

Position Statement

For 2022 Session

Educational Neglect

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 Strategy:

Remove language from statute that identifies educational neglect as a mandatory child protection response and amend language to allow discretionary a 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 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. Reports in which a caregiver is unwilling to participate in problem solving attendance issues or is otherwise non-responsive after multiple, varied attempts, may be screened in for Family Assessment response.

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

- **Equity**
- **Integrated Services**
- **Fiscal Framework**

From the GARE Toolkit (See www.raciaequityalliance.org): What are the racial equity impacts of this particular decision? Who will benefit from or be burdened by it? Are there strategies to mitigate unintended consequences?

Comments:

Relevant Committee (highlight all that apply and explain why)

- Adult Services
- Behavioral Health
- **Children's Services**
- 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.

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.

Currently, the response to repeated absences is a child protection assessment. This mandatory approach is often a mismatch of response and resources. In other required maltreatment reports, issues of safety and imminence take precedence, often consuming child protection worker's time. 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.

Over the past 12+ 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 parents are unable to take advantage or decline services, a referral is made to child protection in order to follow current MN requirements. Providing services through the PACE program versus Child Protection has avoided costs associated with that higher intensity service and families served by the PACE program are less likely to re-enter the system.

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 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.



Submitted by:

Approved on: