

**DEPARTMENT OF HUMAN SERVICES
FY 2011-12 JOINT BUDGET COMMITTEE HEARING AGENDA**

**Thursday, December 16, 2010
9:30 am – 12:00 noon**

9:30-10:00 INTRODUCTIONS AND OPENING COMMENTS

10:00-10:50 CHILD WELFARE

Federal Title IV-E Revenue Trends

1. *[Background: Federal Title IV-E revenue has been falling for several years, based largely on declines in the use of out-of-home placement. Due to an unexpectedly sharp decline in FY 2009-10, county allocations for child welfare services came in \$6.2 million below the level budgeted in the FY 2009-10 Long Bill. In FY 2010-11, the General Assembly provided \$9.2 million, including \$6.7 million General Fund, to backfill projected declines in revenue. The FY 2011-12 Human Services budget request does not include adjustments related to Title IV-E revenue, apart from those related to the expiry of provisions of the American Recovery and Reinvestment Act (ARRA).] Why were no adjustments for Title IV-E (other than those related to the expiry of ARRA provisions) included in the FY 2011-12 budget request?*

Response:

The Department did not include any adjustments in addition to the two Federal Medical Assistance Percentage (FMAP) American Recovery and Reinvestment Act (ARRA) Title IV-E items for FY 2011-12 budget as the forecast is indicating the Department will be able to earn up to its full FY 2010-11 Title IV-E amount.

Trends in County Allocations and Impacts on Families and Children

2. **How has the need for child welfare services changed in the past five years?**
 - **Given the decline in new child welfare open involvements in Colorado since FY 2003-04, has the need for child welfare services declined?**
 - **How has the recession affected the demand for services?**

Response:

The demand for child welfare services in Colorado continues to rise. Child Welfare caseload data reflect a significant increase in the number of referrals of 23% and subsequent assessments increase of 27% over a 5-year period. These numbers are the most valid measures of the need for county child welfare services.

The counties' number of 'open involvements' (child cases) has remained virtually flat during this time of 5%. Counties are finding local sources to assist families and children

in need through community collaborations and partnerships and working with other agencies, as an alternative to serving these families and children in the child welfare system.

The effects of the recession are widespread in communities, from the lack of jobs to the amount of donations to community non-profits. With more families in need and less help available in community agencies, pressures on county public agencies are at an all-time high, especially in Colorado Works/TANF, SNAP, Medicaid, and child welfare. The best indicators of these pressures in child welfare are the number of referrals, investigations, and program costs are all on the increase.

3. Why have child welfare “Program Costs” been increasing? Are “Program Costs” all administrative costs or does this category include funding for “wrap around” programs?

Response:

Personnel costs account for approximately 67% of the Child Welfare Program Costs. The majority of the remainder (33%) relate to operating costs and contract costs.

4. How are children and families being affected by trends in child welfare funding?

- **What has the Department learned from counties about how they are managing funding declines?**
- **Has county performance on federal data indicators declined?**

Response:

Since 2008, a smaller percentage of children who are reported to, and investigated by county agencies are subsequently receiving services. Counties have reported the following strategies to accommodate to reduced child welfare funding:

- Serving families differently, through community collaborations and partnerships
- Transferring funds in from TANF and Child Care grants
- Providing eligible families assistance through TANF or the Child Care grant
- Billing directly for family preservation services in TANF
- Providing targeted services on ongoing caseloads
- Reducing the number of children in out-of-home care. While reducing the use of foster care is better for children, it also reduces expenditures because in-home services are most cost-effective.

The Department has not identified a decline in county performances of federal data indicators, including measures of child safety. The State has improved in many key measures, including the reducing the recurrence of child abuse and neglect for children who have left the system; reduced the number of children in foster care who experience maltreat in care; and reduced the number of placement moves in the first year of out-of-home care.

5. **What are the federal data reporting requirements? Please describe the types of data included and the role of the State in collecting/submitting the data.**

Response:

The following data is mandated by the Children's Bureau:

- Child abuse and neglect caseload data (National Child Abuse and Neglect Data System NCANDS), mandated by Public Law 93-247)
- Foster care and adoption caseload data (Adoption and Foster Care Analysis and Reporting System (AFCARS), mandated by Sections 474(a)(3)(C) and 479 of the Social Security Act; 45 CFR Parts 1355, 1356, and 1357; ACYF-PI-CB-09 Revised)

This and all other federal data reporting is done from the Colorado Trails data system that counties use to manage their child welfare cases.

Child Welfare System Change

6. **What are the Department Director's thoughts on the centralization of some functions such as the call center at the state level? Why did the work group reject this idea? Was this group focused only on child welfare or did they look at Medicaid authorizations or other human services functions as well?**

Response:

The Child Welfare Action Committee Working Groups focused their efforts on the regionalization of child welfare services and the centralization of the child welfare hotline to screen calls regarding abuse and neglect. Many states have centralized child welfare intake and Colorado may wish to look further at the efficacy of this approach.

7. **Describe the Colorado Practice Initiative.**

Response:

The Colorado Practice Initiative is a strategy to improve child, youth, and family outcomes throughout the State. It is collaboration between the state and the counties of Colorado to identify, develop, share, and implement promising child welfare practices at the state and county levels. The Colorado Practice Model establishes a mutually defined set of principles, values, standards, and expectations for accountability across all of Colorado.

- a. **Was this created/authorized through state legislation?**

Response:

The approach was not created/authorized through state legislation, but rather it came about from eight separate state audits/studies, including the Governor's Child Welfare Action Committee of the child welfare system conducted between 2007 and 2009. These recommendations were to improve accountability of the system, establish consistency in

practice across the state, increase the knowledge and skills of practitioners, and improve the relationship between the state and counties.

b. How large is the budget for the project and who receives the funding?

Response:

Colorado does not receive funding directly, however there is a resource allocation from the Children's Bureau at the U.S. Department of Health and Human Services. The University of Texas at Arlington receives the funding through a cooperative agreement with the Children's Bureau. The University of Texas contracts with the Mountains and Plains Child Welfare Implementation Center to provide technical assistance and support to Colorado to implement the practice initiative. They manage the budget based upon the needs of the initiative and pay for all technical support, resources, travel, and media required to effectively implement the CPI. There is no specific dollar amount for this project; however, it is based upon actual approved expenditures.

c. What is the goal of the project?

Response:

The goal of the CPI is to improve child, youth, and family outcomes as measured by current and future Federal Child and Family Services Reviews (CFSR).

d. Can any of this money be used to correct problems in TRAILS or CBMS or to create a better information technology system to meet child welfare data needs?

Response:

Colorado has no direct access to the funds allocated to support this initiative. Improvements to state automated systems, including TRAILS and CBMS, are not allowed for these funds.

e. Does the project create new unfunded mandates for the State and counties?

Response:

There are no unfunded mandates created for either the State or the counties. The State and the counties participate in the implementation of the new practice model at their current resource levels.

How will these activities be funded once the federal government pulls out?

Response:

Once the implementation process is completed, there will be no new costs at the state or county level. Sustainability of the model will be handled through existing resources.

f. Did the State apply for the Colorado Practice Initiative?

Response:

The Division of Child Welfare applied for the assistance from the Children’s Bureau and received the assistance in the form of technical help and support through MPCWIC.

Were the counties included in developing that application?

Response:

Counties were consulted with during the design period and have been deeply involved in the design of the Practice Model. The Division has received direct input from over 700 county staff across the state in the development of this approach to date.

g. Do the counties support this project?

Response:

The counties are in support of the project. Feedback from the counties suggests that they are very committed to the CPI as a vehicle for improving child welfare outcomes across the State. We have had 11 counties volunteer for the first phase of implementation:

Adams County	Lincoln County
Chaffee County	Morgan County
Denver County	Pueblo County
Elbert County	Otero County
El Paso County	Routt County
La Plata/San Juan Counties with the Southern Ute Tribe	

Do they want the federal money and the federal help?

Response:

Counties have expressed very positive attitudes about the federal support provided for this initiative.

8. How and why do we undertake a statewide training program when each county has a different child welfare program in place? Are we moving toward a best practice model that is consistent across the state?

Response:

Colorado is a State supervised, County administered system. As such, county departments are under the supervision of Boards of county commissioners who hire the county director of social/human services. Rules, regulations and best practice guidelines are established by the State. County departments, functioning as agents of the State, are expected to insure compliance with State rules and regulations in their implementation of child welfare programming. The State Department of Human Services, through the Division of Child Welfare, provides ongoing supervision of county practice and compliance.

The Child Welfare Training Academy was mandated under SB 09-164. Section 26-5-109, C.R.S. was adopted to “ensure that certain persons hired to work within child welfare services receive the necessary training to perform the functions of their jobs responsibly and effectively”. The statewide training program is one of the essential strategies to achieve uniformity and consistency of child welfare practice. With the establishment of the Child Welfare Training Academy, and the implementation of the requirement of annual in-service training hours for child welfare caseworkers and supervisors, county department child welfare staff receive consistent and uniform education on the rules, regulations and best practice principles and strategies. This results in uniform child welfare practice throughout the state.

