



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

**CCD AD HOC CHILD ABUSE PREVENTION TASK FORCE
2011 ANNUAL REPORT**

(January 2012)

In 2011, the Task Force on Child Abuse Prevention met on an ad hoc basis via email. CCD co-chairs worked as liaisons for CCD to the National Child Abuse Coalition. Co-chairs monitored and shared information on all legislative activity related to abuse and neglect, providing input to legislative proposals that affect children with developmental and other disabilities. Co-chairs participated in National Child Abuse Coalition discussions regarding the implementation of the most recent reauthorization of the Child Abuse Prevention and Treatment Act (CAPTA). The Task Force also worked to promote passage of legislation to prevent and reduce the use of physical restraint and seclusion in schools, as discussed further below.

CAPTA

CAPTA is the only federal program that provides primary prevention activities. It was reauthorized in 2003 as the Keeping Children Safe Act of 2003 (PL 108-36). The amended law contains several improvements that help refer children who are maltreated for early intervention services, as well as additional Child Abuse Task Force recommendations that helped put more emphasis on primary prevention of abuse and neglect, i.e. *before* a child enters Child Protective Services. However, more improvements were needed to ensure that these children get the services they need to thrive.

In December 2010, the Child Abuse Prevention and Treatment Act (CAPTA) was reauthorized again (PL 111-320). The law includes our Task Force recommendations for Title II, the Community –Based Child Abuse Prevention Grants, to make respite a “core” prevention service and to strengthen language regarding the required involvement of parents of children with disabilities and parents with disabilities. In Title I, many of CCD’s recommendations to conduct research and collect data regarding the nexus between abuse and neglect and disabilities were included.

A list of CCD’s recommendations that are included are listed below.

- Throughout: “disabled infants” becomes “infants or toddlers with disabilities”. “Infant or toddler with a disability” has the meaning given the term in IDEA.
- Sec. 104(a) Research programs may focus on “(K) the impact of child abuse & neglect on the incidence and progression of disabilities”
- Sec. 105(a)(1) Secretary may award grants to public or private organizations
 - (E) “for the training of personnel in best practices to meet the unique needs of children with disabilities, including promoting agency collaboration”
 - (D) “for training to support the enhancement of linkages among CPS agencies and health care agencies, entities providing physical and mental health services, community resources, and DD agencies, to improve screening, forensic diagnosis, and health and developmental evaluations, and for partnerships”
- Sec. 106(d) Annual State Data Report: report shall include “(16) the number of children determined to be eligible for referral, and the number of children referred, under subsection (b)(2)(B)(xxi), to agencies providing early intervention services under Part C of the [IDEA]”
- Sec. 108(d) Sense of Congress: the Secretary should encourage all states and public and private entities that receive assistance under this title to: “(2) ensure that individuals with disabilities who participate in programs under this title are provided with materials and services through such programs that are appropriate to their disabilities”
- Sec. 206(a)(3)(A) amended to include respite care services to the list of core child abuse and neglect prevention services.

To date, none of these authorized changes have been fully implemented by HHS. The Task Force will focus its activities in 2012 in working with the Administration as well as Congress to ensure that appropriate action is taken to fulfill Congressional intent with regard to these provisions.

CAPTA programs received level-funding in FY 2011 and FY 2012. The task force will continue to advocate for CAPTA funding consistent with the recommendations of the National Child Abuse Coalition.

In December, HHS released the latest data on child abuse and neglect in its report Child Maltreatment 2010. The following are highlights from the report:

- An estimated 3.3 million reports were made to state child protective services (CPS) agencies (same as 2009)
- Less than two-thirds (60.7%) of those were accepted by CPS for an investigation or assessment (same as 2009)
- The number of nationally estimated unique victims is 695,000, down from an estimated 702,000 in 2009 and 772,000 in 2008
- 9.7% of referrals made to CPS for an assessment were referred to an alternative response for services rather than a formal investigation and finding of maltreatment, a total of 331,204 children

- The overall rate of victimization is inversely related to a child's age, with the youngest children suffering the highest rates
- Children reported in 2010 as having a disability as a risk factor accounted for 16 percent of victims. However, children with such a risk factor in general are undercounted, as not every child receives a clinical diagnostic assessment from CPS agency staff.
- Almost half (47.7%) of all fatalities were children younger than 1 year old, and more than three-quarters were younger than 4.
- Almost two-fifths of child victims (38.8%) received no services from the CPS agency following a substantiated report of maltreatment. Thus, states continue to be hard-pressed to treat children or protect them from further harm.

Restraint & Seclusion in Schools

The Task Force will continue to monitor other maltreatment legislative proposals that affect children with disabilities, including legislation to prevent and reduce the use of physical restraint and seclusion in schools. Earlier this year, Rep. George Miller reintroduced the Keeping All Students Safe Act (H.R. 1381). The bill was first introduced and passed by the House in the 111th Congress, but was not enacted. In December, HELP Committee Chairman Tom Harkin introduced similar legislation by the same name (S. 2020). The task force will continue to advocate for both bills in 2012, including supporting the Education Task Force's efforts to promote the legislation.

Co-Chairs in 2011:

- **Ellen Jensby**, Association of University Centers on Disabilities
- **Jill Kagan**, National Respite Coalition