality and improve services to all children and families in Texas.

The prototype for the current work started in Port Arthur in 1998 when CPS began collaborating with community partners and local universities to address racial disparities in child welfare. In May of 2002, the first community meeting was held to establish the H.O.P.E. (Helping Our People Excel) Center. This one-stop center offers a variety of on-site services such as counseling, job skills training, basic health screening, parenting classes, GED classes, nutrition health seminars, after school programs, and assistance in applying for state benefits such as Temporary Assistance to Needy Families (TANF). In May 2004, Casey Family Programs joined DFPS in an intensive

planning and implementation process to develop other pilot projects designed to reduce disproportionality in the Texas child welfare system.

Regional community-based committees on disproportionality have been established in Region 3 (Dallas/Fort Worth area) and Region 6 (Houston and surrounding counties). These committees have broad representation from various segments of their communities including children who have been involved in the CPS system, CPS families, community-based organizations, community leaders, legislative staff, faith-based communities, and other stakeholders.

Pilot sites have been selected based on an examination of local data, including poverty, crime, and unemployment statistics, as well as community resources and strengths. The pilot sites will work to develop one-stop resource centers for families, increase collaboration among local and state agencies, and proactively address issues contributing to disparities in the system. The pilot sites planned for Region 6 are in the Sunnyside, Fifth Ward, and Third Ward areas in Harris County. Region 3 will have pilot sites in Denton, Dallas, and Tarrant counties. These committees will be an ongoing source of recommendations and insight for policy-makers and CPS management at the regional and state levels as SB 6 related reform moves forward.

#### **Demographic Analysis**

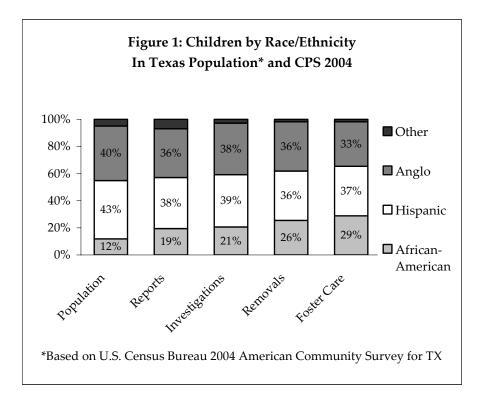
Unadjusted data indicate that African-American children are overrepresented in Texas CPS and that the level of disproportionality increases at each stage of the system. Table 1 shows, by race/ethnicity, the number of CPS actions in fiscal year 2004 per 1,000 children in the Texas general population. In 2004, 65 per 1,000 African-American children were the subject of reports to CPS compared to 34.6 Hispanic and 35.5 Anglo children, respectively. African-American children were removed from the home at a rate twice that of Anglo or Hispanic children (4.2 for African-American children versus 1.6 for Hispanic and 1.7 for Anglo children). Finally, African-American children were represented in foster care at approximately three times the rate of Hispanic and Anglo children (6.6 for African-American children, 2.3 for Hispanic children, and 2.2 for Anglo children).

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	Reports	Investigations	Removals	Foster Care
African-American	65.0	52.9	4.2	6.6
Hispanic	34.6	27.2	1.6	2.3
Anglo	35.5	28.7	1.7	2.2
All Children	39.6	30.3	1.9	2.7

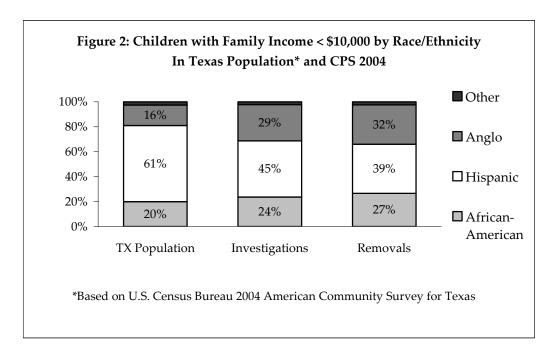
# Table 1: CPS Actions per 1,000 Children Texas Population 2004\*

\*Based on U.S. Census Bureau 2004 American Community Survey for Texas

Figure 1 below shows that while African-American children comprised only 12 percent of the Texas child population in 2004, they comprised 19 percent of the children reported to CPS, 21 percent of the children investigated, 26 percent of the children removed from the home, and 29 percent of the children in foster care.



This demographic breakdown, unadjusted for any other factors, makes it appear that Texas CPS disproportionately initiates enforcement actions against African-American families. However, the introduction of an additional factor, income level, changes the picture considerably in regard to investigations and removals. Figure 2 below shows that children living in families with incomes of approximately \$10,000 or less account for 62 percent of all child removals, both African-American and Anglo children are overrepresented in the system relative to their percentage of the low income population.



# <u>Approach</u>

As Figures 1 and 2 illustrate, examining race/ethnic overrepresentation within the CPS system without considering additional factors is misleading. The Texas Legislature anticipated this issue and included in its definition from SB 6 the requirement to take into account other relevant factors.