- 9. Is there a relationship between the Mountains and Plains Child Welfare Implementation Center and the Child Welfare Training Academy? How effective is the current Training Academy? Can the existing workforce learn best practices from the Mountains and Plains Implementation Center? Is there an opportunity to maximize the use of existing resources through this new initiative?**

Response:

There is a close relationship between Colorado Practice Initiative and the Child Welfare Training Academy. The curriculum of the Academy will support the best practices implemented by the Practice Model work.

The Child Welfare Training Academy began operations in January 2010. There have been 125 child welfare caseworkers and 20 child welfare supervisors who have completed the pre-service training. Trainees complete pre-test and post test before and after each classroom module. The test results demonstrate that the all trainees are learning and grasping the content of the training. All of the workers and supervisors tested show an increase in knowledge.

In addition to testing of the new workers and new supervisors, the Academy staff has bi-weekly contact with the county departments. Uniformly county departments are expressing satisfaction with the training the new staff are receiving and are reporting the new workers and new supervisors are demonstrating the ability to perform the job duties.

The Federal Child and Family Services Review

- 10. Provide additional information on the measures that are used for the various CFSR outcomes scores. If Denver has a score of 65.0 percent substantially achieved on “Children are first and foremost protected from abuse and neglect”, how was that score generated and what does it mean?**

Response:

County-specific data represent information from the CFSR on-site review of 65 cases

statewide. Denver County cases represented 32 of those that were reviewed by the federal team. Of those 32 cases, only 17 cases were applicable for the review of the safety outcome. Of those 17 cases, 11 were found to have strength in this area (65%), whereas 6 were determined as needing improvement (35%). As this data represents a small number of children, percentages must be interpreted with caution.

10:50-11:00 BREAK

11:00-11:45 DIVISION OF YOUTH CORRECTIONS

Division of Youth Corrections Budget Request, Balancing Options, and Continuum of Care

11. Why aren't we closing state-operated youth corrections beds or facilities, rather than reducing contract beds, in response to the decline in the commitment population? What is the reason for retaining state beds when the contract facilities are better for kids, the kids learn more there, the facility costs less, and the contract facility looks like a college campus? Explain why kids who are qualified for the Ridgeview facility are being pulled from it solely to keep state facilities open, especially since the Ridgeview facility costs less and is more effective. Why aren't we closing state-operated youth corrections beds or facilities, rather than reducing contract beds, in response to the decline in the commitment population?

Response:

The underlying assumption that the Division could trade out State-operated capacity for additional capacity within the private sector does not acknowledge that these facilities serve very different segments of the population – essentially, it is comparing apples and oranges. The Division maintains a highly sophisticated assessment process whereby individual youth risks and needs are thoroughly explored, providing the Division with a complete set of information from which to make informed placement decisions that are in the best interests of individual youth, as well as in the best interests of public safety. The Division cannot safely place within non-secure, private programs, the following youth: violent youth, aggravated juvenile offenders, youth with severe drug/alcohol treatment needs, youth with severe mental health needs, and youth with sex offending behaviours, and youth who have consistently failed in community placements through county departments of social/human services (prior to their DYC commitment). Not only would this not be in the best interest of those youth, it would not be in the best interest of the private program or the other youth placed at the program. In many cases, and in the case of the Ridge View Youth Services Center, it would violate long-standing agreements with local communities as to what profile of youth the local community would be willing to tolerate within a non-secure, unlocked residential environment.

The above clearly describes the circumstances that require a full range of placement options, including secure State-operated facilities, private staff secure programs that focus on mental health services, programs that provide an academic model, community programs that provide emancipation services, and foster homes located throughout various communities. This range of placement options adheres to *The Right Services at the Right Time*, which is the first of the Division's Five Key Strategies, and is a fundamental element of the Division's approach to treating juvenile offenders. The premise is that youth and families must be provided appropriate services that target their needs and risk factors within the appropriate point of the commitment process, e.g., residential, transition, and parole.

Additionally, the Division's secure State-operated facilities serve as the "safety net" within the commitment system. Private programs can choose to accept a Division referral or not, or can choose to terminate a youth from the program; however, because the Department has legal custody of committed youth, those youth either rejected or terminated by private programs generally end up being placed within State-operated facilities. Another important "safety net" consideration is when the State has endured fiscal crises (as it has the past two years), the General Assembly has leveraged the fact that State-operated facilities are not licensed entities, and have thus required the Division to overcrowd State facilities as a budget cutting strategy. A reduction in State-operated beds would result in a decreased ability to realize savings using this strategy. Further, this would not be possible if the State relied exclusively upon private programs, as those programs are licensed and limited in the number of youth they can accept. Because the Division has operated within a highly privatized environment for over two decades, the vast majority of growth over a 16-year period has been accommodated through additional contract placements; and the recent decline in the commitment population has been similarly addressed through a reduction in contract placements. This has been a strategy by the Executive and Legislative branches for both the adult and juvenile systems for many years.

What is the reason for retaining state beds when the contract facilities are better for kids, the kids learn more there, the facility costs less, and the contract facility looks like a college campus?

There is no evidence that would support youth are more successful in private contract placements than in State-operated commitment facilities. While the Division does not routinely evaluate State-operated programs against private contract placements, the original legislation that created the Ridge View Youth Services Center required the Division to evaluate the recidivism rate for youth served in the program. For the past several years, there has been no statistically significant difference between Ridge View

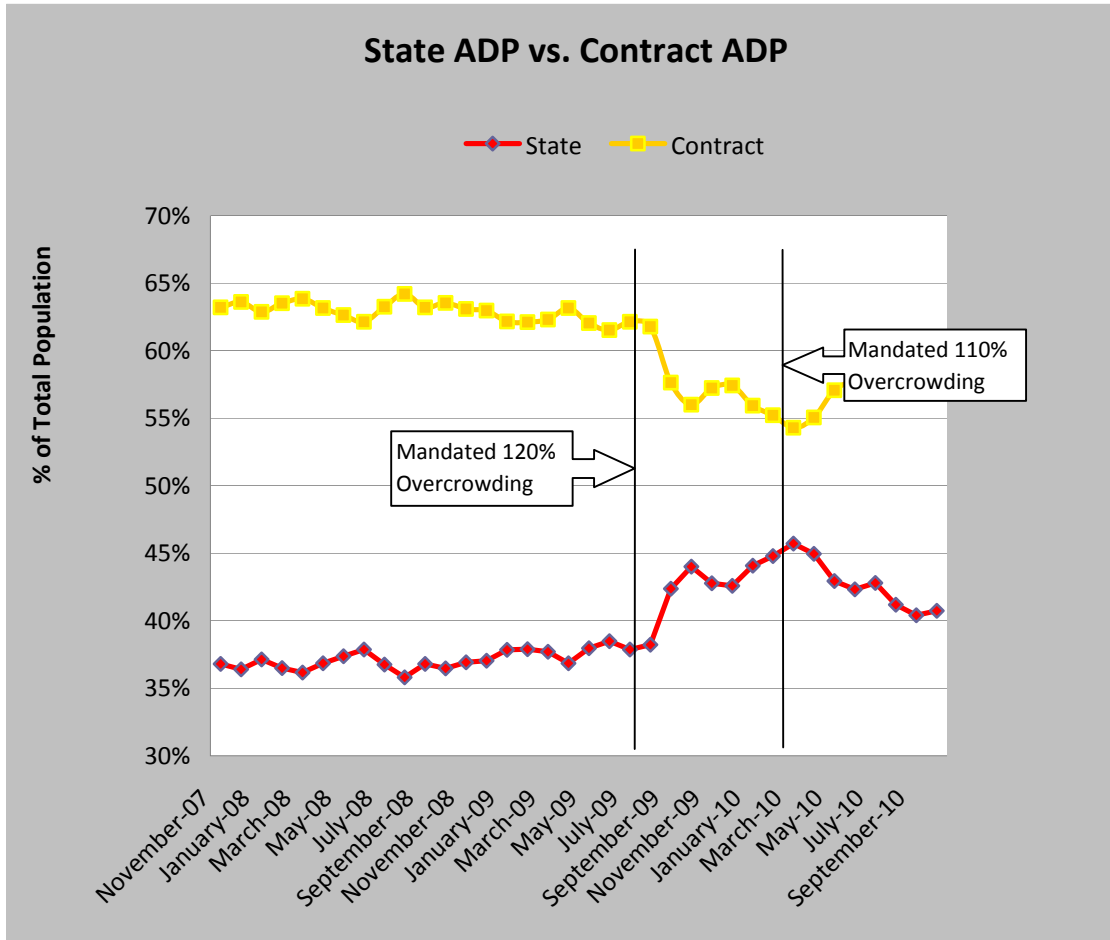
recidivism rates and recidivism rates of all other NYC youth, including those served in State-operated facilities and those served in other private, residential programs.

As stated previously, the Division has worked to develop as comprehensive array of placement options as possible to ensure that specific needs are addressed. Thus, there are a variety of types of licences held by private contract programs, as well as a range of costs associated with the different placements. These costs are largely driven by the types of services, as well as the staffing intensity and expertise required to safely serve the intended population. As represented in the table on page 22, when adjusted for all governmental revenue sources and services that support youth placed in contract programs, private programs are not necessarily less expensive than State-operated facilities, particularly when the youth who are placed in State-operated facilities are typically the most complex and violent offenders in the entire NYC system. As shown in the table on page 22, the most expensive placement type are programs licensed as Therapeutic Residential Child Care Facilities (TRCCF), which specialize in serving youth with more complex mental health treatment needs.

When considering just the per diem that the State pays for placement into private programs, they could appear to be much less costly; however, there are numerous cost drivers that are included in the State-operated rate that are not included in the private per diem rates. For example, most private programs have on-grounds licensed schools for which they receive Per Pupil Revenue (PPR) *and* excess costs directly from the State Department of Education as well as from a youth's home school district (for excess costs), which are not reflected in the per diem. The Division's State-operated facilities are not able to draw down excess costs; yet, a full 50% of youth within State-operated facilities have special education needs. The table on page 22 shows the appropriate adjustments to more accurately reflect the total costs of serving a youth in the various placements.

Explain why kids who are qualified for the Ridgeview facility are being pulled from it solely to keep state facilities open, especially since the Ridgeview facility costs less and is more effective.

The percentage of total committed youth who have been placed at the Ridge View facility has remained fairly steady between 28% and 32% since FY 2003-04, the last fiscal year being the lowest at 28% – which was a direct result of a temporary mandated capacity need up to 120% overcrowding within State-operated commitment facilities. As reflected in the chart below, the overall percentage of committed youth placed within State-operated facilities versus privately operated contract facilities has remained fairly stable over the last three years, with the exception of the period of time the Division was required to overcrowd its State-operated commitment facilities as a temporary cost savings measure.



As stated previously, the Division attempts to place youth in the most appropriate setting based upon individual youth risk factors and treatment needs. Using the Ridge View facility as a specific example, when the facility was first conceptualized and developed by the Division back in the late 1990's, there were specific criteria that the Division developed (in conjunction with the operator) to ensure that the most appropriate youth were placed at Ridge View. Because Ridge View is an open campus, non-locked, non-fenced facility, it is not an appropriate placement for very deep-end, severely mentally ill, and/or violent youth. Thus, in addition to the first screening criteria based on gender (i.e., females were excluded from placement consideration); the Division screens youth based on the number of prior out of home placements; age of youth at the time of commitment; whether or not a youth was a sex offender; and the level of mental health and substance abuse services the individual youth require. At the time Ridge View was opened in July 2001, the Division identified approximately 540 youth who met the admission criteria described above. Applying the same criteria to the October 2010 commitment average daily population, the Division identified 160 youth (average daily population) who met the criteria. However, the actual average daily population of youth the Division placed at Ridge View totalled 289, or 129 ADP *greater* than the criteria would suggest.

12. What are the costs of parole for kids who are released to mandatory parole for 6 months? What is the purpose of placing youth on parole? Has any type of parole been proven to be effective? If not, why are we paying money for parole?

Response:

The cost of parole services is made up of two major components: (1) costs for the provision of services during the residential transition period, and (2) costs for services provided in the community during parole. The following table depicts the average length of service for each period and the associated average costs in each.

Cost Type	*Avg. LOS	*Avg. Cost Per Youth	*Avg. Cost Per Youth Per Month
Transition Services Prior to Parole	4.5 months	\$1,853	
Services in the community	4 months	\$1,648	
Total	8.5 months	\$3,501	\$412

Notes to table:

- * This data was based upon a calculation using Youth Served, and not ADP.
- Prior to the flexibility in the Purchase of Contract Services line item, the Division was appropriated approximately \$1,200 per youth for parole services.
- The \$1,200 per youth did not include transition or “backed-in” services provided in the residential setting.

Parole has Saved the State General Fund Resources. Prior to the inception of mandatory parole in 1997, only 50% of all Division of Youth Corrections clients were released onto parole. The remaining 50% completed their entire sentence in a residential placement, and were then returned to their communities without parole supervision or supportive services. In 1996, the General Assembly passed legislation that mandated a period of mandatory parole under the belief that such a transition period following residential placement was in the best interest of public safety, and would lead to better outcomes for youth and families.

Over the past four and a half years, an average of 60.2% of DYC parolees have been granted parole prior to the expiration of their commitment sentence, a 10% increase over the Division’s experience prior to the advent of mandatory parole. If this 10% of youth had completed their entire sentence in a residential placement (as they had prior to mandatory parole), they would have spent an average of an additional 6 months in a residential placement (based on a 24-month sentence). This represents a savings of approximately 6 months of residential care for 10% of youth, based upon a current average length of stay of 18 months and the prevalence of 24-month sentences.

In FY 2009-10, this 10% represented 89 youth. Applying an overall average daily rate (representing an average of all private and State-operated residential programs) of \$187.55, the State would have spent an additional \$3,004,551 or \$35,768 per youth (89

youth x 180 days x \$187.55).

By comparison, the state spent an average of \$411.88 per month per youth for four months of parole, for a total of \$1,647.52 per youth (total of \$146,629 for the 89 youth). This represents an overall estimated savings to the State of \$2,857,922. The Department believes it was possible to avoid the additional residential time for these youth because of the existence of mandatory parole, and the Division's ability to propose a comprehensive package of services for individual youth, resulting in a favorable parole decision by the Juvenile Parole Board.

What is the purpose of placing youth on parole?

The purpose of parole is two-fold: 1) to provide the necessary surveillance to ensure that public safety is maintained; and 2) to serve as an aftercare treatment component to solidify rehabilitative gains made in residential placement.

The transition from life in a residential correctional facility to community living (the correctional transition) poses significant challenges for youth in the juvenile justice system. The Division believes that parole/aftercare is a primary vehicle for attaining the goal of meeting the challenges of re-entry and thereby to every extent possible, ensuring the community safety. For these reasons, transition and parole are a central component of the Continuum of Care. This period of monitored transition, aftercare, and re-integration is crucial in order for youth to practice the skills learned in residential treatment and apply them in the "real world" environment. This parole period allows time for adjustment to a new lifestyle, a new living arrangement, family-reintegration, and an opportunity for multi-disciplinary teams to match youth with appropriate services and resources in the community.

Has any type of parole been proven to be effective?

Evidence exists that supports the effectiveness of parole models that include aftercare components. A body of research also supports practices and programs that are deemed "evidence-based." The Division of Youth Corrections has developed a set of 8 Evidence-Based principles grounded in industry-accepted standards of best practice. Although the research on parole itself may not be definitive, there are practices and guiding principles that have been correlated with reduced recidivism and overall positive outcomes for youth and adults re-entering the community.

I. Overall Effectiveness of Parole

Note: In this discussion, it is crucial to make the distinction between parole as a model of supervision and a parole model based upon supervision, targeted transition and parole aftercare services. Over the past four years the Division of Youth Corrections has been in the process of building a comprehensive system of transition and aftercare services based upon evidence-based principles and practices.

- There are very few actual "models" of parole in existence. Many variations on the

concept of “parole” exist. There are differences in the administration of the release process for juvenile offenders including how the decision is managed (Parole Board vs. Administrative function), which entity monitors youth (judicial function or corrections function), what services are available, if any, and the length of time youth spend on this status. The State of Washington is one of the only states with a well-structured, philosophically centered, evidence-based practice approach to parole. Colorado has been working through the Continuum of Care to develop, define, and refine a model of juvenile transition, parole, and aftercare based upon evidence-based principles. This is a long-term evolutionary process of shifting core beliefs, learning new processes, developing resources across the State (often in areas where no resources exist), and training staff, youth, and families in new roles and responsibilities. Much progress has been made with more work yet to be accomplished.

- There are indications that supervision combined with increased treatment services can reduce recidivism (Petersilia & Turner, 1993). A Serious and Violent Offender Re-entry Initiative (SVORI), a parole/aftercare research project that the Division was involved in, “found some evidence for improvements in intermediate outcomes (e.g., shorter institutional stays, lower probability of testing positive for illicit substances)” while comparing participating youth to other paroled youth (Bouffard & Bergseth, 2008).
- Several meta-analyses have been completed that “support the effectiveness of various individual service-related components of aftercare programs as encouraging evidence for juvenile aftercare and conclude that aftercare and reintegration programs hold promise” (Gies, 2003).
- There is overwhelming agreement in the research that “community restraint” or supervision alone is largely ineffective at reducing recidivism while on intensive probation/parole.

