

February 1, 2017
Senate Committee on Human Services
Testimony regarding SB636

My name is Vera Stoullil, Chief Operating Officer of Boys & Girls Aid. We have been serving children and families in Oregon for more than 130 years. Currently we provide shelter and therapeutic foster care services for youth in the custody of DHS. The youth we serve have been traumatized by the abuse and neglect that brought them into care, and they have been further traumatized by the system designed to protect them. What drives our agency is a desire to ensure youth find the stability and safety of a family to care for them, not only in the short term, but in the long term.

We share your goal of ensuring child safety. Our most vital resource to accomplish this goal is our staff. A majority of our staff in the programs relevant to this bill are young professionals early in their careers. The promise we make to them is that we will provide them with the opportunity to learn and grow while they are with our agency and that they are key to our efforts to provide the best possible care to the youth we serve. This means they will make mistakes and that they will learn from them. We make a distinction between mistakes and intent to do harm.

Most of the staff hired to provide the direct care and support to our clients are early in their careers. We are committed to helping them develop into high quality professionals by providing them high quality support, training, supervision and guidance. We see this as an investment into the profession. We know they will move on from Boys & Girls Aid, but have confidence they will make a contribution wherever they go.

- **One of the biggest challenges over all of the statutory, rule and implementation changes this last year is that they focus on taking action against mistakes and not on building competency so staff continually improves their performance.**
- **Closing programs and firing staff don't build safer, higher performing services. This approach builds fear and is driving people away from the profession, ultimately having a negative impact on the youth we serve. We do not ensure child safety by depleting the workforce.**

Our recommendation to amend the definitions for Substantiated and Unsubstantiated are aligned with standards in other areas of the law. A substantiated abuse or neglect allegation will end the career of a young professional. The standard should be more than "reasonable cause" to believe abuse or neglect occurred. A standard of a "preponderance of evidence" is more appropriate given the impact this will have on the employee.

Our amendments create new opportunities for people to acknowledge their mistakes, have the mistakes go on record, and allow for corrective action.

Our amendments de-link a substantiated finding for a staff person from licensing penalties for organizations, such as license conditions, suspension or revocation. If the agency did everything required by law and licensing, and a staff person independently committed an act of abuse or neglect, in contradiction of their training and direction from the organization, it is the individual that should be held accountable, not the entire agency and program.

As I said, a majority of our staff working with youth are young professionals, early in their careers. They are given extraordinary responsibilities and carry a heavy burden to ensure the health and safety of youth in their care who are traumatized. The current approach to investigations has created a climate of fear among our staff. We have had a staff who have had to wait 4-6 months to find out if a simple mistake on their part was going to be deemed abuse or neglect and essentially end their careers.

I sincerely hope you will adopt the proposed amendments to ensure this bill helps to develop and strengthen the workforce to ensure the youth in our care get the very best care they deserve.