Statement on the 2020-21 Budget

April 2, 2020. The New York State Child Welfare Coalition, including policy advocates working to improve our system for children and families, applauds the legislature and the governor for advancing critical reforms to the State Central Register (SCR), as part of budget legislation. These reforms, championed by Senator Montgomery and Assembly Member Jaffee, and supported by families, community-based providers, attorneys representing children and parents, and advocates across the State, will make New York’s child welfare system fairer by:

- Raising the standard of proof for a finding against a parent to “a fair preponderance of the evidence” on Jan 1, 2022, bringing New York in line with a majority of jurisdictions across the county, and better balancing child safety with fairness for parents;

- Protecting parents by limiting SCR reporting for employment and other purposes for those where there was an indicated finding for child maltreatment to 8 years, helping mitigate barriers to employment that push families deeper into poverty, especially poor parents of color;

- Allowing parents the ability to show evidence of rehabilitation at fair hearings challenging findings made against them; and

- Aligning records in the SCR with findings made by Family Courts, so that parents don’t need to go through a duplicative process to clear their records if a Judge found there was not evidence of abuse or neglect.

While this historic reform offers great promise, the State budget fails to invest in children and communities to reduce contact with the child welfare system and the need for foster care.

Despite our collective advocacy, the budget:

- Includes a $25 million reduction in state funding for the open-ended child welfare services funding stream;

- Fails to restore state reimbursements to counties for child welfare expenses (preventive and protective services funding and other child welfare expenses) to the statutory rate of 65%; and
• Fails to establish an independent and open-ended funding stream to fund the Kinship Guardianship Assistance Program (KinGAP) to incentivize counties’ use of KinGAP supporting children living with family.

During this public health crisis and period of economic instability, community resilience is paramount. Unfortunately, the budget fails to make critical investments in child welfare that would help strengthen families.

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