II. Evidence-Based Practice and “Promising Parole Practices”

The evidence-based principles described in an article produced by the National Institute of Corrections titled “*Implementing Evidence-Based Principles in Community Corrections: The Principles of Effective Intervention*” has provided the basis for the Division of Youth Corrections’ Eight Evidence Principles. The work of the Division in developing a continuum of services to enhance the transition process and provide youth with the support and structure necessary for successful re-entry are based upon these concepts, as described in the following table:

Principle	DYC Practice
Assess Actuarial Risk and Need	Colorado Juvenile Risk Assessment (CJRA)
Enhance Intrinsic Motivation	Using specific motivational tools – Motivational Interviewing
Target Interventions	“Right Services at the Right Time” – Risk level matches treatment; target criminogenic needs as identified by the CJRA
Skill Train with Directed Practice	Use Cognitive Behavioral Treatment methods in residential and non-residential settings
Increase Positive Reinforcement	Shift from solely sanction based aftercare model to using pro-social opportunities for parolees
Engage in Natural Environment	Transition services that re-connect youth to community prior to parole; parole services that identify and use natural, sustainable community supports
Measure Relevant Processes	Continuum of Care Evaluation, Recidivism Report, Evidence-Based Practice Survey
Provide Measurement Feedback	Feedback in the form of reports

The Department believes that focusing upon the continued development of these strategies will continue to move the Division toward positive outcomes in recidivism, recommitments, parole adjustment, and long-term successful community reintegration.

A review of the research literature provides further support for specific parole practices inherently linked with the Division’s 8 Evidence-Based Principles that appear to deliver positive results. The practices and strategies suggested in the research are many of the same elements the Division has developed through the Continuum of Care and include:

- System collaboration (inter-agency cooperation and multi-disciplinary teams used to case-plan);
- Continuity of treatment services from residential care to aftercare, practicing new pro-social behaviors with youth in increasingly difficult situations;
- Training of family and friends to provide reinforcement for pro-social behavior;
- Efforts focused on educational, social, and work opportunities;
- Efforts that involve family management and parent effectiveness training;
- Education that is linked to vocational training; and
- Programs that provide linkages to positive peer groups or age-specific and developmentally appropriate substance abuse treatment (Altschuler and Brash, 2004).

13. What measures are used to determine if residential and parole services are effective? Is there any matrix to determine the success of parolees after they get off parole?

Response:

The Department believes that the recidivism measures that indicate more than 62% of all committed youth do not re-offend following completion of residential commitment and parole services with the Division is a very positive indication of the success that the Division has achieved. Given that the most difficult and highest needs youth end up in the commitment system, the Department believes that the continuum of care the Division of Youth Corrections has developed over the last several years is producing very positive results in the form of reduction in risk factors as measured by the Colorado Juvenile Risk

Assessment (CJRA), the very significant education gains that youth achieve while in residential placement, the significant reduction in re-commitments that the Division has achieved over the last three fiscal years, and the Division's expansion of evidence-based programs and practices in both residential and non-residential settings.

In addition to pre- and post-discharge recidivism measures, the Division uses several broad measures to determine the success of residential and non-residential transition and parole services. They include:

- Reductions in criminogenic risk as measured by the Colorado Juvenile Risk Assessment;
- The number of recommitments to the Department;
- The number of youth employed or enrolled in an educational program at discharge;
- Parole Adjustment at discharge;
- Educational outcomes that include advances in reading and writing scores, attainment of grade levels, attainment of diploma or GED; and
- Evaluation of programs for fidelity to measures of evidence-based practice.

The Division does not have access to educational, vocational, family, or employment information after the completion of parole and discharge from the system.

14. Is the Parole Board confident that parole is effective and has good outcomes?

Response:

The Juvenile Parole Board is a nine-member Governor appointed and Senate confirmed Type 1 transfer agency. The Board has independent authority to grant, deny, modify, or revoke parole for youth committed into custody of the Department of Human Services' Youth Corrections system. The Board is a multi-disciplinary group with a broad range of skill sets and knowledge including 5 citizen and four state department members with expertise in public safety, education, employment, restorative justice, child welfare, human services, victim impact and crime victim rights.

The Juvenile Parole Board is instrumental in balancing the competing interests involved in the youth's commitment. This includes community, victim and youth safety as well as encouraging the youth's safe return to the community with expectations that the community is safe with them in it. The Juvenile Parole Board is responsible for conducting timely parole hearings. These hearings are conducted several times weekly at Division of Youth Corrections facilities across the state by parole board members. During FY 2009-10, the board conducted 1,039 juvenile parole hearings.

The board uses objective criteria in order to determine if a juvenile will be paroled and what conditions must be met for the juvenile while on parole in order to address any safety concerns. This criteria includes, but is not limited to, the severity of the committing

offense, the juvenile's current level of functioning and progress being made in treatment, a safe and appropriate parole living arrangement, the youth's adjustment in the community while on home passes, and assessment tool risk scores determined by the treatment team. During the parole hearing, the Parole Board members then have an opportunity to interview the juvenile, treatment providers, family members, and the victim should he/she choose to attend. The hearing process is extremely valuable and comprehensive in determining the juvenile's risk to the community, and to themselves. In addition, the hearing process assesses what transition services will best support the youth in successfully returning to the community as many of the youths have been homeless all of their lives, or have parents who have been incarcerated with drug addictions or mental illness.

Tracking specific data concerning outcome measures is an on-going function of the Division of Youth Corrections. The Juvenile Parole Board receives periodic updates and training from Division staff related to these issues. Substantial data is also available and provided in report form (such as the *Continuum of Care: Youth Transitions and Non-Residential Service Annual Report for the 2010 Fiscal Year*). Based upon the direct experience of members and on the review of the data, the Board is confident that parole is effective in assisting youth in successfully returning to the community.

The Colorado Juvenile Parole Board members are confident that the existing structure is effective and provides necessary checks and balances that support the community, victims, youth, and their families, of which parole is a critical component. The Board strongly supports the structure created by juvenile parole, in Colorado, and believes that a well-planned and structured transition is a critical component for youth in their efforts to benefit from time spent in the Division of Youth Corrections and to becoming contributing citizens.

15. Does parole have a negative impact, given that risk scores on the Colorado Juvenile Risk Assessment increase between release to parole and discharge from parole?

Response:

The slight increase in risk scores between release from residential placement and discharge from parole is not necessarily an indication that parole has a negative impact on overall youth outcomes. The cause of this increase is not related to the parole process, but rather to the significant challenges committed youth face when transitioning from a structured residential setting back to the community.

Transition from residential care to the community represents a time of rapid decreases in structure and supervision, while at the same time youth are exposed anew to many negative influences. Youth either return home to families or move out on their own into independent living situations. All of these factors result in an increase in stress and trigger past cycles of offending. Thus, slight increases in risk factors during this period are not uncommon, nor unexpected.

The FY 2009-10 Continuum of Care Report addressed this issue. The TriWest Group observed that increases in risk factors during parole “underscores how difficult it is when youth move from a highly supportive and controlled environment to a largely uncontrolled environment.” However, the TriWest Group did acknowledge that the overall reduction in risk domains from original assessment to parole discharge was “impressive”. TriWest concluded, “...treatment offered during commitment is effective in bringing about dramatic reductions in the criminogenic risk factors known to predict re-offending. Following transition from restrictive residential placement to community parole, gains (i.e., reductions in risk and increases in protective factors) are largely maintained.”

16. What types of educational services do kids get when in custody? Does this differ based on the type of facility they are in? Do educational services continue while a youth is on parole? Are there different educational outcomes for kids after they are ultimately released, based on the types of services they receive when incarcerated or on parole?

Response:

Youth who are committed to the Department generally come in an average of from 3-4 years behind age appropriate education levels, and they function at everywhere from a 2nd grade reading level to a high school junior reading level. Prior to commitment, many youth had not been attending school either regularly or at all. Thus, it is possible for youth to make tremendous education gains in a very short period of time; however, given the range in educational status, the Division must design highly individualized education curricula to meet the varying needs of committed youth. Committed youth receive a mixture of academic, career, and technical instruction as well as work experience opportunities. School is provided on a year-round basis.

Educational services include the following:

1. High school and middle school instruction;
2. Remedial instruction;
3. Post-secondary services;
4. General Equivalency Diploma (GED-Certificate) preparation; and
5. Vocational/Career and Technical Education (CTE) programming.

Educational services are based upon the following principles:

1. Written standards based curriculum moving secondary students towards meeting graduation requirements;
2. Individualized and/or defined programming;
3. Vocational/CTE programming to enhance employability skills; and
4. Personal learning plans (general education/post-secondary) or individual education plans (special education)

Does this differ based on the type of facility they are in?

