

*A Three-Pronged Approach to Addressing  
Racial Disproportionality and Disparities  
in Child Welfare: The Santa Clara County  
Example of Leadership, Collaboration and  
Data-Driven Decisions*

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A Three-Pronged Approach to Addressing Racial Disproportionality and Disparities in Child Welfare: The Santa Clara County Example of Leadership, Collaboration and Data-Driven Decisions

**Abstract:** Disproportionality and disparities in the treatment of children of color has been a growing concern in the child welfare system. System stakeholders have begun to recognize the problem through data, which help identify discrepancies within their jurisdictions. Nationally, the primary concern is the overrepresentation of African American children within the child welfare system, where African Americans represent proportions of the foster population at a level more than twice as high as they are represented in the community at large. In some jurisdictions, however, this is only one piece of the disproportionality concern. San Jose, for example, has both an overrepresentation of African American and an overrepresentation of Hispanic children in the child welfare system. Because San Jose's child welfare population is unique, they have had to take a unique approach to addressing these concerns. This article outlines strategies and tools used to begin reducing disproportionality within the child welfare and juvenile dependency court system, using San Jose's experience as an example. Some of the key approaches to addressing disproportionality include ensuring a systems approach (creating a Cross Agency Systems Team that prioritizes services for parents and children in various systems, e.g., mental health, substance abuse, etc.); addressing disproportionality from multiple perspectives and examining the roles' of caseworkers, supervisors, service providers, judges, and attorneys; gaining community and system stakeholder buy-in by maintaining momentum and providing opportunities for dialogue about the complex issues facing families of color; using a data-driven approach to inform ongoing initiatives and changes in policy and practice (e.g., closely examining policies and practices such as the frequency of recommendations to by-pass reunification services); and implementing changes in practice at multiple levels

**Keywords:** Disproportionality, Disparity, Child welfare, Courts, Dependency, Collaboration, Leadership, Data

## A Three-Pronged Approach to Addressing Racial Disproportionality and Disparities in Child Welfare: The Santa Clara County Example of Leadership, Collaboration and Data-Driven Decisions

For more than a decade, there has been increased awareness that children of color are disproportionately represented and experience disparate outcomes in the child welfare system. Disproportionality occurs when a particular racial or ethnic group is represented within a social system at a rate or percentage that is not proportionate to their representation in the general population. While not a new phenomenon, recent efforts by national organizations, child welfare agencies, and courts have brought the issue of reducing disproportionality and disparities to the forefront of state and national policy agendas (Bilchik & Stagner, 2009). Attention has focused particularly on the overrepresentation of African American children, who are overrepresented in every state's foster care system at a level of two to six times higher than they are represented in the community at large (Hill, 2007). While the overrepresentation of Latino children is frequently mentioned, little research has focused specifically on this population, which is overrepresented in at least ten states, including California (Hill 2006; 2007). This paper describes the innovative work of Santa Clara County, in their three-pronged approach to reducing disproportionality and disparities for both African Americans and Latinos along the child welfare continuum by synthesizing leadership, collaboration, and data-driven decision-making. Recommendations for system stakeholders are included, as the success of an initiative to reduce disproportionality and disparate treatment of children and families of color depends on the collaborative involvement of stakeholders from multiple systems.

Encompassing San Jose, California, Santa Clara County is a hub for many successful high technology companies, yet nearly 25 percent of county residents live at or below the level

of economic self-sufficiency, which is \$22,000 per household in Silicon Valley (United Way Silicon Valley, 2006). Twenty-four percent of all families with children in Santa Clara County are Latino, while 47 percent of the families in poverty with children are Latino (County of Santa Clara Social Services Agency, 2007), indicating that Latino families experience poverty at disproportionate rates.

In 2003, the year that Santa Clara County created a collaborative task force to focus on disproportionality in child welfare, African Americans accounted for 8.5% of the entries into the child welfare system—a number more than three times their representation in the general population at two percent. Similarly, Latino children represented 60% of the child welfare entries in 2003, but only 26% of the community as a whole.<sup>1</sup> Latinos continue to lead population estimates as the fastest-growing group in the United States and in Santa Clara County (U.S. Census Bureau, 2009). Latinos also enter the child welfare system through referrals to child welfare agencies at a rate that is higher than other groups (Rivera, 2002). Currently, in Santa Clara County, Latino children enter care at a rate of 1.6 times their rate in the general population (Summers, Wood, & Russell, 2012). Once in the child welfare system, Latino children are more likely than non-Latinos to remain in out-of-home care for longer periods of time (Church, 2006). African American children and families have similar experiences, and continue to be the largest racial group in the child welfare system overall, entering foster care at a rate of 2.6 times their rate in the general population (Summers, et al., 2012). Figure 1 portrays the most current disproportionality rates for Santa Clara County.

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<sup>1</sup> Disproportionality rates for 2003 were calculated using the 2003 Adoption and Foster Care Reporting System and 2000 Census population data.