SB 6 provides the following specific definition of disproportionality:

The rate of enforcement actions shall be deemed disproportionate for a given racial or ethnic group if it is significantly different from the rate of enforcement actions against the population as a whole, taking into account other factors.

To sort out the effects of race/ethnicity, poverty, and other relevant factors on Texas CPS practices, a collaborative research team from HHSC and DFPS developed a series of multivariate regression models. Multivariate regression, a powerful and commonly used analytical tool, allows researchers to measure the relationship between a variable, such as race/ethnicity, and an outcome, such as CPS removal of children from the home<sup>2</sup>, by controlling for other variables, such as poverty, that might be involved in the relationship. Regression analysis enables the researcher to explore whether or not, "all else being equal," there is a connection between the variable and outcome, resulting in a clearer idea of what is occurring.

A review of DFPS data systems determined that sufficient data were available for in depth examination of two areas: CPS actions that result from completed investigations, including child removals and in-home family services, and the length of time spent in substitute care. The first area of inquiry is referred to as the "Removals Model" and the second area of inquiry is referred to as the "Substitute Care Model." Additional information on the construction of the two models is included as Appendix II.

# Findings: Removals Model

The Removals Model uses adjusted odds ratios, which are calculated from logistical regression analysis, to report the effect of each variable (such as race/ethnicity) on: 1) the odds that a child in a household was removed to foster care or other substitute care and 2) the odds that the family was referred for in-home family services. The odds are measured against the third possible outcome, a CPS decision to close the case with no further action. Appendix III provides an explanation on interpreting adjusted odds ratios, and Appendix IV presents the full results from the Removals Model analysis.

#### Statewide Results

Statewide, the analysis did not reveal a consistent association between race/ethnicity and the decision to remove a child from the home when controlling for the other factors, such as poverty.

<sup>&</sup>lt;sup>2</sup> The decision to remove a child from the home is typically made at the conclusion of an investigation by a judge in consultation with CPS. A child may also be removed after the investigation, while receiving in-home family services. In an emergency, CPS may remove a child temporarily pending judicial review.

- African-American families are no more likely than Anglo families to have a child removed from the home when controlling for other relevant factors such as family income, age of the victim, type of abuse or neglect allegation, source of report, and region of the state.
- Results for Asian families also are not statistically significant from those of Anglo families. However, relative to Anglo families, Native-American families are more likely to have a child removed from the home, while Hispanic families are less likely.
- CPS is less likely to provide in-home family services for both African-American and Hispanic families as compared with Anglo families. Results for Asian and Native-American families are not statistically different from Anglo families.

Other variables included in the model, such as poverty, family structure, age of the alleged victim, type of alleged abuse, and the source of the report appear to play a significant role in the final action of child maltreatment cases investigated by CPS, regardless of the race/ethnicity of the family:

- Families in the lowest income category (less than \$10,150 annually) are much more likely to experience a removal or to receive services compared to families earning \$40,550 or more. Families in the next lowest income category (\$10,150 \$20,549) are also more likely to experience a removal or to receive services than families in the highest income category.
- Families with children under one-year old are much more likely to experience a removal or to receive services compared to families where the youngest children were age 6-12 years. Research indicates that very young children are the most frequent victims of child fatalities.
- Families reported by medical, law enforcement, or CPS authorities are much more likely to experience a removal or to receive services compared to reports by family members and friends.
- Families investigated for abandonment are much more likely to experience a removal compared with families investigated for neglect. In general, when DFPS confirms abandonment, no family can be located and therefore the child must enter foster care or other substitute care.
- The analysis also revealed a significant interaction that suggests poverty and neglect together increase the likelihood of a CPS intervention.

#### Regional Results

Results from the regional analysis reveal the following (detailed results are included as Appendix IV and a map of the state regions is included as Appendix V)<sup>3</sup>:

<sup>&</sup>lt;sup>3</sup> An attempt was made to run the analysis for all 11 HHSC regions but because of an insufficient number of cases in several regions the data were aggregated to 8 regions that reflect the DFPS administrative regions.

- The odds of removal for African-American families are not significantly different compared with Anglo families in any of the eight regions measured.
- Hispanic families have lower odds of removal than Anglo families in all but one region, Region 4/5 (Upper East Texas/Southeast Texas), where their likelihood of being removed is not significantly different than Anglo families.
- African-American families are less likely than Anglo families to receive in-home family services in three regions: Region 1/10 (Panhandle/El Paso), Region 3 (Dallas/Fort Worth), and Region 7 (Central Texas/Austin). They are not significantly different from Anglos in the other five regions.
- Hispanic families are less likely than Anglo families to receive services in four regions: the same three regions as African-American families and in Region 6 (Gulf Coast/Houston). They are not significantly different from Anglos in the other four regions.

# Findings: Substitute Care Model

The Substitute Care Model uses hazard risk ratios to report the effect of each variable (such as race/ethnicity) on the speed at which children in foster care or other substitute care exit the system either to a permanent placement or as a result of aging out of care at age 18. Risk ratios, calculated from Cox Proportional Hazards Regression, are similar to odds ratios. Appendix III provides an explanation on interpreting risk ratios and Appendix IV presents the full results of the Substitute Care Model analysis.