Facility size, average length of service, age of youth served, and the treatment needs of the population served all contribute to the specific educational programming provided in each facility. The Division operates programs that generally fit into the following categories:

1. Facilities for younger youth – services will include an emphasis on middle school courses and remedial education.
2. Larger facilities (State-operated and private contract) – may serve a range of age groups. Services include middle school and high school courses, remedial services, vocational services such as culinary arts, welding, barbering, automotive and housekeeping, and post-secondary educational services. Note: Not all facilities have the same array of vocational services.
3. Smaller Facilities – Based on age of youth, facilities provide everything from middle school courses, high school courses, to post-secondary services. In addition, these facilities also offer G.E.D. preparation and emphasize life skills training for older students.
4. Multi-purpose facilities (serve detained, assessment and long term committed youth) – Five State-owned/operated facilities are multi-purpose facilities that require educational programming that serves the needs of both short-term (30 day assessment) to long-term (12 mos. treatment) youth. The short-term youth receive more core academic classes since the length of service does not provide the time necessary to learn the skills for the Vocational/CTE classes. Long-term students would have opportunities for the Vocational/CTE classes.

The unique physical plant characteristics of facilities allows for differing opportunities for Vocational/CTE programs. State-owned and operated Lookout Mountain YSC, has a large campus that has space to provide numerous vocational courses. Similarly, the State-owned, privately operated Ridge View YSC, is also located on a campus that allows for a wide range of vocational courses. All DYC residential programs offer secondary education services, and many placements also offer post-secondary services. The chart below provides a matrix of the various types of educational services that are provided at various programs, including State-operated, State-owned and privately operated, and three privately owned and operated facilities. It also includes the annual yearly progress, in terms of grade advancement, made by youth in State-operated facilities. The Department requested annual yearly progress data from Ridge View, but the operator has not yet responded with this information.

Programming	General Education	Special Education	CTE/ Vocational	Post-Secondary	Post-Secondary College Credit	Affective Ed	On Campus Work Experience	Off Campus Work Experience	GED Prep	Annual Yearly Progress	Annual Yearly Progress
State Owned /Operated:										Math	Reading
Grand Mesa YSC	X	X	X	X	X	X	X	X	X	1.4	1.6
Lookout Mountain YSC	X	X	X	X	X	X	X	X	X	1.1	1.5
Mt. View YSC	X	X	X	n/a		X	X	X	X	0.7	1.4
Marvin W. Foote YSC	X	X	X	X		X	X	X	X	n/a	n/a
Platte Valley YSC	X	X	X	X	X		X		X	1.6	1.8
Sol Vista YSC	X	X	X	x					X	1.5	2
Spring Creek YSC	X	X	X	X	X		X	X	X	1.3	1.4
Zebulon Pike YSC	X	X	X	X	X	X	X	X	X	1.7	1.5
State Owned											
Robert E. DeNier YSC	X	X	X	X	X		X	X	X		
Betty K. Marler YSC	X	X	X	X	X		X				
Ridge View YSC	X	X	X	X	X	X	X	X	X		
Private Providers											
Devereaux Cleo Wallace	X	X	X	X			X	X	X		
Jefferson Hills Aurora	X	X	X	X		X	X	X	X		
Southern Peaks	X	X	X	X			X	X	X		

Vocational Programs	AA Multimedia	Auto-motive Main- tenance/ Technology	Barbering/ Hair Syling	Business Manage- ment and Principles	Career Orientation	Computer Applica- tions	Construc- tion Technolog ies	Culinary	Custodial Program	Graphic Arts and/or Silk Screening	Horticulture/ Landscaping	Inter- mediate/ Advanced Software
State Owned /Operated:												
Grand Mesa YSC					X	X	X	X	X			
Lookout Mountain YSC			X		X	X	X	X	X	X	X	
Mt. View YSC								X		X		
Marvin W. Foote YSC								X				
Platte Valley YSC				X	X			X	X			
Sol Vista YSC								X				
Spring Creek YSC								X				
Zebulon Pike YSC				X				X	X			
State Owned												
Robert D. DeNier YSC	X							X				
Betty K. Marler YSC					X	X		X			X	
Ridge View YSC	X	X	X				X	X				X

Do educational services continue while a youth is on parole?

Educational programming for youth on parole varies. Youth who parole may have attained their diploma while in the residential setting or may have completed a G.E.D. Age and the circumstances to which youth parole greatly impact the type of programming in which they participate. Youth generally parole home to family, relatives, or to independent living. Often, younger committed youth will transition back into a public school while on parole. Older youth (18-20 years old) may return to an alternative school, a community college, or other vocational programming. However, for many older youth, their age and need to support themselves in an independent living situation may impact their ability to participate in further educational programs while on parole.

Are there different educational outcomes for kids after they are ultimately released, based on the types of services they receive when incarcerated or on parole?

As stated above, most committed youth make significant educational gains while in residential placement, regardless of the type of facility in which they're placed. There are many variables that may or may not influence educational outcomes, including individual youth treatment needs, their education progress at the time they are committed (upon commitment, many youth are several grade years behind in their education), and the extent to which they have family or other natural supports while on parole, or if they transition into independent living. There are a range of educational services provided to committed youth, and the yearly gains that youth achieve in math and reading are significant. Yearly gains information is not readily available for private programs, as their data is not tracked in the Colorado Trails system. The Division is unable to comment on outcomes for youth after they are discharged from parole and the DYCS system. The Division only tracks recidivism data on youth one year following discharge.

17. Provide an individual breakdown of General Fund per diem rates for committed youth at each state-operated, state owned-privately operated, and privately owned and privately contracted facility serving DYCS youth, noting capacity and average daily population:

- **Include detail on direct operational costs specific to each facility.**
- **Include detail on indirect or administrative costs including central administration specific to each facility.**
- **Include detail on state or federal subsidies including grants or entitlement programs in order to fully demonstrate financial implications to the Colorado General Fund.**

Response:

The Division does not have the data to provide individual breakdowns for the more than 50 State-operated and private contract residential programs at which the Division places committed youth. However, the Division is able to provide breakdowns by the general category of placement and the licensure type of facility within a category. It is also not feasible to ascertain the direct vs. administrative costs within the contract placements for the approximately 40 private providers. The Division has broken out costs within the main categories and has allocated Division administrative expenses (overhead) across the various facility types.

The table shown below breaks out costs across the following categories of placements: 1) State Owned Commitment; 2) State Owned, Privately operated Commitment; 3) Privately Owned/ operated; and, 4) State Detention. The table also breaks out the third category of privately owned and operated into licensure categories – Residential Child Care Facility (RCCF), Therapeutic Residential Child Care Facility (TRCCF), and Child Placement Agency (CPA). These distinctions are important to provide an understanding of what services are included in a daily rate. The individual needs of a youth are a major factor in determining what type of placement is best suited for that youth. For example, a youth with high mental health needs will benefit more from a State-operated or TRCCF placement as opposed to an RCCF or CPA.

Daily rates for providers are displayed showing the total expense - not just the daily rate incurred by the Division of Youth Corrections. The majority of contract placements operate an educational program that is funded through the Department of Education both through Per Pupil Revenue as well as billing for excess costs for youth in special education programs. For the youth who are placed in these community programs, including Ridge View, the cost to the Department of Education is estimated at \$5,392,992. Additionally, these programs all benefit from the Federal School Lunch program, which is administered through the Department of Education. Another expense to the State beyond the rate paid by the Division is for medical care and therapeutic treatment expense. These expenses are billed directly through the Department of Health Care Policy and Financing as part of the Medicaid program.

Other differences between rate profiles should take into account that no lease costs are charged to the private operator of state-owned facilities; however, privately owned and operated programs incur capitol costs. Finally, all nonprofit contract facilities have the ability to fund raise. Many take advantage of this source for additional revenue.

