All children deserve a quality education that helps prepare them for adulthood, whether they seek higher education or employment following high school. In Kentucky, A6 schools provide on-site alternative school education for children and youth in residential settings under the care of the Department for Community Based Services (DCBS) and Department of Juvenile Justice (DJJ). We must ensure these programs offer a high-quality education for all youth placed in child welfare, juvenile justice, and behavioral health residential settings.

To give children in state care a quality education, we need to understand what is and is not working to put them on a path toward success.

**Guarantee a quality education now so the children in state care can have a brighter future.**

- Students who interact with child welfare, juvenile justice, or behavioral health system are likely to have educational challenges due to trauma, changing schools, or transitions that keep them from consistent participation.
- Between 32 to 45 percent of foster youth pursue higher education after graduating from high school. Only 3 to 11 percent attain a bachelor’s degree. With access to college tuition, youth in care have an opportunity to attend higher education yet are unprepared for success at a college or university.
- In a recent study by Kentucky Youth Advocates, young adults with experience in A6 programs reported that they did not feel as if they received the same quality education in these programs as their peers in public schools. The study participants discussed classrooms where they were given the same work, regardless of the grade level they were in; were given busy work like coloring pages or packets unrelated to the course; and that their credits didn’t transfer or were not able to graduate due to missing credits.
Streamline statewide accountability for A6 programs.

- Currently, the Kentucky Educational Collaborative for State Agency Children (KECSAC) – along with Kentucky School Board Association, Kentucky Department of Education, local school districts, Department for Community Based Services, and Department of Juvenile Justice all play roles in the educational outcomes of children in these programs.
- A single state agency needs to be responsible for ensuring strong educational outcomes of the children in the A6 programs and effective fiscal oversight of these programs.
- In reality, when there are multiple entities accountable, both the individual children and the goals of the program can be forgotten.

Ensure residential facilities have the supports necessary to provide quality education.

- To achieve academic success within residential foster care facilities, a young person needs qualified and engaged teachers, high-quality support staff, sufficient supplies, and adequate facilities.
- Many agencies struggle to address those key elements within their facilities due to various challenges outside of their control.

Blueprint for Kentucky’s Children Policy Solution:

Perform a program review to ensure that A6 educational programs for youth in the care of the Department for Community Based Services and Department of Juvenile Justice are accountable and equitable in terms of learning outcomes, finance, and governance.
Kentucky students need learning environments that are safe and nurturing. Across Kentucky, school districts are shifting their focus to how to best serve children who’ve experienced trauma, but several districts still allow the use of corporal punishment, or physical force, as a form of discipline. For children in schools that use corporal punishment, the classroom can become an environment that instills fear, anxiety, and distrust.

**Quick facts about corporal punishment in schools in Kentucky:**

- While the number of children in Kentucky experiencing corporal punishment at school has fallen, there were still over a dozen incidences last school year.
- Over 150 of Kentucky’s school districts already explicitly prohibit the use of corporal punishment.
- Boys receive corporal punishment much more often than girls.
- Students with disabilities are slightly more likely to receive corporal punishment.

**Corporal punishment**

reinforces using physical aggression as a way to address unwanted behavior and creates a threatening atmosphere that permeates school culture which leads to

Immediate impacts on the child’s physical and mental health

and

Long-term impacts that result in negative behaviors, such as aggression and delinquency, along with poor educational outcomes, such as dropping out

**Blueprint for Kentucky’s Children Policy Solution:**

Eliminate the use of corporal punishment in schools to create safer, more nurturing learning environments for students

kyyouth.org/blueprintky/
All kids deserve a safe and stable home, but the rising cost and availability of housing has made finding and staying in safe, stable housing difficult for 43% of Kentucky renters. For families with an eviction, the permanent mark it leaves on their record makes finding housing even more difficult and can force families out of their neighborhood, school, and support systems. Evictions overall are common, but harm Black, Latino, and children of color the most. Nationwide, Black women-led households are evicted at the highest rate, followed by Latino women-led households.