#### Statewide Results

Race appears to play a significant role in how long children remain in foster care or other substitute care:

- In Texas, African-American children are overrepresented in the substitute care population because they exit from care more slowly than other children. In other words, as each year passes, fewer exits from care occur and this results in greater numbers of African-American children in the system.
- Even when other factors are taken into account, African-American children spend significantly more time in foster care or other substitute care.
- African-American children exit more slowly to be reunified with their families than Anglo or Hispanic children, even when other factors are taken into account.
- African-American and Hispanic children exit more slowly to placements with relatives than Anglo children, even when other factors are taken into account.
- Both African-American and Hispanic children exit more slowly to adoption than Anglo children, though African-American children wait the longest (24 percent longer than Anglo children), even when other factors are taken into account.

Other variables included in the model, such as age, gender, region, and type of substitute care also play a role in the length of time children remain in substitute care:

- Younger children (5 and under) exit 30 to 40 percent faster than 6 to 12 year olds, and children age 13 to 16 exit approximately 9 percent slower. The oldest children (age 17) exit rapidly because they age out of care.
- Children in Region 3 (Dallas/ Fort Worth) exit the foster care system at a faster rate than in any other region.
- Children in Region 6 (Gulf Coast/Houston), the most populous region in the state, exit approximately 25 percent slower than children in Region 3.
- Children in substitute care who spend the majority of their time in the care of relatives exit the system in about half the time as children who spend the majority of their time in foster care.

#### Regional Results

Only Region 3 and Region 6 had enough substitute care data available for separate regional analyses (a map of the regions is included as Appendix V):

- In the most populous region, Region 6 (Gulf Coast/Houston), African-American children exit more slowly than Anglo children and as a result are even more disproportionately represented in foster care or other substitute care, even when other factors are taken into account.
- In Region 3 (Dallas/ Fort Worth) there is no statistically significant difference between the speed at which African-American and Anglo families exit the substitute care system. Hispanic children exit the system at a faster rate than Anglo children.

#### **Discussion**

SB 6 directed HHSC and DFPS to conduct this study to determine whether CPS enforcement actions are disproportionately initiated against any racial or ethnic group after accounting for certain factors and to report the results on a regional level where appropriate.

Findings generally confirm the dominant views found in the child welfare research literature regarding disproportionality in the CPS system:

- Disproportionality by race/ethnicity occurs during the time children wait to exit from substitute care.
  - In Texas, even when other factors are taken into account, African-American children spend significantly more time in foster care or other substitute care, are less likely to be reunified with their families, and wait longer for adoption than Anglo children.

- Hispanic children exit the CPS system at about the same rate as Anglo children when being reunified with their families.
- The time African-American children spend in foster care or other substitute care is significantly longer than Anglo children in Region 6 (Gulf Coast/Houston), but there is no significant difference in Region 3 (Dallas/Fort Worth).

#### • The relationship between race/ethnicity and removals from the home is less clear.

- Statewide, African-American families are no more likely than Anglo families to have a child removed from the home when controlling for other relevant factors such as family income, age of the victim, type of abuse or neglect allegation, source of report, and region of the state.
- Hispanic children are significantly less likely than Anglo children to be removed from the home while Native-American children are significantly more likely.
- African-American families are less likely than Anglo families to receive in-home family services in three regions, while Hispanic families are less likely than Anglo families to receive such services in four regions.
- Other variables, such as poverty, family structure, age of the alleged victim, type of alleged abuse, and the source of the report play a significant role in the final action of child maltreatment cases investigated by CPS.
- Poverty plays a strong role in the overrepresentation of African-American families in child protective services.
  - Among families investigated for child maltreatment, when controlling for other factors, poverty is a strong predictor of whether a child is removed from the home.
  - More than 60 percent of removals in Texas CPS involve families with incomes of about \$10,000 or less.
  - African-American children are overrepresented among these low-income Texans and are therefore overrepresented in the CPS system.
  - Although Hispanic families generally have many of the same economic disadvantages as African-American families, Hispanic children are underrepresented in the CPS system relative to their proportion of the Texas population, they are less likely than Anglo children to be removed from the home, and they exit the system at about the same rate as Anglo children.<sup>4</sup>

<sup>&</sup>lt;sup>4</sup> This finding is consistent with the "Hispanic Paradox," a phenomenon in which the Hispanic population performs better than expected on many measures of health and well being despite their relatively low economic level. For example, Hispanics as a group have a lower infant mortality rate than Anglos but are more likely to be poor and less likely to receive early prenatal care (Centers for Disease Control and Prevention, 2002).

This analysis illustrates the complex nature of disproportionality in the child welfare system. One such issue is the difficulty of disentangling race from poverty. African-American families appear to be at greater risk for involvement in the child welfare system partly because they tend to have lower incomes than Anglo families. Another difficult distinction to make is between poverty and the most common form of child maltreatment, neglect. Child neglect is strongly associated with poverty (Stack, 2004). Similarly, this study finds strong interaction in the effects that neglect and poverty have on the likelihood of a CPS intervention. Definitions of neglect do not necessarily require intention by a parent or caregiver; rather, neglect may partly be the product of social and economic inequality (Stack, 2004).