DYC Rate Comparison FY 2009-10

	Committed Youth					Detained Youth	
	State Facilities	Purchased Contract Placements			Purchased	State	
		State Owned/ Priv Op	Private Residential				
			RCCF	TRCCF	CPA/OTHER		
FY 2009-10 Expenditures		\$ 19,610,742	\$ 1,850,116	\$ 13,268,412	\$ 519,629	\$ 753,380	
ADP	499.3	381.0	40.9	212.9	30.5	16.6	346.5
Design Capacity	434.0					25.0	454.0
Percent of Committed Population	43%	33%	3.5%	18%	2.5%		
Rate Components							
Supervision, Operating Expense	\$ 136.62	\$ 141.02	\$ 124.00	\$ 170.76	\$ 99.99	\$ 129.00	\$ 128.34
DYC Administration allocation	\$ 10.61	\$ 9.08	\$ 9.08	\$ 8.68	\$ 8.68	\$ 8.68	\$ 12.10
DYC Assessment Process	\$ 0.95	\$ 0.95	\$ 0.95	\$ 0.95	\$ 0.95	\$ -	\$ -
DYC Medical/ Clinical Treatment	\$ 28.97	\$ 7.37	\$ -	\$ -	\$ -	\$ -	\$ 11.54
DYC Education/ Vocational Programs	\$ 34.91	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
DYC Food Services	\$ 13.81	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 13.81
Total Rate	\$ 225.87	\$ 158.42	\$ 134.03	\$ 180.39	\$ 109.62	\$ 137.68	\$ 165.79
Additional State Costs incurred outside DYC							
School Lunch Funding	included	\$ 4.75	\$ 1.55	\$ 4.05			\$ 4.75
Education	included	\$ 24.25	\$ 7.75	\$ 28.73	public school	public school	public school
Medical Care	included	\$ 2.96	\$ 6.69	\$ 6.69	\$ 6.69	not applic	included
Treatment Services	included	no services	no services	\$ 18.78	no services	no services	no services
Actual Costs to State on Daily Rate Basis	\$ 225.87	\$ 190.38	\$ 150.02	\$ 238.64	\$ 116.31	\$ 137.68	\$ 170.54

NON ADD's (already included above, shown for Reference)

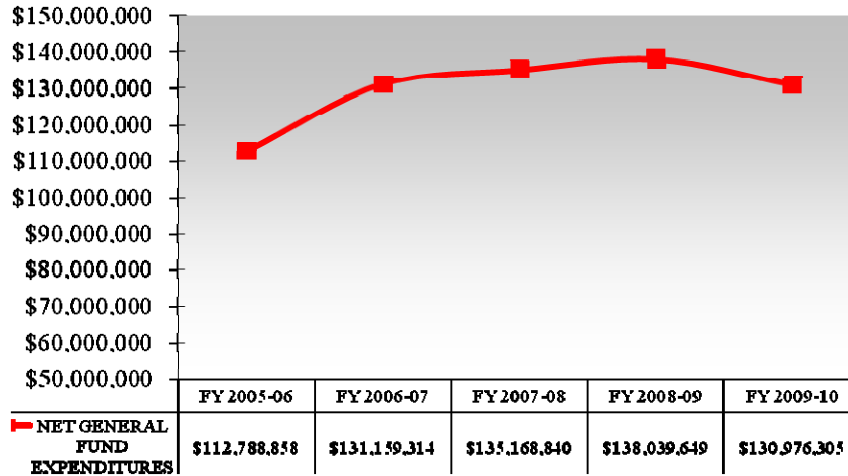
Federal Title IV-E Revenue Maintenance earned	\$ 941,229	148,675	898,950	0	not applic	not applic
Estimated Federal Medicaid Match	198,000	49,909	259,924	17,385	not applic	not applic
Estimated School Lunch Program	707,989	660,489	23,056	314,613	not applic	787,040
Fundraising	0	not available	not available	not available		not applic

18. Provide five year (2005-10) graphs illustrating:

- Annual total General Fund budget by year.
- Number of allocated FTE positions by year.
- Total Average Daily Population by year for committed youth
- Total Average Daily Population by year for detained youth.
- Total Average Daily Population of youth supervised on juvenile parole.

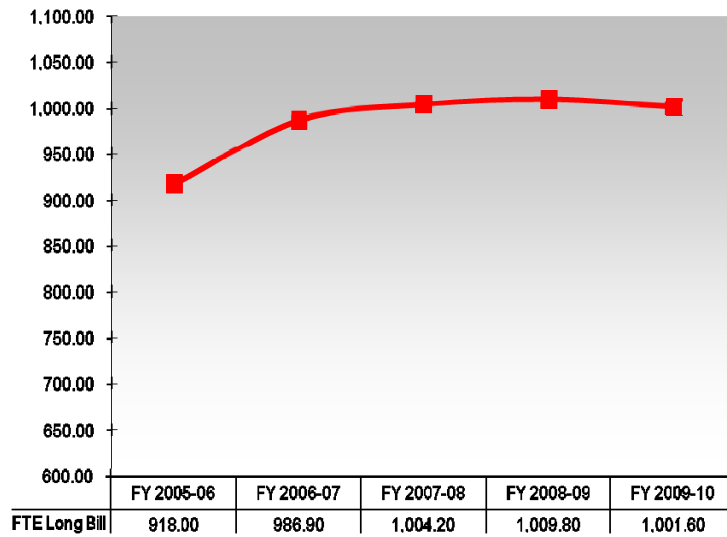
Response:

DYC 5-Year Expenditure Trends

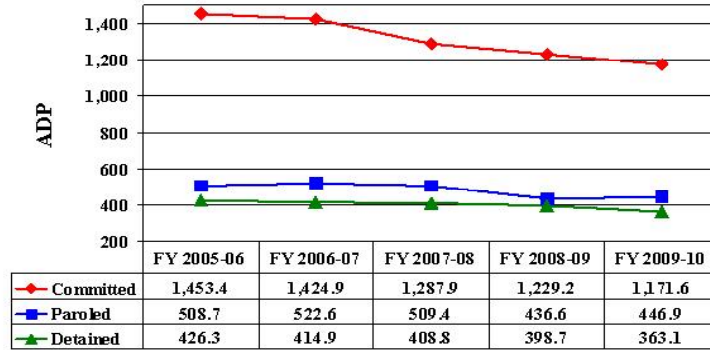


Note: The increase between FY 05-06 to FY 06-07 is a result of loss of Medicaid financing.

DYC 5-Year FTE Trends



DYC 5-Year Average Daily Population (ADP) Trends



The Youth Corrections Detention Continuum and S.B. 91-94

19. [Background: The S.B. 91-94 Annual Report notes that 46 percent of those youth screened as needing placement at home with services receives more restrictive placements. It recommends examining the relationship between initial placement, community-based treatment options, and other local practices to definitely determine the extent to which individual judicial districts could further reduce the use of secure detention for reasons that are contrary to best practice.] Does the Department believe secure detention could be further reduced by following best practices? Does it plan further research or investigation as recommended by the S.B. 91-94 annual report?

Response:

The decision to place youth in secure detention at the initial screening is the culmination of a complex process that includes community tolerance for risk, judicial discretion, family availability, and the reason detained, i.e, sentence, arresting offense, or warrant.

The recommendation made in the *Senate Bill 94 Evaluation, Annual Report, Fiscal Year 2009-10* indicates that more investigation would illuminate the processes that lead to the use of secure detention. While the Department does not necessarily believe the use of secure detention would be significantly impacted by a change in current practices regarding screening and initial placement decisions, the Division will explore these recommendations with the outside evaluator. The recommendation was based upon data that indicates that 521 (45.3%) of the 1,149 youth screened to home detention were actually initially placed in secure detention. However, several factors must be considered in the assumptions that underlie the notion that these screening and initial placement

decisions may be contrary to best practice.

Assumption: Districts lack resources to release youth to home detention at screening.

1. There is nothing to indicate that districts lack resources to provide home detention services, thereby causing youth to be driven into secure detention at screening. Prior year surveys of judicial districts by TriWest have not found this to be an issue. The 2008-2009 TriWest Evaluation Report notes that for the past four years, the trend has been for districts to respond positively to questions regarding their perceptions of service availability.
2. This data refers to the *initial placement* decision. By statute, youth must be afforded a detention hearing within 48 hours of arrest. Often these youth only remain in secure detention for this short period of time before being released home with services. It follows that districts that have the resources to release youth to home detention after detention hearings, have those same resources available at screening.

Assumption: Judicial discretion negatively influences the use of secure detention and leads to the incarceration of low-level offenders.

1. Judicial discretion reflects an individual community's values as well as an individual community's tolerance for risk. The information presented in the annual evaluation report does not fully describe the characteristics of the 531 youth in this category.
 2. A common contributing factor to the decision to detain youth who screen to home detention is simply the availability of a responsible parent or other adult to assume supervision at the point of screening. If no parent is available at that moment, a youth may have to wait for the initial detention hearing for release.
 3. Further analysis of the 45.3% of youth who screen home with services but are placed in secure detention shows that:
 - The average length of service in secure detention is significantly less for this group than the statewide average, 8.5 days vs. 14.2 days;
 - Approximately half of these youth are at moderate to high risk to re-offend on the Colorado Juvenile Risk Assessment (CJRA);
 - 23% of these youth are being held on a sentence, warrant or remand from court; and
 - 35% of these youth are being held for a felony offense.
- 20. What would be the advantages or problems associated with limiting judicial discretion to place youth in secure detention for violation of a valid court order (a practice that can lead youth to be placed in secure detention for truancy)? Should the General Assembly consider this? What would be the related budgetary savings?**

Response:

There are several considerations in relation to this issue, including:

- The central issue may not necessarily be judges' and magistrates' use of secure detention for truants, but rather the community response to addressing the core

issues related to truancy. Truancy cases are often complex and involve a wide range of agencies, including county departments of social/human services, school districts and local mental health providers.