Evictions are expensive for families and local communities. After an eviction, families often have to quickly put together money for a deposit and replace damaged possessions. Additionally, cities and counties see budget impacts. Harris County, Texas, which is home to Houston, spends $241.4 million a year on evictions in shelter, health care, and criminal justice costs.

To reduce the trauma, financial hardship, and housing insecurity associated with evictions, Kentucky can establish a protocol to automatically expunge evictions from a family’s record once they have been eviction free for a certain amount of time, as well as seal filings that do not result in an eviction.

- Evictions disrupt every part of a family’s life, and once an eviction is filed it remains on a person’s record forever. Landlords can and have filed evictions as a result of owing as little as $70, a tenant allowing a family member to move in, or having a pet. Such eviction filings are not just a short-term setback for families and youth – it can impact their lives and ability to get safe, stable housing for decades.

- Kentucky can... Minimize the impact evictions have on a family’s ability to find safe, stable housing

- United States: 7.8 evictions per 100 renters
- Kentucky: 7.6 evictions per 100 renters
- Fayette Co: 10.5 evictions per 100 renters
- Jefferson Co: 15.7 evictions per 100 renters

**Blueprint for Kentucky’s Children Policy Solution:**

Establish a process to automatically expunge an eviction from a family’s record after they have been eviction-free for a reasonable amount of time and seal filings that do not result in an eviction.
Kentucky can...
Increase transparency and accountability within DCBS by moving the Ombudsman’s office

The child welfare system, and specifically the process of substantiation of abuse and neglect, is complex, involves multiple departments, and can be subjective. When people feel the Department for Community Based Services (DCBS) did not take appropriate steps or make the right decisions in child abuse cases, they may contact the Ombudsman’s office to file a complaint. However, currently the Ombudsman’s office that takes complaints for child abuse cases is housed within the Cabinet for Health and Family Services (CHFS), meaning that people are filing a complaint within the same Cabinet that made the decision in a case.

Several states locate their Ombudsman’s office for the child welfare system in an independent location or within the Executive Branch autonomous to the state agency, in order to increase transparency and accountability of the child welfare system; Kentucky should do the same. This would create an independent place for people to be able to contact and reduce potential conflicts of interest within DCBS and the Ombudsman’s office.

As Kentucky continues to change the way they address child abuse reports and investigations, moving the Ombudsman’s office will help the state better serve kids and families.

To increase transparency and better serve families, move the following Ombudsman functions to a place outside of CHFS:

- Issuing reports about the number and types of complaints that DCBS receives
- Recommending corrective action or administrative hearings based on complaints
- Reviewing requests to appeal child abuse and/or neglect substantiations
- Investigating complaints about DCBS

Blueprint for Kentucky’s Children Policy Solution:

Establish an independent Ombudsman that provides oversight of the child welfare system by investigating concerns of safety and well-being, identifying systemic issues related to administration or practice, and making recommendations for improvements.

kyyouth.org/blueprintky/
Unaccompanied, homeless youth have little to no relationship with their parents. Many of these youth are homeless because they were either kicked out of their home or had to leave due to fear for their own safety. Being young is hard enough, but without parents in their lives these youth cannot obtain any of the documents, like an ID, they need to establish a life for themselves.

Homelessness can look many different ways, from doubling up with friends and family to living in a hotel or shelter to living on the streets. No matter what homelessness looks like for a family, the youth all lack a fixed address and face significant barriers to accessing essential documents.

Black and system involved youth are disproportionately impacted by homelessness. Nationally, Black families make up 54% of families experiencing homelessness, and Black youth ages 16-24 are 83% more likely to experience homelessness than any other race. Additionally, 33% of homeless youth have been involved in the foster care system and 50% have been involved in the juvenile justice system.

By updating Kentucky’s homeless ID law, we can set youth experiencing homelessness towards a path of finding stability where they live, how they earn, and as a vital member of the Commonwealth at minimal costs to the state.