Families living in poverty face multiple stress factors that make it more difficult to manage daily activities with fewer resources available to mitigate the potential harm of neglect. It follows then that resources to support low-income families' efforts to provide a safe and stable environment for their children will reduce the need for CPS intervention in the lives of Texas families, improve outcomes for all children, and also reduce disproportionality by race/ethnicity in the child welfare system.

# **Conclusion**

As in other states, African-American children are overrepresented in the child welfare system in Texas. Numerous studies and nearly all available statistical evidence document this fact, but the reasons behind the statistics are much more complex. Because poverty appears to be a significant part of the problem, policies that provide resources to support poor families' parenting efforts are likely to promote improved outcomes.

This report did not find that African-American race plays a significant role in CPS decisions to remove children from the home, when other factors are held constant. However, the study does indicate that disproportionality is present in the length of time that African-American children spend in substitute care, particularly awaiting adoption. Therefore, policies should focus on accelerating adoptions and other permanent placements. Regional patterns also need careful examination in order to target remediation efforts appropriately.

HHSC and DFPS are committed to examining all policies and procedures that may affect disparities and develop a remediation plan to address the problems identified in this report. A follow-up report will be provided to the Legislature in July 2006, as mandated by SB 6. With passage of SB 6, the 79th Texas Legislature has taken a proactive step to promote parity and improve outcomes for families of color and for all Texas families.

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# **Appendix I: DFPS Agency Reform Project**

As part of the Senate Bill 6 reform effort, the Department of Family and Protective Services (DFPS) established a broad-based initiative to address disproportionality. The initiative was chartered May 10, 2005, to implement legislative requirements as well as HHSC and DFPS recommendations. Under this initiative, DFPS will hire disproportionality specialists, conduct cultural competency training, modify CPS policy as appropriate, and increase prevention activities in areas with high minority populations. The initiative will draw on experiences from existing pilot sites to develop a statewide model to promote positive outcomes for all children.

The purpose of this initiative is to address the systemic factors and identify practice improvements that can address the disproportionate representation and disparate outcomes for African-American children and their families within Child Protective Services. This initiative will promote parity and improved outcomes for all children and families in Texas.

Based on statewide and regional data, Texas has made the strategic decision to address disproportionality in two highly populated regions (Houston and Dallas) and to expand programs to other regions later based on their learning and experiences. DFPS is collaborating with Casey Family Programs to establish pilot projects in those regions. A concurrent effort is planned to examine statewide policy and procedures that might impact this issue.

The initiative will result in suggested improvements that can be expanded statewide, be sustained at the community level, will ensure policy and practice changes that will result in improved youth outcomes and be reflective of best and promising practice.

#### Project Scope

The scope of this initiative involves making a statewide impact on preventing and reducing disproportionality for children of color. These priority outcomes are:

- Increase the cultural competence of child protective services staff at all levels.
- Promote promising practices and tools and improved use of data.
- Increase collaboration with other state and local agencies.
- Advance policies that address this issue.

To achieve these outcomes, DFPS is committed to supporting system-wide cultural shifts, involving the community and other stakeholders, and creating programs that address the root causes that lead to disproportionality. This will involve a cross systems approach that links child welfare, juvenile justice, Texas Youth Commission, Texas Education Agency, health care providers, schools, and others. The Houston and Arlington areas were selected as an initial starting place due to the large concentration of children of color in care. However, the scope must be such that improvements are applicable and relevant from a statewide perspective.

A Disproportionality Workgroup will provide overall guidance for this initiative. The team conducting this work will include DFPS staff, Casey Family Programs, and community representation.

#### Major Deliverables/Milestones

Deliverables will include:

- Action plans will be developed for the Houston and Arlington districts. These plans will be driven by specific data confirming the disproportionality that exists and designed to result in policy and practice changes that can promote parity in outcomes for children of color.
- Increased, targeted recruitment efforts for foster and adoptive parents who can meet the needs of children and youth waiting for permanent homes, including an expansion of the DFPS faith-based effort and One Church One Child programs.
- Prioritized prevention and early intervention funding for communities with high rates of minority children in foster care.
- Collaborative partnerships for co-housing with other agencies to develop one-stop service centers in communities where there is a high concentration of families of color and where data indicates a high number of abuse/neglect reports. These centers will include Texas Workforce Commission for GED classes, job skills training, and grants for higher education.
- A plan outlining content, design, and delivery of cultural competency training to all service delivery staff that will go beyond the cultural awareness level, have a performance measure component, and be relevant to all stages of CPS service.
- Strengthened kinship care programs and services with the desired outcome of expanded opportunities for children of color to be successfully placed with family members, building on the learning of Project SERAPE, the CREST model, and the early results of Family Group Decision-Making implementation.

#### **Appendix II: Details on Analysis Models**

#### CPS Removals Model

As a first step to examine the question of disproportionality in actions taken as a result of an investigation, the research team obtained extracts of administrative data from DFPS for all completed investigations that closed during the period September 1, 2003, through February 28, 2005. The data files contained variables collected during the intake and investigation phases of the CPS review process, including variables related to the demographics of the investigated family, information about how the family entered the system, and the final action coded for the case.