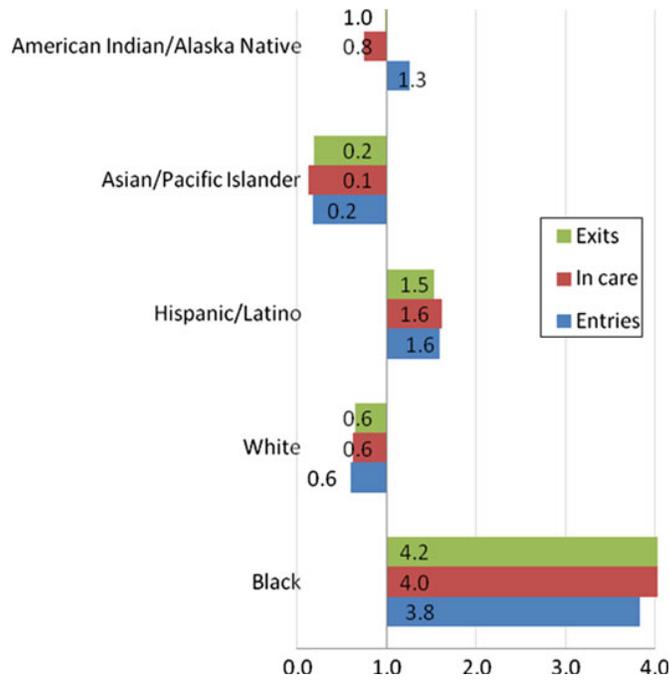


Figure 1. Santa Clara County, CA Racial Disproportionality Index for 2010.<sup>2</sup>

Disparate treatment of minority families is also a problem. African American children in Santa Clara County are more likely to be placed in foster care than white children (SPHERE Institute, 2010) and more likely to stay in care longer (Hines et al., 2001). Hines, et al. (2002) also found that Latino children experienced multiple placement changes and their families received fewer family maintenance services compared to white children.

Literature on racial overrepresentation (disproportionality) and disparities in child welfare posit three overarching explanatory theories: 1) the disproportionate need families of color have for public services makes them more visible to the child welfare system; 2) racial

<sup>2</sup> Disproportionality is the level at which groups of children are present in the child welfare system at higher or lower percentages or rates than in the general population. An index of 1.0 reflects no disproportionality. An index of greater than 1.0 reflects overrepresentation. An index of less than 1.0 reflects underrepresentation.

Source: Out-of-home care data from National Data Archive on Child Abuse and Neglect Data, 2010. General population data from the 2010 Census. (a) Children identified by the child welfare system as African American, non-Hispanic, and with only one race category. (b) Children identified by the child welfare system as white, non-Hispanic, and with only one race category. (c) Children identified by the child welfare system as having Hispanic origins; not a racial category. (d) Children identified by the child welfare system as Asian, which includes Hawaiian and Pacific Islander, non-Hispanic and with only one race category. (e) Children identified by the child welfare system as Native American, non-Hispanic, and with only one race category.

bias, either conscious or unconscious, in decision-making leads to different outcomes; and 3) the interaction between family risks and child welfare practice, combined, result in disparities and overrepresentation (Chibnall, et al., 2003). Santa Clara County's data-driven approach follows the theoretical framework of the third theory that children of color tend to penetrate farther into the child welfare system and remain longer based on decisions made at each stage of a case. Decision-making in child welfare occurs along a continuum beginning with reporting and investigation, and moving to the decision to substantiate abuse or maltreatment and place children in foster care. Disparities between children of color and white children tend increase as the case progresses and are greatest at the later stages of a case (i.e., placement in foster care). Consistent with this theoretical framework, Santa Clara County's collaborative task force chose to examine cases at several points in the child welfare system to determine the level of disparity at each point and create interventions to reduce disparities.

The following describes Santa Clara County's efforts to reduce disproportionate entry and the disparate outcomes children of color experience. Through the sustained leadership of a multidisciplinary collaborative (the Unified Children of Color Task Force), Santa Clara County examined various systemic "pressure points" (i.e., decision points) where disproportionality and disparities were identified and responded with promising practices based on continuous data collection and analysis. This paper synthesizes the work of the county into a model that other child welfare systems can follow as they pursue reducing disproportionate representation and disparate treatment of children and families of color. Focusing on the work of one county system, this paper fills a gap in the literature, by describing the processes used to achieve system change. The data presented in the paper below were collected and analyzed by professionals within the county, which contributed greatly to the understanding of the issue and the practicality

of interventions. The county's effective collaboration, leadership, and data-driven approach to system change provide an excellent example of strategies to confront this complex social issue. Figure 2 below illustrates how leadership, collaboration, and data work interactively to facilitate system change.

