

Position Statement

For 2024 Session

MACSSA has an organizational priority of “Strategic Position Development” with the goal of addressing challenges and leading innovation through thoughtful analysis that incorporates fiscal implications, systemic policy concerns, and legislative strategies in the development of policy and legislative positions.

Educational Concerns

Proposal

Issue: In Minnesota, the role of child protection includes addressing concerns of educational neglect. Approaching educational concerns in this way pulls families into the deepest end of our service continuum when a child welfare approach could address the barriers many families are facing related to education. Families living in poverty and families of color disproportionality enter the child protection system in every category of maltreatment, however the rate is particularly high with educational neglect reports, and this was exacerbated during the pandemic. Having the ability to review and accept these reports as a child welfare concern rather than child protection allows for early intervention services, a more appropriate response that can also impact disproportionality. Offering a child welfare response to families can help build partnership and protective factors to reduce the risk of these families later entering the child protection system.

In Minnesota in 2020, roughly 70% of educational neglect reports involved children of color, whereas they represent only 36% of the enrolled student population. American Indian children represented 11% of children referred for educational neglect despite representing less than 2% of enrolled student population. Similarly, multi-racial children represented 21% of children reported for educational neglect; they represented only 6% of the enrolled student population.

Implementation:

Change the language from statute 260E and MN Child Maltreatment Screening Guidelines that identifies educational neglect as a mandatory child protection response and amend language to allow a discretionary child welfare response, with a mandated offer of services or to enable a county to pilot an alternative response in partnership with a community provider to offer services to a family when school attendance concerns emerge.

Provide best practices as to how to respond/provide services to families. When meeting with families regarding school attendance concerns, a strength-based approach to problem-solve and address barriers is paramount.

Systemic Priority/Paradigm Trend Alignment (highlight all that apply and explain why)

- **Equity:** Promote racial equity and eliminate racial disparities in the human services system for all people across the state. *(systemic priority)*
- **Workforce:** Advocate for strategies to sustain and equip the workforce, and simplify work given the forecasted labor shortages. *(systemic priority/paradigm trend)*
- **Technology:** Collaboratively seek state investment in systems transformation and modernization which must include appropriate county collaboration, oversight, and guidance. *(systemic priority/paradigm trend)*
- **Governance/Partnerships:** Co-create state/county governance that results in clear accountability, appropriate allocation of resources, stabilized service delivery, and improved outcomes for people served. *(systemic priority/paradigm trend)*
- **Resident Service:** Adapt to individual needs to support real choices *(paradigm trend)*

Operational Priority (Committee) Alignment

(highlight all that apply and explain why)

Adult Services
Behavioral Health

Children's Services
Equity

Healthcare
Modernization

Policy
Self-Sufficiency

Why: Currently the mandated response to educational neglect falls to the child protection system and the change would be needed in child welfare/child protection statutes. Often, educational neglect reports are disproportionately received regarding members of BIPOC communities and those experiencing poverty. A high rate of absence from school can be an indicator of families in need, and are often the result of other concerns affecting persons experiencing poverty such as lack of childcare, lack of transportation, housing issues, and food/clothing insecurities. Addressing needs in a preventive child welfare approach can often address the underlying issues without the stigma of a child maltreatment assessment where there is no identified safety risk.

Rationale/Background:

A high rate of absence from school can be a helpful indicator of a family in need of support. Often the causes of school attendance issues are rooted in systemic issues such as poverty, mistrust of school systems, family or child stressors, bias reporting, or as currently seen, complications related to a global pandemic. Research supports that children who are chronically absent often display poor academic outcomes and negative longer-term consequences, including anti-social behavior, substance use and criminal justice involvement.

Currently, the response to repeated absences is a child protection assessment for educational neglect. This mandatory approach is often a mismatch of response and resources. In other required maltreatment reports, issues of safety and imminence take precedence. Addressing the well-being issue of education, while fundamental and critical, often can get overlooked when more pressing safety concerns demand attention and can be more appropriately addressed through a diversionary process. In addition to resource and response concerns, data show children of color and families living in poverty have consistently been disproportionately reported to child protection for educational concerns for years, with the impact of the pandemic leading to an additional increase in the reporting numbers for children of color.