Next, the team classified completed investigations into one of three categories for use in multinomial logistical regression: 1) no action taken/case closed, 2) in-home family services, or 3) child removed to foster care or other substitute care. Some cases where CPS did not actually decide the disposition of the case could not be classified and were excluded from analysis.<sup>5</sup>

The investigations data used by this study cover about 85 percent of all children placed in foster care or other substitute care. DFPS statistics on child removals indicate that approximately 71 percent of substitute care placements result from a completed investigation. An additional 14 percent of removals are for children in families that were initially referred for services as a result of a completed investigation but were later placed in substitute care due to concerns for child safety and welfare. For purposes of this study, this second group of children was categorized as removals. The remaining 15 percent of substitute care placements, consisting primarily of emergency removals during an open investigation, could not be integrated into the study.

Because multiple victims in one family were often investigated as a result of alleged abuse or neglect, a decision was needed about whether to use the individual alleged victim or the family as the unit of analysis. Within the administrative data, all children in a family were assigned the same action for a completed investigation. Also, many of the variables in the data, such as income and marital status, were collected or constructed at the family level. Therefore, the research team decided to use the investigated family or "case" as the unit of analysis. Some families were involved in multiple investigations within the study time frame. In these situations, each investigation was treated as a separate case. Approximately 197,000 cases were available for analysis after all data transformations and exclusions had been completed.

Based on a careful review of the literature and on the experiences of DFPS experts, the research team identified 13 independent or explanatory variables that were thought to be associated with case disposition and could be supported by the available administrative data. Below is a description of the independent variables.

<u>Race/ethnicity</u> – Race/ethnicity categories for a family in an investigated case were recorded on the DFPS files. The categories include African-American, Hispanic, Anglo, Asian, Native-American, and Other/Unknown. Enough cases were available for all race/ethnicity groups for a statistically valid statewide analysis, but only the first three categories were large enough for use in the regional analyses.

<sup>&</sup>lt;sup>5</sup> For example, cases determined to be in another agency's jurisdiction or cases where the family moved and could not be located

<u>Gender</u> – Gender was characterized by the overall composition of all alleged victims in the investigated family, i.e., all female, all male, or mixed female and male.

<u>Age Group</u> – The alleged victim's age was calculated by date of birth. The logistical model uses the age of the youngest alleged victim in the household. The age categories were defined as: less than 1 year, 1-2, 3-5, 6-12, 13-16, and 17. These age categories correspond to stages of child development: infant, toddler, pre-school, school-aged, teenager, and young adult.

<u>Household Income</u> – The annual household income of the alleged victim's family was recorded on the DFPS file in one of the following categories: less than \$10,150; \$10,150 – \$20,549; \$20,550 – \$40,549; \$40,550 – \$62,999; and \$63,000 and more. Because the highest categories had similar effects in the analysis, the research team collapsed them into one category, \$40,550 or more.

<u>Number of Children, Alleged Victims, and Alleged Perpetrators</u> – The investigation file includes a record for each victim and family member in every investigated case. Each record identifies the person as a child, alleged victim, or alleged perpetrator, allowing the research team to count the number of people in each of these roles for each case. For the sake of simplicity in the logistical regression model, the values for each of these categories were collapsed into 1 or more than 1.

<u>Parent's Marital Status</u> – Each record in a case on the investigation file identified the person's marital status and his/her relationship to the alleged victim, such as parent or stepparent. To calculate marital status, the researchers counted the number of married parents/stepparents in an investigated case. If two or more married parents were found for the case, the family was coded as married.

<u>Teen Parent</u> – Teen parent status was calculated using the parent or stepparent's date of birth. Parents were considered teens if they were age 19 years or younger.

<u>Type of Allegation of Abuse or Neglect</u> – Allegations were categorized into mutually exclusive groups: multiple maltreatment, abandonment, physical abuse, neglect, sexual abuse, and emotional abuse. Sexual abuse and emotional abuse were later combined to improve the model's performance for regional analysis after statewide analysis revealed similar effects for the two maltreatment types.

<u>Source of Report</u> – The investigation file listed the following sources for the report of abuse or neglect: day care, law enforcement, parent, relative, school, alleged victim, medical, friend, DFPS, anonymous, and other. To fit into the regression model, the research team collapsed these report sources into the following five categories: law/medical/DFPS, school/day care, relative/victim/friend, anonymous, and other/unknown.

<u>Year</u> – To capture the effects of agency policies that may change from year to year, the research team created a variable to represent the year the investigation was closed, 2004 or 2005, based on state fiscal year.

<u>Region of State</u> – Region is based on a family's county of residence in the investigation file at the close of investigation. The researchers attempted to run the model for all 11 HHSC regions but did not succeed because of an insufficient number of cases in several regions. As a result, the team aggregated the data to eight regions to reflect the DFPS administrative structure. The team also determined that residence in Dallas County had a confounding influence on statewide and

Region 3 results. Therefore, Dallas County was included in the statewide and Region 3 models as a control variable.

<u>Interaction (Neglect by Poverty)</u> – A product term between poverty (income less than \$10,150) and neglect was included in the statewide and regional models. This term measures whether, in addition to the main effects of poverty and neglect, the presence of poverty modifies the effect that neglect has on the risk that a child will be removed from the home.

#### Substitute Care Model

The Substitute Care model postulates that African-American children become overrepresented in foster care because they exit to permanent placement at a slower rate than other groups. Barth et al (2000) suggest that exit dynamics offer a more compelling explanation for disproportionality in foster care than dynamics related to actions taken as a result of an investigation. The authors base this conclusion on their finding of a significant race effect in almost all the exit studies they reviewed, while results for the removal studies were inconsistent.

The research team conducted analyses<sup>6</sup> on children entering foster care or other substitute care in FY 2000 (n=8,978), FY 2001 (n=11,007), and FY 2002 (n=11,765).<sup>7</sup> The children's histories were followed through March 2005. Analyses also were conducted regionally and for the different exit destinations of reunification, placement with relatives, and adoption. The data used in all analyses were adjusted by covariates found in the literature to be related to rate of exit. They are described below along with a description of how the child's exit destination was coded.

<u>Race/ethnicity</u> – Race/ethnicity categories for a child in foster care or other substitute care are recorded on the DFPS files. The categories include African-American, Hispanic, Anglo, and Other/Unknown. The ethnicities of Native-American and Asian were added to the Other category to provide enough cases for a statistically valid analysis.

<u>Gender</u> – Gender is recorded as female or male.

<u>Age Group</u> – The child's age was calculated by date of birth. The model uses the age of the child when removed. The age categories were defined as: less than 1 year, 1-5, 6-12, 13-16, and 17. These age categories correspond to stages of child development: infant, toddler/ pre-school, school-aged, teenager, and young adult.

<u>Year</u>– To capture the effects of and trends in the data from year to year, a variable was created to represent the year the child entered care, 2000, 2001, or 2002, based on state fiscal year.

<u>Region of State</u> - Region is based on a family's county of residence in the investigation file at the close of investigation. The researchers attempted to run the model for all 11 HHSC regions but

<sup>&</sup>lt;sup>6</sup> Researchers study the likelihood a child will exit care per unit of time by using survival analysis and Cox proportional hazard models. According to Wulczyn (2002), " the Cox model evaluates the probability of exit per unit time given that an exit has not yet been observed. The hazard model can be used to study independent variables and their effect on discharge rates."

<sup>&</sup>lt;sup>7</sup> The unit of analysis is an episode in care rather than a unique child. That is, in a given period of time, a child can be in more than one episode in care.

did not succeed because of an insufficient number of cases in several regions. As a result, the team aggregated the data to six regions, based on the DFPS administrative structure that would produce enough cases for analysis.

<u>Primary Care</u> - The child's primary substitute care type was based on the type of substitute care placement in which the child spent 50 percent or more of his/her time. The placement types include family foster care; relative care; congregate care, which includes group homes; facilities and emergency shelters; and a mixed category if the child did not spend more than 50 percent of his/her time in any single one of the primary placement types.

<u>Destination</u> - The children exited care to their own homes, a relative's home, adoption, emancipation, or other. Statistically valid subgroup analysis could only be performed on the first three exit destination types. There were insufficient numbers of children in the latter two destination types for a separate analysis.

## Appendix III: Explanation of Adjusted Odds Ratios and Risk Ratios

Adjusted odds ratios used in the Removals Model are calculated by dividing the odds that an event, such as a removal of a child from the home, will occur by the odds that it will not occur. Where the odds ratio is greater than 1, the event is more likely to occur. Conversely, where the odds ratio is less than 1, the event is less likely to occur. The higher the odds ratio the more likely the event will (or in the case of a negative number, will not) occur. An odds ratio of 1 indicates there is a completely random or 50-50 chance the event may occur. An odds ratio is presented with a confidence interval and margin of error to show how certain one can be that a particular result is different from 1. If the confidence interval does not include the number 1, the result can be described as statistically significant.

Risk ratios, used in the Substitute Care Model, can be interpreted similarly to odds ratios. However, for the Substitute Care Model, a number less than 1 indicates a slower rate of exit (a negative outcome) while a number greater than 1 indicates a faster rate of exit (a positive outcome). Odds and risk ratios reported in this report are adjusted for all other variables shown in the respective tables. Appendix IV: Analysis Results Tables 1-6