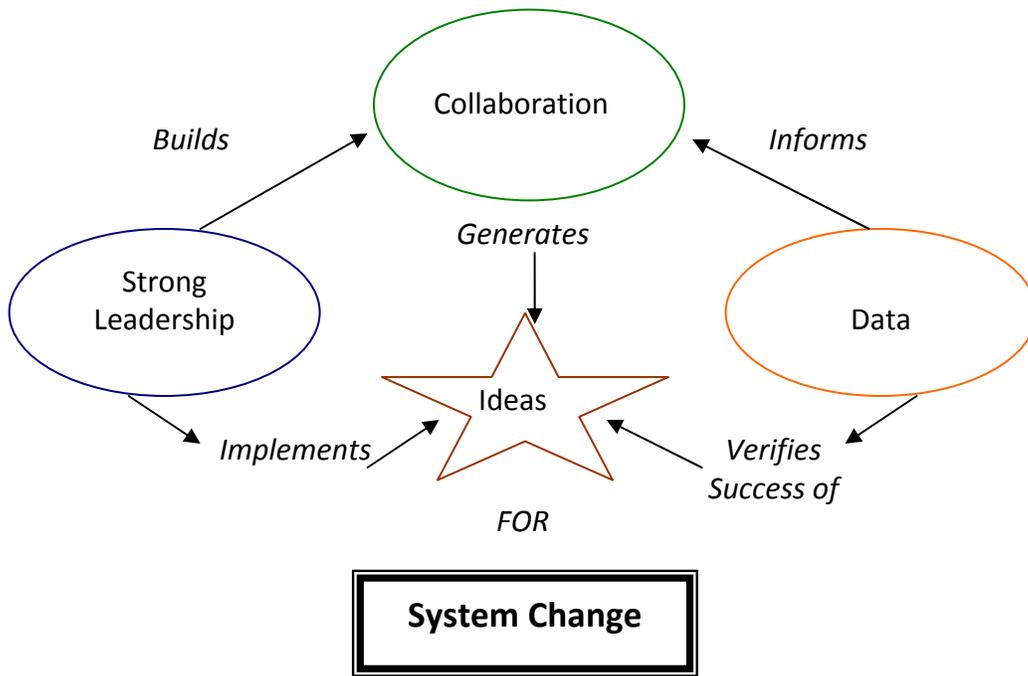


Figure 2. A Three-Pronged Approach to Systems Change

### Leadership

Leadership is a vital element in system change efforts, particularly when undertaking complex social issues. According to Luke (1998), four essential leadership tasks for successfully addressing broad public problems are:

- 1) Focus attention by elevating an issue on public policy agendas;
- 2) Engage people in the effort by regularly and respectfully convening the diverse set of people, agencies and interests needed to impact the issue;

- 3) Stimulate multiple strategies and options for action; and
- 4) Sustain action and momentum by managing the interconnections through ongoing and regular information sharing and feedback (p. 33).

Implementation of these tasks is evident in Santa Clara County's collaborative work to reduce disproportionality and disparate treatment of children and families of color in the child welfare system. Santa Clara County's leadership has successfully elevated the issue, engaged stakeholders to encourage multiple strategies, and sustained action.

### **Elevating the Issue**

In 2002, the Department of Family and Children's Services (DFCS) organized a Children of Color Committee. Social workers from every level of DFCS participated in the work of this committee. In addition, the director of the Santa Clara County Social Services Agency (the umbrella agency of DFCS) invited external pressure by presenting a series of reports to the Santa Clara County Board of Supervisors. The reports raised awareness and gained the attention of public policy makers. The report also caused concern among many system stakeholders who felt that it did not demonstrate a proper understanding of the issue, nor did it include all of the partners that needed to be involved. It became apparent that concern about disproportionality and disparate treatment was not unique to the department; rather it was a systemic issue that involved many community partners and interests. The public discontent regarding the results of the report became incentive for further action. In 2003, the chief executive officer of Unity Care Group, Inc. (a community-based social services provider) partnered with a DFCS manager and brought together several community partners to create the Children of Color Task Force, which focused on examining the disproportionate representation and disparate treatment of children of color in order to develop reduction strategies. The Children of Color Task Force included county

policy makers, the courts, community organizations, such as the local chapter of the National Association for the Advancement of Colored People (NAACP) and La Raza, and the department leadership; creating enough political support and momentum that the department requested the community task force merge its efforts with DFCS, creating the Unified Children of Color Task Force (task force) in 2005.

### **Engaging Stakeholders**

The leaders of the task force continually involved a broad range of stakeholders, seeking their support or direct involvement, whenever possible. Task force leadership was successful in leveraging their positions, and the support they received from the community to gain commitment and action from the County Board of Supervisors, as well as from line staff.

The task force solicited participation and leadership from county judges. Judicial leadership was instrumental in encouraging and sustaining system change efforts. The supervising judge in juvenile dependency court assumed her position in 2006, one year after the task force was created. She immediately joined the task force and held meetings with community organizations, such as La Raza Roundtable and the NAACP's Black Community Leadership Kitchen Cabinet. The purpose of these ongoing meetings was to improve relationships, understand community needs, discuss efforts to reduce disproportionality and disparate treatment, and work together to develop solutions. Due to her consistent leadership on issues affecting children and families in the child welfare system, she was invited to be on the National Council of Juvenile and Family Court Judges' Courts Catalyzing Change: Achieving Equity and Fairness in Foster Care (CCC) Steering Committee. CCC, supported by Casey Family Programs and the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, brought together judicial officers and other system experts to set a national agenda

for court-based training, research, and reform initiatives to reduce the disproportionate representation and disparate treatment of children of color in dependency court systems (Gatowski, Maze, & Miller, 2008). The judge's participation in this initiative raised awareness regarding the reduction of disproportionality and disparate treatment at a county, state, and national level. In 2009, she brought a resolution before the County Board of Supervisors asking that the supervisors recognize the child welfare population as a priority population of the county (Santa Clara County Board of Supervisors, May 19, 2009). The resolution was intended to reduce the devastating effect that cuts in services have on this vulnerable population. Further, it focused on improving collaboration in service provision as strategies to reduce disproportionate representation and disparate treatment.

### **Sustaining Action**

Strong leadership was also effective in ensuring high attendance at task force meetings. The frequency of meetings was an important consideration for leadership. In the formative stage of group development, collaborative teams are anxious to get to work. As a group progresses to the storming and norming phases (Tuckman, 1965), goals, meeting structure, and frequency are often re-evaluated, particularly when projects seem to be moving along at a satisfactory pace (Dobbin, Gatowski, & Maxwell, 2004). At one time, members of the task force requested that the frequency of meetings be reduced to once every quarter. Leadership reluctantly agreed in order to avoid collaborative fatigue (Koontz, 2006). However, they quickly recognized that attendance and action between meetings dropped once meetings were farther apart. Leadership decided to reinstate monthly meetings which allowed the task force to sustain action and momentum. Maintaining this consistency allowed the task force to move through other stages of group development to the point they were able to create a clear goal, "*To gather and analyze*

*data for the purpose of developing strategies, that will influence policies and practices in order to reduce the over representation of children of color in the Santa Clara County child welfare system” (A.V. Chapman, personal communication to Judge Leonard Edwards, June 21, 2001).*

Strong leadership across all system stakeholders helps enhance collaborative relationships, focus attention on key problems, create an environment that supports open discussion of complex issues and encourage targeted problem solving based on specific data findings. This type of shared leadership is crucial for sustaining efforts (Luke, 1998). The leadership demonstrated by the task force co-chairs, and the judge in Santa Clara County, illustrates the benefit of a “leader-full” approach where multiple leaders emerge to solve public problems. In a “leader-full” approach, no one entity has complete ownership of a problem or solution; leadership is required of many people at different times (Luke, 1998). Strong, ongoing leadership was vital in securing and continuing collaboration – another key element for successful systems change.

### **Collaboration**

Collaboration is a core element in successful child welfare reform efforts (e.g., Dobbin et al., 2004). The challenges that public child welfare systems attempt to address—poverty, substance abuse, lack of affordable housing—are interconnected and inter-organizational, requiring participation and commitment from a variety of system stakeholders and leaders, including community organizations and families who have experienced the system themselves. (Luke, 1998). Disproportionality and disparate treatment of people of color are not only problems for social service agencies, but represent broader social problems. Therefore, tackling these problems requires the engagement of public child welfare agencies, the court system, and the communities in which they are located. In addition to identifying key system stakeholders

who should participate, a successful collaboration should have strong leadership, diversity of members and opinions, and a climate of openness (Dobbin et al., 2004).

### **Diversity**

Diversity is defined as demographic differences (e.g., age, race, gender) or professional differences (e.g., social status, profession, expertise). All forms of diversity can have a positive influence on the group. The benefits of group diversity include improved decision-making, enhanced creativity, extended exchanges of information and ideas, and expanded problem solving, all of which ultimately result in more effective and innovative solutions (Bantel & Jackson, 1989; Cox, Lobel, & McLeod, 1991; De Drue & West, 2001; Jackson, 1992; McLeod, Lobel, & Cox, 1996; Pelled, Eisenhardt, & Xin, 1999; Sommers, 2006). Currently, the task force is diverse both ethnically and professionally, and there is an equal number of men and women. Membership includes DFCS employees at all levels, community service agencies (many that provide culturally competent services), retired DFCS staff, Court Appointed Special Advocates (CASA), attorneys representing parents and children, and the judge responsible for child welfare cases. While leadership of the task force has remained consistent, the task force itself has become larger and more diverse—a necessary component of a successful collaboration (Luke, 1998).

### **Openness**

In addition to diversity, openness and trust among members are critical, thus the first charge of the task force was to establish a collaborative environment where stakeholders inside and outside the agency could engage in extensive dialogue to identify those aspects of policy and practice that might be contributing to racial disparities and disproportionality (Santa Clara County Unified Children of Color Task Force, 2010). Initially, when the group was still in the

forming stage, line staff did not fully participate in meetings, especially public meetings. Staff were hesitant until they saw the commitment from DFCS leadership. Staff started to feel more comfortable and empowered as they saw how invested their leadership was. Over time the task force meetings became a “safe place” for DFCS workers and others in the child welfare system to come with their concerns and ideas for action. Data were consistently used to ground and facilitate this conversation and the diversity of the group helped ensure that creative and varied solutions were discussed. The task force achieved ongoing open dialogue by focusing on identified problems rather than solutions (Kingdon, 2003). This approach prohibited tunnel vision, keeping stakeholders from focusing solely on one solution to the exclusion of others.

Santa Clara County’s efforts to reduce disproportionality and disparate treatment through leadership and collaboration allowed for open problem-oriented dialogue, setting the foundation for their data-driven approach. A data-driven approach generates continuous improvements by gathering data from multiple sources, taking the time to have meaningful conversations about findings, and using this information to develop and test solutions (Wellman & Lipton, 2004).

### **Data-Driven Decision-Making**

Santa Clara County leadership and collaboration successfully relied upon a data-driven approach in moving forward system change efforts. Instead of relying on generalizations or anecdotal observations of these complex issues, the task force members sought out existing local data to better strategize specific interventions that would meet the county’s unique needs. Using data to inform practice and policy decisions was essential to the Santa Clara County efforts.

Santa Clara County effectively used data to:

1. Identify specific decision points where disparities occur along the child welfare continuum;

2. Assess baseline practice, including garnering a clear picture of current practice, programs and procedures;
3. Target problematic practices that may result in disparity;
4. Collaboratively strategize ideas for improvement;
5. Implement policy or practice changes;
6. Re-examine data to determine if changes were effective; and
7. Encourage ongoing dialogue of complex and evolving issues related to disproportionality and disparate treatment and discuss successes and challenges.

The pursuit of data can be a challenge, particularly when stakeholders do not know where to begin. Santa Clara County identified multiple sources of data, including responses from focus groups and stakeholder surveys, journal articles, organizational reports (e.g., internal program evaluation reports), child welfare or child protective services data management systems, court management information systems, national data collections (e.g., the National Incidence Studies, Adoptions and Foster Care Analysis and Reporting System), case file reviews, and standardized assessment tools. Santa Clara County recognized that data can be acquired from numerous sources. The task force relied on a data analyst from the department to provide internal data and assist in explaining external data. When there was missing data, procedures, such as a small pilot assessment using case files, were put into place to begin collecting the missing data points, so that future data collection efforts could obtain needed information. The data analyst provided information to the task force which then broke into subcommittees to delve deeper into its meaning. For example, general neglect was identified as an area that needed further exploration.

In order to explore this and other issues, a team from the task force conducted case file review of 157 cases. Findings from this review will be discussed later.

Much of the data work performed in Santa Clara County was spurred by research and data conducted by local universities. The DFCS contracted with the Child Welfare Research Team in the College of Social Work at San Jose State University to conduct a multiyear multi-phase assessment in an effort to better understand the factors related to disproportionality and disparity in the child welfare system. This assessment identified current and past research related to disproportionality and child maltreatment to provide context to the local issues. It utilized focus groups of child welfare service providers, parents, judges, caregivers, and youth who received services to gain a more in-depth understanding of various perspectives within the community related to disproportionality and disparate treatment and identified gaps in the current data systems (Hines et al., 2001).

The San Jose State University assessment report was effective in furthering discussion about strategies to reduce disproportionality and disparate treatment of children and families of color. It provided context to the issue, identified national, state, and local data trends, and gaps in the available data that could be enhanced to improve future data collection. The task force members felt that the report did not address broader systemic issues within the department and that the recommendations would not lead to significant change. This led the task force to begin their own decision point analysis (i.e., analysis of decisions affecting the progression of a child welfare case as it moves through the system) by reviewing data from available sources at specific decision points to determine where the greatest racial disparity existed. Data for the initial examination came from the Center for Social Sciences Research at the University of California at Berkeley (CSSR). The CSSR tracks data, broken down by race and ethnicity, on safety, entries

into care, time in care, placement stability, reunification, adoption, guardianship and emancipation. With this information the task force targeted referrals, substantiated referrals, and first entries into the child welfare system for further review.

One of the first findings was that the greatest disparities occurred at the substantiation decision point. To follow up on this finding, the task force conducted a small qualitative review of 25 randomly selected cases opened in April 2006, representing 10% of the opened cases for that month. This review was an attempt to gain a more in-depth understanding of what was occurring. The review team was made up of two community social service providers, a psychologist and the chief executive officer of Unity Care; three DFCS managers; a supervisor; and the DFCS data analyst. The reviewers and the task force recognized the limitations of such a small assessment (e.g., scope of review was not large enough to generalize findings), but still found the process valuable. Reviewers discovered variability among social worker decisions—particularly related to services and perception of risk. Reviewers were not able to pinpoint the source of the variability, but documented that there were inconsistencies in several cases between the documented severity of abuse and the decision to offer in-home services or petition for court-ordered services. This finding resulted in changes in practice and procedure within the agency (described below). Later, data were re-examined to determine if these changes positively impacted outcomes. The task force continued to look to the decision point data to determine other areas of disparity.

This process has been continuous since the inception of the task force. The task force consistently relied on data to inform the direction of system change efforts to ensure that energy was directed to the specific local challenges to reducing disproportionality and disparity. Ongoing dialogue helped ensure that all stakeholders were aware of current efforts and results.