System involvement can and does have a negative impact on student/family functioning. According to an article by the Counsel of State Governments entitled, "Rethinking Role of Juvenile Justice System: Improving Youth's School Attendance and Educational Outcomes", system involvement doesn't improve and may harm a youth's school attendance and success. This article is focused on youth involvement in Juvenile Justice, but it may also apply to child/family involvement in the Child Welfare system. According to this article, a reason that might explain why system involvement may harm school attendance and school success is the "Labeling Effect". The Labeling Effect involves how children/youth/families are impacted or labeled as "system involved" and how that system involvement may change how youth and families see themselves and act accordingly. It also impacts how others (e.g., peers, school personnel, other adults) see children/youth and their families. How others see youth/families can create strain and/or sever a youth's connections to positive peers, adults and prosocial activities.

Over the past 13+ years in Olmsted County, children of color have been diverted from the child protection system to enter the PACE program (Parents and Children Excel). This evidence-based, voluntary service offers front-end services to wrap around the needs of the family, offer resources and referrals, address basic needs and remove barriers related to a child's educational well-being. In this system, if PACE is unable to engage with the family and the concern persists, a referral can be made to child protection for intervention. Providing services through the PACE program versus Child Protection has avoided costs associated with higher intensity service and families served by the PACE program are less likely to re-enter the system.

In 2022/2023, Scott County implemented a community-based response to school attendance concerns for children under the age of 12. The PASS program (Promoting Attendance and School Success) is a partnership with a community-based non-profit to provide both a prevention and diversionary response. First year data clearly supports the overrepresentation of children of color in educational neglect reports. This may be connected to attendance policies that may disadvantage non-White students and students of lower incomes. The ability to implement a more holistic, voluntary county or community-based response better aligns resources to more holistically coordinate services for families.

In 2017 a research study on a truancy diversionary program in Queensland, Australia found that a diversionary strategy that incorporated principles of restorative justice increased student attendance by approximately 30% (Mazerolle et al., 2017). **

Reasons for a change in response to educational concerns would include:

- There is already evidence that an alternative approach regarding school concerns can be adequately addressed through a child welfare or a community-based response that can better, and more appropriately, support children and families with school success.

- It is an immediate, concrete action that directly impacts children and families of color and families living in poverty and can reduce entry into the child protection system.
- Allows for county systems to better triage their workload and reserve staff time and resources for more imminent safety concerns that are reported to child protection agencies.
- Separates educational concerns from the child protection system to a more supportive approach.
- Moves away from placing blame on caregivers for failing to comply with compulsory instruction laws and labeling them as neglectful and moves toward acknowledgement of the many situations where caregivers have barriers that get in the way of their ability to get their children to school.
- Demonstrates active efforts toward aligning with the vision of community and culturally specific agencies taking on work with families in our communities, as one diversionary approach could be to utilize these agencies to address educational concerns where feasible.

**Mazerolle, L., Antrobus, E., Bennett, S., & Eggins, E. (2017). Reducing truancy and fostering a willingness to attend school: Results from a randomized trial of a police-school partnership program. *Prevention Science*, 18(4), 469-480.

High-level, one paragraph description of the issue and its importance:

Currently, concerns regarding educational neglect, defined as 7 or more unexcused absences, requires a child protection response through a child maltreatment assessment, placing these families into the deepest end of the service continuum. This mandatory approach is often a mismatch of response and resources as the reports do not involve issues of immediate safety and imminent danger but require the same response as those which do. School attendance is frequently reflective of systemic barriers such as homelessness, poverty, child or parent stressors, or mistrust of schools. Children of color are disproportionately subject to educational neglect reports in Minnesota, representing 70% of reports and only 36% of the enrolled student population. The well-being issue of education can often be better addressed using a community-based, early intervention child welfare response to partner and engage with families to address the underlying barriers. Changing language in MN Statute 260E and the MN Child Maltreatment Screening Guidelines to allow a discretionary child welfare response, with a mandated offer of services or an alternative response in partnership with a community provider would provide flexibility, improved equity in services by reducing barriers for children of color and families living in poverty, and improved outcomes.



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