		Odds Ratios	95% C
Race/ethnicity of	African-American	.961	.909 – 1.01
victim(s)	Hispanic	.721*	.68376
	Asian	.707	.499 – 1.00
	Native American	1.663*	1.096 - 2.52
	Other/Unknown	.855	.721 – 1.01
	Anglo = reference		
Gender of victim(s)	Mixed	1.113*	1.038 - 1.19
	All Female	.985	.938 – 1.03
	All Male = reference		.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
Age of youngest victim	Less than 1	4.044*	3.795 – 4.31
in case	1 - 2 years	1.444*	1.348 – 1.54
in cuse	2	.975	.907 – 1.04
	3 – 5 years		
	13 – 16 years	1.190*	1.098 - 1.28
	17 years	.728*	.56594
	6 – 12 years = reference		
Family annual income	Less than \$10,150	3.800*	3.357 - 4.30
	\$10,150 - \$20,549	1.551*	1.371 – 1.75
	\$20,550 - \$40,549	1.056	.929 – 1.20
	\$40,550 + = reference		
Number children in	Multiple	.635*	.60067
household	1 = reference		
Married parent	No	1.226*	1.162 – 1.29
	Yes = reference		
Teen parent (caregiver)	Yes	.796*	.73885
	No = reference		
Number of alleged	Multiple	1.434*	1.337 – 1.53
victims	1 = reference		
Number of alleged	Multiple	1.701*	1.623 – 1.78
perpetrators	1 = reference		
Type of allegation	Sexual/emotional abuse	.351*	.30041
Type of unegation	Abandonment	14.185*	12.293 – 16.36
	Multiple Types	2.198*	2.036 - 2.37
	Physical abuse	1.093*	1.004 - 1.19
	Neglect = reference	1.095	1.004 - 1.17
Source of report	Law/medical/DFPS	4 110*	3.891 – 4.36
Source of report		4.119*	
	School/day care	1.616*	1.486 - 1.75
	Anonymous	.833*	.74293
	Other	1.867*	1.717 – 2.03
	Relative/victim/friend = reference		
Year of investigation	2005	1.223*	1.172 – 1.27
	2004 = reference		
Area of state	Dallas County	2.235*	2.057 - 2.42
	<i>Rest of State = reference</i>		
Region	1/10 High Pls./Upper Rio	1.054	.957 – 1.16
	2/9 NW TX/Upper South	.812*	.72890
	4/5 Upper East/SE TX	.769*	.70184
	6 Gulf Coast/Houston	1.377*	1.279 – 1.48
	7 Central TX	1.183*	1.091 – 1.28
	8 Upper South	1.444*	1.327 – 1.57
	11 Lower South	.930	.844 – 1.02
	3 <i>Metroplex</i> = <i>reference</i>		
		1.461*	

#### Table 1: Probability of CPS Removal from Home^ Adjusted Odds Ratios and Confidence Intervals (CIs) Texas FY 2004 – February 2005

^Based on DFPS administrative data files \*Statistically significant at P<0.05

	Texas FY 2004 – February 20		
		Odds Ratio	95% C
Race/ethnicity of	African-American	.902*	.859947
victim(s)	Hispanic	.880*	.844918
	Asian	.855	.666 – 1.099
	Native American	.982	.632 – 1.528
	Other/Unknown	.813*	.701944
	Anglo = reference		-
Gender of victim(s)	Mixed	1.122*	1.064 - 1.183
	All Female	1.071*	1.030 - 1.114
	All Male = reference		-
Age of youngest victim	Less than 1	2.991*	2.840 - 3.150
in case	1 - 2 years	1.694*	1.611 – 1.782
	3 – 5 years	1.223*	1.164 - 1.285
	13 – 16 years	.754*	.704802
	17 years	.404*	.303539
	6 - 12 years = reference		.000.
Family annual income	Less than \$10,150	2.672*	2.433 – 2.935
Failing annual meome	\$10,150 - \$20,549	1.811*	1.653 - 1.984
		1.302*	1.186 – 1.430
	\$20,550 - \$40,549 \$40,550 - mail and and a		1.100 - 1.430
N 1 ( 1.11 )	\$40,550 + = reference		- 1.050 1.14
Number of children in	Multiple	1.108*	1.059 – 1.160
household	1 = reference		-
Married parent	No	.882*	.849912
	Yes = reference		-
Teen parent (caregiver)	Yes	1.130*	1.062 - 1.203
	No = reference		-
Number of alleged	Multiple	1.218*	1.158 - 1.283
victims	1 = reference		-
Number of alleged	Multiple	1.417*	1.365 – 1.470
perpetrators	1 = reference		-
Type of allegation	Sexual/emotional abuse	1.009	.933 – 1.090
	Abandonment	1.144	.851 – 1.532
	Multiple Types	1.764*	1.669 - 1.864
	Physical abuse	1.327*	1.250 - 1.408
	Neglect = reference		-
Source of report	Law/medical/DFPS	1.997*	1.915 - 2.083
rrr	School/day care	1.472*	1.394 – 1.554
	Anonymous	.840*	.780905
	Other	1.083*	1.013 – 1.158
	Relative/victim/friend = reference		
Year of investigation	2005	1.229*	1.189 – 1.271
Teal of investigation	2003 2004= reference	1.229	1.109 - 1.27
A real of state	Dallas County	1.337*	1.239 – 1.444
Area of state	2	1.557	1.239 - 1.444
י ת <b>י</b>	Rest of State = reference		
Region	1/10 High Pls./Upper Rio	.931	.857 - 1.010
	2/9 NW TX/Upper South	.985	.904 – 1.073
	4/5 Upper East/SE TX	.822*	.762888
	6 Gulf Coast/Houston	1.376*	1.295 - 1.462
	7 Central TX	.736*	.684793
	8 Upper South	2.086*	1.956 - 2.225
	11 Lower South	2.486*	2.328 - 2.655
	3 Metroplex = reference		
Neglect by Income <\$10,150		1.303*	1.215 – 1.392