The next section identifies a few of the key findings from the case reviews and other analysis and the subsequent changes in practice and policy that resulted from this examination.

### **Promising Practices**

Data-driven approaches to system change require (1) identifying key findings within the data; (2) building a shared understanding of the data through collaborative communication; and (3) implementing a change or intervention to try to rectify the issues identified (Wellman & Lipton, 2004). System change requires transforming current practice within and across all agencies involved in child welfare. Therefore, system change efforts must encompass all levels, and change efforts must be initiated that produce collaborative system-wide changes (e.g., trainings) as well as individual agency changes (e.g., protocol changes) that will further affect other stakeholders.

### **Community/Systems Wide Initiatives**

Cultural competence training courses have been effective in improving trainee competency (Diaz-Lazaro & Cohen, 2001). Cultural competence, combined with cultural sensitivity—defined as the ability to adjust behaviors, perceptions, or practices to meet the needs of others—has had a positive impact on the array of services available in a community (Bell, Wells, & Merritt, 2009). Cultural competence has been measured through pre-post evaluations assessing participant awareness (of self and others), knowledge, and skills (Diaz-Lazaro & Cohen, 2001; Luger, 2011). Because analyzing data without context can be problematic and can potentially misdirect systems reform efforts, leadership from DFCS and the dependency court insisted that practice changes be grounded in an understanding of culture, history, and bias – both individual and systemic. In Santa Clara County, individuals working in the child welfare system and in the courts received training to better evaluate existing services in order to meet the

needs of children and families of color. The following findings represent a few of the community-wide efforts at system change related to disparity and disproportionality.

*Data Finding: Focus groups conducted with social workers identified gaps in cultural competency as a barrier to implementing best practices (Hines et al., 2003).* With Santa Clara County's diverse population, training on cultural competency needed to address a wide array of racial and ethnic groups. The collaborative efforts of the task force resulted in several promising trainings offered to the community and system stakeholders, including *Engaging Latino Families*, the first in a series of six trainings, *From MA'AT to MAAFA to SANKOF: Cultural operating systems for professionals who heal and support the empowerment of people of Afrikan Ancestry*, and community events such as *Vietnamese Family Night: Live Joyfully*, aimed at exchanging ideas and helping families to connect with community resources.

Specific cultural competency trainings were combined with training designed to impart a broader understanding of implicit bias and institutional racism. In June of 2006, members of the task force were trained on institutional bias and its impact on systems such as child welfare and the courts, providing strategies stakeholders could use to become more aware of their own implicit bias and the biases inherent in their professions. In 2007, social work managers and supervisors in Santa Clara County completed training on race, class, and culture, and how those factors affect perceptions of family and child well-being. DFCS contracted with a professor from a nearby university to conduct the training. In 2009, the National Council of Juvenile and Family Court Judges sponsored a community-wide training using the video entitled *Race – The Power of an Illusion* (California Newsreel, 2003) and a facilitator to guide courageous conversations (Casey Family Programs, 2005) around the social construction of race and what this means for child welfare and the court systems. DFCS line staff also participated in a training

based on the *Race- Power of an Illusion* video. Additional training that focused on in-depth exploration of racial issues has also been completed.

*Data Finding: Professionals in schools and hospitals are the most frequent source of reports of maltreatment (Sedlak, McPherson, & Barnali, 2010) and reporting is one of the primary identified sources of disproportionality (Hines et al., 2001).* In response to these data, the task force organized a community training for mandated reporters, specifically those in education and health care, to ensure more consistent reporting across all racial groups. The training was designed to make mandated reporters in schools and medical services aware of reporting patterns and the existence of alternative resources for families in need.

*Data finding: Children and families of color in Santa Clara County's child welfare system were often recommended to receive services that did not meet the needs of racial/ethnic family groups (Hines et al., 2003).* To address this “one size fits all” approach, new services were added to the local service array and where necessary, the agency entered into new contracts with providers to offer services aligned with the needs of the families and children in the system. The Gardner Family Care Corporation expanded their Family Strengths-Based Services program to include more culturally sensitive, community-based diversion services (Information available at [www.gardnerfamilyhealth.com](http://www.gardnerfamilyhealth.com)). This approach has shown success in reducing the number of petitioned cases for Latino families (Lightbourne, 2006).

*Data Finding: Preventative services were effective in diverting many Latino families, but were not as effective in working with African American families (A. Chapman, personal communication, February 2, 2010).* Community stakeholders turned to Unity Care Group, Inc., a well-established community-based agency, to respond to the needs of the African American community. Unity Care Group Inc. developed the Nia Project (2010), which utilizes African

American staff and facilitates family team meetings, provides parent advocates and offers family counseling, parent education and other services. In the first seven months of the program, 102 referrals for low to moderate risk families were diverted from formal DFCS supervision to the Nia Project (A. Chapman, personal communication, February 2, 2010)

### **Social Work Practice**

As the majority of the research focused on early decisions in the case, most of the system change efforts involved changes to social work policy and practice in order to reduce the disproportionate number of entries into the system. Over time, the task force and the court successfully identified points along the continuum of the child welfare process where disparities existed, such as the decision to open a case, decision to remove siblings, what services to offer, or whether or not to file a petition with the court. This allowed the systems to delve deeper into the experiences of children and families of color, consistent with the theoretical framework described above.

*Data Finding: There was a great deal of variability in social workers' perception of risk and in decisions involving services (Hines et al., 2001).* To address this concern, DFCS workers began using a standardized safety and risk assessment tool to reduce inconsistency in decision-making. The assessment tool was being piloted in various California counties in 2005. When Santa Clara DFCS was approached to be a pilot site, DFCS management brought the tool to the task force for review. The task force determined that the tool was not sufficient in focusing on family strengths and culture. The developers of the safety and risk assessment tool agreed to make changes based on the recommendations of the task force. While the tool does not control for implicit bias, it is designed reduce its impact by standardizing perceptions of risk, focusing on family strengths, considering cultural factors, and ensuring that consistent language is used to

describe behavior of all families. After making revisions, the tool was implemented to help the decision-making process at emergency removals and facilitate dialogue regarding the reunification plan of the family. DFCS protocol was changed to ensure that the standardized assessment tool was integrated into all relevant procedures within the child welfare agency's processing of the case. Supervisors ensured that all social workers were trained on the use of the instrument, and followed up to verify that the tool was being used consistently and correctly. In addition to utilizing the standardized tool for decision-making, the use of the tool served as another source of data to gather more in-depth information related to disproportionate entry and disparate treatment of children in the system.

*Data Finding: If one child was found to have been maltreated, then all other siblings were typically removed (UCCTF, 2007).* DFCS's Sibling Protocol was reviewed and revised in 2007, requiring individual justification for removal of each child. Follow-up data indicated a reduction in the rate of removal of non-maltreated siblings between the second quarter of 2007 (3.2%) and the last quarter of 2007 (1.9%). Data related to this finding is not broken down by race; however, it was assumed that this would reduce the number of children entering the child welfare system in general, and therefore, have an impact on the large number of children of color entering the system.

*Data Finding: It was commonplace to bypass reunification services if a parent had previously had his or her parental rights terminated on another child (UCCTF, 2007).*

According to local research, this practice was especially common with Latino and African American families. To reduce this practice, DFCS put new policies into place that required the director's approval in order to bypass reunification services. Following this policy change, the number of bypass cases drastically reduced from 104 in 2005 to 15 in 2008.

*Data Finding: Rates of substantiated emotional abuse involving African American children far exceeded that of white children (SPHERE, 2010; UCCTF, 2007).* The initial study found that differences in substantiation rates were the greatest between children of color and white children for emotional abuse. African American children had 7.9% higher rates of substantiated emotional abuse than did white children. DFCS implemented a policy that required management approval and an additional review process in order to substantiate allegations of emotional abuse against African American parents. Follow-up data from the next year indicated that emotional abuse substantiation was no longer disproportionate in comparison to white families. Managers and supervisors have participated in training as described in previous sections. In addition, those conducting special reviews and providing approval for certain cases were members of the task force, and therefore, were prepared to view cases through a different lens.

### **Judicial Practice**

Judicial leadership was another vital element in producing viable and sustainable system change. The juvenile dependency court judges in Santa Clara County were involved in collaborative efforts to reduce disproportionality and disparate treatment in multiple ways. Specifically, they worked to change their practice by employing a judicial tool to reduce disproportionality and disparity at the earliest point of court contact.

*Data Finding: In Santa Clara County, African American and Latino children were disproportionately represented in the child welfare system (Hines et al., 2001). African American children were more likely to enter foster care than white children (SPHERE Institute, 2010).* The Santa Clara County dependency court began system reform efforts as part of the National Council of Juvenile and Family Court Judges' Model Courts project. As part of the

Model Courts project, Santa Clara County judicial officers are dedicated to implementing court-based best practices and systems reform within the child welfare system. One such system change effort included integrating the CCC agenda into local practice. The CCC agenda's first tool for judges was a Benchcard for use at the first entry point of the child into the juvenile dependency court system – the preliminary protective hearing. This tool was designed to be part of an ongoing process of system change, including training on the contextualization of disproportionality and disparity within the framework of institutional racism and implicit bias mentioned above.