**Blueprint for Kentucky’s Children Policy Solution:**

Update Kentucky’s homeless ID law to allow unaccompanied homeless youth to get an ID without parental permission

kyyouth.org/blueprintky/
Children and youth make mistakes; it is the nature of learning. When youth make mistakes that put the safety or well-being of others at risk, it is essential to focus on accountability and a response that suitably addresses the severity of the behavior and improves public safety.

We can hold youth accountable in developmentally appropriate ways that achieve the goals of the juvenile justice system – to protect public safety and rehabilitate youth so they do not become repeat offenders.

Utilize the Continuum of Interventions

The continuum of options for responding to youth misbehavior allow us to right-size responses to achieve best possible outcomes for youth and public safety.

This looks like focusing on early intervention measures when youth first get in trouble, incorporating community-based alternatives to incarceration that are more effective, uplifting youth development, and providing proper aftercare when youth are released. Examples of this continuum in practice can include restorative justice programming, supervised release programs, and day and evening reporting centers with educational, recreational, and counseling opportunities.

Detention should be reserved for youth who pose a risk to public safety and who are found likely to reoffend, which is determined using risk assessments.

For instances when detention is deemed necessary, it should prioritize positive youth development, mental health services, and educational and career readiness opportunities. This also requires an equipped juvenile justice system and detention facilities workforce that are adequately supported and can apply trauma-informed practices that address the needs of the vulnerable population they serve.

Stop Utilizing a 'One-Size Fits All' Approach

Kids should be held accountable for their mistakes, but the same intervention is not effective for every child.

Research suggests that youth who are demonstrating normal adolescent behaviors, such as skipping school, are best supported entirely outside the juvenile justice system. Community-based alternatives to detention have been proven to be more effective at preventing recidivism than detention facilities as they can better meet youth educational needs, help build critical decision making skills, and promote positive social development.
Blueprint for Kentucky’s Children Policy Solution:

Implement an effective continuum of interventions for the juvenile justice system to hold youth accountable and establish a minimum age – at least 12 years old – that a child can be charged with an offense
Kentucky’s child welfare system, with the implementation of recent state policy and the federal Family First Act, continues to improve for kids and families.

The way in which attorneys, judges, and frontline Department for Community Based Services (DCBS) caseworkers perform in the courtroom influences the time it takes for children to reach permanency, whether that is returning home to parents or relatives or being adopted; and the access to services for parents, children, and caregivers.

In an Agency Representation Model (ARM), state agency attorneys from the Cabinet for Health and Family Services (CHFS) prepare all legal documents, filings, and petitions for the agency and work closely with agency caseworkers to prepare them for court.

- Currently in Kentucky, the County Attorney supports this function until or if the case goes to termination of parental rights.
- State agency attorneys also play a critical role in holding caseworkers accountable.
- It is important to note, however, that the state agency attorney does not represent the caseworker individually.
Kentucky can...
Ensure improved timelines to permanency, better understanding of laws and regulations, and improved court processes within child welfare cases

The benefits of an Agency Representation Model include:

✔ **Increases clarity and efficiency in roles within the child welfare system and courtroom.**
  - In an Agency Representation Model, the CHFS attorney can gain familiarity and increase efficiency by taking cases from the beginning.
  - The state agency attorney is familiar with agency practices and policies, as well as equipped with other relevant legal expertise.
  - State agency attorneys representing the CHFS can help increase timeliness to legal permanency, whether that is adoption or reunification.
  - Caseworker credibility is boosted in courtrooms when legal action supports their decisions.

✔ **Resolves inherent conflicts between County Attorney’s Offices and the child welfare system.**
  - Within some cases, County Attorneys have roles that extend beyond the child welfare system, some resulting in unintended consequences on Dependency, Neglect, and Abuse (DNA) cases. For example, a County Attorney may be pursuing delinquency petitions against a child who is a party in a DNA case, creating a conflicting interest of prosecuting the child while also advocating for a safe home environment.
  - County Attorneys are elected officials with an important role within communities. Withdrawing them from DNA and other child welfare cases would remove a workload burden.

✔ **Ensures consistent decision making and interpretation of the law.**

✔ **Allows the opportunity for more tailored services and supports per case.**

✔ **Eliminates the risk of DCBS caseworkers unknowingly and unlawfully practicing law.**

✔ **Administrative costs of legal representation for child welfare cases can be covered by federal funding.**

**Blueprint for Kentucky’s Children Policy Solution:**

Within child welfare cases, ensure improved timelines to permanency, better understanding of laws and regulations, and improved court processes by transferring all case hearings and needed resources to the Office of Legal Services within the Cabinet for Health and Family Services

kyyouth.org/blueprintky/
Kentucky can...

Protect the health and well-being of new moms and their babies

Maternal health plays a key role in the healthy development of a child at every stage. Mothers need to be healthy, have access to the care and services they need, and have the necessary resources to meet basic needs throughout their pregnancy, birth, and after welcoming a new child.

Postpartum depression is a common condition in which new mothers, within the weeks and months after giving birth, feel sad, hopeless, and have little interest in doing things they once enjoyed. More severe than the “Baby Blues”, this condition often interferes with daily activities and caring for the baby and, if left untreated, can cause problems sleeping and eating. Maternal depression also impacts the baby, including early brain development and behavioral health conditions later in life.

Postpartum depression screenings can be conducted in various medical settings, including:

- At a mother’s postpartum appointment with their OB-GYN
- At a mother’s primary care visit in the weeks or months after giving birth
- At the pediatrician’s office during the 1-, 2-, 4-, and 6-month well-child visits

At least 1 in 8 women experience postpartum depression, but it is often undiagnosed and underreported.

Effectively treating and managing maternal depression starts with identifying the problem and can have long-term impacts for both mother and baby. Supporting a mother’s mental health during the early stages of a child’s life supports healthy development and mental health for children in years to come.

Maternal Mortality in the Commonwealth:

In Kentucky, over 90% of maternal deaths are considered preventable and more than 25% have mental health conditions as a contributing factor. State data highlights disparities among the cases of maternal mortality with the rate among Black women more than doubling that of White women. Social factors, such as income and access to quality health care, also place Black women at increased risk for experiencing postpartum depression. Improving access to necessary care and responsiveness of providers can help address the disproportionate rate of Black mothers dying within one year of giving birth.

Blueprint for Kentucky’s Children Policy Solution:

Support maternal mental health by requiring postpartum depression screenings at appointments after birth

kyyouth.org/blueprintky/
Kentucky can...

**Study options to strengthen families and the workforce through Paid Family Leave**

When families welcome a new child home, whether by birth or adoption, parents should not have to choose between caring for their loved one and risking their financial stability. Paid family leave allows families to be there for the important first moments in the lives of their children knowing their employment is secure.

The vast majority of working people do not have paid family leave through their jobs. Even unpaid leave under the federal Family and Medical Leave Act is only accessible for 56% of working people.

**Paid family leave has proven short- and long-term health and well-being benefits for families:**

- Contributes to fewer low birthweight babies, fewer incidents of pediatric abusive head trauma, fewer infant deaths, and higher rates of breastfeeding
- Promotes parent-child bonding and accessing prenatal care
- Allows mothers time to fully heal from childbirth and reduces likelihood of severe depression in new mothers
- Linked to children having better developmental outcomes, including fewer behavioral problems
- Generates greater income stability for families

**It also has proven returns on investment for employers:**

- Boosts employee morale and reduces turnover
- Creates an incentive for potential employees
- Lever for increased labor force participation

**Advancing Equity in Kentucky**

Improving access to this benefit would boost family and economic stability for all eligible families. Nationally, 25% of Latino and 43% of Black workers report having access to any paid or partially paid parental leave, compared to 50% of White workers.