- There are 176 school districts in Colorado, each with their own approaches to truancy, including intervention, case planning and referrals to the District Court. In order to effectively address the issue of the Valid Court Order, a consistent and coordinated approach, utilizing best practice research must be integrated throughout all Colorado school districts and broader communities.
- The federal Juvenile Justice and Delinquency Prevention (JJDP) Act currently allows the use of Valid Court Orders to sentence status offenders to secure detention. Statutory changes at the State level may not impact upon judicial practice, as long as federal law allows it. A reauthorization of the JJDP Act is currently being considered by Congress, and the latest draft of the legislation would phase out use of the Valid Court Order over a three-year period.
- The Department has worked closely with the State's 22 Judicial Districts through Senate Bill 94 and the detention capping legislation to radically re-engineer the structure of the State's juvenile detention system. The success of this partnership has been consistently demonstrated through the decrease in secure detention use, the development of the "right service at the right time" for pre-adjudicated youth and dramatic changes in judicial practices. Thus, attempts to curtail judicial discretion in addressing truancy and the use of the Valid Court Order may have a negative impact on the working relationship between the State and local judicial officers.

What would be the budgetary savings?

Under the current detention cap of 479, a reduction in use of secure detention through restricting Valid Court Orders would produce little fiscal impact. Until such time as the detention cap is adjusted, the Division must continue to maintain the availability of 479 beds statewide. In addition, the number of truants in detention at any one time through the State ranges between 5 and 10 average daily population (ADP), and would therefore not represent a significant reduction in overall use.

Restorative Justice

21. *[Background: House Bill 08-1117 directed the juvenile diversion program to integrate restorative justice practices into the program when possible, and made restorative justice a sentencing alternative for the court unless the juvenile committed an offense*

involving unlawful sexual behavior or domestic violence.] Please provide information concerning the implementation of this act and the impact of this act on the Division of Youth Corrections. Further, describe generally what role restorative justice plays in services provided through the Division.

Response:

House Bill 08-1117 did not apply to or impact upon Division programs. The Division of Youth Corrections is not mentioned in the resulting statute. The Division does not administer any sentencing, or diversion programs: The court in the jurisdiction where the juvenile's case has been filed makes sentencing decisions. Additionally, Juvenile Diversion is a function of District Attorneys throughout the state, and is independently administered at the local level. The Department of Public Safety, Division of Criminal Justice, intends to address this issue further at its briefing.

Further describe generally what role restorative justice plays in services provided through the Division.

Restorative community justice is an integral component of the Division's mission and vision. There are a number of creative and restorative focused activities designed to repair harm to stakeholders, and these activities are demonstrated throughout the Division's programs. These activities include, but are not limited to, apology letters, facilitated Victim Empathy Classes, Victim Impact Panels, accountability circles, conflict mediation, victim offender mediation, and family conferencing. The Division collaborates with Juvenile Parole Board staff to involve victims where appropriate.

Restorative justice practices and approaches are integral considerations to State-operated facility programming. For example, rather than simply providing consequences to youth who violate rules or cause some harm to other youth in facilities, creative, "restorative" activities are employed that are relevant to the infraction or offense in an attempt to teach youth skills and assist them in the process of relating their actions to the experiences of those who are victimized. Youth take part in broad restorative activities that are intended to reconnect them to the community at large. These things include, painting murals, cleanup projects, assisting in senior centers and raising money for charities. Parolees also participate in restorative justice activities; most importantly, youth are required to work toward paying down restitution balances and also participate in community service projects.

11:45-12:00 DIVISION OF CHILD CARE

22. **What does the department anticipate the cost savings on the new CHATs information technology system will be? Are they still on track to get the savings in three years? If not, how long until the savings are achieved? How will the savings benefit the child care system?**

Response:

The new CHATS system was fully implemented in the State as of December 1, 2010. By February 2011, the payments will reflect the cost of care when paid based on automated attendance tracking. By June 2011, there will be enough months of data to be able to make a comparison of provider payment totals in the old system and the new. At that time, the Department will be able to make a projection of provider payments and identify cost savings. It is anticipated that the savings benefit in provider payments will be utilized for maintenance of the system, as well as utilization by counties to serve additional children at either original application or from wait lists.

23. **Are students typically able to access child care subsidies from the Colorado Child Care Assistance Program (CCCAP), including students in technical training and those in state universities and community colleges? Do college on-site daycare programs receive/accept CCCAP? Do college on-site daycares provide subsidized care using other fund sources?**

Response:

Training as Eligible Activity - Currently six of the ten large counties allow training as an eligible activity; the activities include technical training as well as higher education. Allowing training as an eligible activity is a county option and currently out of 64 counties, 48 allow and the remaining 16 do not allow.

The tables below give county level training detail (Table 1) and information on colleges with on-site childcare facilities (Table 2).

Table 1: Training as an Eligible Activity			
Ten Large Counties		Balance of State (Not allowing)	
Adams	No	Alamosa	Rio Grande
Arapahoe	No	Bent	San Miguel
Boulder	Yes	Broomfield	
Denver	Yes	Chaffee	
El Paso	Yes	Grand	
Jefferson	No	Gunnison	
Larimer	No	Hinsdale	
Mesa	Yes	Jackson	
Pueblo	Yes	Mineral	
Weld	Yes	Ouray	

Table 2: COLLEGE CHILD CARE SURVEY

The table below lists the colleges that accept CCCAP and identify other funding sources, though may not be all-inclusive of those sources.

College	Child Care Center	CCCAP Funding	Other Subsidies
Trinidad State College, Valley Campus	Children's Garden	Yes	Colorado Preschool Program, Early Head Start, Private Pay, Wait Lists for All Age Groups
Southwest Colorado Community College	Durango	Yes	Southern Ute Tribe Contract
Pikes Peak Community College	Rampart Range	Yes	NACCRRRA - military subsidy, sliding scale for students and employees
Red Rocks Community College	The Children's Place	Yes	Wait Lists for All Age Groups, do not pay for lease of space
Front Range Community College	The Children's Place	Yes	Private Pay
Metro State	Auraria Early Learning	Yes	Student Fees Subsidize
Pueblo Community College	Durango Child Care	Yes	Contract with Southern Ute Tribe
University of Colorado, Boulder	CU Children's Center	Yes	Get Subsidy as Part of Housing Dept

24. Are tighter child care licensing requirements driving small providers to shut down? Have child care licensing requirements tightened recently?

Response:

The Department has not seen that increased licensing requirements have driven small providers to close. Rule revisions for Family Child Care Homes have changed over the last year. Additional requirements to “specialty licenses” are now required to complete a department approved and funded Expanding Quality Infant/Toddler Course. Other rule changes have not created a financial or personnel hardship that would prevent a provider to continue to be licensed. Rules that were changed to meet higher standards such as increase in resilient playground surfaces on permanently installed playground equipment and portable climbing equipment over 2 feet are not requirements for providers to be licensed, only if they wish to have such equipment.

Have you seen any related trend of smaller providers shutting down?

Response:

The number of Closures/Opening according the Trails database for Child Care Facilities with capacities of 15 or less is as follows:

Child Care Facilities (Capacity - 15 or Less)	FY 2008-09	FY 2009-10
Provider Requested Closures	476	493
Closures through Adverse License Action	35	45
New Provider/Facility Approved	782	783

25. Please respond to the budget reduction options outlined in the staff budget briefing: eliminating funding for child care councils, elimination or reduction of state support for the Child Care Assistance Program, and reduction to child care licensing staff.

Response:

Child Care Assistance Program – The Department does not support decreasing the general fund appropriation of the Child Care Assistance Program budget line. In SFY 2010, 40,869 children within 25,709 households were served in the program. These numbers do not include the current number of 5,205 children within 2,895 families that are on wait lists. A loss of services of 36 percent of those children in families potentially affects over 11,500 children within 7,200 households.

The loss of subsidized child care leads to:

- Children being forced into unregulated care
- Children being left home alone

- Parents challenged in their ability to maintain employment due to the difficulty in finding reliable child care
- Parents could be forced to quit their employment
- Employer’s ability to maintain a stable work force
- Negative effects to the child care provider population; many would be closed for lack of funding which drives further unemployment.

Child Care Licensing -- The Division of Child Care currently licenses over 8,500 child care facilities. The largest license type is the family child care home with approximately 3,500 statewide. There are over 3,000 child care centers and about 2,000 24-hour facilities that include foster homes, monitored by the Division.

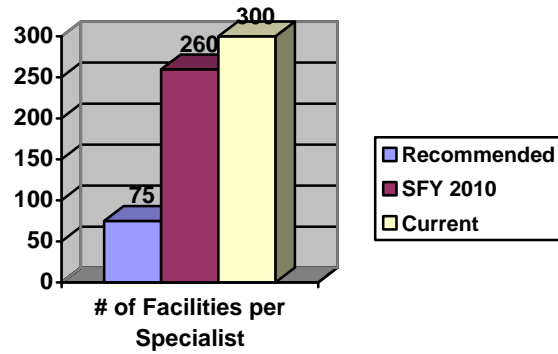
The National Association of Child Care Resource and Referral Agencies (NACCRRA) scored and ranked state child care licensing and oversight regulations. Colorado ranked 41st in the nation in its oversight and regulations based on the report.

Ranking of States’ Combined Scores for Child Care Center Oversight and Regulation						
Top 10	Score	Rank		Bottom 10	Score	Rank
Department of Defense	131	1		New Mexico	69	43
District of Columbia	111	2		Arkansas	66	44
Oklahoma	106	3		Iowa	66	44
Tennessee	106	3		Missouri	66	44
Maryland	104	5		Kansas	64	47
Rhode Island	104	5		California	62	48
New York	100	7		Georgia	53	49
Illinois	98	8		Nebraska	49	50
Florida	97	9		Louisiana	46	51
Washington	97	9		Idaho	15	52

One of the ranking indicators is the average caseload and number of visits per year to facilities. The national recommendation for caseloads is 75 per specialist. Last fiscal year, the Division lost 3.5 positions due to budget cuts. Prior to the staffing decrease, caseloads were about 260 per licensing specialist. Today, caseloads are over 300 childcare facilities per licensing specialist.

As a result, staff visits have further decreased. The national recommendation for the number of visits is 4 times per year. Prior to last year's budget cuts, Colorado's average visit to a facility was once every two years. While the average is still nominally once every two years, the number of facilities being visited once every three years has increased.

Caseloads for Colorado's Child Care Licensing Specialists



ADDENDUM: OTHER QUESTIONS FOR WHICH SOLELY WRITTEN RESPONSES ARE REQUESTED

- 1. Please provide a table comparing the actual number of department FTEs in FY 2000-01 and the requested number of department FTEs in FY 2011-12, by division or program.**

**Colorado Department of Human Services
Response to Addendum Question #1**

	Actual FTE Usage*		Requested FTE
Long Bill Group**	FY2001-02	Long Bill Group	FY 2011-12
Executive Director's Office	151.9	Executive Director's Office	150.0
Information Technology Services	181.7	Information Technology Services	0.0
Office of Operations	509.0	Office of Operations	456.3
Self-Sufficiency	258.6	Self-Sufficiency	256.2
Child Welfare	38.1	Child Welfare	57.0
Child Care	56.6	Child Care	66.0
Division of Youth Corrections	872.3	Division of Youth Corrections	998.4
Office of Behavioral Health and Housing (Including Mental Health Institutes)	1,415.8	Office of Behavioral Health and Housing	1,268.8
Office of Adult & Veterans Services	38.9	Aging and Adult Services	28.5
Office of Health and Rehabilitation & Disability Services (Excluding Mental Health Institutes)	1,139.5	Services for People with Developmental Disabilities (Less Nursing Homes)	1,222.8
Office of Children's Health and Rehabilitation	3.9		
		State & Veterans Nursing Home (Not Included in FY 2001-02 Long Bill)	673.4
Total Utilized FTE	4,666.3	Requested FTE	5,177.4

Notes: * Data Pulled From the FY 2003-04 Budget Request

** Adjustments have been made to FTE to account for Long Bill reorganizations.

2. Please provide a table comparing the actual number of FTEs in FY 2008-09 and FY 2009-10 to the appropriated level of FTE for each of those fiscal years, by division or program. If there is a discrepancy of 5.0 percent or more between your FY 2009-10 FTE appropriation and actual usage for that year, please describe the impact of adjusting the FY 2011-12 FTE appropriation to align with actual usage from FY 2009-10.

Response:

Colorado Department of Human Services						
Response to Addendum Question #2						
Long Bill Group	FY 2008-09		FY 2009-10			
	Approp.	Actual	Approp.	Actual	FTE Difference	% FTE Difference
Executive Director's Office	144.2	126.5	148.0	128.0	20	13.5%
Information Technology Services	176.7	156.2	173.3	154.4	18.9	10.9%
Office of Operations	461.2	451.0	470.4	446.6	23.8	5.1%
Child Welfare	37.5	31.3	50.0	41.5	8.5	17.0%
Child Care	66.0	59.8	69.1	60.0	9.1	13.2%
Self-Sufficiency	285.1	240.0	288.3	252.2	36.1	12.5%
Office of Behavioral Health and Housing	1,396.4	1,324.0	1,380.2	1,265.9	114.3	8.3%
Services for People with Developmental Disabilities	1,929.1	1,819.1	1,962.4	1,817.3	145.1	7.4%
Aging and Adult Services	28.5	22.9	28.5	21.7	6.8	23.9%
Division of Youth Corrections	1,009.8	976.3	1,008.0	974.5	33.5	3.3%
Total	5,534.5	5,207.1	5,578.2	5,162.1	416.1	7.5%

Executive Director's Office/Department Wide Considerations – During FY 2009-10, three distinct factors impacted FTE utilization: a department-wide layoff, division reorganization and furlough days. The department has listed the three department wide impacts below, as well as, the impacts by program area.

- CDHS Layoff : September 2009 – January 2010.

During a lay-off, a hiring freeze is essential to “hold” positions for retention purposes and to reduce the possibility of “bumping.”

During the freeze and once retention rights have been administered, it's possible to “release” certain classifications from the freeze and allow the hiring process to resume. Because many employees were in the same classification, this resulted in a four month hiring freeze. Had this layoff not occurred, the Department definitely would have filled positions thus representing a higher FTE usage for FY 2009-10.

- Division for Developmental Disabilities Reorganization: February 1, 2010 – May 27, 2010.

The reorganization effort required another hiring freeze, impacting the Department's ability to adequately demonstrate its FTE needs from February 1, 2010 through May 27, 2010.

- Furlough Days: September 2009 – May 2010

Governor Ritter ordered a total of eight (8) furlough days for state employees to meet a portion of the revenue shortfall projected for FY 2009-10.

The Governor's Executive Order included exemptions based security and safety. Due to needs of the populations served by the Department, direct care positions were exempted from furlough days. Approximately 65% of the Department's workforce provides direct care services. The Executive Order mandated 35% of the Department's workforce, roughly 1952 FTE, to participate in furlough days.

Information Technology Services – These FTE have been relocated to the Governor's Office of Information Technology. As a result, no response can be provided by the Department of Human Services.

Office of Operations – The difference between appropriated and actual FTE usage is less than 5%.

Child Welfare – The Division of Child Welfare has a difference of 8.0 FTE from the appropriated level and the actual level during FY 2009-10. 4.0 FTE are non-appropriated Federally Funded positions and should not be counted towards DCW unutilized FTE.

The remaining 4.0 FTE unutilized FTE during FTE were the result of various hiring freezes that occurred in the Department of Human Services (see EDO).

The impact to the Division of Child Welfare would be great if the FY 2011-12 appropriation were aligned to FY 2009-10 actual usage. The Division received FTE positions from the Legislature to improve the monitoring of child protection in the counties, to improve the reviews of county foster homes, and to supervise these positions. The Division was understaffed in these areas and is finally able to perform the functions that are statutorily required. A realignment of FTE positions would leave the Division vulnerable to not being able to perform the work with which they are required to do.

Child Care – In FY 2009-10 the Division of Child Care could not fill new FTE positions or vacancies due to hiring freezes and Department facility closures that led to open positions being frozen to new hires to accommodate displaced workers. In the current year, the Division has 100% of FTE utilized.

Self-Sufficiency – The FTE utilization in this division has been fairly constant over the last couple of years. The majority of the sections in the division have less than 10.0 FTE appropriated to them. The largest differences between appropriated and actual FTE usage are comprised of two program areas within Self Sufficiency, the Refugee Assistance Program and the Disability Determination Services. Both programs are 100% federally funded and are in the Long Bill for informational purposes only. Therefore, the impact of adjusting the FY 2011-12 FTE appropriated to the respective sections to align with actual usage from FY 2009-10 would be minimal.

Office of Behavioral Health and Housing – The hiring freeze during the layoff process required positions at the Mental Health Institutes to remain open longer than normal and contributes to the underutilization of FTE.

Services for People with Developmental Disabilities – The hiring freeze during the layoff process required positions at the Regional Centers to remain open longer than normal and contributes to the underutilization of FTE.

Aging and Adult Services – Changing the FTE appropriation to fix it at FY 2009-10's artificially low level will ultimately impact the seniors and disabled in the community who rely on Adult Assistance Programs. The FY 2009-10 utilization was uncharacteristically low as unexpected resignations, retirements, and deaths left 6.0 FTE unfilled. Due to the hiring freeze, furloughs, and loss of a section manager and division director, resulted in the underutilization of FTE. To address these staffing needs, the new director, hired in September 2010, assessed staffing levels and implemented a hiring plan. Three key staff members have been hired since and at least three more will be hired by the end of December 2010. The new staff will help ensure that the services and assistance that we deliver to Colorado's aging and disabled citizens are delivered appropriately and without interruption.

Division of Youth Corrections – The difference between appropriated and actual FTE usage is less than 5%.