Judges, researchers, and other system stakeholders designed the CCC Benchcard process to reduce disproportionality and disparity in juvenile dependency cases. The Benchcard included internal self-reflection questions aimed at reducing implicit bias. This process of self-reflection is meant to set the stage for a thorough and fair hearing. It included questions judges should ask themselves about any assumptions they are making about the cultural identity, gender and background of the family (Miller & Maze, 2010). The Benchcard also included questions designed to encourage more in-depth judicial inquiry around key preliminary protective issues regarding the reasonable efforts for removal of the child, the current child safety threat, placement of the child, and cultural considerations related to the family. Using a tool like the Benchcard or a checklist provides an objective framework for decision-making and reduces cognitive load by requiring the user to slow down before making a decision (Marsh, 2009). Prior to implementing the Benchcard tool, the judges received training on institutional racism and implicit bias in order to maximize understanding and use of the Benchcard. Then, all judicial officers and systems stakeholders participated in a Benchcard training to discuss how the tool would be implemented into the current court process. These trainings allowed for a more in-

depth understanding of the Benchcard's core components to reduce systemic bias and begin reducing disparities within the system. While evaluation of this process in Santa Clara County has yet to be conducted, pilot Benchcard findings from other jurisdictions indicated positive results. Benchcard users engaged parents better than judges not using the Benchcard. They also had more thorough hearings, discussing relevant issues to a greater extent than non-users. These practice changes also resulted in some outcome changes, such as more children being placed more often with family (i.e., parent or relative) at the preliminary protective and adjudication hearings (NCJFCJ, 2011).

### **Implications of Santa Clara's Three Pronged Approach**

Santa Clara County began tackling the complex issue of disproportionality, and was successful in reducing some of the disparate treatment within the child welfare system. Strong collaboration, leadership and external pressure in Santa Clara County created a sustainable forum for change. Use of data collection and analysis to inform ongoing systems reform allowed for targeted problem solving and practical change efforts. These components were all interconnected and essential in the system change process. The strong leadership built a successful and diverse collaboration. The task force's use of data identified key areas for systems reform along the child welfare continuum. The diversity of the collaboration created innovative and data-driven problem solving and the leadership ensured these changes were implemented consistently. Lessons from Santa Clara's three-pronged approach can inform any type of system change efforts. In particular, the Santa Clara County example provides insight into how individuals within a system can contribute to system change efforts through awareness, participation, analysis, openness, and leadership.

**Awareness.** Awareness is an essential component in change efforts in many ways. First, stakeholders must be aware of the problem. Change efforts cannot begin until a problem is identified. Second, awareness of what is available in the community (i.e., training and services) can help any stakeholder to better serve their clients and better understand the issues at hand. In complex social issues such as addressing disproportionality and disparity, awareness also indicates a greater self-awareness of one's own biases and attitudes. Utilizing self-reflective tools can help make individuals more aware of their own thoughts and feelings and how these might be influencing their decision-making. Additionally, use of standardized tools (such as the risk assessment tool and Benchcard mentioned above) might help to counteract personal implicit biases.

**Participation.** Change would have been impossible in Santa Clara if not for the participation of all the major system stakeholders, working together to address the complex issues. Increasing participation of all levels of system stakeholders can help increase the diversity of collaboration and encourage a broader spectrum of ideas and problem solving efforts. When problem areas are identified, being willing to participate in trainings or meetings that will help solve these problems is vital. Change cannot occur without willingness to participate.

**Analysis.** In order to make change, it is critical that participants fully understand the issues at hand and feel comfortable engaging in dialog about data. By collecting and analyzing local data, members were able to see the interrelatedness of issues and target interventions. Taking ownership of the data and continually analyzing and expanding on it over time created an open environment where strategies and solutions could be discussed by everyone.

**Openness.** Openness is another critical element in systems change. If stakeholders are not open to the idea of change, progress cannot occur. Managers and leaders can work to create a

climate of openness for all parties involved, whereby everyone recognizes the need to change and becomes more willing to work toward positive change. At every level, stakeholders must be open to the idea of change. Engaging in meaningful conversation regarding what change will look like and why it is important can help make this process easier.

**Leadership.** As noted above, strong leadership can be the driving element of system change. Leadership comes at all levels and has a variety of important tasks. Strong leaders can ensure that collaborations are successful in their diversity and openness. Strong leaders will also communicate problems and identify solutions effectively to their teams and encourage openness and participation. Leaders can be the example by communicating and demonstrating their willingness to engage in reform efforts. Leadership is also essential because it is the leaders that are responsible for enacting policy and practice changes and ensuring follow-up of any changes that are made.

### **Conclusion**

Santa Clara County's three-pronged approach to system change provides an excellent example of how to address a complex social issue such as disproportionality and disparity in the child welfare system. By having strong leadership, a successful and ongoing collaboration and utilizing data to inform decision-making, Santa Clara County has been able to make changes across the child welfare system. Their use of data analysis to reduce disproportionality and disparate treatment of children of color was an ongoing process that was transparent, thus facilitating dialogue and understanding. This led to practice changes that fed back into the data loop and were examined in terms of their effect on reducing disproportionality and disparate treatment of children and families of color. Therefore, the system continually changed as it responded to the identified needs and made efforts for improvement (see Figure 2).

The description of Santa Clara County's process contributes to the growing body of research in the area of disproportionate representation and disparate treatment of color by explaining how local leadership and collaboration can work together to develop workable solutions to complex problems. As with any collaborative system change effort, success is measured in different ways by those involved and it takes time to see the results of any effort. Santa Clara County's efforts have been sustained through the solid foundation of leadership, collaboration, and data-driven decision-making.

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