Paid Family Leave means workers – especially women – are no longer faced with the decision to leave the labor force to care for their families, reducing turnover for employers of all sizes and boosting the economy. It can reduce health and economic disparities as families can maintain an income and have access to health care as they care for their new child. As a first step measure, Kentucky can conduct a cost analysis to study the economic impact of implementing a statewide Paid Family Leave policy.

**Blueprint for Kentucky’s Children Policy Solution:**

Conduct a study focused on developing a statewide Paid Family Leave infrastructure that is best suited from the Commonwealth
Kentucky can...
Promote the well-being and financial stability of survivors of domestic violence and stalking and their children

Domestic violence is defined as a systematic pattern of behaviors used by one person to gain and maintain power and control over their intimate partner. It can take many forms, including isolation, intimidation, threatening to take the children or to commit suicide, withholding access to finances, or physical assault among many others.

In 2020, Kentucky had nearly 17,000 child victims of abuse or neglect and over 50% had family violence as a risk factor, both of which are defined as Adverse Childhood Experiences. Children who witness domestic violence, or are victims of abuse themselves, are at serious risk for physical and mental health issues that can last a lifetime.

Employment and financial independence are critical for survivors of domestic violence to be able to support themselves and their children. Unfortunately, for most people in abusive relationships, financial abuse creates barriers that can mean the difference between remaining in (or returning to) an abusive relationship and leaving for their children’s and their own safety.

In a national study of survivors of intimate partner violence, 83% experienced disruptions at work caused by their abusers. Of that group:

- 70% couldn’t get a job when they wanted or needed one
- 53% lost their job because of the abuse
- 49% missed at least one day of work
- 18% missed out on a promotion or raise

Kentucky can take important steps to remove barriers to permanently leaving an abusive relationship

- Ensure that victims of intimate partner violence, sexual assault, and stalking are not disqualified from unemployment insurance benefits if their reason for not working is directly related to their experience of abuse, assault, or stalking.

- Through confidential documentation by police or court records, a sworn statement, or other documentation, survivors of domestic violence should be able to access these short-term benefits as they find safety and stability for themselves and their children.

Blueprint for Kentucky’s Children Policy Solution:

Ensure survivors of intimate partner violence can access unemployment insurance benefits if their reason for not working is directly related to the violence, assault, or stalking

kyyouth.org/blueprintky/
Kentucky can...
Prevent youth from initiating tobacco use and vaping and becoming addicted to nicotine

Youth tobacco use – specifically e-cigarettes or vaping – is a widespread issue in middle and high schools across the state and poses a significant threat to the health and well-being of Kentucky’s future generations. In addition to costing Kentucky more than $2.23 billion in health care costs every year, smoking impacts our economy and is responsible for $6.3 billion in lost productivity each year.

Addressing the issue early on reduces the likelihood that youth will begin using products containing nicotine and become addicted. Nearly 90% of tobacco users first try a tobacco product by age 18. But, those who didn’t start using nicotine by age 26 are likely to never start. Strong tobacco retailer licensing laws can help prevent youth tobacco use initiation for both traditional cigarettes and e-cigarettes.

Kentucky can protect youth from the harmful effects of vaping by establishing a statewide tobacco retail license which would require retail stores who wish to sell tobacco products, including e-cigarettes and vapes, to apply for, receive, and maintain a license.

Tobacco Retail Licensing not only protects youth, it can also improve equity among communities who are specifically targeted by the tobacco industry, including people with low incomes and people of color.

In addition to providing data on who sells these products, a tobacco retail license would provide oversight for retail stores to ensure purchase age enforcement and that other retail policies are being followed to help prevent youth from accessing harmful tobacco products.

Kentucky can follow more than 35 other states that require retailers to hold a license to sell tobacco products. We have the opportunity to break the cycle of early tobacco initiation and prevent youth nicotine addiction in the Commonwealth.

Blueprint for Kentucky’s Children Policy Solution:
Establish a statewide tobacco retail license that ensures retailers are selling tobacco products only to those 21 years and older