



September 28, 2021

The Honorable Representative Antonio F.D. Cabral
House Chair
Joint Committee on State Administration and
Regulatory Oversight

The Honorable Senator Marc Pacheco
Senate Chair
Joint Committee on State Administration and
Regulatory Oversight

Dear Chair Cabral, Chair Pacheco, and Committee members,

The Children's League of Massachusetts (CLM) is a statewide non-profit association of over 60 private and public organizations and individuals that collectively advocate for public policies and quality services that are in the best interest of the Commonwealth's children, youth and families. It is through public education and advocacy that CLM promotes the availability, accessibility, and quality of these needed services. Our members, who comprise providers, advocates, and regulators of services, know first-hand the struggles that children and their families face in the Commonwealth.

We are writing to testify **in support of An act relative to language access and inclusion (H.3199/S.2040)**. While vulnerable youth and families interact with many state agencies, our focus is primarily on the Department of Children and Families (DCF). Improved language access within DCF would achieve two goals. First, it would greatly improve the ability of families to find and access assistance and culturally relevant services and programs that support families and reduce incidents of child abuse and neglect. Second, it would improve the ability of DCF to work effectively with limited English proficient (LEP) youth and families to achieve a positive outcome in a timely fashion.

In the state of Massachusetts, almost one in ten residents are considered limited English proficient. They do not speak English as their primary language and have a limited ability to speak, write, or understand English. This is also true of families served by DCF, where the top primary languages other than English are Spanish, Portuguese, Haitian Creole, Cape Verdean Creole, Chinese, Vietnamese, and American Sign Language.¹

¹ DCF FY2020 Annual Report

DCF Family Resource Centers (FRCs) are “community-based, **culturally competent** [emphasis added] programs that provide a variety of services to children and families, including evidence-based parent education, parent and youth mutual self-help support groups, information and referral, grandparent support groups, mentoring, educational support, cultural and arts events, and other services.”² As a primary tool for keeping children and families stable and safe, FRCs must have the ability to provide services in a family’s native language. Yet even the FRC website, funded by DCF and operated by UMass Medical School, is only available in English.

According to the most recent FRC evaluation, 24% of FRC clients in 2019 spoke Spanish as their primary language, with Spanish-speaking clients peaking at 39% in 2018 due to displacement of families by Hurricane Maria. This illustrates that with FRCs playing an important role in supporting families during disaster recovery, we cannot always predict when services in a specific language will be required. The Commonwealth must invest in the tools and infrastructure that allow nimble access to translation and interpretation services when a family is most in need and when services will matter most to keep a family from falling further into harm.

Once a family is in the child welfare system, language barriers can make it even more difficult to achieve a rapid and positive resolution. A recent report by the Massachusetts Appleseed Center for Law and Justice examined the impact of insufficient language services within DCF and how families with limited English proficiency (LEP) may disproportionately experience negative outcomes during their involvement with DCF. The findings are stark:

- “Despite a few individual ‘superstar’ caseworkers, the majority of LEP parents do not receive sufficient interpretation services, document translation services, or social services in their primary language.
- A lack of competent and impartial interpretation plagues DCF casework; it is estimated that an interpreter is present in only 25% of the LEP home visits the agency conducts.
- LEP families regularly do not receive Action Plans, letters, notices, and agreements translated into their primary languages.

² FRC evaluation 2019

- Often LEP parents experience wait times double those that English-speaking parents face when trying to attend the social services (such as therapy, substance use disorder meetings, or parenting classes) that are mandated by DCF.”³

As described in the report, language access goes beyond simply translating materials. It means ensuring a family understands the process and expectations of DCF involvement, and how to resolve their case. Without proper translation and interpretation, a family may not understand why their children are being removed, what corrective steps they must take, the gravity or urgency of their case, or their rights under the law. A family should never be forced to sign a DCF Action Plan without being able to fully review and discuss the plan in their native language and fully understand their obligations and rights. Furthermore, language barriers can hinder access to culturally relevant community-based programs required in the Action Plan. Disregard for language-accessible programs can lead to DCF workers labeling parents as noncompliant, increasing the likelihood of child removals and resulting in children unnecessarily and even permanently separated from their families.

The DCF Language Access Plan has components that support LEP clients, including those in congregate care where highest-needs youth may reside. Luckily, many of our community providers are already well-equipped to offer culturally relevant services. Stronger language access legislation would ensure that DCF is able to fully meet this promise. As stated:

“DCF has contracts with providers who have the capacity to provide counseling and other client services in the preferred language of the client, including community based and congregate care providers that serve particular linguistic communities. This is particularly true for community-based providers who serve specific cultural and linguistic communities.”⁴

Child welfare cases are complex, nuanced, emotional, and have devastating impacts on children and their families, even under the best of circumstances. We believe strongly that Massachusetts must take action to

³ Families Torn Apart: Language-Based Discrimination at the Massachusetts Department of Children and Families

⁴ DCF Language Access Plan 2019-2021, p. 9



ensure language barriers are not exacerbating the trauma of DCF involvement with a family. We strongly urge you to vote this bill out favorably and work diligently for its passage without delay.

Sincerely,

Tammy Mello
Executive Director
Children's League of Massachusetts

CLM Member Organizations in Support of this Legislation

18 Degrees

Children's Services of Roxbury

Etsky Consulting

Family Continuity

Hopewell

JRI

NFI Massachusetts

Parents Helping Parents

United Way of Greater Plymouth County