

# Office of the Child Advocate Office of Governmental Accountability

## *At a Glance*

**SARAH EAGAN, Child Advocate**

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**Established: 1995**

**Statutory Authority: C.G.S. § 46a-13K, et seq.**

**Central Office: 18-20 Trinity Street, Hartford, CT 06105**

**Number of Employees: 7**

**Recurring Operating Expenses: \$630, 059**

**Effective 7/1/2016, the administrative functions of the divisions of the Office of Governmental Accountability were transitioned to the Department of Administrative Services SMART unit. Designated as a division of the OGA, the OCA maintains its independence and statutory authority/responsibilities.**

## **Mission**

*The Office of the Child Advocate (OCA) speaks for Connecticut's children. The OCA was created in 1995 to be an independent voice for children rather than an administrator of programs. OCA's mission is to oversee the care and protection of Connecticut's children and to advocate for their well-being. OCA is committed to ensuring that all children receive the care and supports that they need.*

## **Statutory Responsibilities**

The statutory responsibilities include: evaluating the procedures for and the delivery of state-funded services to children, investigating inquiries or complaints about services for children, recommending changes in state policy, conducting programs of public education, legislative advocacy and proposing systemic reform, reviewing conditions and procedures of all public and private facilities where children are placed, providing training and technical assistance to children's attorneys, initiating or intervening in court cases on behalf of children, serving on the Child Fatality Review Panel (CFRP) and conducting a fatality review on the circumstances of the death of a child due to unexpected or unexplained causes in order to facilitate development of prevention strategies to address identified trends and patterns of risk and to improve coordination of services for children and families in the state.

## **Public Service**

OCA continues to shine the light on the needs and circumstances of children in Connecticut, and works to bring about necessary change for children and families. OCA helps children/youth, families, community members, health, human service and education professionals and others by educating and informing them about available services and supports, reviewing individual cases, advocating for children at risk and addressing public policy issues impacting the well-being of children. Specific reviews and investigations assist the OCA in identifying systemic issues and such investigations often shape OCA's public policy and legislative advocacy. OCA shares its public investigative reports, public health alerts, issue briefs and other relevant educational information through a listserv as well as the OCA website ([www.ct.gov/oca/](http://www.ct.gov/oca/)).

## **Achievements/Improvements for Fiscal Year 2017-18**

### **OMBUDSMAN ACTIVITIES**

Through our ombudsman activities, OCA responded to over 450 citizen concerns about the provision of state funded services to children. OCA provides information and advises callers in how to navigate often complex service systems. OCA also assists families by reviewing records, communicating with state and community-based agencies

and advocating to ensure the needs of children are addressed. Frequent issues addressed or investigated by the OCA this year included: concerns regarding children served by DCF; unmet needs of children with complex mental health needs; lack of access to appropriate special education services for children with disabilities; acute and chronic lack of access to adequate services for children with developmental disabilities, who often have co-occurring mental health disorders or special health care needs; and concerns about children who are bullied or inappropriately disciplined in schools.

### CHILDREN WITH DISABILITIES

- OCA continues to examine the state's continuum of services for children with complex developmental disabilities and advocate for needed system development and reforms. This work includes examination of both access to and the quality of special education services, critically needed home and community services and intensive treatment programs. OCA continues active participation on the Developmental Disabilities working group established through P.A. 16-142 and was a lead contributor to reports to the Council on Medical Assistance Program Oversight (MAPOC) offering findings and recommendations to improve access to critically needed services, reduce emergency department and hospital stays for children, and strengthen supports for families.
- OCA continues its collaboration with the CT Interagency Restraint and Seclusion Prevention Initiative. The group has expanded to include private sector providers and education professionals, as well as increased voice of persons with lived experience. State fiscal constraints prohibited a statewide conference in 2017, but the group continues to meet monthly to share information and updates on practice reforms across service systems. A statewide conference will be held in the fall 2018.
- OCA has been an active participant on the Hartford Public Schools Monitoring Advisory Group, established in response to OCA's 2017 investigatory report detailing serious deficiencies in the district's compliance with mandated reporting of suspected child abuse and neglect. The OCA investigation found that children with disabilities were particularly vulnerable to maltreatment in school. Hartford Public Schools have engaged with outside experts to assist them in improving educational services to children with developmental disabilities.
- In November 2017 OCA published an issue brief detailing concerns regarding school districts' utilization of homebound instruction, disproportionately affecting children with disabilities. Under federal law, homebound instruction is considered the most restrictive setting and permissible under limited circumstances. OCA's review of 17 sampled districts, over a two year period, found more than 500 students each year, many with disabilities, were placed on homebound status for at least part of the year, for medical and non-medical reasons. Many students remained on homebound status for several months or even longer. The State Department of Education has committed to working with OCA and other stakeholders to ensure children are educated in the least restrictive environment appropriate to their needs. Report can be found here:  
[http://www.ct.gov/oca/lib/oca/OCA\\_homebound\\_issue\\_brief\\_nov\\_2017.pdf](http://www.ct.gov/oca/lib/oca/OCA_homebound_issue_brief_nov_2017.pdf)