#### Table 2: Probability of Receiving CPS In-Home Family Services^ Adjusted Odd Ratios and Confidence Intervals (CIs) Texas FY 2004 – February 2005

^Based on DFPS administrative data files  $\quad$  \*Statistically significant at P<0.05  $\quad$ 

	African-American	Hispanic
Ragion 1/10: High Plains/Unner Rig Cr	ando/El Paso	
Region 1/10: High Plains/Upper Rio Gr		I
<sup>#</sup> Removal <sup>#</sup> In-Home Family Services	=	*
In-Home Family Services	•	•
Region 2/9: Northwest Texas/Upper So	uth Texas	
#Removal	=	$\downarrow$
#In-Home Family Services	=	=
Region 3: Metroplex/Dallas/Fort Worth		
<sup>#</sup> Removal	=	$\downarrow$
<sup>#</sup> In-Home Family Services	$\downarrow$	$\downarrow$
Region 4/5: Upper East Texas/Southeas	t Texas	
#Removal	=	=
#In-Home Family Services	=	=
Region 6: Gulf Coast/Houston		
#Removal	=	$\downarrow$
#In-Home Family Services	=	$\downarrow$
Region 7: Central Texas/Austin		
*Removal	_	
<sup>#</sup> In-Home Family Services	= ↓	Ť.
	·	
Region 8: Upper South Texas/San Anto	nio	
<sup>#</sup> Removal	=	$\downarrow$
<sup>#</sup> In-Home Family Services	=	=
Region 11: Lower South/Rio Grande Va	lley	
<sup>#</sup> Removal	=	$\downarrow$
<sup>#</sup> In-Home Family Services	=	=
*Controlling for all variables included in	Tables 1 and 2	
^Based on DFPS administrative data file	S	
<b>‡</b> See Appendix V for map of regions		
<sup>#</sup> Reference = Case closed/no action		
=Not significantly different from Anglo \$\significantly lower than Anglo at P<0.0	15	
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# Table 3: Race/Ethnic Effect\* on CPS Enforcement Actions^ in HHSC AdministrativeRegions‡ Texas FY 2004 – February 2005

		Risk Ratio	95% CI
Victim's race	African-American	.897*	.869926
	Hispanic	1.004	972 -1.037
	Other/Unknown	1.276*	1.176 - 1.384
	Anglo = reference		
Victim's gender	Female	1.054*	1.028 - 1.080
C C	<i>Male</i> = <i>reference</i>		
Victim's age	Less than 1	1.447*	1.396 - 1.500
-	1-5 years	1.318*	1.276 - 1.361
	13 – 16 years	.915*	.872960
	17 years	2.725*	2.545 - 2.919
	6 - 12 years = reference		
Region	Region 1/2/9/10	.671*	.642 - 701
C C	Region 4/5	.881*	. 838927
	Region 6	.753*	. 728780
	Region 7	.787*	. 755821
	Region 8	.580*	.552608
	Region 11	.926*	.877977
	Region 3=reference		
Primary Care	Relative Care	1.948*	1.894 - 2.004
	Congregate Care	1.105*	1.061 - 1.150
	Mixed Placements	.698*	.645755
	Foster Care=reference		
Year of removal	2002	.972	.943 - 1.002
	2001	1.012	.981 - 1.044
	2000 = reference		

# Table 4: Children Exiting from CPS Substitute Care ^ Risk Ratios and Confidence Intervals (CIs) Texas FY 2000 – FY 2002

^Based on DFPS administrative data files

\*Statistically significant at P<0.05

# Table 5: Race/Ethnic ‡ Effect On Child Exits from CPS Substitute Care ^ HHSC Administrative Regions◊ Texas FY 2000 – FY 2002

		Risk Ratio	95% CI
Region 3			
Child's race	African-American	.971	.917 - 1.027
	Hispanic	1.150*	1.080 - 1.224
	Anglo = reference		
Region 6			
Child's race	African-American	.809*	.760861
	Hispanic	.856*	.800916
	Anglo = reference		

‡Controlling for all variables included in Table 4

^Based on DFPS administrative data files

◊See Appendix V for map of regions

\*Statistically significant at P<0.05

# Table 6: Exits from CPS Substitute Care by Type of Exit^ Risk Ratios and Confidence Intervals‡ Texas FY 2000 – FY 2002

		Risk Ratio	95% Confidence Interval
Reunification			
Child's race	African-American	.844*	.801888
	Hispanic	1.022	.975 - 1.071
	Anglo = reference		
Relative			
Child's race	African-American	.923*	.872976
	Hispanic	.890*	.839944
	Anglo = reference		
Adoption			
Child's race	African-American	.757*	.706812
	Hispanic	.852*	.798910
	Anglo= reference		

^Based on DFPS administrative data files

‡Controlling for all variables included in Table 4 \*Statistically significant at P<0.05