### CHILD FATALITY PREVENTION/CHILD SAFETY

- OCA continues to co-chair and staff the state Child Fatality Review Panel (CFRP), meeting monthly with a multi-disciplinary panel to review unexpected and unexplained deaths of CT's children reported to the Office of the Chief Medical Examiner (OCME) and develop strategies for fatality prevention.
- During calendar year 2017, OCA/CFRP reviewed the deaths of 154 children.
- Unintentional and intentional injuries accounted for 70 of the 154 child fatalities. OCME autopsy results of the 70 deaths concluded: (29) Accidents, (15) Undetermined, (14) Suicides and, (12) Homicides.
- Natural Deaths accounted for 84 cases. (18) required an autopsy by the (OCME), (43) were for the purpose of granting a cremation certificate, and (23) were declined by the OCME as not requiring OCME autopsy.
- In December 2017, OCA released an investigative report into the circumstances surrounding the homicide death of Matthew Tirado, a 17 year old youth with autism and intellectual disability. [http://www.ct.gov/oca/lib/oca/MT\\_final\\_12\\_12\\_2017.pdf](http://www.ct.gov/oca/lib/oca/MT_final_12_12_2017.pdf) The investigation found that multiple publicly funded systems failed in their responsibilities to protect this highly vulnerable youth and that all systems needed to improve their ability to serve children with developmental disabilities. Multiple systemic reforms are underway following the release of the OCA report and a legislative hearing including:

- PA 18-71 requires DCF, in collaboration with the Offices of Early Childhood, Developmental Services and Social Services to develop investigation, assessment and case-planning procedures that are responsive to the needs of children with intellectual and developmental disabilities. A report on this work is due to the legislature by February 1, 2019.
  - The State Department of Education (SDE) has convened a working group focused on chronic absenteeism and children with disabilities. OCA is an active participant, along with other stakeholders.
  - The Connecticut Judicial Branch changed court rules to ensure that no child protection case is closed early without a demonstration that closing the case serves the best interests of the children. The Branch also sought additional training for judges regarding child protection cases that involve children with developmental disabilities.
  - The Public Defenders' Office committed to offering training for lawyers on representing children with disabilities.
  - In follow up to a significant finding of the MT fatality investigation, OCA initiated a review of 6 school districts to examine whether there were other children who were permanently removed from school for the stated purpose of homeschooling and where the family had histories with DCF due to concerns of child abuse or neglect—OCA found that dozens of children in the six sampled districts lived in families that had been investigated multiple times by DCF; that Connecticut, unlike most states, has no law regulating the permanent withdrawal of children from school; and that after a child is withdrawn from school to be homeschooled there is no follow up. OCA issued a public report in April 2018, and after a public hearing, legislators committed to learning more about the issue and examining the need for a safety net for high-risk children. Report can be found here: <http://www.ct.gov/oca/lib/oca/OCA.Memo.Homeschooling.4.25.2018.pdf>
  - In November 2017, OCA convened an initial meeting between DCF, DDS and OCA to discuss cross-agency workforce development needs, specifically related to building state agency competency regarding risk and vulnerability assessment of children with developmental disabilities. The interagency group has expanded to include the Departments of Social Service, Education, and Early Childhood, with the University of CT Center for Excellence in Developmental Disabilities and UCONN's Institute for Collaboration on Health, Intervention, and Policy providing research and academic support.
- In response to reports of several infant deaths in day care settings, the OCA is completing a review of individual infant death circumstances as well as the state's regulatory framework designed to protect young children in day care settings. A public report is pending.
  - In addition to its investigatory work and publications, OCA actively participates on several committees, taskforces, and working groups, local and national, focused on prevention efforts for child at risk of intentional and unintentional injuries/fatalities.

#### FACILITY OVERSIGHT AND INVESTIGATION

- OCA continues to assess and monitor conditions of confinement and treatment for children and youth in the state's juvenile/youth correctional and adult correctional facilities, as well as the state hospitals, for the purpose of supporting and guiding practice improvement and reform.
- OCA staff have been investigating conditions of confinement for incarcerated youth confined by multiple agencies, with a report expected in late 2018.
- OCA continues as an active member of the legislative Juvenile Justice Policy and Oversight Council (JJPOC).
- As part of OCA's facility investigation work, OCA staff meet with dozens of youth with complex needs served in state funded/operated facilities and worked to identify and address youth's unmet needs.

## LEGISLATIVE ADVOCACY

- OCA continues to serve as a resource to legislators contemplating matters related to child safety and well-being across all child serving systems, responding to their requests for information and assistance as well as actively participating on multiple legislative working groups.
- During the 2018 legislative session provided testimony on more than 2 dozen bills pertaining to juvenile justice, child welfare, education and children with disabilities.

## OTHER

- In February 2018, the OCA in partnership with the Center for Children's Advocacy and the Child Health and Development Institute of Connecticut, Inc. published a policy brief *Setting Young children Up for Success: Decreasing Suspension by Investing in Social and Emotional Development*. [http://www.ct.gov/oca/lib/oca/Setting Young Children Up for Success Policy Brief Feb 2018.pdf](http://www.ct.gov/oca/lib/oca/Setting_Young_Children_Up_for_Success_Policy_Brief_Feb_2018.pdf)